

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

September 15, 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, Phil Marler, Carmen Matthews, and Rob Miles. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Finance Director Nichole Rutherford, Deputy Finance Director Melissa Olson, Public Works and Community Development Director Jim Hossley, Police Chief Gary McCullough, and Deputy Police Chief Chris Chapanar. City staff attending remotely by teleconference were Library Director Sami Pierson and Fire Chief Mark Anderson.

6:20 p.m. - Council Interviews

Interviews for Planning Commission positions were held in the City Hall Council Chambers.

Flag Salute

Mayor Benetti opened the meeting and led the council and assembly in the salute to the flag.

Public Comments

Brittani Elm, Coos Bay stated there was ongoing raw sewage discharge from improper sanitation affecting local residents' health and housing stability at Springtide Mobile Home Park. Amber Carl, North Bend stated little to no action had been done to those who have made threats against others. Cameron Langley, Coos Bay requested a committee for social, cultural, community development, and representation.

Deputy Police Chief Chris Chapanar updated council regarding an incident reported on September 13, 2020 involving two parties who had been having exchanges on social media, and were to meet in person at City Hall, with one of the involved parties reported as potentially armed. The other party did not show, no physical altercation resulted, both parties were contacted, told not to meet and block each other on social media, and the Police Department researched for potential to report any cybercrime to the jurisdiction in which the parties reside. Council consensus was to make the audio/video recording of the contact with each party by the police department available at no cost to the media.

Public Comment Form

Brittani Elm and Cameron Langley provided a public comment form of their spoken public comments. Cameron Langley also provided publication "Local Government Citizen Advisory Boards Examples, options, and model practices for the effective and efficient use of advisory boards by local governments."

Consent Calendar

Mayor Benetti reviewed the consent calendar which consisted of:

- 3a: Approval of September 1, 2020 Minutes
- 3b: Acceptance of August 2020 Check Registers
- 3c: Acceptance of August 2020 Financial Reports
- 3d: Acceptance of Library Census Equity Fund Mini-grant

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

Approval of Appointment to the Planning Commission

Mayor Joe Benetti stated recently two positions on the Planning Commission had become vacant which left unexpired terms needing to be filled. The city received two applications for appointments to the Planning Commission from Terry Pittenger and Josh Stevens. Interviews with the applicants were conducted prior to the Council meeting.

Councilor Kilmer moved to appoint Terry Pittenger and Josh Stevens to the Planning Commission to fulfill unexpired terms ending December 31, 2023. Councilor Matthews seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

Approval of Appointments to the Library and Tree Boards

City Manager Rodger Craddock stated recently the city advertised one opening on the Library Board and two openings on the Tree Board. Additionally, Tree Board representatives appointed from the Downtown Association and Parks Commission were also set to expire. These were all four-year terms that would expire June 30, 2024.

The Tree Board, Coos Bay Municipal Code 8.30, was established by Ordinance No. 181 for the purpose of providing regulations for the planning and protection of trees and shrubs within the City of Coos Bay. The Tree Board consisted of up to eight members appointed by the city council and met on an as-needed basis. Four positions were set to expire on June 30, 2020, which was extended to expire on September 30, 2020 due to inability to meeting during the pandemic. The expiring terms were: Parks Commission representative, a Downtown Association representative, and two citizen-at-large positions. The Parks Commission recommended Councilor Carmen Matthews as their representative, the Downtown Association recommended Catherine Walworth as their representative, and both Brian Allen and Cora Vandervelden had requested re-appointment for the citizen-at-large positions. No other applications were received.

The Library Board, Coos Bay Municipal Code 2.25, was established by Ordinance No. 57. The Board consisted of seven members appointed by the city council and meet once a month. The term of office was four years. Up to three board members may at any one time reside in Coos County within the boundaries of School Dist. 9 but outside the city limits of Coos Bay. Members were limited to serving no more than two full consecutive terms; however, any person may be reappointed after an interval of one year. One position on the Library Board expired on June 30, 2020, which had been extended to September 30, 2020 due to inability to meet during the pandemic. The city received a request from James Moore to be considered for a second four-year term on the Library Board.

Councilor DiNovo moved to appoint James Moore to the Library Board and Carmen Matthews (Parks Commission representative), Catherine Walworth (Downtown Association representative), Brian Allen (citizen-at-large), and Cora Vandervelden (citizen-at-large) to the Tree Board for four-year terms ending June 30, 2024. Councilor Marler seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

Presentation of External Investigator Findings

City Manager Rodger Craddock stated though no formal complaints were filed with the city, due to the social media feedback after protests held on August 8, 2020, he was compelled to engage with third party investigators to explore allegations of police department misconduct. The city contracted with Local Government Personnel Services, a unit of the Lane Council of Governments, which conducted an independent investigation. The assigned investigator, Mike Hudgins, gave his background and presented findings which would be included in the final issued report. The two questions were asked during the investigation: did a Coos Bay Police Officer push a pregnant woman and did any Coos Bay Police Officer flash white supremacy hand signals during the protests held on August 8, 2020. Mr. Hudgins played various videos for council and stated he met with any and all individuals willing to come forward with information which resulted in twenty-nine emails with interviews of only six citizens willing to provide testimony and six police officers. Mr. Hudgins watched all the videos received which showed police officers had to physically separate altercations already in progress. During his interview with the pregnant woman who was alleged to have been pushed by police officers, she stated her getting knocked down could have been an accident. No other individual had direct knowledge, video, or photos of any police officer having pushed the woman or making white supremacy hand signals. No credible evidence any of the allegations was found.

