

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

**September 19, 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 and Councilors Joe Benetti, Jeff McKeown, Cindi Miller, Don Spangler, Kevin Stufflebean, and Judy Weeks. City staff present were City Manager Bill Grile, City Attorney Randall Tosh, Clerical Assistant Stacey Babb, Fire Chief Stan Gibson, and Police Capt. Eura Washburn.

### **WORK SESSION**

Mayor Verger reviewed the consent calendar and no changes were made. Mayor Verger commented a report on violent video games will be given by Danielle Schimotakahara and she noted the national news had a report about the ordinance enacted by Indianapolis. Reports will also be given by Gary Young of OMI, Beve Saukko of the Tourism Promotion Committee, and Police Capt. Eura Washburn.

City Manager Bill Grile reported there has been some discussion on whether additional parking lots are needed on the north side of the downtown area. The Parking Control Officer has completed a survey of on-street parking and it appears there is sufficient on-street parking in the area north of the downtown core. Mayor Verger noted there have been comments on whether there is a need for a Parking Committee at this time as the parking system seems to be working well. Councilor Spangler inquired whether the Council can take away parking from businesses who paid into the parking district in downtown area. He noted the City is making plans to take away some of the parking. Mr. Grile reported the district was formed in the early 1970s and urban renewal and community block grant monies were used to develop the lots. Any projects being considered, such as the historical museum, would have to be done in such a way as to not lose parking. Mayor Verger commented the museum location was first designated for the space occupied by the Chamber and in the last presentation, other locations were discussed. Councilor Stufflebean commented a number of parking spaces have been added to downtown when Central Avenue was opened up from being a pedestrian mall to a street and these spaces were not originally considered in the parking district. Councilor McKeown stated he agreed with Councilor Spangler in theory and asked if the Council needs to address the parking district issue. City Attorney Tosh commented he has been monitoring this issue and will do research on the matter for the Council.

Mayor Verger reported the report on city-owned sidewalks will be given to the Council with a request for authorization to proceed. Mr. Grile reported funds budgeted for maintenance of the City's infrastructure and a request for bids for wastewater rehabilitation projects was let with a low bid received from JBS Construction. Mr. Grile reported staff would like to do additional research before proceeding with the North Front Street paving project. Staff has secured in writing that the City is not in jeopardy of losing the year-one exchange funding of \$73,000 and ODOT has confirmed that if the Council chose to put the money somewhere else, ODOT would give careful consideration to the request. Mr. Grile noted, however, that ODOT has not stated the City can move the money and confirmed the money must be spent by 2002.

He explained staff's recommendation to award the contract and proceed with paving is based on the

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assumption the Council is committed to implementing the Front Street Master Plan and there are good indications the City has the ability to secure repayment of the funds through Union Pacific. Councilor Spangler commented it is good to have the option of moving the money to repair other streets and to also have time to negotiate with the railroad before proceeding with the repairs. Councilor McKeown asked if the project must be pre-approved before the City can move the money and Mr. Grile stated he believed that is the case. Mayor Verger commented parts of Front Street are the worst in the city and although the decision doesn't have to be made soon, ODOT has only said they will consider the request to move the money to another project. She recommended if the City can reach an agreement with the railroad, then the City should proceed with repairs to Front Street. Councilor Spangler noted the 1976 agreement provided for the railroad to maintain the street between the tracks and now 24 years later we are proposing to use taxpayer's money for maintaining this area. Mr. Grile reported in research on the railroad, staff was surprised to learn there is not currently a franchise with the railroad and there would seem to be some legal ramifications. Mr. Grile commended Allan Rumbaugh for his help in working with the railroad.

### **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 the meeting minutes from July 18, 2000, adoption of Resolution 00-32 regarding the abatement of a manufactured dwelling located in space No. 6 at 1432 Newmark Avenue, and adoption of Resolution 00-33 regarding abatement of manufactured dwellings located in space Nos. 1, 8 and 9 at 1432 Newmark Avenue. Councilor Stuffelbean moved to approve the consent calendar as presented. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

#### **Report on Violent Video Games by Danielle Shimotakahara**

Danielle Shimotakahara reported she has been working on the no violence project for the past year and a-half and a lot of good things have happened including a donation of \$25,000 in clothing and books for children in Coos County. The City Council adopted Resolution 99-18 on June 15, 1999 which states the Coos Bay City Council supports legislation that restricts access by minors to coin operated violent video game machines. Ms. Shimotakahara reported receiving many calls and letters from parents who are now paying more attention to the games their children are playing and she requested the City Council consider passing an ordinance to keep violent games out of Coos Bay. The only city in the United States that has adopted such an ordinance is Indianapolis, Indiana which was adopted September 1<sup>st</sup> by a unanimous vote. Ms. Shimotakahara explained the ordinance would require parents to be responsible for whether their children play violent video games and would require businesses to label all games that contain graphic violent or strong sexual content. Ms. Shimotakahara commented businesses could still have the machines, and the best thing is that small children would not see the violent games.

