

## MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

May 17, 2022

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, Rob Miles, and Sara Stephens. Councilor Carmen Matthews attended remotely by teleconference. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Assistant City Manager Nichole Rutherford, Finance Director Melissa Olson, Deputy Public Works and Community Development Director/City Engineer Jennifer Wirsing, Fire Battalion Chief Jeff Adkins, Police Chief Chris Chapanar, and Library Director Sami Pierson.

### **Flag Salute**

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

### **Public Comments**

Mike Vaughan, Coos Bay gave an update on the Hwy 101 mural project, stated the project would be complete by the end of June 2022, and invited the Council to the site. Diane Hannah, Coos Bay stated the road repair at the end of S 7th St was holding water and requested documents from when the area was designated as wetlands from a city utility. City Manager Rodger Craddock stated the city did not designate wetlands, it was a federal organization which did that, and would try to find the information from the Army Corps of Engineers.

### **Public Comment Form**

No public comment forms were received.

### **Consent Calendar**

Mayor Benetti reviewed the consent calendar which consisted of:

3a: Approval of April 26, 2022 Minutes

Removed from Consent Calendar, previously approved at May 3, 2022 Council meeting.

3b: Approval of May 3, 2022 Minutes

3c: Acceptance of April 2022 Financial Reports and Check Registers

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

### **Appointment to the Coos Library Board**

Library Director Sami Pierson stated the two representatives for Coos Bay on the Coos Library Board are recommended to the City Council by the Library Board. One representing the area inside city limits and one representing the area outside city limits but within School District 9. Coos Bay City Council approves the recommendation of a board member, the member is also approved by North Bend City Council. From there, the recommendation is sent to Board of County Commissioners for appointment to the Coos Library Board. Adrian DeLeon applied as an outside city limits candidate.

Councilor Stephens moved to recommend approval of Adrian DeLeon for a four-year term on the Coos Library Board to represent Coos Bay out-of-city limits but in School District 9 board member. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens.

### **Appointment to the Coos Bay/North Bend Water Board**

City Manager Rodger Craddock stated the Council has the responsibility to appoint two individuals to the Coos Bay / North Bend Water Board. There was a vacant position due to the resignation of Melissa Cribbins. At the April 26, 2022 work session, Mayor Benetti nominated Councilor Matthews to fill the position with a term of office expiring on 12/31/2024. Formal appointment required confirmation by the Council and the Council must wait two weeks prior to ratification per ordinance. Council postponed the vote for confirmation until the next Council meeting.

Councilor DiNovo moved to confirm Councilor Matthew's appointment to the Coos Bay / North Bend Water Board for a term expiring on 12/31/2024.. Councilor Farmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens.

### **Approval of Pride Month Proclamation**

Assistant City Manager Nichole Rutherford stated June had been designated as Pride Month to commemorate the liberation movement that exploded with the Stonewall Inn incident in June 1969. From that date, several key Supreme Court cases have continued that movement including laws for marriage equality, workplace protections, and broadening hate crimes definition. June has been designated as Pride Month, to celebrate the courageous efforts of individuals directly involved in the movement, as well as to support the members of the LGBTQIA2S+ community, while committing to a focus that encourages diversity, equity, and inclusion, resulting in true equality for all. It was the City of Coos Bay's desire to acknowledge the importance of diversity, equity and inclusion in our community, committing to the support of equality for all and promoting Pride Month in the City of Coos Bay. Jamar Ruff read the Pride Month Proclamation.

Councilor Farmer moved to approve the proclamation designating June 2022 as Pride Month. Councilor Miles seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens.

### **Consideration of Request to Display Pride Flag at Coos Bay Boardwalk**

City Manager Rodger Craddock stated the Flag Policy was compiled, reviewed and

approved in 2021, as a result of a request by a citizen to fly the Pride Flag in June 2021. The Policy addressed a key concern by noting any commemorative or ceremonial flags displayed are being done so in order to express the City's sentiment concerning a particular issue or matter, and as such, the public at large does not have a constitutional right to have their particular flag displayed. Additionally, the Policy provided for a standardized period of time to display a flag or a modified period if preferred by Council, as well as a way for citizens to request a provided flag be displayed. A request was made by Jamar Ruff to display the Pride Flag sometime during the month of June, as June is nationally recognized as Pride Month.

