

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

May 18, 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 Mayor Joanne Verger, Councilors Jeff McKeown, Cindi Miller, Don Spangler, Kevin Stufflebean, and Judy Weeks. Councilor Joe Benetti was out of town. 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 Director Carol Ventgen, and Fire Chief Stan Gibson.

WORK SESSION

Mayor Verger requested Council review the city manager's written report for items for discussion and add Resolution 99-11 authorizing the mayor and recorder to enter into an agreement with ODOT to agenda. Mayor Verger reviewed the consent calendar and Councilor Stufflebean asked if the problems being experienced at Gussie's would prohibit renewal of their OLCC license. Chief Knight reported the department has been working with Gussie's on the situation but it was not serious enough to prohibit renewal of the OLCC license. Mayor Verger noted the department head report would be from Community Services Director Bill Finney, Jade Boardman would be reporting from Marshfield High School, and Danielle Shimotakahara would be making a presentation regarding removing violent video games from city businesses. City Manager Bill Grile reported the OMI amendment is an annual event which extends the contract another year. He noted if the rebate is factored in, this is the fourth year without an increase. Mayor Verger commented also for Council consideration is the award of contract for audit service and award of bid for a fire department vehicle. Councilor McKeown asked Chief Gibson if the fire department has an opportunity to purchase used vehicles and Chief Gibson reported fire departments usually don't sell fire apparatus until it is worn out.

Mr. Grile reported the agreement with ODOT is to transfer the section of Anderson Avenue between Bayshore and 4th Street to the City which will allow the City to proceed with changes in the downtown traffic. Mr. Grile reported Ordinance No. 272 renews the franchise with Les' Sanitary and Coos Bay Sanitary and will include the haulers handling the citywide brush pick up. The ordinance increases the franchise to five percent and generate \$35,000 additional to the general fund. A resolution reflecting a two percent increase in fees will be presented at the June 1st Council meeting. Mayor Verger reported Beve Saukko is working to get the New Carissa exhibit ready by mid-June for the tourist season. She requested the Council give consideration to volunteering at the display. Mayor Verger reminded everyone the Governor's New Carissa Committee will be meeting on Friday in the Council Chambers and there will be opportunity for public input. Councilor McKeown suggested the Council consider selling permits for truck parking rather than banning all on-street truck parking. He expressed concern that some businesses would be hurt by the ban and others would benefit. Mr. Grile reported a meeting with truckers has been scheduled for June 3rd at 5:30 p.m. at city hall. Councilor Stufflebean commented the damage to city streets should be considered. Councilor Weeks suggested Council look at the damage to South 7th caused by the trucks. Mr. Grile reported several areas have been posted no parking and staff feels it is important to have more input from the public before

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a recommendation is brought to the Council.

Councilor McKeown reported there have been many comments about downtown parking lots filling up and taking parking from tourists and shoppers. Mayor Verger noted she has also received a number of calls and suggested clarification on which lots the Council had designated as free lots. Councilor Spangler inquired if donations are being received by SWOYA to complete the building. Councilor McKeown reported they are lacking \$100,000 to \$150,000 to complete the facility and explained this area would contain a study room, game room, teen room, gym, computer room, and an arts and crafts room. Mayor Verger suggested a work session be scheduled to review certain line items in the budget and a meeting was scheduled for June 1st at 3 p.m. at city hall.

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 the March 29, 1999 special meeting, approval of the minutes of April 6, 1999 and April 20, 1999 regular meetings, and approval of OLCC license renewals. Councilor Stufflebean moved to approve the consent calendar as presented. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

Department Head Report – Community Services Director Bill Finney

Community Services Director Bill Finney distributed the project status report and noted a number of the projects are still active, eight of which will be completed within the next couple of weeks. He reported staff has been very busy keeping up with the projects and work has begun on next year's projects. Mr. Finney commented the planning staff is currently working on the Front Street Redevelopment Project and zoning ordinance. He noted planning will be providing more economic information to the council. Councilor McKeown requested project contracts include a completion date and Mr. Finney reported this has been done. Councilor Spangler commented on contact with Empire District businesses on an alternate location between Morrison and Main Streets next the Bay Area Athletic Club for the gateway.

Report from Marshfield High School Council Representative Jade Boardman

Jade Boardman reported the end of the school year has been very busy, the golf team made it to the State level, the theater group has just finished a play and is working on another play for June 1, 2 and 3rd. She reported graduation will be held June 12th, and presented Mayor Verger with the Pirate flag.

Presentation from Danielle Shimotakahara Regarding Removal of Violent Video Games from Places of Business

Danielle Shimotakahara, North Bay Elementary School, presented a petition requesting the removal

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of violent video games from Coos Bay places of business. The petition has 29 of the 30 Senators signatures and over 1,000 names of students and adults. Ms. Shimotakahara explained the petition is only for the violent video games and Disney World and Disney Land have removed these types of videos. Jack Larson commented some children don't know the difference from video and real life and he supported removing the violent videos. Jack Rabin commented the violent videos have a bad influence on young children and requested the City support their request. Mayor Verger expressed appreciation for the report and commended their efforts. Ms. Shimotakahara distributed a copy of the petition for signing. No action was taken by the City Council.

