

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

July 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 Joe Benetti, Jeff McKeown, Cindi Miller, Kevin Stufflebean, and Judy Weeks. Councilor Don Spangler was out of town and City Manager Bill Grile was attending a conference. City staff present were Deputy Recorder Joyce Jansen, City Attorney Randall Tosh, Community Services Director Bill Finney, Police Chief Chuck Knight, and Fire Chief Stan Gibson

WORK SESSION

Mayor Verger reviewed the consent calendar. City Attorney Randall Tosh noted the charter amendment is not a simple issue and required some thought and research on the part of the bond counsel Harvey Rogers. Mayor Verger reported reports from Downtown Association Board Member Rondi Potter and Police Chief Chuck Knight were on the agenda. Councilor Cindi Miller reported the Parking Committee has expressed concern about availability of customer parking in the Jennie's lot. Mayor Verger commented it is difficult to have many different regulations on parking and it hasn't worked in the past. Councilor Miller commented it appears employees are taking parking away from customers. Mr. Tosh reported in order to transfer city-owned property located on Anderson Avenue to the Housing Authority, the City Council is required to declare the property surplus, and he recommended the deed include a restriction requiring the property be used for a public purpose.

Mayor Verger noted a request for a turn lane on Ocean Boulevard is on the agenda and Mr. Len Lutrell is the spokesperson for the group making the request. Mayor Verger requested that for the street overlay project, the streets identified by the Blue Ribbon Committee be included in the report. Mr. Tosh reported skateboarders have been using the Mingus Park stage and two ordinances addressing this problem are before the Council. Mayor Verger commented that with many areas off-limits to skateboarders, the City needs to make sure there is a place for the activity.

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 approval of a special events permit for the Downtown Association and adoption of Resolution 00-30 authorizing refunding of sewer bonds. Councilor Weeks moved to approve the consent calendar as presented. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

City Council Minutes – July 18, 2000

Downtown Association Report by Rondi Potter

Rondi Potter, Downtown Association Board Member, thanked everyone who participated in the first downtown Farmer's Market last week. There was a good response to the market which gives local farmers an opportunity to sell their produce. Ms. Potter reported that past-president Ken Larson has moved from the area, and she introduced Jay Noggle as the current president of the Association. Mr. Noggle expressed appreciation for the opportunity to serve the community and reported that a lot of exciting activities are planned for the downtown area.

Department Head report by Chief Chuck Knight

Chief Knight reported over 80 children have gone through the Safety Town program this summer which is in its final week. An evacuation drill of city hall was held last week and was completed within ten minutes. Chief Knight issued the oath of office and badges to Lance Porter and Shawn Merritt. Officer Porter graduated from Bandon High School with honors and has attended criminal justice classes at SWOCC. Officer Merritt graduated from North Bend High School, has an Associates Degree in criminal justice from SWOCC, and was a DARE volunteer for three years.

Review of Parking Lots – Parking Committee Recommendation

Mark Daily, Parking Committee Chair, reported the focus of the committee is consideration for retail customers and it is their recommendation that Lots B and C be designated two-hour parking with a portion of Lot C as permit parking for employees. The committee also requests the City look at vacant lots for development as parking lots. Councilor Benetti asked if the Parking Committee used the surveys performed by Parking Control Officer Jim Rowe. Mr. Daily commented the committee is familiar with the surveys, however, everyone understood the current parking system was on a trial basis and would be reviewed after the holiday season. Mayor Verger suggested Chief Knight review the surveys at the next meeting and Councilor McKeown recommended the Parking Committee attend the review. Mr. Daily reported the committee will be meeting once a month to review downtown parking. A work session to review the surveys and downtown parking was set for 6:30 p.m. August 1st.

