

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

June 1, 1999

The minutes of the proceedings of a budget work session at 3 p.m. and the regular meeting of the City Council of the City of Coos Bay, Coos County, Oregon, beginning at 6:45 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, Cindi Miller, Don Spangler, Kevin Stufflebean, and Judy Weeks. Councilor Jeff McKeown was absent. 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 Captain Jack Bushmaker.

WORK SESSION – 3 P.M.

Review of Approved Changes in the FY 1999/2000 Budget

City Manager Bill Grile reviewed the spread sheet on the approved changes including the \$67,000 grant for the pump station at the city dock, increasing economic development by \$50,000, deleting \$10,000 from special counsel, the addition of \$5,000 for THE House, \$10,000 for the K9 Program, the cost adjustment from the Gas Tax Fund for cost sharing of the hoist, the transfer from general fund into the building fund to replace \$15,279 in waived building fees, and \$18,000 cut from the Fire Department for physical fitness equipment. Mr. Grile reported the changes in the Hotel/Motel Tax Fund left the boardwalk/Empire beautification line item with zero funding. He explained this line item is used for maintenance of the boardwalk and other improvement projects. Mayor Verger commented the special projects line item has historically be used for unexpected items that come up during the year. Ms. Howard noted the property lease with Southern Pacific also comes from this line item. There was further discussion on funding \$5,000 for the County's wayside and the cost to paint the boardwalk. Mayor Verger suggested a line item be created for the maintenance of the boardwalk.

Review of Proposed Change in the FY 1999/2000 Budget

Mr. Finney explained there is a considerable amount of down timber on the City's water board property and it is estimated revenue from the timber would be \$10,000. Councilor Weeks suggested the funds be used for boardwalk maintenance. Ms. Howard commented timber revenues have historically been used for one time capital purchases. Mr. Grile explained parking fines has been increased by \$2500 in anticipation of full time parking enforcement, and the management salary adjustments are shown under the expenses including the adjustment for the city attorney's salary. Mr. Grile commented the city charter has the city attorney reporting to the city manager when in reality he reports to the Council, and suggested a Council committee be formed to help manage the city attorney's time. Mr. Grile explained 15 hours a week is not enough to accomplish the needs of the City. Mayor Verger and Councilor Spangler commented the city manager should manage the city attorney. Councilor Spangler suggested the city attorney not attend each Council meeting and the city manager stay within the hours given. Councilor Miller inquired what has been

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taking so much of the city attorney's time and Mr. Grile responded property acquisition, urban renewal matters, labor issue with Diamond Parking, and completion of the wastewater ordinance. Councilor Stufflebean noted that other city attorneys do not write ordinances. Mr. Grile reported for some ordinances that is no problem, but franchises and inter-governmental agreements need the expertise of an attorney. He noted that many cities our size have full time counsel.

Mr. Tosh commented that municipal attorneys share a lot of information which saves time and he also uses the League of Oregon Cities as a resource. He further noted staff does much of the leg work for ordinances. Mr. Grile asked if the special counsel would be cut and Councilor Spangler said it is separate from the city attorney's salary. Councilor Stufflebean suggested the Council contact the city manager if they feel an agenda item requires the city attorney attend the meeting.

Mayor Verger commented the city attorney should always be aware of any legal items within the City. Mr. Tosh noted this requires documentation and would be a part of his bill. He commented as legal counsel for a large corporation, there is a substantial amount of legal work and the City is a complex business. Mr. Tosh said he doesn't set policy, but gives legal counsel. Mr. Grile commented that in some cases the city attorney was not involved from the beginning and this has been problematic, such as with the 911 issue. Councilor Stufflebean suggested a re-evaluation of the city attorney's duties and a scope of work be developed. Mr. Tosh said he does not work outside of the scope of work. Councilor Stufflebean explained outside the scope would be for items such as labor negotiations which the City usually hires another attorney to do. Councilor Spangler inquired what has happened to require the additional hours and Mr. Grile responded the City has a lot of projects going on and in actuality the attorney has worked 20 hours a week for the past three years. Councilor Stufflebean suggested staff review cost accounting of the attorney's time.

