

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

September 7, 2021

The minutes of the proceedings of a regular meeting of the City Council of the City of Coos Bay, Coos County, Oregon, held at 7:00 pm in the Council Chambers, 500 Central Avenue, Coos Bay, Oregon.

Those Attending

Those present were Mayor Joe Benetti and Councilors Lucinda DiNovo, Drew Farmer, Stephanie Kilmer, Carmen Matthews, Rob Miles, and Sara Stephens. 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, Fire Chief Mark Anderson, 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 Comments

No public comments were made.

Public Comment Form

No public comment forms were received.

Oath of Office

Administration of the Oath of Office for Newly Appointed Councilor Sara Stephens

The oath of office was administered to Councilor Sara Stephens by City Recorder / Assistant City Manager / Finance Director Nichole Rutherford.

Consent Calendar

Mayor Benetti reviewed the consent calendar which consisted of:

- 3a: Approval of August 17, 2021 Minutes
- 3b: Approval of August 24, 2021 Minutes
- 3c: Acceptance of July 2021 Financial Reports and Check Registers
- 3d: Consideration of Adoption of Resolution 21-25 Authorizing the Acceptance of the Tidegate Loan and Grant from Business Oregon
The city identified seven tide gates in need of repair. Business Oregon offered

a funding program for tide gate planning level projects. The city applied for and was awarded a \$100,000 grant and \$100,000 loan. Business Oregon also required a resolution be passed.

3e: Acceptance of FEMA Grant for Exercise Equipment and Appropriating Grant Funds - Would Require Adoption of Resolution 21-26

The Coos Bay Fire Department wanted to utilize FEMA's Assistance to Firefighters Grant funding for the replacement of exercise equipment for the fire department.

Councilor DiNovo moved to approve the consent calendar as presented. Councilor Matthews seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens.

Election of Council President

City Manager Rodger Craddock stated with the vacation of Councilor Marler's position there was an opening for Council President. Mayor Benetti moved to nominate Councilor Miles as Council President for a term ending with the next general biennium election. No further nominations were made.

Councilor DiNovo moved to appoint Councilor Miles as Council President and suspend the Council rules for ballot vote. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens.

Consideration of Appointment to the Homeless Work Group

City Manager Rodger Craddock stated the Council established a Homeless Workgroup on November 21, 2017, and eighteen members were appointed to the committee on February 20, 2018. The committee had not met since February 13, 2020 due in large part to COVID restrictions, but they had met 14 times in the previous two years. The committee was instrumental in the implementation of the following: Housing Receivership Ordinance, Exclusionary Ordinance, creation of a Community Services Officer position, Vacant Property Registration Ordinance, Temporary Lodging Facilities Ordinance, Warming Shelter Policy, Property Watch Program, revisions and expansion of the Camping Ordinance, and revisions and expansion of the Towing Ordinance. A number of the original committee members were no longer members of the committee or no longer in the position of the organization they represented which occasionally required Council to appoint new representatives on the committee. Recently, one of the Homeless Workgroup representatives from the Coquille Indian Tribe has requested that Jessica Hamner, the current member, be replaced by Alyssa Severson. In addition, Representative Boomer Wright was interested as well.

Councilor Kilmer moved to appoint Alyssa Severson as a representative of the Coquille Indian Tribe to the Homeless Workgroup along with Representative Boomer Wright. Councilor Farmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens.

Public Hearing to be Held to Consider Approval of Proposed Towing of Illegal Vehicles Ordinance - Approval Would Require Enactment of Ordinance

Police Chief Chapanar stated over the past month, staff had been working on the revision of

Coos Bay's "Towing of Illegal Vehicle" ordinance. The revision expanded the abandon vehicle definition by including the term "Unlawful Vehicle" and defined what constitutes an "Unlawful or Abandon" vehicle. The revised ordinance also included definitions for "Park or Parking" and "Recreational Vehicle", as well as, clear guidance in accordance to Oregon's new law under (House Bill 3124), on the legal requirements of municipalities and counties when property is seized/towed. It defined the retention requirement of thirty days, allowing reasonable time and opportunity for the property to be retrieved by the owner. The revised ordinance was been reviewed by Coos Bay's City Attorney and the ordinance was presented to the City of Coos Bay's Homeless Work Group Committee, who voted unanimously in support of the revisions.

Mayor Benetti opened the public hearing. No public comments were made and the hearing was closed.

Councilor Farmer moved to enact the proposed Towing of Illegal Vehicle Ordinance. Councilor Matthews seconded the motion which carried. Deputy Finance Director Melissa Olson read the ordinance by title only and Ordinance 546 was enacted by the following vote:

Aye: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens.

Nay: None.

Absent: None.

