

# **MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL**

**November 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 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 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, Library Director Carol Ventgen, Fire Chief Stan Gibson, and Police Chief Chuck Knight.

## **WORK SESSION**

Mayor Verger reviewed the consent calendar and noted the oath of office would be issued to the newly elected members to the Council. Mayor Verger requested that a presentation from the Empire Community Association be added to the agenda. The Mayor submitted names for appointment to the Mingus Park Stage Advisory Committee for Council consideration. City Manager Grile reported the pool house project will be a City public works project and will be subject to contract procedures. Carol Samuels of Seattle Northwest and bond counsel Harvey Rogers are working on the negotiations for the bond sale.

Community Services Director Bill Finney reported the street vacation on a portion of 2<sup>nd</sup> Street is for a portion of street that Lumbermen's has been utilizing for a storage area for some time. Lumbermen's owns property on both sides of the area and the city would maintain an easement for utilities and for the one residence abutting the property.

Mr. Grile reported three proposals had been received for the wastewater rate study and development of a systems development charge policy. The city manager, city attorney and finance director reviewed the proposals and their recommendation is to proceed with Brown and Caldwell for the rate study and staff to do the systems development charge policy. Councilor Weeks inquired if the \$25,000 for the study would come from the wastewater rebate check and Mr. Grile responded it would come from wastewater proceeds. Councilor McKeown asked if systems development charges can be used for routine maintenance. Mr. Grile explained the funds could be used only for major capital improvement projects.

## **COUNCIL MEETING**

### **Flag Salute**

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

### **Consent Calendar**

Mayor Verger reviewed the consent calendar which consisted of approval of the minutes of October 26<sup>th</sup>, October 29<sup>th</sup> and November 3, 1998, and Resolution 98-28 assessing the costs of nuisance abatements against real property. Councilor Miller moved to approve the consent calendar as presented. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye.

## **Council Minutes – November 17, 1998**

### **Oath of Office to Newly Elected Mayor and City Councilors**

Deputy Recorder Joyce Jansen issued the oath of office to Mayor Joanne Verger and City Councilors Cindi Miller, Don Spangler and Kevin Stufflebean. Mayor Verger thanked the citizens for an opportunity to serve as mayor. Councilor Spangler thanked citizens for being able to make the city a better place and commented it is important for the Council to hear from citizens. Councilor Miller thanked the citizens for re-electing her to the Council and commented she is looking forward to the next four years. Councilor Stufflebean also thanked the citizens for their votes and commented he enjoys serving on the Council and working with staff.

### **Election of Council President**

Mayor Verger nominated Cindi Miller as Council President and thanked Councilor Benetti for serving three terms as Council President. Councilor Stufflebean moved to appoint Councilor Miller as Council President. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

### **Report from the Empire Community Association**

Julia Spangler expressed the Association's appreciation for the City's work on the Empire Police substation and reported Officer Scott Dye was responsible for getting donations and doing much of the work on the facility. Ms. Spangler presented Officer Dye with an appreciation plaque from the Association.

### **Department Head Report — Library Director Carol Ventgen**

Library Director Carol Ventgen reported on the children's program, the upcoming book sale on December 5<sup>th</sup> and 6<sup>th</sup>, and the display of Oregon book awards. Ms. Ventgen reported staff has received a lot of comments on the construction and the new entrance has drawn a lot of interest. She commented the completion date is expected to be next summer and the project has drawn a lot of interest around the state.

### **Report from Marshfield High School Representative — Meliah Masiba**

Marshfield High representative Meliah Masiba reported they are entering the 2<sup>nd</sup> playoff round this year, the next home game will be Friday of this week, the Sadie Hawkins dance was a great success, and swim team practices are now being held at the new pool. A special K-9 International program was held during special assembly to show what the dogs can do and to explain what student's rights are. Mayor Verger commented she will be attending the Pep Rally on Friday and thanked Meliah for her report.

### **Appointment to Committee to Study Establishment of a Permanent Stage in Mingus Park**

The names of Dick Booth, KitzAnn Means, Chris Rosman, Marty Crouse, Kim Thompson, Les Engle, Chuck Holloway, Connie Meincke, Chris Guernsey, Judy Weeks, Larry McCabe, Keith Topits, and Phil Christiana were submitted for consideration of appointment to the Mingus Park Stage Advisory Committee. Mayor Verger requested the assistant to the city manager prepare a letter to be sent to those named asking if they would be interested in serving on the committee. Appointments would be made at the

## **Council Minutes – November 17, 1998**

December 1<sup>st</sup> Council meeting.

