

# **MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL**

**July 26, 2022**

The minutes of the proceedings of a City Council and Urban Renewal work session of the City of Coos Bay, Coos County, Oregon, held at 5:30 pm in Council Chambers, 500 Central Avenue, Coos Bay, Oregon.

## **Those Attending**

Those present were Council President Rob Miles and Councilors Lucinda DiNovo, Stephanie Kilmer, and Sara Stephens. Mayor Joe Benetti and Councilor Carmen Matthews attended remotely by teleconference. Councilor Drew Farmer was absent. 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, Operations Administrator Greg Hamblet, Police Captain Tom Lindahl, and Library Director Sami Pierson. City staff attending remotely by teleconference was Community Development Administrator Carolyn Johnson.

## **Flag Salute**

Council President Rob Miles opened the meeting and led the council and assembly in the salute to the flag.

## **Public Comment**

James Behrends, Coos Bay stated council needed to ban short term rentals as the city did not have enough housing or new developments being built.

## **Public Comment Form**

No public comment forms were received.

## **Review of the Upcoming City Council and URA Board Action Items:**

### **Discussion Regarding Parks Master Plan Update**

Operations Administrator Greg Hamblet stated Council feedback and direction was requested on the Parks Commission recommendation regarding the development of a 2023 Parks Master Plan. As the Council shared with the Parks Commission at the May 24, 2022 joint work session, the Plan was to be consistent with Council directives with a focus on preservation and enhancement of the City's existing facilities, identify sustainable funding from multiple sources for future park and facility improvements and maintenance, and consider visitor community feedback in the Plan creation. Overall, the approach to accomplish this directive was presented to the Parks Commission at their July 21, 2022 meeting. The following items are for Council's consideration:

1. Evaluate the Parks Commission recommendation. The Parks Commission reviewed the subcommittee recommendation that the 2023/2033 Plan focus on existing facilities but not replicate and entirely update the eighty-nine (89) page 2013/2023 Plan. At the writing of this report, the 2013 Plan and its appendices are proposed to be modified to some degree and

serve as an appendix to the 2023/2033 Plan. A draft Plan Preface, Plan Coversheet, and Acknowledgement Page reviewed by the Parks Commission is included in the attachment.

2. Comment on the draft local community survey that will be provided through the City's Friday Update newsletter and Facebook page over the course of about six weeks beginning July 29, 2022. If there are additional Parks Commission comments to the draft, those comments would be provided orally. There may also be an opportunity for a face-to-face connection with residents and visitors to participate in the survey efforts. A separate Visitor survey has also been prepared in collaboration with the Coos Bay/North Bend Visitor and Convention Bureau (VCB) Director Janice Langlinais, who provided a green light for the visitor survey to be distributed via Visitor Information Center traffic. Work on survey availability/distribution for both surveys was underway. Parks Commissioner CoCo Sutton reviewed the survey items and the background for the survey questions.

3. Provide feedback on the draft schedule: July 29, 2022 to September 2, 2022 weekly Friday update articles (up to six) with a link to Survey Monkey; September 5, 2022 to September 9, 2022 survey results compiled and provided by staff for use in the update work, including surveys generated through the VCB for visitor responses; September 22, 2022 Parks Commission public hearing on Plan draft; October 20, 2022 Parks Commission continued public hearing and formulation of recommendation for Council; and tentatively November 1, 2022 Joint Council/Parks Commission public hearing for review and action on the Plan.

Council discussion ensued; asked to have parks projects listed and prioritized, make slight wording changes to the survey, add the Coos History Museum, Railroad Museum, and Egyptian Theatre locations on the survey, and add the Downtown Business Association and Community Coalition of Empire. The Coos Bay Public Library would help facilitate the distribution of the surveys.

### **Discussion Regarding Summer/Fall Construction Projects**

Deputy Public Works and Community Development Director/City Engineer Jennifer Wirsing stated over the last several months, staff has advertised bids for four projects. There has been difficulty in getting bids, and often times only one bid was received per project. The bids received have been approximately 30-40% over the engineer's estimate. In speaking with contractors and consultants, it was believed the supply chain, inflation, difficulty in obtaining workers/employees, and a large backlog of projects have been the cause of these high bids. Recently, staff advertised a bid for the 3rd and Central Avenue Green Parking Lot. This project is a Sponsorship Option project and proposes a parking lot with fourteen spaces, sitting areas, landscaping, outside trash enclosure for local businesses, and auxiliary power source for festivals and farmer's market. While there were several contractors on the plan holders list, the city only received one bid from First Cascade Corporation. The bid was almost double the engineer's estimate at \$1,489,768.40. The engineer's estimate was approximately \$800,000 (2022 Dollars). Staff called the local contractors who were on the plan holder's list but did not submit a bid. The overall sense was the local contractors have a significant amount of work and backlog and thus did not need this project. Staff was opening bids for the 5th and Bennett Storm Drain Repair and Road Intersection on July 26, 2022. Staff would present the results of the bid at the work session. Staff recommended the Green Parking Lot project be placed on hold and rebid in the spring with the goal of obtaining more competitive bids. It was understood that by moving this project a year out, there would be escalation; however, it was believed the bids would be more in line with the engineer's