Mr. Grile explained staff estimated \$2500 in expenditures for municipal court and anticipate it to be revenue neutral. He commented a library building maintenance line item be added and in the past maintenance has been charged to Community Services because Library funds cannot be used for maintenance. Ms. Howard reported the CPI came in at 2.3 percent and 2 percent had been budgeted for police and fire salaries. Mr. Grile commented another officer will be leaving and the turnover will soften the affect on the budget. Mr. Grile explained the changes in the Gas Tax Fund and Wastewater Fund are for cost accounting and special salary adjustments, and changes in the Library Fund are for special salary adjustments and grants.

Mr. Grile noted the \$60,000 in Urban Renewal Projects is the cost of issuing bonds and is split between the Downtown and Empire districts. Mayor Verger expressed concern about the bond issuance cost in the budget and inquired if the Council had really decided to issue bonds without a vote of the people. Councilor Spangler commented direction has been given by the Urban Renewal Agency to proceed with bonding and the initiative requiring a vote on bonds does not apply to Urban Renewal bonds. Mayor Verger commented the initiative says it is for all bonds. Mr. Grile said the Urban Renewal Agency is created by the State and is separate from the City Council. Councilor Spangler noted State law requires urban renewal be in debt to survive. Mayor Verger suggested the matter be placed on the ballot. Councilor Benetti expressed concern that the City would be jeopardizing urban renewal just as the County has done, and agreed a specific project could be taken to the voters but not for whether to bond or not.

Mr. Tosh commented the Urban Renewal Agency would need to request the City Council to do an advisory vote. Mr. Grile asked if urban renewal funds can be used to pay for the election and Mr. Tosh responded if on the November ballot there would be no cost.

Draft Regional Transit Plan

Councilor Stufflebean explained the City is being asked to set aside funding for a regional transit plan. A letter from South Coast Business Employment requesting funding and explaining the transit plan had

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been sent to the Mayor and City Councilors in late May. Mr. Grile commented there are many worthy projects looking for funding and there are a number of things not budgeted for the City. Any donations would need to come from the City's unappropriated ending fund balance. Councilor Spangler expressed concern about reviewing funding requests that do not go through the budget process.

Councilor Stufflebean reported Myrtle Point and Bandon already support the transit system and this would be a pilot program to connect these cities to the Bay Area. Councilor Weeks commented Curry County is trying the same thing. Mayor Verger reported the State Commission on Transportation is trying to form an area commission on transportation that could possibly bring money to be used for area transportation needs. However, funding may not be available for another year. Councilor Spangler commented the study cost \$60,000 and Councilor Stufflebean reported he has a copy of the study and public hearings were held. Councilor Stufflebean commented this would be a six-month pilot program and the City wouldn't fund it until after the pilot project. Councilor Miller commented the Youth at Risk Committee has spent a lot of time visiting with youth and the lack of transportation is the number one issue.

Councilor Miller moved to donate \$2,000 for the public transit system if statistics support it. Councilor Weeks seconded the motion which passed with Councilors Benetti, Miller, Stufflebean and Weeks voting aye. Mayor Verger and Councilor Spangler voting no.

RSVP Funding Request

Mayor Verger commented RSVP is worthy of support but she is concerned because the County had forewarned non-profits that they would not be funded and there are others not funded by the County that will come before the Council on June 15th. Mayor Verger asked Melody Gillard-Juarez if other cities in the County would be funding RSVP. Councilor Weeks said whether RSVP receives funding from other agencies should not matter this year, they did not know they wouldn't receive funding. Councilor Stufflebean commented RSVP is a service and a cost savings for the City and saves a lot of tax dollars. Mayor Verger agreed on the savings and expressed concern that the Council would be setting a precedence. Councilor Spangler commented funding at this time would be a violation of our rule in which the organization must also receive funding from other entities in the county. Ms. Gillard-Juarez reported RSVP has 611 active volunteers and half of them work within the City. She noted RSVP does receive contributions from the college and in the past from the County so the City has received benefits without paying anything. Ms. Gillard-Juarez commented the County's notification about their budget shortfall came out very late.

