

# MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

April 16, 2019

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 City Hall Council Chambers 500 Central Avenue, Coos Bay, Oregon.

## **Those Attending**

Those present were Mayor Joe Benetti and Councilors Lucinda DiNovo, Stephanie Kilmer, Phil Marler, and Rob Miles. Councilors Drew Farmer and Carmen Matthews were absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Finance Director Nichole Rutherford, Deputy Finance Director Melissa Olson, Operations Administrator Randy Dixon, Community Development Administrator Carolyn Johnson, Fire Chief Mark Anderson, and Police Chief Gary McCullough.

## **Flag Salute**

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

## **Public Comments**

Frank Williams, Coos Bay stated he did not support the Traditional Cultural Properties Historic District (TCP) or the Transportation Utility Fee (TUF). Ashley Andycki, Coos Bay stated the Coos Head Food Co-op would be showing multiple aspects of environmentalism in celebration of Earth Day on Saturday, April 20, 2019, from 11 a.m. - 4 p.m. and the Farmer's Market would begin on Wednesday, May 1, 2019, every Wednesday through October 30, 2019, on Central Avenue from 9 a.m. - 2 p.m.; they have received over ninety (90) applications for the market.

## **Consent Calendar**

Mayor Benetti reviewed the consent calendar which consisted of:

3a: Acceptance of the March 2019 Check Registers

3b: Acceptance of March 2019 Financial Reports

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

## **Report by Marshfield High School Key Club Member**

Marshfield High School (MHS) Key Club representative Sofia Munoz summarized upcoming Key Club activities, shared various ongoing fundraising activities and achievements by various MHS clubs, committees, and athletic teams.

### **Approval of the Arbor Day Proclamation and Presentation**

Operations Administrator Randy Dixon stated Coos Bay had a special reason to celebrate Oregon Arbor Week and National Arbor Day this year, the City was named a Tree City USA by the National Arbor Day Foundation for the 25th consecutive year for the City of Coos Bay's commitment to maintaining a healthy urban forest. Oregon Department of Forestry (ODF) Jon Laine presented recognition of the City's 25th year of being a Tree City USA participant and for tree related activities in 2018. Tree City USA is sponsored by the Arbor Day Foundation and administered by ODF. Tree City USA was created to encourage better care of urban trees and forests by awarding recognition to communities. The communities must meet four standards: have a tree board or department, tree care ordinance, community forest program, and annually proclaim and observe Arbor Day. The City of Coos Bay would recognize Arbor Day on April 30, 2019 at 10 a.m. at the Eastside boat ramp. Councilor Kilmer read the Arbor Day Proclamation and Mayor Benetti proclaimed the last of April shall be observed as Arbor Day from this day forward.

Councilor DiNovo moved to approve the National Arbor Day Proclamation. Councilor Miles seconded the motion which carried. Ayes: Benetti, DiNovo, Kilmer, Marler, Miles. Absent: Farmer, Matthews.

### **Approval to Enact Proposed Ordinance Revising Drive-Through and Drive-In Facilities - Approval Would Require Enactment of Ordinance**

Community Development Administrator Carolyn Johnson stated at Council request staff developed standards and criteria for drive-through/drive-in facilities and amendments to commercial zone areas to allow these facilities. The new standards included considerations for noise levels, designated parking areas, stacking distance, maintain clear driving aisles, pedestrian walkways, public right-of-ways, and no demolition or exterior change to designated cultural resource buildings. The new standards would be used for new and existing businesses seeking to add a drive-in/drive-through for all permit types. The commercial areas where amendments would allow future authorization of drive-through/drive-ins included the Commercial and Mixed Use, Industrial Commercial, Waterfront Heritage, Hollering Place and Medical Park districts. On March 12, 2019, the Planning Commission reviewed the amendments and forwarded to Council for approval.

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

Councilor Marler moved to enact the proposed draft ordinance revising Drive-Through and Drive-In Facilities. Councilor DiNovo seconded the motion. Deputy Finance Director Melissa Olson read the ordinance by title only and Ordinance 511 was enacted by the following vote:

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

Nay: None.

Absent: Farmer, Matthews.

### **Approval to Enact Proposed Ordinance Amending the Flood Damage Prevention Regulations – Approval Would Require Enactment of Ordinance**

Community Development Administrator Carolyn Johnson stated City staff worked with

Federal Emergency Management Agency (FEMA) and Oregon Department of Land Conservation and Development (DLCD) to update the City's Flood Damage Prevention Regulations to assure compliance with FEMA and DLCD standards. The key mandated Coos Bay Municipal Code (CBMC) amendments included:

1. Change to and expansion of definitions (17.318.050).
2. Identification of the December 7, 2018 date for the Federal Insurance Study for Coos County and its incorporated areas. The prior date had been September 25, 2009 (17.318.080).
3. Deletion of repetitive specific language about encroachments in the floodway (17.318.130).
4. Removal of language for Manufactured homes (17.318.130 (5) & 17.318.160 (d)) with addition of language for manufactured dwellings requiring compliance with FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook.
5. Addition of specific language for variances (17.318.300).
6. Addition of a violation/penalties section to the regulations (17.318.400).

On March 12, 2019, the Planning Commission reviewed the amendments to CBMC 17.318 and forwarded to Council for approval.

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

Councilor Marler moved to enact the proposed ordinance amending the Flood Damage Prevention regulations. Councilor Kilmer seconded the motion. Deputy Finance Director Melissa Olson read the ordinance by title only and Ordinance 512 was enacted by the following vote:

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

Nay: None.