Approval of Intergovernmental Agreement in Support of Community Development Block Grant

City Manager Rodger Craddock stated the management team from the City of North Bend asked for support of their effort to successfully apply for a CDBG to aid Coos County residents with emergency rental assistance. If awarded, Oregon Coast Community Action would administer the grant for the City of North Bend. The proposed Intergovernmental Agreement, if approved, would provide access to rental assistance funds for Coos Bay residents, as well as potentially increase the amount of the award. The CDBG allows for additional partners in the award, thereby extending the assistance into each partner's community, and potentially increase the total grant award. In order to be included as a partner, providing for emergency rental assistance for Coos Bay residents who meet program qualifications, the City of Coos Bay must enter into an IGA with the City of North Bend (applicant) and Oregon Coast Community Action (administrator).

Councilor Kilmer moved to authorize the City Manager, or designee, to sign the Intergovernmental Agreement with the City of North Bend and Oregon Coast Community Action, supporting the CDBG application and potential subsequent grant award for Coos Bay residents. Councilor Miles seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens.

Consideration of Request to Purchase Jetter/Vacuum Vehicle

Public Works and Community Development Director Jim Hossley stated a Jetter/Vacuum truck was utilized frequently throughout the Water Quality asset. Most importantly a Jetter/Vacuum truck was used in the regular cleaning and maintenance of the conveyance system. On average, 9,000 feet of the City's Sewer and Storm conveyance systems was cleaned monthly to keep the system free flowing and in good working condition. A

Jetter/Vacuum truck was also utilized to help investigate sinkholes, line breaks, citizen concerns, clean spills and hydro excavate for repairs and new installs. The Water Quality Division utilized the Jetter/Vacuum trucks at the twenty-five lift stations to clean wet wells, controlling flows for wet well entries for maintenance and repair, and for emergency response. Plant 1 used a Jetter/Vacuum truck for cleaning, entry and maintenance for fifteen different process areas annually. Plant 2 used a Jetter/Vacuum truck for cleaning, entry and maintenance for nine different process areas annually.

Currently there were two Jetter/Vacuum vehicles in the city's rolling stock inventory; The oldest one was a 1995 Ford LNT 3000 Sewer Cleaner Jetter/Vacuum truck, designated vehicle number 916. This vehicle was the second oldest in the Water Quality's rolling stock inventory, next to a 1990 International tanker truck, and has 9,150 hours on the main drive motor which equates to 457,000 miles. This vehicle has been out of service for several months due to multiple mechanical and safety issues including manufacturing a new pitman arm, jetter hose replacement, hydraulic pump replacement, all ten tires replaced, debris body replacement, boom control wiring harness, blower replacement, and numerous electrical repairs. These minimum necessary repairs must be made to make the vehicle road worthy and safe to use and are estimated to be \$159,000. The useful life for a Jetter/Vacuum truck was recommended ten years, which places this vehicle sixteen years past its useful service life. The other Jetter/Vacuum vehicle was a 2009 model with 7,500 hours. Currently it was in fair working condition but past the recommended useful life of ten years.

Due to the frequency of utilization and criticality of this asset, the immediate replacement of the 1995 Jetter/Vacuum truck was recommended. A quote was provided for a replacement vehicle. Per Resolution 17-14 (Public Contracting Rules) which references the Oregon Revised Statutes (in particular Section 5.(b) paragraph (2)), the City can purchase this vehicle through a Cooperative Purchase Agreement with Sourcwell. The cost to replace said equipment was quoted for \$437,588 with several lease to own purchasing options available. There may not be budget to outright purchase the vehicle with the anticipated/planned rolling stock needs over the next one to three years and the planned capital improvement projects. As a result, there were several other purchase options that were provided:

- Option 1 – Purchase outright for \$437,588
- Option 2 – Three-year lease at \$155,466 Annually (\$28,810 interest payment)
- Option 3 – Four-year lease at \$11,932 Annually
- Option 4 – Five-year lease at \$95,766 Annually (\$41,242 interest payment)
- Option 5 – Six-year lease at \$82,359 Annually
- Option 6 – Seven-year lease at \$70,347 Annually (\$54,841 interest payment)

The city received a quote from US Bank to finance the cost of the Jetter/Vacuum. The interest rate for a 5-year term was 1.65%. The interest paid over the life of the 5-year term would be approximately \$22,000. The interest rate for a 7-year term was 1.9% with total interest over the 7-year term being approximately \$34,000. Staff analyzed purchase options that were consist of purchasing it outright, a 3-5 year lease to own option identified above, or coordinating with our local banks on finance options. At most, a 5-year lease to own option would involve 5 annual payments of \$95,766 for a total purchase price of \$478,830. In addition, \$10,000 would be needed to upgrade the brakes, install a city logo, and outfit the vehicle with safety equipment for a maximum purchase price of \$488,830. Staff would investigate the options and move forward on the options that best fits with the City's budgetary needs. The maximum purchase price is \$488,830 and the allocations are as

follows: 03-351-530-3300 - 23.5%, 03-352-530-3300 - 23.5%, 03-353-530-3300 - 42.5%, 03-355-530-3300 - 10.5%.