Presentation on Anderson Avenue Housing Project

Judith St. Clair, Executive Director of Community Action, introduced Paul Colbert, Coos Curry Housing Authority director, and reported the two agencies are partners in the proposed Anderson Avenue housing project. Mr. Colbert reported the National League of Cities began a community discussion in 1998 about housing in the Bay Area and found a variety of housing issues including a lack of affordable housing for people with developmental disabilities. The project would provide housing to meet their needs and would be located near public services. Mr. Colbert explained their request is for the City to transfer Anderson Avenue property to the Housing Authority for the purpose of building an apartment complex. The apartments would be located next to the Park West Apartments and would have eight units with one unit for a residence manager. The project would be funded with grants and a partnership with Star of Hope, Mental Health Department, and parents. Mayor Verger commented the location is good and pointed out that this is a population that needs to be protected. Councilor Weeks inquired if the property is located close to the flood plain and Mr. Colbert reported the project cannot be built in a flood plain because it will be built using federal and state funds. Councilor Miller inquired if the City can give the property away and City Attorney Randall Tosh explained the Council can make a determination that the property is not needed for public use and

City Council Minutes – July 18, 2000

transfer the property to the Housing Authority with a deed requirement that it be maintained for public purpose. Councilor McKeown inquired about the likelihood of receiving grants for the project and Mr. Colbert reported he has been working with state representatives for two years, the environmental report has been completed, and the small size of the complex will not greatly impact local rental properties. Councilor Stuffelebean commented a lot of work has gone into the project and moved to direct staff to transfer the property to the housing authority with a deed restriction that it be maintained for public purpose. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

Ocean Boulevard Turn Lane Request by Shorepines

Community Services Director Bill Finney reported a request has been received from the Shorepines Residents Association regarding improving the entrance to Shorepines on Ocean Boulevard. Staff has prepared a preliminary plan for a turn lane with an estimated cost of \$87,000. Funding has not been placed in the budget for this project and it is staff's recommendation that if the project is approved by the City Council, that it be a public/private partnership.

Len Luttrell reported the property owner has removed some the landscaping that hindered sight at the entrance onto Ocean Boulevard. Mr. Luttrell commented there are 235 homes in the park and most are occupied by senior citizens. The area also has high traffic from surrounding businesses including the Texaco gas station, the Coast Guard Exchange, Ferguson Transfer, an animal hospital and a beauty shop. The speed is posted at 40 mph on Ocean Boulevard and the Association is requesting it be reduced. Mr. Luttrell requested the City use ODOT funds to pay for a traffic study and referred to the Bay Area Transportation Study done by the State in which the No. 5 recommendation was that Ocean Boulevard have turnouts are required. Mr. Luttrell reported the Association was not interested in a partnership with the City.

Mayor Verger inquired what speed the Association recommended for Ocean Boulevard and Mr. Luttrell responded 25 mph beginning at Dunn Street up to Radar Road. Councilor McKeown commented entering Shorepines is dangerous and supported the turn lane concept, with the property owner sharing the cost in construction of the lane. Councilor Miller commented the entryway is currently being redone and inquired why the reconstruction was underway before the access problem was resolved. Mr. Luttrell reported the property owner was unaware of the petition and removal of the wooden pillars has helped with visibility. Mr. Ed McDaniel, manager at Shorepines, reported the wall has been constructed in excess of the 12' variance and if the turn lane were constructed, it would not affect the wall. Mr. McDaniel commented there is a stop light located at the entrance of K-Mart and suggested a light be considered as an alternative. Mayor Verger recommended looking into the possibility of changing the speed limit on Ocean Boulevard. Councilor Weeks concurred with the Mayor and requested staff contact other property owners about forming an LID if the speed limit does not happen. Councilor Benetti inquired if the LID must be initiated by the property owners and City Attorney Tosh reported the Council can initiate or 2/3 of the property owners can initiate an LID. Consensus of the Council to look into lowering the speed limit before pursuing an LID.

Award of Professional Services Contract for the FY 2000-2001 Wastewater Construction Projects

Community Services Director Bill Finney reported at the June 20th meeting the City Council approved a list of wastewater improvement projects and authorized staff to proceed with the bid process for professional services contract. Four bids were received; Koos Engineering/Dado Surveying for \$3,360, Stuntzner Engineering for \$6,600, HGE, Incorporated for \$10,700, and IDEA Engineering for \$11,500. Firms were asked to submit a lump sum, not-to-exceed figure together with estimated hours of inspection and hourly rate schedule. Councilor Benetti inquired about the 50 percent inspection time in Koos Engineering's bid and Mr.