Mayor Verger expressed the appreciation of the City Council for the work Danielle has done on this issue. Councilor Spangler asked how many businesses in Coos Bay currently have these types of games and Ms. Shimotakahara reported there are two businesses who have the violent games. Councilor Spangler encouraged Ms. Shimotakahara to also go before the County Commissioners with the ordinance. Councilor

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McKeown commented it is sometimes difficult to be the first and he would support looking at this type of ordinance. Mayor Verger commented it is staff's recommendation to refer this matter to the city attorney for an opinion.

### **Presentation of the OMI Rebate Check and Annual Report by Gary Young**

Gary Young of OMI reported a good partnership has been formed between the City and OMI and it has been a pleasure working with the City. Mr. Young thanked OMI and City staff for their support and good work. Mr. Young commended the City Council for investing in improving the infrastructure of Coos Bay and commented the investment would reap economic development benefits for years to come. He reported OMI has applied for a national EPA award for Plant II which is an accomplishment because to qualify the plant must have no violations. Mr. Young distributed copies of the annual report which included OMI's community involvement with the STEP program, beach cleanup, adopt a highway, and backpack program, as well as the annual appreciation BBQ for staff. Mr. Young presented a check to Mayor Verger in the amount of \$29,998.46, and noted this is the fourth rebate check for a total of \$113,000.

### **Report from the Tourism and Promotions Committee by Beve Saukko**

Beve Saukko reported the tall ship American Pride will be coming to port in 2001, the weather cam will be located in Glascoe and will show pictures of the bay and McCollough Bridge, and the coupon books have been very successful. Arrangements are being made for the Rotary convention in 2002; the Oregon Federation of Garden Clubs convention will be held in June of next year, and Beta Sigma Phi has tentatively booked for 2002. Ms. Saukko reported Ann Johnson has been hired to create a website for Tourism and Promotions which will also have a number of links to other sites. Ms. Saukko encouraged everyone to attend the annual Chamber banquet in January and noted the theme will be Mardi Gras.

### **Department Head Report by Capt. Eura Washburn**

Capt. Washburn distributed copies of the new organizational chart for the Police Department and explained the duties of the Police Captain, the structure of the platoons, School Resource Program, Investigations Division, Reserve Program, and Career Standards and Development. The department has formed several work groups including Field Training Officer and Electronic Technology. The support division includes a supervisor, an information systems position, records division, dispatch 911 center, a number of volunteers, police chaplains, and evidence custodian.

Mayor Verger commented Capt. Washburn is an asset to the department because of her basic understanding of the department and the City will benefit from her leadership. Councilor McKeown asked if the restructuring of the department had been a dramatic change. Capt. Washburn explained the chart shows graphically how the relationships work within the department and no more people were hired or new positions created. Councilor McKeown commented the chart was very helpful in understanding the organization of the department.

Councilor Spangler asked why Coos Bay police would be involved in the Charleston School. Capt. Washburn explained it is part of the DARE program and Charleston is within School District 9 boundaries. Councilor Spangler asked the department does not investigate non-injury hit and run accidents. Capt. Washburn explained it depends on the extent of the property damage and where there are no witnesses and no evidence, there isn't anything the department can do. Councilor Spangler suggested the policy be reviewed. Councilor Spangler asked what percentage of the sergeant's time is used for computer work rather than police work. Capt. Washburn said information and communication is police work and is 50 percent of

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his time. Councilor Spangler explained during the budget process it was explained that this highly trained officer was doing computer work for the whole city. Capt. Washburn reported he only works on the Police Department's system. City Manager Bill Grile commented Sgt. Hedgepeth has never spent a significant amount of time outside the Police Department on computer work and the City has turned to outside contractors to fill those needs in other departments.

### **Review of the Downtown Parking System**

City Manager Bill Grile reported staff's sense is that complaints about downtown parking is the least amount they have ever been. Mayor Verger asked for a consensus of the Council that the parking regulations should stay as they are for the time being unless something new comes up. Councilor McKeown commented the current system seems to be working and until there are complaints it wouldn't seem necessary to change.

Mark Dailey, Chair of the Parking Committee, reported the committee is in the process of gathering information on the parking system as a whole and some members of the committee believe there is a problem. Mayor Verger commented recent surveys have indicated there is parking available; however, the committee could continue to monitor the parking. The Council is always interested helping businesses and perhaps a survey to find ways to do things better could be done. Mayor Verger noted this type of survey would fall under the purpose of the Downtown Association rather than the Parking Committee. Councilor Spangler commented addressing the needs of retailers and customers would be a good project for a committee of the Downtown Association.

