

# MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

December 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 Councilors Lucinda DiNovo, Drew Farmer, Stephanie Kilmer, Rob Miles, and Sara Stephens. Mayor Joe Benetti attended remotely by teleconference. Councilor Carmen Matthews 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, Fire Chief Mark Anderson, Police Chief Chris Chapanar, and Library Director Sami Pierson.

## **Flag Salute**

Council President Miles opened the meeting and led the council and assembly in the salute to the flag.

## **Public Comments**

Jim Behrends, Coos Bay stated there was a difference between short-term vacation rentals and homestay; homestay was acceptable with conditions in his community whereas short-term vacation rentals were not acceptable, and requested a group be created to write a policy.

## **Public Comment Form**

No public comment forms were received.

## **Consent Calendar**

Council President Miles reviewed the consent calendar which consisted of:

3a: Approval of November 16, 2021 Minutes

3b: Approval of November 23, 2021 Minutes

3c: Consideration of Appointment to the Homeless Work Group

The Council established a Homeless Workgroup on November 21, 2017 with eighteen members appointed to the committee on February 20, 2018. Over the years, several originally appointed members have been subsequently replaced due to change in positions or resignations. Recently, one of the Homeless Workgroup representatives from Oregon Coast Community Action requested that David Navarro, the current member, be replaced by Pastor Donald Ford of Harmony United Methodist Church.

3d: Consideration of Ratification of Hotel Industry and Bay Area Chamber of Commerce Appointments to the Coos Bay/North Bend Visitor and Convention Bureau Board

Ratification of these positions fulfills the appointment of a member of the local hotel industry representative and the appointment of a member of the Bay Area Chamber of Commerce representative to the Coos Bay-North Bend Visitor & Convention Bureau (VCB).

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

### **Public Hearing on Grant Avenue Right-of-Way Vacation Request**

Public Works and Community Development Director Jim Hossley stated the city received a right-of-way vacation request for Grant Avenue just west of N. Marple Street from RAF Development, owner and developer of the property adjacent to Grant Ave. The City Council initiated this vacation request on November 16, 2021. RAF Development proposed to develop a four-lot subdivision on the property adjacent to the area of vacation. RAF Development wanted to utilize the vacated area to facilitate the need for a water quality feature as required in Coos Bay Municipal Code Chapter 18.25 Stormwater Management Systems. The applicant conformed to the vacation application requirements of the Coos Bay Municipal Code. Comments were sought from all city departments and there were no objections. The existing topography and the size of the undeveloped right-of-way makes it unlikely it would ever be developed for a public street. Comments were also solicited from local utilities companies and there were no objections. As the vacation was within 1,000 feet of the shoreline, the city required to seek input from the International Port of Coos Bay. The Port Commission considered and approved of the vacation application at their November 16, 2021 Commission meeting. The applicant submitted and paid for the application fee. Approval of the vacation would add the property to the tax roll.

Council President Miles opened the public hearing. No public comments were provided. The public hearing was closed.

Councilor DiNovo moved to enact an ordinance providing for the vacation of Grant Avenue right-of-way west of North Marple Street. Councilor Kilmer seconded the motion. Deputy Finance Director Melissa Olson read the ordinance by title only and Ordinance 548 was enacted by the following vote:

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

Nay: None.

Absent: Matthews.

### **Consideration to Establish Tow Company of Record**

Police Chief Chris Chapanar stated at two previous Council Work Sessions, the Coos Bay Police Department discussed with the Mayor and Council Members the idea of moving from our current procedure or finding a tow company y working through a rotating list, to a single

tow company of record. This model was being used by many other municipalities and counties across the State of Oregon, including Coos County. Further, having a company of record was not new to the City of Coos Bay; we have a single company of record for various services such as: electrical company of record, plumbing company of record, engineering company of record, etc. At the September 28, 2021 work session there was consensus to continue moving toward a tow company of record through a Request for Quotes (RFQ). The local tow companies were given an opportunity to provide quotes to be considered. A total of four proposals were received and evaluated. Since the RFQ process started and the tow companies were notified of the possible change, staff received several 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 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.

