

## **MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL**

**October 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 Councilors Jon Eck, Jeff McKeown, Cindi Miller, and Kevin Stufflebean. Mayor Joe Benetti and Councilors Roger Gould and John Muenchrath were 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, Assistant Library Director Ellen Thompson, Sergeant Robert Lounsbury, and Support Services Supervisor Linda Mitchell.

### **Flag Salute**

Council President Jeff McKeown opened the meeting and led the assembly in the salute to the flag.

### **Consent Calendar**

Council President Jeff McKeown reviewed the consent calendar which consisted of approval of new outlet for OLCC license application owners Verne and Rhonda Herz located at 227 South Empire Boulevard, Coos Bay. Councilor Cindi Miller moved to approve the consent calendar as presented. Councilor Jon Eck seconded the motion which passed with the all Councilors present voting aye.

### **Report From Operations Management International Inc., OMI – Steve Simpson**

Project Manager Steve Simpson distributed the annual OMI report to the Council, commented OMI had recently had their annual client appreciation barbeque, and presented an annual rebate check in the amount of \$59,023.01 to Council President Mckeown.

### **Public Hearing on the Proposed Local Improvement District for Minnesota Avenue to Hear Testimony From Property Owners**

Council President McKeown declared a potential conflict of interest and excused himself from the hearing. Public Works and Development Director Jim Hossley demonstrated the location of the proposed Local Improvement District (LID) for Minnesota Avenue and explained it had been before the Council previously and this hearing was for testimony for and against the LID. He distributed a written remonstrance received from the AI Pierce Co. Councilor Eck opened the public hearing. John Foss, Managing Agent for AI Pierce Company, explained AI Pierce Co. objected to being included in this proposed LID because they would not benefit from the improvement. He explained the northerly boundary of the proposed improvement to Minnesota

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Avenue and its right-of-way and the southerly boundary of Al Peirce Co. were separated by a gully and stream which prevents them from gaining any access to the property from Minnesota Avenue contained within the proposed LID. Joannie Johnson, Coos Bay, spoke on behalf of Erika Knee who because she owns a very small home felt she should pay less. John Godeau, Coos Bay, explained he was in favor of the LID and it would be a big improvement. Lewis Warnock, Coos Bay, explained he was in favor of the LID because it would bring the property values up. There being no further testimony, Councilor Eck closed the public hearing.

Councilor Stufflebean explained after considering everything, he supported the LID and the costs were distributed fairly. Councilor Miller commented the improvements were needed and supported approving the LID. Councilor Eck also expressed support for the LID and commented everyone would use it. Councilor Stufflebean moved to adopt the one-half acreage and one-half frontage billing method and move forward with the Local Improvement District. Councilor Miller seconded the motion which passed with Councilors Eck, Miller, and Stufflebean voting aye. Councilor McKeown abstained from the vote. Councilor Stufflebean explained he would like everyone to know this was brought by citizens to the City and not something the City was imposing. Councilor President McKeown announced an executive session for the purpose to discuss labor negotiations had been added to the meeting.

### **Consideration on the Award of a Bid to Purchase Public Works & Development Department Vehicle**

Public Works and Development Director Jim Hossley explained there had been \$25,000 dollars budgeted in the Major Capital Improvement Reserve Fund to purchase a new vehicle to replace a 1993 Ford Explorer. Staff prepared an Invitation to Quote for a 2007 Jeep Grand Cherokee Laredo 4x4 listing specifications for the same vehicle in the State Contract. Invitations were sent to three local firms and two quotes received back. Staff pulled the price from the State Contract bringing the total number of quotes to four with the lowest bid being from the State Contract for \$20,073.58. Mr. Hossley stated the staff recommends the approval of the 2007 Jeep Grand Cherokee for \$20,073.58. Councilor Eck moved to approve the purchase of the 2007 Jeep Grand Cherokee State Contract for \$20,073.53 and Councilor Miller seconded the motion which passed with all Councilors present voting aye.

### **Consideration on the Approval to Surplus 6,000 Square Feet of City Owned Property – North 40 Feet of Lots 5, 6, & 7 on Block 10 in Empire, Section 19**

Public Works and Development Director Jim Hossley explained the property is near the Empire boat ramp, and Mr. Clarence Miller, owner of the Sea Psalm Apartel had requested to purchase City-owned property adjacent to his apartment. The property is currently graveled and used as a parking lot for the adjacent apartments. Mr. Miller explained he would like to purchase the property to pave and use for a parking lot for his apartment. Councilor Eck expressed concern on how this would affect the Hollering Place Project. Councilor McKeown stated because of the uncertainty of the Hollering Place he would not want to sell the property at this time, but maybe it could be paved with urban renewal funds. Councilor Miller agreed and stated the City might want to acquire property in that area later. Councilors Eck and Stufflebean agreed it would not be a good idea to sell the property. It was a consensus not to sell the property.

