

**CITY OF COQUILLE
CITY COUNCIL MEETING MINUTES
October 5, 2015**

COUNCIL PRESENT: Mayor Matt Rowe, Council President Loran Wiese, Councilors Dennis Graham, Susan Heaton, Fran Capehart, Dave Chappelle, and Linda Short.

STAFF PRESENT: City Manager Marchant, Finance Director Dufner, Police Chief Blue, Library Director Conner, and Planning/Public Works Director Urban

PRESS: None

AUDIENCE: A roster of those present is on file in the City Recorder's Office

1. CALL TO ORDER

Mayor Rowe called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. MAYOR COMMENTS

Mayor Rowe opened the meeting with a moment of silence to remember those who lost their lives and those who were injured at the Umpqua Community College.

Mayor Rowe wanted us to remember these things can happen far and near, even in our own community, and we need to stay vigilant. We need to stand fast and continue to work prevent these types of tragedies.

He mentioned that The New Yorker had run an article about the big earthquake, and he has heard from the community that they would like information on being prepared. The City is planning an Emergency Preparedness Fair in February. Mayor Rowe asked if Council would support forming a Emergency Preparedness Committee that would work with the City Manager on education, information, and the Emergency Preparedness Fair. Council members thought it was a good idea. Mayor Rowe said he would be accepting applications for the next month from those interested on serving on the committee.

Mayor Rowe also attended the League of Oregon Cities Conference (LOC), and he focused on talking with city officials and agency heads about transportation and street funding.

4. COUNCIL COMMENTS

Councilor Graham said he was on the GP site and noticed on the south end there is quite a pile of discarded concrete, and is not sure what we can do about it. He stated there has been some vandalism to the wooden stakes that hold up the signs around the trail plants. Chief Blue said the officers are checking the trail, and have removed some property that had been left and they will continue to watch the area.

Councilor Heaton said she attended a Rotary and Chamber of Commerce meeting. She attended the Coos County Commissioners meeting regarding connecting the river walk to Johnson Mill Pond. She also attended the reception for Karen Lautermilch, the new Coquille Valley Hospital CEO.

Councilor Wiese said he just returned from a 2,700 mile trip to Yellowstone and back, and they tried to stop at the small towns to see how they were capitalizing on something that would draw people to their town.

Councilor Chappelle said he attended the LOC conference, and that other cities are having the same issues trying to attract businesses, and dealing with the homeless population. Smaller cities can deal best with the homeless by staying on top of the issue.

Councilor Short said she has family in Roseburg, and the event that took place at Umpqua Community College was very tragic. She attended the LOC conference, and went to a work shop pertaining to the new laws on marijuana. She also took a tour of Sisters and said it is a charming town. She would like to have the Sisters Chamber person come and talk to us about what did and didn't work for them. Councilor Wiese said he knows the person who is the Director of the annual quilt show in Sisters, and he could see if she would be available to come and talk to council. Councilor Short said the Coos History Museum feel the carousel is an important project to the community, and they have asked for information about the project so they can have a display at the museum. She feels the visitors are very interested in the project, and are bringing others to learn about it.

Councilor Capehart said that at the LOC Conference she visited Redmond, and they created a park around the Chamber using URA money. She thanked everyone who sent flowers for 86th birthday and attended her dinner at Tumalo Feed Company. Councilor Capehart also said the Coquille Red Devils Hall of Fame dinner was great.

5. STAFF REPORTS

Mayor Rowe said Fire Chief Waddington will not be attending tonight, but he wanted to remind everyone that the annual Coquille Fire Department Fire Prevention open house will be held Thursday October 8th from 6:00 to 8:00 p.m.

Library Director Conner said the Friends of the Library had just finished their three day book sale, and they made approximately \$500. They are also working on putting an ad for request for qualifications for the design of the new library. The next trivia night is schedule for November 14th and the theme of the event is sports.

Chief Blue reviewed the alert that the Police Department received Friday morning, which indicated there would be a shooting in a Coos County school. By 11:00 a.m. the police were notified that the threat was no longer viable. The Police Department also dealt with an additional threat on Tuesday preceding that Friday threat. It that took until 8:00 p.m. to find out who had posted the text, and they found it not to be a viable threat. She will be meeting with the school to review the procedure, and to make sure they are prepared if there is a situation. Councilor Short said she is glad to see that there is going to be self defense course offered. Chief Blue said it is November 7th at

SWOCC from 1-4 p.m. Mayor Rowe asked if Chief Blue had heard anything from the jail about being back up to full staff, and she replied she had not.

Public Works Director Urban said that tomorrow evening there would be a Park Planning open house, and you can give input how the city parks could look in the future. Mayor Rowe asked how the grant application is looking for the fish cleaning station, and Urban replied that it is looking favorable and we will hear some time after December 4th.

