

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

November 21, 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 Joe Benetti and Councilors Anna Marie Larson, Jeff McKeown, Cindi Miller, Kevin Stufflebean, and Judy Weeks. Councilor Don Spangler was absent. City staff present were Acting City Manager Joyce Jansen, City Attorney Randall Tosh, Clerical Assistant Stacey Babb, Fire Chief Stan Gibson, and Police Chief Chuck Knight.

WORK SESSION

Mayor Benetti commented the first items on the agenda were an update on the historical museum project by Steve Grief and Steve Clay and a request to approve painting a mural on the boardwalk aquarium. Acting City Manager Jansen reported the cost of the logo should be \$1350 rather than \$2000 as noted in the report. Mayor Benetti noted it is the city manager's recommendation to paint the aquarium to match the boardwalk and place the city logo next to the aquarium window. Councilor Larson commented the aquarium needs improvement and its location blocks the view of the Rendezvous. She stated a number of citizens have indicated they do not care for the aquarium. Councilor Miller noted the volunteers will be making improvements to the aquarium. Mayor Benetti stated the facility is temporary and the logo could be used in other areas. Mayor Benetti briefly reviewed the request to delete Task 5 Transportation Planning and Task 8 from the Periodic Review. City Attorney Tosh explained the Council had previously approved the proposed standards, but the task remained in the Periodic Review and the request tonight is to remove it from the review. Ms. Jansen explained the State has increased the placement permit fee for manufactured homes and the City would be required to pay the increase whether they adopted Resolution 00-35 or not. Ms. Jansen reported the Port of Coos Bay is requesting a letter of support from the Council for keeping the rail bridge open. Mayor Benetti reported review of placing property located at 1325 Neese into trust had been before the Council June 6, 2000 and the Council had submitted a letter in opposition to the proposal. Ms. Jansen reported the City received notice they may appeal the decision to place the land into trust and noted it is the city attorney's opinion to not proceed with the appeal. Councilor McKeown recommended not proceeding with the appeal due to the time and expense involved. Mayor Benetti noted the property in question is a single family dwelling and would be continued to be used as such.

Ms. Jansen reported the Needs and Issues Inventory is a resource for state and federal agencies to assist in developing projects and offering funding. Mayor Benetti stated the report from Brown and Caldwell on the use of City property in the Eastside area for mitigation for airport improvements has been received and it is not in the best interest of the City to sell the property. Ms. Jansen reported Port Manager Allan Rumbaugh notified the city manager's office the Port will be withdrawing their request to purchase the property and Mr. Rumbaugh will be coming to the meeting to thank the City Council for their consideration in this matter.

COUNCIL MEETING

Flag Salute

Mayor Benetti opened the meeting and invited Boy Scout Troop 151 to lead the salute to the flag.

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Issue of Oath of Office to Newly Elected Mayor and City Councilors

Deputy Recorder Joyce Jansen issued the oath of office to Mayor Benetti and Councilors Anna Marie Larson, Jeff McKeown and Judy Weeks, and presented Mayor Benetti with his gavel.

Presentation of an Appreciation Award to Out-going Mayor Joanne Verger

Mayor Benetti commended Joanne Verger for her dedication and leadership to the City of Coos Bay during her two years as City Councilor and eight years as Mayor, and commented it had been a privilege to serve with her, to learn from her example and to also be her friend. He stated she is the perfect choice as State Representative for the South Coast and presented Ms. Verger with a Myrtlewood plaque which included the gavel she used during her tenure as mayor. Ms. Verger commented this is time of year to take a moment to think about what we are thankful for and she is thankful for a family that has allowed her to be in public service, for the residents of Coos Bay and for the Councilors she has served with. Ms. Verger congratulated the newly elected Mayor and City Councilors.

Acting City Manager Jansen read a prepared message from City Manager Bill Grile giving recognition for Ms. Verger's exceptional and distinguished service to the people of our community and for setting the standard for public service. City Attorney Tosh, on behalf of the City department heads, expressed appreciation for Ms. Verger's efforts on behalf of the City and commitment to good government. In summation of his comments, Mr. Tosh stated Ms. Verger has demonstrated patriotism on a local level which de Troqueville, the great 19th century French observer of American society summed up as follows: "... there is another species of attachment to country . . . it springs from knowledge; it is nurtured by the laws; it grows by the exercise of civil rights; and, in the end, it is confounded with the personal interests of the citizen. A person comprehends the influence which the well being of his country has upon his own; he is aware that the laws permit him to contribute to that prosperity, and he labors to promote it, first because it benefits him, and secondly because it is his own work."

Consent Calendar

Mayor Benetti reported the consent calendar consisted of approval of an OLCC license for the El Sombrero Restaurant. Councilor Stufflebean moved to approve the consent calendar as presented. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Election of the Council President

Mayor Benetti nominated Councilor McKeown as Council President and suggested an unanimous vote for him. Councilor Miller seconded the nomination and the Council voted by ballot. Mayor Benetti announced the vote was unanimous and Councilor McKeown was elected as Council President.

