

# MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

**September 1, 2020**

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, and Carmen Matthews. Attending remotely by teleconference was Councilor Rob Miles. Councilor Phil Marler was absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Finance Director Nichole Rutherford, and Police Chief Gary McCullough. City staff attending remotely by teleconference were Deputy Finance Director Melissa Olson, Library Director Sami Pierson, Public Works and Community Development Director Jim Hossley, 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**

Tristan Avelis, Coos Bay spoke of the U.S. Department of Justice (DOJ) Community Relations Service (CRS) publication "Avoiding Racial Conflict: A Guide for Municipalities". Katy Eymann, Bandon stated she was running for the Coos County Commissioner position and requested the establishment of a reporting hotline. Joey Hopkins, Coos Bay apologized for how the Coos Bay Police Department, staff and council were treated during the recent protests.

## **Public Comment Form**

Tristan Avelis provided a public comment form of his spoken public comment.

## **Consent Calendar**

Mayor Benetti reviewed the consent calendar which consisted of:

3a: Approval of August 18, 2020 Minutes

3b: Approval of Reappointment to Coos Library Board

The City of Coos Bay selects two members of the seven member Coos Library Board, one representing the area inside city limits and one representing the area outside, but within School District 9. Frances Smith served one full term on the board and was willing to serve another term, extending the term to end June 30, 2024. She represents the inside city limits position. The Coos Bay Public Library Board of Trustees recommended her for this appointment.

3c: Council Acceptance of DLCD Technical Assistance Grants Related to HB

### 2001/2003 State Legislated Housing Requirements

Two grants totaling \$110,000 have been awarded to the City of Coos Bay from the Oregon Department of Land, Conservation and Development (DLCD): \$30,000 grant to prepare a housing pre-production strategy (HPPS) to comply with elements of House Bill 2003 and \$80,000 grant for preparation of Comprehensive Plan/Housing Element and Development Code amendments to develop housing policies and implementation regulations to facilitate housing in Coos Bay to comply with elements of House Bill 2001. The name assigned to this work is the Housing Advancement Project or "HAP".

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

### **Approval of a National Preparedness Month Proclamation**

Mayor Joe Benetti stated September had been recognized as National Preparedness Month, where time was set aside to prepare for all types of disasters such as fires, earthquakes, floods, tornadoes, and winter storms. Over the past five years, 10,000 wildfires had burned more than 2,500,000 acres and forced several thousand Oregonians to evacuate their homes. This year's wildfire season was far from over which meant now was the time to prepare. The Oregon Division of Financial Regulations invited everyone to join their efforts to help Oregonians to protect their property and recover from disaster by declaring the first week of September as Home Inventory Week. Items suggested were to create a home inventory, review insurance coverage, build an emergency kit, and plan an escape route. Mayor Benetti read the National Preparedness Month Proclamation.

Councilor Kilmer moved to approve the National Preparedness Month proclamation declaring the first week in September as Home Inventory Week. Councilor Matthews seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles. Absent: Marler.

### **Approval of Installation of Mingus Park Lending Library Cabinet**

Public Works and Community Development Director Jim Hossley stated the city received a request to install a Lending Library cabinet at Mingus Park from Annie Pollard. A lending library was a cabinet placed in a public location and filled with books available to borrow. Book inventory would be continually updated by community members. The likely location would be near the main entrance to the park or near one of the playgrounds near the Mingus Park pond. Staff presented the idea to the Parks Commission who addressed responsible party for the upkeep of inventory and maintenance of cabinet. Ms. Pollard stated she would stand as the responsible party. The Parks Commission and city staff supported the project. Ms. Pollard provided an example of a Lending Library cabinet and stated during this time with libraries and schools closed having easy access to books in a commonly frequented area would be great.

Councilor Matthews abstained from the vote stating Annie Pollard was his wife. Councilor Miles clarified that the Coos Bay Public Library was not completely closed, was offering limited services, and thanked Ms. Pollard for her efforts providing this resource to the community.

