

# **MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL**

**August 24, 2021**

The minutes of the proceedings of a City Council and Urban Renewal work session of the City of Coos Bay, Coos County, Oregon, held at 5:30 pm in Council Chambers, 500 Central Avenue, Coos Bay, Oregon.

## **Those Attending**

Those present were Mayor Joe Benetti and Councilors Lucinda DiNovo, Stephanie Kilmer, Rob Miles, and Sara Stephens. Councilors Drew Farmer and Carmen Matthews were absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Assistant City Manager/Finance Director Nichole Rutherford, Deputy Finance Director Melissa Olson, Public Works and Community Development Director Jim Hossley, Deputy Public Works and Community Development Director/City Engineer Jennifer Wirsing, Police Chief Chris Chapanar, and Library Director Sami Pierson. City staff attending remotely by teleconference was Community Development Administrator Carolyn Johnson.

## **Flag Salute**

Mayor Benetti opened the meeting and led the council and assembly in the salute to the flag.

## **Public Comment**

No public comments were made.

## **Public Comment Form**

No public comment forms were received.

## **Review of the City Council and URA Board Upcoming Action Items:**

### **Discussion Regarding Proposed Flag Policy**

Earlier this year, a citizen approached the city requesting to have the Pride flag placed on a city flag pole during the month of June which was recognized as Pride Month. The request was not granted as the City lacked a policy to assist in determining if such requests should be granted and what criteria would be used in assessing what flags would be appropriate to allow and which would not. Councilor Farmer asked to have the matter scheduled for discussion at a Council work session. The City Attorney was asked to undertake some research and present his findings / advice at the June 28, 2021 work session, and has since prepared a proposed Flag Policy for Council review. On July 27, 2021, the City Attorney presented his research findings along with a draft flag policy for the Council's consideration. The proposed policy addressed a key concern by noting that any commemorative or ceremonial flags displayed are being done so in order to express the City's sentiment concerning a particular issue or matter, and as such, the public at large does not have a constitutional right to have their particular flag displayed.

City Attorney Nate McClintock provided a map of Coos Bay flag pole locations and stated during the July 27, 2021 work session, the Council reviewed a draft Flag Policy which if adopted would allow the Council to grant permission to display commemorative or

ceremonial flags on a city owned flag pole or poles. While there was consensus to adopt a policy, staff needed direction on some specific policy details including but not limited to the following:

- Would a request to display a commemorative or ceremonial flag require a simple majority approval by the Council or a super majority?
- Standard time duration a commemorative or ceremonial flag would be displayed (one week, two weeks, one month, etc.).
- Did the Council want to designate one or two flag poles for the display of approved commemorative or ceremonial flags?
- Once the policy was adopted, would modification of the policy require a simple majority, super majority or unanimous vote?

Council discussion ensued and consensus for a super majority to modify the flag policy, one Councilor to put a flag request on the agenda, a simple majority to approve a flag to be displayed, one-week duration with Council majority able to extend for one month (maximum thirty-one days), and designated one flag pole at the boardwalk to fly ceremonial flags.

### **Discussion Regarding Status of Current Library Facility and Process Timelines for Construction of New Library Facility**

City Manager Rodger Craddock provided an update on the status of current Coos Bay Public Library facility roof with water damage and settling issues requiring immediate attention to preserve remaining viability of facility pending construction of new facility to ensure services could be provided to citizens in a safe environment; as well as, a healthy and safe work place for library staff. Staff received an initial bid for the replacement of the current Library facility roof which far exceeded the original estimates anticipated by staff. An additional bid was being sought, as well as, requesting value engineering on the initial bid. Assistant City Manager/Finance Director Nichole Rutherford provided a timeline for the May 2022 ballot measure process. Deputy Public Works and Community Development Director/City Engineer Jennifer Wirsing provided an update on the site development process for the John Topits Park property designated for the future site of the new library facility.

Council discussion ensued and consensus to move forward with the emergency repairs to the library facility and to move the bond measure timeline back to add an additional Council meeting if needed.

### **Review of Building Improvement Program Grant Request for 657 Newmark Avenue**

Community Development Administrator Carolyn Johnson stated the 657 Newmark Building Improvement Grant application proposed the creation of a 19-foot by 60-foot historic mural on the building's west side. Owned and occupied by the Star of Hope, Ms. Joanne L. Moss, with the Community Coalition of Empire (CCE), was authorized to submit and provide representation for the subject application. The Star of Hope is located at the southeast corner of Newmark Avenue and South Wall Street, with the westerly frontage facing South Wall street. Because of the project location in the Empire Waterfront Settlement Design Review Area, the applicant submitted and the City was processing an Architectural Design Review permit.

The applicant requested \$4,000 for the proposed project and provided one bid in the amount of \$8,000. The application indicated the match was comprised of \$2,000 from Star of Hope

and \$2,000 from CCE. The Design Assistance Team (DAT) has reviewed the project and provided positive comments for consideration as a part of the Architectural Review Permit review. \$100,000 has been budgeted for the Building Improvement Program in the Empire area.

Council stated concern the project had been started prior to permit approval, the applicant needed to be contacted to stop further progress on the project for Tribal approval of depictions and permit approval.

**Discussion Regarding Consideration of Approval to Amend the City Fee Schedule - Approval Would Require Adoption of Resolution 21-24**

Assistant City Manager/Finance Director Nichole Rutherford stated the City's fee schedule was reviewed regularly for potential increases to fees either based upon a cost analysis of providing services relative to the fee charged or upon annual market factors (Consumer Price Index or Municipal Cost Index, as examples). The proposed revised fee resolution included changes for fees related to services provided by staff from the Fire Department, Library, and Police Department. For the Fire Department fee changes proposed, fees were aligned with the 2021 Oregon Fire Service Mobilization Plan and includes revisions to personnel and equipment rates. The Library Board met on August 18, 2021 to review related fees and approved removal of late fees and revision to the fees for renting the meeting room(s). The Police Department performed a survey of other agency fees throughout Oregon and provided the results of that survey for review. The proposed fee changes were related to the costs of producing requested materials such as police reports and audio, video and body cam recordings.

**Adjourn**

There being no further business to come before the council, Mayor Benetti adjourned the work session. The next regular council meeting was scheduled for September 7, 2021. These minutes were approved as presented by City Council on September 7, 2021.



---

Joe Benetti, Mayor

Attest: Nichole Rutherford  
Nichole Rutherford, City Recorder