

# MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

December 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, Fire Chief Mark Anderson, Police Chief Gary McCullough, and Deputy Police Chief Chris Chapanar. City staff attending remotely by teleconference was Library Director Sami Pierson.

## **5:30 pm - Council Interviews**

Committee interviews 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**

No public comments were made.

## **Public Comment Form**

No public comment forms were received.

## **Consent Calendar**

Mayor Benetti reviewed the consent calendar which consisted of:

- 3a: Approval of November 24, 2020 Minutes
- 3b: Approval of December 1, 2020 Minutes
- 3c: Acceptance of November 2020 Check Registers
- 3d: Acceptance of November 2020 Financial Reports
- 3e: Approval of the City Audit for Fiscal Year 2019-20

At the December 1, 2020 Council meeting, Senior Auditor Tara Kamp presented the City of Coos Bay's fiscal year end (FYE) 2020 audited financial statements issued by Pauly, Rogers and Co; however, the audit was not approved by Council. As the audit was discussed at the previous meeting, inclusion on the

current meeting as a consent calendar item for review and approval is appropriate for final action.

3f: Review of Official Canvass of Votes - November 2020 Election Results

The Charter of the City of Coos Bay dictates that the results of elections be made a matter of record in the journal of Council proceedings.

3g: Approval of Appointment to the Coos Bay-North Bend Visitor & Convention Bureau Board

City Manager Rodger Craddock has served on the Coos Bay-North Bend Visitor & Convention Bureau Board since August 18, 2015; his term expired November 30, 2020.

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

### **Introduction of New K-9, Mika**

Deputy Police Chief Chris Chapanar stated the Coos Bay Police Department (CBPD) has had a long and successful history of utilizing canines for both narcotic detection and criminal apprehension. CBPD's canine program began in 1975 with three utility dog teams and had maintained an active canine program ever since. CBPD currently has two drug detection teams on active duty; K-9 "Katie" is handled by Senior Officer Bryan Looney and K-9 "Ben" is handled by Officer Rob Scoville. Not long ago, K-9 "Dak" retired from patrol, leaving our department with no patrol canine. With the increase of person-on-person and property crimes, and limited patrol staff, the city would benefit from having a patrol canine. In a lot of situations, these canines greatly decrease the amount of man power and time needed to search for, locate, and apprehend suspects. Further, as a smaller agency in our rural area of the Oregon Coast, CBPD has also successfully used patrol canines in search and rescue applications as well. The installment of a patrol canine would provide great benefits to our entire community, our citizens, and neighboring law enforcement partners, and would aid CBPD in the continual fight against crime in the community.

Recently, members of CBPD began fundraising efforts including soliciting community members for donations and hosting a golf tournament which raised money toward the purchase and care of the canine. CBPD was extremely grateful to all who participated in the golf tournament and to all who graciously donated to the canine program and are proud to report that over twenty thousand dollars was raised for this cause. CBPD was happy to introduce recently purchase apprehension/patrol K-9 "Mika". A few weeks ago Sergeant Merritt, Officer Waddington, and Deputy Police Chief Chapanar traveled to Riverside California to select a patrol K-9 from the well-known and respected vendor, Alderhorst International LLC. At the conclusion of testing several dogs, an excellent choice for the CBPD and community was selected. Mika was a 3.5 year old Belgium Malinois, who received a very high score in his area of discipline (KNPV.) Mika appears to have all of the desired K-9 traits needed in the CBPD program. Officer Waddington has begun his six week training course with Mika, on November 22, 2020 and was excited about the idea of having a patrol K-9 up and running and available for call-outs in the near future.

## **Appointments to the Parks Commission and Coos Bay-North Bend Water Board**

On December 15, 2020, the City Council interviewed applicants who wished to be considered for appointment or re-appointment on the Parks Commission and Coos Bay-North Bend Water Board.

