

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

**November 23, 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, Drew Farmer, Stephanie Kilmer, and Sara Stephens. Councilor Carmen Matthews attended remotely by teleconference. Councilor Rob Miles was 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, Police Chief Chris Chapanar, Deputy Public Works and Community Development Director/City Engineer Jennifer Wirsing, Community Development Administrator Carolyn Johnson, Operations Administrator Greg Hamblet, Water Quality Administrator/Engineer II Stephan Stys, and Water Quality Environmental Specialist Rishia Mitchell. City staff attending remotely by teleconference was Library Director Sami Pierson.

## **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 Upcoming City Council and URA Board Action Items:**

### **Discussion Regarding Amendment of Coos Bay Municipal Code (CBMC) Title 17, Section 17.370 – Vacation Rentals**

Community Development Administrator Carolyn Johnson stated vacation rentals were defined in the Development Code as a residential structure being rented for compensation for less than thirty days without concurrent occupation by the owner/operator. On October 22, 2019, City Council discussed draft vacation rental regulations which was a result of an October 8, 2019 Planning Commission unanimous recommendation for adoption of vacation rental standards and regulations as a follow up to the definition of vacation rentals adopted by Ordinance 518. After hearing public testimony on October 22, 2019, Council reached consensus for Planning Commission to again review the draft regulations and also look at vacation regulations of other municipalities.

In April of 2021, 2SI Investment applied for a land use permit for a vacation rental at 850 Prefontaine. Consistent with the CBMC, neighboring property owners were notified of the land use application. The 2SI application received many objections from the neighboring residents, resulting in withdrawal of the land use application, and citizens asked Council for

review of the vacation rental regulations. On August 3, 2021, Council implemented a moratorium on vacation rental land use applications in residential districts and directed a Planning Commission public hearing and review of previously recommended (2019) draft vacation rental regulations. August 4, 2021, September 17, 2021, and October 8, 2021 City newsletters provided information on the vacation rental matter.

The Planning Commission's October 12, 2021 and October 25, 2021 public hearings were completed and the Commission would meet again on December 14, 2021 to conclude their review and formulate recommendations to Council. Ms. Johnson gave an overview of the Planning Commission's previously recommended draft regulations and citizen concerns; Council discussion ensued.

### **Discussion Regarding Amendment to Coos Bay Municipal Code (CBMC) Title 17 Empire Waterfront Settlement Design Review**

Community Development Administrator Carolyn Johnson stated the Empire design guidelines were developed many years ago following a public engagement campaign. The guidelines were carried over through two major zoning code overhauls since the 1980s.

Coos Bay Municipal Code (CBMC) 17.316.030(1) noted the intent of the architectural design review goals and standards was to ensure proposals for development evoked the appearance of the prevailing architectural styles of buildings as they might have existed if constructed in the Empire area during the mid-to-late 1800s. For the purposes of this chapter, these styles were referred to as the “designated historic styles.” It is not apparent development in this area over the years reflected the referenced 1800's style.

The guidelines apply to properties in the Empire area abutting Newmark Avenue from the intersection of Ocean Boulevard to Empire Boulevard on lots or parcels or any portion of a structure contiguous to a structure located on a lot or parcel abutting Newmark Avenue.

For development of property in this area, a Type 2 Land Use permit (21-day review period for neighboring properties) of exterior improvements by the Design Assistance Team (DAT) was required. This review also applied to properties seeking funding through the URA building improvement program. When a URA improvement program applicant failed to timely apply for the land use permit ahead of the building improvement program application, a lag in the grant application process resulted.

Ms. Johnson reviewed the issues and options for consideration regarding 17.316. Changes to CBMC 17.316 would require a Type 4 land use review and could be done in-house over a period of approximately four to six months, depending upon the amount of public engagement desired.

Council discussed and consensus to direct the Planning Commission and Design Assistance Team to review the options with future discussion regarding the scope of a Empire Master Plan.

### **Discussion Regarding the Fats Oils and Grease (FOG) Program**

Water Quality Environmental Specialist Rishia Mitchell stated the City had been working on implementing a Fats, Oils, and Grease (FOG) Program. Public awareness had been accomplished through mailers, emails, Friday Updates, public meetings, and news stories.

City staff mailed 131 surveys to businesses impacted, with 23 surveys returned and held six public meetings, with a total of six businesses attending regarding the FOG program. Survey results were 43% had interior grease traps under the sink, 9% had exterior grease interceptors underground, 26% had waste/recycling storage dumpster or drum, 22% had recycling cooking oil holding drum or other device, 43% utilized profession pumpers, and 57% utilized owner/staff for cleaning/handling. Water Quality Administrator/Engineer II Stephan Stys asked Council if they had funding limits regarding the proposed incentive program to bring all businesses to the same level at the onset of the FOG policy. City Manager Rodger Craddock stated the program would be for implementation only, not continued maintenance costs. Council discussion ensued with request to research what happened to FOG waste received at garbage disposal facility and consensus to continue with FOG program.