Presentation of Appreciation Certificate to the Bay Area Optimist Club in Recognition of their work on the 10th Street Park

Mayor Benetti presented a framed certificate of appreciation for the work of the Bay Area Optimist Club on the 10th Street Park. Barbara Bernhisel accepted the award and commended Don Harms and Jim Johnson for their extra efforts in completing the improvements to the park.

Progress Report on the Historical Museum Project

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Steve Grief, Vice-President of the Historic Society Board, reported in January a museum facility agreement had been signed by the City and the Historic Society to site the museum on Highway 101. Section 1 of the agreement states the final location and actual dimensions of the facility shall be agreed upon at such time when the preliminary conceptual plans have been submitted for approval. Mr. Grief reported the plans would be presented to the City Council this evening and the board would be asking for a consensus from the Council that the direction the museum board is heading in is appropriate. If the Council agrees, an amendment to the lease agreement providing for the museum board not to take over the property until funds have been raised and construction begins. The Council's consensus tonight will also allow the architects to proceed with the plan and the museum board to begin the fundraising process. Mr. Grief noted the fundraising program is expected to continue over the next couple of years with final drawings, permits and approval in 2003, ground breaking in 2004, and completion expected in 2005.

Ann Collins, Coos County Historical Society board member reported two years ago a generous donation of close to a \$1 million was made to the Society for the purpose of building a new historical museum, with the stipulation that the facility be built on Highway 101 and within the City of Coos Bay. In January 2000 the Historical Society signed a lease with the City to build a new museum facility between Central and Commercial Avenues. The Historical Society hired Carolyn Shelton as museum project director in March 2000 and she organized a team of highly qualified consultants, a marketing feasibility was completed, a museum exhibits designer and writer was hired, and Dr. Stephen Dow Beckham was hired as consultant to oversee the story line and exhibits. The team interviewed people in the community to research development of a theme for the museum and the theme of Tidewater Highways was adopted. Ankron-Moison Associated Architects from Portland was hired to design the building and working with Ankron-Moison will be local architect Steve Clay and landscape architect Mike Vaughan.

Steve Clay distributed a handout of the museum design and reviewed the layout of the building for the assembly. The facility is planned to have two entrances to capture both north bound and south bound traffic. The ground floor will include a coffee/gift shop, tourist information center, restrooms, and exhibit areas. The exhibits are being designed to attract children, local people, and tourists. The second floor will be accessed by stairs and an elevator and will include a number of exhibits, a library/class room for the purpose of researching historical, genealogical and geographical information, a curatorial area with a viewing window for visitors to watch the process, staff office space for two to five people, and a glass area overlooking the bay. The total square footage of the building is 8,000 and the design allows for growth and changes in the facility.

Steve Clay reported in a two block area around the museum site there are 523 public parking spaces in the public lots and on the street. Private parking spaces numbered 132. Mr. Clay reported parking spaces affected by construction of the museum would total 33 and noted that during the summer months the Farmer's Market uses 46 parking spaces and was successful without complaints. Mr. Clay commented the optimal location for the museum is north of Central Avenue which would allow a clear view down Central to the bay. Councilor Stufflebean inquired if the museum is not located on Central as an anchor if that would defeat the purpose of the proposed 5th Street Plaza as an anchor. Mr. Clay responded the museum plaza is totally different and would not compete with the city hall plaza. The museum plaza area will also be used for outdoor exhibits. Mr. Clay noted the museum will also conduct people to the boardwalk and surrounding areas. He reported the museum board met with the Downtown Association and they support the location of the museum.

Councilor Larson asked how the City would accommodate shoppers for the parking spaces lost to the museum. Mr. Clay stated percentage wise, the museum would use a very small percentage of parking in the two block area. A plan to reorganize the parking from Commercial to Anderson and acquisition of the old Bickman building (Kaffe 101) could increase the number of parking spaces in this area. Councilor McKeown commented parking is an important consideration, but to have an adequate museum the City will need to give up some of the spaces. Councilor McKeown commented the museum will draw more people to downtown

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and the City can work on a parking solution. Councilor Miller indicated approval of the design concept and location and noted easier access to the parking on Second Street would help parking availability considerably.

Mayor Benetti noted the first agreement was for 7500 square feet and it is now up to 8000. Mr. Grief reported the whole complex is roughly 17,000 square feet which includes the outside plaza and display areas. Mayor Benetti inquired if the buffer zone could be made into parking and Mr. Grief noted it could be used for handicap parking and outside displays. Mayor Benetti commented the museum is a fantastic project and although parking needs must be kept in mind, the majority of the Council is in favor to proceed with the project. Councilor Weeks commented there is still the option of putting angled parking on Anderson Avenue as recommended in the Kittleson report. Mr. Grief commented the amendment to the museum facility agreement which will delay the Historical Society from taking over the property until they are ready for construction, will be on the Council's December 5th agenda for approval. Mr. Grief noted the historical society will continue to make progress reports to the Council and will bring the final plans to the Council for approval.

