

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

March 6, 2001

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. in the Council Chambers at City Hall, 500 Central Avenue, Coos Bay, Oregon.

Those Present

Those present were Mayor Joe Benetti, Councilors Jeff McKeown, Cindi Miller, Don Spangler, Kevin Stufflebean, and Judy Weeks. Councilor Anna Marie Larsen was out of town. City staff present were City Manager Bill Grile, Deputy Recorder Joyce Jansen, City Attorney Randall Tosh, Fire Chief Stan Gibson, Planning Administrator Laura Barron, Police Chief Chuck Knight, and Community Services Director Shanda Shribbs.

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 the minutes of December 19, 2000 and January 2, 9 and 16, 2001, adoption of Resolution 01-08 accepting and appropriating donations, approval to surplus city-owned property located at 1565 Pennsylvania avenue, approval to moor the oil response boat at the city dock and waive the moorage fees, and recommendation on appointment to Southwest Area Commission on Transportation. Councilor Stufflebean moved to approve the consent calendar. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye. Mayor Benetti stated corrections to the minutes of December 19th. Councilor Miller moved to approve the corrections. Councilor Weeks seconded the motion which passed unanimously.

Marshfield High School Report by Nick Gerritsen

Nick Gerritsen reported MHS winter sports have been completed, four wrestlers will be going to State, the swimmers had a good season and Spring sports is underway. Mahmad Ghandi will be speaking at the high school Friday evening, the Junior Prom was held last Saturday and had good attendance, and the drama club will present All My Sons March 15th - 17th. Councilor Spangler reported he had received calls regarding a litter problem around the school. Nick said he would report the matter to the Student Council for discussion.

Department Head Report by Library Director Carol Ventgen

Library Director Carol Ventgen reported the library is offering classes on using the resources at the library, the self-check computer was down and is again operational, and the library received a \$1500 grant from Bay Area Hospital for a computer work station for health related subjects. The Dr. Seus birthday party will be sponsored by the school district and will include giving away books to children. The first of the chautauqau program will be held on March 10th and will be on the Mexican-American culture. The extra work on the building has been completed.

City Council Minutes - March 6, 2001

Approval of Management Agreement with Mingus Pool Management

Councilor Stufflebean declared a conflict of interest as wife is the pool manager. City Manager Bill Grile reported room tax receipts are down and will come in less than anticipated in the adopted budget. An estimated budget was requested from the Mingus Pool Management group and it shows they are \$12,465 in the red. Mr. Grile commented they do a great job of running the pool and the City would not be able to run the pool facility as well or as cost effectively as Mingus Pool Management. A new management agreement has been prepared which would increase the current amount of \$23,000 by \$15,000. Mr. Grile commented with less room tax revenues the City will not be able to continue giving out the same level of funding to non-profit organizations as in past years. Mayor Benetti commented staff is looking for direction, not to circumvent the budget process. Councilor Spangler inquired about maintenance of the facility and Mr. Grile reported Mingus Park Pool Management handles the maintenance and pays the utilities, and Parks personnel take care of the boiler. Councilor Spangler suggested the City pay the utilities and maintenance and the management fee could come from pool revenues. Mr. Grile commented that could be looked into, but it would exceed the amount he is recommending

Cathy Danielson, President of Mingus Park Pool Management, reported the pool facility is an important part of the community and provides a multi-generational activity. The elementary and high schools have swim classes at the pool and the MHS swim team trains at the pool from November to February. Ms. Danielson commented the swim meet last summer brought in 260 swimmers and their families from around the state into the area. She noted that January marked the first full year in the new facility and the utility rates have gone up, and in order to continue to offer the programs, they will need additional funding.

Vicki Jenkins, principal at Blossom Gulch School, reported all of School District 9's schools now offer swimming lessons to students. She commented on a letter she had received regarding the importance of swimming lessons for all children and how the parents of a mentally challenged child believe those lessons saved their son's life. Ralph Mohr, Coos Bay, commented he had been involved with Mingus Pool since 1969 and in years past the community averaged a drowning a year, and by offering swimming lessons, lives are saved. Mr. Mohr reported the pool facility is a benefit for the whole community and is a good way to keep kids involved in a positive activity and away from drugs and alcohol. He commended Kathy Stufflebean for her work and dedication in managing the pool and activities.

Councilor McKeown commented the shortball is \$12,000 and if the additional \$7,000 pledged by the City in this year's budget is backed out, then the \$15,000 would cover the pool's needs. Councilor Miller moved to direct the city manager to return with a revised agreement that would have the City picking up most of the utilities. Councilor Weeks seconded the motion. Mayor Benetti commented that would bring the agreement up to \$48,000. Mr. Grile noted the additional amount would come from room tax revenues. There was further discussion on changing the boiler from oil to propane to save on energy costs and the increase costs of the utilities. Mayor Benetti noted the motion is for considerably more than requested by staff. Councilor Spangler commented the motion does not give a dollar amount for utilities and he expressed concern about the City's declining revenues. He suggested the City pay all the utilities, but not the management fee. Mayor Benetti commented this would bring the agreement to \$58,000. The motion failed for lack of a majority vote. Mayor Benetti moved to direct the city manager prepare a management agreement for \$48,000 and bring to the next meeting for approval. Councilor miller seconded the motion which passed with Mayor Benetti and Councilors McKeown, Miller, and Weeks voting aye; Councilor Larson was absent, Councilor Spangler voting no and Councilor Stufflebean abstaining.

