

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

April 21, 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, Acting Community Services Director Steve Doty, Police Chief Chuck Knight, and Fire Chief Stan Gibson.

WORK SESSION

Mayor Verger reported Dave Atkinson has indicated that he must resign from the budget committee due to a serious family illness. Mayor Verger asked Council to suspend the rules and appoint the next applicant, Chris Christoffer, to fill the vacancy. Mayor reviewed the consent calendar.

City Attorney Randall Tosh explained public access TV is a consequence of the cable television act which gives local franchising agencies the authority to require cable companies to provide three public access channels. One channel each for public, government, and education. There is currently one combined channel, the other two channels are still available. The federal act also gives the franchising body authority to develop rules and procedures. Mr Tosh noted there has been discussion about imposing a PEG fee and there are some limitations imposed by the federal act regarding PEG fees. A franchising authority is limited to collecting 5 percent of the cable system's gross operating income, which the city is currently collecting.

Mayor Verger commented both Coos Bay and North Bend are interested in having a government channel, but in order to have any channel, there needs to be financial support. Councilor Spangler asked if government and education channels can be funded through sponsorship and Mr. Tosh said they can be funded in any way the City wants. Mr. Tosh explained other cities contract with a non-profit organization to manage the channel. Councilor McKeown asked if the City would still have some control over the channel. Mr. Tosh said there would be no editorial control over the other two channels, but there would be control over the government channel.

Department Head Report

Police Chief Knight reported attending the Shutter Creek Summit program and expressed the program is working very well. Chief Knight reported the department is working on creating community partnerships and looking into how the City can serve the community better. He commented on officers networking with a number of organizations and agencies in the community; on a meeting regarding the 4th Street parking lot issues; and on the community policing program. Chief Knight reported two officers have been recently hired, Randy Sparks and Troy Dement, and a third position will be filled after July 1st. He reported the department is seeking more volunteers so the Empire substation can be open more hours.

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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 March 3, 1998, second hand store license for the Cash Connection, lease with South Coast Head Start, and fund transfer for the library heating system repairs. Councilor Miller moved to approve the consent calendar as presented. Councilor Weeks seconded the motion which carried with the Mayor and all Councilors present voting aye.

Tree City USA Award Presented by Larry Sprouse, Oregon Department of Forestry

Larry Sprouse commended the City on establishing and maintaining a Tree City USA program and reported there are 31 communities in Oregon recognized as Tree City USA communities. Mr. Sprouse presented Mayor Verger with the Tree City flag.

Report from Marshfield High School Representative Meliah Masibu

Meliah Masibu reported Amy Frazier was selected as girl of the month and Travis Hootman as boy of the month. She commented on Spring Fling Week, the Mexican Fiesta to be held on Saturday, the dance team placed 2nd at State, and 73 units of blood were collected during the Red Cross blood drive. Ms Masibu explained the student exchange program with North Bend High School. Mayor Verger asked Ms. Masibu to share her good news and Meliah said she has received an invitation to participate in the Miss Teen America program. Mayor Verger commended Ms. Masibu on her hard work and accomplishments.

Appointment to Budget Committee

Mayor Verger reported Dave Atkinson has had to resign due to ill health in his family, and she asked Council to suspend the rules and appoint Chris Christoffer to the Budget Committee. Councilor Miller moved to suspend the rules. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye. Councilor Miller moved to appoint Chris Christoffer to the Budget Committee upon receipt of written notice from Mr. Atkinson. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye.

Adoption of Resolution 98-3 — Support of the Urban Renewal Agency's Recommendation for Option for Collecting Ad Valorem Property Taxes and Establishing Maximum Indebtedness

City Attorney Tosh explained the resolution endorses the selection of the option for collecting property taxes and establishes the maximum indebtedness for both urban renewal plans. Mr. Tosh reported the ordinances for completing the process will come to the next Council meeting. Councilor Spangler moved to adopt Resolution 98-3, attached hereto and thereby made a part of the record. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