City Manager Rodger Craddock stated the City received five applications for appointments to the Parks Commission to fulfill three openings; two citizen-at-large and one design professional position. Applications were received from Donald Dille, Colleen Sutton, Dean Martin, Beverly Meyers (landscape business profession), and Patty Scott. By action of Council ballot the Council appointed Patty Scott and Colleen Sutton to the citizen-at-large positions and Beverly Meyers to the design professional position; all to four-year terms ending December 31, 2024.

Three applications were received for appointment to the Coos Bay-North Bend Water Board to fulfill one opening on the Board. Applications were received from Melissa Cribbins, Christine Moffitt, and Donald Dille. By action of Council ballot the Council appointed Melissa Cribbins to the Coos Bay-North Bend Water Board for a four-year term ending December 31, 2024.

## **Consideration of Approval of Jacobs' Amendment 3 for the Operation and Maintenance of the Wastewater System**

Public Works and Community Development Director Jim Hossley stated staff has spent considerable time negotiating Jacobs' Amendment 3 for the operation, maintenance, and management of the city's wastewater system for fiscal year ending (FYE) 2021. Recently Jacobs provided a proposal staff felt could be recommended for approval. Amendment 3 had the following components: Reduction in the Management Fee from 18% to 11%, beginning January 1, 2021; for the partial contract period of July 1, 2020 – December 31, 2020 Jacobs would charge the same monthly amount agreed upon for Amendment 2 (resulting in no escalation for the first six months of FYE 2021); a no fault clause providing the city 180 days to terminate the contract; and a clause to give a rebate if personnel positions are not filled. If Council agrees, Amendment 3 would have the fee reduced from \$2,393,529 to \$2,194,184; approximately \$350,000 less than what Jacobs was previously requesting. By approving Amendment 3 with the above conditions it would bring the contract current and the focus could be on next steps. Should Council desire, staff would bring next step options for Council consideration at the December 22, 2020 work session. Council discussion ensued, consensus to bring next step options back for review at the next scheduled work session.

Councilor DiNovo moved to approve Jacobs' Amendment 3 for the operation, maintenance, and management of the wastewater system for fiscal year ending 2021 for \$2,194,184. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

## **Consideration of Contract Award for Construction of Culvert Replacement Project at 17th and 18th Avenue**

Public Works and Community Development Director Jim Hossley stated approximately six months ago, city staff was alerted of several sinkholes at the intersection of Filbert Street and

18th Avenue in Eastside. There was a culvert that conveyed flows from the east side to the west side of this intersection. The video investigation showed the culvert had failed and thus caused the sinkholes. However, the sinkholes were not only located in the vicinity of the storm culvert but also along the sewer line that was aligned along Filbert Street between 17th and 18th Avenue. A video investigation was performed, the sewer pipe was intact and in good condition, and it was determined the cause of the sinkholes was the upstream culvert. While conducting the investigation, staff observed significant erosion at the outfall of the culvert located immediately downstream of the culvert that caused the sinkhole. The erosion was so severe staff was concerned if this was not addressed it would compromise the street integrity of 17th Avenue. In performing a television investigation, it was determined this culvert was also seriously deficient and should be replaced.

The City contracted with The Dyer Partnership to prepare plans and specifications for both storm culverts. The engineer also recommended the plans included repairing the trench associated with the sewer to protect the integrity of the sewer line and repair the asphalt damaged by the sinkholes. The project was advertised on November 23, 2020 and bids were opened on December 9, 2020. Nine bids were received and the apparent low responsive bid was from LTM Inc dba Knife River Materials for \$79,885. The engineer's estimate was \$115,030. The Dyer engineer recommended the City accept the bid. Staff recommended adding a 15% contingency for a total approved amount of \$91,867.

