

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

October 3, 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 Cindi Miller. Councilor Kevin Stufflebean was absent. City staff present was Interim City Manager Joyce Jansen, Acting Deputy Recorder Jackie Mickelson, City Attorney Nate McClintock, Public Works and Development Director Jim Hossley, Finance Director Janell Howard, Fire Chief Stan Gibson, Library Director Carol Ventgen, Police Chief Eura Washburn, and Planner Laura Barron.

Flag Salute

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

Public Hearing on the Proposed Text Amendment to the Land Development Ordinance Chapter 5.8 Regarding Alternatives for the Reconfiguration of Property

Planning Administrator Laura Barron read the public hearing disclosure to the assembly and explained the City of Coos Bay is proposing to amend a land development ordinance in order to add language that would define the process for reconfiguring property through a replat and a property line adjustment. Ms. Barron explained in the Oregon Revised Statutes it states in order to do a property line adjustment there needs to be a process in the ordinance and that is what this would do. It would also include a more refined process for a replat. Ms. Barron reported on September 12th the Planning Commission recommended approval of the proposed addition to the text of the ordinance.

Mayor Benetti opened the public hearing. There being no comments, Mayor Benetti closed the public hearing. Councilor Gould moved to enact the proposed text amendment to the Land Development Ordinance Chapter 5.8 recommend by staff and Councilor Miller seconded the motion. Acting Deputy Recorder Jackie Mickelson read the ordinance by title only and Ordinance No. 388 amending to the text of the Land Development Ordinance Chapter 5.8, alternatives for the reconfiguration of property (ZON2006-00067) passed with the following vote:

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

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Adoption of Resolution 06-33 Approving Final Plat for Forest Hills Estates Subdivision

Councilor McKeown commented he had clients involved with this, but because he has no financial interest there would be no conflict. Planning Administrator Laura Barron read the public hearing disclosure to the assembly and explained on March 8, 2005 the Planning Commission recommended and the City Council approved the preliminary plat for the Forest Hills Estates subdivision. The City Council affirmed the Planning Commission's recommendation on April 5, 2005 with the exception of the requirement for the sidewalk width which went through an appeal and was determined to be 4.5 feet. On September 26, 2006 the City received a final plat and supplementary materials. Ms. Barron explained at the time the agenda packet was assembled there were four missing items. Since then there have been three received – the Engineer plans for the retaining wall, the County Surveyor's remarks, and a corrected convenient and restrictions. One item being worked on is a warranty bond which is required by City Ordinance No. 292.

Ms. Barron explained there were two additional notes to be added: (1) The owners of lots 20 & 21 to be responsible for the maintenance of the rock wall located in the Forest Hills right-of-way and on blocks 20 & 21; (2) Lots 20 & 21 a foundation must be set back a minimum of 8 feet from the top of the scope. Any proposal to place foundations closer would need to be individually evaluated by the City Building Official and/or Engineer at the expense of the individual. Ms. Barron explained the Public Works and Development Department recommends the City Council ratify an approval for Forest Hills Estates subdivision and adopt resolution 06-33 subject to receiving the warranty bond plus the two additional notes listed above. Mayor Benetti opened the public hearing. There being no comments, Mayor Benetti closed the public hearing. Councilor Gould moved to adopt Resolution 06-33 and Councilor Eck seconded the motion which passed with Mayor Benetti and all Councilors present voting aye.

Adoption of Resolution 06-34 Adopting the Collections Sanitary and Storm Water Master Plans

Public Works and Development Director Jim Hossley reported the majority of the Collection Sanitary and Storm Water Master Plan was prepared by HGH Consulting and some parts were prepared by Dyer Partnership. Mr. Hossley explained the master plan will serve as a guide for management of the wastewater collection and storm water for approximately 20 years. There is a priority list being put together which will provide the technical data needed to systematically upgrade the infrastructure. Councilor McKeown asked if the Mr. Hossley thought the priorities were correct. Mr. Hossley confirmed they were, and that he was already working towards them. Councilor Miller moved to adopt Resolution 06-34 the Collection Sanitary and Storm Water Master Plans and Councilor Eck seconded the motion which passed with Mayor Benetti and all Councilors present voting aye.

