

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

December 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, 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 Chief Mark Anderson, Police Chief Gary McCullough, and Deputy Police Chief Chris Chapanar. City staff attending remotely by teleconference were Library Director Sami Pierson, City Engineer Jennifer Wirsing, 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.

Administration of the Oath of Office

The oath of office was administered to Mayor Joe Benetti and Councilors Lucinda DiNovo, Drew Farmer, and Stephanie Kilmer by City Recorder / Finance Director Nichole Rutherford.

Election of Council President

Mayor Benetti nominated Councilor Marler as Council President for a term ending with the next general biennium election. Councilor DiNovo seconded the motion which carried. No further nominations were made. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

Public Comments

Steve Schneiderman, Coos Bay stated the 19th annual Bus Jam toy and food drive was scheduled for December 5, 2020. The Bus Jam has historically gathered 8,500 children's toys and 388,000 pounds of food for distribution to food banks, with the 2020 goal of 20,000 pounds of food and 2,000 toys. Daniel Fox, Coos Bay stated as a representative of small business owners who were struggling financially due to COVID wanted to reach out to ask for local support, unhappy with a one-size fits all state mandates, and encouraged Council's voice to be heard and fight on the issue.

Public Comment Form

No public comment forms were received.

Consent Calendar

Mayor Benetti reviewed the consent calendar which consisted of:

- 3a: Approval of November 17, 2020 Minutes

- 3b: Acceptance of Story Trail Grant from South Coast Regional Early Learning Hub
The library applied for and received a \$7,000 grant to support the story trail being developed for Mingus Park and would go towards construction of the kiosks.

- 3c: Acceptance of Grant to Support Dolly Parton Imagination Library Project
The library applied for and received \$5,000 to support the Dolly Parton Imagination Library project all eight public libraries in Coos County participated in. Coos Bay applied on behalf of all the libraries and the money would support the county-wide initiative.

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

Presentation on the City Audit for Fiscal Year 2019-20 by Pauly, Rogers and Co, PC

Senior Auditor Tara Kamp stated Pauly, Rogers and Co. issued an unmodified opinion on the City of Coos Bay fiscal year 2019-2020 financial statements and no management letter was issued. An unmodified opinion means the City of Coos Bay was given a “clean” opinion with no reservations. It was the independent auditor’s judgment the financial records and statements were fairly and appropriately presented, and in accordance with generally accepted accounting principles (GAAP). An unmodified opinion is the most common type of auditor’s report and the desired result.

Public Hearing to Consider Lockhart Avenue Right-of-Way Vacation Request - Approval Would Require Enactment of the Draft Ordinance

Public Works and Community Development Director Jim Hossley stated the City received a right-of-way vacation request from Above All Property Management for tax lot #200, 716 Southwest Blvd. They would like to build a home on the site and the additional acreage would benefit the residential development. The right-of-way vacation requested was to the north between 1175 S 7th St (Vend West) and 716 Southwest Blvd. The area was 117 feet long by 30 feet wide. Due to nearby topography, it was unlikely this portion of the Lockhart right-of-way would be developed for street purposes. City staff did not oppose the vacation. Pacific Power had a power line within the area to be vacated, they did not oppose the vacation but advised no building may encroach within ten feet of the overhead lines. At the November 3, 2020, Council initiated the vacation process for the right-of-way adjacent to the boundary of the lot at 716 Southwest Boulevard.

Mayor Benetti opened the public hearing. No comments were made and the hearing was closed.

Councilor Miles moved to enact the ordinance to vacate the right-of-way of a section of

Lockhart Avenue adjacent to the boundary of the lot at 716 Southwest Boulevard. Councilor Farmer seconded the motion. Deputy Finance Director Melissa Olson read the ordinance by title only and Ordinance 533 was enacted by the following vote:

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

Nay: None.

Absent: None.

Approval of Intergovernmental Agreement with South Coast Interagency Narcotics Team

Police Chief Gary McCullough stated since the inception of the South Coast Interagency Narcotics Team (SCINT) in 1988, local Law Enforcement agencies had partnered with SCINT for investigations related to narcotic enforcement. The majority of these investigations required specialized equipment and knowledge of search warrants and search and seizure procedures. Historically the Coos Bay Police Department (CBPD) had provided both personnel and funding over the years. For the last eight plus years, CBPD assigned Captain Cal Mitts to SCINT as the Director where his duties were to oversee the day to day operations, as well as, conduct narcotic related investigations. The original 1988 SCINT intergovernmental agreement (IGA) was drafted and approved by all participating agencies. SCINT operated under this original IGA over the years with several changes being made under memorandum of understanding (MOU) agreements. The SCINT Executive and Steering Committees met and updated the proposed IGA to meet with current ORS and case law changes, as well as, operation demands.

