

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

April 20, 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 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 Council President Cindi Miller, Councilors Joe Benetti, Jeff McKeown, Don Spangler, Kevin Stufflebean, and Judy Weeks. Mayor Verger was out of town due to League of Oregon Cities business. 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, Library Assistant Michele Caldwell, and Library Director Carol Ventgen.

WORK SESSION

Council President Miller opened the meeting and began with reviewing the consent calendar. Councilor McKeown requested the Brian Bond Day Proclamation be added to the consent calendar. Councilor Weeks asked that item 2d setting a public hearing before the Planning Commission to implement amendments to the Coos Bay Comprehensive Plan and Land Development Ordinance be removed from the consent calendar. City Manager Bill Grile reported the estimated cost for the downtown restroom facility would be discussed and Councilor Benetti suggested the project be postponed until the Chamber building is remodeled. Councilor McKeown commented he was not pleased with the aesthetic impact on the building and agreed with putting the project on hold. Councilor Spangler commented the money should be set aside for a true reststop facility. Councilor Spangler expressed concern about funding for Library salary increases. Mr. Grile reported the fund is in great shape and the Library could make adjustments in program areas or the Council could supplement the library fund with general fund dollars if needed.

Councilor Benetti inquired about the basis for the proposed special adjustments. Mr. Grile explained there is parity disparities where existing personnel are not being compensated fairly within the organization. He reported he did not review salaries from outside the organization and had six special adjustments for Council's consideration. Councilor Stufflebean asked about the city attorney's salary and Mr. Grile reported it is proposed in the 1999/2000 budget. Councilor Spangler opinioned the salary issue should be done during the budget process. Mr. Grile explained the union salaries were approved before the budget process and there were special adjustments included. Councilor McKeown commented it is long past due to help this group of employees and if the City has valuable employees, we should take care of them, and the salaries look equitable to him. Mr. Grile commented on the problems with union raises and management supervisors earning the same or less than the people they supervise. He noted that management employees work overtime without compensation. Councilor McKeown suggested discussion of the city manager's salary and Councilor Weeks commented it would be best to have all the Council available for discussion of this salary.

Mr. Grile reported the objective of the changes in the downtown traffic flow is to get traffic moving smoothly and reviewed the map showing two way traffic on Anderson Avenue from Bayshore to 2nd Street and diagonal parking on Anderson between 4th and 2nd Streets.

COUNCIL MEETING

Flag Salute

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

Consent Calendar

Council President Miller reviewed the consent calendar which consisted of the following items: approval of the March 2, 1999 council meeting minutes, approval of the Brian Bond Day Proclamation, an OLCC license for Columbia Distributing Company, and approval of an agreement with the Marshfield Sun Association. Councilor Stufflebean moved to approve the consent calendar as amended. Councilor Spangler seconded the motion which pass with all Councilor present voting aye. President Miller read the proclamation to the assembly.

Marshfield High School Report by Meliah Masiba

Meliah Masiba reported the end of the school year is approaching fast and noted there are 35 school day left for seniors. The Jr. Prom will be on the 24th at the civic center in downtown Coos Bay; SAT tests will be held next weekend at SWOCC; and the Mr. MHS pageant raised over \$11,000 for the Sacred Heart neonatal unit. Ms. Masiba commented the Association of Student Councils will hold their national camp in Portland next weekend, and student body council elections are underway as well as club officer elections. Representatives from the Higher Program Learning Communities spoke to students and Mr. Roblan about what MHS does that makes their school able to earn the HPLC award.

Presentation of Tree City USA Award by Jim Young of the Oregon State Forestry Department

Mr. Young, State Forestry Department, congratulated the City of Coos Bay for being recognized as Tree City USA city. He reported only 33 Oregon communities have received this recognition and the purpose of the award is to recognize cities who have developed a program to plant and care for trees in their city, have adopted a tree ordinance, established a tree board and conduct arbor week ceremony such as this one. Mr. Young presented President Miller with a five year award to the City and the Tree City flag.