Over the course of two days, staff visited all four tow companies and were given tours of their facility, shown their equipment, storage area, security systems (if they had them), etc. At the conclusion of the on-site visits and in addition to the material provided by each company in their respective quotes, a scoring process was conducted using the scoring matrix outlined in the RFQ. There were five main categories that were scored: price/completeness of fee schedule for all anticipated services; ability/willingness to meet scope of work/services required; response time; ability to tow ALL types of vehicles, regardless of size, condition, or location; and ability to secure all vehicles and other property. Each category held a weighted percentage for a total of 100 percent. At the conclusion of the scoring, Mast Bros scored highest, North Bend Towing second, Pro Towing third, and Expert Towing fourth. All of these companies express their desire to be considered as a towing company for the City of Coos Bay and during our site visits all shared improvement ideas for their companies in areas of expanding on equipment, storage area, additional personnel, etc.; however, the score was based off of what was available currently. In addition, all companies were required to show proof of insurance at the level of coverage spelled out in the RFQ. All of this information was brought to the Council work session on November 23, 2021. No decisions were made at the work session however, it was the consensus of Council to continue to move toward a single tow company of record and to enter into a contract with one company. Based off the proposals received and the scoring system used, Mast Bros Towing Company would be the company of choice. It was the recommendation of staff to award Mast Bros with the contract. In addition, it was the recommendation of staff to limit the initial contract to twenty-four months. This would allow tow companies to resubmit proposals to the City of Coos Bay in a fairly short period of time if they chose to do so.

- Sean Taylor, Expert Towing and Auto Sales stated did not believe a single tow company would solve the issue as one company could under bid and then defer to another company without recourse. Tina Amatisto, North Bend Towing stated have been on the rotation for forty years, did not previously need all the services required now, and believes this decision would result in taking business away from other companies. Sharon Baldrige, Expert Towing and Auto Sales stated it would really hurt their business. Lauren McIntyre, Pro Towing stated have always tried to accommodate, only had to decline once, taken RVs at no cost to the City, and noted there were rules in the rotation not being enforced which could eliminate tow companies not doing their jobs. Robert Smith, North Bend Towing stated

company purchased another truck, he renewed his CDL, it was a service to the community, and were taking income away from the worker's families. Ken Folker, Coos Bay stated he did not believe it was fair and should continue with a rotation. Susie Taylor, Coos Bay stated a single company should not be singled out to provide all services, bigger was not always better, and it affected other companies. Josh Mast, Mast Bros Towing Company stated they had not turned down any calls, taken calls other companies turned down also, it was not about a lower cost, and it was not about penalizing other companies.

Council discussion ensued; based on services provided consensus to continue with a single tow company of record, but as companies may have made some upgrades based on the initial meetings to lower the length of the contract to 12 months.

Councilor Farmer moved to enter into a twelve month contract with Mast Brothers Towing Company to be named as the City of Coos Bay's Tow Company of Record. Councilor Stephens seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Miles, Stephens. Absent: Matthews.

### **Consideration to Award Chemical Contract for Water Quality**

Public Works and Community Development Director Jim Hossley stated chemicals were commonly used in treating wastewater and utilized at both wastewater treatment plants. Plant 1 utilized sodium hypochlorite, commonly known as bleach, for disinfection and sodium bisulfite to remove the residual sodium hypochlorite to neutralize the wastewater prior to discharging into the Bay. Plant 1 also was running a pilot program called Chemically Enhanced Primary Treatment (CEPT) which utilized several forms of ferric. If CEPT is successful it would allow the plant to treat high flows without building an additional second primary clarifier tank. Plant 2 uses Ultraviolet lights for disinfection, and was currently utilizing the chemical magnesium hydroxide to raise the pH and for alkalinity supplement helping improve the treatment process. In September, staff advertised a request for proposal (RFP) for chemical vendors to submit quotes for the chemicals that are utilized at the treatment plants. Three vendors submitted: Hasa, Inc., NorthStar Chemical, and Cascade Columbia Distribution Company. Each vendor submitted prices on different chemicals and had different terms to hold their prices. There was no one vendor who had the lowest price for all the chemicals requested. As a result, it was recommended to enter into contracts with all three vendors and have them submit updated quotes quarterly with intent to purchase from the vendor with the lowest price for each individual chemical needed.

Based on the limited information staff had in regards to past chemical usage, a budget was assumed for each fund. Staff performed some projections based on the volumes used to date and the prices vendors supplied; adjustments were calculated to account for rainy season flow. Plant 1 sodium hypochlorite usage was projected to be 65,000 gallons and sodium bisulfite was projected to use 30,000 gallons for an estimated value of \$200,000. At this time there was little data on the CEPT program, however based on anticipated rain events \$20,000 was estimated. For fiscal year ending 2022, \$179,000 was budgeted for Plant 1, however it was anticipated other line items at Plant 1 would come in under budget to offset this overage. Plant 2 magnesium hydroxide usage was projected to be 135,000 pounds for an estimated value of \$48,600. For fiscal year ending 2022, \$113,500 was budgeted. Funds for purchasing chemicals would come from the Water Quality Fund 3, Plant 1 and Plant 2. Chemicals were charged to the Water Quality Operations line item 03-351-520-2414 or 03-352-520-2414.