Councilor Miles moved to approve the request to display the Pride Flag and adopt Resolution 22-09 extending the period to display the flag from seven days to thirty days. Councilor Stephens seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens.

### **Approval to Install a Tesla Supercharger Station on City Property**

Deputy Public works and Community Development Director/City Engineer Jennifer Wirsing stated last year, Council inquired on the possibility of hosting a Tesla Electric Vehicle Charging Station in the City of Coos Bay. After several attempts, staff was successful in reaching out to Tesla and received positive feedback that Tesla was interested in our inquiry. They asked the city to propose potential sites for their considerations. There were five sites presented that consisted of both public and private properties. The five sites were: Teakwood Development, Coos History Museum, Commercial Avenue Public Parking Lot, Visitor Information Center, and Curtis Avenue Public Parking Lot (between 4th and S. 2nd Street). Tesla's model, as they presented it, was they partner with both public and private entities. They ask for a maximum 15-year commitment where the entity gives them a zero-cost lease that encompasses enough square footage for a minimum of eight charging stations/parking stalls and an additional four hundred square feet for their electrical infrastructure. The fifteen year lease was actually three consecutive 5-year terms. Only Tesla had the option to renew or not. However, Tesla committed to covering one hundred percent of the permitting, design and engineering, initial construction, and ongoing operations and maintenance costs for the term of the lease. A sample agreement was presented and provided to the City Attorney for his review.

Tesla only installs supercharger stations (Level 3/DC fast chargers) which typically take thirty minutes to fully charge a Tesla vehicle. In working with Tesla regarding the five sites, they were originally most interested in the proposed Teakwood Development. Staff initially reached out to the developer and he agreed to be added to the list of potential properties; however, he stated he would only be interested if Tesla paid for the lease. Tesla responded that would not be an option. The next site investigated was the Coos History Museum. While Tesla liked this site, they felt this site was too small. The third site investigated was the parking lot immediately north of the Visitor Information Center. They liked this site, but also understood that Council may not want to devote this site to an EV charging station as it would take up the majority of the footprint. The last two sites were the public parking lots. Of the two, Tesla preferred the parking lot along Curtis Avenue. Staff asked Tesla about their plans to serve electric vehicles outside of the Tesla brand. Tesla responded they are beta testing this technology in Europe but did not have an estimated time for when, if at all, it would be coming to the United States. Another consideration was this parking lot was a future project connected with our Sponsorship Option (SO) dollars (green parking lot). However, staff felt they could coordinate both projects successfully should Council wish to move forward with

working with Tesla.

Staff asked Tesla for any statistics on the Bandon Tesla Charging Station. While Tesla does not release specific owner information, they did state the station received approximately 400 visits a month. Of those visits, 30% of the users start their trip in the local area (defined as a fifty mile radius), 21% are from the Grants Pass Supercharger, 14% from the Springfield supercharger and the remainder of trips start somewhere other than a supercharger but outside the local area. Should Council want to move forward, Tesla has identified the next steps: 1) Council to approve the proposed location or provide other locations for consideration, 2) Once a location had been approved by Council, staff would work with Tesla to complete an application process to receive a formal approval from Tesla, 3) In a parallel path, Tesla would work with Pacific Power to understand the improvements, if any, to upgrade the electrical to service the EV charging stations, and 4) If approved by Tesla, enter into a zero cost lease agreement. Understanding there may be questions from Council staff could not answer, the Tesla representative offered to come to a future Council Meeting/Work Session to answer any questions and provide more detailed information should Council wish to investigate this further.

Council had previous concern for the amount of space needed, but had general interest in further discussions and requested discussion with the Coos Bay Downtown Association. City Manager Rodger Craddock stated previous estimates for the value of a downtown parking space was \$25,000 per space. Coos Bay Downtown Association stated their favorite choice was Curtis Ave or potentially the lot located behind the Coos Bay Public Library. Council requested a Tesla representative attend a future council meeting.

Councilor Farmer moved to direct staff to continue working with Tesla for the installation of a supercharger station at Curtis Ave and 4th and negotiation to see if we can have the necessary infrastructure improvements be open source for other companies. Councilor Matthews seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens.