City Council Minutes – July 18, 2000

Finney explained 100 percent represented an engineer on-site all the time and that is not necessary for this type of project. Koos Engineering's bid did not include a charge for review of the City's specification package or presiding over the preconstruction meeting because these services are provided free of charge. If unforeseen circumstances require more hours for inspection, the City will be charged at \$60 per hour. Councilor Stuffelbean moved to award the professional services contract to Koos Engineering/Dado Surveying in the amount of \$3,360. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

Award of Bid for Street Overlay Projects

Community Services Director Bill Finney reported \$300,000 had been budgeted for street maintenance and at the June 20th meeting the City Council approved the street overlay projects. The streets approved for the project include those streets recommended by the Blue Ribbon Committee for repairs. Mr. Finney reported bids were received from Johnson Rock Products for \$328,577.01 and Bracelin and Yeager for \$389,219.06. Both bids exceed the budgeted amount. Mr. Finney explained the City Council has the option of negotiating with the low bidder, removing of one or more streets, or using Urban Renewal funds to pay the overage. Staff's recommendation to the Council is to direct staff to negotiate with the low bidder. Councilor Weeks asked if staff could help prep the streets to bring the cost down and Mr. Finney responded none of the projects were ever intended to be done by city staff. Councilor Benetti commented the city has a crew of six and recalled that during the budget process it was stated if the city did not budget for a paver, some of the staff would be laid off. Mr. Finney reported if staff were used, they would be pulled off of their regular work and it would take the full crew to do the dig-out for the project. Mayor Verger supported using the city crew for the dig-out portion of the contract and noted this would save \$64,000. City Attorney Randall Tosh commented negotiating the dig-out does not fall within the rules of contract negotiation because it would be a substantial change in the project. Councilor McKeown commented the dig-out and fabric are an expensive portion of the bid and the City is getting a "Cadillac" project without paying for one; dig-outs are expensive and require a certain expertise. Councilor McKeown further stated the project is a good value for the money and suggested using Urban Renewal funds to make up the difference.

Councilor Miller moved to accept the low bid of \$328,577.01 and include option No. 4 using funds from the Coos Bay Urban Renewal Agency, Empire Capital Projects Fund to overlay the streets in the Empire Urban Renewal District boundary, the two blocks in the Empire Urban Renewal District to be overlaid are Cammann Street from Newmark Avenue to Michigan Avenue and Wall Street from Newmark Avenue to Schetter Avenue, and option No. 5 using Coos Bay Urban Renewal Agency, Downtown Capital Projects Fund to overlay Alder from Broadway to Bayshore Drive. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye. Councilor Stuffelbean commented the Urban Renewal Agency would need to authorize the funding.

Ordinance Nos. 295 and 296 – Mingus Park Stage and Skateboarding Ordinances

City Attorney Randall Tosh reported two ordinances have been prepared to address skateboarding issues within Mingus Park and the City. The first ordinance would amend Ordinance No. 228 making it a violation to use skateboards in areas that are posted against the use of skateboards and rollerskates. The second ordinance would amend Ordinance No. 224 prohibiting skateboarding and rollerskating on the Mingus Park stage. Mr. Tosh read Ordinance No. 295 to the assembly and Deputy Recorder Joyce Jansen polled the Council with the following results:

Voting aye: Mayor Verger and Councilors Benetti, McKeown, Miller, Stuffelbean and Weeks

City Council Minutes – July 18, 2000

Voting no: None
Absent: Councilor Spangler

Mr. Tosh read Ordinance No. 296 to the assembly and Ms. Jansen polled the Council with the following results:

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

Setting a Public Hearing for Vacation of the Alley Between Newmark Avenue and Schetter Avenue