Councilor Stephens moved to award chemical supply contracts to Hasa Inc., NorthStar Chemical, and Cascade Columbia Distribution Company. Councilor DiNovo seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Miles, Stephens. Absent: Matthews.

### **Consideration to Provide Dispatch and 911 Services to the City of North Bend**

Police Chief Chris Chapanar stated about one month ago, the City of North Bend requested City of Coos Bay provide them with some administrative services for their police department as they searched for an interim Chief and Captain due to the sudden retirement of both their captain and chief. For a couple of weeks, the administrative staff from Coos Bay Police Department fulfilled the request. During that time, Coos Bay administrative staff was made aware of a personnel shortage in the North Bend dispatch center and even a greater shortage due to take place the first of the year, 2022. It was also learned North Bend's current Records Management System (RMS) and Computer Aided Dispatch (CAD) was due for renewal or a decision to change companies would be necessary. After considering several options, the City of Coos Bay provided the City of North Bend with a proposal to provide them full dispatch/911 services for an initial annual fee of \$327,000, as well as, receive North Bend's 911 tax revenue estimated to be around \$90,000 annually. Coos Bay administration also recommended the City of North Bend return to their former records management system, CMi for better compatibility and interoperability between both cities.

On October 20, 2021, the City of North Bend appointed an interim chief and captain and the proposal was further reviewed. After consideration by the City of North Bend, a decision to contract dispatch and 911 services from the City of Coos Bay was made, as well as, the City of North Bend decided to return to their former RMS/CAD system to CMi. As a result of their decision, an Intergovernmental Agreement and an Employee Transfer Agreement was drafted and reviewed by all parties involved, including their team of legal experts. The transfer of employees was spelled out under Oregon Revised Statute, providing for a very prescriptive process for how North Bend's employees would be transferred over to Coos Bay. The documents of the provided services to the City of North Bend and how the transfer of employees would take place were provided. The City of North Bend anticipated a transfer date of January 1, 2022.

The City of Coos Bay would receive \$327,000, plus North Bend's 911 tax revenue estimated to be \$90,000, to provide full dispatch and 911 services for the City of North Bend Police and Fire. These funds would be paid to the City of Coos Bay on a quarterly basis and would offset the additional costs for the expansion of City of Coos Bay dispatch center employees from a budgeted ten full-time equivalent employees (FTE) to thirteen FTE.

Councilor DiNovo moved to authorize staff to enter into the necessary agreements with the City of North Bend to provide full dispatch and 911 services and transfer of current dispatch employees following Oregon Revised Statutes. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Miles, Stephens. Absent: Matthews.

### **City Manager's Report**

Assistant City Manager/Finance Director Nichole Rutherford stated Marshfield High School group requested support to provide help purchasing championship rings for the football team; there were current openings on the Planning Committee, Budget Committee, Design Assistance Team, and Tree Board with recommendation to reappoint those who reapplied

and to interview only the new applicants; and received opportunity to create application for funding from state for a five year pilot program with funding of \$1,000,000 focused on homeless challenges with interest from City of North Bend and Coos County to partner, requested support of partnership letter.

Councilor Kilmer moved to support the letter for the pilot program and project. Councilor DiNovo seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Miles, Stephens. Absent: Matthews.

Council discussion regarding the Marshfield High School request and consensus it was not a good use of public funds, but would like to honor their accomplishment in some other way.

### **Council Comments**

Councilor Stephens stated the Bus Jam was a huge success, thanked Councilor Kilmer and Mayor Benetti for participating, attended the Coos Art Museum 21st Century Abstraction Event and stated maintenance was needed at the building. Councilor Kilmer stated a private group has come together listing homes and businesses who have decorated for the holidays; Coos Bay Downtown Association website listed all businesses to shop local; Bus Jam concluded with work underway to distribute out the over 7,500 toys, 17,346 pounds of food, and cash; and thanked everyone for their participation. Councilor Farmer stated the city was not going to take jobs away from local people by picking one company to contract for towing as the work would not be going away. Councilor Miles thanked the Coos Bay Fire Department and Chief Anderson for taking Santa around the Empire neighborhoods on December 3, 2021 and congratulated the Marshfield High School on their championship.

### **Executive Session**

Deputy Finance Director Melissa Olson read the executive session meeting disclosure statement. An executive session was held pursuant to Oregon Revised Statute (ORS) 192.660 (2) (h) for consultation with legal counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed. No decisions were made.

### **Adjourn**

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



---

Joe Benetti, Mayor

Attest: Nichole Rutherford  
Nichole Rutherford, City Recorder