

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

April 6, 1999

The minutes of the proceedings of the regular meeting of the City Council of the City of Coos Bay, Coos County, Oregon, beginning at 6:46 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, Captain Jack Bushmaker, Fire Chief Stan Gibson, and Police Chief Chuck Knight.

WORK SESSION

Rob Schab, Manager of the Coos Bay-North Bend Water Board, presented the annual report and update on the Board's water supply project. Mr. Schab commented the water board is a full service water utility, including water supply and treatment issues, administration and finance issues, and maintenance and delivery of the product. These services are accomplished with a staff of 40 people serving 35,000 customers in the Coos Bay and North Bend area. The Board produces 2.2 billion gallons of water annually from Pony Creek and the dunes water systems. The lab is certified by the State of Oregon and personnel are also certified to meet new standards; there is a three-year valve maintenance program; and the entire system is flushed annually. The Board also reviews all hydrants for maintenance needs, maintains 220 miles of water mains, 31 pumping stations and 20 water reservoirs. The Board has a Y2K compliance plan which is expected to be completed in the next two months.

Mr. Schab reported the water supply expansion project has three components; increase pump capacity, establish additional wells, and expand Upper Pony Creek reservoir. The design work is expected to be done by May 1st. He reported the Oregon Department of Fish and Wildlife approved the waiver from fish passage on Upper Pony Creek and construction on the project could begin in the Spring of 2000. The new dam will be placed 160 feet north of the existing facility and be 24 feet higher. Councilor Spangler asked how the project would be financed and the cost of the project. Mr. Schab explained it will be a combination of savings, revenue stream, and some sort of debt service, and the cost is estimated at \$15.5 million. Councilor Spangler asked why the revenue stream was not made a designated fund and Mr. Schab said the Board knew where the funds were going. Councilor Weeks inquired why rate increases for the Board do not require a vote of the people. Mr. Schab reported the State Statutes leave it up to the Board to manage the utility.

Councilor Benetti asked if the Water Board intended the increased revenue was strictly for expansion. Mr. Schab reported a rate study was done in 1993 and a plan was implemented to raise rates in small increments annually for a capital improvements reserve. Councilor Benetti said the intent was to assure a minimal impact to the community. Mr. Schab noted if increases had not been handled in this way, they would be looking at a 30% increase and no reserves to help pay for the project. Councilor Spangler noted City Councils are not consulted prior to a rate increase being put into affect. Mr. Schab commented both cities have representatives on the Board. Mayor Verger asked how long it took to obtain the fish passage waiver and Mr. Schab said 18 months. Mayor Verger thanked Mr. Schab for the report and commended Mike Helfrich and Arnie Roblan for their service on the Board.

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 reported the consent calendar consisted of approval of the minutes of the February 16, 1999 meeting, Christian Heritage Month proclamation, Arbor Week proclamation, request from Falcon Cable to waive the 60 day notice to add a channel, approval of a new OLCC license for Backstreet Saloon, Inc., setting a public hearing on vacation of a portion of South 10th Street, approval to waive building permit fees for the Mingus Park poolhouse project, and approval of memorandum of understanding for Coos County bikeways and trails partnership. City Manager Grile asked that approval of the waiver of permit fees for the Mingus Park poolhouse be removed from the consent calendar. Councilor McKeown requested the proclamation for Christian Heritage month be removed from the consent calendar. Councilor Miller moved to approve the consent calendar as amended. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Department Head Report – Fire Chief Stan Gibson

Fire Chief Gibson reported the department has recovered somewhat from the New Carissa incident and has been working at Shore Acres in preparation for the Governor's Conference on Tourism. He reported attending a meeting to prepare communities for tsunamis and earthquakes and the State has provided warning and directional signs for the area. Chief Gibson noted a community's preparedness depends a great deal on citizens being prepared and reported education programs and material will be available through public libraries and schools. Chief Gibson reported the Lab Band approached the department about donating a vehicle they no longer use to the band. Mayor Verger commented as part of the transfer, the Lab Band has agreed to give two performances next year to the City. Greg Young, Lab Band Director, reported the band would provide two hours of entertainment during the 4th of July celebration and the Tree Lighting Ceremony. Mayor Verger moved to donate the 1980 Chevrolet van to the lab band. Councilor Spangler seconded the motion which carried with the Mayor and all Councilors present voting aye.

Approval of Plans for the Downtown Restroom Facility at the Chamber of Commerce Building

Stuart Woods, architect, reported staff had asked that he study the Chamber building and design a restroom addition for the building. He commented the design before the Council would allow for the building to be expanded in the future and would place the restrooms on the west side of the building. Mr. Woods explained some of the concerns about the current facility are that the structure is built on piling, how the addition would affect the look of the building, security, lighting and storage. Mayor Verger asked if windows would be added to the existing building and Mr. Woods responded the addition would close the west side windows but the roof between the two structures would include skylights. Councilor McKeown asked if the restrooms could be placed on a different side of the building. Mr. Woods explained the west side works best for future expansion of the building, and the existing water mains, viewscape and Prefontaine memorial must be considered. Councilor Spangler asked if the kiosk would still be accessible and Mr. Woods said yes.

