

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

February 5, 2002

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 Larson, Jeff McKeown, Don Spangler, Kevin Stufflebean, and Judy Weeks. Cindi Miller 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, Planning Administrator Laura Barron, Fire Captain Mark Anderson, 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 approval of the minutes of December 18, 2001, January 2, 2002 and January 15, 2002, acceptance of Local Law Enforcement Block Grant – Resolution 02-05, ratification of the appointment of Councilor Stufflebean to the Community Action Board, and approval to waive the late fee for payment of transient occupancy taxes for Lucky Logger RV Park. Mayor Benetti reported a correction in the amount of the grant in Resolution 02-05. Councilor Stufflebean moved to accept the consent calendar as corrected. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Report from Coos Bay-North Bend Water Board Manager Rob Schab

Rob Schab reported three of the four wells drilled at the dunes didn't come through with the volume needed and the board is looking to establish more wells in the next few years. The Joe Ney dike was reinforced and is functioning well even though there was some seepage around the spillway which the engineers are working to correct. Mr. Schab commented the Upper Pony Creek reservoir was built in 1951 and has served the community for many years. The new structure is built to current earthquake standards and will contain 6,000 acre feet of water. The spillway elevation is at 106' and will significantly provide more water for the summer months. Mr. Schab reported a ten-acre wetlands site has been established as part of the dam project and it is expected the project will be totally complete in two years. He noted the project was written up in Water Power and Dam Construction magazine and was listed as project no. 5 in the Daily Journal of Commerce.

Department Head Report by Community Services Director Shanda Shribbs

City Council Minutes – February 5, 2002

Community Services Director Shanda Shribbs reported staff has worked on a number of projects with the Water Board including the alum sludge agreement, management reports, road use fees, and an audit of heavy user accounts. Ms. Shribbs noted the excavation for the Wal-Mart expansion project with require 250,000 yards of sand to be moved. A hauling permit has been issued to Laskey-Clifton and staff will be monitoring the hauling. Mayor Benetti inquired where the sand will be hauled and Ms. Shribbs reported there are two sites; Lakeshore Drive and the North Bend Airport. Ms. Shribbs reminded the assembly of the meeting regarding pedestrian safety on Thursday at Sunset Middle School, and reported the Quilt Run was very successful and brought an estimated 700 people to Coos Bay. The group has expressed an interest in holding the event again next year.

Appointment of a City Representative to the Housing Rehabilitation Policy Board

Mayor Benetti reported a regional housing center is being developed to access Community Development Bock Grant funds for housing rehabilitation, first-time homeowners, weatherization, and down payment assistance. It would be advantageous to have a staff member attend the organizational meetings on behalf of the city of Coos Bay. Councilor Stufflebean moved to appoint Community Services Director Shanda Shribbs as the City's representative to the Housing Rehabilitation Policy Board. Councilor Weeks seconded the motion which passed with Mayor Benetti and all Councilors present voting aye.

Adoption of the Final Order Regarding the Confederated Tribes' Request to Vacate Portions of Myrtle Avenue and North 7th Street

Councilor McKeown commented although it has been determined to not be a conflict of interest, it could be perceived as a conflict when he helped the Tribe with a retirement plan. City Manager Bill Grile reported the request by the Tribe to vacate portions of Myrtle Avenue and North 7th Street had been before the Council previously and a tentative decision made. The city attorney has drafted a proposed final order for Council's review and approval. Mr. Grile commented adoption of the final order is the Council's official decision and begins the appeal period.

Councilor Stufflebean stated he was absent for the previous discussion. Mayor Benetti and Councilors McKeown and Stufflebean reported ex parte contact regarding the street vacation request. Mayor Benetti moved to adopt the findings and conclusion as presented. Councilor Weeks seconded the motion which passed with Mayor Benetti and Councilors McKeown, Spangler, and Weeks voting aye; Councilors Larson and Stufflebean voting no; and Councilor Miller was absent.

Authorization to Proceed with Choshi Bridge Request for proposals for Proposals

City Manager Bill Grile explained the condition of Choshi Bridge requires replacing the bridge. The RFP will provide two solutions, a replication of the current bridge or a bare-bones-bridge, and the final proposal will come back to the Council for approval. Mayor Benetti commented staff is requesting a Councilor be appointed to help review the proposals. Councilor Weeks volunteered and was approved by a unanimous vote of the Council. Councilor McKeown suggested staff pursue grants and Mr. Grile commented once the

City Council Minutes – February 5, 2002

design has been selected staff would look into grants. Consensus of the Council was to authorize staff to proceed with the request for proposals process.

Public Hearing for Steve Auer Plan Amendment and Enactment of an Ordinance Changing the Comprehensive Plan Map by Resignating Property from “Residential Low” to “Commercial” Subject Property is Approximately One Acre Located West of 1451 Southwest Boulevard

Planning Administrator Laura Barron read the public hearing disclosure and reported testimony must be directed to applicable criteria. Ms. Barron explained the property is located at Southwest Blvd. and currently mini-storage is located adjacent to the property. The main concern brought up at the Planning Commission hearing was flooding and many of the neighbors spoke about flooding on Dakota. Ms. Barron explained 70 percent of the property is wetlands and Mr. Auer had a study done on water retention in this area. The conclusion of the study was if the area was filled, but staying out of the wetlands, it would increase the flood level one-sixteenth of an inch. Ms. Barron suggested an additional finding be placed in the document regarding the potential impact the development would impose. Ms. Barron reported a letter received tonight regarding delineating wetlands requirements must become a part of the record.