Department Head Report by Police Chief Chuck Knight

Chief Knight reported Kevin Shaw has been hired as a police officer from the Myrtle Creek area and will receive 16 weeks of field training and ten weeks at the academy. Two other officers are in the process and should be on board by May 10th. Chief Knight noted the department annually evaluates their service as a tool to look at providing quality law enforcement to the community. He commented on the goals set for the department, reported crime has neither increased or decreased significantly, and the department will be training on ways to prevent school violence. Chief Knight reported as the majority of the American population gets older, there are more crimes against the elderly, and is pleased to see the Council establish a Youth at Risk Committee. He noted partnerships make an impact on the community.

Setting a Public Hearing Before the Planning Commission to Implement Amendments to the Coos Bay Comprehensive

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Plan and Land Development Ordinance

Councilor Weeks asked if the public hearing would be part of the Eastside rezone and Mr. Grile reported this is part of the periodic review process. The state and city have negotiated a list of tasks that need to be completed and the purpose of this agenda item is to ask the Council to initiate the process and set the public hearing. Councilor Weeks moved to set a public hearing before the Planning Commission on June 8, 1999. Councilor Spangler seconded the motion which passed with all Councilors present voting aye.

Award of Bid for the Mingus Park Poolhouse Project

City Manager Bill Grile reported the recommendation has been revised due to a letter faxed to city hall today from the architect. The recommendation now is to award only the basic bid at this time so there would be sufficient funds for the contingency fund. Mr. Grile commented in remodeling you frequently encounter unexpected costs and suggested proceeding with caution. He recommended the alternate items be done as funds are available and in the order of 4, 5, 6, 2 and 3. The basic bid includes demolition of the upper floor of the existing pool house building and construction of a new pool house on the existing basement foundation; Alternate No. 1 provides for vinyl siding in lieu of wood siding; Alternate No. 2 provides for lockers in the two dressing rooms and staff area; Alternate No. 3 provides for stadium bleachers on the north side of the bath house; Alternate No. 4 provides for painting the existing south side lower wing retaining wall; Alternate No. 5 provides for a building sign on the east end of the building; and Alternate No. 6 provides for an exterior building clock for the north side of the bath house. The Planning Commission, in its Site Plan Architectural Review, recommends the material for the building siding be wood rather than the vinyl proposed under Alternate No. 1. Although vinyl might be less expensive, the wood finish would be more aesthetically pleasing and would blend with the forested surroundings.

Mr. Grile reported the project will begin on June 21st and is expected to be completed in mid-November. Councilor Stufflebean asked if staff had considered providing transportation to the North Bend pool. Community Services Director Bill Finney explained the need to have the pool closed for a five month period during good weather for construction. He noted staff had explored alternatives to keep the pool open during demolition and construction, but the Health Department prohibits this as a matter of public health and safety. Mr. Grile noted staff will research the cost and ability to provide transportation. Councilor McKeown cautioned staff to look at problems involved in this activity as well. Councilor Stufflebean moved to award the basic bid of \$433,772 to DLB Construction with the revised recommendation for the alternatives. Councilor Benetti seconded the motion which passed with all Councilors present voting aye.

New Carissa Committee Report by Beve Saukko

Beve Saukko reported the committee had recently met to determine ways to capitalize on the New Carissa incident by providing a display and information center. The committee is recommending a display be placed next to the Chamber of Commerce in the parking lot which would give exposure of north and south bound traffic, would be in close proximity to the boardwalk and downtown area. Ms. Saukko commented there is a lot of information available from BLM and the Coast Guard and Alan Hoffmeister of BLM indicated they are willing to partner with the City in this project. She reported the committee considered two types of facilities; a yurt from State Parks or a 10' x 36' trailer. After researching the cost of the buildings, the yurt at \$6,000 and the trailer at \$3600, the committee is recommending the trailer. There would also be expenses related to setting up the display and it is suggested a small fee be charged. Councilor Miller asked if Spinreel is still offering beach trips and Ms. Saukko said they are at \$10 per person. Councilor McKeown suggested the City provide funding for the display.

Public Hearing – Review of Current Downtown Parking Plan

President Miller commented everyone is working towards a solution to the parking situation and asked those giving testimony to respect one another's opinions and to keep comments to five minutes because of the number of people present. President Miller then opened the public hearing.