### **Direction to Proceed with the Poolhouse Project and Adoption of Resolution 98-29**

City Manager Bill Grile reported staff is requesting approval to proceed with the poolhouse project and approve Resolution 98-29 declaring official intent to reimburse expenditures incurred in rebuilding the Mingus Park Poolhouse. Councilor Miller moved to direct staff to retain Richard P. Turi, Architecture and Planning, to prepare construction drawings and bid documents for the pool bath house project; ratify staff's decision to proceed with project financing, and adopt Resolution 98-29. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye.

### **Accepting Public Input on City Goals and Adoption of the City Goals**

Mayor Verger reported the Council had met and spent time establishing goals for the City, and at this time the public is invited to make comments on the goals. There were no comments made. Councilor Benetti commented the goals were well diversified and done well. Mayor Verger moved to adopt the goals as presented. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

### **Ordinance No. 266 Providing for Vacation of a Portion of North 2<sup>nd</sup> Street Between Fir Avenue and Greenwood Avenue**

Community Services Director Bill Finney reported the Planning Commission has reviewed the request for street vacation made by the owner of Lumbermen's. The company owns property on both sides of the area in question and has been utilizing the area for storage. Mr. Finney commented the City would maintain an easement for utilities and for the one residence abutting the property. Councilor Weeks moved to adopt Ordinance No. 266 vacating a portion of North 2<sup>nd</sup> Street between Fir Avenue and Greenwood Avenue. 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
No:	None
Absent:	None

### **Accepting Proposals to Perform a Wastewater Rate Study and Develop Proposed System Development Charges**

City Manager Bill Grile reported that Council had asked that proposals be requested to perform a wastewater fees study to determine if the City is adequately recovering funding for existing and future expenses, and if it is being done fairly. Council also requested proposals for establishing a systems development charge methodology for wastewater, streets and parks developments. Mr. Grile reported three proposals had been received and reviewed by the city attorney, city manager and finance director, and staff's recommendation is to proceed with a contract to perform the wastewater fee study with Brown and Caldwell and have staff draft a systems development charge methodology. The wastewater fee study would be at a cost of \$25,000 and would be paid for out of wastewater funds. Mayor Verger noted that SDCs are a good way

## **Council Minutes – November 17, 1998**

to pay for growth.

Mayor Verger commended Mr. Grile on handling the proposals and for looking at ways of doing things in-house. Councilor Spangler noted Brown and Caldwell was not the lowest bid and Mr. Grile commented the decision was based Brown and Caldwell's superior project understanding, Coos Bay experience and system understanding, and highly qualified personnel. Councilor Stufflebean said he was comfortable in awarding Brown and Caldwell the project and noted that the other two proposals included additional direct costs which can quickly add up. Mr. Grile commented that the HGE proposal depended heavily on City staff providing considerable information. Councilor Stufflebean moved to enter into an agreement with Brown and Caldwell to perform the wastewater rate study for \$25,000. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye. Councilor Benetti moved to direct the city manager and city attorney to proceed with drafting the methodology for a systems development charge policy. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye.

### **Public Comments**

Abigail Ashworth, Coos Bay, expressed concern for customer parking for her business which is located in the bakery building. Ms. Ashworth commented when the lot behind the building was changed to employee only, there was no parking available for her customers. Mayor Verger noted that since the lot was posted for employees only, it is empty most of the time. Mr. Grile reported that diagonal parking on Anderson will soon be considered by the Council and in the meantime some of the spaces in the lot could be posted for customer parking. Councilor Stufflebean moved to post the fifth row for customer parking. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

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

Mr. Grile reported the City is close to finishing the 4<sup>th</sup> and Elrod project with the Oregon Department of Transportation. He commented it is clear ODOT did not understand the approved plan and he is in the process of arranging for Phil Worth of Kittleson and Associates, to come to Coos Bay for a site visit. Mr. Grile noted that ODOT is interested in relinquishing control of 4<sup>th</sup> Street, Elrod Avenue, and the portion of Anderson Avenue from 4<sup>th</sup> to Bayshore Drive.

