

## MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

July 3, 2001

The minutes of the proceedings of the regular meeting of the City Council of the City of Coos Bay, Coos County, Oregon, held 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 Larsen, Cindi Miller, Don Spangler and Judy Weeks. Councilors Jeff McKeown and Kevin Stufflebean were absent. City staff present were City Manager Bill Grile, Deputy Recorder Joyce Jansen, City Attorney Randall Tosh, Community Services Director Shanda Shribbs, Finance Director Janell Howard, Fire Chief Stan Gibson, Library Director Carol Ventgen and Police Chief Chuck Knight.

### 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 OLCC license annual renewals, OLCC license approval new business for County Line Catering, approval of the Peace City proclamation, approval of the National KidsDay proclamation and approval of the minutes of the April 10 and 17, 2001 meetings. 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.

### Department Head Report by Finance Director Janell Howard

Finance Director Janell Howard reported she is back in the office part time and thanked Karla Garrett for running the office during her absence. Staff has finished the year-end business and the budget for FY 01/02 has been completed. Ms. Howard reported she is preparing for the audit and the new software has helped a great deal in the operations of the department.

### Review of the Coos Bay – North Bend Water Board’s Request for an Adjustment to the City’s Fee for Treatment of Alum Sludge and Adoption of Resolution 01-22 Setting Sewer User Rates, Charges and Fees

Mayor Benetti reported when the sewer use fees were enacted in December it increased considerably the fees paid by the Water Board for treating alum sludge. Staff recently met with the Water Board and an adjustment in the rate is being recommended. Community Services Director Shribbs reported the Water Board is a separate and unique entity, and after meeting with Rob Schab, the rate formula for treating alum sludge was adjusted because there are very low amounts of BODs (sewage) and suspended solids. The 2001/2002 budget anticipates \$74,000 for alum sludge payments. The new rate would provide an estimated monthly revenue of \$4041 or \$48,492 annually and is still a significant increase to the Water Board, but is fairly representative

## **City Council Minutes – July 3, 2001**

of the cost of the treatment. Mayor Benetti commented OMI checks the flow monthly and staff is recommending the rate be reviewed annually.

Councilor Weeks asked why the amounts were so low in February and March and Mr. Schab reported the amount of suspended material was elevated due to the construction and later in the season, the solids settled out. Councilor Weeks noted the Wastewater budget will be \$25,000 less. Councilor Spanagler commented the treatment for alum sludge is the same as for sewerage treatment and suggested the rate be based on what it actually costs to treat the sludge. Mr. Grile commented the difference is how the cost is measured and after reviewing with the Water Board, everyone is in agreement of the methodology. Mayor Benetti noted Ms. Shribbs and Mr. Schab were given the task to come to an agreement that would be fair to both the City and the Water Board. Councilor Spangler expressed concern that a sewer rate increase would be passed onto rate payers. Ms. Shribbs reported there is a different cost for treating BODs and flow and a different formula has been worked out for the Water Board. Mayor Benetti noted this is a budget restraint for the City, but it is also a restraint for the Water Board. Councilor Weeks moved to adopt Resolution 01-22 setting sewer user rates, charges and fees. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

### **Consideration of a Request by Mr. Elvis Warthen to Refund A Conditional Use Permit Fee**

City Manager Bill Grile reported Mr. Warthen requested to be placed on the agenda to ask the Council to approve his request to refund his conditional use permit fee. Mr. Warthen was not at the meeting. Mr. Grile stated staff sees no justification to waive the fee. Councilor Spangler commented Mr. Warthen should have relied on the zoning included in the property listing rather than what City staff gave. Mr. Grile noted the assessor's data base is not always in agreement with what the zoning actually is. Councilor Weeks moved to deny the request to refund the permit fee. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

### **Review of a Draft Ordinance Establishing the Historic Design Committee**

City Manager Bill Grile reported the ordinance would establish the Historic Design Review Committee which would assist the Council, Planning Commission, staff and property owners with the Empire and Front Street design standards. Mayor Benetti suggested an escape clause be included so if an applicant for the committee had some of the requirements, they could still be appointed. Mr. Grile commented the ordinance is in draft form for Council review and there are a few decisions to be made regarding the committee. Consensus of the Council to establish the committee with five members; initial appointments to be three members with three year appointments and two members with two year appointments; and a quorum would be three members. Mr. Grile noted the ordinance would come to the Council for enactment at the next Council meeting.

