

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

February 17, 1998

The minutes of the proceedings of the regular meeting of the City Council of the City of Coos Bay, Coos County, Oregon, beginning with a work session in the Council Chambers at 7 p.m. and proceeding to a regular session in the Council Chambers at 7:30 p.m.

Those Present

Those present were Mayor Joanne Verger, Councilors Joe Benetti, Jeff McKeown, Cindi Miller, Don Spangler, Kevin Stufflebean, and Judy Weeks. City staff present were City Manager Bill Grile, Deputy Recorder Joyce Jansen, City Attorney Randall Tosh, Library Director Carol Ventgen, Community Services Director Bruce Meithof, Police Chief Chuck Knight, and Fire Chief Stan Gibson.

WORK SESSION

Police Department Report — Chief Chuck Knight reported the re-organization of the department eliminated one management level position, and explained the sergeants would be taking on management responsibilities. Chief Knight reported the Coos County Commission of Children and Families would be facilitating a meeting to review problems at the 4th Street parking lot. He reviewed crime statistics in Coos County which showed a 2 percent increase in total calls for the city; 30,000 calls go through North Coos County 9-1-1 and include police, fire, and medical. The report showed assaults were down by 13 percent, a decrease in criminal mischief, and an increase in calls for disturbances and driving while suspended increased. Chief reported the department is doing a good job, has formed partnerships with other agencies, and reported the school resource officer program will be continued.

Other Discussion — Mayor Verger briefly reviewed proposed 1998 goals and asked Councilors to make additions, deletions, and comments to the report. She commented that due to budget restraints there will not be a lot of discretionary funds to work into goals, and suggested a goal setting session be scheduled in the near future. Mayor Verger noted the Board of Equalization hearing on the local improvement districts would be held. City Manager Bill Grile reported the project came at \$152,329, less than the estimated cost of \$203,140. Mr. Grile explained the Board will review the assessments, hear concerns and requests from property owners, and ensure everyone is paying their fair share.

City Attorney Randall Tosh commented there is a concern regarding the requirement of a performance bond in the pool agreement. Mr. Tosh explained the bond requirement is to ensure the project will be completed and protects the city against being left with an uncompleted public works project. Councilor Spangler inquired how much a bond would cost and Mr. Meithof responded normally a bond is 10 percent of the project cost. Councilor McKeown said he had spoken with Bracelin and Yeager and the comment was that the bond was not necessary. Mr. Tosh noted the city is not a party to the contract, and if anything goes wrong, there would be no recourse for the city. Councilor Benetti commented the pool cannot continue in its present condition and has nothing to lose. Councilor Weeks commented the money could be set aside rather than purchasing the bond. Mayor Verger commented the project was possible because a citizen has made a very generous contribution to the community.

COUNCIL MEETING

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Flag Salute

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

Consent Calendar

Mayor Verger read the consent calendar which consisted of approval of the regular meeting minutes of January 6, 1998. Councilor Weeks moved to approve the consent calendar as presented. Councilor Miller seconded the motion which carried with the Mayor and all Councilors present voting aye.

Report from Marshfield High School Representative Maliah Masibu

Maliah Masibu reported the students of the month were Jesse Snyder and Tara Grotzski, and reported the Bridge Program at the high school helps students with the transition from junior high to high school. Ms Masibu reported on the School to Work program, Sara Richardson received an award for her WEB page, and recognition of Julie Driscoll for outstanding cadet teacher. She commented that five students have been published in a national highschool publication in the past two months, and reviewed upcoming sports events.

Report on SWOYA Building Project by Leslie Davis and John Sweet

John Sweet reported the building project is now in phase 2 and is doing very well. SWOYA Boys and Girls Club is in the process of raising funds to finish the project and have \$250,000 in a matching grant and a \$300,000 grant from the Ford Family Foundation. The current fundraising effort is entitled Be the Key and is a campaign to get 1,000 citizens to donate \$1,000. Mayor Verger commented the project has moved along quite well and has a lot of community support. Councilor McKeown expressed his support of the project, and noted the Be the Key program is a great opportunity to contribute to the community and can be done over a three year period. Councilor McKeown explained the programs are offered to all children and fees are waived for those who cannot pay.