Councilor Benetti suggested placing a curb to force a right only at 4<sup>th</sup> and Anderson. Mr. Grile agreed, but at the time Phil Worth and the Council suggested trying the striping first. Mayor Verger said the intent of the 4<sup>th</sup> and Elrod reroute was to relieve traffic on Bayshore so ODOT would not demand the City remove parking along Bayshore. Councilor Benetti commented the two-way alternative on Anderson is a good idea. Councilor McKeown expressed concern that the two-way on Anderson would also be confusing for drivers. Mr. Grile commented that some of the businesses in this area have indicated they would leave if traffic and parking was not taken care on Anderson. Mayor Verger commented the Kittleson plan was paid for by ODOT, and represents months of work and public input.

Mr. Grile reported staff is moving forward with the Front Street Master Plan, and the Boys and Girls Club Block Grant is under control. Mayor Verger expressed concern about only two people appeared for the public hearing on the Front Street project, and people in the downtown business community have expressed to her displeasure about the plan. Mayor Verger further commented the Council is open to public input and public hearing are routinely scheduled and advertised to give the public an opportunity express their feelings. Councilor Spangler noted the only comments he has had from downtown business people is concern about competition from businesses in the Front Street area. Councilor Stufflebean commented part of the plan is the flow of customers between the two areas.

## **Council Minutes – November 17, 1998**

### **Mayor and Council Comments**

**Councilor Spangler** asked that anyone interested in volunteering at the Empire Police sub station contact the police department. He reported he is currently on a committee working to bring a gas pipeline to Coos Bay and they are looking for a way to fund the pipeline.

**Councilor Stufflebean** reported attending the pool grand opening and enjoyed attending the League of Oregon Cities conference in Portland. He said he would be coming to the Council asking for support of an Youth At-Risk Committee in the near future. Councilor Stufflebean commented on concerns for the nature trail behind Blossom Gulch School regarding the lack of handrails and asked if the City could provide funding for the handrails. Mr. Grile responded a meeting has been scheduled with school superintendent Giles Parker.

**Councilor Benetti** congratulated the Mayor and Councilors on their re-election and looks forward to serving with them. He reported the owner of Subway sandwich shop has expressed concerns about the downtown parking regarding spaces for employees and the time limits for on-street parking. Councilor Benetti inquired about a contract with the city manager and Mayor Verger responded it was meant as a pat on the back and is not necessary.

**Councilor Miller** congratulated Mayor Verger on being elected President of the League of Oregon Cities Board. She encouraged all communities in the area to do a spruce up/clean up before the Governor's Conference on Tourism in April. Councilor Miller asked if progress had been made on getting the petroleum tanks painted and Councilor Spangler commented the Chamber Community Enhancement Committee is working on the matter.

**Councilor Weeks** also congratulated Mayor on being League of Oregon Cities Board President and noted this is the first time since 1938 that the board has had representation from the South Coast. She reported a walking tour with city staff in the downtown area for placement of the new planters had been done. Councilor Weeks suggested the parking plan be tried for awhile before the City makes any more changes to the plan.

**Councilor McKeown** commented he was pleased to see the pool house and school project voted in. He suggested the parking plan be flexible and congratulated the Mayor and Councilors on re-election.

**Mayor Verger** reported that after the election reappointments are made of Councilors serving on various committees and she asked Councilors to let her know what committees they would like to serve. She commented the City is accepting applications for committee openings through the 20<sup>th</sup> and explained there would be a brief interview with the Council prior to appointment. Mayor Verger thanked the Council and staff for their support at the League of Oregon Cities Conference and thanked Councilor Miller for the presentation made at the conference. She noted the grand opening for the pool was great and there was a large crowd.

Mayor Verger said in September there were comments made regarding how funds were spent on the public access channel and normally at Council meetings a certain amount of time is set for citizens to speak; however, at this meeting everyone was allowed to speak for as long as they wanted. Following the meeting the Bay Area Public Access Board met and closed down Channel 14 due to lack of funding. The copy of the video tape is missing and BAPA director Stephanie Kilmer has not been able to locate the tape. Mayor Verger reported the City Council supports having a public access channel and if the tape is found it will be aired. Ms. Kilmer reported the tape was loaned to the producer and not returned.

### **Executive Session**

The City Council met in executive session pursuant to ORS 192.660 (1) (h) for the purpose of

**Council Minutes – November 17, 1998**

consulting with legal council regarding potential litigation with Charleston Sanitary District.

The Council reconvened into regular session.

**Adjournment**

There being no further business to come before the Council, Mayor Verger adjourned the meeting to December 1, 1998 at 7 p.m. in the Council Chambers of City Hall.

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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