Absent: Farmer, Matthews.

### **Approval of the City Council Goals for the Fiscal Year Ending 2019-2021**

On March 22, 2019, the City Council held a work session to discuss goal priorities for the next two years. On April 9, 2019, Council reviewed the draft goals and directed staff to make some clarifications and be updated for review at the April 16, 2019 Council meeting. City Manager Rodger Craddock presented the City of Coos Bay Mission Statement which was placed in the Council Chambers, City Council's 25 Year Vision, Leadership Approach for 2019-2021, 2019-2021 Council Priorities, and goals for Council functioning. The City of Coos Bay Council identified the following priorities:

1. Ongoing maintenance and improvement of the City's wastewater system.
2. Maintenance and repair of the city's streets, parking, and street lamp infrastructure.
3. The need to build a new library facility outside of the tsunami inundation zone.
4. Economic development.
5. Housing supply and homelessness in Coos Bay.
6. Communication with citizens.
7. City parks.
8. Public safety.

Councilor Miles moved to approve the Fiscal Year Ending 2019-2021 City Council Goals. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Kilmer, Marler, Miles. Absent: Farmer, Matthews.

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

City Manager Rodger Craddock stated there was an emergency repair done on Coos River Highway due to a culvert failure. The culvert was replaced, public service announcement was released advising the repair of wear and surface of the road on April 17 and 18, 2019, and repair cost were \$44,000. The Coos Bay North Bend Water Board Budget Committee Meeting was scheduled for June 5, 2019 12:00 p.m - 1:30 p.m. and June 19, 2019 12:00 p.m. - 1:30 p.m. The Water Board requested a representative from the Council to sit on the budget committee and Councilor DiNovo volunteered.

On December 2019, the City received a proposal from developer Tahoe Pacific Capital, LLC. On January 15, 2019, the Urban Renewal Agency (URA) reviewed the proposal and agreed to move forward and negotiate terms for the development of a multifamily housing project. On January 29, 2019, Council received the agreement consisting of: developer agreed to construct at least eight apartments on the lot, each with three bedrooms and a garage, and build the apartments to a townhouse standard. The City would then convey the property to the developer at no cost but should the project not be completed within twenty-four (24) months, the developer agreed to pay fair market value for the lot.

Councilor Kilmer moved to authorize the City Manager to sign the Disposition and Development Agreement (DDA) with Tahoe Pacific Properties. Councilor DiNovo seconded the motion which carried. Ayes: Benetti, DiNovo, Kilmer, Marler, Miles. Absent: Farmer, Matthews.

Mr. Craddock stated the City had previously received an offer to purchase City owned property located near the Coalbank Slough Bridge, 0.07 acres tax lot 6700, from the owners of tax lot 6800 and 6900. Council had agreed to the offer received for \$4,000 as long as the buyer paid for the vacation of Bay Street, roughly \$1,000. The City received a counter offer of \$5,000 with Council to initiate the vacation of Bay Street. City Manager Rodger Craddock accepted the offer and requested the Council initiate the proposed vacation of the Bay Street located between South Front Street and the slough, and set a public hearing before the Planning Commission for June 11, 2019 to begin the public review.

Councilor DiNovo moved to initiate the proposed vacation of the Bay Street located between South Front Street and the slough, and set a public hearing date before the Planning Commission for June 11, 2019 to begin the public review. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Kilmer, Marler, Miles. Absent: Farmer, Matthews.

Mr. Craddock stated one of the Council goals was to work with the County to clean up the old Englewood School site for a future housing development. Staff have worked with the County and Oregon Coast Community Action (ORCCA) to develop an agreement and should have one ready for review at the April 23, 2019 work session.

The seawall would be completed next week, with that phase completing a milestone in the Hollering Place agreement, and next would be the transfer of deed. A celebration would be

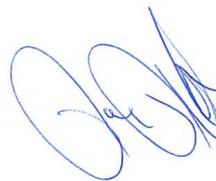
scheduled for the City to attend.

### **Council Comments**

Councilor Miles stated he attended the Fireman's Banquet on April 13, 2019, congratulated 2018 Firefighter of the Year Luke Taylor, and requested Fire Chief Mark Anderson to share the video at a future Council meeting. Councilor Kilmer welcomed Ashley Andycki to the Farmer's Market and thanked her for all her work so far. Councilor DiNovo thanked the budget committee and staff for getting through the budget and asked for a Community Enhancement Plan (CEP) Work Group meeting update. City Manager Rodger Craddock stated the Port of Coos Bay could not meet until June 2019 and was trying to coordinate a date to meet. Councilor Marler thanked the City Manager and staff for their wonderful job preparing the budget for Council. Mayor Benetti thanked the staff for all their work on the budget which was organized and went smoothly, he attended and enjoyed the Fireman's Banquet, noted Councilor DiNovo was appointed by the Governor to sit on the Travel Oregon Commission, and he also attended the Governor's Tourism Conference in Eugene where the City received an Innovation for Partnership and Collaboration in the Region award. Councilor DiNovo stated at the conference it was discussed the City of Coos Bay recognized and worked closely with partners in the City of North Bend and Coos County, as well as recognized two Federally recognized Tribes within the community which was included in the mission statement.

### **Adjourn**

There being no further business to come before the Council, Mayor Benetti adjourned the meeting. The next regular Council meeting was scheduled for May 7, 2019 in the Council Chambers at City Hall.



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Joe Benetti, Mayor

Attest: Nichole Rutherford  
Nichole Rutherford, City Recorder