

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

August 21, 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, Jeff McKeown, Cindi Miller, Don Spangler, and Judy Weeks. Councilor Kevin Stufflebean was absent due to illness. 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, Library Director Carol Ventgen, and Police Chief Chuck Knight.

Flag Salute

President McKeown opened the meeting and led the assembly in the salute to the flag.

Consent Calendar

President McKeown reviewed the consent calendar which consisted of approval of the minutes of June 5, June 19, July 3 and July 9, 2001 meetings, adoption of Resolution 01-26 accepting a Verizon Foundation grant for \$3,500 and a Bay Area Hospital Foundation grant for \$1,500, approval of request to declare three city-owned vehicles as surplus and authorize disposal of the vehicles, and approval to transfer funds for replacement of the library lobby doors. Councilor Weeks moved to approve the consent calendar as presented. Councilor Miller seconded the motion which passed with all Councilors present voting aye.

Safety Town Presentations by Officer Scott Snyder

Officer Scott Snyder reported this is the tenth year Coos Bay has presented Safety Town and the third year in partnership with the City of North Bend. The classes teach safety skills as well as build bonds between the children and public safety officers. A number of local agencies contribute to the support of the program which is funded entirely by donations. Officer Snyder commended the Bay Area Sportsmans Association for their support of the program for the past ten years. Also recognized were the Coos Bay Police and Fire Departments, North Bend Police and Fire Departments, Coos County Sheriff's Office, Hanson's Animal Hospital, Mingus Park Pool life guards, and the U.S. Coast Guard. North Bend Officer Olson reported McDonalds donates all the juice for the program and the teen volunteers make the program happen. Officers Snyder and Olson presented certificates to the teens who participated in this year's program. Officer Snyder commented it is a big commitment to teach the program and only the best of the best are chosen to be instructors. Council President McKeown thanked the officers for their work with the safety program and the youth for participating in teaching safety to the community's five year olds.

Mayor Benetti arrived at this time and apologized for being detained.

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Department Head Report by Fire Chief Stan Gibson

Chief Gibson commented Safety Town is a wonderful program and congratulated everyone who participated in the program. He reported the Fire Department sponsored the fishing derby and handled the fireworks for the 4th of July celebration. Both police and fire staff participated in the National Night Out on Crime event on August 7th. The Fire Department will be holding open houses during Fire Prevention Week during the first week of October. Chief Gibson reported part of the events for the week will include visits to all the elementary schools to teach students about fire prevention and home emergency plans. Chief Gibson commented the cost to replace the ramp came in \$6,000 under estimate and they plan to have the project completed prior to the Fun Festival.

Chief Gibson reported in the past it was a custom to give the fire chief a bugle and a chief's belt. The belt was transferred from chief to chief and it is believed the custom originated in Baltimore, Maryland. He explained a belt was recently retrieved from the Fire Department's storeroom and it is the original Marshfield Chief's belt. The belt has been framed and is currently on display in the city manager's office.

Review of the Newmark Avenue Widening Project and Award of Contract

City Manager Bill Grile reported three months ago the Council directed staff to move forward with an RFP for engineering work to design the project to widen Newmark from Wal-Mart to the Y and to prepare a plan for the cash flow of the State jurisdictional exchange funds. Mr. Grile commented a work session could be held August 29th if the Council would like to discuss in greater depth. Mr. Grile commended Community Services Director Shanda Shribbs for putting together the report on the maintenance of the 23 lane miles and cost estimates for the Newmark project. Mr. Grile noted not included in the cash flow are contributions from the College and private businesses in the area; that does not mean staff will not pursue these contributions.

Councilor McKeown commented staff's recommendation is to award the contract for engineering design and bidding and contracting of Phase I of the project. He inquired if all these need to be done at the same time. Mr. Grile reported the revised contracting rules changed the selection of professional services to require going out for proposals if the cost is over \$25,000. An amendment would allow the City to proceed with Dyer Partnership and would allow them to be used for the next phases of the project. Councilor McKeown commented he is not sure if he is ready to go beyond the design phase.

