

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

June 15, 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 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, Finance Director Janell Howard, Fire Chief Stan Gibson, Police Chief Chuck Knight, and Library Director Carol Ventgen.

WORK SESSION

Council President Miller reported the Mayor was excused until 8 p.m. to attend her grandson's graduation. President Miller noted a correction in agenda titles for Resolution 99-17 and 99-20, the addition of Resolution 99-24 to the consent calendar, and the addition of a factsheet for the supplemental budget agenda item. Councilor Spangler inquired about use of the wastewater reserve fund for the F Street project and City Manager Bill Grile reported Council had authorized the use of the reserve fund on October 6, 1998 for the wastewater aspect of the project. Councilor Spangler expressed concern about library district funds going to Southwestern Oregon College. Library Director Carol Ventgen explained the county-wide library computer is located at the North Bend library and the library district contracts with the college to provide the courier van for the outreach services, office space, staff to run the automated system, and pay the bills. She noted the college library is not included in the county-wide library district. Mr. Grile commented the arrangement provides the best and most economical way to provide the service and the college does not really receive library district funding.

President Miller reported public hearings would be held for the supplemental budget and the proposed FY 1999/2000 budget. Councilor Benetti inquired if the accounting fee for the Promotions Committee was reflected in the budget and Finance Director Janell Howard said it was not because the Council has not yet determined the committee should pay a fee for the services provided by the City. Councilor McKeown asked for clarification on the definition of the art museum's historical collection and the permanent collection. City Manager Grile reported the permanent collection meets the museum's collection philosophy and the historical collection does not meet the criteria. The City is transferring the historical collection to the museum board for disposal. Councilor Stufflebean asked for clarification of section 7 of the agreement and Mr. Tosh reported the section is a disclaimer for the City in the event of a lack of funding, the City may terminate the agreement.

Mr. Grile reported the City did not receive funding for projects the first time but there is an option to apply again and staff is requesting direction from the Council for projects to be submitted for funding from the transportation grant. Councilor Spangler asked if the money could be used to purchase real property and Community Services Director Bill Finney reported it could if it is part of the overall project. Councilor Spangler suggested purchasing the Dugas property. Councilor McKeown suggested looking at the Front Street Redevelopment Project and requested staff bring a developed proposal back to the Council for

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consideration. There were no comments on the fiber optics and computer agenda items.

COUNCIL MEETING

Flag Salute

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

Consent Calendar

President Miller reviewed the consent calendar which included approval of the minutes of the May 11, 1999 special meeting, approval of the minutes of the May 18 and June 1, 1999 regular meetings, approval of OLCC license renewal for Gooney's Sports Bar and Acapulo Bar and Grill, adoption of Resolution 99-18 supporting legislation restricting access by minors to coin-operated violent video gaming machines, adoption of Resolution 99-17 authorizing salary adjustments for general fund represented, management and non-represented employees, adoption of Resolution 99-20 authorizing salary adjustments for library fund, gas tax fund, and wastewater fund represented, management and non-represented employees, adoption of Resolution 99-19 allocating medical insurance funds from contingency, adoption of Resolution 99-15 accepting and appropriating pool house bond proceeds, approval of amendment to the contract for library services between the City and the Coos County Library Service District, and approval of the Charleston Sanitary District settlement agreement. Councilor Weeks moved to approve the consent calendar with the addition of the Resolution 99-24 establishing the City's Y2K readiness disclosure and declaring mission critical services. The resolutions are attached hereto and made a part of thereby. Councilor Stufflebean seconded the motion with passed with all Councilors present voting aye. City Manager Bill Grile introduced Sid Norris from the Charleston Sanitary District Board and Mr. Norris submitted the signed settlement agreement.

Department Head Report – Library Director Carol Ventgen

Library Director Carol Ventgen reported the library expansion project was going well and the library would close on Friday for upgrading computer software for the county-wide system. The library will remain closed for two weeks for interior construction purposes. The grand opening is scheduled for August 20th and the state librarian and state library board will be meeting at the library that day.

Public Hearing – Fiscal Year 1998/1999 Supplemental Budget

President Miller opening the public hearing on the 1998/99 supplemental budget. There being no public comments to be heard, President Miller closed the hearing.