estimate. Additionally, staff had several projects left to advertise this summer, and if the bids continue to significantly exceed the engineer's estimates, there was concern as these increased costs were not accounted for when budgeting for this 2022 construction season. As such, Council may want to consider either rebidding these projects at a later date or reducing the number of projects performed this year. Next week, staff would bring two construction projects to the Council for consideration of award, however prior to making that decision, staff wanted Council to be informed.

Council discussion ensued and consensus to rebid at a later date.

### **Review of the Psilocybin Service Act**

City Manager Rodger Craddock stated the Oregon Psilocybin Service Act (Act), also known as Measure 109, was approved by the voters in November 2020. The Measure provides for establishment of Psilocybin manufacturing and service centers. Psilocybin is a drug derived from certain mushrooms. The Act provides for the Oregon Health Authority to adopt rules and regulate the field which includes manufacturers, delivery, sale/purchase, and use of the drug in a "service center." The drug is not sold for use outside a service center. The Oregon Health Authority will regulate this product, but has not completed the rulemaking process, and intends to begin accepting applications on January 2, 2023. As the regulatory program has not been completed, staff does not know how the manufacture, delivery, and administration of psilocybin at licensed psilocybin facilities will operate within the City. Measure 109 provides a city may adopt an ordinance to be referred to the electors of the city, prohibiting the establishment in the area subject to the jurisdiction of the city (the "Opt-out" provisions). A referral to the electors of the city may be made at the next statewide election on November 8, 2022. Council had four alternatives available:

A. Take No Action — The Oregon Health Authority would continue to establish the rulemaking process and implement the program. Psilocybin Service Centers and other Psilocybin uses would be allowed in the City without any regulations except for state regulations.

B. Direct staff with City Attorney approval to prepare documentation to refer to the voters a ban on Psilocybin Service Centers and the manufacture of Psilocybin products in the City of Coos Bay.

C. Direct staff with City Attorney approval to prepare documentation to refer to the voters a temporary ban on Psilocybin Service Centers and the manufacture of Psilocybin products in the City to allow time to place regulations within the City of Coos Bay.

D. Direct staff to prepare appropriate "time, place and manner" regulations for Council's consideration. The concern with this option was we may not be aware of the Oregon Health Authority's rules at the end of the year when we would need to adopt the local rules.

Council discussion ensued; consensus to proceed with a ban and start the background for "time, place, and manner" regulations to have ready if the vote passed.

### **Discussion Regarding 2023 Legislative Priorities Ballot with League of Oregon Cities**

City Manager Rodger Craddock stated the League of Oregon Cities (LOC) had established

seven policy committees: Community Development, Energy and Environment, Finance and Taxation, General Government and Human Resources, Telecom, Transportation, and Water/Wastewater. These seven committees have developed a list of policy recommendations and actions for LOC to take into the upcoming two-year legislative cycle. This year, twenty-eight recommendations were on the ballot for cities to rank in priority order. LOC requested all cities review the recommendations from the seven policy committees and select up to five legislative concepts as their top priorities. Council reviewed the provided document prepared by LOC regarding the recommendations and considered the following to be considered top priorities: local funding to address homelessness, infrastructure funding to support needed housing, return to work, marijuana taxes, and alcohol revenues. Council will also create a sub-list to provide to Representative Wright at a meeting in August 2022.

### **Council Comments**

Councilor Stephens thanked everyone for participating in the Town Hall Meeting. Councilor Kilmer stated there were ideas presented which would be taken back to the Homeless Work Group and needed to replace the members who had left. Councilor DiNovo stated more information needed to be provided to the community and asked staff to think about ways to get information out. Mayor Benetti thanked everyone for attending them Town Hall Meeting and thought there may need to be more meetings to get information out to the community. Councilor Matthews thanked everyone who was present for the Town Hall Meeting and for making positive moves forward.

### **Adjourn**

There being no further business to come before the council, Mayor Benetti adjourned the meeting. The next regular council meeting was scheduled for August 2, 2022. These minutes were approved as presented by City Council on August 2, 2022.



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Joe Benetti, Mayor

Attest: Nichole Rutherford  
Nichole Rutherford, City Recorder