

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

January 18, 2000

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 Jeff McKeown, Cindi Miller, Don Spangler, and Judy Weeks. Councilor Joe Benetti is out of town and Councilor Stufflebean was absent due to illness. City staff present were City Manager Bill Grile, Deputy Recorder Joyce Jansen, City Attorney Randall Tosh, Community Services Director Bill Finney, Police Chief Chuck Knight, Fire Chief Stan Gibson, and Finance Director Janell Howard.

WORK SESSION

Mayor Verger asked if there were questions regarding the consent calendar and Deputy Recorder Joyce Jansen noted a correction on page 48 of the minutes. City Attorney Randall Tosh reported amendments to the lease with the Coos Historical Society as expansion in item no. 1 and new language in section 7. Mayor Verger reported House Bill 2024 requires agencies to adopt or re-adopt public contracting rules or use the Attorney General's rules. If the City wants to adopt their own exemptions, they must do public hearings and findings of fact. Mayor Verger commented the League of Oregon Cities reported no other cities in Oregon currently have a bid preference. Mr. Tosh commented a bid preference is not prohibited and would be a matter of first impression, and in his opinion would be subject to litigation. He noted the provision under state contract law is that if you bring a suit and win, the government entity must pay the attorney fees. Mr. Tosh reported staff compiled a report of the past five years of the contracts awarded and most of the City's contracts were awarded locally. Those awarded outside the area were for specialized services not available in the area. He commented bid preference is anti-competitive and could have an unintended consequence for the City. It does cost a contractor money to put a bid together and if local contractors would have an advantage, contractors outside the area would not bid and the process would become anti-competitive. Mayor Verger commented the intent of the Council is to support local companies. There was further discussion on Oregon law concerning contracting and Councilor Spangler commented if research indicates City bids have come from local companies, then his intent to support the local economy is met. Consensus of the Council was not to enact the ordinance.

COUNCIL MEETING

Flag Salute

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

Consent Calendar

City Council Minutes – January 18, 2000

Mayor Verger reviewed the consent calendar which consisted of approval of the November 18, 1999 and December 7, 1999 meeting minutes, and approval of the Historical Society Museum lease. City Attorney Randall Tosh noted Council would need to approve the change in the lease. Councilor Spangler moved to approve the minutes as corrected and the lease as amended. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

Department Head Report from Finance Director Janell Howard

Finance Director Janell Howard reported end of the year reports have been completed; staff is beginning the fiscal year 2000/2001 budget process; and the department is running smoothly. City Manager Bill Grile inquired if the Council would like to schedule a work session to discuss budget philosophy and Mayor Verger recommended the Council revisit the goals. Consensus of the Council to review the goals and the policy for funding non-profits.

Recommendation Concerning the Park House Settlement Proceeds

City Manager Bill Grile reported a sewage spill in the house occurred while a contractor was working on the sewer line and a settlement was negotiated with the insurance company for \$30,000. The Planning Commission denied the City's application to rezone the property, a step required to partition the house from Mingus Park in order to sell the property. Staff recommends the funds be used for other park projects. The Fire Chief will be checking into whether the structure can be burned. Mayor Verger agreed with the recommendation and noted that for many years people have wanted a program providing music in the park. Consensus of the Council to support using the funding to build a stage in the park. Mayor Verger inquired if the stage could be completed by summer and Councilor Weeks reported the stage account balance is around \$3,400. Mayor Verger moved to use the \$30,000 for construction of the Mingus Park stage. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Consideration of a Request to Change the Weight Limit on a Portion of Southwest Boulevard

City Manager Bill Grile explained a request to change the weight limit on a portion of Southwest Boulevard had been made by Joel Sullivan. Mr. Grile reported there are some problems in tying weight control to zoning and recommended tying the limit to the grades of streets. After checking the street and the City's policy, staff recommends the weight limit be lifted on a portion of Southwest Boulevard. Mr. Finney reported staff is confident the base and surface of the street will sustain the load from the request and noted that many Rvs use the road and exceed the weight limit. He further reported the company has four trucks and will be bringing them to the shop over the weekend. Mr. Grile commented there have been problems enforcing the weight restrictions due to not having portable scales, and staff recommends an amendment to Ordinance No. 124 to address weight limits by arterial rather than by zone. Mayor Verger commented it would be a good time to review all the arterials. Consensus of the Council to authorize staff to draft the ordinance amendment and allow Mr. Sullivan to proceed with his plans.

Appointment of Budget Committee Member to Fill the Unexpired Term on the Committee

City Council Minutes – January 18, 2000

Mayor Verger explained that from the three citizens appointed to the Budget Committee on December 21st, one member needs to be appointed to fill the unexpired term ending December 31, 2000. Appointment was made by ballot and Renee Nelson was appointed to complete the unexpired term.

Adoption of Resolution 00-02 Adopting Rules for Public Contracting and Enactment of an Ordinance Authorizing a System of Preferences for Coos County Products and Services in the Awarding of Contracts

City Manager Bill Grile recommended adoption of the resolution and not the ordinance. Councilor Miller moved to adopt Resolution 00-02 adopting rules for public contracting. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Public Comments

Gary Rifkin, Coos Bay, reported on the progress of the Time Capsule 2000 project and presented the City Council and staff with canisters for inclusion in the capsule. Mr. Rifkin commented items for the capsule may be delivered to The World, Fiddlesticks or The Art Connection.

City Attorney's Report

City Attorney Randall Tosh reported the donation of stock to the Coos Historical Society has been made and they are ready to proceed with the museum project.

City Manager's Report

City Manager Bill Grile reported once the lighting study for the downtown parking lots has been completed, the matter will be brought to the council; funding for the Empire boat ramp is still pending; the recording of the December 6th Fiber South Consortium Board will be aired on Channel 14. Mr. Grile reported the telecommunications week will be next week beginning with an elected officials breakfast on Tuesday at the Red Lion. There will also be two sessions on Wednesday and one on Thursday.

Mayor and Council Comments

Councilor McKeown reported the Livability Committee is making progress and has assigned contacts for members of the committee to set up appointments for presenting the proposal. The committee would like to make a presentation to the City Council on February 1st. Mayor Verger recommended a resolution be prepared supporting the proposal and funding. Councilor McKeown reported Southwestern College has committed funding and support for the proposal, and the committee is moving forward with establishing a 501C3 and drafting the intergovernmental agreement. Councilor Spangler suggested the resolution be adopted after the organization has been completed. Mayor Verger supported moving ahead with the resolution with certain stipulations.

Councilor Spangler reported OCZMA has a meeting scheduled for the 10th and 11th and he will be unable to attend, and a Fiber Optics meeting via teleconference has been scheduled for Wednesday.

Councilor Weeks commented the resurfacing of the Mingus Park lot looks good and announced that effective January 24th she will be working for 800 Support.

Mayor Verger reported the Commission on Transportation reviewed their bylaws at the last meeting and she commended John Whitty on preparing the bylaws. Mayor Verger reported the Focus Program is

City Council Minutes – January 18, 2000

featuring the City of Reedsport and the upcoming program will be about telecommunications.

Executive Session

Mayor Verger moved to go into executive session pursuant to ORS 192.660 (1) (d) for the purpose of consulting with legal council regarding labor negotiations. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

The Council reconvened into regular session.

Adjournment

There being no further business to come before the Council, Mayor Verger adjourned the meeting to February 1, 2000 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