

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

October 6, 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, Fire Battalion Chief Jeff Adkins, Police Chief Gary McCullough, and Deputy Police Chief Chris Chapanar. City staff attending remotely by teleconference was 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

Tristen Reasor, Coos Bay stated there was recent skate park vandalism, and because he was a part of the original group who built the park, he volunteered to repair the park. It took over 154 hours over thirty days to complete the repairs. Mr. Reasor stated there were structural damages due to park rules not being followed, was concerned the city would be liable, and requested to be able to enforce the park rules. City Manager Rodger Craddock stated enforcing the rules would fall under the Parks Commission, there was recreational immunity in the state so the city was not liable as it was a use at the own risk law, and if violators were confrontational the Police Department should be contacted or contact non-emergency number for violations.

Public Comment Form

No public comment forms were received.

Consent Calendar

Mayor Benetti reviewed the consent calendar which consisted of:

3a: Approval of September 15, 2020 Minutes

3b: Approval of September 22, 2020 Minutes

3c: Acceptance of Grant Funds through Oregon Department of Transportation (TSD) for the Police Department

Acceptance of \$21,500 in grants funded through Oregon Department of

Transportation (TSD) for use in funding increased traffic safety enforcement in Coos Bay.

3d: Acceptance of CARES Act Grant Funding for Library

Acceptance of \$13,043 grant funded by the State Library of Oregon for use in purchasing laptops and hotspots, to make available for patron check out and home use.

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

Public Hearing on Proposed Comprehensive Plan Map and Zone Designation Map Amendment for 2550 Woodland Drive - Would Require Enactment of Ordinance

Community Development Administrator Carolyn Johnson stated James Pittenger, owner of 2550 Woodland Drive, requested a Comprehensive Plan amendment and rezoning of the subject property from Medical-Park (MP) to Low-Density Residential (R-L comprehensive plan; LDR-6 zoning). As presented at the September 22, 2020 work session, county assessment records indicated the property changed from residential use to medical offices in 1993 which was confirmed by city records. Currently, the north 586 square feet is an active medical office. The remainder of the structure (approximately 1,000 square feet) has been vacant since 2018. The property received land use approval in January of 2020 to convert that vacant 1,000 square feet portion of the structure to medically related multiple-residential housing, which would allow "Locum Tenens" (traveling doctors/nurses temporarily providing coverage or training) and patients to use the structure on a temporary basis. The use could not include local hospital or medical staff in need of housing and the occupancy could not exceed three-months.

According to Mr. Pittenger, as a result of the COVID restriction related to tourist-type housing, he was unable to continue the approved multiple residential use and he has been unable to rent the space for a medically related use since 2018. For this reason, the proposed amendments were submitted to the city. If the amendments were approved by Council as recommended by the Planning Commission, residential housing would not be limited to medical staffing. While a medical office is not a permitted use in the Low-Density Residential zone, the current medical office located in the north end of the structure could remain as a grandfathered use until the residential use is established in the entire structure.

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

Councilor Kilmer moved to enact the ordinance authorizing the Comprehensive Plan Map amendment from Medical Park (MP) to Low-Density Residential (R-L) and amending the Zone Designation Map from Medical Park (MP) to Low-Density Residential (LDR-6) for 2550 Woodland Drive. Councilor DiNovo seconded the motion. Deputy Finance Director Melissa Olson read the ordinance by title only and Ordinance 528 was enacted by the following vote:

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

Nay: None.
Absent: None.

Public Hearing for Adoption of Fiscal Year 2020-2021 Supplemental Budget - Would Require Adoption of Resolution 20-24

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

This supplemental budget contained appropriation additions within the General Fund, Wastewater Fund, and Library Fund. Within the General Fund, the Police Department was awarded an Oregon Department of Transportation grant to fund several traffic safety enforcement operations. Within the Wastewater Fund, additional intergovernmental revenues were received from Charleston Sanitary District for their share of Wastewater Treatment Plant 2 construction costs which will be used to pay down the construction loan for this project. Within the Library Fund, a State Library Grant was awarded to the Coos Bay Public Library to fund the purchase of laptops and hotspots for patrons to checkout, an important service during the pandemic.

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

Councilor Farmer moved to adopt Resolution 20-24 to approve a supplemental budget. Councilor Miles seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

Adoption of Resolution 20-25 Accepting the 2020 Coos Bay Housing Needs Analysis

Community Development Administrator Carolyn Johnson stated the 2020 Coos Bay Housing Needs Analysis (2020 HNA) identified current and projected future housing needs to year 2040, was recently completed and provided to council. Key HNA conclusions for Coos Bay for the next twenty years included:

Sufficient residential buildable land – There were 480 developable acres available to accommodate projected housing needs.

