

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

January 2, 2002

The minutes of the proceedings of the regular meeting of the City Council of the City of Coos Bay, Coos County, Oregon, beginning with interviews for the Planning Commission at 6 p.m. in the Council Chambers and proceeding to the regular meeting at 7 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, Cindi Miller, Don Spangler and Judy Weeks. Councilor Stufflebean was absent due to illness. Councilor McKeown was absent. City staff present were City Manager Bill Grile, Deputy Recorder Joyce Jansen, City Attorney Randall Tosh, Community Services Director Shanda Shribbs, Fire Chief Stan Gibson, and Captain Eura Washburn.

Interviews

The City Council interviewed Edwin Lloyd Bell, Susan Spargo and Chris Hood for consideration for appointment to the Planning Commission.

Flag Salute

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

Consent Calendar

Mayor Benetti reviewed the consent calendar which consisted of approval of an OLCC license for the Outdoor In, approval of a proclamation for School Board Recognition Month, and adoption of Resolution 02-02 in support of the Oregon State Grange toll road proposal.

Spangler moved resolution 02-02 from the agenda, weeks second.

Councilor Weeks moved to remove the approval of the OLCC license from the consent calendar. Councilor seconded the motion which passed with the Mayor and all Councilors present voting aye.

3c – mission / appeal

approval of proclamation – cindi moved as amended, weeks second, all aye.

Department Heads Report by Library Director Carol Ventgen

Carol reported author's night program, book sale feb 2 and 3, mar 2 & 3, money used to sponsor author's night at the library which has been very successful. Feb 14 – Clemon Starke Oregon book award winner. Mar 24 Janet McClellan write mystery novels and has experience as law enforcement officer. Around the library in 80 begins feb 6th, feb 28 dr. Sues night at the library – mhs honor society will be reading

to the children.

Installation of new computer network, working on for two years, rec'd grants for some of the computers, will install local networks with other libraries and will link all together. Will upgrade the current coastline system, will include graphics. Will expand the use of the library computers, 434,000 total cost, 151,000 set aside for the project, also some funding from grants. Nancy price on staff planned and did the grant writing.

Res 02-02

Spangler requested discussion, the resolution he objects to. The toll road portion. Feels a toll road can work against the community, will be expensive to put the road in. the toll fee could be so much that it would keep people from coming to the coos bay area. He supports the further transportation, just not the toll road. Weeks agreed with don, suggested removing the word toll from the resolution. Grille said the resol was written to be general support. And he agreed with council regarding the toll. He suggested removing more than toll. Mayor suggested rewrite and bring back.

Olcc license – out door in

Weeks concerned that outdoor in was for children, why have an olcc license. Mayor commented is for a beer and wine license and has a deli. Cindi said parents must stay with children, not a drop off; and have expanded food line of the deli. Miller moved to approve the olcc licenses
Weeks seconded. All aye.

Appeal to plan comms decision

Grille reported an appeal has been rec'd regarding the spar for the mission for their new location in the mmennl and sherrill building. Grille had previously recommended the council avoid the appearance of a conflict or bias by having an appeal of the pc decision, to have a hearings officer hear the appeal and the officer can take additional testimony. The city would cover the cost of the expense of the hearings officer. His recommendation to direct city attorney to obtain the service of a hearings officer and the decision would be the city's final decision. Cindi asked if this is timely thing. Bill said 120 days from the date of application the appeal was received. Judy moved to direct city attorney; cindi second.

Don asked for explanation of selecting hearing officer. Bill said no formal process; contact a reputable attorney. Don asked if would be in local attorney. Bill said could be local or from out of the area. Don asked if hearings officer is final, can still be appealed. Bill said yes, they have 21 days to file with land use board of appeals. Joe asked if appellants would be comfortable with whom the city chooses. Bills said would be an attorney ... rt suggested an attorney with experience.

All aye.

Approval to Modify Truck Parking on South 4th Street from Kruse to Lockhart – Adoption of Resolution 02-01

Grille said truck parking on south end of town has been a concern for some time. address safety concerns – remove from 7th and put on 4th.

Shanda shribbs explained some trucks are parking on a 36 foot wide street, which is narrow. Normally a

street with parking is 42 feet. Also pushing into a residential area. 4th street is 44 foot wide, with no truck parking on either side at this time. staff recommendation to one side of 4th street to allow truck parking. There is industrial property in this area.

Joe 12' or each lane, 10' for parking, couldn't we have truck parking on only one side. Shanda said would still be a closed in feeling, allowing trucks on 7th is residential. Judy said has rec'd complaints about truck parking, a few years ago did have issue of truck parking on 7th. She commended staff for the proposed change, and she supports parking on one side on 4th. The traffic on 7th is heavy.

Don asked if truckers are objecting to moving the parking. Shanda stated have notified truck drivers about the change; the first would prefer to parking in front of his home, but ok with moving, although the other driver would prefer no change. Anna Marie inquired if accident information, shanda said didn't check.

