

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

April 4, 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 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, and Police Chief Chuck Knight.

WORK SESSION

City Attorney Randall Tosh reviewed a draft ordinance which would combine two existing ordinances into one to provide for regulations for public rights-of-ways. The new ordinance would require security as a condition of construction. Mayor Verger inquired if airways were included in the ordinance and Mr. Tosh indicated airways are included in the definition portion of the ordinance. Councilor Miller noted a correction in Section 8 to say the hours of. Mayor Verger reviewed the consent calendar and agenda items. Councilor Weeks inquired if interest money from the ODOT funds would be used to fund the Newmark/Ocean Blvd. plan and study. City Manager Bill Grile reported \$25,000 in interest will accrue between now and the end of the fiscal year June 30th. Councilor McKeown expressed concern about the project and noted it would be beneficial to have an engineer on staff. Mr. Grile explained hiring an engineer was extensively looked at last year during budgeting and he believes the City would not get the return on the dollars spent as expected. There was further discussion the work an engineer would perform and the cost to hire an experienced engineer. Councilor Benetti commented Council has been through this process before and a staff engineer is not an effective use of funds.

Councilor Weeks inquired how \$50,000 for maintenance of 23 miles of road was determined. Mr. Finney reported ODOT had figured \$26,000, but City staff estimated to do the job adequately would require \$50,000. The larger jobs such as Ocean Blvd, Cape Arago Highway and Newmark Avenue would be contracted out. Councilor Stufflebean commented that when Council voted to accept the ODOT exchange, it was with the understanding that the Council would wait three years before spending any funds. Mayor Verger reported the Newmark Avenue improvements had been discussed previously and it was agreed to do the project. Councilor Benetti cautioned about moving ahead with the Newmark project and suggested approaching abutting property owners such as the College to help pay for the improvements. Councilor Weeks commented use of the ODOT funds was previously discussed, but restricting the use was not voted on. Councilor Spangler noted the Newmark area is a safety issue and he recalled discussion to proceed on the improvements. Mr. Grile reported the Newmark/Ocean Master Plan is a choice economic development opportunity for the City and would also solve a traffic safety problem. Councilor Miller noted Wal*Mart was required to contribute to the street improvements and Staples was not. Mr. Grile reported ODOT required Wal*Mart to make improvements in order to have street access. Mayor Verger commented the jurisdictional exchange gives the City a source of revenue from the interest and the ability to do street improvement projects.

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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 minutes for March 2, 2000 and setting a public hearing before the Planning Commission for a street vacation (portion of Myrtle Avenue between 6th and 8th Streets and North 7th Street north of Myrtle). 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.

Presentation of Area-Wide Clean-up by Chamber Director Kathi Joy

Kathi Joy, Director, reported the Chamber annual clean-up has been scheduled for Saturday, May 6th and four sign-in areas have been designated for citizens wishing to participate in the event. It has been arranged for ODOT to pick up the trash bags along State highways and she requested the City to pick up along City streets on Monday. Some of the work will be done by Shutters Creek personnel and the County will have the disposal sight open on Sundays during the months of April through October. Ms. Joy reported the Chamber received the statewide award for best partnership for last year's work.

Department Head Report by Finance Director Janell Howard

Finance Director Janell Howard reported the department is doing well; much of her time has been taken in preparing the proposed 2000/2001 budget, and a new payroll clerk was recently hired. The first budget meeting has been scheduled for April 20th and copies of the budget will be distributed next week.

Direction to Proceed with the Newmark/Ocean Master Plan

City Manager Bill Grile reviewed the jurisdictional exchange with ODOT which gives the City responsibility for 23 miles of roadway in exchange for \$4.2 million. From previous Council discussions on the use of the funds, staff understood that it was Council's desire that funds be locked up for streets, that Newmark Avenue be improved, that revenue from the interest would be used for major projects, and that Coos River Highway would be adequately maintained. Mr. Grile explained an opportunity has been presented by Andy Nasburg to deal with the economic development potential in the area southwest of Wal*Mart on Newmark Avenue. Staff has prepared a proposal for the Newmark/Ocean Master Plan which would take in this area west of Wal*Mart to LaClair Street. It would also rezone the area and improve transportation problems in this area. The property has sat undeveloped for a long time and the City would need to address the traffic concerns before proceeding with a rezone. Mr. Grile reported staff's recommendation is to proceed with the project. Mayor Verger commented there are a number of things to consider before approving the plan and suggested postponing the project; however, there is a safety issue with Newmark Avenue that should be addressed in the near future. Mayor Verger noted if the gas tax measure passes in May, the City would receive additional funding for streets. Councilor Stufflebean inquired about the grant for Newmark and Mr. Grile reported the project had been rejected. Councilor McKeown commented studies can be expensive and sometimes too complicated for our area; he suggested discussing

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the project local firms, and require potential developers to help with the needed improvements. Councilor Benetti supported not spending the ODOT funds for three years and save until the City has enough to do the Newmark improvements. He noted ODOT's earlier report indicated they had no funding scheduled for improvements on Newmark. Councilor Benetti suggested moving ahead with the rezone and look at partnering with the businesses coming in to share in the expenses. Councilor Spangler commented when the Council agreed to the jurisdictional exchange it was not just for maintenance of the 23 miles of road, but also so the City would have funds for projects.