Councilor Farmer moved to authorize staff to assist Annie Pollard with the install of lending library cabinet at Mingus Park with the understanding maintenance and inventory to be maintained by Annie Pollard. Councilor DiNovo seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Miles. Abstain: Matthews. Absent: Marler.

**Approval of Amendments to Coos Bay Municipal Code Title 6 Animals - Approval Would Require Enactment of Ordinance**

Public Works and Community Development Director Jim Hossley stated Coos Bay Municipal Code (CBMC) Title 6 currently required annually renewed special permits to keep certain animals within the city limits for animals such as chickens, miniature pigs, and rabbits. These animals were increasingly popular as pets, were small in size, and were not typically disruptive to neighbors. The annual special permit, including technology fee, was \$52.50. This permit income does not cover staff time costs required for permit application intake, onsite inspection, permit issuance, and processing the annual renewal of the permit. Some residents had complained the permit process and fee was prohibitive to owning a pet. Many residents do not realize that permits are required to have a few chickens, rabbits, or even a mini pig. When the Code Enforcement Officer witnesses animals at a property that does not have a current animal permit, she was compelled to enforce the special permit requirement and send an enforcement letter to notify the property owner/occupant that a permit was needed, or that the animals must be removed. Although most recipients comply, it can be a negative experience.

Many cities, recognizing the popularity of certain animals as pets, allow a small number of chickens, miniature pigs and rabbits without permit requirements. Amending CBMC Title 6 to allow up to two mini pigs, four rabbits, and four poultry without a permit would save the city money, staff time, and citizen pet expenses. Councilor Kilmer stated she confirmed the code addressed roosters separately.

Mayor Benetti opened the public hearing, no public comments were made. The hearing was closed.

Councilor Matthews moved to enact the the ordinance amending Coos Bay Municipal Code Title 6, Chapter 6.05 Animals as established by Ordinance 42. Councilor Kilmer seconded the motion. Deputy Finance Director Melissa Olson read the ordinance by title only and Ordinance 527 was enacted by the following vote:

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

Nay: None.

Absent: Marler.

**Adoption of Resolution 20-21 Approving a Supplemental Budget**

Finance Director Nichole Rutherford stated it was anticipated during the fiscal year that several supplemental budgets would be brought forward to the council and the agency for consideration to adjust the budget based upon operational needs. Reasons for a supplemental budget include appropriating grant funding not included in the originally adopted budget, appropriating additional carryover balance from the prior fiscal year that was more than budgeted and needed to meet operational needs, reallocating funds within categories, or appropriating new revenues received.

A supplemental budget was needed at this time to increase the appropriation in the General Fund within the Fire Department for two recent FEMA grant awards that would allow the fire department to purchase cardiac monitors and personal protection equipment, and within the Planning Department for a Department of Land Conservation and Development grant for the purposes of completing a Comprehensive Plan/Housing element and Development Code amendments.

Councilor DiNovo moved to adopt Resolution 20-21 for a supplemental budget. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles. Absent: Marler.

**Approval of the 2020 Sale of General Obligation Refunding Bonds and Issuance of Request for Financing - Approval Would Require Adoption of Resolution 20-22**

Finance Director Nichole Rutherford stated city staff had been working with the City's Financial Advisor, Jim Strickland from Wedbush Securities and Bond Counselor Carol McCoog from Hawkins, Delafield & Wood to investigate the possibility of refinancing the 2009 General Obligation (GO) Bonds. On May 20, 2008, voters approved the issuance of general obligation bonds which were used to refund a previous bond issuance and fund the construction of Fire Station #1 located at 450 Elrod Street. These GO Bonds were issued in April 15, 2009 with a varying interest rate of 3-4% and are now callable.