Kathi Joy, Director of the Chamber of Commerce, reported she liked the balanced look of the design but had concerns about the lighting and security of the office. Councilor Benetti expressed concern the amount budgeted would not cover the project and suggested possibly waiting until the Chamber expands

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before adding the restrooms. Ms. Joy commented the Chamber has public restrooms available at this time, just not open 24-hours a day. Mayor Verger suggested the item carried over to the next meeting.

Approval of the Anderson Avenue Traffic and Parking Alternative

City Manager Bill Grile reported the recommendation is to change a portion of Anderson Avenue in the downtown area to two-way traffic with diagonal parking. He explained another option would be to make the portion of 2nd Street, next to JC Pennys, a one-way street south with diagonal parking along the east side of the street. He commented if the crosswalk on 4th street between the Landes office building and Bank of America were removed, it would be possible to have a free right from Anderson onto 4th Street. The Police Chief suggested a compromise with an on-demand light at the crossing. Councilor McKeown commented if this portion of 2nd Street is made one-way south, there would be four streets in a row all heading south. Mr. Grile noted there would be a reverse arrow between the museum and the Fletcher building for a north bound street. He also commented the light at Anderson and 2nd would be removed. Councilor McKeown supported a free right at Anderson and 4th to keep traffic moving. Councilor Stufflebean commented the 4th and Elrod intersection is not working yet, the parking situation has not been resolved, and suggested waiting to implement further traffic changes until these items are working correctly. Mayor Verger commented the 4th and Anderson intersection is problematic to her because 4th Street traffic does not flow in a straight line. She supported having three lanes on Anderson and Mr. Grile noted the additional lane would not leave enough room for trucks to negotiate a right turn onto 4th Street. Mayor Verger recommended reviewing the traffic changes after the parking has been resolved, and invited citizens to address the Council regarding parking.

Ron Bishop, Western Shores, reported employees are using spaces that customers would use and business has dropped substantially. He suggested on-street parking and the lot behind Rite Aid be limited to one hour parking. Councilor McKeown reported he had walked around reviewing parking in the downtown area and a lot of permit parking is in this lot. Councilor Miller moved to remove permit parking in the lot behind Rite Aid. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye. Flora Lee Lockhart, Accra Print, commented shoppers cannot find a place to park in the Rite Aid lot or on the street, and the lot behind Jennie's is always full. Ms. Lockhart expressed concern where people will park during the time the carnival is in town.

Councilor Benetti suggested proceeding with the realignment of Anderson, make a free right turn from Anderson onto 4th, and remove the crosswalk before the tourist season begins. Councilor Spangler agreed with Councilor Benetti and commented it would open up the downtown and help businesses in this area. Councilor Benetti reminded the Council the city was forced into making changes because the State told them to take action or they would and there would be no parking along Hwy 101. Councilor McKeown agreed with the on-demand pedestrian crossing on 4th Street and suggested remaining flexible with the 4th and Elrod intersection. Mayor Verger moved to approve the Anderson Alternative, the on-demand light for the crosswalk on 4th Street, and further analysis before removing the 2nd Street light. Councilor Benetti seconded the motion which passed with Mayor Verger and Councilors Benetti, McKeown, Miller, Spangler, and Weeks voting aye; Councilor Stufflebean voting no.

Approval to Waive Building Permit Fees for the Mingus Park Poolhouse Project

City Manager Bill Grile reported the bid opening took place after the agenda was prepared and the low bid on the poolhouse was for \$450,000, not counting the contingency. There are sufficient proceeds to cover the permit fees and staff would request the fees be waived only if there are not sufficient funds to cover the cost of the fees. Councilor Benetti supported waiving the fees if the funds could be used for other items

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in the project. Councilor Stufflebean commented the building department depends on fees to fund the building codes program. Mr. Grile reported the fees would be collected as the last transaction of the contract. Mayor Verger moved to waive the building permit fees only if the funds are not available. Councilor Spangler seconded the motion which passed with the Mayor and all Councilors present voting aye.

Enactment of Ordinance No. 271 – Establishing and Regulating

City Manager Bill Grile reported concerns regarding items for sale on the sidewalks in the Empire urban renewal district were discussed at the March 16, 1999 Council meeting and consensus of the Council was that if the situation did not improve, staff would return with an ordinance. Mr. Grile commented there are items displayed for sale on sidewalks all over town. Mayor Verger expressed concern that the ordinance seemed to focus only in one area and she would support an ordinance prohibiting displays on sidewalks for the whole area. Councilors Miller and Weeks agreed with Mayor Verger and Councilor Weeks noted other areas in town need attention as well. City Attorney Tosh reported the ordinance is constitutionally correct and local governments may regulate right of way use areas. He noted the ordinance could be drafted to be uniform throughout the city or it could be limited to the urban renewal areas; its a policy decision of the Council. Councilor Spangler supported the ordinance and commented the City currently has ordinances that affect only certain areas of the community. Councilor McKeown asked if a current ordinance deals with items on sidewalks and Mr. Grile said no.