Approval of Operations Management International Contract Amendment

City Manager Bill Grile reported the amendment would extend the contract with OMI for another year and without an increase in the fee. Councilor Miller moved to approve the amendment to the contract with Operations Management International. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye.

Award of Contract for City Audit Services

City Manager Bill Grile reported Yergen and Meyer has performed the City's audit for approximately ten years and have done a good job. He noted the City paid \$20,000 for the audit this year after the finance director negotiated a lower fee from the \$24,000 budgeted. The City received eight responses to the request for proposals and half were from local firms. Staff reviewed the RFPs and is recommending the Council award the contract to Wall and Wall for \$14,350. Mr. Grile commented Robert Wall is familiar with the City's budget and operations, is a well known CPA in the area, is a member of the School Board, and is on the State Board to review auditors. Councilor Stufflebean moved to enter into a three year agreement with Wall and Wall for audit services. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

Award of Bid for Fire Department Vehicle

Fire Chief Stan Gibson reported the vehicle will extend the life of the large fire apparatus and will also fulfil a number of needs including providing an on-site air unit. Councilor Stufflebean moved to award the bid to Evergreen Emergency Equipment in the amount of \$91,882. Councilor Spangler seconded the motion which passed with the Mayor and all Councilors present voting aye.

Transfer of Jurisdiction for a Portion of Anderson Avenue from Bayshore to 4th Street – Resolution 99-11

City Manager Bill Grile reported in order to implement the changes to the 4th and Anderson intersection, it will be necessary for Anderson Avenue to become a City street. Mr. Grile commented this would give control of the street to the City and he expects the light at Anderson and Second to be removed and replaced with a stop sign on Second Street. The stop sign would require traffic to stop on Second before entering onto Anderson Avenue and eastbound traffic would not need to stop. Councilor Miller moved to adopt Resolution 99-11 authorizing the Mayor and Recorder to enter into an agreement with the Oregon Department of Transportation. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

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Enactment of Ordinance No. 272 for the Management of Solid Waste and Granting Franchises

City Manager Bill Grile reported Les Golbek and Gary Jensen had approached the City a year ago with concerns about their capital improvement costs and the length of the franchise. The haulers offered to take over the twice-annual brush pickup which will save the City approximately \$50,000. Council McKeown inquired if it would be appropriate to go for a competitive bid for the service. Mr. Grile reported there is an exclusive franchise for Les' Sanitary Service and Coos Bay Sanitary and the Council sets the rates for the service. Mr. Grile explained the ordinance will bring the franchise fee from three percent to five percent which will bring an additional \$35,000 annually to the general fund. Les Golbek reported the franchise fee will now be the same as the City of North Bend. Councilor Weeks asked if five percent is the maximum the City can charge and City Attorney Randall Tosh there is no cap on solid waste franchise fees. Councilor Miller moved to enact Ordinance No. 272. Councilor Weeks seconded the motion and Deputy Recorder Joyce Jansen read the ordinance by title only. The Council was polled and the ordinance was enacted by the following vote:

Voting Aye: Mayor Verger and Councilors McKeown, Miller, Spangler, Stufflebean, and Weeks
Absent: Councilor Benetti
Voting No: None

Public Comments

Diane Hannah, 1041 South 7th Street, expressed concern about the City prohibiting truck parking on the streets and asked that surveys and public input be considered before the Council takes action. She stated trucking is an important industry to the community and there is need for appropriate truck parking. Mayor Verger reported a meeting to discuss this issue has been scheduled for June 3rd at 5:30 p.m. at city hall. Councilor McKeown commented Council is trying to be sensitive to the issue and Councilor Miller also commented the Council's desire is to be fair.

Melody Gillard-Juarez, RSVP, requested the Council consider financial support for the RSVP program. She reported the program is for people 55 and older who volunteer their services throughout the community in the police department, Empire Substation, Chamber of Commerce, Art Museum, meals at the Senior Center, Helpline, Elderly Services, tax aids, St. Catherines, and others. Ms. Gillard-Juarez reported the County has supported the program in the past but will not be able to fund this year. Mayor Verger commented the City has completed its budget process. There was further discussion on the budget process and criteria for funding of non-profits. City Manager Bill Grile noted the funding would need to come from the unappropriated ending fund balance. He commented RSVP does a great job for the community and volunteers are important to the community; it is not a lack of support for the program, just a limited amount of dollars in the general fund. Mayor Verger suggested funding for RSVP be reviewed in the June 1st work session. Councilor Weeks moved to support funding \$7,000 for RSVP.