### **Public Hearing Regarding Enactment of Ordinance Amending Coos Bay Municipal Code Related to Vehicle for Hire Businesses**

Police Chief Chris Chapanar stated the City of Coos Bay currently had a taxi cab ordinance that regulated how taxi cab companies and drivers of taxi cabs operated within the City of Coos Bay. In an effort to keep up with modern times, the consideration of a new ordinance was proposed. The proposed ordinance took into consideration taxi cab businesses, as well as, some of the newer businesses such as Uber and defined them under the title "Vehicle for Hire." The proposed ordinance provided definitions to many of the names and titles used through the vehicle for hire industry. It placed requirements on both the owner of the company, as well as, requirements for the drivers of said vehicles. There are insurance requirements to protect the owner, drivers, as well as, the general public. The ordinance required a background check be done on all drivers to ensure the safety of the public at large. It required a business license to operate within the City of Coos Bay and it regulated the number of vehicles one can "store" in a residential neighborhood. Staff presented the proposed ordinance at the March 22, 2022 work session, the April 5, 2022 council meeting, and the April 26, 2022 work session. During those meetings, representatives from the taxi cab industry provided public comment regarding concerns with the proposed ordinance, in areas specifically focused on vehicles for hire under Uber or Lyft. Additionally, staff received additional feedback and recommendations for local taxi cab companies, some of which had

been incorporated into the proposed ordinance and some required further discussion. If this ordinance was enacted by the Coos Bay City Council, it would replace Coos Bay's existing Taxi Regulation Code Section 5.30 and would go into effect thirty days from the day it is adopted.

Mayor Benetti opened the public hearing. Dick Leshley, Coos Bay thanked the council for the opportunity to be included in the discussion to update the ordinance. The public hearing was closed.

Councilor DiNovo moved to enact the ordinance amending Coos Bay Municipal Code regarding vehicles for hire. Councilor Miles seconded the motion. Finance Director Melissa Olson read the ordinance by title only, "An Ordinance repealing Ordinance No. 311 regulating taxi cab companies and replacing with new Ordinance regulating vehicles for hire." and Ordinance 555 was enacted by the following vote:

Ayes: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens.

Nays: None.

Absent: None.

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

City Manager Rodger Craddock stated it was election night for the outcome of the library bond and Charleston lodging tax; and thanked council, budget committee, and staff for their work on the budget.

### **Council Comments**

Councilor Stephens stated the budget committee was a joy because of the work staff put into it, thanked Friends from Pride for showing up and helping the city make the proclamation, and thanked taxi companies for engaging in local politics. Councilor Kilmer thanked everyone who attended the meeting and involvement, appreciation for staff's hard work on putting together the budget, and appreciation for everyone who took the time to vote. Councilor Miles thanked everyone who attended the meeting, staff for getting through the budget in one night, and stated it was the Boys and Girls Club 40th anniversary with a celebration scheduled for May 21, 2022. Councilor DiNovo thanked staff for the budget and Councilor Farmer for being Budget Chair, was thrilled for the proclamation and gay pride flag, and asked for an update on the Coquille and Confederated Tribes of Coos, Lower Umpqua and Siuslaw flags being permanently up on the boardwalk. City Manager Rodger Craddock stated the city would be on task to have the flags raised in June 2022. Councilor Matthews stated excitement for the Pride Flag, all the volunteers to make the community better, and hoped everyone voted. Councilor Farmer thanked everyone for having him as Budget Committee Chair, was proud to have the pride flag, and stated it was Police Appreciation week. Mayor Benetti stated it was great to see the Pride Month Proclamation; appreciation to Mr. Ruff for stepping forward, reading the proclamation, and all the support given; stated there would be an event for the flying the Pride Flag on June 1, 2022; thanked staff and budget committee for getting all the work done in one night; and congratulated the Boys and Girls Club.

## **Adjourn**

There being no further business to come before the council, Mayor Benetti adjourned the meeting. The next regular council meeting was scheduled for June 7, 2022. These minutes were approved as presented by City Council on June 7, 2022.



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Joe Benetti, Mayor

Attest: Nichole Rutherford  
Nichole Rutherford, City Recorder