

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. 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 and Councilor McKeown was out of town. 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 Captain Eura Washburn.

Interviews of Applicants for Consideration of Appointment to the Planning Commission

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. Councilor Spangler requested the resolution be moved to a regular agenda item and Councilor Weeks requested approval of the OLCC license for the Outdoor In be moved to a regular agenda item. Councilor Miller moved to approve the consent calendar as amended. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye. Mayor Benetti added an item to the agenda regarding an appeal of the Planning Commission's decision for the Bay Area Mission.

Department Heads Report by Library Director Carol Ventgen

Library Director Carol Ventgen reported the money raised from the Friends of the Library book sales has been used to sponsor Author's Night at the library which has been very successful. Around the Library in 80 days will begin February 6th, and Dr. Seuss's night at the library will be held February 28th. Ms. Ventgen commented the library district has been working on installation of a new computer network for two years and has received grants to pay for some of the computers. The network will link all the libraries in the Coos County Library District and the Coastline system will be upgraded and will include graphics.

Adoption of Resolution 02-02 Supporting the

City Council Minutes – January 2, 2002

Oregon State Grange Toll Road Proposal

Councilor Spangler objected to adopting a resolution supporting the toll road project because a toll road would be expensive to build and maintain; although, he supported improving transportation to and from the area. Councilor Weeks agreed and suggested wording regarding the toll road be removed from the resolution. City Manager Bill Grile reported the resolution was written to be general support and agreed with the Council regarding the toll road. Mayor Benetti recommended staff rewrite the resolution and bring to the Council at the next meeting.

Approval of an OLCC License for the Outdoor In

Councilor Weeks expressed concern about approving a liquor license for the Outdoor In as it is a place for children to play. Mayor Benetti explained the license was for beer and wine for the deli located in the business. Councilor Miller commented parents must stay with the children, it is not a drop off care facility, and the owner has expanded the business to include a deli. Councilor Miller moved to approve the OLCC license for the Outdoor In. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Appeal of the Planning Commission's Decision on the Bay Area Mission Matter

City Manager Bill Grile reported an appeal has been received regarding the SPAR for the Mission for their new location at the Munnell and Sherrill building. Mr. Grile explained to avoid the appearance of a conflict or bias by having an appeal of the Planning Commission's decision, the Council could hire a hearings officer to hear the appeal and take additional testimony. He commented the city attorney would arrange for the service of a hearings officer and the decision would be the City's final decision. Councilor Miller inquired if this would be done in a timely manner and Mr. Grile commented the appeal was received within the 120-day period. Councilor Miller moved to direct the city attorney to arrange for a hearing officer. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

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

City Manager Bill Grile reported truck parking on the south end of town has been a concern for some time and to address safety concerns, staff is recommending removing truck parking from 7th Street and establishing truck parking on 4th Street. Community Services Director Shanda Shribbs explained 7th Street is 36 feet wide and normally to allow room for on-street parking the street is 42 feet wide. There is also concern about allowing truck parking in a residential area and the area on 4th Street is in the industrial area. Mayor Benetti asked if truck parking on only one side of the street would work. Ms. Shribbs responded it would still be a closed in feeling and 7th Street is a residential area. Councilor Weeks commented she has received complaints about truck parking and commended staff for the proposed change and supports parking on one side of 4th Street. Councilor Spangler inquired if the truckers had been notified of the proposed changes. Ms. Shribbs commented staff notified the truck drivers and the first would prefer parking in front of his home, but was OK with moving and the other driver would prefer no change in parking areas.

Jeff Snodgrass, 1029 South 10th Street, commented he parks in front of his house because all other locations

City Council Minutes – January 2, 2002

were eventually posted no truck parking. He could park on 4th Street, but then there is no one to watch for vandalism, and suggested designating truck parking on Kruse between 5th and 7th Streets. Diane Hannah, 1041 South 7th, stated she has lived in this area for a number of years and there is a problem with high speed traffic on 7th Street. She commented emergency vehicles use the street frequently and travel at 60 to 70 miles per hour. Ms. Hannah reported there is a water problem on 4th Street and it would not be a good place to parking heavy trucks. Councilor Spangler moved to eliminate parking on 7th Street and permit parking on the north side of Kruse between 5th and 7th Streets. Councilor Weeks seconded the motion which passed with Mayor Benetti and Councilors Spangler, and Weeks voting aye. Councilors Larson and Miller voted no.