Needed number of new housing units – 604 new units (489 new ownership units and 115 new rental units) were needed in a variety of price ranges.

Renter demand – The greatest renter demand was for low to moderate income housing. Rental demand was greater than supply at the lowest income level (under \$15,000/year).

Homeownership demand for middle to upper end homes – The demand was high with existing lower priced units exceeding and outpacing demand for middle to upper end homes.

Homeownership demand in the lowest income range – Demand for ownership housing was lowest in the lowest income range. Future demand for rental housing remained more evenly spread among the lower- to middle-income income ranges; rental demand would be lowest in the highest income range.

The city had statutory authority to regulate land uses with Comprehensive Plan and CBMC Title 17 Land Development regulations. With land use regulation changes, the city must make findings that changes comply with State Planning Goals 10 and 14. Goal 10 required cities to plan for future housing needs by providing opportunities for the development of adequate numbers of needed housing units at price ranges and rent levels commensurate with the financial capabilities of Oregon households. It also required that cities allow for flexibility of housing locations, types, and densities.

Goal 14 was to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities. In other words, cities were required to ensure there was enough land within their urban growth boundary (UGB) to meet these needs for a twenty-year period.

The city's 2009 HNA had reached the end of its useful life. The 2009 HNA data was incorporated into the city's current Comprehensive Plan relative to housing and land use but is now obsolete. As the city moved forward to update the Comprehensive Plan and Development Code pursuant to the requirements of HB 2001/2003, the use of current data and accurate projections past 2019 was critical. Thus, the council determined on January 21, 2020, to proceed with necessary action to update the HNA. The 2020 HNA was completed by Lane Council of Governments (LCOG), with staff oversight and engagement with the project's Housing Advisory Committee. Upon council acceptance, the 2020 HNA would be used as baseline data for city compliance with HB 2001/2003 directives to create housing strategies and amendments to the Comprehensive Plan and Development Code.

Jacob Callister, LCOG, provided an overview of the 2020 HNA including the iterative and collaborative process, buildable lands inventory inputs and conclusions, housing needs analysis input and conclusions, next steps, and minor changes to the 2020 HNA in response to the Oregon Fair Housing Council (OFHC). Mr. Callister stated there currently was sufficient buildable capacity within Coos Bay and within existing zoning categories to accommodate projected need, including consideration of affordability. Some of the capacity was in the form of parcels with the potential for infill or redevelopment for future multi-family units. The character of future supply could and should be guided by housing policy and strategy recommendations to be included in subsequent reports and ultimately integrated into updates of the City of Coos Bay's Comprehensive Plan and Development Code. Mr. Callister read statement provided by Thomas Eddington from the Coos Housing Program Team stating the city was on track with the ongoing housing work and recommended collaborating and partnering with the private/nonprofit entities to encourage affordable and workforce housing, creating small lot subdivisions and/or rezone for private/nonprofit entities, and a complete housing ladder was addressed as property was donated/sold/disposed of to these entities. Council discussion ensued.

Mayor Benetti opened the public hearing. Bob More, Coos Bay, congratulated Council and staff on the project, appreciated the work done to address the housing needs, and noted it was a real concerted effort by the city. Mayor Benetti closed the public hearing.

Councilor Matthews moved to adopt resolution 20-25 accepting the 2020 Housing Needs Analysis. Councilor Farmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

Approval to Initiate Grant Avenue Right of Way Vacation

Public Works and Community Development Director Jim Hossley stated Cindy and Hugh Gray, owners of 506 N Main Street, requested the city vacate a 60' x 110' portion of the unimproved Grant Avenue right-of-way adjacent to their current south property line. They would like the additional property, which they currently maintain, so they can expand their home. Due to property line setback requirements, they could not expand their home as the lot is now configured. It was the easterly half of Grant Avenue between Cammann Street and Main Street. Because the likelihood of this portion of Grant Avenue being upgraded to a paved street was low given the terrain of connecting streets in the neighborhood, staff had no objection to the vacation. The public hearing for this vacation was proposed for November 3, 2020.

Councilor DiNovo moved to authorize city staff to proceed with vacation request per code for vacating right-of-way. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

Public Hearing for Approval of Lindy Lane Right of Way Vacation - Would Require Enactment of Ordinance

Public Works and Community Development Director Jim Hossley stated the developer of the Timber Cove housing project, Red Moon Development / Gateway Oasis II LLC, submitted an application requesting the city vacate the south 1,040 feet (more or less) of the Lindy Lane right-of-way. The right-of-way in this portion was sixty feet wide. This portion of Lindy Lane abutted the applicant's property to the East and West and terminated on the South end at the applicant's property. Lindy Lane North of the Timber Cove property would remain a public road.

