

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

January 17, 2006

The minutes of the proceedings of a 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 Attending

Those present were Mayor Joe Benetti and Councilors Jon Eck, Roger Gould, Jeff McKeown, John Muenchrath, and Kevin Stufflebean. Councilor Cindi Miller was absent. City staff present were City Manager Scott McClure, Deputy Recorder Joyce Jansen, City Attorney Nate McClintock, Community Services Director Jim Hossley, Finance Director Janell Howard, Fire Chief Stan Gibson, and Police Chief 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 approval of initiation of a proposed street vacation for a portion of North 8th Street. Councilor Eck moved to approve the consent calendar as presented. Councilor Muenchrath seconded the motion which passed with the Mayor and all Councilors present voting aye.

Consideration of Award of Bid to Purchase a New Fire Engine

Fire Chief Stan Gibson reported funding is in the budget to purchase a new fire engine. The department last purchased an engine in 1995. Chief Gibson reported bids were received from H & W and Rosenbauer, and Rosenbauer was the only responsive bid. Councilor McKeown moved to award the bid to Rosenbauer for \$279,412.00 for the purchase of the new fire engine. Councilor Gould seconded the motion which passed with the Mayor and all Councilors present voting aye.

Consideration of 2005 Fire Grant Expenditure

Fire Chief Stan Gibson reported the Fire Department received a firefighter safety grant for \$133,475.00 from FEMA. The city's portion of the grant is \$6,737.00. Chief Gibson explained the grant is for two program areas; health and wellness, and communications. The health and wellness portion will be used to purchase exercise equipment, and the communications portion will be used to purchase 25 Motorola hand-held radios. Bids for the exercise equipment were received from WS Enterprises and Associates, Inc. and Frank Betourne Company. The Betourne bid did not meet bid requirements and was rejected. Bids for the radios were received from Day Wireless Communications for \$46,489, TBS Electronics for \$56,855, and Bearcom Communications for \$63,750. Councilor Stufflebean moved to award the bids to WS Enterprise and Associates, Inc. for \$65,392.39, and to Day Wireless Communications for \$46,489.00.

City Council Minutes – January 17, 2006

Councilor Muenchrath seconded the motion which passed with the Mayor and all Councilors present voting aye.

Consideration of Approval of an Inter-Governmental Agreement with the City of North Bend for Crossover Wastewater and Services

City Manager Scott McClure reported the practice of customers in each city receiving wastewater services from the other cities dates back to the 1960s. In development of the proposed agreement, responsibility for maintenance of the lines was discussed. Mr. McClure reported the new agreement requires the requests for service to be dealt with on a case by case basis and will go through a standard process. The city of North Bend approved the agreement last week. Councilor Stufflebean moved to adopt the inter-governmental agreement. Councilor Eck seconded the motion which passed with the Mayor and all Councilors present voting aye.

Consideration of Wayne Schrunk's Application for Connection to Coos Bay's Wastewater Treatment System

City Manager Scott McClure reported Wayne Schrunk is the first applicant for connection to the city's wastewater treatment system for homes he is constructing in North Bend. Staff has reviewed the application and recommends approval. Council discussed the number of homes to be connected and Mr. Schrunk indicated the maximum hookups would be 28. Councilor Gould moved to approve the agreement for a maximum of 28 homes. Councilor Eck seconded the motion which passed with the Mayor and all Councilors present voting aye.

Public Hearing – Confederated Tribes Appeal of a Variance to the 35' Height Limitation in Order to Site a 120' High Cell Tower for Edge Wireless (ZON2005-00037)

Mayor Benetti reported a request for a continuance has been received. Community Services Director Jim Hossley noted the continuance would be to March 7, 2006. City Attorney Nate McClintock reported this would be the last continuance as they would be at the maximum time frame that the city can make a decision on the variance. Councilor Muenchrath moved to grant the continuance with the amendment that March 7, 2006 will be the last continuance. Councilor Eck seconded the motion which passed with the Mayor and all Councilors present voting aye.

City Attorney's Report

City Attorney Nate McClintock reported the arbitration hearing with the Firefighters Association is scheduled for tomorrow. After the hearing, both sides will have 30 days to submit written arguments, and 60 days for the final decision.