Ms. Shribbs stated staff could come back to the Council before going out to bid and noted the contract would cover the services through the bidding process, but could still stop before awarding the bids. For design and bidding, however, we can stop the contract at any time. Councilor Spangler asked the purpose of beginning at Fir instead of at Staples as it would make more sense to start at Staples and go west. Ms. Shribbs explained there would be more control on the project if beginning at Fir. Councilor Spangler commented the funds would be better spent beginning at Staples. Mr. Grile noted staff would be talking with Wal-Mart and the College about contributing to the project and logic is to have the design for the whole project done for a continuous flow of the project. Mayor Benetti commented the project is from the city limits to the Y. Ms. Shribbs reported the design and Phase I construction are from the city limits to LaClair, as the revenues do not support completing the whole project at once. Councilor McKeown asked the cost for the design from Fir to LaClair and Ms. Shribbs reported \$85,000. Councilor Spangler inquired what would be the cost for

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the design from Staples to LaClair and Ms. Shribbs commented staff does not have those figures. Councilor McKeown agreed with designing the entire project for consistency and also supported partnering with Wal-Mart and the College.

Councilor Weeks commented the disadvantage would be the length of time to re-coup funds to keep up the maintenance on the 23 lane miles. Mr. Grile reported there would be enough to do the maintenance and finance the \$1 million project. Mayor Benetti commented the maintenance cost does not include Ocean Blvd. maintenance. Ms. Shribbs reported they have estimated the cost of the Ocean Blvd. project and would begin the improvements in three years. Mayor Benetti asked if Ocean Blvd. could begin sooner and Ms. Shribbs stated it could not because the City cannot go below the \$4.8 million figure. She explained the cash flow includes estimates for maintenance, project costs and payments, an estimate on interest to be earned, and estimating when certain maintenance would need to be done. Mr. Grile commented this is another reason to do the Newmark improvement project in two phases.

Ms. Shribbs reviewed her report beginning with the section on future revenue and noted that interest rates are more than a point and a-half below from a year ago. She reported to figure estimates for maintenance of the 23 lane miles, estimates were made by staff, Bracelin and Yeager, and Johnson Rock and all three estimates were similar. Ms. Shribbs reported the engineering work would be done in-house and the paving would be contracted out. Mayor Benetti asked if the estimates for the Ocean Blvd. project were higher than \$500,000. Ms. Shribbs noted Bracelin and Yeager were a little lower, but there was not a great difference between the three estimates. Councilor McKeown stated he would like to do the Newmark project, but it is also important to take care of the 23 lane miles. He expressed concern about the slide area on Coos River Highway. Ms. Shribbs reported ODOT does not have plans for improvements at this site and they will turn it over to the City in 2005.

Ms. Shribbs reported seven proposals were received; one was non-responsive and the other six were reviewed by staff. Two were selected as having the most strengths; references were checked; and one firm has experience with the City. Ms. Shribbs commented it is staff's recommendation to go with the local firm. Councilor Spangler commented the cost would go down if design of the whole project was included. Ms. Shribbs reported the design work for Phase II is more expensive and complicated. Councilor Spangler expressed concern the City is positioning itself to complete Phase I and Phase II would not ever be done. He commented the safety problem is in Phase II and should have priority. Mayor Benetti stated the City cannot afford to do the whole project at once. Councilor Spangler suggested taking it to the voters. Ms. Shribbs commented the design costs for Phase II is estimated at \$140,000.

Mayor Benetti commented the Council directed staff to do the project in two phases and that is what they have done. Mr. Grile noted urban renewal funds could also be considered for the project. Councilors McKeown and Weeks recommended scheduling a work session to discuss the project further. Mr. Grile reported the developers Andy Nasburg has been working with would like to see the project move forward as quickly as possible. Councilor Miller asked if the developers have indicated they would participate in funding the project. Mr. Grile reported Wal-Mart and the developers are willing to share in the cost and staff has yet to contact the College.

Mayor Benetti recommended a special council meeting be held August 29, 2001 at 5:30 p.m. to continue the discussion of the Newmark project. Consensus of the Council to set the meeting for this date.