Adoption of Resolution 99-21 Adopting Fiscal Year 1998/1999 Supplemental Budget and Making Appropriations

A supplemental budget is necessary for the funding of the F Street project. The Council awarded the bid to Johnson Rock Products and approved the funding of the project on October 6, 1998. The total cost of the project is \$289,220 with funding coming from ODOT 'STP' funds of \$151,634, wastewater contractual of \$86,742, and wastewater reserve of \$50,844. Councilor Stufflebean moved to adopt Resolution 99-21 adopting fiscal year 1998/99 supplemental budget and making appropriations which is attached hereto and made a part of thereby. Councilor Weeks seconded the motion which passed with all Councilors present

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voting aye.

Public Hearing – Fiscal Year 1999/2000 Budget and Use of State Revenue Sharing Funds

President Miller opened the public hearing. Robert King, Coos Bay, commented the city attorney has not responded to his letter and requested a response be made. There being no further comments on the 1999/2000 budget and use of state revenue sharing funds, President Miller closed the public hearing.

Adoption of Resolution 99-16 Electing to Receive Shared Revenues from the State and Adoption of Resolution 99-22 Adopting Fiscal Year 1999/2000 Budget and Making Appropriations and Levying Ad Valorem Taxes

Councilor Weeks asked if the street improvement capital outlay included a portion of the ODOT highway exchange funds and City Manager Bill Grile responded the funding was included. Councilor Weeks questioned how the funding could be included in the budget when the Council has only approved the concept of the exchange. Mr. Grile explained that in order to have the authority to expend the funds, if the exchange is approved by the Council, it must be included in the adopted budget. The alternative is to prepare a supplemental budget later in the year and supplemental budgets should be used for unexpected or emergency situations. Councilor Spangler suggested the city attorney be funded for 15 hours per week and receive a five percent increase and a two percent cost of living increase. Councilor Spangler explained Mr. Tosh's performance is not in question, however, he feels the salary increase is much too high. Councilor Benetti commented it is a high increase but it has been revamped from the budget request and he further noted Mr. Tosh has indicated a willingness to go to bid for city attorney services. Councilor Benetti commented in consideration of the going rate for attorney services, he supports the recommended salary increase for the city attorney. Councilor McKeown agreed with Councilor Benetti and suggested Council look at the big picture. He commented if the Council went out to bid, they would actually spend more and not have the same level of expertise as they do now. Councilor Stufflebean moved to adopt Resolutions 99-16 and 99-22 adopting fiscal year 1999/2000 budget and making appropriations and levying ad valorem taxes which are attached hereto and made a part of thereby. Councilor Benetti seconded the motion which passed with Councilors Benetti, McKeown, Miller, Stufflebean, and Weeks voting aye; Councilor Spangler voted no.

Approval of Execution of the Coos Art Museum Management Agreement, Transfer of the Historic Collection Agreement and Adoption of Resolution 99-23

The 1994 agreement with the Coos Art Museum to provide museum management services to the City of Coos Bay will expire June 30, 1999. The agreement before the City Council has been prepared by the City Attorney and approved by the Coos Art Museum Board and legal counsel, and is for a period of ten years. Councilor Stufflebean moved to adopt Resolution 99-23 which is attached hereto and made a part of thereby setting forth a "collection philosophy" which has been recommended by the Coos Art Museum. Councilor Weeks seconded the motion which passed with the all Councilors present voting aye. Councilor Weeks moved to approve execution of the Coos Art Museum Management Agreement and the transfer of the historic collection agreement. Councilor Stufflebean seconded the motion which passed with all Councilor present voting aye.

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Approval to Surplus City Police Department Vehicles

The Police Department is requesting approval to surplus four vehicles, all with mileage of over 100,000 miles. Staff is recommending unit #535, a 1992 Chevrolet Caprice, be transferred to SCINT, and unit #504, a 1994 Ford Crown Victoria, unit #531, a 1993 Ford Crown Victoria, and unit #538, a 1993 Ford Crown Victoria, be offered to local law enforcement agencies at \$1,000 to \$1,500 per unit. In the event the vehicles are not sold, they will be offered to the general public after police equipment has been removed. Councilor Stufflebean moved to transfer unit #535 to SCINT and offer units #504, #531 and #538 to local law enforcement agencies. Councilor Weeks seconded the motion which passed with all Councilors present voting aye.