Councilor Farmer moved to award the contract to LTM Inc dba Knife River Materials for the 17th and 18th Avenue Culvert Replacement Project for \$91,867 which includes a 15% contingency. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

### **Consideration of Contract Award to Pacific Excavation for Pump Station 1 Flow Meter Installation**

Public Works and Community Development Director Jim Hossley stated Pump Station 1 was located at the southwest corner of Birch Avenue and Front Street. At the time of the upgrade in 2017, the engineer recommended installing a flow meter and estimated cost at approximately \$400,000 to purchase and install. Due to budgetary constraints, the project could not absorb this change order. Predesign for the Plant 1 upgrade, Phase 1 project was underway and the engineers had asked about flow data. The treatment plant received flows coming from the south (Pump Station 1 grid) and flows coming from the north (Pump Station 3 grid). Currently, only the total flows (Pump Station 1 and 3) were measured at the Plant via a parshall flume, and flows from Pump Station 3 were measured via a flow meter. In order to estimate flows coming from the Pump station 1 grid, the Pump Station 3 flow was subtracted from the total plant flow. While this way of measurement was acceptable it had made some processes at the plant more difficult (bypass/split flow operation, surging at headworks, etc.).

Because of new flowmeter technology, the City was recently presented with another type of flow meter that was cheaper both in procuring the equipment and construction. Having real time flow data at all the pump stations was recommended and this new technology would make it possible and help staff make more informed decisions. Additionally, the meter would also help calibrate the plant flow meter, inform the operators when flows at Pump Station 1 increased so that the necessary Plant adjustments could be made (split flow operation and implementing chemical enhanced primary treatment), and help the design engineers more accurately understand the hydraulics of the Plant. The City contracted with The Dyer Partnership to prepare design plans and specifications to install a flow meter at Pump Station

1. The City advertised for bids on November 20, 2020 and opened bids on December 8, 2020. Six bids were received and the low responsive bid was received from Pacific Excavation for \$135,700. Coincidentally, Pacific Excavation was the contractor for the pump station upgrade in 2016-2017. The engineer's estimate was \$181,120. The Dyer engineer recommended the City accept the bid. City staff recommended adding a 15% contingency for a total approved amount of \$156,055.

Councilor Miles moved to award the contract to Pacific Excavation Inc for the Pump Station 1 Flow Meter Installation project for an amount not to exceed \$156,055 which includes a 15% contingency. Councilor Marler seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

### **Public Hearing to Consider Amending City Park Rules Regarding Open Fires - Would Require Enactment of Ordinance**

Public Works and Community Development Director Jim Hossley stated this past spring and summer, Coos Bay Fire Department responded to a significant number of fires on undeveloped properties throughout the community, including several city parks. Some of these fires were set intentionally; others were unintentionally started due to dry summer conditions. For the sake of public safety and the protection of public property, city staff recommended recreational fires, campfires, and fires for warming or cooking be prohibited within the boundaries of any city park without first obtaining a permit from the city. Note that propane cook stoves and grills would still be authorized without a permit except for their use on the Boardwalk and under pavilions. A "Special Event Permit" was the best existing permit available to require for open fires in city parks. There was currently no charge for Special Event Permits if no city services were required. There would be a cost in staff time for the city to review, condition, and issue the permit. Parks Commission reviewed and recommended for approval.

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

Councilor Kilmer moved to enact an ordinance amending Ordinance 248, Regulating Activities and Uses within the Coos Bay Park System, as amended by Ordinance 476, Ordinance 458, Ordinance 428, and Ordinance 296. Councilor Matthews seconded the motion. Deputy Finance Director Melissa Olson read the ordinance by title only and Ordinance 534 was enacted by the following vote:

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

Nay: None.

Absent: None.

### **Discussion to Consider Park Commission Recommendation to Alter Hours of Operation for the Empire & Eastside Boat Ramps**

Public Works and Community Development Director Jim Hossley stated currently the city boat ramps in Empire and Eastside were open 24 hours a day. Over the years, visitors to the boat ramps had enjoyed the flexible hours of operation the city had allowed at these facilities. The increase of the homeless population frequenting and camping at the Empire Boat Ramp had created increased accumulation of trash and increased use of and vandalism to the

restroom facility. This had resulted in a major expenditure to the city to maintain facilities on a constant basis. The impact to city resources was compounded given the requirement under the Governor's COVID 19 direction that the restrooms were to be sanitized at least twice daily. Since the ramps were open for 24 hours, ideally, they would be cleaned more frequently. With the ramps open 24 hours per day, the Police Department had limited ability to trespass. The Parks Commission recommended down to dusk hours at both the Empire and Eastside boat ramps. Upon further discussion with the Coos Bay Police Department, city staff recommended open hours of 5:00 a.m. to 10:00 p.m.

