

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

November 16, 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, Fire Chief Stan Gibson, Library Director Carol Ventgen and Police Chief Chuck Knight.

WORK SESSION

Mayor Verger reviewed the council agenda and noted only Arnie Roblan's re-appointment to the Water Board would be considered this evening due to the Council notification process for appointments. Mayor Verger commented on the need to respond to Robert King's parking enforcement concerns expressed at a previous meeting. City Manager Bill Grile reported under the ordinance service vehicles may obtain a free permit. Mr. Grile also noted on the date in question, October 29th, the parking enforcement officer was not performing enforcement duties and was doing a parking survey. Councilor Spangler inquired if the Red Cross had obtained a permit for that day and Mr. Grile said they had not. Mr. Grile further commented, had the officer been enforcing the parking regulations, he may not have ticketed the truck as it is the City's practice to be flexible and use common sense in parking situations. Mayor Verger requested the parking concern be added to the agenda at item no. 6a.

Mayor Verger reported a request for a donation for the purchase of a timing system for the Mingus Park Pool has been submitted to the Council, and noted there are a number of budget expenses coming up such as 911 reverse and equipment replacement to be considered. Councilor Miller recommended a donation of \$4,000 be made. Councilor McKeown commented the system would be used at both the Coos Bay and North Bend facilities. Mayor Verger recommended a \$2,000 donation to match the City of North Bend. Mr. Grile reported the funds could be taken from the hotel/motel special projects line item. Councilor McKeown noted a state championship will be held at Mingus Pool next July and will bring quite of a number of people to the area. Councilor Spangler suggested this matter be considered during the budgeting process.

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 which consisted of approval of the council minutes of October 19, 1999. Councilor Miller moved to approve the consent calendar as presented. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

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Report from Marshfield High School Representative Meliah Masiba

Meliah Masiba reported the girls of the month are for August Tracie Fisher, for September Rachel Chilton, and for October Cammie Boyd. The football team will be playing in Corvallis this weekend and school will let out early for travel. Ms. Masiba reported community service is a goal of the student council and they will be participating in Toys for Tots. The Key Club will be working with the Jaycees in their Christmas Shopping with Kids program, and the club has adopted five families for Thanksgiving.

Donation Toward the Purchase of a Timing System

Councilor Miller reported the South Coast Aquatic Team (SCAT) is raising funds to replace the timing board which will be used at Mingus Park pool and the North Bend pool. Currently \$10,600 has been raised from the community. Councilor Miller moved to donate \$2,000 to SCAT toward the purchase of the new timing board. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Department Head Report – Library Director Carol Ventgen

Library Director Carol Ventgen reported circulation at the library has increased 8.7 percent, staff has been busy with programs, a writer's workshop has been scheduled, and the Friends of the Library will be presenting a Y2K preparedness workshop. Ms. Ventgen reported library staff will be honoring Babe Moulton November 30th for her years of volunteer service.

Announcement of the Winners of the Ride with Santa Drawing

A drawing was sponsored by the City for eight third graders to ride with Santa during the annual Tree Lighting Ceremony on November 26th. Mayor Verger drew the names of Joseph Frost, Tyler Graves, Aaron Johnson, Michael Morrisen, Alyssia Remsen, Erica Schubert, Matthew Stewart and Lauren Wood.

Appointment of a City Representative to the Coos Bay-North Bend Water Board

Mayor Verger nominated Arnie Roblan for re-appointment to a four-year term as the city's representative to the Coos Bay-North Bend Water Board. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

Parking Enforcement Complaint

Mayor Verger reported a complaint had been expressed to the City Council at a previous meeting regarding a truck that was parked on Central Avenue for an extended amount of time. Chief Knight reported the complaint arose from Mr. King and a response had been sent by the Police Department. The incident involves a Ryder truck parked on Central Avenue on October 29th. Parking Control Officer Jim Rowe reported that often he uses his own discretion on parking and notifies people of the availability of service parking permits. He recalled seeing the truck and had assumed it was there to move merchandise from the store. Mr. Rowe noted that on the date in question, there was no parking enforcement due to conducting a parking lot survey.

Approval of Contract Award for the Environmental Protection Agency Brownsfield Grant

City Manager Bill Grile reported the City is the recipient of a \$200,000 EPA Brownsfield grant to be used for the Front Street Urban Renewal and Redevelopment Project. The City's administration cost is budgeted at \$25,000 and \$155,000 budgeted from the grant for the property assessment to be completed under this contract. A request for proposals was sent out and 18 proposals were received. Staff is recommending award of bid be given to URS Corporation. Councilor Spangler commented the firm is out of Portland and he would prefer awarding to a local company. Community Services Director Bill Finney reported all proposals were reviewed carefully and URS Corporation appears to be the best qualified for the job. Mr. Finney noted URS plans to subcontract with two local firms for some of the work, and URS has previously done work in the community. Councilor Spangler suggested consideration be given to the economic impact on the community when selecting a contractor. City Attorney Randall Tosh commented the City is limited under Oregon public contract laws when awarding competitive bids. Councilor McKeown stated he has a conflict of interest, and Councilor Weeks commented she shared Councilor Spangler's concern, but noted Coos Engineering did not return their bid. Councilor Stufflebean moved to award the bid to for environmental consulting services to URS Corporation. Councilor Miller seconded the motion which passed with Mayor Verger and Councilors Benetti, Miller, Stufflebean, and Weeks. Councilor McKeown abstained and Councilor Spangler voted no.