City Manager's Report

Community Services Director Jim Hossley reported the Barham Terrace repairs have not been completed due to weather, and the Koosbay Blvd project will begin once the contractor receives the pipe in approximately three weeks. In the interim staff has implemented a way to divert the water which eliminates the need for pumping. Councilor Eck inquired about the problem on

City Council Minutes – January 17, 2006

Kingwood. Mr. Hossley reported the city has a ten foot sewer easement through the property and received a report of a small slide. The city's engineer reported material had been piled up by the property owner and could have contributed to the problem.

Councilor McKeown inquired about repairs to the dike in Englewood. Fire Chief Stan Gibson reported the city has submitted the required documentation with the declaration of emergency and according to the county emergency manager, Coos County has not been approved. An assessment of the county will be done on January 30th. Mr. Gibson and Mr. Hossley have attended the county emergency management meetings and met with the Libby Drainage District. The Corp of Engineers also attended the meetings but cannot do anything until asked by the state. Mr. Gibson reported the Corp's recommendation to eliminate flooding in the Englewood area would be to build a dike on the south side of Old Wireless Lane, construct a dike at Red Dike Road, and place a tide gate at Southwest Blvd and Illinois Street. It is anticipated an 8.8 foot tide will take place on January 27th and an 8.9 tide on the 31st. The contingency plan for the dike, if the governor does not accept the emergency declaration, will be to use sandbags along Southwest Blvd and Illinois Street. Mr. Gibson reported the city is working on partnerships with local merchants to stock sandbags and the city would provide the sand as a way to help citizens prepare for high water.

City Manager Scott McClure reviewed the 2005 Year-End Report which is attached and hereby made a part of the record. Mr. McClure reviewed the status of the project summary report and noted the Empire Waterfront Plan Committee will hold their final meeting on Thursday to form a recommendation to bring to the Council; the Parks Master Plan will be reported at the February 7th Council meeting; and information on the fire station siting will come to the Council shortly. The city manager asked if the Council would like to schedule a meeting to review goals and consensus of the Council was to meet on an off Tuesday in March.

Public Comments

Rich Shearer, Coos Bay, commented on limited access on 8th Street due to the gate closing the street, and referred to a petition to remove the gate. Mr. Shearer commented the gate causes a delay in receiving emergency services, and during the recent flooding, the only way out was down 7th Street and across private property. He urged the Council to consider removing the gate. Alice Exton, Coos Bay, expressed concern about the extra time it takes emergency vehicles to go around the locked gate. Ms. Exton referenced a petition to remove the gate which she submitted in August, and stated at that time the Council told her to wait six months. An additional petition was submitted to the City requesting removal of the gate. Councilor McKeown commented very little public input was received during the hearing on installation of the gate. Councilor Gould suggested the item be placed on the Council agenda for the next meeting. Mayor Benetti commented notice of the hearing would be sent to the residents and the petitioners.

Council Comments

Councilor Stufflebean reported Coos County had \$4 million for earned income tax credit last year that was unclaimed and the County will be getting additional information out to the community at the end of the month. He also commented on the adverse impact "payday" and "title" loan businesses have on low income families. Councilor Stufflebean requested the city

City Council Minutes – January 17, 2006

manager and city attorney look into ways the city could legislate this type of business. City Attorney Nate McClintock commented he would look into the issue after he's done with arbitration. Councilor Gould commented the businesses are regulated by state statute and the interest rates are allowed to be set high; although, the city could regulate with an ordinance. Councilor McKeown commented with reasonable interest rates, the businesses could be providing a needed service.

Mayor Benetti reported Marty Crouse has expressed interest in managing the 4th of July in the park and he asked the Council their opinion. He explained last year the city sponsored the Boys and Girls Club for National Kids Day in August. Councilor McKeown commented a number of citizens have expressed a desire for the city to continue with the 4th of July event. Consensus of the Council was to proceed with the July 4th event.

Adjourn

There being no further business to come before the Council, Mayor Benetti adjourned the meeting to February 7, 2006 in the Council Chambers at City Hall.

Joe Benetti, Mayor

Attest:

Joyce Jansen, Deputy Recorder