

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

January 7, 2003

The minutes of the proceedings of a regular meeting of the City Council of the City of Coos Bay Coos County, Oregon, held at 6 p.m. in the Council Chambers at City Hall, 500 Central Avenue, Coos Bay, Oregon.

Those Attending

Those present were Mayor Joe Benetti and Councilors Jon Eck, Roger Gould, Anna Marie Larson, Jeff McKeown, and Kevin Stufflebean. Councilor Cindi Miller was absent. City staff present were City Manager Bill Grile, Deputy Recorder Joyce Jansen, City Attorney Nathan McClintock, Community Services Director Shanda Shribbs, Battalion Chief Mark Anderson, Police Chief Chuck Knight, Finance Director Janell Howard, and Library Director Carol Ventgen

Council Interviews

The City Council interviewed Bruce Harlan, Chris Hood, Philip Marler, and Rex Miller for consideration of appointment to the Planning Commission.

Executive Session

An executive session was held pursuant to ORS 192.660 (1) (f) to consider records which are exempt from disclosure. Council reconvened into regular session.

Flag Salute

Mayor Benetti opened the meeting and led the assembly in the salute to the flag.

Presentation of Appreciation Plaque to Outgoing Planning Commissioner Verena Matthews

Mayor Benetti presented Verena Matthews with a Myrtlewood plaque in recognition of her 12 years of service on the Planning Commission. Ms. Matthews commented it has been a privilege to sit on the Planning Commission and an opportunity to learn more about the city.

Department Head Report by Battalion Chief Mark Anderson

Battalion Chief Mark Anderson reported the November 25th fire investigation is ongoing, the Volunteer Firefighters Association hosted at Shore Acres December 29th. In lieu of the park fee, donations were accepted for the firefighters fund and a total of \$2700 was donated bringing the total of the fund to \$213,000. Mr. Anderson reported the volunteer firefighters will be picking up Christmas trees; and Firefighter Bruce Ramberg is now back to active duty after a nine-month battle with cancer. He reported there were 1802 alarms last year and of those 75 percent of the alarms were medical related or public assistance, ten percent were fire, and 15 percent other. The number of alarms increased by ten percent from the previous year.

City Council Minutes – January 7, 2003

Proclamations for School Board Recognition Month and Martin Luther King, Jr. Day

Mayor Benetti reviewed the proclamations and Councilor Stufflebean moved to approve the proclamations. Councilor Eck seconded the motion which passed with the Mayor and all Councilors present voting aye.

Appointments to the Planning Commission

Appointments to the Planning Commission were made by ballot and Bruce Harlan and Chris Hood were appointed to four-year terms.

Public Hearing Regarding Changing the Comprehensive Plan and Zone Designation for Property located at 730 and 756 Hemlock Avenue and 1316 North 8th Street to Allow Multi-Family Dwellings

Councilor Stufflebean declared ex parte contact. Planning Administrator Laura Barron read the public hearing disclosure to the assembly and reviewed the application from landowners Guy and Jason Craig, John and Dolores Grinden, Elmer and Vivienne Steenbock and Debra Scott. Mayor Benetti opened the hearing for public comments. Guy Craig commented he is available to answer Council's questions and noted Ms. Barron covered the application very well. There were no further comments and Mayor Benetti closed the public hearing.

Councilor Stufflebean moved to enact the proposed ordinances amending the Comprehensive Plan and Zone designation of property located at 730 and 756 Hemlock Avenue and 1316 North 8th Street. Councilor Gould seconded the motion and Deputy Recorder Joyce Jansen read the ordinances by title only. The ordinances were enacted by the following vote:

Ordinance No. 329 amending the Comprehensive Plan designation

Aye: Mayor Benetti and Councilors Eck, Gould, Larson, McKeown, and Stufflebean
No: None
Absent: Councilor Miller

Ordinance No. 330 changing the zoning designation

Aye: Mayor Benetti and Councilors Eck, Gould, Larson, McKeown, and Stufflebean
No: None
Absent: Councilor Miller

Consideration of a Request for the City Council to Initiate a Street Vacation for Portions of G Street, 10th Avenue and 11th Avenue, and a Portion of an Alley Located Between 10th and 11th Avenues

Planning Administrator Laura Barron reported the request for the city to initiate a street vacation had been received from attorney Jerry Lesan representing LeRoy and Joan Bracelyn. State law establishes two options for initiating a street vacation; the first option requires the applicant to

City Council Minutes – January 7, 2003

have 2/3 of the property owners' consent, and the other option is for the city council to initiate the vacation and does not require the 2/3 consent. Because of the size of the area, and the number of landowners living out of state, the applicants are requesting the city initiate the vacation. Ms. Barron explained both options require hearings and notice. There was further discussion on the notice procedure, the number of property owners involved, the size and geographics of the property, and whether the city should no longer require 2/3 consent for the initiation of a street vacation. Councilor McKeown commented the Council is not approving or denying the vacation at this point, only beginning the process. Mr. Lesan reported his clients are not trying to avoid public participation and they have offered to enhance the notice process. The concern is getting notarized statements from the property owners living out of state. President McKeown moved to initiate street vacations for portions of G Street, 10th Avenue, 11th Avenue, and a portion of an alley located between 10th and 11th Avenues. Councilor Gould seconded the motion which passed with Mayor Benetti and Councilors Eck, Gould, McKeown, and Stufflebean voting aye and Councilor Larson voting no.