Bonnie Koreiva, Coos Bay, reported she enjoys volunteering, and working is important and helping others keeps you healthier and feeling needed. Connie Croy, Coos Bay, commented it would have been better if they had been told earlier to seek funding from the cities. She reported RSVP provides many services throughout the community. Cheryl Scott, Director of Outreach, apologized for not getting into the City's process earlier because of the lateness of notification from the County. She asked the Council to give consideration for funding RSVP.

Ralph Larson, Coos Bay, reported a charter amendment was passed by the voters in November 1996 requiring voter approval before the City can sell bonds. He urged the Urban Renewal Agency to go to the

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voters before selling bonds. Julia Spangler, Coos Bay, asked if the funding for the fireworks could be from the hotel/motel tax fund and Mr. Grile reported fireworks were budgeted in the 1999/2000 budget.

Robert King, Coos Bay, expressed concern about the increase in hours and salary for the city attorney. Mayor Verger commented the Council will be discussing this matter at the June 1st work session. Mayor Verger commented the Request for Proposals for Municipal Judge would be sent to him when it had been developed. Mr. Grile noted the appointment would be at the July 6th Council meeting. City Attorney Tosh noted the Council will need to appoint a judge pro tem to handle the cases. Councilor Miller moved appoint the hearings officer who is currently handling the City's towing charges to act as pro tem judge to hear parking tickets. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Mayor Verger agreed on appearance, but stated the City has not been illegal in having the finance director serve as municipal judge. Councilor Miller inquired about the cost for the judge and Mr. Grile reported preliminary discussion has been to hire an attorney and expects the program to be revenue neutral. He noted in the past the municipal judge has been lenient with imposing parking fines. Mr. Tosh commented a lot of cities have not been happy with the way ordinance violations have been enforced in Circuit Court, many are not enforced, so cities have turned to establishing municipal court.

Keith Topits, Coos Bay, stated he was not here to compliment the Council or city departments. He explained that park rules on fishing in areas posted for swimming have not been enforced. Mr. Topits expressed concern for the safety of those using the beach and swimming in the lake. He commented on the condition of the Empire boat ramp and stated it is not usable in its current condition. Mr. Topits also asked the Council to not sell the park house because it is part of Mingus Park. Chief Knight reported he has been at John Topits Park a number of times and people are fishing in inappropriate areas. He suggested more adequate signage be installed.

City Attorney's Report

City Attorney Randall Tosh reported Charleston Sanitary District has paid off their balance with the City, and requested authorization to meet with County Counsel regarding the 911 issue. Consensus of the Council to authorize the city attorney to meet with County counsel.

City Manager's Report

City Manager Bill Grile reported his written report had been distributed to the Mayor and Councilors and contained a number of updates and information items including a meeting with local truckers regarding on-street parking, a Council work session on the budget, an update on the SWOYA project, and the two-week closure of the Library.

Mayor and Council Comments

Councilor Weeks commented RSVP is deserving of funding from the City and non-profits have come before the Council before without going through the budget process.

Councilor Miller invited the Council and employees to lunch on Thursday from 2 p.m. to 4 p.m. at the Lucky Star. She reported Brian Bond had sent a note of thanks to the City for proclaiming April 30th as Brian Bond Day and for the opportunity to open up books to the citizens of the community.

Councilor Stufflebean reported the Youth at Risk Committee met yesterday to identify youth needs and a report will be given to the Council on June 1st. He noted the major need identified was transportation.

Councilor McKeown commented the youth requesting the removal of violent games had intended

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to ask the Council to consider an ordinance prohibiting violent video games in Coos Bay businesses. He noted the Livability Committee would be meeting on Thursday of next week.

Mayor Verger commented on a meeting held in Salem representing people from around the state, and it was unpleasant to learn that perception of Coos Bay is one of divisiveness, poor economy, and isolation. She expressed concern that the image of the area be addressed, perhaps beginning by inviting editorial staff from the Oregonian and Register Guard to Coos Bay and presenting them with a positive spin on our community. Councilor Miller commented the Governor's Conference on Tourism demonstrated how the area can work together and showed people what a beautiful area this is. Councilor McKeown noted the main point of the Livability Committee is to provide a united front.

Revision of Parking Lot Designations

Councilor Miller moved to remove Lot D as a free parking lot and establish as two-hour parking, and provide Lots A and E as free lots. Councilor Weeks seconded the motion which carried with Mayor Verger and Councilors McKeown, Spangler, Stufflebean, and Weeks voting aye; Councilor Stufflebean voting no and Councilor Benetti absent.

Councilor Weeks suggested more consideration be given if the carnival is to be held in the downtown area next year; she received several phone calls about the carnival using the whole area rather than only the approved area.

Adjournment

There being no further business to come before the Council, Mayor Verger adjourned the meeting to June 1, 1999 at 3 p.m. at City Hall.

ATTEST:

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

Joanne Verger
Mayor of the City of Coos Bay
Coos County, Oregon