Councilor Farmer moved to approve the intergovernmental agreement with SCINT and authorize the City Manager to sign the agreement. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

Approval of Transition Support Services Contract with Waterdude Solutions for Development of Transition Plan for City Managed Operations and Maintenance of the Collection System

Public Works and Community Development Director Jim Hossley stated at the October 27, 2020 work session, staff presented the operations and maintenance wastewater contractor Jacobs' amendment for the current fiscal year ending (FYE) 2021. Due to the significant increase in the contractor's fee, the City had been investigating taking over the responsibility of operations and maintenance of the sewer system. Council directed staff to prepare a transition plan for the collection portion of the sewer system. Council felt Jacobs might be more successful in operating and managing the treatment portion of the system without the added responsibility of the collection system. At the November 24, 2020 work session, Mark Walter of Waterdude Solutions presented the draft transition plan for Council consideration. Should Council want to move forward with this transition plan, Waterdude Solutions provided a scope for Transition Support Services with the goal of formally taking over the responsibility of operations and maintenance of the collection system on July 1, 2021 for an estimated fee of \$98,840. Staff also recommended an additional contingency of \$75,000 be approved for Waterdude Solutions to provide transition support services for the entire wastewater system (collections and treatment plants) should negotiations not be successful with Jacobs regarding their scope and fee for Amendment 3 for fiscal year ending (FYE) 2021. This contingency would cover transition support to either take over the operations and management of the treatment plants or assist the City with hiring another operations and

maintenance contractor. Council discussion ensued.

Councilor Matthews moved to approve the Transition Support Services Contract with Waterdude Solutions for \$98,840 with a \$75,000 contingency for a total of \$173,840. Councilor Marler seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

City Manager's Report

City Manager Rodger Craddock stated staff would be starting the 2022 budget soon; Safe Routes to School project scheduled to be completed December 2020 and South 4th Street project was twenty-five percent completed. Coos Bay Village intersection was moving forward with design plans completed, approved by all parties, bids open and bid accepted, and would be completed in roughly six months. The railroad crossing design plans were completed, approved by all parties, and would go out to bid December 2020.

Council Comments

Councilor Miles commended city staff on the results of the annual financial statement audit, congratulated Police Chief McCullough for his twenty-five years of service, and noted the Community Coalition of Empire virtual tree lighting was scheduled for December 4, 2020 with the Coos Bay Fire Department transporting Santa around the Empire neighborhoods. Councilor Kilmer thanked the community for a successful Shop Small Saturday and tree lighting, Coos Bay Downtown Association kicked off marketing for downtown business foot traffic, and was proud of the Bus Jam accomplishments. Councilor DiNovo congratulated Chief McCullough on his years of service and asked when the council goal setting session would be scheduled. City Manager Rodger Craddock stated it would be scheduled for Spring 2021. Councilor Marler reminded people of all the businesses that were open, thanked everyone for donating for the Bus Jam, stated there was a great need this year, and thanked Seven Devil's for providing meals at Thanksgiving for foster families. Councilor Matthews congratulated the re-elected Councilors and Mayor, thanked staff for the clean audit and Chief McCullough for his service, encouraged everyone to participate in the Bus Jam, and to support small businesses. Councilor Farmer congratulated staff on the audit and thanked Chief McCullough on his service, encouraged people to put in an application for the Homeless Committee, in finding ways to address small business struggles asked everyone to contact their representatives, and would be addressing with the League of Oregon Cities ways to put more funding in Urban Renewal to abate and prevent blight and relief for restaurants. Mayor Benetti congratulated the finance department staff on the audit and the library on their grant award, thanked Chief McCullough's for his service, and asked everyone to participate in the Bus Jam. Mayor Benetti stated there were many street projects going on currently, noted the tree lighting was a success, and shared that a new state mandate metrics system was coming out December 3, 2020, and our community needed to keep the pandemic numbers down to help keep businesses open.

Adjourn

There being no further business to come before the council, Mayor Benetti adjourned the meeting. The next regular council meeting was scheduled for December 15, 2020. These minutes were approved as presented by City Council on December 15, 2020.



Joe Benetti, Mayor

Attest: Nichole Rutherford
Nichole Rutherford, City Recorder