Community Services Director Bill Finney reported a hearing before the Planning Commission is required to consider the vacation of an alley between Newmark Avenue and Schetter Avenue. Councilor Stufflebean moved to set the public hearing for September 12, 2000. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Public Comments

Frances Cooley, Coos Bay, expressed concern about the way flowers were removed from the planter boxes in the Empire District. Mrs. Cooley reported the community services director told her the plants would be planted in Mingus Park, however, she was concerned the plants had been discarded. Mr. Finney commented the project could have been better organized and every attempt was made to remove the plants so they would not be destroyed. The lighting must be set on a concrete base and conduit run to the light, which requires the plants be removed. Staff will be working with the contractor and will replant the flowers as the contractor completes the installation of the lights. Mr. Finney commented better notification of city projects will be given to the public in the future. He further explained notification had been given to the Empire Community Association regarding this project.

Mayor Verger inquired why the lights were not put in first and Mr. Finney reported they had not been a part of the original project and were added because of the lack of visibility of the bumpouts. Mayor Verger commented that this being the tourist season should have been considered before beginning the lighting project. Councilor Miller also commented on the timing and noted the project was being done during the Oregon Coast Music Festival which brings many visitors from around the state and country to the area. Councilor McKeown commented the City must be considerate of the citizens when doing all city projects.

Flora Lee Lockhart, Coos Bay, expressed appreciation for the cleanup of the downtown area and requested staff look at excess shrubbery at 4th and Commercial and at Curtis and Central. Mrs. Lockhart reported she has surveyed a number of sidewalks and there are many needing attention.

Mark Daily, Coos Bay, expressed concern about the cost to repair sidewalks and requested the City develop a program to help citizens pay for the repairs. He also commented on the lack of visibility at corners caused by shrubbery. Mayor Verger commented property owners are responsible for maintenance of their sidewalks as established by city ordinance, and property owners are also responsible for their shrubbery.

Carl Siminow, Coos Bay, expressed concern about the lack of signage from Highway 101 directing people to Shore Acres and suggested informational signage be placed on the boardwalk directing visitors to local places of interest. Councilor Benetti commented there would be more funds available for this type of advertising if there were a county-wide room tax.

Harold Folker, Coos Bay, expressed appreciation to the staff at Bay Area Hospital that helped him on June 24th.

City Council Minutes – July 18, 2000

City Attorney's Report

City Attorney Randall Tosh reported language for a charter amendment regarding the jurisdictional transfer will be coming to the City Council in the near future.

Mayor and Council Comments

Councilor Weeks congratulated the new police officers; expressed concern regarding partial showing of Council meetings on channel 14; and reported the ribbon cutting for the Menasha log was held this afternoon.

Councilor Miller commended Elizabeth Sullivan on the success of the Farmer's Market; reported she will be meeting with Bill Grile and Bill Finney regarding Albany's skateboard park for possible design for Coos Bay's park; and wished Mayor Verger happy birthday on the 19th.

Councilor Benetti reported he represented Mayor Verger at the Menasha log ribbon cutting which was attended by city staff, Menasha employees and Councilor Weeks.

Councilor Stufflebean reported 40 teams attended last week's swim meet and although a portion of the music festival was held in the park at the same time, everything went very well. He commended staff on a great job of making both facilities ready for the events.

Councilor McKeown commented the swim meet brought 270 kids and their family members to the area; the new pool facility and stage were a big hit; and it's a positive thing for to have so much happening happing in our community.

Mayor Verger apologized for missing the Menasha log ribbon cutting; reported work began today on refinishing the upper Mingus tennis courts; and expressed surprise at having the Mingus Park stage dedicated to her on Saturday. Senator Wyden will hold a town hall meeting in Coos Bay on August 9th.

Adjournment

There being no further business to come before the Council, Mayor Verger adjourned the meeting to July 24, 2000 at 7 p.m. in the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians at the Tribal Hall located at 338 Wallace Avenue, Coos Bay.

ATTEST:

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

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