H. M. Hakanson, Coos Bay, expressed concern about restricted parking for RVs and asked that consideration be given for their parking needs. Ralph Larson, Coos Bay, commented that three-hour parking next to businesses is not good for business; the parking is used by employees and there is no place for customers to park. Mr. Larson reported businesses need customers and cannot succeed without adequate customer parking. There was discussion on the time limits for parking along Bayshore and in the lots.

Robert King, Coos Bay, advised the Council there is a conflict of interest relating to parking and it got him fired from Bay Broadcasting. He related the comments of fellow employees that the City was arrogant and when he bought a permit, the City closed the lot and he received parking tickets. Mr. King said having the finance director as municipal judge is a conflict of interest and to have integrity in the City, he asked the Council to fire Mr. Grile, Ms. Howard and Mr. Tosh. He stated he has contacted The World about this matter and suggested anyone receiving parking tickets ask for another judge.

Geno Landrum, Coos County, reported the lots next to Kaffe 101 and Fiddlesticks are being tied up by employees and leaving no place for customers to park. He noted if their jobs depend on customers, they would find the two block walk to be beneficial. Mr. Landrum recommended the lots be changed to 2 ½ hours, and keep parking on the west side of Bayshore at three hours for RV parking. He noted that with the three hour limit, employees play the shuffle.

Charlotte Koepke, Coos Bay, commented as a downtown employee she is also a customer and she boycotts downtown businesses because of the restrictions on parking for employees. She reviewed the various sizes and errors for the permits for January, February and March, and suggested the City use a small plastic sticker similar to the decal Jiffy Lube uses. Councilor Benetti reminded Ms. Koepke that to be fair, the City corrected the mistakes on the permits. Ms. Koepke pointed out the parking along Bayshore is difficult and hazardous because of traffic and no sidewalk on the east side. She suggested those of you who park under city hall need exercise too and noted other employees also do not shop downtown because of the City's attitude on parking.

Abigail Ashworth, Coos Bay, thanked the Council for taking care of customer parking for her business and commented that Lot A is working out well. Trish Midyette, Books by the Bay, reported as a business owner she is focussed on what is happening in her block and perhaps the parking control officer is more intuned to what is happening in the way of parking. She noted the Parking Committee had planned to meet the first of May and bring a recommendation to the Council on May 4th. Ms. Midyette stressed the importance of having the survey information before making changes in the parking plan. Capt. Bushmaker commented the permit does allow employees to park in three hour lots all day legally just by moving their car during lunch time, and they can easily get by without purchasing a permit.

There being no further comments to come before the Council, President Miller closed the public hearing. Councilor Spangler moved to forward the matter to the Parking Committee for a recommendation and the motion died for lack of a second. Councilor McKeown moved to change the lots to two-hour limits, with the exception of the Rite Aid lot, and designate Lot D (2nd and Curtis) as a free lot. Councilor Weeks seconded the motion. Councilor Stufflebean suggested Lot A (4th and Curtis) should remain a free lot and on street at 90 minutes. Councilor Spangler commented cars could still be moved in the two-hour lots and recommended a percentage of spaces in each lot be designated for employee parking. Councilor Benetti suggested leaving the lots at three-hours, change the Chamber, Fiddlesticks, and Kaffe 101 lots to two-hour, and make Lot A a free lot. Councilor McKeown withdrew his motion and Councilor Weeks withdrew her second. Councilor McKeown moved to change all lots to two-hour parking except the Rite Aid lot, designate

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Lots A and D as free lots, and forward the matter to the Parking Committee for a recommendation at the June 1st Council meeting. The motion died for lack of a second.

Councilor Stufflebean moved to refer the matter to the Parking Committee for a recommendation. Councilor Spangler seconded the motion which passed with all Councilors present voting aye. The Parking Committee meeting was set for 4 p.m. on April 26th at city hall.