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### **Consideration to Amend No. 1 Professional Services Contract to The Dyer Partnership for Design of the Wastewater Treatment Plant I Outfall Storm Water Separation Phase I Project**

Public Works and Development Director Jim Hossley reported staff was looking for an approval of an amendment to a current Professional Services Contract with The Dyer Partnership. Mr. Hossley explained the failure of the outfall pipe for Plant I was the reason for this amendment. The City had contracted with Dyer Partnership and staff signed a “not to exceed” \$18,300 contract for a study/pre-design; however, staff has learned additional work is necessary to meet mixing zone requirements mandated by DEQ in the City’s NPDES permit. Dyer has modeled a design that meets the mixing zone required by DEQ by separating the storm water flow from the effluent and by adjusting the diffuser assembly at the end of the effluent outfall pipe. The cost to construct two separate outfalls and diffuser assembly is substantially more than the original estimate for repair. Mr. Hossley explained the new estimate for full engineering services plus construction cost to separate the storm from the sanitary effluent is estimated to be \$3.1 million. He also reported there had been a second opinion done by West Yost and Associates and they agreed with Dyer’s suggestions. Councilor Stufflebean moved to modify the amendment for professional services for \$59,120. Councilor Miller seconded the motion which passed with all councilors present voting aye.

### **Public Input on the Criteria for Hiring the City Manager**

No public comment were given.

### **City Attorney’s Report**

No report.

### **City Manager’s Report**

Interim City Manger Joyce Jansen reminded everyone the Egyptian Theater was having a movie preview October 20<sup>th</sup> to demonstrate their new DVD projector; an Earthquake-Tsunami workshop is being held at Southwester Oregon Community College October 21<sup>st</sup>; the City is working on the relocation of the tennis courts with Aron Boesl taking the lead; and on October 24<sup>th</sup> the Council will meet with three recruiting firms regarding the City Manager position. Ms. Jansen requested approval to go out for bid to hire a risk manager for the City. It was a consensus from the Council to check into a risk manager.

### **Public Comments**

Joannie Johnson, Coos Bay, inquired about parking signage, a mural, and potted plants at 275 South Broadway. Councilor McKeown commented it would be good idea and to do a more comprehensive plan later. Councilor Miller agreed there needed to be better signage. Ms. Jansen commented she would bring some ideas to the Council at a future meeting. Ms. Johnson also inquired about opening Anderson Avenue to two-way traffic. Ms. Jansen recommended reviewing it once the new council members were elected.

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Scott Frasier, Coos Bay, distributed articles from The World newspaper on a hunting area in the Coos Bay city limits. City Attorney McClintock explained Fish & Wildlife controls where firearms are discharged in the city limits with specific Oregon Administrative Rules, but Coos Bay was not mentioned, and an emergency order to allow discharging of fire arms in that area was adopted. Mr. Frasier explained he had lived in Eastside for 20 years, but did not realize his house was located in this hunting zone. He expressed concern for the safety for the houses located in this area and mentioned there is also a public walking trail in that area. Councilor McKeown commented he was surprised at the location and suggested it be looked into. Councilor Stufflebean commented the City and State would be reviewing this area and would address the boundaries later.

### **Council Comments**

Councilor Eck commented the Fire Department hosted three open houses and were well attended. Chief Gibson reported the open houses were Monday in Eastside with 250 people attending, Tuesday in Empire with over 300 people, and Wednesday in the Downtown station with over 600 people. There were games for the kids, clowns, robots, and puppets, and it was a great way to get a fire safety message to the public. Councilor Stufflebean reminded everyone of the LNG forum meeting tomorrow night at the North Bend Community Center and encouraged the candidates to attend. He commented he attended the meeting in Bandon which was very informative. Councilor Stufflebean reported he has a candidate's forum next Tuesday and he will not be able to attend the October 24<sup>th</sup> meeting. Councilor McKeown agreed the LNG forum was a good place to get some answers, and stated he was also going to be gone next Tuesday.

### **Executive Session**

Councilor Miller moved to go into executive session pursuant to ORS 192.660 (2)(d) for the purpose of discussing labor negotiations. Councilor Eck seconded the motion which passed with all Councilors present voting aye.

The Council reconvened in regular session.

### **Adjourn**

There being no further business to come before the Council, Mayor Benetti adjourned the meeting to October 24, 2006 at the public library meeting room.

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Jeff McKeown, Council President

Attest:

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Jackie Mickelson, Acting Deputy Recorder