Report from the Finance Director on Property Tax Revenue

Finance Director Janell Howard gave a brief update on the 2006/2007 property taxes. Ms. Howard reported the final numbers from the County Assessors Office showed an increase of approximately \$68,000 from the 2006/07 budget approved in April, and the increase was mostly from new construction. She stated the property tax increased \$216,000 over the 2005-06

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budget for a 5.7% increase. Health insurance rates decreased this year and PERS has stabilized.

Discussion of the City Manager Recruitment Process

Interim City Manger Joyce Jansen explained she was still doing some research on recruiting firms, and had included in her report a recap of the city manager recruitment process from 2004. She explained the city manager profile might need to be updated and some standards, criteria, and policies adopted. Ms. Jansen recommended a work session to go over these items and stated she would provide a packet of information on recruiting firms for that meeting.

City Attorney's Report

No report.

City Manager's Report

Public Works and Development Director Jim Hossley reported Choshi Bridge would be completed in October; a half time Building Codes Specialist and full time Codes/Planning Specialist was hired, and employee Julie LaPraim would be transferring to the Streets Department; \$46,000 was received from FEMA for storm damage to roads in December; and would be receiving in the near future approximately \$200,000 to help with cost of money spent on 10th Street. Fire Chief Stan Gibson reported Fire Prevention Week began October 9th and open houses will be held at the Eastside, Empire, and Downtown stations with games, food, and fire safety demonstrations. Chief Gibson encouraged everyone to attend the free Earthquake-Tsunami workshop at SWOCC on October 21st.

Interim City Manager Joyce Jansen commented Karl Kennedy with ORCA Communications, the company providing the downtown WiFi, had brought an agreement for another tower to be placed on the south side of town; and ORCA sent an invitation to their annual customer appreciation night November 3rd; and reported Allan Ledesma would meet with her to discuss the City's web page. Councilor Muenchrath commented he would like Mr. Kennedy to give an updated report, so the Council can make a decision whether this is a good use of public money.

Public Comments

Mark Daily, Coos Bay, commented his restaurant is mostly made of concrete so there is no signal inside, but the business owners can put an antenna on the roof to get a signal then rebroadcast into the building.

Council Comments

Mayor Benetti announced a special Urban Renewal Agency meeting will be held October 4th to discuss potential condemnation on South Town property. Councilor Gould commented on an article in the World Newspaper regarding the Coos Bay Library remodel. He commented the article ended in a negative note by indicating the City had wasted tax payers' money. Library Director Carol Ventgen explained some of the past improvements and stated it was a ten year project and the next improvement should be Phase II. Councilor Miller stated she was sorry she

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missed the last meeting, but wanted to thank everyone for another successful Bay Area Fun Festival. Councilor Muenchrath expressed his thoughts on property condemnation and encouraged everyone to attend the Urban Renewal Agency meeting. Councilor McKeown stated the property condemnation was something the Council would have to consider very carefully.

Mayor Benetti announced they had spent \$25,000 with the South Coast Development Council to develop this property, but prior to this they spent \$100,000 trying to make a deal with Home Depot and failed. He reminded everyone of the LNG forum meeting on October 18th at the North Bend Community Center; attended 100 year reunion of the Holy Redeemer Church and the Sisters of Mercy; Soroptimists is celebrating their 65th year anniversary; and Choshi bridge will be finished soon and asked staff to invite the Mayor of Choshi for the dedication.

Executive Session

Councilor Miller moved to go into executive session pursuant to ORS 192.660 (2) (e) for the purpose of discussing real property negotiations; ORS 192.660 (2)(f) to consider privileged communications from legal counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed, and ORS 192.660 (2) (h) for consultation with legal counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed. Councilor Eck seconded the motion which passed with the Mayor and all Councilors present voting aye. The Council reconvened into regular session.

Adjourn

There being no further business to come before the Council, Mayor Benetti adjourned the meeting to October 17, 2006 in the Council Chambers at City Hall.

Joe Benetti, Mayor

Attest:

Jackie Mickelson, Acting Deputy Recorder