Finance Director Dufner said the investment account in August showed a yield of 2.43% and the duration of the bonds is 2.95 years. He had sent a letter to the Rivers Edge RV Park and the Myrtle Lane Motel requesting their registration or pay a fine of \$750.00.

City Manger Marchant said he received a letter from the Myrtle Lane Motel stating they declined to recognize the legitimacy of the ordinance based on sovereign immunity and it has been forwarded to the City Attorney. Mayor Rowe asked when the fine would be applied, and Marchant replied that it would be after October 31, 2015. Councilor Heaton thanked Attorney Reed for the draft of the property maintenance code. Councilor Short asked if we have asked a business or citizen to fix a problem with their sidewalk, and if they do not complete the repair is the City liable if someone get hurt. Attorney Reed said that is a possibility, and if there is a specific example she would happy to discuss the situation after the council meeting.

6. CITY MANAGER'S REPORT

City Manager Marchant said we have been talking about the 15th Street sewer line project since the end of May. He asked if, based on the positive communications he has had with the County and DLCDD, would the council want to go ahead and get the project done while it is still dry. The other option is to wait until we receive the final approval from the County. Councilor Chappelle asked what approval are we waiting on, and Marchant said we are waiting for the county planner to receive a petition from a resident in that area requesting a change in zoning from rural residential 5 acres (RR5) to Rural (R) and included them in the Urban Growth Boundary. This would solve the inconsistency in zoning, and would take approximately 3-6 months. Councilor Graham asked if the property owner has agreed to annex into the City, and Marchant replied that we have a document prepared, and it will be presented to the landowner. Councilor Wiese he believes a reason to wait would be because of having to deal with the DLCDD. Councilor Chappelle asked if there is any liability to the City if we install the pipe, and Marchant said no. Councilor Graham said if we have an agreement and the easement to access other residents, there should not be a problem. Councilor Chappelle said worst case scenario is that DEQ would get involved, and Marchant said yes, but there would not be any fines. Councilor Capehart made a motion to have staff proceed with the sewer line extension. Councilor Short seconded the motion. Councilor Capehart, Short, Heaton and Graham voted in favor, Councilor Chappelle, Wiese and Mayor Rowe voted against. The motion passed 4-3

City Manger Marchant said he attended the LOC conference, and he was elected to serve on the following two boards; Oregon City County Manager Association (OCCMA) and the Local Government Personnel Institute (LGPI). He also received the ICMA recognition as a credentialed manager. He said he has signed a 15 month lease agreement with Bare Cupboard organization for space at Jefferson School. There

would be no charge, but they will fix up the space they are occupying, including installing toilets. City Manager Marchant introduced Anne Duquonois, and said she will be working with the City on many different projects. Marchant also told the City Council that Northwest Natural Gas will be increasing their franchise fee from 5% to 5.94% effective January 1, 2016.

7. PUBLIC PARTICIPATION

Kathi Simonetti, Coquille Chamber of Commerce, invited everyone to the Commanders Jazz Band, and also the Rotary Auction on November 7th. The Marine Corps will be handing out fishing poles at Tuckers Appliance on November 3rd. She was asked to serve on the Coos County Tourism Work Group Committee, and they ask that everyone support the transient lodging tax. They will be reviewing projects that the money could be used for, and she is asking that HWY 42 be considered a scenic byway.

Ollie Hoffman, 2340 Shelly Road, is against the City putting money into the carousel at this time because the roads need work. She also requested that the stop sign by Crim Insurance be put in the road to make it more visible, Mayor Rowe said that can be referred to the Safety Committee.

Sharon Neilson, 275 S Irving, said she is against Council spending money on a carousel and if we have an extra \$10,000 can that be used on stop signs.

Julie Watte, 874 N Henry St, asked how the City chose to pave S. Collier between 7th & 8th Street, Public Works Director Urban said he asked the public works crew what small areas do they maintain often and they said S. Collier between 7th & 8th and the other two sections that will be paved. Ms. Watte said she does not see much traffic on that street. Councilor Graham said he lives in that area and drives on that section daily. Ms. Watte asked why a property maintenance ordinance was drafted, and Mayor Rowe said it was requested by the council. Ms. Watte said ORS 570.175 addresses abatement of public nuisances, and asked why Public Works Director wrote the property ordinance. He said he was directed by City Council through Manager Marchant. Mayor Rowe said it has been reviewed by legal counsel. Ms. Watte asked where the money will come from to help to enforce this code, and City Manager Marchant said the Police Department handles abatement issues. Ms. Watte says she believes her 4th amendment would be violated by this ordinance, stating someone could come on her property and look around.