### **Review of a Draft Ordinance for Regulating Taxi Companies within the City of Coos Bay**

City Manager Bill Grile reported a number of changes were made to the ordinance in response to comments made during the public hearing and the ordinance is being presented at this time for Council review. Councilor Spangler objected to requiring taxi companies to have three vehicles. Councilor Miller inquired

## **City Council Minutes – July 3, 2001**

if a solid penalty for taxi drivers receiving a DUII was included and Chief Knight explained it is included in Section 9 as a civil penalty. Mayor Benetti inquired about the three-cab requirement. Chief Knight reported the requirement is placed in the ordinance due to providing 24-hour a day service and for vehicle safety purposes. Councilor Weeks commented the ordinance is well done and recommended placing the ordinance on the July 17<sup>th</sup> agenda.

### **Public Comments**

Mark Daily, representing the Parking Committee, requested the Council approve unrestricted parking on the east of Broadway and the west side of Bayshore in area south of Anderson Avenue. Consensus of the Council to approve a trial period of unrestricted parking in this area.

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

City Attorney Randall Tosh reported the City will be closing on the purchase of the Crowley Marine property next week. A recent court ruling determined that Coos County's attempt to tax the Coos Art Museum is improper as the Museum is a management agent of the City.

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

City Manager Bill Grile reported attending the ribbon cutting for the Bay Area Hospital expansion on Saturday and the facility is very impressive. Chief Knight commented Coos Bay and North Bend staff recently visited potential sites, including the hospital, for a location for the 911 Center. Dan Smith of BAH brought the issue of the Center being located at BAH to his board and they are in agreement to provide space for the Center.

### **Council Comments**

**Councilor Weeks** commented on attending the dedication ceremony of Engine No. 104, and reported Harry Davis of Davis Oil has retired and a company from Washington has purchased his company.

**Councilor Spangler** suggested the Council consider supporting the County's efforts in enacting a nuisance ordinance. Mayor Benetti agreed and stated he will be attending the County's public meetings on July 10<sup>th</sup> and 25<sup>th</sup>, and encouraged members of the Council to also attend.

**Councilor Miller** invited everyone to attend the 4<sup>th</sup> of July celebration in Mingus Park and commended Marty Crouse on organizing the event. She thanked Councilors Larson and Spangler for helping judge the coloring contest, noting that it was a difficult job with so many great entries. Councilor Miller commented that she has received many positive comments on the Bayshore Drive project.

**Councilor Larson** wished everyone a happy and safe 4<sup>th</sup> of July and commented the downtown banners look very nice and inviting.

**Mayor Benetti** reported Senator Gordon Smith was in town to dedicate the Historical Rail Museum on July 3<sup>rd</sup> and the donation of Engine No. 111 by International Paper was announced by Bob Higgins. Mayor Benetti announced the times for the July 4<sup>th</sup> Kids Walk and the Mayor's 4K Run and noted activities begin at 11 a.m. He thanked Marty Crouse and Cindi Miller and staff for organizing the event. Mayor Benetti reminded everyone the Oregon Coast Music Festival begins Saturday, July 14<sup>th</sup> with a free concert in Mingus Park. A ribbon cutting for the Napa Store will be held on Friday and a joint meeting with North Bend to discuss Fiber South will be held next Monday.

**City Council Minutes – July 3, 2001**

**Executive Session - Pursuant to ORS 192.660 (1) (d)  
for the Purpose of Discussing Labor Negotiations**

Councilor Miller moved to go into an executive session pursuant to ORS 192.660 (1) (d) for the purpose of discussing labor negotiations. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

The Council reconvened in regular session.

**Authorization to Accept the AFSME Settlement  
Proposal**

Councilor Miller moved to accept the contract settlement with the AFSCME Union. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

**Adjournment**

There being no further business to come before the Council, Mayor Benetti adjourned the meeting to July 9, 2001 at 5:30 p.m. in the Council Chambers of City Hall.

\_\_\_\_\_  
Joe Benetti, Mayor

ATTEST:

\_\_\_\_\_  
Joyce Jansen, Deputy Recorder