Authorization of Expenditure of Funds to Implement a Pavement Management System

City Manager Bill Grile reported it is necessary for the City to have good data on street conditions and the information would also be helpful in preparing the budget. Mr. Grile explained the funds to purchase the pavement management system would come from funds budgeted for a vehicle in Community Services. Councilor Weeks asked how the system would tie into the capital improvement plan. Ms. Shribbs reported the system would inventory the entire street network and would help staff develop a better maintenance program which would insure a longer life for the streets. Ms. Shribbs commented the street system is an asset and needs to be managed. Mr. Grile noted this is the same idea of how OMI has been so successful with the City's wastewater treatment system. Councilor Spangler suggested using existing computers would save money. Ms. Shribbs explained the money is for the software and the provider has engineers with expertise in transportation matters, and City staff would be trained to use the system. She reported the system is widely used in Oregon and other states and would be purchased from EIS. The initial investigation by EIS would establish the City's data base, develop maintenance methods, and establish priorities. Mayor Benetti commented the City of North Bend also has this program and is happy with the results. Councilor Miller moved to authorize expenditure of funds to implement a pavement management system. Mayor Benetti seconded the motion which passed with the Mayor and all Councilors present voting 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

City Manager Bill Grile reported the project has been funded in part with a grant from the State. Community Services Director Shribbs reported one objection to the distribution of the Local Improvement District's costs because a city pump station is located on his property. If the Council chooses, they could decrease Mr. Wright's assessment by \$172.90 and increase each of the other property owners by \$34.58. City Attorney Randall Tosh commented the reason for establishing the LID was because the property owners had requested annexation so they could be part of the City's sewer system.

Duane Wright, Old Wireless Lane, expressed concern about the assessment on property that will not receive the improvements, and the property cannot be built on. Mayor Benetti noted the City has one portion of the property and Mr. Wright has the other portion. Mr. Grile inquired if the tax lot would qualify for a building permit and Planning Administrator Laura Barron responded yes. Mr. Grile reported typically a sewer LID is based on square footage and City ordinance provides that the City can go ahead with an LID with a majority of the property owners. Mayor Benetti commented the City was approached by the property owners to do the LID. Due to the changes in the ordinance exhibit, Mr. Tosh suggested the ordinance be brought back to the Council at the next meeting. Councilor Miller moved to continue the enactment of the ordinance

City Council Minutes – January 2, 2002

for the Old Wireless Lane LID to the January 15th council meeting. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

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

Mayor Benetti stated for the record he had ex parte contacts on this matter and had discussions centered on gaming and monies in lieu of taxes. He noted these discussions were also held with other members of the City Council. Mayor Benetti stated he feels he can be fair and impartial in making a decision on the requested street vacation. Councilors Larson, Miller, Spangler and Weeks also stated they had ex parte contact. Mayor Benetti explained the hearing was continued from the previous council meeting, but public comments were closed at the last meeting. Councilor Spangler commented the project had been presented to the Council two years ago and at that time the Council had indicated support for the project. Testimony taken at the previous meeting included concerns about gambling, unfair competition, and access if the streets were vacated. Councilor Spanler noted the Council can only consider the street vacations and not other issues.

Councilor Weeks stated for the record that she supports the entertainment center; competition is good for us, however, a bowling center at this time is not appropriate and expressed concern about the affect the street vacations would have on current businesses. Councilor Larson stated support for the project; it is good economic development and it would attract people to town. She further explained she has no problem with the property being removed from the tax rolls as that is what happens when the Urban Renewal Agency purchases property. Mayor Benetti stated he does not support vacating portions of 7th Street and Myrtle Avenue. Councilor Spangler supported vacating a portion of Myrtle Avenue but opposed vacating 7th Street.

