

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

July 6, 1999

The minutes of the proceedings of the regular meeting of the City Council of the City of Coos Bay, Coos County, Oregon, beginning at 6:30 p.m. with interviews in the Manager's Conference Room, followed with at work session at 7 p.m. in the Council Chambers and proceeding to the 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, Don Spangler, and Kevin Stufflebean. Councilors Jeff McKeown, Cindi Miller, and Judy Weeks were 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, and Library Director Carol Ventgen.

INTERVIEWS

The Mayor and City Council interviewed Patricia Davis Hinrichs and John Meynink for consideration of appointment as Municipal Judge. The interviews were held at 6:30 p.m. in the Manager's Conference Room.

WORK SESSION

Mayor Verger briefly reviewed the agenda items. City Manager Bill Grile reported Resolution 99-25 increases permit fees by two percent to reflect the surcharge increase Senate Bill 287 has enacted into law. Mayor Verger noted there is a request for a letter of support from the Confederated Tribes of the Lower Rogue in their efforts to restore federal recognition of the tribe.

City Manager's Report

City Manager Bill Grile reported the Urban Renewal Agency tour last week was beneficial for the board and for city staff. Mr. Grile reported the F Street project will not meet the July 15th deadline due to the need a retaining wall to prevent slumpage of the street, and is a result of an oversight by the engineering firm who designed the project. Mr. Grile commented Johnson Rock Company has done a very good job and he asked citizens to be patient with the completion of the project. Mr. Grile reported Bank of America and Western Bank have expressed concerns about the affect a free right turn at 4th and Anderson would have on access to the banks. Mr. Grile suggested a light system using a green arrow for the turn, which would direct traffic the same as it is done at this time, would be effective in slowing down and directing traffic. The light has been discussed with Paul Mather from ODOT and approved.

Mr. Grile reported there has been some discussion regarding regulation of unsightly lawns and Mr. Ed Noble had contacted him about gathering signatures on a petition to support an ordinance. Mr. Grile requested the Council give consideration to such an ordinance and also a standard, such as 18" to two feet high grass standard. He suggested a fine to offset the cost of having the property taken care of, after sufficient

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notice had been given to the owner, could be an option. Mayor Verger commented there are areas along KoosBay Boulevard where the sidewalk is overgrown with vegetation, including a city-owned parcel. Councilor Benetti suggested staff come back to the Council with some ideas for the ordinance. Mr. Grile reported Section 12 of Ordinance No. 99 addresses obnoxious vegetation as a fire hazard, but does not take care of the overall problem.

Mr. Grile asked for consent from the Council to take action on preparing to sell the park house and the Ed Lund building. He noted staff would be looking at a property line adjustment before the Ed Lund building is sold which would preserve the park area.

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 the approval of OLCC license renewals for the International Café, Belle Bee Tavern, and Cedar Grill; and approval of an OLCC license for China Bay Restaurant. Councilor Stufflebean moved to approve the consent calendar as presented. Councilor Spangler seconded the motion which passed with the Mayor and all Councilors present voting aye.

Department Head Report – Police Chief Chuck Knight

Chief Knight reported on a letter from City County Insurance Services (CIS) commending the City on their Y2K documentation and plan. CIS will provide liability insurance coverage for the City for Y2K at no additional charge. Chief Knight commended the quality of staff in the police department as having a servant's heart and introduced four new officers to the assembly. Dan O'Laughlin, Dennis Burge, Kevin Shaw, and Steve Meyers were welcomed to the department. Chief Knight presented with a letter of commendation Officer Robert Lounsbury for helping a stranded motorist with a flat tire during his off-duty time. Officers Gary McCullough and Andy Osborn were recognized for their efforts in locating a first-time father and bringing him to the hospital for the birth of his baby. Chief Knight presented the Purple Heart award to Officer Andy Osborn for injuries received in the line of duty on March 1, 1999. A Public Service Award was presented to Mr. James C. Malone for commendable action in his assistance to Officer Osborn. Chief Knight expressed his gratitude to all police personnel for their professional and dedicated service to the City of Coos Bay.

Citizen Certificates of Appreciation – Aaron Evans, Chris Klein and Lynda Sanders

Fire Chief Stan Gibson reported the 4th of July fishing derby and fireworks went very well and he thanked Fire Department personnel for a job well done. Chief Gibson reported on June 7th a student at Millicoma School fell through a plate glass window and sustained serious injury to his arm. The prompt administration of first aid by two students and a teacher until the arrival of the ambulance helped save the youth's life. Chief Gibson and Mayor Verger presented Aaron Evans, Chris Klein and Ms. Lynda Sanders with certificates of appreciate.