Approval to Proceed with Improvements to the Boardwalk Aquarium

Councilor Weeks suggested postponing a decision for making improvements to the aquarium and asked staff to research other designs for the aquarium. City Attorney Randall Tosh suggested involving one of the local tribes in the design and explained his design is a large box sitting on the dock in the year 1870 with large carved sculptures of bears on the corners. Mayor Benetti commented it would be more of an attraction and Councilor McKeown agreed with the idea of a Native American theme. Acting City Manager Jansen commented it would be consistent with the design of the kiosks on the boardwalk. Councilor Larson asked if the aquarium size would be increased and Mayor Benetti stated it would probably stay the same. Councilor McKeown noted all the materials and labor for the aquarium were donated.

Approval of Request to Delete Task 5 Transportation Planning and Task 8 Riparian Vegetation Protection from the Periodic Review Process

Mayor Benetti reported Task 8 had been before the Council previously and at that time the Council did not adopt the Planning Commission's recommendation. City Attorney Randall Tosh briefly explained the periodic review process and stated in order to eliminate Task 5, the Council would need to take action tonight. Councilor Weeks moved to eliminate Periodic Review Work Task 5 (Transportation) from the work program and proceed with Work Tasks 2 and 3. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye.

Adoption of Resolution 00-35 – Permit Fee Increase

Mayor Benetti reported the fee increase is a pass through from the State for manufactured dwelling placement permit and would increase the fee from \$259 to \$300. Councilor Stufflebean moved to adopt Resolution 00-35 establishing a schedule of permit fees to be collected by the City. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

Consideration of Request from International Port of Coos Bay for a Letter of Support for Keeping the Coos Bay Rail Bridge Open

Allan Rumbaugh, Port of Coos Bay Manager, explained the Port is requesting letters of support from businesses and cities for the rail bridge repair efforts. The Port has an award from the federal government

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for \$5.5 million and the State of Oregon is willing to go up to \$1 million from special public works funds. The State is requesting the Port submit letters of support from the community and local businesses. Mr. Rumbaugh reported the Port is not seeking financial assistance from the City or local taxpayers. Councilor Weeks moved to direct staff to prepare a letter supporting the Port of Coos Bay's efforts in keeping the rail bridge open and Councilor Miller seconded the motion.

Mayor Benetti expressed support of the Port for taking on the repair project. Councilor Larson asked if it wasn't too expensive to keep the rail bridge open for what it does. Mr. Rumbaugh reported the bridge provides access for the terminals here and to the nation's rail system. Roseburg Forest Products in Coquille employs 200 people and would divert products to other mills that have rail if this bridge is not kept open. Mr. Rumbaugh commented the cost for repairs will be done with grants and loans and will not cost taxpayers although there will be a small tariff for rail users which will be used to pay the loan. Other businesses such as Georgia Pacific also use the rail and for economic development purposes, rail is considered important for business retention. Councilor Larson suggested trucking be used instead of rail. Mr. Rumbaugh reported local industries have indicated it is too expensive to use trucking. Records indicate 3,000 cars are loaded south of the bridge and without the bridge there would not be enough business to keep the rail line open between North Bend and Eugene for the smaller businesses who rely on the rail line. Councilor McKeown commented the rail line is important for the jobs we have now and in the future there are some types of businesses that it is critical for them to have rail. Mr. Rumbaugh reported before taking on the repair project, the Port researched the businesses using the rail and found that it is very important to have the rail line open if they are to stay in business. Mayor Benetti called for the question and the motion passed with Mayor Benetti and all Councilors present voting aye.

Review of Trust Acquisition Approval of 1325 Neese Tract for the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians

Mayor Benetti reported the placing of 1325 Neese into trust for the Confederated Tribes had been before the Council previously and the Council had sent a letter protesting the trust. The City has now received notice that the trust may be appealed, however staff's recommendation is to not proceed with an appeal due to the cost. City Attorney Randall Tosh stated staff would be discussing with the Tribes about a service agreement to make up the loss of tax dollars. No action was required from the Council.