Public Hearing – Ordinance No. 271 Establishing the Empire Viewshed

President Miller opened the public hearing for comments on Ordinance No. 271 establishing the Empire viewshed. Chuck Holloway, Coos Bay, expressed concern about the amount of garbage on sidewalks and in yards and asked the Council to consider mandatory garbage service for city residents. Julia Spangler, Coos Bay, presented a petition of 87 names of Empire businesses and residences who support enactment of the ordinance. There was discussion on the definition of merchandise and whether antiques would be included and Ms. Spangler said the antique dealers surveyed do not place antiques on the sidewalk. Geno Landrum, Coos County, suggested a solution to the problem of items on the sidewalks is the Americans with Disabilities Act. Mr. Grile noted that some businesses use the overhang area for displaying merchandise. Mr. Tosh commented the ordinance sets up a viewshed and designates the Empire area and can designate other areas as well. Sue Hundley, Chest of Drawers in Coos Bay, reported her business is resale and antiques and she supports the ordinance. Adolf Mink, Coos Bay, expressed concern for pedestrian safety on sidewalks crowded with merchandise and supports the ordinance. He noted the City has invested a lot of money to enhance the Empire area and the ordinance would protect the investment.

Pastor Stan Ellis, Bay Area Rescue Mission, stated he has no problems with keeping items off the sidewalk, but does not believe there is a safety concern. He agrees with beautifying the area but there is a need to help people as well. Pastor Ellis questioned the motivation of proposing the ordinance; the approach seems very wrong, and when you start calling people used items, it ultimately comes down to who decides who and what is an eyesore. Don McCarren, Coos Bay, commented the beautification of the Empire area is very nice and no one is against the mission; however, everyone should work together to keep things off the street. He supported enactment of the ordinance.

Jim Aslin, Coos Bay, commented there is a substantial amount of strife concerning the mission and cautioned the Council about the motives behind the ordinance. Mr. Aslin stated despising poor people, their walk, dress, weaknesses, or the way they live and desiring to end this eyesore by eliminating poor people has been done in the past. He suggested if the Council's intent is to get items off the street, it should be required citywide, and asked the Council to reconsider passage of Ordinance 271.

Ellen Momsen, Coos Bay, reported the items displayed on the sidewalks make walking on the sidewalks difficult and sometimes impossible. Patrick Momsen, Coos Bay, thanked the Council for the improvements to the Empire district and chastised the City for not placing a display ad for this public hearing as they did for the downtown parking hearing. He said the ordinance is an important step and the community is not asking the Mission to leave, just clean up. Elaine Plummer, Ace Hardware, commented the reason the Mission has stuff in the streets is because they don't have enough room to store the items. She commented everyone needs to work together if they want the area cleaned up.

Jim Crooker, Coos County, thanked the City for the improvements and supported the ordinance. Gary Rifkin, Coos Bay, reported he has been in business since 1975 and has always felt the City has been fair. He supported making the ordinance citywide and suggested more work on the ordinance before the Council enacts it. Sargent Webster, North Bend, commented the ordinance should address the whole city and it is important for economic development. He stated the mission is in the wrong location.

There being no further comments, President Miller closed the public hearing. Councilor Benetti moved to enact Ordinance No. 271 establishing viewsheds, regulations therefor and a penalty for a violation

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therefor. Councilor Stufflebean seconded the motion and Deputy Recorder Joyce Jansen read the by title only as copies were mailed to the Council prior to the meeting. The ordinance was enacted with the following vote:

Yes: Councilors Benetti, Miller, Spangler, and Stufflebean
No: Councilors McKeown and Weeks
Absent: Mayor Verger

Discussion of the Downtown Restroom Facility Project Costs Estimates

Councilor Benetti suggested the restroom facility be postponed until the Chamber expands their facility. Councilor Weeks inquired how requests for facilities should be addressed and Councilor Benetti said there are currently restrooms in the Chamber office. Councilor Spangler noted the restrooms are closed at 5 p.m. City Manager Bill Grile commented there are security concerns in the building and staff will discuss ideas with the Chamber on this situation. Councilor Stufflebean commented originally the restrooms were to be located on the boardwalk. Councilor Benetti suggested businesses make restrooms available for the public. Councilor Benetti moved to postpone the restroom project until the Chamber of Commerce expands their building. Councilor Stufflebean seconded the motion which passed with Councilor Spangler voting no and all other Councilors present voting aye.