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Approval of Non-represented Employee Salary Increase and Authorizing the City Manager to Approve Salaries of Other Non-represented Employees within the Range – Adoption of Resolution 01-27 Transferring Funds

City Manager Bill Grile reported the increases would be in three parts; an adjustment to catch management staff up with the unions, an adjustment to the range by the percentage amount to avoid a compression problem, and authority given to the city manager to set salaries within the ranges within the budget. Councilor Spangler commented an additional five percent would equal ten percent for the calendar year. Mr. Grile noted the ranges would also be increased by five percent. Councilor Spangler commented non-represented received five percent in January and the Council granted five percent to the police and afscme unions, and now the city manager is asking for another five percent. Mr. Grile reported the five percent in January was acknowledged as catch up for non-represented employees. Councilor Spangler noted four percent was budgeted and Mr. Grile reported the one percent would equal \$11,000.

Councilor McKeown requested Mr. Grile explain about compression. Mr. Grile reported in represented positions annual cost of living adjustments are made in July per their contracts, and they also have step adjustments. Up until now, non-represented employees did not have steps, and over time, the distance in salary of non-represented employees becomes less than union positions. Mayor Benetti commented when the January adjustment was approved, for some positions, it should have been higher than five percent, but that was what was given. At the time, the Council was in agreement to treat equally union and non-represented positions. Mr. Grile commented he would like to be able to make adjustments within the range, subject to the amount in the adopted budget. Councilor Spangler expressed concern about how the ranges would be budgeted and Mr. Grile commented the funding is in this year's budget. He further commented the increase is not an entitlement, some employees may receive more than others, depending on the department head's review. Councilor Weeks asked if Mr. Grile intended to spend all the money. Mr. Grile responded his intent is to review the performance of department heads and make some adjustments, and he may spend all or most of the funds.

Councilor Weeks moved to increase non-represented salaries by five percent, increase the range adopted in January 2001 by the same percent, give the city manager authority to approve salaries of other non-represented employees within the range, subject to budget limitations, and adopt Resolution 01-27 transferring funds. Councilor Miller seconded the motion which passed with Mayor Benetti and Councilors Larson, McKeown, Miller, and Weeks voting aye. Councilor Spangler voted no and Councilor Stufflebean was absent.

Public Comments

Julia Spangler, Coos Bay, commented many citizens are interested in the Newmark improvement project as it is a serious safety issue. Ms. Spangler reported most citizens support widening from the Y to Staples section first because this area is a serious safety issue. Mayor Benetti commented the developer wants the improvement done up to LaClair. Ms. Spangler encouraged the Council to move forward quickly for safety reasons and to begin the project at the Y.

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Louie and Kathy Liberti, Coos Bay. Ms. Liberti reported they have lived on North 8th Street for 27 years and are concerned about the Mission purchasing the Munnell and Sherrill building. She commented the facility is too close to a residential area and would affect the neighborhood which already has the THE House. Ms. Liberti commented two similar facilities in one neighborhood would decrease property values and in an area where economic development is needed, the Munnell and Sherrill building is not the appropriate location for the Mission. Mr. Liberti expressed concern about the affect the Mission would have on the community and neighborhood. The building is a fine piece of commercial property and he would not like to see it removed from tax rolls.

Councilor Spangler commented the Council has no authority to tell people they cannot purchase property. Ms. Liberti reported she has spoken with many people who agree with her regarding relocation of the Mission. Mr. Liberti commented he is concerned, just as Councilor Spangler was concerned when the Mission located near his home. Councilor Larson agreed the Munnell and Sherrill building is not a suitable location for the Mission. Councilor McKeown commented no matter where the Mission goes, not everyone will support the choice, and commercial/industrial property is limited in our area. Mayor Benetti and Councilor McKeown both indicated they would be available to meet and talk with North 8th Street residents regarding the Mission.

Marlene Boyd, North 8th Street, stated she has become increasingly frightened to be in her own home. She is a widow and spends winters in Arizona and although there is a great need to shelter and feed the homeless, she does not feel the Mission should be located near their neighborhood. Bill Melton, North 8th Street, commented he has lived here for 50 years and walks in the area every day. He reported there are five elderly women who live in this neighborhood and they are frightened. Julia Spangler, Coos Bay, commented as residents in Empire, they have had tremendous problems and issues with the Mission; but when Bill Parham came two years ago, things changed and he has done a good job at the Mission. Ms. Spangler stated she understands the fears of the 8th Street residents, but to look at the place now, it is difficult to believe a mission is located there. She further commented the Mission needs to move so the commercial area on Newmark can be developed, and the Mission needs a larger facility in order to help families.

