

## **MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL**

**October 5, 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, Kevin Stufflebean, and Judy Weeks. Councilors Cindi Miller, Jeff McKeown and Don Spangler were absent. City staff present were City Manager Bill Grile, Deputy Recorder Joyce Jansen, City Attorney Randall Tosh, Community Services Director Bill Finney, Chief Chuck Knight, Fire Chief Stan Gibson, Police Chief Chuck Knight, and Library Director Carol Ventgen.

### **WORK SESSION**

Mayor Verger reviewed the consent calendar and noted Beve Saukko would be presenting appreciation certificates to the New Carissa display volunteers. Councilor Weeks commented she has been working with Bill Orme on the Confederated Tribes project. Mayor Verger asked if the on-street parking should be included in the suspension of downtown parking enforcement during the months of November and December. Councilor Benetti commented past practice has been not to enforce any of the parking during the holiday season. City manager Bill Grile suggested the non-enforcement be effective October. Councilor Weeks commented this has always been done for November and December. Mayor Verger noted the Council would be reviewing downtown parking after the first of January.

Mayor Verger asked the Council to consider an award for the best holiday display for downtown businesses. Consensus of the Council to include the award as part of the downtown holiday promotion in the amount of \$500. Mayor Verger reviewed the Mingus Park tennis court issue and commented Council had previously given permission to expend \$9,000 for the paving project. Mr. Grile reported in retrospect the fencing should have been kept up until the City was ready to moved forward with the paving project. The bids came in over \$10,000 and up to \$16,000 and staff was hopeful that by going out again for bids that they would come in lower. Community Services Director Bill Finney reported the cost to resurface and address the water situation would be \$16,500. Mayor Verger noted that an earlier report stated the project would cost \$9,000. She commented the Parks Commission's recommendation was to pave the area for a parking lot and expressed concern that staff had just sat on the project. Councilor Weeks reported the Parks Commission recommendation was supported by the need for additional parking for the pool use, construction of a stage and increased use of Mingus Park.

Mayor Verger briefly reviewed the preliminary map for a subdivision located at Fenwick and Virginia Avenues; Ordinance No. 282 granting a franchise to Northwest Natural Gas; and added Public Comments to the agenda which was inadvertently left off the agenda.

### **COUNCIL MEETING**

#### **Flag Salute**

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

#### **Consent Calendar**

## **City Council Minutes – October 5, 1999**

Mayor Verger reviewed the consent calendar which consisted of a proclamation for Disability Employment Awareness Month and Resolution 99-28 establishing a deferred compensation plan with the Public Employees Retirement System which is attached hereto and made a part of thereby. Councilor Weeks moved to approve the consent calendar as presented. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye. Mayor Verger read the proclamation to the assembly.

### **Department Head Report – Chief Stan Gibson**

Chief Gibson reported it is National Fire Prevention Week and the department is participating with the Great Escape Program and open houses at all three fire stations. Department personnel will be visiting the local elementary schools to teach children how to get out of their home in the event of a fire. Chief Gibson reported the new rescue unit has been ordered and delivery is expected in May; the Department of Geology and Mineral Industries is working on tsunami mapping of the area; and the department will again help with holiday lights at Shore Acres. Chief Gibson noted there is an open burning ban in Coos and Curry Counties.

### **Recognition Awards for the New Carissa Display Volunteers**

Mayor Verger commented the New Carissa grounding put Coos Bay in the international spotlight in February and because there was so much interest in the incident, the City provided an exhibit for the public. She commended Beve Saukko for organizing material for the display and volunteers to work at the exhibit. Community Promotions Director Beve Saukko thanked the many volunteers for their work and reported approximately 335 hours were donated and 2,641 people visited the exhibit. Ms. Saukko reported Alan Hoffmeister of BLM, Jim Brende of BLM, and Marty Giles of Wavecrest Discoveries developed a computer program and provided pictures and information for the exhibit. Mayor Verger and Ms. Saukko distributed appreciation certificates to those present.