Board of Equalization Hearing — Local Improvement Districts for California, 20th, 21st and 22nd Streets

City Manager Bill Grile reported as part of the local improvement district process, after notices of proposed assessments have been mailed to the affected property owners, a public hearing is held for the Council to sit as a Board of Equalization to consider any objections to the proposed assessments. Mayor opened the public hearing.

Brandon Bates, 1751 South 19th Street, submitted a letter to the Council expressing concern that his property would not benefit greatly from the improvement and requesting the assessment be lowered. Mr. Bates also indicated that he had not been notified of the upcoming assessment by the seller when he purchased the residence. Darlene Sayer, speaking on behalf of Brendon Bates, expressed that Mr. Bates does not benefit from both California and 19th Street improvements and requested an adjustment. It was noted that the previous property owner had signed the petition to initiate the improvement district.

Geno Landrum, 2800 Libby Drive, commented he received two letters that were identical but the amounts were different. Mr. Landrum said he supported the improvement district although it does not increase utilization of his property, but he is willing to pay his fair share.

Mr. Grile reported Mr. Landrum was being assessed for improvements to both California Street and 20th Street. Councilor McKeown requested a brief explanation of the LID process. Mr. Grile reported the

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local improvement process began when citizens presented petitions to the City Council. The Council initiated the street projects and public hearings were held beginning in September 1995; the project went to bid, the low bid was accepted, and the four improvement districts were completed for \$152,329.09. Mr. Grile noted the issue before the Council now is to fairly distribute the cost to all property owners. Councilor Spangler commented the citizens came to the Council; the city did not seek the projects.

Lilah Bidwell, 945 Augustine, owns property on 19th Street. Mrs. Bidwell commented her lot is very steep and would not have access from 20th Street.

Wanda Oberstaller, 1731 South 20th Street, inquired when they would start paying on the assessment. Mrs. Oberstaller reported no curbs and gutters had been included and the rock wall had been damaged and not repaired. Mr. Grile said staff would look into the repair of the wall, and assessment payments would be set up after the Council enacted the ordinance.

Joy Peevy, 1745 South 22nd Street, expressed concern that the improvements to 22nd do not benefit her property. She explained her property is on the corner of California and 22nd Street and the pavement stops before reaching her driveway. Mrs. Peevy further commented that part of her property had been used by Johnson Rock and was left in very poor condition. She requested the assessment be adjusted and her property cleaned up.

Kathleen Fisher, 1750 South 22nd, supported Mrs. Peevy's report on the condition of her property and her request for an adjustment to the assessment. Mrs. Fisher expressed appreciation for the improvements on 22nd Street.

Councilor Spangler inquired why the pavement did not reach Mrs. Peevy's driveway. Community Services Director Meithof reported the petitions for the improvement district did not include that portion of California Street. Councilor McKeown asked about the lack of curbs. Mr. Meithof explained the engineer designing the improvements recommended curbs for areas with drainage problems, and it was not up to the property owner to request curbs. There was further discussion regarding curbs and Mr. Meithof explained if a storm drainage system is not in place, there is no need for curbs. Councilor Weeks inquired if the projects were inspected by staff before the assessments assigned and Mr. Meithof said yes and that all the work is warranted for a period of one year. Mr. Grile commented Mrs. Peevy may want to consider strip paving her driveway.

Barbara Coates, 1109 Central Avenue, owns property on 22nd Street, reported at the last public hearing it was stated that some streets would get curbs and some wouldn't. Mayor Verger reviewed the minutes from the public hearing.

Lewis Langley, 1480 North 10th Court, owns property on California Street, commented that although he no longer lived on California he appreciated the improvements and they were done very well.

Mrs. William Anger, 1730 South 21st Street, had submitted a letter to the City expressing concerns about the amount of her assessment, the poor quality of asphalt, and the lack of curbs and sidewalks.

Mayor Verger suggested the hearing be continued and staff prepare a report addressing the concerns expressed at this hearing. There being no further comments to come before the Board of Equalization, Mayor Verger closed the public hearing.