Julia Spangler, Empire Community Association, reported the Association supports the ordinance and had conducted a survey of the businesses in the area and everyone supported the ordinance. Adolf Mink, Coos Bay, reported the City of North Bend has such an ordinance and he suggested enforcing the regulations we already have and prohibit anything on the sidewalks citywide. Pastor Stan Ellis, Bay Area Rescue Mission, commented the ordinance would make an impact on the thrift store because they have placed items on the sidewalk for some time, and he has a permit to do so. Pastor Ellis expressed concern that such laws would not stop at merchandise but would extend to people considered as blight. Mayor Verger said the ordinance is not the big hand of government; however, the City has spent a great deal of taxpayer's dollars to improve the Empire area and hope to attract people and business to this area. Councilor Stufflebean commented the ordinance would protect the investment in the urban renewal districts. Councilor Benetti suggested the matter be tabled and a public hearing be held at the next meeting for public input.

Councilor Spangler moved to enact Ordinance No. 271 establishing and regulating urban renewal viewsheds. Councilor Stufflebean seconded the motion which failed for lack of votes. Consensus of the Council to hold a public hearing on April 20, 1999.

Christian Heritage Month Proclamation

Councilor McKeown inquired if making the proclamation would be keeping church and state separate. City Attorney Randall Tosh reported the proclamation is written in such a way that it deals with religion as a cultural force in America and it could be argued this is secular; however, the proclamation does not appear to endorse one religion over another. Mayor Verger offered to do the proclamation as a Mayor's proclamation if the Council had concerns and explained the City does not invite proclamations. Consensus of the Council to approve the proclamation.

Approval of an Amendment to the Periodic Review Grant

City Manager Bill Grile reported the City had received a \$20,000 grant for funding the periodic review. Conditions of the grant require a work product to be completed by June 30, 1999 in order to collect

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grant funds. Staff is requesting approval of an amendment to the grant to reflect \$6,000 in the modifications in the work program. Councilor Stufflebean moved to approve the amendment to the Periodic Review grant. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Appointments to the Budget Committee to Serve as Pro Tem Members during the 1999/2000 Budget Cycle

City Manager Bill Grile reported budget committee members Frances Cooley and Chris Christoffer have indicated they will be unable to attend the budget committee meetings scheduled for later in April. The Council has the authority to appoint pro tem members to the committee. Five citizens who originally applied for appointment to the committee have been contacted and all are willing to serve in a pro tem capacity. They include Don Chitwood, Jim Cunningham, Linda Doman, Flora Lee Lockhart and Tom Williscroft. The appointments were done by ballot and Don Chitwood and Linda Doman were appointed to temporary positions on the Budget Committee.

Public Comments

Mark Daley, Coos Bay, asked that the parking space in front of the Bank of America be removed and Mr. Grile said is necessary for the bank. Flora Lee Lockhart, Coos Bay, reported there could be more parking spaces if yellow areas originally established for trees were removed.

City Attorney's Report

City Attorney Randall Tosh reported he is working with the city manager on developing the systems development charge and expects to bring to the Council for review in early summer.

City Manager's Report

City Manager Bill Grile reported the proposed 1999/2000 budget will be available next Tuesday, he is discussing an exchange with the Oregon Department of Transportation for maintenance of certain streets, and the softball game between Coos Bay and North Bend has been scheduled for July 17th. Mr. Grile commented information on the exchange with ODOT will be brought to the Council at a future date and Paul Mather from ODOT would be in attendance.

Mayor and Council Comments

Councilor McKeown reported a committee has been appointed to develop an economic and recruiting plan for the area, including establishing a financial plan and setting goals. The committee will have representatives from the Port of Coos Bay, City of North Bend and Coos County, and will be reporting to the City Council in July. Councilor McKeown commended Mayor Verger for her leadership in getting economic development up and going.

Councilor Stufflebean commented on attending a Bunker Hill community meeting last week and the residents do not want to be part of Coos Bay. He asked for an update on the proposed fish tank on the boardwalk. Mr. Grile reported the structure is being evaluated by Greg Solarz at this time.

Councilor Benetti commended the Mayor on taking the lead on economic development and commented the economic focus meetings have been very positive.

Councilor Miller also commended Mayor Verger on the progress made with the economic development plan. She complimented staff on the landscaping in front of city hall and commented Les'

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Sanitary has done a lot to get the area looking good for the Governor's Conference on Tourism.

Councilor Spangler had no comments.

Councilor Weeks reported the Parks Commission has the new planters out in downtown and has some set aside for the Empire area. She asked that staff keep in mind possible sights for developing additional tennis courts.

Mayor Verger reported the South Slough field trip was great and it was wonderful to have the City included in the future plans for the estuary. Mayor Verger reviewed the appointments to the Livability Committee (economic development) which included Councilor Jeff McKeown, County Commissioner Nikki Whitty, Allan Rumbaugh, Timm Slater, John Stephens, North Bend Councilor Janet Rubin, John Sweet, and Arnie Roblan representing FONSI. She reported appointments to the New Carissa Committee included Beve Saukko, Rod Stalcup, Larry Hink, and Greg Stevens.

Adjournment

There being no further business to come before the Council, Mayor Verger adjourned the meeting to April 20, 1999 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