Authorization to Apply for Transportation Enhancement Funding Grant

City Manager Bill Grile reported staff is seeking Council direction in applying for Transportation Enhancement grants. The project must be at least \$200,000 and competition for project funding will be state-wide. Community Services Director Bill Finney commented staff would like to come back on July 20th with a proposal. Councilor Spangler suggested improvement from Newmark Avenue to the Y, and Councilor Stufflebean suggested a landscaping project for Empire Boulevard and historic preservation of Front Street as possible projects. Councilor McKeown agreed these were good projects; however, he cautioned against spending just to spend dollars. He further commented the projects should truly enhance the area and suggested a facility for the tug Irene to include public restrooms and visitor information. Mr. Finney reported Stuart Woods has suggested using the Irene in the Front Street project. Councilor Weeks inquired about plans for the Empire waterfront area and Mr. Finney reported it is planned as a waterfront attraction, but no specific design has been developed. Councilor Stufflebean suggested focusing on current goals; the Empire area and the Front Street project. Councilor Spangler suggested looking at the Dugas property next to the Empire waterfront as an enhancement project. Mr. Grile noted if the two previous projects were re-submitted, they probably would not receive funding. Councilor Stufflebean suggested submitting the Empire Blvd project including landscaping and a bike lane as part of the project. Mayor Verger inquired when a decision must be made and Mr. Grile reported at this time staff just needed to know what to apply for before bringing back to the Council on July 20th for approval. Councilor McKeown commented it would have been helpful to have plans and an estimated cost before trying to make a decision. Councilor Benetti agreed and recommended staff come back with suggestions and input on projects that might be acceptable.

Authorization to Proceed with Establishing a Fiber Optics Consortium

City Manager Bill Grile reported staff has been in discussion with a number of entities interested in establishing a fiber optics consortium. He was first alerted to the possibility by Commissioner Nikki Whitty several months ago. Mr. Grile commented staff is asking the Council to approve the concept and authorize staff to proceed with the project. He commended Chief Knight for keeping on top of a lot of detail and numerous meetings regarding fiber optics. Mr. Grile reported the fiber would be beneficial to the school districts, Bay Area Hospital, the college, local cities, and businesses; and will make our area more attractive to industry and business. City Attorney Randall Tosh reported the ordinance would ratify the intergovernmental agreement and it would be brought back to the Council for final review and enactment. Councilor McKeown commented the fiber would benefit the area economy and he supported forming the consortium. Councilor Miller moved to approve the concept of establishing a fiber optics consortium.

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Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Approval to Purchase Computers for the Library

City Manager Bill Grile reported as part of the remodel for the library, a request for bids for 13 network-ready personal computers was let and would be purchased with grant and gift funds. Bids were received from Oregon Office Computers of North Bend for \$32,420, Pacific Information Systems of Portland for \$33,503, Comp-U-Talk of North Bend for \$36,510, Gateway of Eugene for \$36,510, and Matthews Computer Center of Coos Bay for \$45,096. Councilor Stufflebean moved to award the bid to Oregon Office Computers in the amount of \$32,420. Councilor Spangler seconded the motion which passed with the Mayor and all Councilors present voting aye.

Public Comments

Flora Lee Lockhart, Coos Bay, suggested Donnelly Avenue, Ferguson Street and 11th Street receive priority maintenance during the new fiscal year. Mr. Grile reported the City has developed a Streets Capital Improvement Plan and main arterials have been designated as high priority. Councilor Weeks noted that two of the streets Mrs. Lockhart mentioned are cement streets. Mrs. Lockhart expressed concern that the parking control officer would lose his job when the City contracts out parking enforcement. Mr. Grile noted the City is bargaining the impact at this time with the Police Officers Association. Councilor Benetti commented Diamond Parking would offer a position to the employee. Mrs. Lockhart also commented on the 4th and Anderson intersection and noted that a number of citizens have reported they do not like the intersection. Mrs. Lockhart commented downtown employees are taking parking spaces that should be available for customers and this is adversely affecting downtown businesses.

Kathi Joy, director of the Chamber of Commerce, commented Bayshore Drive and the Chamber of Commerce lot are still posted for two-hour parking. She expressed that two hours is not enough time for visitors to stay downtown and her office has received a number of complaints from visitors about the parking. Mr. Grile suggested she directed visitors to the free parking lots. Helen Scully, Coos Art Museum, spoke in support of the fiber optics consortium and noted it has great potential for the museum. Robert King, Coos Bay, requested the public be notified when Diamond Parking would be making a proposal to the City Council and be allowed to ask questions. Mayor Verger reported the Council has not settled anything about contracting out parking enforcement. Phyllis Moore, Coos Bay, expressed concern about the Rescue Mission and asked why only the Empire area has a viewshed ordinance. Ms. Moore reported the mission depends on the money earned from the thrift store to help run the mission and the ordinance hinders the success of the thrift store.

City Attorney's Report

City Attorney Randall Tosh reported the first collective bargaining with the union over contracting out of parking has been held. A number of issues were raised and they will be meeting again in the near future.

