

# MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

October 6, 1998

The minutes of the proceedings of the regular meeting of the City Council of the City of Coos Bay, Coos County, Oregon, beginning at 7 p.m. with a work session in the Council Chambers and proceeding to a regular session at 7:30 p.m. in the Council Chambers at City Hall, 500 Central Avenue, Coos Bay, Oregon.

## Those Present

Those present were Councilors Joe Benetti, Jeff McKeown, Cindi Miller, Don Spangler, and Kevin Stufflebean, and Judy Weeks. Mayor Verger was absent due to an out of town meeting. Councilor McKeown explained his previous absences were due to back surgery. 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

Council President Joe Benetti reviewed the consent calendar and City Manager Bill Grile reported on the implementation of the downtown parking plan. Mr. Grile commented the City is responding to the needs of employee parking, Council recommendation, and the Kittelson concept. It was noted there will be designated employee only parking areas located in the lot on 4<sup>th</sup> Street, a portion of the lot at 3<sup>rd</sup> and Commercial, and on-street on Bayshore Drive between Anderson and Curtis, and increasing the permit fee to \$15 per month. Councilor Miller commented the Parking Committee's suggestion was to number the spaces in the lot at 3<sup>rd</sup> and Commercial and sell the permits for a higher amount. Council President Benetti reported consensus of the Council was to implement the program and appoint a committee to study the plan. Councilor McKeown said it would be important to remain flexible with the plan and allow time for adjustment to the changes. Councilor Spangler commented staff had changed Council's policy and the matter should be further discussed. Mr. Grile responded this is a proposal and Council may make any changes they desire.

The appeal of Larry Rorrer's right of way use permit was removed from the agenda. Mr. Grile reviewed the engineer's estimate and bids for the "F" Street improvement project and noted the amounts of the bids came as a surprise. The engineer's estimate was for \$149,250 and included street overlay, curbs and storm drains. The ODOT grant is for \$151,634 and bids came in from Johnson Rock Products for \$289,219.62, Bracelin-Yeager Excavating for \$327,351.15, and Umpqua River Navigation for \$350,665. Mr. Grile suggested proceeding with the project and move \$86,742 from wastewater contractual and \$50,844 from wastewater reserve fund to make up the additional funds needed for the project. The alternative is to not do the project and the City would lose the ODOT funds. There was discussion on the increase in the cost of the project and it was noted staff had been in contact with the engineer for an explanation. Councilor McKeown asked if it would be possible to change the scope of the project, and Councilor Spangler asked for a postponement. Councilor Weeks expressed concern about taking money from wastewater. Councilor Stufflebean commented Eastside citizens have been waiting for the project and suggested moving ahead.

Mr. Grile reported downtown restrooms have been planned for some time and there is \$63,100 in the budget for the project. Locating the facility in the lot south of Kaffe 101 or in the lot next to the Chamber building was discussed.

## **Council Minutes — October 6, 1998**

### **COUNCIL MEETING**

#### **Flag Salute**

Council President Joe Benetti opened the meeting and led the assembly in the salute to the flag.

#### **Consent Calendar**

Council President Benetti read the consent calendar which consisted of the following items: appointment of voting delegate for the League of Oregon Cities conference and Resolution 98-23-declaring necessity of easement for Eastside pump station. Councilor Miller moved to approve the consent calendar as presented. Councilor Weeks seconded the motion which passed with all Councilors present voting aye.

#### **Boy Scout Troop #151**

Andy Wolfe, Assistant Scout Master, thanked the Council for waiving the Scout Cabin user fee for scouting events. Mr. Wolfe noted it was the 50<sup>th</sup> anniversary of Troop #151 and invited the Council to attend a celebration on October 24<sup>th</sup> at the Scout Cabin.

#### **Presentation from the Bunker Hill 4<sup>th</sup> Grade Class - From A Child's Eye Program**

Councilor Weeks welcomed the Bunker Hill 4<sup>th</sup> grade classes and thanked them for participating in the From a Child's Eye Program. The students presented their pictures and made reports to the Council on the things they liked and disliked about the area. Councilor Weeks presented each student with a certificate and presented Principle Hughes with a \$50 gift certificate from Fiddlesticks for the students.