Authorization to Execute an Agreement with Mingus Park Pool Management

City Manager Bill Grile reported an agreement between the City and the Mingus Park Pool Management had been prepared by the city attorney to specify the expectations and responsibilities with the replacement of the swimming pool. Councilor McKeown reported Caddy McKeown, President of the Mingus Park Pool Management, could not attend due to illness. Mr. Grile explained an anonymous generous gift of \$500,000 to rebuild the pool had been given to Mingus Pool Management. City Attorney Randall Tosh

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reported the current agreement requires the contractor to purchase a performance bond as required by State law for public improvements. Mayor Verger moved to authorize the agreement. Councilor Weeks seconded the motion. There was further discussion on requiring the bond as much of the work by the contractor would also be donated, and concern that money spent on the bond would take away from the project. Mr. Grile reported the city would pay the State surcharge for the building permit and absorb the building inspection fees. Mr. Tosh explained the purpose of the performance bond is to ensure the project is completed. The motion to accept the agreement as currently written failed with all members voting no.

Councilor Stufflebean moved to accept the agreement with the deletion of the sentence in Item 5 requiring the purchase of a performance bond. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Final Review of Mostert Logo Proposal

Mayor Verger reviewed the logo proposal which was done in accordance with recommendations previously made by the Council. Councilor Stufflebean commented he did not care for the trees. Councilor McKeown commented that timber is an important part of our community and should be represented. Councilor Weeks suggested the water be a lighter color. City Manager Grile said the final would be done in finer detail. Councilor Miller moved to approve the final design. Councilor Benetti seconded the motion which passed with the Mayor and all Councilors present voting aye.

Enactment of Ordinance No. 251 Amending Ordinance No. 239 Adopting Uniform and Specialty Codes

City Manager Bill Grile reported the amendment to Ordinance No. 239 would provide for procedural items, clarification of the Building Board of Appeals, summary abatement, and provisions for lien property. Councilor McKeown moved to enact Ordinance No. 251 amending Ordinance No. 239. Councilor Spangler seconded the motion. Councilor Stufflebean commented the ordinance does not address the requirement that Board of Appeals members live within the City limits. City Attorney Tosh responded it was not necessary because it is addressed in the Council Rules. Deputy Recorder Joyce Jansen read the ordinance by title only and the Council was polled with the following results.

Voting Aye: Mayor Verger and Councilors Benetti, McKeown, Miller, Spangler, Stufflebean,
and Weeks

Voting No: None

Absent: None

Public Comments

Geno Landrum, 2800 Libby Drive, thanked the City fire department and Charleston Rural fire department for coming to his aid during a house fire. He cautioned anyone living outside the City and not within a rural fire district, should form one.

Anna Brands, Dellwood, Coos Bay, reported she has a petition for the pool house project if anyone would be interested in signing after the council meeting.

City Manager's Report

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City Manager Bill Grile reported progress had been made with the Mayor's Blue Ribbon Committee and a meeting scheduled for Thursday at 7 p.m. Mr. Grile reminded the Council of the Urban Renewal Agency meeting on February 24th and noted there would be a full report on the library project.

Mayor and Council Comments

Councilor Stufflebean reported the public access TV board met last evening and hired Rolan Wright as technical supervisor.

Councilor Miller invited anyone interested in working on the 1999 Governor's Tourism conference may attend a meeting Thursday at 8:30 a.m. at the Red Lion.

Councilor Weeks reported being interviewed by KOB-TV regarding the smoking ordinance advisory vote to be held in May.

Councilor McKeown commented that even though there have been a number of negative things happening recently in the community, there are several positive things going on as well, and listed the Mingus Pool project, SWOYA Boys and Girls Club building project, and that NUCOR is still a possibility.

Mayor Verger reported a meeting on ground fish will be held on February 19th at 2:30 p.m. at the Oregon Marine Biology Institute auditorium. Terry Garcia and Senator Wyden will be present for discussion. Mayor Verger commended Barbara Carpenter for volunteering her time with public access TV to film the city council meetings and Councilor Stufflebean for his work as chair on the public access TV board.

Executive Session

The City Council met in executive session pursuant to ORS 192.660 (1) (d) for the purpose of consulting with legal council regarding labor negotiations and advice from legal counsel. Council discussed AFSCME labor negotiations.

The City Council reconvened into regular session.

Adjournment

There being no further business to come before the Council, Mayor Verger adjourned the meeting to March 3, 1998 at 7 p.m. in the Council Chambers of City Hall.

Joanne Verger
Mayor of the City of Coos Bay
Coos County, Oregon

ATTEST:

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Joyce Jansen
Deputy Recorder of the City of Coos Bay
Coos County, Oregon