

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

September 4, 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 and Councilors Anna Marie Larsen, Jeff McKeown, Cindi Miller, Don Spangler, Kevin Stufflebean and Judy Weeks. City staff present were Deputy Recorder Joyce Jansen, Clerical Assistant Stacey Babb, Community Services Director Shanda Shribbs, Fire Chief Stan Gibson and Police Chief Chuck Knight. City Manager Bill Grile and City Attorney Randall Tosh were absent due to a trip to Indonesia. Nathan McClintock sat in for City Attorney Randall Tosh.

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 July 17, 2001, support for an All American road designation for Highway 101, and approval for use of downtown parking lots and closure of city streets for certain community annual events. Councilor Stufflebean moved to approve the consent calendar as presented. Councilor Spangler seconded the motion which passed with Mayor Benetti and all Councilors present voting aye.

Department Head Report by Community Services

Director Shanda Shribbs

Community Services Director Shanda Shribbs welcomed OMI Project Manager Gary Young. Mr. Young reported that a contract was recently completed between the City of Coos Bay and Menasha Forest Products Corporation to allow application of bio-solids to Menasha's land. The contract is a benefit to both parties, allowing the City to manage bio-solids on a year-round basis and Menasha will gain a free nitrogen source for the growth of trees. Ms. Shribbs added the contract has the potential to be revenue producing. Other areas struggle with long-term management of their bio-solids and this could possibly fill the need for other communities. Mayor Benetti asked about the duration of the contract. Ms. Shribbs reported the contract is yearly with annual renewal as long as it continues to be satisfactory for both entities.

Adoption of Resolution 01-28 Amending the Rules for Local Contract Review

Community Services Director Shanda Shribbs reported the City could save money if a request for proposal contract could be amended to include construction services. Currently, the process to amend the contract requires the City to go out for bid again. Resolution 01-28 would amend the local contract rules to allow the City flexibility in contract administration. Mayor Benetti inquired if other cities follow this practice and Ms. Shribbs responded this is a common practice among cities in Oregon. Councilor McKeown moved to adopt

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Resolution 01-28 amending the Rules for Local Contract Review. Councilor Stufflebean seconded the motion which passed with Mayor Benetti and all Councilors present voting aye.

Approval of Funding Request from the League of Oregon Cities for Litigation Regarding Telecommunication Franchise Fees

Acting City Manager Joyce Jansen reported the League of Oregon Cities is requesting contributions in the amount of three percent of the City's telephone franchise fees to fund litigation regarding telecommunication franchise fees. Payment of city franchise fees is being challenged by Qwest and the League feels strongly that if the lawsuit of Qwest v. Portland is successful, the financial impact to all Oregon cities will be greatly felt. It would likely set a precedence for other users of city right of ways to decline payment of franchise fees. Ms. Jansen further explained the League has hired a firm in Portland who specializes in franchise fees and the City of Portland has hired the firm in Washington DC who wrote the federal telecommunications act. The amount would be \$3,327 and would be taken from the special counsel line item in the city attorney's budget. Councilor Spangler commented it is important to support the League's intervention in this case because if Qwest is successful, then Verizon will follow suit. Ms. Jansen reported Verizon has already responded with a letter stating they do not agree with the City's franchise fee policy.

Councilor Spangler moved to authorize Acting City Manager Joyce Jansen to process payment to the League in the amount of \$3,327. Councilor Miller seconded the motion which passed with Mayor Benetti and all Councilors present voting aye.

Public Comments

Beverly Segner-Haller, Coos Bay, reported her husband, Mr. Haller, had appeared before the City Council in April and May requesting action to stop high school students from loitering in their neighborhood. She expressed concern that with classes beginning tomorrow, the problem would return. Mrs. Haller asked the Council to closely monitor the neighborhood in the coming weeks. Mayor Benetti commented the City had not ignored Mr. Haller's request and action had been taken. Both the city and the school have been pro-active and the problems were not to the degree that they had been in the past. Chief Knight reported a meeting with the school and city officials will be scheduled to review the situation.

City Manager's Report

Acting City Manager Joyce Jansen reported City Manager Bill Grile had sent an e-mail from Indonesia this morning and he is having a great time, learning a lot and making friendships. He also said they are safe and everything is going fine. The League of Oregon Cities will be at city hall tomorrow morning to give a legislative briefing, which will be filmed and aired on Government Access channel 14. There is a Solid Waste Committee meeting tomorrow night in the Coos Bay Public Library and the tour of the Water Board's dam construction site is scheduled for Friday morning.

Council Comments

Councilor Spangler acknowledged a letter from Mr. and Mrs. Wagner commenting positively on the ODFW fish tank on the boardwalk. Councilor Spangler commented he has received several negative calls

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regarding Mr. Grile's trip to Indonesia, and he reminded everyone the Bay Area Fun Festival is coming up on September 15th and 16th.

Councilor Miller reported there will be more vendor and food booths at this year's Bay Area Fun Festival than in years past. Councilor Miller congratulated the Downtown Association on the success of the Blackberry Arts Festival.

Councilor Larson commented the Blackberry Arts Festival was great and the new Bi-Mart store construction is moving along nicely.

Councilor Stufflebean reported one of the largest swim meets held at Mingus Park Pool was held in Coos Bay recently and they received many compliments on the pool facility. He attended the first day of school this morning and traffic went smoothly.

Councilor Mckeown invited all to enjoy the upcoming Bay Area Fun Festival and although he is unable to participate in the Prefontaine run this year, he invited his fellow councilors to fill in for him. The Blackberry Arts Festival was great. Councilor McKeown commented he lives in the Ingersoll area and enjoys seeing school kids in his neighborhood. He agreed problems need to be dealt with but it is necessary that they be dealt with carefully.

Mayor Benetti commented on the annual report from Choshi Gardens volunteer Bev Myers and commended her for donating approximately 1800 hours in caring for the gardens. There are many volunteers around the city and he extended his appreciation to all of them. Mayor Benetti reported receiving many positive calls regarding the upcoming improvements to Newmark Avenue and also on the additional parking along Anderson Avenue. He received two negative comments regarding the city manager's trip to Indonesia, however, the individuals were satisfied when he explained that the trip was not costing the city money.

Adjournment

There being no further business to come before the Council, Mayor Benetti adjourned the meeting to September 18, 2001 at 7 p.m. in the Council Chambers of City Hall.

Joe Benetti, Mayor

ATTEST:

Joyce Jansen, Deputy Recorder