Information from the City Attorney Regarding Public Access TV Items

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Randall Tosh explained the franchise provides for three channels and currently only one is being used which is a combination of the three; public, education and government. Mr. Tosh reported the franchise fee is limited to 5 percent of the gross income and as of November 1994, a PEG fee must be a part of the franchise and cannot be in addition to the franchise fee. Mr. Grile noted the City currently collects 5 percent which is around \$80,000 annually. Mayor Verger commented an all government channel may not be sponsored by businesses. Stephanie Kilmer reported the cost for public access parttime staff is \$1200 per month and the filming is all done with volunteers. Councilor Weeks asked what the franchise fee funds are used for and Mr. Grile said it goes into the general fund. Mayor Verger said North Bend is not interested in continuing the public access channel, but would be interested in a government channel. Mr. Grile said funding for public access would be discussed during the budget process. Mr. Tosh noted if the programming remains in a unified channel a non profit organization should oversee the programming, for legal and policy reasons.

Public Comments

Rhonda Houston, Coos Bay, on behalf of the Pacific Empire Hotel and Nick of Time Tobacco Shop, expressed concern that the Bay Area Mission is adversely affecting businesses in the Empire area. Ms. Houston said Stan Whipple had hired people from the Mission and had problems with prostitution and drug dealing in his establishment. Ms. Houston indicated the police had been notified and nothing was done. She said she had called the city manager this afternoon requesting to be on the agenda tonight. Mayor Verger suggested the matter be scheduled for the May 5th agenda and those with a difference of opinion be invited as well. Chief Knight reported the police department is involved with an ongoing investigation, some of which should not be discussed in this forum. Ms. Houston said Mr. Whipple is recovering from surgery and he wanted to know why the mission does not pay room tax.

Ken Hargens, Coos Bay, expressed concern that the H & R Block sign was denied. Mr. Doty reported the Design Review Board had approved the awning on condition the sign be removed. Mr. Hargens said H & R will move unless they have the sign. Mr. Grile suggested the matter go before the Urban Renewal Agency and a meeting was scheduled for April 23, 1998 at 6:30 p.m.

City Manager's Report

Mr. Grile reported the library committee will meet on Thursday to review the construction drawings and will bring an update to the Urban Renewal Agency on May 5th. He commented the parking and circulation study is being reviewed by ODOT and staff is working on information the State requires before they will sign off. Mr. Grile commented the parking signs and map of the parking lots will be brought to the Council for review along with a cost proposal.

Mayor and Council Comments

Councilor McKeown reported he will miss the budget meeting Thursday evening and was pleased to see the Empire problem on the agenda for May 5th. He noted it is important to hear all sides of the matter.

Councilor Weeks reminded everyone of the candidates forum next week sponsored by the League of Women Voters.

Cindi Miller reported attending the Governor's Conference on Tourism and that she is co-chair for next year's conference to be held in Coos Bay.

Councilor Spangler reported on the OCZMA and Transportation Committee meetings, and noted the Transportation Committee will be looking at sections of Hwy 101 to be improved and funding for the

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improvements. The OCZMA meeting discussed the salmon issue and Councilor Spangler noted there is no simple solution for this matter. He suggested inviting Onno Husing to a Council meeting to talk about OCZMA. Councilor Spangler reported the Blue Ribbon Committee has prioritized the streets needing repairs and \$150,000 has been budgeted for the streets. He commented he will be on the KBBR morning show and will be speaking on the positive things happening in the Empire area.

Mayor Verger reported visiting the Millicoma STEP program and invited Councilors to do the same. She reported the scoping meetings in North Bend, Elton and Creswell were well attended and the presentations very well done. Mayor Verger commented the Library's children's program will be held in the Council Chambers on Wednesdays in June and July and Councilors are invited to participate in the reading program. The Mayor reported a meeting to discuss problems regarding the teen dance club and the teen parking lot was held to discuss possible solutions.

Executive Session

The City Council met in executive session pursuant to ORS 192.660 (1) (d) and (h) for the purpose of consulting with legal council regarding labor negotiations and potential litigation.

The Council reconvened into regular session.

Adjournment

There being no further business to come before the Council, Mayor Verger adjourned the meeting to May 5, 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:

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