### **Update on Tow Company of Record Process**

Police Chief Chris Chapanar stated for many years the Police Department had used a rotating list of local towing companies for "non-preference" tows when the driver did not have a preferred tow company. Dispatch then called the tow company at the top of the rotating non-preference tow list. In order for a company to be on the non-preference tow list they have to be in compliance with Coos Bay Police Department policy 510.3 and agree to be on the abandoned vehicle tow list, which required the pickup and dispose of vehicles considered to be abandoned based on Coos Bay Municipal Code. Every year, Police Department staff dealt with an estimated 750 calls involving the towing of vehicles. Each time a dispatcher had to call for a tow company, that dispatcher was tied up anywhere from five to seven minutes on the phone providing specific details to the tow company. Often that time was wasted as the tow company declined the abandoned vehicle tow for a variety of reasons: no available drivers, no available trucks, no room for storage, not capable of towing that type of vehicle, not able to dispose of the vehicle, and etc. Each time the tow was denied, the dispatcher had to start the process all over with the next company on the list.

Coos Bay Police Department would like to move the current towing of vehicles from a rotating list to a single tow company. This model was currently used by many other municipalities and counties across the State of Oregon, including Coos County. At the September 28, 2021 work session, Council consensus was to move toward a tow company of record through a competitive bid process, Request for Quotes (RFQ). A RFQ was crafted and local tow companies were given an opportunity to provide quotes to be considered. A total of four proposals were received and evaluated. During the first level of the evaluation of the four proposals, it appeared only three out of the four met the minimum requirements outlined in the RFQ. Since the RFQ process started and the tow companies were notified of the possible change, staff received multiple phone calls from tow company owners expressing their concerns and requesting an opportunity to voice their concerns in a public meeting. The tow company owners were advised that this decision would be made at a public Council meeting. Several of the companies stated they had recently purchased new equipment to make them more efficient and even hired additional staff members/drivers. Staff scheduled on-site visits of the tow companies to better evaluate them, as well as, evaluating each proposal submitted by using the scoring criteria identified in the RFQ.

Mast Brothers outscored the other towing companies who submitted quotes. If Council decided on a single company of record, the recommended contract length would be for two years and then start RFQ process again. Council discussed and consensus to share scoring results with each towing company, and proceed with selecting a tow company of record.

## Discussion Regarding Proposed 2022 Spring Street Projects

Operations Administrator Greg Hamblet stated in an effort to complete goals set forth by the City Council, city staff identified seven streets to be completed for the upcoming spring streets projects and gave an overview of the work to be completed.

1. N Wasson St between Newmark Ave and Schetter Ave - grind/inlay of approximately 480 feet x 35 feet along with four new ADA compliant ramps, new traffic signal loops, and striping. Project estimated at \$153,000.
2. Michigan Ave between S Cammann St and S Empire Blvd - grind/inlay of approximately 1,175 feet x 55 feet along with twelve new ADA compliant ramps and new striping. Project estimated at \$445,000.
3. LaClair St between Ocean Blvd and Newmark Blvd - spot roadbed reconstruction and grind/inlays of approximately 1,025 feet x 35 feet. Project estimated at \$485,000.
4. N 14th St between Myrtle Ave and Nutwood Ave - reconstruction of approximately 430 feet x 35 feet along with six new ADA compliant ramps. Project estimated at \$472,000.
5. Anderson Ave between Broadway and Bayshore - grind/inlay of approximately 115 feet x 40 feet and new striping. Project estimated at \$72,000.
6. Central Ave between 11th St and Ocean Blvd - grind/inlay of approximately 950 feet x 12 feet and new striping. Project estimated at \$80,000.
7. Alder Ave between Broadway and Bayshore - grind/inlay of approximately 180 feet x 35 feet and two ADA compliant ramps. Project estimated at \$225,000.

City staff recommended soliciting scope and fees from qualified engineers to perform design, construction management and estimates. The total cost of the projects was estimated at \$1,932,000. Transportation Utility Fund (TUF) would fund the LaClair, 14th, Anderson, and Central projects for \$1,109,000; Downtown Urban Renewal would fund the Alder project for \$225,000; and Empire Urban Renewal would fund the N. Wasson and Michigan projects for \$598,000. Staff was also investigating rehabilitation of Koosbay Blvd for the summer of 2022.

## 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 December 7, 2021. These minutes were approved as presented by City Council on December 7, 2021.



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Joe Benetti, Mayor

Attest:



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Nichole Rutherford, City Recorder