Mayor Benetti moved to deny the street vacations and direct the city attorney to prepare a final decision. Councilor Miller seconded the motion which passed with Mayor Benetti and Councilors Miller, Spangler and Weeks voting aye. Councilor Larson voted no. Mr. Tosh will have the final decision prepared for the January 15th Council meeting.

Appointment to The Tree Board

Councilor Miller moved to waive the application process and appoint George Oliva to the Tree Board. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Appointments to the Planning Commission

Mayor Benetti reported the Council interviewed three applicants prior to the meeting for consideration of appointment to fill two vacancies on the Planning Commission. Jeff Marineau has expressed a desire to be reappointed but was not able to attend the interview due to being out of state. The Council voted by ballot and Susan Spargo and Jeff Marineau were reappointed to the Planning Commission.

Public Comments

Julia Spangler, Coos Bay, expressed support for the Council's decision on the toll road and noted there are a number of things to consider such as the initial cost and maintenance of the road. Ms. Spangler suggested

City Council Minutes – January 2, 2002

improving Hwy 42 would be more helpful to the community than the State Grange's proposed toll road project. Geno Landrum, Coos County, commented the lines have become very faded on SW Boulevard and 4th Street is looking very good, however, the crosswalk has not been replaced.

Louie Leberti, 1725 North 8th Street, inquired when the 120 days begin on the appeal of the Mission decision. Mr. Grile explained the City has 120 days from when the application was filed as completed. Mr. Tosh noted the appeal is within the 120 day period, from November 16th when the application was received. Mr. Leberti asked to be advised when the City selects a hearings officer. Mr. Wilker, 805 Webster, suggested installation of a flashing red light on Newmark which can be activated by pedestrians when they wish to cross the street. He also suggested painting stripes in the crosswalks to make them more noticeable by vehicle traffic. Mayor Benetti noted staff will be bringing suggestions to the Council and they would include striping and signage for pedestrian crossings.

Mayor and Council Comments

Councilor Weeks commented the recently installed directional signage on 4th Street was huge and suggested the sign and post could have been smaller.

Councilor Spangler reported at the last Fiber South meeting it was reported that PCI and W were having problems, however, it is not recommended that Fiber South switch to another provider. Councilor Spangler noted one of the new laws deals with the use of hotel/motel taxes and inquired how this would impact the City. Mr. Tosh reported the new law is intended for cities who do not currently have a hotel/motel tax and it restricts what the funds can be used for. Mayor Benetti stated he is in favor of returning the credit card fees to businesses. Mr. Grile commented staff would review how the new law would affect the City's budget if the City went by the law, and the city attorney will prepare a summary of the new law.

Councilor Miller reported the Coos Bay Downtown Association will hold the 7th annual bridal fair at the Red Lion on January 26th. An open house to present the ODDA report will be held at Design Renaissance on January 10th at 5:30 p.m. She encouraged interested citizens to attend the meeting and wished everyone a happy new year.

Councilor Larson wished everyone a happy and healthy new year and hoped the City would be able to work on improving the Bunker Hill area in the new year.

Mayor Benetti wished everyone a happy new year. He commented staff and council have accomplished a lot in the past year and expressed appreciation for their dedication and hard work. Mayor Benetti reported the implementation of the Anderson Alternative was done due to the Council receiving input from citizens and businesses desiring to bring traffic into the downtown area. He explained ODOT had notified the city some years ago that there was a traffic problem with the Anderson Avenue area and due to congestion caused by southbound traffic, ODOT would require the removal of parking along Broadway if traffic was not changed. ODOT's traffic study showed 70 percent of the traffic on Anderson was going south and not stopping for business and a two-way on Anderson would help people from out of town into the downtown area. Mayor Benetti commented he had attended the ODDA meeting and it is imperative that the downtown area be improved. The changes in traffic and additional signage will help improve downtown Coos Bay. Mayor Benetti reported he will be out of town January 3rd through the 10th and President McKeown will be in charge.

Adjournment

There being no further business to come before the Council, Mayor Benetti adjourned the meeting to January

City Council Minutes – January 2, 2002

15, 2002 at 7 p.m. in the Council Chambers of City Hall.

Joe Benetti, Mayor

ATTEST:

Joyce Jansen, Deputy Recorder