

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

April 1, 2003

The minutes of the proceedings of a regular meeting of the City Council of the City of Coos Bay held at 7 p.m. in the Council Chambers at City Hall, 500 Central Avenue, Coos Bay, Coos County, Oregon.

Those Attending

Those present were Mayor Joe Benetti and Councilors Jon Eck, Roger Gould, and Jeff McKeown. Councilors Anna Marie Larson, Cindi Miller, and Kevin Stufflebean were absent. City staff present were City Manager Bill Grile, Deputy Recorder Joyce Jansen, City Attorney Nathan McClintock, Fire Chief Stan Gibson, Library Director Carol Ventgen, and Police Captain Eura Washburn.

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 a recommendation to approve an OLCC off-premises sales license for Wal-Mart Stores, Inc., appointment of a Parks Commissioner to the Tree Board, and approval of the minutes of the March 18, 2003 meeting. Councilor McKeown moved to approve the consent calendar as presented. Councilor Gould seconded the motion which passed with the Mayor and all Councilors present voting aye.

Presentation of a Proclamation for Child Abuse Prevention and Awareness Month by Twila Vesey

Ms. Twila Vesey reported on the purpose of proclaiming April child abuse awareness month and read the proclamation to the assembly. Councilor Gould moved to adopt the proclamation. Councilor McKeown seconded the motion which passed with the Mayor and all Councilors present voting aye.

Department Head Report by Library Director Carol Ventgen

Library Director Carol Ventgen reported the library will hold a literacy workshop for members of the Latino community on April 2nd and sponsor a Spanish story hour for families on the 30th. At the request of patrons, the library will provide foreign films and also have a foreign film day once a month. April is National Poetry Month and Erik Muller will present the program on the 10th.

Ownership Change for Solid Waste Franchise Agreement with Les' Sanitary Services – Report from Les Golbek of Les's Sanitary and Eric Merrill of Waste Connections

Les Golbek announced his retirement after 35 years of service in the community and commented on the changes that have taken place in solid waste management over the years. Mr. Golbek introduced Eric Merrill, Regional Vice-President of Waste Connections. Mr. Merrill

City Council Minutes – April 1, 2003

reported Waste Connections is a small, west coast based company with headquarters in Folsom, California, and their business approach is very similar to Les' Sanitary Service. He does not expect many changes in the service as the current system works well for the community. No action was required on this matter by the Council.

Award of Bid for the Newmark Improvement Project

Mayor Benetti reported a number of phone calls have been received regarding the Newmark project and he opened the subject for public comments. Doyle Williams, Coos Bay, expressed concern about the method water pipes were installed on Wal-Mart's property. Mr. Williams had contacted city staff regarding this matter and suggested the city take steps to insure the job is done properly. He also reported the fill site on Lakeshore Drive from the project was not being handled according to specifications and submitted pictures taken at both sites. City Manager Bill Grile reported the issue on Lakeshore Drive has been reviewed and a letter sent to Laskey Clifton addressing these concerns. City Engineering Services Coordinator Karen Turner commented staff did check on the Wal-Mart project when it was reported and the inspector found no evidence of improper installation. She further explained the pipe is on private property and was inspected by the State, however 600 feet was on Wal-Mart property and they had their own inspector for the project. Ms. Turner reported the city will hold the contract on the Newmark Widening Project and staff will have much more coverage on the work.

The city received two bids for the Newmark project: Laskey-Clifton Corporation in the amount of \$1,978,396.35 and LTM, Inc. dba Bracelin-Yeager in the amount of \$2,054,238.50. Councilor McKeown expressed concern regarding the problems on Lakeshore Drive and the pipe issue. He commented the two bids are very close and one contractor is a local entity, and since the Council has some flexibility, he is inclined to look at the second bidder. Councilor Gould noted the city can take into consideration past history of compliance. City Attorney McClintock reviewed ORS 279.029 regarding contract award to the lowest responsible bidder, and other issues such as satisfactory record of performance and integrity. He commented if the Council finds Laskey-Clifton does not have a satisfactory record of performance, the Council can award the contract to another bidder.

Councilor Gould commented the city must document instances of lack of responsibility and Mr. Williams has documented the issues photographically and given testimony to the Council. Councilor Gould commented his concern about one of the companies relates to property owners around the project. Mayor Benetti pointed out that to reject the low bidder would delay the project. Councilor Gould commented both companies do fine construction work in the community and although he is concerned about the items Mr. Williams has brought to the Council's attention, Oregon law definitely states the bid shall be awarded to the lowest responsible bidder. He suggested awarding the bid to Laskey-Clifton and the city take an affirmative stance to see that Laskey-Clifton performs appropriately. Dyer Partnership is the project manager for the project and Mike Ericson commented he is comfortable with the duties required as project manager and inspector, and has worked with both companies.

Councilor Jeff McKeown moved to award the contract to the apparent low bidder, Laskey-Clifton, for \$1,978,396.35 with staff authorization to approve change orders up to 10% of the contract price, based on the funding component as outlined in the March 25, 2003 staff report, including the funding from Southwestern and the contribution from the adjacent developers. Councilor Jon Eck seconded the motion which passed with Mayor Joe Benetti and Councilors

City Council Minutes – April 1, 2003

Jon Eck, Roger Gould, and Jeff McKeown voting aye. Councilors Anna Marie Larson, Cindi Miller, and Kevin Stufflebean were absent.

City Manager's Report

City Manager Bill Grile reported on SB 585 regarding preemption on street user fees and will provide additional information about the bill to the Council. Mr. Grile reported the Jaycees will be handling the arrangements for the 4th of July in Mingus, the Fun Festival Committee donated \$1,000 to the city for the service provided by the city; an agreement between the city and the Boys and Girls Club to provide a summer activities program is in the works; and preparation of the proposed budget for fiscal year 2003/04 is on schedule.

Council Comments

Councilor Gould reported the Coos County Urban Renewal Board met to review the annual budget and the North Bay District has \$1.2 million; \$800,000 is available for projects and \$400,000 is for payment of existing debt. Councilor Gould commented the Port is working with the State and railroad agencies to help pay for repairs to the rail bridge and the Urban Renewal Board agreed to contribute funds toward the repairs. Councilor Gould reported the Library Board met recently and adopted their 2003/2004 budget with a carryover coming in at \$245,000 and down to \$148,000 at the end of the year. Councilor Gould commented other communities and states are facing the same economic challenges as Coos Bay and Oregon. Councilor Eck reported the Coos Bay Fire Department provided station coverage for Independence, Oregon, and attended the memorial service one of their firefighters. He reminded the Council of the Firefighters Awards Banquet on April 12th. Councilor McKeown reported at their last meeting, the SCDC board appointed Ron as the interim executive director, and SCDC will begin providing regular work status reports to the City Council. Councilor McKeown expressed appreciation for participating in exit interview with Officer Rod Schweitz.

Mayor Benetti expressed appreciation for information received from the public, and thanked the Water Board for giving quarterly updates to the Council. Mayor Benetti reported the Water Board has requested two members of the Council sit on the budget committee and Councilors Gould and McKeown volunteered. Mayor Benetti submitted a memo to the Council from the Budget Sub-Committee outlining their recommendations regarding the city's budget.

Adjourn

There being no further business to come before the Council, Mayor Benetti adjourned the meeting to April 15, 2003 in the Council Chambers at City Hall.

Joe Benetti, Mayor

ATTEST:

Joyce Jansen, Deputy Recorder