### **Presentation from the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians**

Mayor Verger reported a letter from the Bureau of Indian Affairs (BIA) was received in July regarding property proposed to be placed in trust. The letter was submitted to the City Council and Community Services Department staff for review, and a response made to BIA. A group of citizens presented a petition to the City Council at the September 7<sup>th</sup> meeting asking the City to intervene in development. The City requested representatives from BIA and the Confederated Tribes address the City Council on this matter. Councilor Weeks stated for the record she has had contact with Bill Orme of the Confederated Tribes regarding the housing project.

Ron Kortlever, BIA, reviewed the trust process which began in 1934 with the Indian Reorganization Act authorizing the purchase of land. Mr. Kortlever explained funding received from HUD is designated for lands in trust. The BIA sent out a 30-day letter to the City, County, and State asking for input on the proposed project; based on those letters which will be included as part of the assessment on the affect of taking the land into trust. The process allows for local public comment and review and for response by the Tribe. Once all information has been gathered, an analysis document will be prepared by BIA and forwarded to the regional office in Portland where the decision is made to either approve or deny placing the land in trust. Notification is sent to all parties affected; an appeal process is available; and after the appeal time has passed, a title analysis and preparation is done. Notice is placed in the local newspaper of the acquisition.

## **City Council Minutes — October 5, 1999**

Greg Norton, Trust Services Specialist, reported BIA had received a tribal resolution requesting the land be placed in trust for use by the Confederated Tribes for housing. Letters to state and local governments were sent in July to address the potential impact on the community; only one letter was received and that was from the City of Coos Bay stating no objections to the land being placed in trust. Mr. Norton reviewed the environmental assessment requirements and process, noting BIA met with BLM, the City of Coos Bay, the Water Board, Oregon Department of Transportation, School District 9, Oregon Fish and Wildlife, and the utility companies. Notices were also sent to all property owners within 150' of the proposed land trust with a deadline for comments of August 27, 1999. Mr. Norton reported at this time BIA is taking responses to begin preparation of the draft environmental assessment, and the public and interested parties will receive notice when the document is available.

Bill Orme, Confederated Tribes Housing Director, reported the property was purchased in September, 1999 using HUD funds. Development of the property is in the preliminary planning stages and the most prominent idea is to use it for a low density senior housing complex, an assisted care facility, and a tribal activity center; no architectural drawing or site plan has yet been developed. Mr. Orme displayed drawings of the type of housing planned for the North Bend project as an example of the type of housing that would be built. Mr. Orme noted the average price of homes sold in Coos County last year was \$85,000 and the planned homes would be above that amount. They are planning 15 to 30 homes for the site. Mr. Orme reported complaints may be submitted to the Tribe and to HUD, and a review by HUD is done annually.

Mayor Verger commented it appears nothing has been done with the Elks building and Mr. Orme reported the building is being renovated for offices for administration and health services for the Tribe. Mayor Verger expressed appreciation for the reports.

### **Discussion of Downtown Parking Enforcement During the Holiday Season**

City Manager Bill Grile reported it had been suggested at the previous Council meeting that parking enforcement in the downtown lots be suspended during the holiday season. During this time staff would monitor parking patterns and Council would review the matter after January 1<sup>st</sup>. Mayor Verger asked if on-street parking would be enforced and it was the consensus of the Council to continue enforcement of on-street parking. City Attorney Randall Tosh recommended revision of the resolution to state suspend parking fees and enforcement in municipally owned parking lots effective October 6, 1999. Mayor Verger noted a credit would be given to anyone who has already purchase a permit for October.

Councilor Weeks moved to adopt Resolution 99-29 suspending parking fees and enforcement in municipally owned parking lots effective October 6, 1999 through December 31, 1999. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye.

### **Reconsideration of Improvements to the Mingus Park Tennis Courts**

The City Council, at the March 16, 1999 meeting, had considered and approved a recommendation from the Parks Commission and staff to convert tennis court B at Mingus Park into a parking lot. An initial quote to pave the lot was judged by staff to be higher than justified and the work was postponed in anticipation of rebidding the project. It is estimated the cost to resurface the court would be between \$16,000 and \$20,000 compared to \$10,309 to convert to a parking lot. The court is in a natural drainage area which has caused major damage to the court surface. Funds for the project are available for paving the lot, but would need to be budgeted next year for paving and resurfacing as a tennis court. Councilor Benetti moved to proceed with paving tennis court B for a parking lot. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye.

