



City of Bandon

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Bandon, OR 97411
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Bandon by the Sea

**MINUTES
CITY OF BANDON CITY COUNCIL
AND URBAN RENEWAL AGENCY BOARD
REGULAR MEETING**

COUNCIL CHAMBERS, 555 HIGHWAY 101, BANDON, OR 97411

MONDAY, APRIL 1, 2024

Livestreamed via Zoom Meetings

COUNCIL MEMBERS PRESENT:

Mary Schamehorn, Mayor
Joshua Adamson, Councilor
Peter Braun, Councilor
Chris Powell, Councilor
Geri Procetto, Councilor
Madeline Seymour, Council President
Brian Vick, Councilor

STAFF PRESENT:

Torrey Contreras, City Manager
Shala Kudlac, City Attorney
Dana Nichols, Planning Director
Chief Cory Dhillon, Bandon Police
Nicolette Cline, Planning Assistant
Richard Taylor, Minutes Clerk

1. CALL TO ORDER/ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE

Schamehorn called the meeting to order at 7:00 p.m. Roll Call was taken as indicated above. Nichols participated via Zoom. All Council members and other City Staff were present in the Council Chambers. Pastor Jim Minkler of Seabird Chapel Church of God provided the Invocation. The Pledge of Allegiance was led by Seymour.

2. PRESENTATIONS

2.1 Bethé Patrick – Volunteer of the Month

Patrick, Executive Director of the Greater Bandon Association (GBA), presented the organization's Volunteer of the Month Award to Sally Glunt, a retired nurse who volunteered at the St. John's Medical Loan Closet and Coast Community Health Center, where she served as board president for three years.

2.2 Proclamation – Arbor Day

Schamehorn entered the proclamation into the meeting record.

2.3 Public Safety Levy – Coos County Commissioner John Sweet, Coos County District Attorney Paul Frasier, and Coos County Sheriff Gabe Fabrizio

The three public officials spoke on behalf of the countywide May 21, 2024, ballot measure requesting \$0.98 per \$1,000 assessed property value, in addition to the existing \$1.08 county tax rate, to be used specifically to open a third pod in the County Jail, increasing its capacity from 98 to 147 inmates, and to enable the hiring of two new Deputy District Attorneys to assist in filling the additional jail beds by moving the current backlog of cases.

Fabrizio noted that Coos County was facing a major shortfall in funds and the levy was intended to support public safety services desired by citizens throughout the county.

Frasier, in his 40th year as a prosecutor, reported that there were ten police agencies in Coos County that submitted reports to the District Attorney's Office for prosecution, and a total of 8,895 referrals were made in the previous year. With a staff of seven or eight, the office could not process that volume of work, and crimes against persons were prioritized over property crimes. Frasier stated the lack of funds would cause staffing levels to decrease. Lack of jail space has caused offenders to be released rather than serve the time for which they were sentenced.

Sweet pointed out that patrol responsibilities were shared by the state, the county, and the cities, but the county bore the responsibility for prosecuting crime and for parole, probation, and counseling services.

Coos County would be debt-free in the coming year and without unfunded liabilities. County property taxes provided \$6.5 million out of an annual budget of \$140 million. Some programs received dedicated funding from state and federal sources. The county employed around 350 people. Sweet urged the Council and residents of Bandon in attendance to support the levy measure.

Powell: A previous attempt to raise a smaller levy was rejected by voters; why would this measure succeed?

Fabrizio: Most people would recognize the benefit, and there were no other options.

Powell: The levy sunsets after five years. What happens then?

Fabrizio: A public safety district could be established if the levy produces positive results.

Sweet: Under state law, any measure, aside from bonds, that supplements a governmental entity's permanent tax rate is limited to five years.

Braun: How much revenue would be generated by this levy?

Sweet: About \$5 million per year would be raised.

Frasier: The previous levy measure requested a smaller rate because it did not address the District Attorney's Office. However, the number of cases had increased dramatically with offenders knowing they would not be going to jail if they were arrested. In Oregon, 75% of those convicted of a felony do not serve time. They go through parole and probation in their communities, so local resources are needed to convict the offenders and direct them into the correctional system.