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Appointment to the Coos County Library Services Board

Councilor Stufflebean moved to appoint Sharon Thomas to the Coos County Library Services Board. Councilor Spangler moved to appoint Sharon Thomas to a four-year term on the Coos County Library Services Board. Councilor Spangler seconded the motion which passed with the Mayor and all Councilors present voting aye.

Appointment to the Tree Board

Mayor Verger reported Rex Miller and Craig Cheney both have indicated a willingness to be reappointed to the Tree Board. Councilor Stufflebean moved to appoint Rex Miller and Craig Cheney to the Tree Board. Councilor Spangler seconded the motion which passed with the Mayor and all Councilors present voting aye.

Appointment of Municipal Judge

Councilor Stufflebean moved to appoint Patricia Davis Hinrichs as municipal judge. Councilor Spangler seconded the motion which passed with the Mayor and all Councilors present voting aye. Mayor Verger commented both candidates were excellent and either would serve the City well; however Mrs. Hinrichs has experience as municipal judge. Councilor Benetti inquired on the impact to the budget and Mr. Grile said it was sufficient to cover the costs.

Adoption of Resolution 99-25 Establishing a Schedule of Permit Fees to be Collected by the City of Coos Bay

City Manager Bill Grile reported the State has increased the building permit fees by two percent and the resolution passes the increase onto the fees. Councilor Spangler moved to approve Resolution 99-25 establishing a schedule of permit fees to be collected by the City of Coos Bay. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye.

Letter of Support for the Confederated Tribes of the Lower Rogue

Mr. Donald Fry, Chairman of the Confederated Tribes of the Lower Rogue, explained the tribe will be requesting recognition from the federal government and part of the process requires letters of support from surrounding cities. Kathryn Leep reported the tribe's recognition had been terminated some years ago and federal recognition will enable members to participate in education and health benefits, and assist in economic development procedures. Ms. Leep explained the tribe takes in part of Coos and Curry Counties. Mayor Verger moved to submit a letter of support for the Tribes of the Lower Rogue. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye.

Public Comment

Mayor Verger reminded the assembly to give their comments in an orderly fashion and to show respect for each speaker. Pastor Stan Ellis, Coos Bay, requested the Council revisit Ordinance No. 271 establishing a viewshed in the Empire District. Councilor Benetti inquired when the Bay Area Rescue

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Mission Board of Directors meet and who serves on the members. Pastor Ellis responded the board meetings are held the third Tuesday at 7 o'clock and currently there is only one board member, Clarence Welch. Pastor Ellis explained he also serves as a board member and five other members have either resigned or moved in the past seven weeks.

Sue Hundley, owner of Chest of Drawers, thanked the Council for making improvements to the Empire area. She noted citizens as well as tourists have commented on the improvements and she supports the ordinance prohibiting items on the sidewalks. Andrew McFall, Coos Bay, expressed concern that the needs of the homeless must be met if the City is to be successful in improving economic development for the area. Len Luttrell, Coos Bay, questioned whether the Mission by-laws would allow Pastor Ellis to function with only one board member. He further commented the Mission is providing a service the community needs.

David Schaaf, Reedsport, suggested communication would resolve the problems between the Mission and the City. He also noted the Mission is doing a good service for the community. Delores Vallijos-Flores, Coos Bay, commented the Mission had helped her in time of need and the Mission has helped many people get back on their feet. She reported that some people have slept in the chapel and the Mission needs of more family housing.

Anthony Severson, Coos Bay, thanked the Council for allowing him to present himself to the community and he volunteers in many areas. Robert King, Coos Bay, expressed concern that his letters to the city manager have not been answered and referred to a letter written by the owner of Bay Broadcasting regarding his picketing of local businesses. Mayor Verger inquired if the City had written letters regarding his employment and Mr. King said no. Chief Knight reported the Police Department does not have a file on Mr. King and they are not tracking him. Mr. King asked again for the City to investigate Falcon Cable.

