

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

August 18, 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, Community Services Director Bill Finney, Fire Chief Stan Gibson, Police Chief Chuck Knight, and Library Director Carol Ventgen.

Work Session

Mayor Verger reviewed the consent calendar and Councilor Weeks requested item #b setting salaries for the fire battalion chiefs be dropped down as an agenda item. Councilor Spangler inquired if the proposed dedication of the alleyway could be accomplished by giving permission to use the alleyway instead of going through the dedication process, and if there would be a problem if the City were to sell the building. City Manager Grile said the dedication would not hinder the sale of the fire hall and would give the adjacent building owner, Gary Rifkin, access to the rear of his building. Mr. Grile reported the city attorney advised a dedication was the best way to protect the public interest and give the building owner security of the use of the alleyway. City Attorney Randall Tosh commented the dedication makes clear that it is not a property right for Mr. Rifkin and limits the scope of the dedicated area and protects the City financially.

Mr. Grile reviewed the bids received on the sewer improvement projects, and noted the City had been contacted about a health and safety problem at 119 South Wasson and a public hearing is being requested for September 1st. Mr. Grile reported Andy Nasburg would be making a report to the Council concerning access to the Pak-West development next to Wal-Mart. Councilor Spangler asked if was appropriate for a public body to pursue a condemnation on behalf of a private property owner. Mr. Tosh recommended that the street be put all the way through to provide access to properties behind the D9 property, and commented the City would be involved only if it would be in the public interest. Mayor Verger commented Wal-Mart had purchased the property from the school district and the property owners should be responsible for securing access, not the City.

COUNCIL MEETING

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 minutes from the August 4, 1998 meeting, approval of OLCC licenses for Cabo San Lucas and Rendevous Tour Company, approval of the revised summary for the poolhouse ballot measure, and adoption of Resolution 98-18, which is attached hereto and made a part of thereby, dedicating the alleyway behind the fire hall to the general public.

Council Minutes — August 18, 1998

Councilor Miller moved to approve the consent calendar as amended. Councilor Weeks seconded the motion which carried with the Mayor and all Councilors present voting aye.

Presentation of Award to Gail George by Mayor Joanne Verger

Mayor Verger reported Gail George was being recognized for her loyal service to the City of Coos Bay for 21 years and was required to retire early due to health reasons. The Mayor presented Ms. George with a myrtlewood clock and expressed the well wishes of the Council and fellow employees. Mayor Verger commented Gail was one of the most beloved and respected employees and is greatly missed. There was a standing ovation for Ms. George.

Report from Marshfield High School Representative Maliah Masibu

Maliah Masibu invited the Council to attend Pirate Night on September 3rd at 7 p.m. for the introduction of this year's athletes. Maliah reported the home games for soccer would be held on September 10th for the boys and September 19th for the girls; the volleyball team would be playing North Bend on the 10th; and the football schedule has the first game in Eugene on the 17th and a home game on the 25th playing Churchill. Maliah commented she would be working on getting a Pirate flag for the City and was looking forward to reporting to the Council once a month during the school year.

Presentation of Softball Trophy by North Bend City Administrator Gary Marks

Gary Marks presented the softball trophy to the Council for winning the annual July Jubilee softball game with a score of 9 to 7. He commented the rules committee, consisting of North Bend Mayor Slater, has reported a change in rules for next year in that the mayors of both cities will play in at least one of the innings. Mr. Marks said it was a good game, helped by his lack of expertise in playing the game.

Department Head Report by Library Director Carol Ventgen

Library Director Carol Ventgen reported the children's program was finished for the summer and she thanked the Council and staff for participating in the program. She said there were many good reports from the children and parents; averaging 92 children per day for the celebrity readings. Ms. Ventgen reported the library was closed last Friday for upgrade of the computer software and while this was being done staff received training on new information sources. She commented the library would be closed next Friday for staff development day at the college.

Ms. Ventgen reported the Friends of the Library have moved to the former Head Start building at 2nd and Elrod, provided free of charge by Head Start, and a book sale is scheduled for the 29th and 30th at this location. Ms. Ventgen said the library construction is going well and on schedule and the project management team will be meeting next week. She reported the library board started a fund raising campaign, Readers on the March, and are working to get grants and raise money for items for the library not included in the remodel project. Ms. Ventgen reported a grant has been awarded from the Collins Foundation for \$30,000, and local donations are close to \$15,000.