The city currently spends \$672 per week to clean all open public restrooms. To keep the boat ramp restrooms clean and in compliance with the Governor's COVID 19 direction, we would need to spend \$525 per week just on the boat ramp restrooms alone. Should Council desire to change the hours of operation at the boat ramps, city staff would prepare an ordinance for a future public hearing. Council discussion ensued, consensus to move forward with changing the hours of operation at the boat ramps with an emergency clause included.

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

City Manager Rodger Craddock stated new traffic light posts were installed on South 4th street on December 15, 2020 with project slated to be completed by spring 2021; Safe Routes to School project was scheduled to be completed January 2021 with a future projects of a bus route and fixing detour streets; Front Street parking lot had completed the prospective purchaser agreement, transfer of the property, crafted a remediation action plan which went to DEQ for approval with response expected by December 18, 2020, underway for the design plans, will be able to go out for request for proposals to create the parking lot, and was working on a request for proposals for the demolition of the building; Coos History Museum and Urban Renewal Agency (URA) design consultant responses were due January 5, 2021 for the museum plaza, connecting boardwalk to Coos Bay Village, and kayak launch plans; spoke with the Coos Bay Port Director and was told the housing development proposal was moving forward with discussion with the Port Commission; additional Front Street URA street projects plans were 30% complete, late February or March 2021 would go out for bid, and completed later this budget year; Coos Bay Village awarded intersection work, need to go out for bid for railroad crossing, two businesses were now open, and another foundation was poured; and at the corner of Hwy 101 and Koosbay Blvd half of the Knecht's building was demolished and the car wash was completely demolished as of December 15, 2020.

### **Council Comments**

Councilor Farmer stated incentive programs for small business to be discussed at League of Oregon Cities, and the state hospital would no longer take civil commitments so communities would need to have mental health facilities. Councilor Matthews stated all of Oregon Coast was now in extreme risk category for COVID-19, new regulations would be starting December 18, 2020, and asked everyone to stay safe, help each other, social distance, and wear masks to lower the risk. Councilor Marler encouraged individuals to take advantage of the businesses providing take-out and curbside, thanked city staff for a great year and efforts, and was privileged to serve this community. Councilor DiNovo stated at Travel Oregon meeting on December 15, 2020, was able to speak about Operation Gift Card which raised \$35,000 to promote Charleston, Coos Bay, and North Bend restaurants, gift cards would go on sale at the Visitor Information Center on December 18, 2020, and thanked everyone

involved in the project. Councilor Kilmer encouraged people to participate in letter writing campaign for Shutter Creek Prison which was slated to be closed, stated individuals had the ability to turn around the COVID-19 status within two weeks by following precautions, and the Bus Jam was successful serving 1,100 children and 400 families along with almost 100,000 pounds of food collected and provided to the food banks. Councilor Miles stated Council could sign a letter as a whole for Shutter Creek Prison, requested the Homeless Workgroup to reconvene, and requested a parking lot update. City Manager Rodger Craddock stated the parking lot behind old city hall was in the design phase and waiting on environmental comments to go out for request for proposals and the others are current parking lots which will have work done. Mayor Benetti thanked city staff for quick turn around for Operation Gift Card, thanked Ken Folker and Rob Kilmer for attending most Council meetings, PacWest lobby group had Shutter Creek Prison and the new library on their top priority list, stated the community always steps up during difficult times, was proud of the community, thanked Council and city staff for all their work this year, and wished everyone happy holidays.

### **Adjourn**

There being no further business to come before the council, Mayor Benetti adjourned the meeting. The next regular council meeting was scheduled for January 5, 2021. These minutes were approved as presented by City Council on January 5, 2021.



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Joe Benetti, Mayor

Attest: Nichole Rutherford  
Nichole Rutherford, City Recorder