Request to Adjust Salaries for Management and Non-represented Employees

President Miller moved to defer the matter until all the Council is present. Councilor Stufflebean seconded the motion which passed with all Councilors present voting aye.

Discussion of the Traffic Flow Alternative for Anderson Avenue

City Manager Bill Grile reported on a plan to make traffic on Anderson Avenue between Bayshore and 2nd Street two-way which would required an exchange agreement with ODOT to proceed. It is felt the change would be beneficial to the businesses in the downtown area. Councilor McKeown asked about the cost for the lights and Mr. Grile responded staff will try to talk ODOT into doing the lights. Staff estimates the cost for new signs, striping, arrows and street legends at \$1500. Councilor Stufflebean moved to adopt staff's recommendation to make Anderson Avenue a two-way street between Bayshore and South 2nd Street, leave South 3rd Street a one-way street, and leave South 2nd between Penney's and the Art Museum a two-way street. Councilor Spangler seconded the motion which passed with all Councilors present voting aye.

Public Comments

Jim Crooker, 1211 Cameron Road, urged the Council to support House Joint Resolution 52 which would amend the constitution to allow local government to enact zoning and ordinances to regulate the location of sex oriented businesses. Geno Landrum, Coos County, expressed concern about the lack of a restroom facility in the downtown area and giving salary increases when the economy is low. Councilor Spangler suggested staff look into having the Chamber restrooms open after 5 p.m. Ralph Larson, Coos Bay, supported development of a rest stop in the downtown area and asked Council to give serious consideration of this idea.

Rod Stalcup, Coos Bay, reported concerns about heavy truck and trailer parking on city streets and the damage they do to the asphalt. He commented other cities do not allow parking on the streets and suggested the Council review this matter further. Mr. Stalcup submitted a petition from businesses who

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support prohibiting truck parking on streets. Jacob Haller, Coos Bay, submitted a petition asking that Mingus pool remain open during the summer months. President Miller commented the City shares his concerns and Community Services Director Bill Finney explained the project will take five months and must have good weather for the demolition and construction. A number of ideas were considered, such as temporary dressing and rest rooms, but the State Health Department would not approve the plan.

Robert King, Coos Bay, expressed his displeasure at the way the city manager handled his complaint against Falcon Cable and requested the Council revoke Mr. Larry Goodman's permission to use downtown parking lots for his carnival. Mr. King asked that the city's WEB site be more informative and include the names of all key city employees.

Gary Rifkin, Coos Bay, reported the Downtown Association has a summer program called Kids First which will begin the first Saturday of June and continue through September. He commented city staff has been very helpful with the program, business is alive and well in Coos Bay, and there are many good things happening in our community.

City Manager's Report

City Manager Bill Grile introduced Aurora Diaz-Kelly who is shadowing him as part of a SWOCC class. Mr. Grile reported the placement of an aquarium on the boardwalk has not been simple and there are structure issues with the aquarium and the boardwalk to be considered. He noted the finance director has sent out RFPs for audit services and May 7th is the deadline to receive proposals. Mr. Grile inquired if any of the council members would be interested in participating in reviewing the proposals and consensus of the Council that staff would handle the interviews. Mr. Grile briefly reviewed a request from the Charleston Sanitary District and the Port of Coos Bay to allow sandblasting materials to be discharged through the wastewater treatment system. He noted OMI has reviewed the request and their opinion is they would not be able to handle the material without more pre-treatment.

Council Comments

Councilor McKeown commented the Council is really trying to resolve the ongoing parking problems; the Livability Committee will be looking at information from other Oregon communities on economic development and will be reporting back to the Council later this summer.

Councilor Weeks commended Councilor Miller and committee members for doing an outstanding job of putting the Governor's Tourism Conference together.

Councilor Miller reminded the Council of the Urban Renewal Agency and City budget committee meetings on April 22nd at 7 p.m. at 390 South 2nd Street.

Adjournment

There being no further business to come before the Council, Council President Miller adjourned the meeting to May 4, 1999 at 7 p.m. in the Council Chambers of City Hall.

Cindi Miller
Council President of the City of Coos Bay

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Coos County, Oregon

ATTEST:

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