Report by Marshfield High School Key Club Member

Marshfield High School (MHS) Key Club president Luis Arellano summarized the upcoming virtual learning schedule for the new school year, social distancing regulations for clubs, Key Club activities, and athletic teams were following all state pandemic requirements.

Approval of Story Walk for Mingus Park

Library Director Sami Pierson stated the Coos Bay Public Library would like to install a story walk in Mingus Park which would consist of sixteen permanent kiosks along the walking path around Mingus Park, from the playground to the amphitheater. A story walk was an outdoor reading experience whereby a children's book was deconstructed with the pages of the book laminated and placed on wooden stakes or in permanent kiosks along a walking trail. It combined

literacy and physical activity that engaged community members in reading children's books in unique environments. The stories would be updated by library staff quarterly and would be a valuable addition for the young families in our community. Benefits included: community-wide early literacy activity, family engagement in multiple healthy practices, outdoor physical activity, print awareness (EL skill), library resource promotion, and park usage. This project was discussed and approved at the August 20, 2020 Parks Commission meeting.

Councilor Miles moved to approve the implementation of the Story Walk through Mingus Park. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

Consideration of Award of 2020 Timber Sale

Public Works and Community Development Director Jim Hossley stated the city proposed a timber sale on 44.5 acres located in the Pony Creek Watershed for the 2020 Timber Sale. The timber volume was determined by a cruise (survey) performed by Stuntzner Engineering and Forestry. The cruise estimated 1,582 million board feet (MBF) was available for harvest. The City received one responsive bid for this sale from Scott Timber Company of \$478,411.08. The final amount received would be based on actual board feet harvested. Upon completion of the harvest, funds would be needed to replant the land and reimburse the Coos Bay/North Bend Water Board for Loop Road construction and maintenance. The cost estimates were: repayment of Loop Road construction \$12,000, annual maintenance of Loop Road \$5,000, reforestation/planting contract \$15,000, and a 15% contingency of \$4,800 for an estimated total of \$36,800.

Councilor Kilmer moved to award the 2020 timber sale to Scott Timber Company and approve the additional costs (repayment of loop road construction, annual loop road maintenance, and reforestation/planting contract) required to complete the 2020 timber sale for an amount not to exceed \$36,800. Councilor DiNovo seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

Approval of Resolution Executive Session Media Attendance Policy

City Attorney Nate McClintock stated as the field of news and media ever evolved, many municipalities had been faced with determining which news and media entities qualified for executive session attendance. The community was informed through varied means including print, radio, television, digital mediums, and now social media. As such, the city's policies need to evolve which included the development of a media policy. With continual efforts in support of transparency, staff conversed with other cities to develop a policy that provided guidance for those individuals who requested executive session attendance. This policy had no impact to access of City Council and Urban Renewal Agency meetings or work sessions, only related to executive sessions attendance for those with media credentials, and to hold everyone accountable to the subject at hand by setting policy by which the media would abide by, as there were liability issues if meeting details were reported.

Councilor DiNovo moved to approve Resolution 20-23 establishing guidelines for media attendance at executive sessions. Councilor Matthews seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

City Manager's Report

City Manager Rodger Craddock stated progress was being made on exterior improvements of recent Urban Renewal Agency approved façade grants; Egyptian Theatre roof may be original with five additional roofs on top of roughly six inches thick but was still on schedule and on budget; Fire Chief Mark Anderson requested the old 1994 Fire engine approved to be auctioned, instead be donated to an agency who recently lost equipment in the recent Oregon fires; roughly six weeks ago was a presentation regarding a \$30,000,000 Economic Development Administration grant possibility which upon research would actually be \$3,000,000, with work at Hollering Place intersection meeting grant requirements, and was working with Tribe to co-partner on the project; presented at Coos Bay-North Bend Rotary which provided perspective of all the projects in the community; and League of Oregon Cities requested council to present at annual conference on housing and what was done to spur on the housing developments in the community.

Council Comments

Councilor Miles thanked all the west coast firefighters for putting their lives on the line to save the lives and property of others and sent best wishes for their safe return to their families. Councilor Kilmer thanked the Coos Bay Fire Department who reacted quickly to local fires, thanked all those who volunteered and community for collecting/distributing supplies to the fire victims along the coast, and stated the Devereaux Center was providing services for fire evacuees. Councilor DiNovo thanked all the firefighters and emergency personnel, heart went out to all the families displaced, who lost loved ones and had homes were lost, and thanked the community for being so giving. Councilor Marler stated hearts went out to all those who lost things close to them during this difficult time, Eastside school to be completed by September 18, 2020, requested a road update during work session scheduled for September 22, 2020, and requested to have Parks Commission review underbrush in the parks in lieu of wildfires. Councilor Matthews requested someone from Parks Commission or city staff be available at September 22, 2020 work session to answer various parks questions, stated he was part of organizational group who pulled resources together the previous weekend due to the fires, great to see the support and generosity in the community, and thanked all the firefighters and those who supported them. Councilor Farmer gave best wishes to all the firefighters out there for their hazardous work and thanked volunteers for the parks cleanup. Mayor Benetti stated during tragedies in the state was proud to see the community outpouring of support, have accomplished so much in the community, and was a great community to live.

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 6, 2020 in the council chambers at city hall. These minutes were approved as presented by City Council on October 6, 2020. These minutes were approved as presented by City Council on October 6, 2020.



Joe Benetti, Mayor

Attest: Nichole Rutherford
Nichole Rutherford, City Recorder