#### **Department Head Report - Community Services Director Bill Finney**

Community Services Director Bill Finney reported the new planning administrator, Laura Barron, is doing a great job, Debbie Erler has accepted appointment as the Planner I, and he is in the process of hiring the codes enforcement officer. Mr. Finney noted the Eastside zone changes and comprehensive plan amendments will be brought to the City Council in December, and will also be asking for Council recommendation on zoning for the Front Street Master Plan.

#### **Appointment to the Parks Commission**

City Manager Bill Grile reported an unexpired term on the Parks Commission needed to be filled because Sharon Teyler has moved from the area. Gus Langely, former Parks Commission and Planning Commission member has indicated a desire to be appointed. Councilor Stufflebean moved to appoint Gus Langely to fulfill the term and suspend the two week notification to Council as required by Council Rule 57(5). Councilor Miller seconded the motion which passed with all Councilors present voting aye.

#### **Authorization to Distribute Library Grant Funds**

City Manager Grile reported Library Director Carol Ventgen has applied for grants from the Collins, Ford Family and Meyer Memorial Trust Foundations. The library expansion is an Urban Renewal project and staff recommends these funds be earmarked for construction of the ceiling coffers. Authorization is also

## **Council Minutes — October 6, 1998**

sought to procure the remaining prioritized library needs as monies become available and as approved by the Library Board and the Project Management Team. Council President Benetti moved approve disbursement of grant monies for the construction of the ceiling coffers and authorize procurement of remaining prioritized library needs as monies become available. Councilor Miller seconded the motion which passed with all Councilors present voting aye.

### **Resolution 98-22 — Establishing Permit Parking Areas, Setting Fees for Parking Permits, and Establishing Other Regulations for Parking in the City**

Councilor Spangler expressed concern about the locations for employee parking. Council President Benetti suggested moving ahead with the changes and have the new parking committee review the plan at a future date. Flora Lee Lockhart reported the Parking Committee had submitted a comprehensive report to the Council previously and asked why Council would want to revisit the matter. Councilor President Benetti commented enforcement is an important part of the plan. Councilor Stufflebean moved to adopt Resolution 98-22 which is attached hereto and made a part of thereby. Councilor Weeks seconded the motion which passed with Councilors Benetti, McKeown, Miller, Stufflebean, and Weeks voting aye; Councilor Spangler voted no.

### **Award of Bid for the “F” Street Improvement Project**

Councilor Weeks requested a staff report explaining the discrepancy in the project estimate and bids. Councilor Stufflebean noted the project has been ongoing for two and a-half years and although the cost is high, he feels obligated to the community to go ahead with the project. Councilor Spangler expressed concern about using funds from wastewater after the Council has made a commitment to repair sewer lines. Councilor Benetti pointed out the difference is due to a mistake in the engineer’s estimate. Councilor Benetti commented the ODOT funding would be lost if the City didn’t proceed with the project and the improvement is important to Eastside because of the boat ramp, and future rezoning areas in Eastside. Councilor Stufflebean commented the project includes installation of storm lines which will help the sewer lines as well. Councilor Stufflebean moved to award the bid to Johnson Rock Products for \$289,219.62. Councilor Weeks seconded the motion which passed with Councilors Benetti, McKeown, Miller, Stufflebean and Weeks voting aye; and Councilor Spangler voting no.

### **Authorization to Proceed with Downtown Public Restroom Project**

City Manager Bill Grile reported the Highway 101 Beautification Project grant has yet to be closed and if this site is selected for the restroom, the project may be delayed. Councilor Miller inquired if any parking spaces would be lost and Mr. Grile said none would be lost in this area. Councilor Stufflebean asked about placing the restrooms on the boardwalk and Mr. Grile commented the facility would be used by more people if located near the Chamber of Commerce. Councilor Spangler said it was important to create a rest stop in the downtown area to get travelers to stop in town. Councilor Weeks inquired about maintenance of the restrooms and Mr. Grile said the City may look into contracting this out. The item was tabled to the following Council meeting for more information.