Enactment of Ordinance No. 286 – An Ordinance Granting the Municipal Court Certain Authority Over Penalties Imposed Pursuant to City Ordinances Amending Ordinance No. 275

City Manager Bill Grile reported the ordinance was drafted by the city attorney to clarify the municipal court's ability to impose penalties. City Attorney Randall Tosh explained the purpose of the ordinance is to confer on the court the ability to suspend sentences, impose certain sentences, and have the ability to craft penalties to suit the circumstances of the violation. Councilor Spangler commented the ordinance does not give the judge the right to sentence probation for a defendant. Mr. Tosh reported probation relates to having a defendant under the supervision of the court and the City cannot do that. Councilor Spangler expressed concern about the possibility of frequent suspension of sentences and suggested the Council not enact the ordinance. Mr. Tosh noted some City ordinances currently have mandatory minimum penalties. Mayor Verger commented the Council may feel more comfortable if minimum amounts were imposed rather than the judge having authority to suspend the fines. There was further discussion on giving the judge sentencing authority. Mr. Tosh commented the decision is a policy choice and recommended appointment of a sub-committee to review the ordinances.

Enactment of Ordinance No. 287 – An Ordinance amending Ordinance No. 103 Providing for the Licensing of Trades, Shops, Occupations, Processions, Businesses and Callings to Include a Requirement that Non-profit Organizations Apply for a Business License and Adoption of Resolution 99-35 Setting Fees for City Business Licenses

City Manager Bill Grile stated for the record his wife manages a non-profit corporation which would be affected by enactment of the ordinance. He explained the proposed ordinance would require non-profits to complete a business license form but no fee would be imposed, and would give the City information on

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the organization which would be helpful for performing such City functions as fire inspections and the like. Councilor Stufflebean moved to enact Ordinance No. 287. Councilor McKeown seconded the motion and the ordinance was read by title only by Deputy Recorder Joyce Jansen. The ordinance was enacted by the following vote:

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

Councilor Stufflebean moved to adopt Resolution 99-35, setting fees for business licenses, which is attached hereto and made a part of the record. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

Public Comments

Robert King, Coos Bay, commented Ms. Flora Lee Lockhart's statement at the June 16, 1999 council meeting regarding selective parking enforcement was not refuted. Mr. King reported the letter from Chief Knight regarding a parking situation on Central Avenue in October contains different information than he received this evening, and inquired how many tickets had been written on the day in question. Chief Knight reported no tickets were written that day because a survey of parking lot use was being conducted.

Julia Spangler, Coos Bay, commented the parking situation has been blown out of proportion and most citizens are more interested in the Council being more humanitarian.

City Manager's Report

City Manager Bill Grile commented the League of Oregon Cities conference was a success and expressed gratitude for Mayor Verger's leadership and accomplishments during her service. He has met with Bill Parham, pastor of the Bay Area Rescue Mission, and is encouraged by the changes being implemented. Mr. Grile reported paving of the parking lot at Mingus Park has been delayed because of weather conditions, and during his absence over the Thanksgiving holiday Joyce Jansen will be the acting city manager.

Mayor and Council Comments

Councilor Weeks reported she will be unable to attend the December council meetings due to surgery.

Councilor Spangler commented the new director at the Mission, Bill Parham, is making progress in cleaning up the area, and has been invited to attend the City Council meetings.

Councilor Miller congratulated Mayor Verger on an outstanding year at the president of the League of Oregon Cities Board, and reported the skateboarders have joined with the Boy Scout to raise funds for the skateboard park. The official kickoff for the time capsule will be held Saturday at 1 p.m.

Councilor Benetti congratulated the mayor on a great League conference and on a good job as president of the League of Oregon Cities Board. He reminded everyone of the lights at Shore Acres and wished everyone a happy Thanksgiving.

Councilor Stufflebean reported the LOC conference was good and he received many comments from attendees that Coos Bay was lucky to have Joanne Verger as mayor.

Councilor McKeown commented the city doesn't always see how much our mayor does for us at the state level and it is incredible to have this type of representation. He reported attending the swearing in

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of police K-9s, Cutter, Rex and Caesar and noted their training is impressive.

Mayor Verger thanked the Council for their comments and reported it was a sell out crowd for the League's annual banquet with the Lab Band giving an exceptional performance. The next Focus program will have Chief Stan Gibson and Glenda Hale from the County.

Executive Session

The City Council met in executive session pursuant to ORS 192.660 (1)(d) and (h) for the purpose of consulting with legal council regarding labor negotiations and potential litigation.

The Council reconvened into regular session.

Adjournment

There being no further business to come before the Council, Mayor Verger adjourned the meeting to November 18, 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