Adoption of Resolution 01-09 Endorsing Hwy 38 and Hwy 42 Plans – Presentation by Mark Leedom with ODOT

City Council Minutes - March 6, 2001

Mark Leedom, ODOT, reported the 38 and 42 highway corridor project started several years ago and adoption of the resolution endorsing the plans is the final step in the process. He explained the purpose of the plan is to outline general management policies and identify the needs and deficiencies along the corridor. Mr. Leedom commented the life of the plan is 20 years and safety, freight movement, and local access issues are addressed. He further commented the plan does not guarantee the projects will be constructed, but are ideas of what could be done, and priorities are listed in the plan. Councilor Spangler commented he had served on the committee for four years and this looks like good news. Councilor McKeown inquired what could be done to raise the priority on some of the projects and Mr. Leedom recommended the City be involved in SWACT because they make the decision on the modernization projects and review other projects for inclusion in STIP. Mr. Leedom commented representatives can help get federal funds, such as recently done for the rail bridge by Representative Peter DeFazio. Councilor Stufflebean moved to adopt Resolution 01-09 endorsing Hwy 38 and 42 Plans. Councilors Spangler seconded the motion which passed with the Mayor and all Councilors present voting aye.

Report from Francis Somday on the Confederated Tribes' Recreation Center Proposal

Francis Somday reported the recreation facility, Alishanee, had been developed for construction on Tribal land. Some months ago the Tribe had an opportunity to acquire the old Safeway Plaza for the facility. Analysis of the old Safeway building showed it could be used for the recreation center and the Tribe has entered into negotiations with the plaza owner. The project would bring new business and customers into downtown and an estimated \$1.75 million annual payroll. Mr. Somday reported Tribe would also provide an annual financial payment to the City in lieu of property taxes as title to the property would rest with the federal government. The Tribe requested the City Council submit a letter of support for the Alishanee project.

Councilor McKeown expressed support for the project and commended the Tribe on their desire to partner with the City in an economic endeavor. Mayor Benetti commented both governments need to work together for the benefit of the whole community. He inquired if the Tribe would be willing to consider at traffic light at 4th and Elrod to handle the additional traffic. Mr. Somday commented if the facility creates an impact, the Tribe is open to discussing a solution. Councilor Spangler expressed concern about the property being taken off the tax rolls. Mr. Somday reported the owner is currently paying the City \$7 per thousand and the Tribe is willing to pay the City the same rate. Mr. Grile commented staff has had a positive experience working with the Tribe and is currently working on creating a cultural presence on the boardwalk. Mr. Somday commented new tribes are required to negotiate with the state to set up a community development fund using 6% of their net income from gaming operations. A foundation would be set up with a board of trustees to accept funding requests, review the requests and make appropriations.

Mayor Benetti commented a financial payment in lieu of taxes is a step forward and is not a requirement, but something the Tribe is willing to do it. Councilor Weeks moved to submit a letter of support for the Alishanee recreation facility. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye.

Public Hearing – Continuation of the Public Hearing on the Proposed Empire Design Review

Mayor Benetti commented the hearing was a continuation of the public hearing on the proposed Empire design standards and opened the hearing for public comments. Julia Spangler, Coos Bay, reported she had attended many Planning Commission and Urban Renewal Agency meetings and the Planning Commission has developed a good plan. It is a business friendly plan and there are options for property owners who have problems with the standards.

City Council Minutes - March 6, 2001

Laura Barron, Planning Administrator, read the public hearing requirements statement and briefly reviewed the purpose of the standards. She noted the ordinance defines the design area and creates a design review committee. Ms. Barron read changes to the ordinance in Section 2, definitions, subsections 2 and 4; and Section 3, subsection 5E allowed signage. Ms. Barron reported during the work session Council requested colors be selected and a color palette has been prepared for addition to the ordinance. The historic color palette has been developed by Benjamin Moore Paints and is widely used. Architect Steve Clay reviewed style classification and palette designations. Mayor Benetti noted a letter had been received from Ken Adams regarding concerns about allowing apartments in the designated area. There were no other comments to come before the Council and Mayor Benetti closed the public hearing.