Councilor Weeks moved to donate \$5,000 to RSVP. Councilor Stufflebean seconded the motion. The motion passed with Councilors Benetti, Miller, Spangler, Stufflebean, and Weeks voting aye. Mayor Verger voted no.

City Manager Grile asked for direction on the approved and proposed budget changes. Mayor Verger reported the unappropriated ending fund balance will be under \$300,000 of what it should be. Mr. Grile noted the ending fund balance keeps the City from having to borrow money until taxes come in. Consensus of the Council to approve the changes presented by staff.

WORK SESSION – 6:45 P.M.

Jurisdictional Exchange Proposal from the Oregon Department of Transportation

Paul Mather, Regional Manager for ODOT, reported the proposal is to transfer jurisdiction of Ocean

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Boulevard (Central to Newmark), Coos River Hwy (I Street to Catching Slough bridge) and Cape Arago Hwy (Newmark – Fir Street to Wisconsin Street). The proposal includes \$4.75 million ODOT anticipates spending on the routes over the next 20 years. The perception is that these roadways are not State highways, but City streets due to location and use. ODOT has determined such highways would be better suited under local jurisdiction and would provide local control over land use and access issues. Mr. Mather reported even with a gas tax increase, ODOT would be focussing on highway systems with statewide interest. The proposal would give the City the funds upfront for maintenance and modernization improvements. Mr. Grile commented the City would be investing the money to build up a revolving fund and would cycle the projects off the interests. Mr. Mather noted most of the jurisdictions are following that plan.

Councilor Benetti expressed concern about the risk of taking over these roadways and asked if the City could get the full amount upfront. Mr. Mather said that could be negotiated, the problem is that some of ODOT's funding is Federal. Councilor Benetti suggested some of the maintenance be done before the exchange and Mr. Mather said that could be discussed. Mayor Verger suggested Newmark be upgraded and the Bunker Hill bridge be replaced before the City takes over. Mr. Mather reported the bridge is included. Councilor Spangler suggested ODOT engineers and city staff review the 23 miles of roadway considered in the exchange. Mr. Grile commented staff is requesting the Council approve the concept of the exchange, the concept for utilization of the funds, and authorization for an intergovernmental agreement. The agreement would come back to the Council for approval. He reported the City street crew recommended consideration of purchasing a tract paver for the smaller maintenance projects.

Mayor Verger requested the City receive a copy of a study done on the costs to maintain highways and Mr. Mather said he would send the report. Councilor Weeks commented there were still questions to be answered and the matter should be studied thoroughly a decision is made. Councilor Stufflebean expressed concern about the condition of the Coos River Hwy and the City taking on extra work without increasing staff. Mr. Grile noted ODOT does not have much work planned for these highways because of the priorities of the Transportation Commission. Mr. Mather noted maintenance of traffic signals would remain with ODOT. Mayor Verger asked if the Area Commission on Transportation would be of some benefit in getting funds for projects in this area and Mr. Mather said the additional funds would go to prioritize projects. Councilor Spangler commented the benefits of the exchange far out way anything the City could do and gives the City the resources to make repairs. He noted the gas tax increase will go for maintenance of primary highways. Consensus of the Council was to approve the concept of the exchange.

COUNCIL MEETING

Flag Salute

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

Approval of Proposed Jurisdictional Exchange with the Oregon Department of Transportation

Councilor Benetti moved to direct staff to negotiate a jurisdictional exchange agreement with the Oregon Department of Transportation. Councilor Weeks seconded the motion. Councilor Stufflebean suggested the Council schedule a site review of the streets involved in the exchange. Councilor Benetti explained ODOT and City staff will be reviewing the conditions of the streets, and the City will receive a copy of a study done on the costs of highway maintenance. Councilor Weeks noted the Council is just

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approving the concept at this time. The motion passed with the Mayor and all Councilors present voting aye.