Jeff Snodgrass, 1029 south 10th street, park truck in front of house because all other locations were eventually posted as no truck parking. Could park on 4th street, but no one to watch for vandalism; he suggested kruse street between 5th and 7th. Need to have trucks watched. cindi asked if parked on kruse, who would watch truck. Jeff said there are people who can see in that area. Joe asked one side or both sides of kruse.

Diane Hannah, 1041 south 7th, lived in area for a number of years; there are problems with high speed traffic on 7th, requested deterrent to speeding on this street, a number of small children live in this area. She commented police and fire vehicles use this street a lot and drive 60 70 mph. Problem on 4th street is a water problem, two tide gates in this area and at high tide there is a flooding problems. Would not be a good place to park heavy trucks, will cause problems to the pavement. Convenient to have her husbands truck parked in front of their home. but is not long term parking. Trucks are six feet wide, trailers, motor homes, etc are six feet wide. They are allowed to park in places where trucks cannot not.

Don asked if parking on kruse, would that meet truckers needs. Diane said it would if the water problem was taken care of.. anna marie stated do not see the problem with trucks parking on 7th.

Don moved eliminate parking on 7th street, permit parking on the north side of kruse between 5th and 7th.. Judy seconded. All aye; anna marie and cindi voted no.

Cindi suggested one side of 7th between kruse and Lockhart. Joe said east side of 7th for truck parking. Shanda asked to include passenger vehicles on both sides. Lou Leberti vend west, if open 7th down to lockhart, will block loading areas for trucks.

Shanda asked if on one side or both. Don said both as long as safe. Shanda reported could just on north side on kruse.

Authorization of Expenditure of Funds to Implement a Pavement Management System

Bill necessary to have good data on street conditions and h=would help with preparing budget. Shanda has discovered most of Oregon counties use a computer system to prioritize street needs, once an inventory has been done. The pavement management system would help staff in this area. Recommendation from staff to authorize purchase for the program, would use funds budgeted for pickup in community services.

Miller moved to proceed. Joe seconded.

Judy asked how tie in to capital improve plan. Bill commented data will be compared with current capital plan. Shanda said would inventory entire street network, street system is an asset and needs to be managed. Prevent maintenance helps them to last longer. Program will help in __ maintenance over a twenty year period. Bill said is a great thing for us to do; same idea of how OMI has been so successful with our wastewater treatment system. Don asked why can't use current computers. Bill said it is the software and application. Don said use existing computers and save money. Shanda said \$1008 is for the software. Need to have the streets looked at, not just the lists that we have, they are engineers with expertise in transportation matters.

City staff will be trained to use the system and will be networked.

Shanda reviewed here report – the program is widely used in Oregon and other states. Purchase the program EIS does the initial investigation to establish the city's data base. Will recommend maintenance methods for our streets. Will help determine maintenance priority of our streets, how much money we will need to do the work. Program will allow us to run dif maintenance options. Will have an annual report and staff can update as necessary.

Joe commented 10,000 from parks improvements funds, 3,000 from ____
He noted north bend has this program and is happy with results. County coordinates with assn of Oregon counties.

All aye.

Review of Distribution Costs for the Old Wireless Lane Local Improvements District and Enactment of an Ordinance Assessing Property Owners for the Costs of the LID

Bill said project funded in part by gratn form the state and part from city. Shanda reported one objection to the distribution because city pump station is on his property and would like this considered. If council choses to do would decrease \$172.90 and increase each other tax lots by 34.58.

A second objection – one lot is not developed at this time. don asked on pump station, has this been done before, does not come to the city to pay. Grille said don't recall if done before, city would have paid for the easement. Judy asked if objections from other property owners. Shanda said only one letter received from the Wrights.

** Karen – change in ordinance exhibit.

Bill said benefit on one piece, add 34.58 to the other parcel. Bill said reapportioning the cost to the other property owners. RT said reason have the LID, the property owners requested annexation, and needed to be part of the city's sewer system.

Duane Wright, old wireless lane, don't understand how can assess property when don't receive the improvements. Should not include in the assessment. Cannot be built on. Joe said city has one portion of the property and you have the other portion. Grille asked if that tax lot would quality for a building permit. Laura said yes, if in the flood plain, may be able to fill. Wright said the pubmp station was placed at this location, because it was the only plce that was not a house. Didn't' charge a fee to the city.

Judy said if nothing there, how figured. Bill said on sq footage. Rt said they participated in the formation

of the district. Rt explained options for figuring the LID assessment. For a sewer LID typically based on sq footage. Joe said city was approached to do the LID. Bill said ordinance provides that city can go ahead with an lid with the majority wanted.

Bill said question is for council to weigh the testimony heard. Wright stated with piece of property will not have a hookup, the pump station prohibits placing a house on the property. Bill said the lot is buildable. Joe said even without the pump station, he would still be assessed.

Don said it is buildable, and if ever built upon, should have paid the assessment, to be fair to others in the same area.

Rt suggested will bring back . miller moved to continue this ordinance for lid to next meeting. Judy second all aye.