Annexation of Old Wireless Lane and a Portion of Southwest Boulevard into the City of Coos Bay and Adopting Amendments to the Comprehensive Plan Map — Ordinance No. 263 and Resolution 98-19

Council Minutes — August 18, 1998

Mayor Verger moved to adopt Resolution 98-19, which is attached hereto and made a part of thereby, amending the City of Coos Bay Comprehensive Plan as necessary to accommodate the annexation and provide a legal basis for zoning the subject properties. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye.

Mayor Verger moved to enact Ordinance No. 263 approving the annexation of "Old Wireless Lane" and a portion of Southwest Boulevard into the City of Coos Bay, Coos County Oregon, and zoning the property so annexed single family and duplex residential. Councilor Spangler seconded the motion. Deputy Recorder Joyce Jansen read the ordinance by title only and the Council was polled with the following vote:

Yes: Mayor Verger and Councilors Benetti, McKeown, Miller, Spangler, Stufflebean,
and Weeks
No: None
Absent: None

Mr. Grile welcomed the citizens from Old Wireless Lane and commented Community Services Director Bill Finney would be meeting with them about using wastewater money to assist in financing the improvement project. City Attorney Tosh commented the ordinance would not be effective for 30 days.

Approval of Salaries for Fire Department Battalion Chiefs

Councilor Weeks commented the reason she requested this matter be removed from the consent calendar was due to dealing with money. Councilor Stufflebean asked if it was verified as conforming to the fair labor standards act and Mr. Grile said yes. Councilor Benetti moved to approve the salaries for Fire Department battalion chiefs as presented. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye.

Authorization to Purchase Bio Solids Truck

Community Services Director reviewed the use and need of the truck. He explained staff is asking for delegation of purchasing authority to OMI in order to take advantage of purchasing a used vehicle from a vendor who deals in this type of equipment. Mr. Finney reported the current vehicle has had three engine replacements and two new transmissions for a cost of \$23,000. He further reported the vehicle is not reliable and will continue to cost the City in maintenance. Councilor Stufflebean moved to delegate authority to purchase a Bio-Solids truck to OMI as the City's agent, not to exceed \$65,000, and require OMI to keep records of the process utilized. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Enactment of Ordinance No. 264 Amending Ordinance No. 239 Regarding Storage of Liquified Petroleum Gases

City Manager Grile said this is a housekeeping measure moving a provision allowing Class I and Class II liquids from Section 22 to Section 35 (4) where it belongs. Mayor Verger moved to enact Ordinance No. 264 amending Ordinance No. 239. Councilor Miller seconded the motion. Deputy Recorder Joyce Jansen read the ordinance by title only and the Council was polled with the following vote:

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

Council Minutes — August 18, 1998

No: None

Absent: None

Approval of Bid for South 8th and South 9th Sewer Replacement Project

City Manager Bill Grile reported five bids were received for the South 8th and South 9th sewer replacement project with the low bid coming in from JBS Construction. Councilor Miller moved to award the bid to JBS Construction in the amount of \$61,125.00. Councilor Weeks moved to second the motion which passed with the Mayor and all Councilors present voting aye.

Approval of Bid for Newmark Avenue to Schetter Avenue Sewer Replacement Project

City Manager Bill Grile reported five bids were received for the Newmark Avenue to Schetter Avenue sewer replacement project with the low bid received from Roto-Rooter. Councilor Miller moved to award the bid to Roto-Rooter in the amount of \$29,275.00. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Request to Schedule a Hearing for Initiation of Abatement Proceedings for the Building at 119 South Wasson Street

City Manager Bill Grile reported the request is to set a public hearing for initiation of abatement proceedings for the building at 119 South Wasson. Councilor McKeown requested further explanation of the situation and Mr. Grile said at this time the request is to set a public hearing for September 1, 1998 to consider testimony on the alleged dangerous character of the property. Councilor McKeown inquired what would happen in the mean time and Community Services Director Bill Finney said the building has been posted to vacate and no one can live in it at this time. Councilor Stufflebean inquired if the owner can go in and work on the problem and Mr. Grile said yes they could. Mayor Verger moved to set a public hearing on September 1, 1998. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

Discussion — Access to the PacWest Shopping Center Adjacent to Wal-Mart

Andy Nasburg reported PacWest had been under the impression the access to the site was in place and was done during the zone change. They have been dealing with Wal-Mart for several months and an agreement finally reached if PacWest would pay \$120,000 and all related costs; however, Wal-Mart's property committee then refused the agreement. PacWest and Wal-Mart working on an agreement and will not be asking the School District to proceed with condemnation proceedings. Mr. Nasburg also noted the development would use the North Bend sewer connection.