Consent Calendar

Mayor Verger reviewed the consent calendar which consisted of approval of the minutes of the May 4, 1999 regular meeting, adoption of Resolution 99-12 approving a rate increase for solid waste collection, adoption of Resolution 99-13 approving property purchase for use by the Coos Bay-North Bend Water Board for installation of a pump station, approval of OLCC license renewals, approval of OLCC license renewal and additional privilege for Blue Heron Bistro, Inc., and adoption of Resolution 99-14 approving establishment of service construction permit fee. 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.

Appointments to the Library Board

Library Board members Bonnie Barron and Curt Benward have terms which will expire on June 30, 1999. Both members have requested reappointment to the Board and no other applications have been received. Councilor Miller moved to reappoint Bonnie Barron and Curt Benward to four-year terms on the Library Board. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Department Head Report – Finance Director Janell Howard

Finance Director Janell Howard reported the budget, payroll adjustments and frequent parking changes have kept finance staff busy. The state required budget forms were published in the newspaper last week, and the public hearing and budget will be on the June 15th Council agenda. Mayor Verger inquired if Ms. Howard had met with Deputy Assessor Barbara Foord to discuss how taxes are being divided. Ms. Howard reported she has talked with Ms. Foord and plans a meeting in the near future to discuss why the City did not get the full three percent.

Presentation by the Coos County United Veterans Parade Committee – Bill Rugh

Bill Rugh, representing the Coos County United Veterans Parade Committee, reported there were over 80 entries in the parade and the committee was pleased with the event. Mr. Rugh commented the parade would not have been possible without the assistance of the City and presented Mayor Verger with a plaque expressing appreciation to the City of Coos Bay for their support.

Youth at Risk Committee Report – Susie Yeiter

Susie Yeiter, representing the Youth at Risk Committee, reported committee members held meeting with middle and high school, CE2, and Baloney Ranch students to determine the gaps in the community in regards to youth. Ms. Yeiter reported the biggest gap is transportation, followed by employment opportunities. She commented the middle-age group lack activities for after school and the committee will be looking at the schools for after school programs. Ms. Yeiter reported the Dial A Ride transit system has a new bus donated by Bay Area Hospital and a route has been established. The committee will be discussing juvenile crime at their next meeting.

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Authorization to Contract for Downtown Parking Enforcement with Diamond Parking

Capt. Jack Bushmaker reported a background check on Diamond Parking has found that cities using the service are very pleased. The agreement with Diamond Parking would include the cost of operating the scooter, and collection of delinquent tickets. City Manager Bill Grile commented the estimated savings of \$4,327.48 is a conservative figure, based on the fact the City currently employs a part time parking control officer and the contract would be for a full time position. City Attorney Randall Tosh reported the City must bargain the impact of contracting out and a meeting with the Police Officers Association's attorney has been scheduled for June 11th at 9 a.m. Councilor Benetti commented there would also be a cost savings to the Finance Department. Councilor Weeks moved to proceed with the privatization of parking enforcement subject to negotiation with the Police Officers Association. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

Enactment of Ordinance No. 273 Repealing Section 66 of Ordinance No. 114 Regarding Impoundment of Vehicles

City Manager Bill Grile reported this is a housekeeping matter due to a duplication in the ordinances regarding towing of vehicles. Councilor Miller moved to enact Ordinance No. 273 repealing Section 66 of Ordinance No. 114. Councilor Weeks seconded the motion. Deputy Recorder Joyce Jansen read the ordinance by title only and the Council was polled with the following results:

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

City Manager's Report

City Manager Bill Grile reported receiving an email from Bill Milwee commenting on the positive attitude and hospitality of the community. The Mingus Park poolhouse project groundbreaking will be held on June 21st at 10 a.m. Mr. Grile reported Johnson Rock has met contract obligations on the F Street project which should be completed in July. He explained the long window for the project was there to get the best possible bid price. Mr. Grile noted a list of the urban renewal projects was distributed to the Council and staff needed direction on whether to proceed with issuing bonds for the projects.