Mayor Benetti opened the public hearing for comments. Steve Auer, Coos Bay, reported the parcel is landlocked and the rezone is for expansion of an existing business. During the hearing there was some talk about a crime problem, and additional security measures will be taken. Councilor Weeks inquired if the back portion would be more visible from Southwest Blvd. Mr. Auer reported a fence will be taken down and visibility will be improved around the buildings. Betty Eck, Washington Street, commented there has been slippage problems on her property with the land filling being done for the original development, and there is also a spring that runs in the area. She asked what Mr. Auer was planning to do about the stream. Mayor Benetti noted the problems she mentioned were in the past. Mr. Barron reported the Planning Commission conditioned the rezone on a SPAR being required prior to the development and would address Mrs. Eck's concerns in part. Ms. Barron noted there would be a 21-day appeal period.

There being no further public testimony, Mayor Benetti closed the public hearing. Councilor McKeown moved to adopt the findings. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye. Councilor Weeks moved to approve the Comprehensive Plan amendment based on the findings and conclusions, and enact Ordinance No. 318. Councilor McKeown seconded the motion. Deputy Recorder Joyce Jansen read the ordinance by title only and polled the Council. The ordinance was enacted with the following vote:

Yes: Mayor Benetti and Councilors Larson, McKeown, Spangler, Stufflebean and Weeks
No: None
Absent: Councilor Miller

Public Comments

Ken Gowen, Coos Bay, thanked city staff for removing the weeds and grass along Newmark Avenue from Ocean Blvd. through Empire.

City Council Minutes – February 5, 2002

City Attorney's Report

City Attorney Randall Tosh reported he has not yet received Harvey Rodger's opinion of the use of urban renewal bond funds, however, he was assured the opinion would arrive in the next few days.

City Manager's Report

City Manager Bill Grile reported a town hall meeting will be held on Thursday to review proposed improvements for the Newmark area regarding pedestrian safety. Mr. Grile commented the District Attorney has requested a letter supporting keeping the crime lab open in Coos Bay, and Chief Knight has prepared a letter for Council's approval. Councilor McKeown commented on the importance of having a local crime lab and supported sending the letter. Mr. Grile reported a letter has been sent to the college asking them to consider participation in the Newmark project. He noted there are a number of funding options and phase options for the Newmark project and staff would like a couple of councilors to help draft the proposals. Councilors McKeown and Spangler volunteered to serve.

Mr. Grile reported the Anderson Alternative is functioning in the way it was expected and has cut down significantly the amount of traffic turning right onto Broadway from Anderson. It is a relief that the City will not have to remove parking along Broadway due to congestion of traffic turning south from Anderson. Councilor Spangler commented there have been complaints about the one-way traffic on Anderson and he suggested staff visit with downtown businesses to see how it is working for them. Councilor McKeown reported the comments he has received from the businesses have been positive on the change.

Mayor and Council Comments

Councilor Weeks commented the yacht at the city docks was beautiful, and reported Councilor Miller is still not feeling well and expressed her appreciation for the cards, flowers and phone calls.

Councilor Spangler commented Lance Bjornerud's retirement party last week was well attended. He noted Lance began as an officer in Eastside, was the first community officer assigned to Empire, and also served with SCINT.

Councilor Larson commented American Bridge locating to Reedsport is positive for the area and will employ 120 people. She wished Councilor Miller a speedy recovery and congratulated Mayor Benetti on receiving the Chamber of Commerce's Business of the Year Award.

Councilor McKeown reported the South Coast Development Council (SCDC) is beginning to see results from their hard work. John Sweet, the current chair of SCDC, was involved in the presentation to American Bridge and his expertise with barge traffic was critical to their decision to locate in Reedsport. Councilor McKeown commented American Bridge coming to Reedsport is a success for the whole area and he is pleased the with City Council's continued financial support of SCDC.

Mayor Benetti congratulated the Marshfield High School cheer team for placing first in the State tournament and the dance team for winning in first in the district competition. He reported a letter supporting continued funding for the Elk River Hatchery has been prepared by the assistant city manager and requested the Council approve sending the letter to Governor Kitzhaber and state representatives. Mayor Benetti reminded Councilors statement of economic interest forms will be mailed soon. Councilor Weeks stated she was happy to see the letter as it was one more way to support economic development in our area.

Adjournment

City Council Minutes – February 5, 2002

There being no further business to come before the City Council, Mayor Benetti adjourned the meeting to February 19, 2002 at 7 p.m. in the Council Chambers.

Joe Benetti, Mayor

ATTEST:

Joyce Jansen, Deputy Recorder