City Attorney's Report

City Attorney Randall Tosh reported notice from Coos County Counsel has been received that the County will appeal the tax court decision regarding the Coos Art Museum. He noted negotiations with the Firefighters Association will be held tomorrow at 10 a.m.

City Manager's Report

City Manager Bill Grile reported the southern third of the old Safeway Plaza wing will be taken down and Bi-Mart is considering leasing the remaining building. Bi-Mart is also looking to enhance their site with landscaping and period lighting to match the downtown area.

Mr. Grile reported the striping for diagonal parking on Anderson Avenue has begun; he met recently with SCINT regarding concerns in the 7th Street neighborhood; and there is some confusion on the whether a business license should be required for merchants during festivals.

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Mr. Grile asked Council for direction to not charge a business license for festival merchants. City Attorney Randall Tosh commented the purpose of the ordinance is to provide revenue to pay for municipal services. Councilor Miller commented the intent of the festivals is to bring people into the downtown area and festivals also bring people from outside our area. She further commented most downtown merchants support the festivals and the Farmers Market does buy a business license. Councilor Spangler commented the festivals do incur an expense to the City. Mayor Benetti commented the intent is to have a festivals use the special event permit process. Councilor Miller moved to clarify the intent of the ordinance is to not charge merchants during festivals and direct staff to review the ordinance. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye. City Manager Grile reported an amendment to the ordinance will be prepared.

Council Comments

Councilor Larson suggested installing parking signs to encourage RV parking along Bayshore Drive beginning in the Tower Ford area. Mayor Benetti commented parking is available in the area now. Councilor Spangler noted the area is unrestricted parking and Councilor Weeks commented there is not a need for more signs. Councilor Larson invited everyone to attend the Blackberry Arts Festival next weekend. Councilor Larson expressed support for the work the Bay Area Rescue Mission does, but the Munnell and Sherrill Building is not a good location, and suggested downtown North Bend would be a better location.

Councilor McKeown reported the Gold Coast Swim meet brought in many people and it is good to see a lot of activity in the Bay Area. The next South Coast Development Council meeting will be held tomorrow in Bandon at 5:30 p.m. and the public is invited. Councilor McKeown commented it is not his policy to comment on letters in the public forum, however, the letter in tonight's paper had a lot of inaccuracies regarding the Empire facade program. He explained the program is a long term project and sometimes it does take longer than we like to complete a project. He noted the program does more than just paint buildings, and there are other projects that urban renewal funds could be considered for; such as infrastructure or sewer lines. Councilor McKeown commented the Mingus Park Pool brings people to our community and pool was built with a private donation and the pool house facility was paid for with bond levy funds. Spending money for either the facade program or infrastructure is consistent with the urban renewal plans. Councilor McKeown commented citizens must stop thinking of Empire as a separate district and it is his hope that the Newmark project will pull the city together as one community.

Councilor Weeks commented she has been questioned as to why the City does not require the city manager to take vacation time for his trip to Indonesia and asked Mr. Grile to reconsider the matter. Mr. Grile reported the program is over an 18 to 24 month period and it is problematic to use vacation time as it suggests it is not a legitimate program and there is also a safety issue. Mr. Grile commented there are other people in the community who will be asked to participate and to be asked to participate is an honor. Councilor Weeks stated she is not saying he shouldn't go, but possibly at a different time when it is safer.

Councilor Spangler reported Senator Smith's office is working with the Justice Department in regards to the Empire House.

Councilor Miller invited everyone to attend the Blackberry Arts Festival for great entertainment, food and activities. She thanked the Jaycees for organizing the event and reminded everyone the Fun Festival is the third weekend in September.

Mayor Benetti reported the Syro Gyra concert is tomorrow night at 7:30 p.m. at the Marshfield High School auditorium. The Water Board has invited the Council to tour the dam project on September 7th. He

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commented Rep. Verger has done a good job of promoting the Bay Area.

Adjournment

There being no further business to come before the Council, Mayor Benetti adjourned the meeting to August 29, 2001 at 5:30 p.m. in the Council Chambers of City Hall.

Joe Benetti, Mayor

ATTEST:

Joyce Jansen, Deputy Recorder