3. CONSENT CALENDAR ITEMS

3.1 Accounts Payable Report for February and March 2024

3.2 Library Report for March 2024

3.3 Public Works Report for March 2024

3.4 Sprague Theater and Community Center Calendar for April and May 2024

3.5 Planning Department Report for March 2024

3.6 Police Department Report for March 2024

3.7 Finance Department Report for February 2024

3.8 Consolidated Municipal Utility Report for February and March 2024

3.9 Municipal Court Report for February 2024

3.10 City Council/Urban Renewal Agency and Planning Commission Minutes

- City Council and Urban Renewal Agency Board Work Session – February 20, 2024
- City Council and Urban Renewal Agency Board Special Meeting - February 21, 2024

3.11 Utility Account Write-Offs, January through March 2024

Braun moved to approve the Consent Calendar. Vick seconded the motion and it carried by unanimous show of hands vote (6:0:0):

AYES: Adamson, Braun, Powell, Procetto, Seymour, Vick

NAYS: None

ABSENT: None

4. NEW AND OLD BUSINESS ITEMS

4.1 Request by Coos Health and Wellness, on behalf of Coos County, for the City of Bandon to Enter into a Memorandum of Understanding for Use of the Bandon Community Center as a Satellite WIC Clinic

Contreras: Coos Health and Wellness requested use of one room of the Bandon Community Center for its WIC (Women, Infant, and Children) supplemental nutrition program for parents with children under the age of five. This satellite clinic had been administratively approved at the beginning of the

calendar year with no discernible demand on the facility or its staff, and the proposed Memorandum of Understanding (MOU) would be in effect through the end of the calendar year, with automatic annual renewals.

Seymour made a motion to approve the Memorandum of Understanding. Procetto seconded the motion and it passed unanimously by show of hands vote (6:0:0):

AYES: Adamson, Braun, Powell, Procetto, Seymour, Vick
NAYS: None
ABSENT: None

4.2 Resolution 24-03: Award Landscape and Maintenance Contract

Contreras: Since the beginning of 2024, the City had gone without a landscape contractor. A request for bids had been circulated, resulting in two responses: Sea Breeze Landscape Care and Home Repair for \$68,000 per year and Clean Rivers for \$94,200 per year. Staff recommended awarding the contract to Sea Breeze, with the provision that work beyond the scope of the contract would be compensated at \$70.00 per man hour.

Seymour moved to accept the proposals as submitted. Braun seconded the motion, which carried by unanimous roll call vote (6:0:0):

AYES: Adamson, Braun, Powell, Procetto, Seymour, Vick
NAYS: None
ABSENT: None

Seymour moved to approve Resolution 24-03. Vick seconded the motion, which carried by unanimous roll call vote (6:0:0):

AYES: Adamson, Braun, Powell, Procetto, Seymour, Vick
NAYS: None
ABSENT: None

4.3 Resolution 24-04 Amending the Rainy-Day Fund Policy by Implementing a Clearer Methodology for the General Fund Contribution

Contreras: The current policy called for 50% of any General Fund revenue determined to be unappropriated as of May 1 of each year to be transferred to the City's Rainy-Day Fund. Due to the timing of the budget process, this policy had been difficult to implement. Staff proposed an amendment to the policy, allowing for 5% of the unexpended General Fund revenue to be assigned to the Rainy Day Fund at the end of a fiscal year. For Fiscal Year 2024-25, approximately \$135,000 would be transferred.

Seymour made a motion to adopt Resolution 24-04. Procetto seconded the motion, which carried by unanimous show of hands vote (6:0:0):

AYES: Adamson, Braun, Powell, Procetto, Seymour, Vick
NAYS: None
ABSENT: None

4.4 Resolution 24-05 Allowing Recreational Vehicles as Temporary Housing

Nichols: A resolution passed by the Council in 2023 to allow recreational vehicles (RVs) as temporary housing was to be reviewed every six months. Staff recommended automatic renewal of the resolution, until such time as the Council should choose to review it. Since the program's inception, only three requests had been received for this permit.

Seymour made a motion to adopt Resolution 24-05. Adamson seconded the motion, which carried by unanimous show of hands vote (6:0:0):

AYES: Adamson, Braun, Powell, Procetto, Seymour, Vick
NAYS: None
ABSENT: None

5. PUBLIC HEARING ITEMS

5.1 Ordinance 1663, a Public Hearing to Consider Amendments to Chapter 2.18 of the Bandon Municipal Code Regulating the Committee for Citizen Involvement and Providing an Effective Date

Nichols: Oregon's Land Use Planning Program required all cities to have a Committee for Citizen Involvement (CCI). Historically, Bandon's CCI was composed of City Councilors, Planning Commission members, other City commissioners, and public members at large. It was becoming difficult for the small Planning Department Staff to manage multiple committees, and it was challenging to maintain the CCI's membership. Consequently, staff recommended amending the Bandon Municipal Code and appointing the Planning Commission to serve as the City's CCI, after holding a Public Hearing on the matter. Following a Regular Meeting, the Commission could adjourn and reconvene as the CCI. After consulting with the Department of Land Conservation and Development (DLCD), Staff believed this change would satisfy state law and result in more community involvement, rather than less.

Kudlac read Ordinance 1663 by title only.