Ratification of the 2001 Needs and Issues Inventory Priority List for Submission to the Oregon Economic and Community Development Department

Councilor Stufflebean asked that the railroad museum be added to the inventory. Acting City Manager Jansen commented the inventory had already been submitted to meet the November 17th deadline, due to operating without a community services director, the inventory did not come before the Council prior to the deadline. Councilor Miller moved to ratify the 2001 needs and issues inventory priority list. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Report on Brown & Caldwell's Recommendation Regarding the Port of Coos Bay's Request to Use City Property for Mitigation for the Airport

Allan Rumbaugh thanked the City Council for considering city property located in the Eastside area for use in mitigation for the airport. After reviewing the Brown and Caldwell report, the Port of Coos Bay is withdrawing their request for the use of the property and Mr. Rumbaugh reported another parcel has been located for their use. Mayor Benetti commented the City Council supports cooperation with other entities and will continue to do so in the future.

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Public Comments

Gino Landrum, 155 South Broadway, his business address, commented he had lodged a complaint against the Farmer's Market about parking. He then inquired about Phase 2 and 3 of the boardwalk. Mayor Benetti commented the boardwalk construction included the phases the City hoped to accomplish, although there has been discussion to expand the boardwalk south. Mr. Landrum stated phase 2 was to be interpretive signs and a floating restaurant. Mayor Benetti said the options were discussed and not adopted, but were proposals for future development. Councilor McKeown said this has not come up in the four years he has been on the Council but it is possible to revisit the options. Mr. Landrum inquired if a public hearing would be held regarding the rail bridge repairs and Mayor Benetti commented the hearings would be done at the Port Commission level, although Mr. Landrum could also state his concerns at the Council level. Mr. Landrum indicated he wanted more facts and cost figures presented, and stated the rail company should be repairing the bridge. Mayor Benetti commented he was grateful the Port had taken on the repair project and had been able to secure state and federal dollars for the repairs. Councilor McKeown commented Mr. Landrum's questions should be directed to the Port and encouraged him to contact the Port and attend their meetings. Councilor Weeks commented the Port had the railroad bridge dumped in their lap and then proceeded to seek help from Congressman DeFazio to secure funding for the repairs. Councilor Weeks also noted if the Port had its meetings broadcast on Channel 14, the community would be better informed.

Ralph Larson, 7th Street, Coos Bay, asked if any of the companies using the rail line have signed a contract to use the line for a certain number of years or are we going to spend the money to fix the bridge and have them decide to truck instead. Mayor Benetti suggested the comments be taken to the Port and thanked Mr. Larson for his comments.

Sargent Webster, 1990 Lewis, North Bend, welcomed the new members of the City Council and expressed concern that the holes left in the Newmark sidewalk project were tripping hazards. He noted the holes were left for trees, but at this time are not covered or barricaded. Mr. Webster expressed concern about who would pay for removal of the rail bridge when the time came. Mike Gull reported the bridge will go back to Southern Pacific at that time.

City Attorney's Report

City Attorney Tosh reported he would be preparing an ordinance in compliance with the passage of Ballot Measure 7. Mayor Benetti noted the measure requires cities to have something in place by December 7, 2000 and the ordinance will come to the Council December 5th.

City Manager's Report

Acting City Manager Jansen reminded the public there are openings on the Budget Committee, Design Review Board, and Parks Commission and applications will be accepted through the 15th of December. A tentative date for a public hearing on the Empire Design Standards has been scheduled for January 2, 2001, the Chamber Economic Development Forum will be held December 15th and the City has received a \$500 donation for the Mingus Stage from a recent fund raiser arranged by Larry McCabe.

Mayor and Council Comments

Councilor Weeks congratulated Mayor Benetti and Councilors Larson and McKeown on being elected to the City Council, and commented damage was done to the Chamber parking lot recently when a tank trailer was parked in the lot. Acting City Manager Jansen reported the damage was minor and staff has taken pictures and will follow up on repairing the parking lot surface.

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Councilor Miller reported the Tree Lighting Ceremony will be held on November 24th and is cosponsored by the City and the Downtown Association. She also congratulated the Mayor and Councilors on being elected to the City Council.

Councilor Larson commented she is excited to be on the City Council and has been made to feel welcome.

Councilor Stufflebean reported he attended the League of Oregon Cities Conference and learned a great deal, and inquired on the status of the Mingus Park Lake situation. Mayor Benetti commented staff is still looking for a solution.

Councilor McKeown thanked Joanne Verger for her hard work on behalf of the City and welcomed the Mayor and new City Councilors.

Mayor Benetti welcomed the newly elected Councilors and thanked his wife in advance for her patience. Mayor Benetti suggested the Council review the council rules and goals for future discussion. He noted the Council may wish to set work sessions to review the goals and to discuss budget philosophies.

Executive Session

The City Council met in executive session pursuant to ORS 192.660 (1) (d) for the purpose of consulting with legal council regarding labor negotiations. The Council reconvened into regular session.

Adjournment

There being no further business to come before the Council, Mayor Benetti adjourned the meeting to December 5, 2000 at 7 p.m. in the Council Chambers of City Hall.

Joe Benetti
Mayor of the City of Coos Bay
Coos County, Oregon

ATTEST:

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