General Obligation bonds are payable from property taxes levied upon all properties within the City of Coos Bay. Each year, as part of the budget process, the annual levy amount was calculated to ensure enough tax collections to make the annual debt service payment. Due to historical conservative estimation of noncollectable taxes (those that do not pay timely within the levy year), an accumulated excess of collections (cash) had occurred. Coupling this excess of cash with the current interest rates which are at significant decrease from the original issuance, staff was recommending refinancing of the original issuance. The resulting financing agreement will obligate the city for debt service payments to be determined based on the pending RFF proposal and negotiations. As previously approved by voters, repayment of these bonds will be done through property taxes levied on properties within the city limits. Research indicated this refunding could save taxpayers an estimated \$800,000 over the remaining life of the bonds which was nearly equal to two years of debt service payments.

Councilor Matthews moved to adopt Resolution 20-22 to authorize the City Manager, Finance Director, or their designee, to act on behalf of the City to release a request for financing, negotiate, and enter into a financing agreement for refunding of 2009 GO Bonds and sale of 2020 GO Bonds. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles. Absent: Marler.

**City Manager's Report**

City Manager Rodger Craddock stated staff was working to update the City's wireless network capacities as it was especially strained during the pandemic environment, staff was working with the Confederated Tribes and developers in the Empire District for a grant opportunity and would hold an organizational meeting on September 9, 2020. There had been a lot of work in planning and permitting for a large seventy-eight acre lot manufactured home park behind Cascade Farms. Within this area is an unimproved right-of-way of Lindy

Lane the developers would like to have vacated which would put the lot on the tax roles. Mr. Craddock stated Council could initiate the vacation which would still require notification of all the adjoining property owners and schedule a public hearing on October 5, 2020 to give anyone opportunity to comment. Council consensus of process and to proceed with mailing the notices.

Mr. Craddock and the Mayor had participated in a task force with Coos History Museum (CHM) regarding the Alonzo Tucker memorial. The group was trying to decide the proper way to memorialize Alonzo Tucker who was a victim of a racial lynching over 118 years ago, with several different options and locations under consideration, with one location the plaza area at the south end of the CHM property. The Urban Renewal Agency could consider creating a concept drawing design and plans for presentation to CHM, for use in finding grant funding opportunities which could also incorporate the wooden boardwalk on Front Street to Coos Bay Village. Mayor Benetti stated CHM had the ability to add the educational piece for the memorial, as well as directions to the plaque. Council discussed and consensus to move forward with the process.

### **Council Comments**

Councilor Matthews stated he felt the world was in a crazy place, wanted to remind everyone of the community's amazing ability to pull together to support one another, and to focus on that more; stated the Mingus Park Skate Park would be closed for the next thirty days for maintenance due to vandalism and for everyone to respect the closure for safety and structural stability while repaired. Councilor Miles stated he served as council representative on the Community Coalition of Empire and announced the coalition was looking for new members; the coalition hosted the Empire Christmas tree lighting, Clamboree, and glass art festival with their main focus on improving the Empire District, were working a new Facebook page and resource directory, and asked for council's input on ideas on how to promote the Empire District. Councilor Kilmer recognized Beth Clarkson from the Coos Bay Downtown Association who attended the meeting and did a lot to help the organization. Councilor DiNovo stated she received an email from a concerned citizen thanking council for the maintenance of the trails, trash pickup, and thinning of trees at Empire Lakes, but was concerned about seeing more people carrying hammers and knives and asked what could be done to address the concern for people's safety. City Manager Rodger Craddock stated it was very difficult to put into place ordinances that made everyone feel safe, banning certain weapons could result in litigation, and parks personnel were there nearly every day, as well as the Community Resource Officer had been walking the trails almost daily. Councilor Matthews stated the Parks Commission was working on some creative solutions while staff had been clearing out underbrush to make it safer and discourage camping, and with the measures in place it should get better. Ms. DiNovo also thanked Tristan Avelis for speaking to the council and stated council would continue efforts over the next few years in hopes to make the community safer. Mayor Benetti stated there was so much going on in the city, thanked staff for efforts on all the projects in progress, people enjoyed what the city was doing, and that council was dedicated to making funds available for streets and sidewalks.

**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 15, 2020 in the council chambers at city hall. These minutes were approved as presented by City Council on September 15, 2020.



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Joe Benetti, Mayor

Attest: Nichole Rutherford  
Nichole Rutherford, City Recorder