Seymour made a motion pass Ordinance 1663 to a second reading. Procetto seconded the motion, which carried unanimously by roll call vote (6:0:0):

AYES: Adamson, Braun, Powell, Procetto, Seymour, Vick
NAYS: None
ABSENT: None

Kudlac read Ordinance 1663 a second time by title only.

Seymour made a motion to approve Ordinance 1663. Procetto seconded the motion. Ordinance 1663 was adopted by unanimous roll call vote (6:0:0):

AYES: Adamson, Braun, Powell, Procetto, Seymour, Vick
NAYS: None
ABSENT: None

5.2 Continuation of Public Hearing: Ordinance 1665 for a Heavy Industrial Code Amendment and Comprehensive Plan Update for Planning Action 23-055

Nichols: To allow time for additional public comment, this Public Hearing was continued from the March 2024 Council meeting, due to concern that it may not have been properly noticed. No additional comments were received.

No one present in the Chambers or joining by Zoom requested to speak on the proposed ordinance. Schamehorn closed the Public Hearing.

Kudlac read Ordinance 1665 by title only.

Seymour made a motion pass Ordinance 1665 to a second reading. Adamson seconded the motion, which carried unanimously by roll call vote (6:0:0):

AYES: Adamson, Braun, Powell, Procetto, Seymour, Vick
NAYS: None
ABSENT: None

Kudlac read Ordinance 1665 a second time by title only.

Seymour made a motion to approve Ordinance 1665. Adamson seconded the motion. Ordinance 1665 was adopted by unanimous roll call vote (6:0:0):

AYES: Adamson, Braun, Powell, Procetto, Seymour, Vick
NAYS: None
ABSENT: None

6. URBAN RENEWAL AGENCY ITEM (none)

7. PUBLIC COMMENTS

Darcy Grahek, Bandon area resident: Representing an informal local volunteer group dedicated to restoration of habitats, involved in planting at Johnson Creek and in City Park, advocating for pollinator and songbird habitats, encouraging wildlife education, and promoting ecotourism. Would like to give the Council a presentation of their vision for the Johnson Creek Greenway. Would like permission to continue adding diverse native species plants at Johnson Creek. Submitted a letter to the Councilors containing similar statements, signed by 19 Bandon residents.

Seymour: Did you ask the City for permission to plant at Johnson Creek?

Drahek: Yes. Walked the area many times with Public Works, the Tribes, and the former Planning Director. Always worked there with the City's approval.

Julia Christoferson, Bandon resident: Submitted a letter to the Council about the City's Johnson Creek property. Has attended "Green Friday" events, planting native plants at Johnson Creek and caring for what was planted previously. Appreciated City's support. Heard the Mayor's idea that Johnson Creek could go back to being a nine-hole municipal golf course. Noted that Johnson Creek was listed as a greenway park in the City's Comprehensive Plan, to be managed as a natural area. Urged a "co-creative process" between the City and residents to determine Johnson Creek's future.

Schamehorn: Referring to comment in Christoferson's letter about the successful effort to preserve Coquille Point for public enjoyment rather than let it be developed, pointed out that prior to the 1936 fire, Coquille Point was already a well-developed area, home to one of Oregon's largest dance halls, a swimming pool, twelve cottages, and more.

Vick: Currently there is no parking and limited access to Johnson Creek.

Schamehorn: The golf course parking and clubhouse were not sold to the City with the former golf course property.

William Ferrer, Bandon area resident: Johnson Creek is a hidden jewel. People are increasingly concerned about loss of habitat and biodiversity. Has worked as volunteer, planting native species. Also part of group that shares stories, songs, and poems with local children. Johnson Creek is potentially an open classroom for hands-on experience in a natural environment. Urged the Council to allow and support citizens in continued restoration of Johnson Creek.

Donna Leveridge-Campbell, Bandon area resident: A lot of Bandon's natural habitat has been lost in the course of development. Encouraged the Council and Staff to recognize the value of restoring natural habitat at Johnson Creek.

Malaya McLean, Bandon area resident: Johnson Creek can be part of a nationwide movement for biodiversity and supporting pollinators called Homegrown National Park.

Andrea Burke, Bandon resident: Retired in Bandon after her teaching career. Has a passion for being a steward of native plants and has volunteered at Johnson Creek and City Park. Works part time for Bandon School District and teaches children in a gardening club. Supports keeping Johnson Creek as an educational and wildlife greenway. Encouraged everyone to go online and learn about Homegrown National Park.

8. CITY MANAGER COMMENTS (none)

9. CITY COUNCIL COMMENTS

Seymour: Sad to hear of Anthony Zunino's passing; condolences to his family.

Braun: Congratulations to Volunteer of the Month Sally Glunt.

Schamehorn: Nice to see the public turnout at this meeting.

10. ADJOURN

Schamehorn adjourned the Regular Meeting at 8:13 p.m.