Julia Spangler, Coos Bay, reported she had contacted the businesses in the Empire area before Ordinance No. 271 was enacted, and there was full support for the ordinance. She further stated that not one person had suggested the Mission move; the interest was only in cleaning up and improving the area. Marcie McFarland, manager of the Mission thrift store, commented on meeting the needs of people when they are jobless and homeless. She commented a community needs to do more than a facelift of the buildings. Ms. McFarland expressed concern about the Council enacting an ordinance for only one section of the City and commented other businesses had items on the sidewalks and were not cited. Mayor Verger reminded the assembly that the City has stood by the right of the Mission to be in its location.

Patrick Momsen, Coos Bay, expressed concern about ex-drug addicts being located so close to two schools. Frankie Fredricks, Coos Bay, inquired about the possible closure of the mission, the viewshed ordinance, and condition of the buildings. Mr. Grile explained the issue is not one of religion, but of complying with building codes and city ordinances. Councilor Benetti commented the Mission must go through the same process as any business or citizen of the community, and further, city staff have gone the extra mile in being helpful to the Mission. Evan Bogger, Coos Bay, commented he resides at the Mission and he has not seen anything at the Mission that would harm school children. He reported the park and building are maintained by the residents and without the Mission, people would be sleeping on the streets.

City Attorney's Report

City Attorney Randall Tosh reported copies of the proposed ordinance for establishing procedures for municipal court have been distributed to the Council and staff for review. Mr. Tosh gave a brief overview of the 911 Agency and the current issue over funding North 911 and South 911 facilities. Mr. Grile commented staff believes a partnership with Bay Area Hospital would provide the best site and service for North 911 County or even a countywide center. Mayor Verger commented there have been two 911

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providers for a long time and if Coos Bay and North Bend decide to take care of only the cities, it will require a re-organization. Mr. Tosh noted a new governmental entity would be created. Mr. Tosh said it is a policy decision and Mayor Verger noted the City Council is not the policy maker for 911.

Mr. Tosh reported on a non-profit board, a resignation is not effective until an appointment has been made for a replacement, and it takes a quorum to make appointments. This is the general rule and the bylaws would need to be reviewed to be certain. Mr. Tosh noted there would not be a liability to the City in this situation.

City Manager's Report

Mr. Grile reported Mr. Ed Noble has approached him some time ago about the City enacting an ordinance regulating maintenance of property. Ordinance No. 99 addresses noxious vegetation which creates a fire hazard but would not be a solution to maintenance. Mr. Grile asked the Council to consider what the city might do and perhaps an ordinance making it unlawful to have tall vegetation which would include a procedure for notification and abatement. Mr. Noble suggested enough strength in the ordinance to make it enforceable.

Mayor and Council Comments

Councilor Stufflebean commented there was a good turnout for the 4th of July celebration and he and his son enjoyed the event.

Councilor Benetti commented the 4th of July in Mingus Park had a number of good activities for families and the fireworks were the best. He commented Mr. Kings's comments are very one-sided. Mr. Grile reported Falcon Cable had responded the Mr. King's concerns. Councilor Spangler noted the City has acted appropriately. Mayor Verger inquired if the franchise will need to be renegotiated because Falcon Cable has been sold. Mr. Tosh said only if it is a merger.

Councilor Spangler commented the fireworks were great and it was money well spent. He reported attending the voting at the capital on the gas pipeline bill and noted it passed with a 50 to 9 vote. The bill will now go to the Senate.

Mayor Verger commented the Senate is supportive of public/private partnerships for funding matters, such as the gas pipeline and transportation funding. Bills are being prepared that funding from the State is contingent upon voter approved tax support. Mayor Verger reported the 4th of July celebration in Mingus Park was well attended and thanked Councilor Stufflebean's participation. She commented the City Council has done as much as possible to be sure the rights of homeless people are protected. The City Council has supported the THE House, served on various boards throughout the community, and in personal capacities. Mayor Verger commented the public probably would not appreciate more government being involved in their lives.

Executive Session

Councilor Spangler moved for Council to go into executive session. Councilor Stufflebean seconded the motion which passed with a unanimous vote. The City Council met in executive session pursuant to ORS 192.660 (1) (d) for the purpose of consulting with legal council regarding labor negotiations, and (h) potential litigation.

The Council reconvened into regular session.

Adjournment

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There being no further business to come before the Council, Mayor Verger adjourned the meeting to July 14, 1999 at 7 p.m. in the Council Chambers of City Hall.

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

ATTEST:

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