Sharon Usselman, Trustee for the Fraternal Order of the Eagles, said that the Eagles host a Halloween party each year for the children and their parents at no charge, which will be held from 4-7 p.m. She invited the City officials and the departments to participate in this event by showing that the police are our friends. They will also be fundraising with donut sales to help with the cost to send children to the Pumpkin Patch.

8. CONSENT CALENDAR

- Council Minutes August 17, 2015
- Council Minutes September 8, 2015

Councilor Capehart made a motion to approve the consent calendar. Councilor Chappelle seconded the motion, and all voted in favor.

9. DISCUSSION OF USING CITY PROMOTION FUNDS OR URA TO PAY FOR A CAROUSEL ANIMAL

Mayor Rowe explained that this purchase has been discussed at other City Council meetings and asked if there was any further discussion. Councilor Short said there has been discussion as to where the money should be spent, either promotions fund or from the Urban Renewal Agency. The Carousel Committee will be asking other cities to participate, and it makes it difficult to ask others to purchase an animal if the city where it's located doesn't purchase of an animal. Mayor Rowe said the promotions money can be used because it's discretionary. Council Chappelle asked if URA could purchase the animal, Councilor Wiese answered yes. Councilor Wiese asked who gets the money, and Councilor Short said the money goes in the carousel fund to help pay for the animals. Councilor Wiese asked if the carousel will be put in a building, and Councilor Short said they would, and they have an architect preparing a drawing. Councilor Graham thinks the carousel is a good idea, but he is concerned about the citizen's perception, and he thinks the promotion fund is a better choice. Councilor Heaton said she feels the URA could purchase the animal, and the money will come back when visitors come to see the carousel. Councilor Chappelle thought it should be brought up at the URA meeting. Councilor Wiese said the reason for the URA is to add to the tax base of the City. It was decided it would be on the next URA meeting agenda.

10. MOTION TO ADJUST THE UTILITY TAXES IN LIEU FROM THE WATER AND SEWER FUND TO THE GENERAL FUND IN THE BUDGET YEAR 2017

Finance Director Dufner said that in the past the City's general fund has collected funds in lieu of taxes from the water and sewer fund. He asked council if they would like to increase the yearly amount from the Water Fund by \$25,000 and about \$45,000 from the sewer fund. Mayor Rowe asked if this would this affect customer rates, and Finance Director Dufner said it could in the future. Councilor Capehart made a motion to include in the 2016-2017 budget year an adjustment to the tax in lieu from the water and sewer funds to the general fund based on the fixed asset schedule. Councilor Heaton seconded the motion, and all voted in favor.

11. RESOLUTION 13-2015 A RESOLUTION TO INCREASE THE FRANCHISE FEES PAID TO THE GENERAL FUND BY THE WATER FUND AND SEWER FUND FROM 5% TO 8.5%.

Finance Director Dufner said we charge utilities franchise fees and this is an increase on what the water and sewer franchise fee from 5% to 8.5%. The water fund franchise expense would be increase by approximately \$17,500 and the sewer fund expense would increase by \$26,250. Councilor Graham wanted to know the difference between the resolution and the funds transfer. Finance Director Dufner said this is a franchise fee and the transfer is in lieu of taxes. Councilor Graham asked how we decided to charge 8.5%. City Manager Marchant said it goes along with other franchise rates that are charged to utilities

Councilor made a motion to adopt resolution 13-2015 to increase the franchise fees paid to the general fund by the water fund and the sewer fund from 5% to 8.5%. Councilor Capehart seconded the motion. Councilor Heaton, Capehart, Chappelle and Short voted yes, Councilor Wiese and Mayor Rowe voted no, motion passed 4-2.

12. ORDINANCE 1496 AN ORDINANCE AMENDING COMSPAN FRANCHISE FEE

City Manger Marchant said Comspan is a telecommunications company that operates in the City right-of-way. The State of Oregon caps telecommunications franchise fees at 7%. We have another telecommunications company that is currently paying 7% and this ordinance would make Comspan the same as Lightspeed.

Councilor Graham made a motion to read the ordinance 1496 by title only. Councilor Wiese seconded the motion, and all voted in favor.

Councilor Graham made a motion to adopt ordinance 1496, an ordinance granting to Comspan, an Oregon corporation, a non-exclusive franchise and right to construct, operate, and maintain a fiber-based service facility; to occupy city rights-of-way; and to provide fiber-based services in the City of Coquille, Oregon. Councilor Short seconded the motion.