**City Council Minutes — October 5, 1999**

**Approval of Preliminary Map for Subdivision “Holloway Mews” – a Thirteen Lot Subdivision Located at Fenwick and Virginia Avenues**

City Manager Bill Grile reported the Planning Commission has completed the public hearing process regarding the proposed Holloway Mews subdivision and is recommending approval of the subdivision located at Fenwick and Virginia Avenues. Councilor Weeks moved to adopt the Planning Commission’s findings, justifications, conclusions, conditions and final recommendation for Subdivision Application No. MIS1999-00205 and approve the preliminary plat for Holloway Mews subdivision. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye.

**Enactment of Ordinance No. 282 – Granting a Franchise to the Northwest Natural Gas Company**

City Manager Bill Grile reported the ordinance establishes a franchise with Northwest Natural Gas which has two propane gas distribution systems in the City. It is estimated the franchise would generate approximately \$2,000 in revenues annually. The ordinance would not preclude the City from negotiating a new agreement if and/or when natural gas is brought to the area. Councilor Stufflebean moved to enact Ordinance No. 282 granting a nonexclusive right and franchise to Northwest Natural Gas Company.. Councilor Weeks seconded the motion. Deputy Recorder Joyce Jansen read the ordinance by title only and the ordinance was enacted with the following vote:

Aye:	Mayor Verger and Councilors Joe Benetti, Kevin Stufflebean and Judy Weeks
No:	None
Absent:	Councilors Jeff McKeown, Cindi Miller and Don Spangler

**Public Comments**

There were no public comments

**City Manager’s Report**

Mr. Grile reported the International City Manager’s conference was well worth attending; there was a sewer back up at the Park House last week as a result of the contractor’s failure to follow procedures; the Mingus pool house project is proceeding on schedule; and a town hall meeting to present the City’s Y2K plan will beheld on October 18<sup>th</sup>. Mr. Grile commended Chief Knight and Karla Garrett for preparation for the Y2K meeting and noted the Friends of the Library will present a program for personal Y2K preparation on October 21<sup>st</sup>.

**Mayor and Council Comments**

**Councilor Stufflebean** reported the Boys and Girls Club Board of Governors met last week and will be trimming Phase 4 of the project to be within the \$1.1 million. He noted the auction and annual banquet will be held on December 10<sup>th</sup>.

**Councilor Weeks** reported the Parks Commission reviewed information on skateboard parks in Medford, Talent, and Ashland. Nancy Jarvis, Park Commission member, commented the commission is in support of keeping the Eastside court as a tennis court. Councilor Benetti noted the court is not regulation size and Councilor Weeks said those who use the court do not mind; however, staff will be looking for grants

## City Council Minutes — October 5, 1999

for making improvements to the court. Councilor Weeks reported the Parks Commission is recommending the City look at adding another tennis court in upper Mingus Park. Councilor Weeks reminded everyone of the League of Women Voters forum on October 11<sup>th</sup> at 7 p.m. and of the Natural Gas Line rally on October 13<sup>th</sup>. Councilor Weeks expressed condolences to the family of Gail George.

**Mayor Verger** reported the New Carissa Board met in Salem last week and will meet again on October 25<sup>th</sup> before making a recommendation to the Governor, and suggested that City-owned property such as the Eastside tennis court and Pioneer Cemetery be maintained to set a good example for the community. Mayor Verger commented that Gail George had been a long-time City employee and she will be greatly missed by the community. Ms. George passed away at the age of 52 on September 30, 1999 after struggling for several years with Multiple Sclerosis.

### **Executive Session**

The City Council met in executive session pursuant to ORS 192.660 (1) (f) to consider records that are exempt by law from public inspection.

The Council reconvened into regular session.

### **Adjournment**

There being no further business to come before the Council, Mayor Verger adjourned the meeting to October 19, 1999 at 6 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:

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