Councilor DiNovo moved to approve the purchase a new Jetter/Vacuum vehicle for an amount not to exceed \$488,830. Councilor Matthews seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens.

Consideration of Entering Into Grant Agreements to Replace Floating Docks at Empire and Eastside Boat Ramps

Public Works and Community Development Director Jim Hossley stated the Empire and Eastside Boat Ramps were both in need of replacement of dock floats. At the February 16, 2021, Council approved Resolution 21-05 authorizing submittal of a grant application to the Oregon State Marine Board (OSMB) to fund these dock replacements. As a result of the application, two grant funding sources were provided: \$203,250 from Oregon Department of Fish and Wildlife (ODF&W) and \$67,750 from the OSMB. In addition, OSMB also prepared plans and technical specifications and regulatory permits/approvals have been obtained. In the OSMB grant there was a Project Timeline (Exhibit A) with a completion date of January 2022. However, based on coordination with OSMB, this timeline could be extended. Due to delays in materials, the unstable bidding market, and the lack of availability of aluminum OSMB recommended the city bid this project in the Fall. It was anticipated once the bid was awarded, it would take six months for the materials to be onsite. OSMB approved this updated schedule and once the agreement was signed, they would provide an amendment to change the Project Timeline. Staff recommended entering into these two agreements and bidding this project in fall 2021.

Councilor Miles moved to enter into the grant agreement from the Oregon Department of Fish and Wildlife for \$203,250 and a grant agreement from the Oregon State Marine Board for \$67,750 for a total of \$271,000 to replace dock floats at the Empire and Eastside Boat Ramps. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Kilmer, Matthews, Miles, Stephens. Absent: Farmer.

City Manager's Report

City Manager Rodger Craddock stated commend Chief Chapanar and staff as over a month ago worked on the camping ordinance, have spent large amounts of time educating and providing resources to those camping in the city, and have seen a great improvement. Over a year ago Measure 110 was passed limiting the work of the city's two drug dogs; can work in the school, by parole and probation, search warrants, but day to day patrol cannot be used; one dog was assigned to the school; and the other dog ownership was transferred to Coos County Parole and Probation. The wastewater treatment process produces sludge, staff was trying to lower the limit of sludge to the Eastside pond and ground apply it to local farmers instead, and in less than ninety days have ground applied over 500 yards of sludge.

Council Comments

Councilor Farmer stated various groups spoke at a listening session regarding mental health and consequences of Oregon law; the right to assist people in need will be part of next legislative session. Councilor Matthews welcomed Councilor Stephens and thanked the city for their hard work on the 4th Street project. Councilor DiNovo congratulated and welcomed Councilor Stephens. Councilor Miles welcomed Councilor Stephens, thanked Council for electing him as Council President, and on September 10, 2021 was Dutch Brothers Buck for

Kids day. Councilor Kilmer stated the Coos Bay Downtown Association had to cancel the Bay Area Fun Festival this summer with other activities having been cancelled as well, Farmer's Market would continue as a masked market on Wednesdays through October 2021, thanked the Police Department for all their work on the towing ordinance, brush pick-up was scheduled to begin the week of September 6, 2021, and the Speeders were scheduled to be in Coos Bay October 8, 2021 which would kick off the Bus Jam Toy and Food Drive scheduled for December 2021. Councilor Stephens stated she was there to serve the community, was interested in hearing from citizens, and thanked everyone for letting her serve on the council. Mayor Benetti welcomed Councilor Stephens, 4th Street LED lights had not been working and ODOT would switch the boxes on September 8, 2021, League of Oregon Cities Conference was cancelled, asked about the Mingus Park grant which had previously been delayed due to COVID, and asked if the Police Department were enforcing the camping ordinance. Public Works and Community Development Director Jim Hossley stated Community Development Administrator Carolyn Johnson was working on the Mingus Park grant, the grant consultant has been continuing work on the grant, and should have processes to apply to in 2022. Police Chief Chris Chapanar stated they were enforcing the camping ordinance, it began September 3, 2021, the education process began thirty days prior, and they were getting compliance.

Adjourn

There being no further business to come before the council, Mayor Benetti adjourned the meeting. The next regular council meeting was scheduled for September 21, 2021. These minutes were approved as presented by City Council on September 21, 2021.



Joe Benetti, Mayor

Attest: Nichole Rutherford
Nichole Rutherford, City Recorder