

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

October 5, 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 Drew Farmer, Stephanie Kilmer, and Rob Miles. Councilors Carmen Matthews and Sara Stephens attended remotely by teleconference. Councilor Lucinda DiNovo was absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Deputy Finance Director Melissa Olson, Public Works and Community Development Director Jim Hossley, Fire Battalion Chief Jeff Adkins, and Police Chief Chris Chapanar. City staff attending remotely by teleconference were Assistant City Manager/Finance Director Nichole Rutherford, Library Director Sami Pierson, and 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

Bittin Duggan, Coos Bay stated as a human rights advocate in Coos County had received donations and grants to help those in need and homeless; was working to help those with RVs to get in working order to move prior to towing ordinance and was waiting on grant funds to get the RVs legal and roadworthy. Police Chief Chris Chapanar stated abandoned vehicles received a 10-day notice prior to being moved, the towing ordinance for unlawful vehicles goes into effective October 7, 2021.

Public Comment Form

No public comment forms were received.

Consent Calendar

Mayor Benetti reviewed the consent calendar which consisted of:

3a: Approval of September 21, 2021 Minutes

3b: Approval of September 28, 2021 Minutes

3c: Acceptance of August 2021 Financial Reports and Check Registers

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

Approval of Domestic Violence Awareness Month Proclamation

Police Chief Chris Chapanar stated by Presidential Proclamation since 1987, the month of October had been known as National Child Abuse Prevention month. During the month of October, victims, service providers, criminal justice members, allied professionals and community volunteers joined together in observance of domestic violence awareness month. Domestic Violence Awareness Month provided an excellent opportunity for citizens to learn more about preventing domestic violence and to show support for the numerous organizations and individuals who provide critical advocacy, services, and assistance to victims. Executive Director of SAFE Project Rachael Espy provided some background information on the state project and read the Proclamation.

Councilor Miles moved to approve the proclamation designating October 2021 as Domestic Violence Awareness month. Councilor Farmer seconded the motion which carried. Ayes: Benetti, Farmer, Kilmer, Matthews, Miles, Stephens. Absent: DiNovo.

Public Hearing to Consider a Proposed Solid Waste Franchise Rate Adjustment - Approval Would Require Adoption of Resolution 21-28

City Manager Rodger Craddock stated most Oregon cities licensed or franchised private companies to collect garbage and other solid waste from residences and commercial buildings for transportation to an approved sanitary landfill or incinerator. Cities had a clear and historic role in the approval of franchises. These franchises tended to be exclusive, at least in practical effect, to avoid duplication of service and excess truck traffic; and to meet a city's typical requirement that the franchised hauler offer service to everyone who wants it within a defined service area. City franchises typically limited the rates charged by franchised haulers to their customers in exchange for allowing the hauler both a unique service area and a certain rate of return similar to the state's role in regulating other private utility providers. Recently, staff received a formal request from Coos Bay Sanitary and Les' Sanitary Services for a residential and commercial rate increase equal to 75% of last year's (2020) Consumer Price Index (CPI) which equated to a 1.40% rate increase. If approved, the adjustment would result in a \$0.33 per month increase for a basic 35-gallon residential cart service. The proposed rate increase, if approved by the Council, would take effect on or after November 1, 2021. Section 8.02.100 of the franchise agreement entitled "Rate Regulations" requires the City Council to hold a public hearing before ruling upon the request. Notice of the public hearing was placed in the World Newspaper on September 24, 2021, which met the requirement to publish the notice not less than ten (10) days and not more than thirty (30) days prior to the hearing. Bill Richardson, of Les' Sanitary, stated they had built into the cost services for household hazardous waste, recycling, and brush pickup.

Mayor Benetti opened the public hearing. No public comments were provided. The public hearing was closed.

Councilor Farmer moved to adopt Resolution 21-28 approving an adjustment in collection rates for the solid waste collection franchise holders. Councilor Miles seconded the motion which carried. Ayes: Benetti, Farmer, Kilmer, Matthews, Miles, Stephens. Absent: DiNovo.

Public Hearing for Review of Proposed Revisions to Coos Bay Municipal Code Title 17 Marijuana Regulations as Recommended by Planning Commission

Community Development Administrator Carolyn Johnson stated a November 2020

moratorium on new business licenses for marijuana businesses was in place. At the Council's request, the Planning Commission met in August and September 2021 to review potential changes to Coos Bay Municipal Code (CBMC) 17.335.080, Indoor Marijuana-related Businesses, regarding distance between marijuana retail businesses and residential uses in any zoning district; as well as, definitions related to marijuana uses. The Planning Commission's August 10, 2021 supplemental report was provided to the Council.

The Planning Commission recommended CBMC section 17.335.080 (1) be revised to read: Marijuana-related businesses may be operated indoors only and shall meet all of the following requirements: (1) Location. The business must be located in a permanent building and may not be located in a trailer, cargo container, motor vehicle, recreational vehicle, manufactured home, or greenhouse. Included with this revision was the removal of the second paragraph within section of 17.335.080 (1). The Planning Commission also recommended CBMC definitions mirror those of state regulations

Mayor Benetti opened the public hearing. No public comments were provided. The public hearing was closed.

Councilor Kilmer moved to accept the oral report from staff and continue the public hearing to October 19, 2021 City Council meeting. Councilor Miles seconded the motion which carried. Ayes: Benetti, Farmer, Kilmer, Matthews, Miles, Stephens. Absent: DiNovo.