Andy Nasburg reported there are developers interested in acquiring property in this area, but they won't commit until there is access to the property. There are safety concerns to be considered; there is no sidewalk and there is a very deep ditch along the road. Mr. Nasburg suggested the Council keep the master plan, but proceed in interim steps. Councilor Benetti agreed with the Newmark improvements, but wanted developers to partner with the City. Mr. Nasburg commented the developers won't commit until they can see an access. Mayor Verger commented the city manager is recommending an engineer study the area to find the best access plan for the area. Councilor McKeown suggested the matter be discussed with the developer.

Councilor Spangler moved to make Newmark Avenue three lanes from the Y, using ODOT exchange funds. Councilor Miller seconded the motion. Councilor Benetti commented there shouldn't be an open dollar amount for the project and Council should review the project. Councilor Spangler reported it would give staff authority to move forward on Newmark. Councilor Weeks suggested approaching the College to partner with the improvements and supported waiting for interest money to fund the project. Councilor McKeown stated he would like to fix Newmark, but there isn't enough specific information at this time to move forward with the project. He would like to explore alternatives and have a cost estimate before proceeding. Councilor Spangler commented a cost cannot be estimated until the Council decides what improvements they would like to make. He suggested using the interest from the ODOT funds and apply for grants to do the project. Councilor Stufflebean suggested beginning with adding sidewalks, but did not support moving forward with the project until more information is presented. Mayor Verger commented Councilor Spangler is looking for the Council to agree that they want to do the Newmark improvements and have staff present cost estimates for the project. Mr. Grile commented the improvements the Council is discussing is the reason the City needs to have a study and plan. Councilor McKeown recommended meeting with the developers about forming a partnership for the improvements. Councilor Spangler amended his motion to include the establishment of a partnership with the developers and Councilor Miller amended her second to the motion. The motion failed with Mayor Verger and Councilors Benetti, McKeown, Miller, Stufflebean, and Weeks voting no; and Councilor Spangler voting yes.

Enactment of Ordinance Amending Ordinance No. 239 the City's Building Codes Ordinance

Councilor Stufflebean moved to enact Ordinance No. 291 and Councilor Weeks seconded the motion. Deputy Recorder Joyce Jansen read the ordinance by title only and the Council was polled with the following results:

Voting aye:	Mayor Verger and Councilors Benetti, McKeown, Miller, Spangler, Stufflebean, and Weeks
Voting no:	None
Absent:	None

Award of Contract for Empire Boat Ramp Boarding Floats

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City Manager Bill Grile reported the State Marine Board will provide \$54,000 grant to replace the floats at the Empire boat ramp and the City will provide a \$6,000 match. Councilor Miller moved to award the contract to Empire Wood Products in the amount of \$44,040. Councilor Spangler seconded the motion which passed with the Mayor and all Councilors present voting aye.

Public Comments

Julia Spangler, Empire Community Association, expressed support for making improvements to Newmark Avenue, and requested funds for flowers and paint for the sign posts in the Empire district. Mayor Verger thanked the Empire Association for participating in the Downtown Alive! event last Saturday. Councilor McKeown commented a lot of good suggestions are received from the Empire Community Association.

Tia Moe, Outdoor In, introduced her business to the City Council which is located on South 4th Street. The Outdoor In has a restaurant/deli and an indoor playground for children.

City Manager's Report

City Manager Bill Grile reported his office would be sending letters out to potential subscribers to the government channel within the next few weeks. The City is offering to run programs for other entities at no cost through June 30th. Mr. Grile commended the City's streets and parks personnel for their good work.

Mayor and Council Comments

Councilor Weeks complimented the Downtown Association for a successful Downtown Alive! event last Saturday.

Councilor Spangler reported he would be attending a meeting in Bend on Friday regarding fiber optics.

Councilor Miller reported there was a good turn out for the last Fun Festival committee meeting and encouraged anyone interested in participating to attend the next meeting on April 26th at 5:30 p.m. in the Port conference room.

Councilor McKeown reported the South Coast Development Council met last week and encouraged interested citizens to attend the meetings. NorthWest Natural Gas brought their top executives to the Bay Area to familiarize them with the area and they presented South Coast Development Council with a check for \$10,000. Councilor McKeown commented the welcome sign at north Hwy 101 looks too small and requested staff look into getting a larger sign.

Mayor Verger congratulated Councilor McKeown on his appointment as Chair for the South Coast Development Council and commended him for his dedication to improving economic development opportunities for the area. Mayor Verger commented flowers have an impact in the City, and reminded Councilors of the luncheon on April 26th at Madison School. Mayor Verger reported three applications have been received for the appointment to the Building Code Board of Appeals. The ordinance establishes the Board membership at five and Mayor Verger suggested the Council consider amending the ordinance to three members. Consensus of the Council to amend the ordinance.

Mayor Verger continued the meeting to a time certain to allow the Urban Renewal Agency to meet prior to the Council moving into an executive session.

Executive Session

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The City Council met in executive session pursuant to ORS 192.660 (1) (e) for the purpose of discussion real property transactions.

The Council reconvened into regular session.

Adjournment

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