Councilor Spangler asked if it was unusual for a developer to spend \$150,000 when they don't own the land. Mr. Nasburg said most of the cost was engineering fees. Councilor Stufflebean asked if Mr. Nasburg thought the City should have made sure the agreement for access was signed and Mr. Nasburg said no, it was the property owners responsibility. Mayor Verger commented when people are buying property they need to be sure everything is in order.

Public Comments

Council Minutes — August 18, 1998

Mel Leshner, North Bend, reported City staff have been very good to work with and appreciated their helpfulness. Mr. Leshner explained there is a drainage problem at 1140 and 1150 East Park Roadway which is causing considerable erosion of the hillside. He asked Council to help stop the erosion which is being caused by water from the residents on 10th Court. Mr. Grile reported he was not aware of the problem and he would meet with Mr. Finney to discuss the matter. Mr. Leshner commented that there are many unlicensed contractors doing roofing work in the area and frequently doing a poor job. He suggested the City adopt a rule that a new roof require a permit which would insure the job is done properly.

Sargent Webster, North Bend, reported he owns the rental next door to 119 South Wasson and it does need to be cleaned up. He also has heard complaints about unlicensed or bonded contractors.

City Manager's Report

City Manager Bill Grile reminded everyone of the employee recognition lunch on Thursday and of the Urban Renewal Agency meeting on Thursday at 7 p.m. Mr. Grile commented the downtown employee permit parking is moving forward, the finance department is facing challenges with two vacancies, and the recent brown bag lunch was held at the city shop and was successful. Mr. Grile reported the new logo has been ordered for the Council Chambers and Chief Knight would be the acting city manager for the next two weeks. He reported the fire department would be participating in training at the college on the 26th and 27th and invited Councilors to attend if they desired.

Mayor and Council Comments

Councilor McKeown reported Governor Kitzhaber visited the Boys and Girls Club during the time he was in town for the Mayors Conference, and was very positive about the club and future plans of the club.

Councilor Weeks commented the Mayors reception was the art museum was a great success, as was the whole conference. She reported the new sign at Mingus Park and Choshi Gardens has been installed and looks good, and a letter to the school district regarding the Through a Child's Eye project has been mailed.

Councilor Miller also complimented Mayor Verger on the Mayors Conference and the governor's visit to Coos Bay. She reported the Bay Area Lab Band made a good impression at the Mayors Conference and at the Coos County Fair. Councilor Miller commented the Governors Conference on Tourism meeting will be held next Wednesday at 9 a.m. and the Joint TV Committee will be meeting on the 27th at 5:30 p.m.

Councilor Benetti commented on the beginning of construction on the pool and also complimented Mayor Verger on the success of the Mayors Conference. He asked for discussion on the downtown employee parking problem and suggested not ticketing the area until the new signs and permits are available. Mayor Verger supported looking into not ticketing Lot C and perhaps making the area three-hour parking and sell permits. Councilor Spangler agreed, but added it would be unfair to do so for only one lot.

Councilor Stufflebean complimented Mayor Verger on the conference and noted there had been many good comments about the area. Councilor Stufflebean expressed concern about the number of employees leaving the City and suggested a formal exit interview be adopted.

Councilor Spangler reported a lot of citizen input was received at the airport meeting, and he had received a call from The World regarding the controversy of the City's new entrance signs. Councilor Spangler explained the State Department of Transportation considers the Chamber of Commerce sign to be a government sign and will not approve an additional sign. Councilor Benetti reported the Tourism Promotions Committee would prefer to keep the sign located near the Fred Meyer store and suggested replacing the small Chamber sign with the new City sign. Councilor McKeown suggested moving the Chamber sign to another location. Councilor Spangler commented on a visit from Fire Captain Randy Miles in which Mr. Miles expressed his objections to the re-organization.

Council Minutes — August 18, 1998

Mayor Verger commented the Mayors Conference far exceeded her expectations and the community did a wonderful job of making the conference a success. She said the Lab Band were very impressive at the banquet and Springfield Mayor Bill Morrisette has invited the band to a workshop of preventing school violence. Mayor Verger complimented Bev Saukko for her help with the conference.

Executive Session

Mayor Verger moved to go into executive session pursuant to ORS 192.660 (1) (d) and (e) for the purpose of consulting with legal council regarding labor negotiations and pending litigation. Councilor Miller seconded the motion which passed unanimously.

The Council reconvened into regular session.

Adjournment

There being no further business to come before the Council, Mayor Verger adjourned the meeting to September 1, 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