Approval of the Oregon Public Works Emergency Response Cooperative Assistance Agreement

Community Services Director Shanda Shribbs explained the agreement would provide assistance from surrounding communities when help is needed, similar to the mutual aid agreements for police and fire departments. Councilor Stufflebean moved to approve the Oregon Public Works Emergency Response Cooperative Assistance Agreement. Councilor Eck seconded the motion which passed with the Mayor and all Councilors present voting aye.

Approval to Increase Sewer User Fees by Adoption of Resolution 03-01

Community Services Director Shanda Shribbs briefly reviewed the wastewater fund budget and the Capital Improvement Plan. Rates from other cities were compared to Coos Bay rates and Ms. Shribbs reported that for the State to consider grants for the city, Coos Bay's rate would need to be at \$26.62 per month. The recommended increase would bring the residential rate from \$19.87 to \$24.81. Mayor Benetti commented the funds generated by the fees stay in the wastewater fund and this fund needs to be a self-supporting fund. There was some discussion on the possible use of urban renewal funds and Ms. Shribbs reported these funds cannot be used for maintenance, but could be used for replacement of lines. It is estimated the revenue from the increase would be \$170,000 and staff recommendation is to place \$50,000 in a reserve fund. Councilor Stufflebean moved to adopt Resolution 03-01 increasing the sewer user fees effective February 1st. Councilor Eck seconded the motion which passed with the Mayor and all Councilors present voting aye. Mayor Benetti commented the Budget Committee had approved the increase for this fiscal year's budget and the Council has postponed sewer fees for the past three years.

Approval to Amend Ordinance No. 132 Providing for Uniform Requirements for Users of the City's Wastewater Treatment System by Enacting the Proposed Ordinance

Community Services Director Shanda Shribbs explained the amending ordinance is a significant rewrite, includes administrative fees for additional work required by staff in gathering information for customers, some is housekeeping items, and should make the ordinance easier to

City Council Minutes – January 7, 2003

comprehend. Councilor Stufflebean moved to enact the ordinance amending Ordinance No. 132. Councilor McKeown seconded the motion and Deputy Recorder Joyce Jansen read the ordinance by title only. The ordinance was enacted by the following vote:

Aye:	Mayor Benetti and Councilors Eck, Gould, Larson, McKeown, and Stufflebean
No:	None
Absent:	Councilor Miller

Public Comments

Matt Fare, Coos Bay, commented the fire tragedy of November 25th impacted everyone and he expressed appreciation for the outpouring of community support. Many in the fire service did not realize the affect this incident had on people outside fire service and did not realize the amount community support there was for fire service. Mr. Fare commented he is proud of the community and proud to live in Coos Bay.

City Manager's Report

City Manager Bill Grile reported the IBO program on February 19th will be Ken Strobeck from the League of Oregon Cities giving a presentation on diminishing returns. Mr. Grile expressed concerns about repairs to the slide in Eastside and noted staff will be monitoring the work. He presented the Council with a survey on expenditures and staffing of cities for public safety.

Council Comments

Councilor Larson congratulated Mr. Harlan and Mr. Hood on their appointment to the Planning Commission, and wished everyone a happy and healthy new year. Councilor Stufflebean reported the League of Women Voters will present a forum on Ballot Measure 28 tomorrow evening at city hall. He further commented on the affects of local state services if the measure fails. Councilor Gould commented the Council and community have a lot of tough issues for funding and level of service. He noted Mr. Grile's handout shows no other city spends less on fire per capita than Coos Bay. Councilor McKeown reported SCDC is working with a potential new business that would be a fairly large employer, and he thanked Matt Fare for his comments.

Mayor Benetti wished everyone a happy new year and expressed his appreciation for a great staff and city. He would not be giving a State of the City address, but would reiterate he is glad to be part of the community, and by working together we can resolve the economic and funding issues facing the city. Mayor Benetti reminded the Council that interviews for the Budget Committee will be held next Tuesday at 6:30 p.m. He encouraged everyone to attend the Martin Luther King, Jr. celebration and encouraged voters to be informed and vote.

Executive Session

An executive session was held pursuant to ORS 192.660 (1) (h) for the purpose of consulting with legal counsel regarding current litigation. Councilor Gould moved to go into executive session and Councilor Eck seconded the motion which passed unanimously.

City Council Minutes – January 7, 2003

The Council reconvened in regular session.

Adjourn

There being no further business to come before the Council, Mayor Benetti adjourned the meeting to January 14, 2003 in the Council Chambers at City Hall.

Joe Benetti, Mayor

ATTEST:

Joyce Jansen, Deputy Recorder