Consideration of Contract Award for South 7th Street and Minnesota Avenue Road Rehabilitation

Public Works and Community Development Director Jim Hossley stated City Council was committed to the effort to improve the conditions of the City's street infrastructure. Staff identified projects in the Englewood area for the focus of the fall 2021 street projects. The projects identified were 7th Street and Minnesota Avenue. South 7th Street Road Rehabilitation: work to include new asphalt concrete pavement, aggregate base, curbs and gutters, catch basins, striping, roadway excavation, pavement removal, concrete removal, demolition work and other miscellaneous items. Minnesota Avenue Road Rehabilitation: work to include new asphalt concrete pavement, aggregate base, curbs and gutters, roadway excavation, pavement removal, concrete removal, demolition work and other miscellaneous items.

On September 28, 2021 the City publicly opened electronic bids for the South 7th Street and Minnesota Avenue Road Rehabilitation Project. The City received three bids to do the work. The bid tab with the results were provided to Council. The low bid was \$454,332 and the engineers estimate for this project was \$513,560. Transportation Utility Fund dollars would fund the project.

Councilor Farmer moved to award South 7th Street and Minnesota Avenue Road Rehabilitation project to Knife River Materials for \$454,332, plus authorize a 15% contingency of \$68,150, for a total not to exceed \$522,482. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, Farmer, Kilmer, Matthews, Miles, Stephens. Absent: DiNovo.

Consideration to Approve the Purchase of a New Streetsweeper

Public Works and Community Development Director Jim Hossley stated the typical life of a

streetsweeper was seven to eight years. The City's streetsweeper was a 2011 model and over the last couple of years had experienced significant and numerous repairs causing staff to recommend replacement. Staff researched several different types of streetsweepers and recommended the Global R4 Regenerative Air Sweeper. There were many differences between this street sweeper model and the City's current one. The Global model had a single engine as opposed to the current one which had a dual engine. The single engine would result in reduced maintenance costs, burn less fuel, and release less emissions (Tier IV Engine). The Global was also a "purpose-built truck", being one unit, not a retrofit and as such was anticipated to have increased performance with respect to street sweeping and safety, whereas the current sweeper had a Maxx Force DT chassis with streetsweeper components retrofitted onto the chassis. Examples of this would be the Global had a shorter wheel base to increase sweeping performance around curves and the front of the cab was much shorter to increase visibility. The old sweeper had a metal hopper where the Global sweeper had a stainless-steel hopper. Because of these reasons it was anticipated the life of the new vehicle would be greater than the City's current model.

The City often purchased vehicles through a Cooperative Purchasing Agreement allowed per Resolution 17-14. The vendor worked with several companies who offer Cooperative Purchasing. The best price the vendor could find was through a company we currently did not have an agreement with called Houston-Galveston Area Council (HGAC). There was no cost or obligation to enter into the contract and we could use this company, should they have the best price, for future purchases. It was recommended the City enter into a Interlocal Contract for Cooperative Purchasing with HGAC. The agreement which could be signed by the City Manager, should Council approve, was provided. The provided quote for the Global sweeper was \$297,033 which included delivery. In addition, the vehicle would need added safety equipment, decals, and registration. This was anticipated to cost an additional \$10,000. Staff was also working with the vendor as there may be an opportunity to receive a trade in credit for the old sweeper, anticipated \$10,000 to \$35,000.

The funds to purchase the streetsweeper would fully come from Water Quality Fund 3, Stormwater Collections Division, Capital Outlay. Historically, this purchase was split between Fund 2 Gas Tax and Fund 3 Water Quality; however, funds were not available in Fund 2 for this purchase.

Councilor Miles moved to authorize the City Manager to enter into a Interlocal Contract for Cooperative Purchasing with HGAC and approve the purchase of a streetsweeper for an amount not to exceed \$307,033. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, Farmer, Kilmer, Matthews, Miles, Stephens. Absent: DiNovo.

City Manager's Report

City Manager Rodger Craddock stated the signal at Hemlock and Broadway was functional; pre-bid meeting for interested contractors of Englewood School site clean-up was held October 5, 2021 with formal bid opening scheduled for October 12, 2021; LED street light project scheduled to begin again October 15, 2021 and would be completed November 2021; contractor awarded to tear down the city-owned building at Front and Date Street was scheduled to be on-site October 6, 2021 and the building should be down within five days; had all the approvals to do the Front Street site cleanup of the old storage facility/salvage yard but would be delayed until after the rainy season; received notice of two grant awards from DLCD for a total of \$100,000 to fund technical assistance for housing needs

assessment and housing production strategy; and have two grants outstanding for technical assistance to update the Parks Master Plan and quick charging EV chargers for the new parking lots.

Council Comments

Councilor Stephens thanked Rachael Espy for speaking to Council and SAFE's work surrounding domestic violence awareness, and congratulated Carolyn Johnson for her grant work. Councilor Matthews and Councilor Farmer thanked Rachael Espy and SAFE all their work. Councilor Miles stated it was Fire Prevention Week and the Coos Bay Public Library Foundation After Hours at the Library was scheduled for October 9, 2021. Fire Battalion Chief Adkins stated the Fire Department was working on outreach programs within the schools. Councilor Kilmer thanked Rachael Espy, noted the rail car speeders would be in town kicking off the Toy Express the weekend of October 9, 2021, and asked about the signage by Marshfield High School for driver's to slow down. City Manager Rodger Craddock stated staff would be meeting with the school district again on October 6, 2021. Mayor Benetti stated the Toy Express and Bus Jam was appreciated and thanked Carolyn Johnson for the grant work to help the city.

Adjourn

There being no further business to come before the council, Mayor Benetti adjourned the meeting. The next regular council meeting was scheduled for October 19, 2021. These minutes were approved as presented by City Council on October 19, 2021.



Joe Benetti, Mayor

Attest: Nichole Rutherford
Nichole Rutherford, City Recorder