City Manager's Report

City Manager Bill Grile reported it was good to be back in Coos Bay after a ten day vacation and commended Chief Chuck Knight for being recognized as a distinguished Southwestern College alumni.

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Mayor and Council Comments

Councilor Weeks reported the Parks Commission had met on Monday and bids have gone out for the Mingus Park parking lot. She encouraged everyone to look at the Eastside boat ramp, and boxes to hold park maps had be constructed for John Topits Park. Councilor Weeks noted staff is seeking funding from the Marine Board for repairs to the Empire boat ramp; the neighbors have expressed concern about the construction of the water board facility in the Englewood area; and there will be a truck parking meeting on June 26th.

Councilor Spangler expressed concern about people living in the Empire House when it has been condemned. He noted items are also being stored in the building. Chief Gibson reported the fire department has received a number of complaints relating to the Empire House and they are looking into life safety issues. He reported the Bay Area Rescue Mission has been inspected and the facility is out of compliance with documentation on file with the City. Councilor Spangler commented the City cannot allow people to reside in unsafe buildings. City Attorney Tosh reported there are so many liens on the Empire House property that it is essentially valueless. He has contacted the forfeiture office in Denver and the Federal Marshall in Portland and they are aware the City is interested in purchasing the property. Councilor Spangler noted that families are being housed in the John Topits building as well and requested staff review the situation.

Councilor Miller reminded everyone of the pool house project groundbreaking ceremony on June 21st; the 911 user board met last evening and is making no headway; and she will be meeting with the skateboard association to discuss fundraising ideas. Councilor Miller reported attending the ribbon cutting for the Mill Casino's motel project; attending the Downtown Association board meeting at which downtown parking and the lack of a downtown restroom were discussed; and the Youth at Risk Committee will be again on Wednesday. Councilor Miller commented she will be out of town for the next council on July 6th.

Councilor Benetti commended Assistant to the City Manager Joyce Jansen on her performance as Acting City Manager during Bill Grile's absence. Councilor Benetti commented on the need for downtown restrooms and suggested with reduced funding, business owners allow citizens to use their facilities. He noted that many of the parking signs have not been changed and there is some confusion as to where employees and customers may park.

Councilor Stufflebean commented that other cities issue parking citations, not just the City of Coos Bay. He suggested a tour of City facilities and projects be scheduled for the Council. He reported the Airport Advisory Committee met to discuss the closure of Pony Creek Road and is looking for alternatives to this action. Councilor Stufflebean commented the Youth at Risk Committee will be making a report to the Council in the near future; the transportation district now includes SWOYA on the route; and he attended the Madison School DARE graduation.

Councilor McKeown reported the Livability Committee has put together goals and a mission statement and there may be state money available for downtown business rehabilitation. He noted the Marshfield High School graduation was Saturday night and it was a great opportunity to be proud of our young people and their accomplishments.

Mayor Verger reported the last Focus program for the school year was produced this week by students from Mr. Baird's class and Stephanie Kilmer. The program included people from Northwest Natural Gas and Tim Bishop from FONSI. Mayor Verger commented on funding from the state for the gas line and housing. She reported the New Carissa display will open on June 20th and commended Beve Saukko and BLM staff for their work on putting material together for the display. Mayor Verger commented there has been concern expressed by residents on Oregon Avenue regarding the pump station the water board plans to build. This matter came before the Council at the last meeting for approval to purchase the property and the project will go before the Planning Commission and neighbors will have an opportunity to comment on the

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project.

Mayor Verger reported receiving a number of phone calls regarding downtown parking, truck parking, and the need for more tennis courts. She commented Council should consider decisions carefully so matters do not require continuous consideration. Mayor Verger suggested staff look at what other cities allow for truck parking and Mr. Finney reported staff will be looking into the matter. Mayor Verger commented that in trying to satisfy one group's parking requests, the City irritates another group, and it has become a negative thing. She further commented on the importance of having parking available for tourists and customers. Mayor Verger commented that more public input should be heard before making decisions on such matters as removal of a tennis court. Mr. Grile noted the recommendation regarding the Mingus Park tennis court came from the Parks Commission. Mr. Tosh suggested the council agenda be run on the government access channel. Staff noted the Parks Commission meetings are run on Channel 14 and the agenda is placed on the City's web site.

Adjournment

There being no further business to come before the Council, Mayor Verger adjourned the meeting to June 17, 1999 at p.m. in the Conference Rooms at Bay Area Hospital.

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