Mr. Grile reported there are two issues with the County Assessors office which staff will be looking into. One being the current year tax receipts and the other a tax statement for \$40,000 in back taxes sent to Community Action. The City is currently leasing the Empire Community building to the Head Start Program and Judith St. Clair from Community Action reported they have filed the appropriate non-profit status with the assessor's office. Mr. Grile reported the Request for Proposals for municipal judge have be sent out with responses due by June 18th and appointment scheduled for the July 6th Council meetng. Councilor Spangler questioned whether Council action had been taken on the municipal judge issue.

Mr. Grile reported he would be on vacation from June 5th through 15th and had appointed Assistant to the City Manager Joyce Jansen as Acting City Manager during his absence.

Mayor and Council Comments

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Councilor Benetti commented at a recent Council meeting Chuck Holloway had asked the Council to consider mandating garbage service, and due to the amount of garbage in the streets and parks asked if the Council would like to give consideration to the suggestion. City Attorney Randall Tosh reported this matter is covered under the nuisance ordinance. Councilor Spangler commented garbage service is mandatory for cities with a population of 25,000 or more and below that it is up to the municipality. Councilor Benetti asked staff to review the matter.

Councilor Miller reported serving on the Youth at Risk Committee has been very enjoyable as well as a learning experience. She commented there are many great kids in our community.

Councilor Spangler commented the Memorial Day parade was wonderful and he was proud of the Council for stepping up to help the Veterans make the parade possible.

Councilor Weeks reported attending an economic development course for her work. The course was very interesting and will help both at work and at the city. Councilor Weeks commended the Youth at Risk Committee for doing a good job in a short amount of time.

Mayor Verger congratulated the assistant to the city manager on her appointment as acting city manager, and expressed concern about the tax situation with the County. She requested staff make sure the taxes are being sent to the City that should be and perhaps too much is sent to urban renewal. Mayor Verger inquired about the skate board park and Councilor Weeks reported it had been placed on hold until the Skateboard Association could come up with matching funds. Mayor Verger commented the current park should be used by the younger kids and a new park built for the older kids. Councilor Miller reported she is working on fundraising ideas for the park. Councilor Stufflebean commented the new park would combine skateboard, inline skating and BMX bikes and that Salem and Eugene both have such parks. Mayor Verger suggested the youth come to the Council again.

Councilor Spangler asked what process the City uses for selection of park hosts and who oversees the program. Community Services Director Finney explained park hosts are volunteers and a police check is done as well as interviews, and Parks staff check up on the hosts. Councilor Spangler commented the Empire boat ramp park host was not a success. City Manager Bill Grile said staff would monitor the hosts better in the future.

Mr. Grile reported the Chamber will be providing an insert in the dining/lodging guide to list those businesses that are outside the city limits and the Chamber will pay for the printing of the inserts. Mr. Grile suggested the Tourism Promotion Committee look into doing their own books and have an annual audit performed. Finance Director Janell Howard reported from an accounting standpoint the committee should be performing these functions. Councilor Benetti expressed concerns about the current staff taking on these duties. Ms. Howard commented the process would not be dumped on the staff and perhaps a separate fund could be established for tourism and promotions. She explained this is done for the 911 Agency and the Agency then pays the City for bookkeeping and auditing services. City Attorney Randall Tosh explained they are not actually a committee but an intergovernmental entity.

Mayor Verger reminded Councilors to call Beve Saukko and submit dates they are available to work the New Carissa display. The display will open June 21st and remain open through the Fun Festival in September.

Adjournment

There being no further business to come before the Council, Mayor Verger adjourned the meeting to June 15, 1999 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:

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