City staff had no objection to the proposed vacation request. The Coos Bay-North Bend Water Board (Water Board) and Ziplly Fiber would require easements over a portion of the proposed vacated right-of-way. On September 1, 2020, City Council initiated the vacation process for Lindy Lane. September 1, 2020 city council initiated the vacation process for Lindy Lane.

Mayor Benetti opened the public hearing. Adam Gould stated this was a housekeeping item identified by the engineers which allows flexibility in developing the project as the streets would not be limited to the old city right-of-way. Mayor Benetti closed the public hearing.

Councilor Miles moved to enact an ordinance to vacate requested portion of the right-of-way on Lindy Lane. Councilor Kilmer seconded the motion. Deputy Finance Director Melissa Olson read the ordinance by title only and Ordinance 529 was enacted by the following vote:

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

Nay: None.

Absent: None.

Consider Termination of Water Line Easement on Timber Cove Property

City Manager Rodger Craddock stated in 1968, a group of landowners granted the Cities of Coos Bay and North Bend a water line easement. The easement was over land currently owned by Gateway Oasis II, LLC, which together with Red Moon Development and Construction Inc., was developing the property as part of their Timber Cove manufactured home park project. The Coos Bay-North Bend Water Board did not currently have infrastructure within the easement, did not intend to make use of the easement in the future, and did not oppose the cities quitting any claim to rights under the easement. The City of North Bend has recently terminated its claim to the easement. Adam Gould stated steps had been taken in the past to develop the property, but were stopped for a variety of reasons, and was an old item to be updated.

Councilor Farmer moved to authorize the City Manager to sign a termination of easement document eliminating the City of Coos Bay's rights to the water line easement recorded in Coos County with a recording number of 68-1-24877. Councilor DiNovo seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

City Manager's Report

City Manager Rodger Craddock stated the Coos Bay Downtown Association had to cancel Trick-or-Treat and Trunk-or-Treat; the Coos Bay Fire Department would provide a safe Halloween alternative on October 31, 2020; bond refinancing was investigated for the 2009 downtown fire station and was expected to save taxpayers \$844,484; street light infrastructure assessment approximated a savings of \$55,000 per year, but actual audit was \$50,000, AMERESCO will report to Council on October 27, 2020; Safe Routes to School project update with the work on 6th Avenue to be completed in a couple weeks; 4th Street project update with new curbs started going in; progress on the new middle school; façade grant updates; Planning Commission to review Hollering Place site plans; Coos Bay Village first three buildings nearly complete and going out to bid soon for the intersection construction; and permits pulled to demolish the old Knecht's and car wash for future First Interstate Bank location.

Council Comments

Councilor Miles shared Coos Bay Public Library Foundation After Hours at the Library 2020 Fundraiser was scheduled for October 31, 2020 virtually, and noted support of the donation of Fire engine to Detroit Fire Department or a another small department. Councilor Kilmer stated the Bus Jam was being kicked off October 10, 2020 with the North American Rail Car Operators Association and would be collecting toy donations. Councilor DiNovo asked for an update on training related to Resolution 20-19, Diversity Equity and Inclusion. City Manager Rodger Craddock stated City County Insurance put together classes, the city was signed up, and would be early 2021. Councilor Marler stated great work was done on the housing analysis, wanted to revisit creating an Urban Renewal Agency district designated for low-income housing, and stated even with a lot of street work being completed there were still a lot of potholes remaining, but were being good stewards of the citizens transportation utility fees. Mr. Craddock stated he would contact consultant Elaine Howard about returning to discuss creating a district and next steps. Councilor Matthews thanked Tristen Reasor for his volunteer work at the skate park, was excited for the Bus Jam as it would be a difficult holiday season, and asked everyone to be safe, kind, and follow pandemic protocols as cases have gone up in our county. Councilor Farmer stated residential proposals were proven items the

city was already working on and asked everyone to register to vote. Mayor Benetti stated the city had a lot projects going on, many positive comments, 99% compliance of pandemic guidelines in businesses, and stated the city had a lot of staff with tenure.

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 20, 2020 in the council chambers at city hall. These minutes were approved as presented by City Council on October 20, 2020.



Joe Benetti, Mayor

Attest: Nichole Rutherford
Nichole Rutherford, City Recorder