Continuation of the Public Hearing Regarding the Request to Vacate a Portion of Myrtle Avenue and North 7th Street

Mayor expressed ex parte contacts, confederated tribe members, discussions centered on gaming and monies in lieu of taxes. Also discussion of agreement concerning safeway plaza property. He also discussed these issues with the city councilors. Feels he can be fair and impartial. Cindi miller declared with other councilors. Don also with council, and two phone calls objecting due to gambling; gambling not a reason to decline street vacation. Judy also declared. Anna marie also discussed with mayor.

Mayor explained continued hearing, but closed public comments at last meeting. Don said the project brought to council two years ago. Council indicated support for the project. Next time project came back when safewya plaza was being considered. Now at last meeting, received input frm commuity – other issues such as gambling, unfair competition. Property owners concerned about street vacation; what this issue is about is street vacation of two streets, one block on 7th street and a portion of Myrtle. Council hould only consider the street vacations.

Judy stated for the record, support the entertainment center, competition is good for us, however a bowling center at this time is not appropriate, concerned about street vacation for current businesses.

Anna marie support the project good economic development, and would attract people into town. Do not have a problem with vacating the streets. Taking property off the tax roll, do that when we purchase ura property.

Mayor commented on taking public coments at last meting. He does not spport the stret vacation and idrect the city attorney to prepare a final decision.

Miler second. All aye; anna marie opposed.

Don supported vacating a portion of myrtle and wouldnot affect access to property and businesses. Oppose 7th street only.

RT will have finaldecision at the jan 15th meeting.

Appointment to The Tree Board

Miller moved to waive application process and appoint George Weeks second. All aye.

Appointments to the Planning Commission

Mayor reported interviewed four applicants
Susan Spargo and Jeff Marineau vote.

Public Comments

Julia Spangler, Coos Bay, glad to hear the council reconsider the toll road project, she did check on the Daniel Boone toll road, built around 1974 – London to Hazard Kentucky, 63 miles. Large number of truck traffic, high accident and maintenance rate; so in 1996 a bill to redesign the road. Consider the initial cost of the toll road, consider the maintenance and other costs of the road. Put in with the idea to improve the economy. She has traveled the southern states, impressed by the roads, but the small cities are not growing. Suggested improving Hwy 42 would be more helpful to the community.

Geno Landrum, Coos Bay, safety issues, crosswalks. SW Blvd the lines are very faded, 4th street looking very good. Replace the crosswalk. Joe said was dangerous and removed. Cindi noted the crosswalk at the outdoor in was not replaced on 4th street. Mr. Landrum inquired about funding for street projects. Ms. Shribbs explained the projects in the works.

Louie Leberti, 1725 North 8th, on the appeal, when 120 days begins. Bill said city has 120 days application filed as complete. Rt said appeal is within the 120 day period. From Nov. 16th when the application from mission. Mr. L asked to be advised of when city selects a hearing officer. Mr. L commented council has followed advise of city manager and gotten into a

805 Webster, ___ Wilker – crosswalk for Schoneman and Newmark. Suggested a flashing red light to be activated by pedestrian would allow people to cross the street. Also put stripes in the crosswalk. Joe said Don Spangler had brought up the striping and staff will be bringing suggestions to the council. Keep up the good work.

City Attorney's Report

Happy new year.

City Manager's Report

Written report. Judy asked for dollars – decision on property. Rt said by next meeting.

Mayor and Council Comments

Judy a little taken back by trip down 4th street, huge sign, couldn't have been smaller, the post could have been smaller.

Don commented fiber south – he has worked project for some time, last meeting dec. 18 was told the pci & w was having problems. reasonable fiber will be a break even. Another meeting soon, for an update, would not want to switch to another provider at this late date. (bill's report). Still have 25,000 in budget. Happy new year. Don said new laws on the books – banning the smoking in public places. Rt said would be police. Hotel motel tax how will impact the city. Rt reviewed before he did revision of city ordinance. He said for cities who do not currently have a hotel motel tax would have to submit a portion to ____.

Don said considering a county wide hotel motel tax, and heard the new law restricts what hotel motel tax funds can be used for. Joe said favor of returning a credit card fee to businesses. Bill will check to see how the new law would affect the city's budget if we went by the new law. Rt to do a summary of the new law.

Cindi – jan 26th downtown assn having 7th annual bridal fair at the red lion. The odda report will be presented and discussed open house at design renovation jan 10th at 5:30 p.m. encouraged interested citizens to show up. A lot of positive ideas for the downtown area. Happy new year

Anna marie – happy and healthy new year, hope to work on bunker hill area during the new year.

Mayor – happy new year – staff and council have accomplished a lot in the past year. Proud of staff and council; good citizen input. Team work. Anderson alternative – lots of comments, developed due to public input, businesses, to help bring traffic into downtown. Before that odot stated problem with area Anderson turning south and would remove parking along Broadway if traffic was not changed. Odot did a study which showed 70 percent traffic on Anderson going south and not stopping for business. Also the two way on Anderson would help people from out of town into the downtown area.

Attended meeting with odda stated imperative to improve downtown. Joe said signs will help direct traffic. Will be out of town 3rd to 10th. Mckeown will be in charge. Look forward to the new year.

Adjournment