Councilor Graham-Yes
Councilor Heaton Yes
Councilor Wiese- Yes
Councilor Chappelle-Yes
Councilor Short-Yes
Councilor Capehart-Yes
Mayor Rowe-No

Ordinance 1496 passed 6-1

13. ORDINANCE 1497 AN ORDINANCE FRANCHISE AGREEMENT TELECOMMUNICATIONS

City Manager Marchant said this ordinance was prepared by the City attorney. The ordinance addresses telecommunication companies who are not currently under a franchise agreement for services they are providing. Marchant said this ordinance allows the city to impose a franchise fee.

Councilor Wiese made a motion to read the ordinance 1497 by title only. Councilor Graham seconded the motion, and all voted in favor.

Councilor Chappelle asked if Charter chose to change their line from cable to fiber how that affects that agreement, and City Manger Marchant said this will only affect those not paying at this time. Councilor Chappelle said this was questioned at the LOC conference, and they said the franchise fee needs to be addressed for internet usage. City Manger Marchant said all the utilities use the cities right-of-way.

Councilor Wiese made a motion to adopt ordinance 1497, an ordinance providing for licensing of telecommunications providers, imposing a licensing of related charges upon utilities doing business or otherwise providing services within the City of Coquille, and declaring an emergency. Councilor Heaton seconded the motion.

Councilor Graham-Yes
Councilor Heaton Yes

Councilor Wiese- Yes
Councilor Chappelle-Yes
Councilor Short-Yes
Councilor Capehart-Yes
Mayor Rowe-No

Ordinance passed 1497 6-1

14. ORDINANCE 1498 AN ORDINANCE GRANTING AN ELECTRIC UTILITY FRANCHISE AND GENERAL UTILITY EASEMENT TO PACIFICCORP

Councilor Wiese made a motion to read the ordinance 1498 by title only. Councilor Graham seconded the motion, and all voted in favor.

Councilor Wiese made a motion to adopt ordinance 1498, an ordinance granting an electric utility franchise and general utility easement to Pacificcorp. Councilor Heaton seconded the motion.

Councilor Graham-Yes
Councilor Heaton Yes
Councilor Wiese- Yes
Councilor Chappelle-Yes
Councilor Short-Yes
Councilor Capehart-Yes
Mayor Rowe-No

Ordinance 1498 passed 6-1

15. RESOLUTION 14-2015 ADOPTING A SUPPLEMENTAL BUDGET TO APPROPRIATE AND TRANSFER FUNDS.

Mayor Rowe said the resolution restores the fulltime officer position that was cut in the additional budget.

Councilor Chappelle made a motion to adopt resolution 14-2015 a supplemental budget to appropriate and transfer funds. Councilor Capehart seconded the motion, and all voted in favor.

16. MEMORANDUM OF UNDERSTANDING WITH COOS COUNTY TO COOPERATE ON A JOINT EFFORT TO DEVELOP AND EXTEND THE COQUILLE RIVER WALK TRAIL

City Manager Marchant said he has been working with the County Commissioners, County Parks & Roads, the County Health Director, and everyone thinks it is a good idea to promote the use of the public owned lands between the Coquille River Walk Trail and the Johnson Mill Pond. The County has requested a memorandum of understanding which delineates the responsibilities of each party. It states Coos County would provide an easement for the project and work with the land owners along the project. The City will develop an estimated cost of the project, outline a fundraising strategy for completion, and develop an ongoing maintenance and security plan for the project. The Friends of the Coquille River Walk will be the designated non-profit. The City will ask Dyer Partnership for some rough engineering cost estimates, which

will probably be very little. Councilor Heaton asked if the County is willing to enforce the right of way, and City Manager Marchant responded yes.

Councilor Capehart made a motion to approve the memorandum of understanding with Coos County to cooperate on a joint effort to develop and extend the Coquille River Walk Trail. Councilor Short seconded the motion, and all voted in favor.

17. ADJOURN CITY COUNCIL MEETING

Mayor Rowe adjourned the council meeting at 8:47 p.m.

EXECUTIVE SESSION – An executive session of the City Council is allowed under Section 192.610 (2)(i) to review and evaluate the employment-related performance of the chief executive officer or any public body, a public officer, employee or staff member who does not request an open hearing.

The City of Coquille then met in executive session pursuant to ORS 192.660(2)(i) to review and evaluate the employment related performance of the Chief Executive Officer of any public body, a public officer, employee or staff member who does not request an open hearing.

Representatives of the news media and designated staff were allowed to attend the executive session held pursuant to ORS 192.660(2)(i). All other members of the audience were asked to leave the room. Representatives of the news media were specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced.

No Decision was made in executive session. At the end of executive session, the Council returned to open session.

Mayor Rowe called the executive session to order at 9:00 p.m.

Mayor Rowe closed the executive session at 9:45 p.m.

Mayor, Matt Rowe

City Recorder, Rene Collins