Enactment of an Ordinance Establishing Land Development Standards for the City of Coos Bay Establishing Architectural Design Review for a Portion of the Empire District

Councilor Stufflebean moved to amend the sections of the ordinance as read by Planning Administrator Laura Barron. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye. Councilor Stufflebean moved to adopt the historical color palette as part of the ordinance. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye. Councilor Spangler moved to adopt the findings of fact and conclusions as presented in Exhibit A. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Councilor Stufflebean moved to enact the ordinance establishing land development standards for the City of Coos Bay establishing architectural design review for a portion of the Empire District. Councilor Weeks seconded the motion. Councilor Spangler declared a potential conflict of interest. Deputy Recorder Joyce Jansen read the ordinance by title only, changes in the ordinance having been read in full by Planning Administrator Laura Barron. The ordinance passed with the following vote:

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

City Manager Bill Grile commented there needs to be some direction on fees. Councilor Spangler suggested no additional fees because they would discourage people from fixing up their property. Mr. Grile noted the fees would only apply for discretionary land use which provides an opportunity for a hearing and an appeal. The fees would cover the public notice and staff time to adopt findings. Consensus of the Council to prepare a resolution for adoption of the fees.

Authorization to Proceed with the Purchase of a Street Sweeper

City Manager Bill Grile reported \$150,000 had been budgeted to replace the current ten year old street sweeper. Two bids were received with the low bid being \$155,977, less a \$9,000 trade in. The sweeper runs ten hours per day, five days a week and in the past three years over \$16,000 has been spent on repairs. Councilor Spangler moved to purchase the sweeper for \$155,977, less the trade in of \$9,000. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

Public Comments

City Council Minutes - March 6, 2001

Joyce Tobiska, Coos Bay, expressed concern about access through 26th Street for a proposed development on Woodland Avenue. The residents are concerned about the amount of traffic the development would bring and presented to the Council a petition in opposition to the developer's plan. She said a request had been made to the North Bend Planning Commission that the developer use Cedar Street as an access. Mr. Grile reported the City is aware of the development and shares the residents' concerns and have communicated these to North Bend.

City Attorney's Report

City Attorney Randall Tosh reported the first meeting with the AFSCME union for negotiations has been scheduled for March 16th and he is now sharing the Mayor's city hall office on Tuesday and Thursday afternoons.

City Manager's Report

City Manager Bill Grile reported the City has made an application for a grant to develop a downtown strategy and recruitment plan. Community Services Director Shanda Shribbs reported the application is through the Regional Investment Board for \$15,000 towards \$32,000 to develop the plan. The American Building and North Point Realty were chosen as a starting place in downtown because they are both historical buildings, can share one elevator and have second and third floor spaces. The grant would also include structural review of the buildings to determine the cost of renovation. The City is seeking \$15,000 from Oregon Economic and Community Development Department to help pay for the plan and the City has committed \$2,000. Councilor Spangler suggested the whole downtown area be considered, not just two buildings. Ms. Shribbs commented the City needs a starting place, and cannot do the whole area at one time. Councilor McKeown commended Shanda's efforts and noted the City has to begin somewhere.

Mr. Grile reported the City is pursuing a grant from ODOT for installation of sidewalks on Ocean Boulevard. Councilor Miller noted this area is part of the jurisdictional exchange and Mr. Grile reported the City still can apply for funding. Mr. Grile commented the Bayshore streetscape project could be done by mid-June, however staff is concerned about project delays and suggests the project be postponed until September. Councilor Weeks recommended proceeding now; consensus of the Council to proceed. Mr. Grile reported a work session has been scheduled for March 27th to review the Newmark improvements project. Councilors McKeown and Stufflebean had conflicts with the date and the meeting was rescheduled to April 5th.

Mayor and Council Comments

Councilor Weeks welcomed Beve Saukko as a new member of the Parks Commission and Chris Coles as Chair and Keith Topits as Vice-Chair. The Commission discussed replacement of the bleachers at the Mingus ballfield at an estimated cost of \$22,000; a master plan for City parks is being developed; suggestion to staff to apply for a grant from the Oregon State Parks for placing lights around the Mingus Park ballfield; and the Society of American Foresters and Boy Scouts will be redoing the boardwalk interpretive signs. The Commission also suggested staff look into conservation methods in regards to street lights. Councilor Weeks commented on the letter from Rob Wall regarding the parking situation around the high school and requested staff look into the matter and respond to the letter.

Councilor Spangler commented that the negotiations with the City's three unions are public meetings and in order to get a copy of the proposal, you must ask for it.

Councilor Miller reported this year's theme for the Fun Festival is 2001 Fiesta of Fun and activities will include floats in the parade and a challenge of high school bands. She noted the Commission on Children

City Council Minutes - March 6, 2001

and Families met last week and will be going to Salem next week to share concerns of Coos County children with the legislature. Upcoming activities for downtown include the Farmer's Market from May 31st to October 31st, and a Scout-a-rama on April 14th. Funding and plans for a larger skateboard park are underway.

Councilor McKeown reported the South Coast Development Council will be holding several meetings around the area. He noted another school shooting was in the news and commended the City's school resource officer program in our local schools.

Adjournment

There being no further business to come before the Council, Mayor Benetti adjourned the meeting to March 20, 2001 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