### **Authorization to Proceed with Franchise Fees for Natural Gas Providers to Occupy City of Coos Bay Right of Ways**

## **Council Minutes — October 6, 1998**

City Attorney Randall Tosh reported during an audit of city franchises it was noted that companies providing gas service are not paying franchise fees. Mr. Tosh explained the pipelines are in City owned right of ways and previously the Council has not required gas providers to pay a franchise fee. Councilor Weeks moved to authorize staff to negotiate a franchise agreement with the gas providers. Councilor Miller seconded the motion which passed with all Councilors present voting aye.

### **Approval of Draft Intergovernmental Agreement and Ordinance Creating the Coos Bay/North Bend Cable Commission**

City Attorney Randall Tosh suggested a cable commission to oversee regulation of the franchise and implementation of the PEG access be established. He reported a copy of the agreement and ordinance has been forwarded to the City of North Bend. Councilor Spangler commented the ordinance was premature and both Councils need to meet and discuss the matter. Councilor Weeks suggested moving forward and Councilor Stufflebean commented this would be the first step to getting PEG access back on the air. Councilor Weeks moved to approve the draft agreement and ordinance. Councilor Stufflebean seconded the motion which passed with all Councilor present voting aye.

### **Update on the Dangerous Building Located at 119 South Wasson Street**

Community Services Director Bill Finney reported the property owner had 30 days to respond and no improvements have been done to date. The water has been shut off and residents moved from the building and staff recommended no further action be taken. Councilor Spangler reported he had contacted the US Marshall's Office in Denver and was told the building would be sold in the near future. Councilor Stufflebean suggested monitoring the building closely so it does not become an eyesore.

### **Public Comments**

Julia Spangler, Coos Bay, commented the codes enforcement officer is very much needed and she was glad to hear another officer would be hired. Ms. Spangler commended Debbie Erler on doing a good job in the position. She expressed the importance of having the government access channel on the air and has received many comments in support of the channel.

Sargent Webster, 1990 Lewis Street, North Bend, commented he owns a building in the Empire area and since the mission moved in, businesses have moved out. Mr. Webster expressed concern about the alley being used for trash and storage and requested the Council look into the situation.

### **City Attorney's Report**

City Attorney Randall Tosh reported the emergency management ordinance and plan will be presented to the Council in the near future.

### **City Manager's Report**

City Manager Bill Grile reported the League of Oregon Cities conference will be held in Portland November 5<sup>th</sup> through 8<sup>th</sup>; the Front and Ingersoll ribbon cutting will be held next Wednesday; the Empire Street scape project is ready to go out to bid; Council goal setting work session will be October 22<sup>nd</sup>; and a

**Council Minutes — October 6, 1998**

public hearing on extension of the garbage franchise will be held before the Council sometime before Christmas.

**Mayor and Council Comments**

**Councilor Weeks** reported the Parks Commission has 24 planters available and several locations have been selected in the downtown area for placement of the planters. The commission also discussed constructing a permanent stage in Mingus Park and the Rotary Club is interested in funding the stage. Councilor Weeks thanked Bunker Hill School for participating in the From a Child's Eye program and thanked WalMart for donating the cameras.

**Councilor Spangler** commented the From and Child's Eye program was great.

**Councilor Stufflebean** reported the Booster Club is pleased with the education of citizens regarding speed and parking in front of Blossom Gulch School.

**Council President Benetti** reported the criteria and standards for evaluating the city manager will be on the October 20<sup>th</sup> agenda to receive public comment and Council adoption, and an executive session for the evaluation has been scheduled for October 29<sup>th</sup>.

**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 with the AFSCME Union and Police Association.

The Council reconvened into regular session.

**Adjournment**

There being no further business to come before the Council, President Benetti adjourned the meeting to October 20, 1998 at 7 p.m. in the Council Chambers of City Hall.

---

Joe Benetti  
Council President of the City of Coos Bay  
Coos County, Oregon

ATTEST:

---

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