### **Presentation of the Sidewalk Survey Report and Authorization to Proceed**

City Manager Bill Grile reported the issue of the repair of city sidewalks was brought before the Council on April 18, 2000. Staff conducted a survey of all sidewalks abutting city owned property and it is estimated that it will cost \$20,000 to make the repairs with funding to come from the Repair and Replacement Reserve Fund. Councilor Spangler moved to proceed with the repairs using funds from the Repair and Replacement Reserve Fund. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

### **Award of Contract for Wastewater Rehabilitation 2000 Projects**

City Manager Bill Grile reported wastewater line repairs were prioritized and presented to the Council at their June 20<sup>th</sup> meeting. Placement on the list was based on findings from recent television reports, visible sink holes, and potential liability risk factors. Bids were received from JBS Construction for \$153,776, Johnson Rock Products for \$160,175.16, and Laskey-Clifton Corp. for \$178,058.34. Councilor Weeks moved to award the contract to JBS Construction in the amount of \$153,776. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye.

### **Award of Bid for the North Front Street Paving Project**

City Manager Bill Grile reported the city attorney will be researching what legal rights the railroad and the city have in the Front Street area and reminded the Council that the ODOT funds need to be spent by 2002. He suggested reviewing other streets in the area for consideration of improvement. Mayor Verger reported there is a Front Street Master Plan and expressed the importance of establishing the railroad's responsibility in this matter. There is a possibility the ODOT funds could be spent on other projects. City

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Attorney Randall Tosh reported there is a possibility that ODOT may kick in funds to do the improvements. Councilor McKeown recommended more information be brought to the Council before a decision is made. Councilor Stufflebean stated the City should have a guarantee from the railroad that they will fund the improvements before the City proceeds with the paving project. Consensus of the Council to support the project and proceed only if the railroad contributes to the improvements.

### **Public Comments**

Julia Spangler, Coos Bay, expressed concern about the length of time it has taken the Planning Commission to develop the urban renewal design standards and asked if the Council could do anything to speed up the process. Councilor Spangler commented the Planning Commission has indicated they do not like the projects and he believes they are specifically stalling to kill the project. Mark Dailey reported he is new to the Planning Commission and at a work session earlier this evening they essentially wrapped up the process. The Commission had a large project on Ocean Boulevard that took more time than expected to review and they felt it was important to devote adequate time to do a good job for the Empire Area.

Ralph Larson, Coos Bay, expressed concern there is not adequate lighting along Bayshore. He commented there are a number of restaurants in this area and inadequate lighting creates a tripping hazard. Jack Willskey, Coos Bay, complimented the City on the paving in Eastside and expressed support for the Front Street improvements, but not for doing the railroad's work.

### **City Attorney's Report**

City Attorney Randall Tosh reported the Firefighter's Association has filed a brief and he is confident the City will win the case.

### **City Manager's Report**

City Manager Bill Grile reported a town hall meeting on the Newmark Improvement project has been scheduled for next Monday at 7 p.m. at the Southwestern College campus. The Port of Coos Bay has requested City staff work with them on exploring whether City property could be used as a mitigation site to aid the Port and the City of North Bend. Mr. Grile commented there are a number of things to be considered before granting the use of City property and at this time he wanted to let the Council know that discussions were being held. Mayor Verger commented the Port requires approximately 30 acres for mitigation and Councilor Spangler recommended caution be used when considering giving away city property. Councilor McKeown noted that the airport is an important asset to the whole community.

Mr. Grile reported Sause Bros. has expressed concern about the proposed location of the boardwalk restrooms and he will be meeting with them in the near future to discuss the matter. Mayor Verger suggested developing the restrooms at the Chamber building for outside access by the public. Councilor Benetti commented the intent of the Chamber restrooms was that they would be available to the public and there will be maintenance issues with any restrooms.

### **Mayor and Council Comments**

**Councilor McKeown** commented it was good to have the street overlays completed. The South Coast Development Council will be selecting a recruiter/director in the near future, and SCDC recently received a check from the State of Oregon, presented by Governor Kitzhaber for \$100,000.

**Councilor Benetti** suggested using the lights taken from Broadway for installation on Bayshore; and

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commented the pictures from the weather cam should help generate interest in the area. The Planning Commission has been very good commission to the Council and he believes there has been no intent to stall the development of the design standards for the Empire Urban Renewal District.

**Councilor Miller** asked Jay Noggle, Downtown Association President, to report on information provided by the Chamber of Commerce office. Mr. Noggle reported the Chamber keeps statistics on people coming into downtown and Wednesday's stats show the highest attendance in downtown due to the Farmer's Market. Councilor Spangler noted he has received complaints about competition with downtown businesses. Mr. Noggle said craft vendors have been there from day one and do limit the number of craft vendors involved. Councilor Miller reported she has talked with downtown merchants and the Downtown Association and they have been thrilled with the Farmer's Market, and most vendors are selling items not sold in downtown businesses. The Market has been very positive for the downtown area.

**Councilor Spangler** reported four companies have been ranked for consideration by the Fiber Optics Consortium which will next meet in Eugene to hold the interviews.

**Councilor Weeks** reported the Fun Festival attendance was very good and there were over 70 entries in the parade. She commended Capt. Washburn for her work.

**Mayor Verger** complimented Councilor Weeks for the organizing the Fun Festival parade and Cruz the Coos event, and thanked OMI for the refund check to the City.

### **Adjournment**

There being no further business to come before the Council, Mayor Verger adjourned the meeting to October 3, 2000 at 7 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