

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

March 2 & 3, 2009

A work session was held March 2, 2009 at 6 p.m. in the Council Chambers at City Hall, 500 Central Avenue, Coos Bay, Oregon to review the March 3, 2009 City Council and Urban Renewal meeting agendas. No decisions were made.

A regular meeting was held by the City Council on March 3, 2009 at 7:00 p.m. in the Council Chambers at City Hall, 500 Central Avenue, Coos Bay, Oregon.

Those Attending

Those present were Councilors Mark Daily, Jon Eck, Joanie Johnson, Gene Melton, and John Pundt. Mayor Jeff McKeown and Councilor Stephanie Kramer were absent. City staff present were City Manager Chuck Freeman, Economic and Community Development Manager Joyce Jansen, Public Works and Development Director Jim Hossley, Finance Director Rae Lea Cousens, Fire Chief Stan Gibson, Library Director Carol Ventgen, Planning Administrator Laura Barron, City Engineer Carl Nolte, and Police Chief Rodger Craddock.

Flag Salute

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

Consent Calendar

Council President Eck reviewed the consent calendar which consisted of approval of the minutes of February 17 and 21, 2009. Councilor Melton moved to approve the consent calendar as presented. Councilor Daily seconded the motion which carried with Council President Eck and Councilors Daily, Johnson, Melton, and Pundt voting aye. Mayor McKeown and Councilor Kramer were absent.

Public Hearing to Consider a Vacation of Olsen Avenue West of South Empire Boulevard – Enactment of the Proposed Ordinance

Planning Administrator Laura Barron read the public hearing disclosure statement and stated on February 10, 2009 the Planning Commission vote ended in a tie of 3-3. Issues regarding public access to the bay and limiting the number of vehicular accesses from Empire Boulevard to individual businesses dominated the discussion. The 60-foot wide undeveloped Olsen Avenue proposed to be vacated lies between S. Empire Boulevard and Mill Street. The applicants, MKG Trust – Rich Gallagher, owns the property abutting the north side of the right of way and Bay Area Hot Spring Spas - Mr. and Mrs. Montgomery own the property to the south. The purpose of the request is to construct an access drive, not to city standards, to the abutting properties in the vacated right of way. Ms. Barron read several letters into the record in support and against the proposed vacation. Councilor Johnson declared ex parte contact with Ms. VanElsberg who spoke with her about the Olsen Avenue vacation. Fire Chief Gibson stated the proposed commercial development necessitates the width as required and all-weather surface to provide emergency services. Council President Eck opened the public hearing. Rich Gallagher, 2285 Hayes Street, North Bend, stated he has started commercial development of his parcels and the cost of developing the right of way to city standards would be cost

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prohibitive and not reasonable. Steve Pickering, 2170 N 28th, Coos Bay, questioned the feasibility of a 20-foot wide roadway for the extensive planned commercial development. Alice Montgomery, 526 S Empire Blvd, Coos Bay, stated she has not observed cars parking or people accessing the bay from Olsen Avenue. Gino Landrum, 63281 Clover Drive, Coos Bay, asked if there is a master plan for the bay front in Empire. Hearing no further comments, Council President Eck closed the public hearing. Discussion and questions regarding site development were addressed by Public Works and Development Director Jim Hossley, Planning Administrator Laura Barron, and City Engineer Carl Nolte. Councilor Melton moved to enact the vacation ordinance for Olsen Avenue accepting the findings and conclusions of staff as presented with the proposed conditions:

1. A 28-foot wide paved access (centered within the existing platted right of way of Olsen) must be provided to the west right of way line of Empire Blvd where the paved access driveway will begin to serve development in Empire City Addition, Block 125 and Block 124, Lots 1-2 and 5-8.
2. Future access to new uses, development, construction or a change in use in Empire City Addition, Block 125 and Block 124, Lots 1-2 and 5-8 must be from a shared access point in the vacated right of way of Olsen Avenue.
3. A joint access agreement must be provided for the vacated area between the owner(s) of Empire City Addition, Block 125 and Block 124, Lots 1-2 and 5-8.
4. A 20-foot wide access easement for the length of vacated Olsen Avenue must be recorded. A 10-foot width of the easement must be designated as a public access easement to satisfy Oregon Statewide Planning Goal 17.
5. The applicants, or, in the future, landowners of Block 125 and Block 124, Lots 1-2 and 5-8, are responsible for the public access easement. The public access easement must: a) be improved and maintained with an all-weather travel surface, and b) be clearly marked as a public access. A minimum of three (3) all-weather travel surface parking spaces must be created and maintained for users of the public access easement.
6. The remaining 10-foot width of the easement is for future use by emergency vehicles and must be improved with an all-weather travel surface by the abutting or benefitting landowners at the time of development on the west half of Block 125 and Block 124 and those parcels further to the west.

Councilor Eck seconded the motion. Deputy Recorder Susanne Baker read the ordinance by title only and the Olsen Avenue Ordinance was denied by the following vote:

Aye:	None
No:	Council President Eck and Councilors Johnson, Melton, and Pundt
Absent:	Mayor McKeown and Councilor Kramer

Public Hearing on a Proposed Supplemental Budget for FY 2008/2009 For the Skate Park Project – Adoption of Resolution 09-08

City Manager Chuck Freeman stated a supplemental budget appropriating \$90,000 will complete the current phase of the Skate Park this fiscal year. The balance of the project will be closely monitored by City Engineer Carl Nolte who will work closely with the Skate Park group to successfully complete the project. Councilor Daily stated all of the funds needed to complete future joint projects should be obtained before the project begins. Councilor Melton stated the

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project is anticipated by the skateboarders and will bring people into the community. Council President Eck opened the public hearing. Hearing no comments, Council President Eck closed the public hearing. Councilor Melton moved to adopt Resolution 09-08. Councilor Eck seconded the motion which carried with Council President Eck and Councilors Daily, Johnson, Melton, and Pundt voting aye. Mayor McKeown and Councilor Kramer were absent.

Public Hearing on a Proposed Supplemental Budget for FY 2008/2009 For the Gas Tax – Adoption of Resolution 09-09

City Manager Chuck Freeman stated the fund balance in the State Gas Tax fund for FY 2007-2008 was \$65,000 rather than the anticipated \$165,000. The State Gas Tax revenue was approximately \$75,000 less than anticipated and the expenses were \$25,000 more primarily due to fuel and utility costs. Council President Eck opened the public hearing. Hearing no comments, Council President Eck closed the public hearing. Councilor Daily moved to adopt Resolution 09-09. Councilor Melton seconded the motion which carried with Council President Eck and Councilors Daily, Johnson, Melton, and Pundt voting aye. Mayor McKeown and Councilor Kramer were absent.

Funding Request for South Coast Interagency Narcotics Team (SCINT)

Police Chief Rodger Craddock stated the South Coast Interagency Narcotics Team (SCINT) is a multi-agency police task force focusing on narcotic investigations, intelligence gathering, and providing advanced training for law enforcement. Funding has consisted of federal grants which have either been reduced or eliminated. SCINT will be approaching Coos County and the other municipalities within the county to help fund half of the yearly personnel costs. The City of Coos Bay's portion for FY 2009-2010 would be \$10,395. SCINT Director Toby Floyd provided a presentation on the role of SCINT in our community, statistics on arrests, and how SCINT is funded. A consensus of the Council was to encourage SCINT's City grant application and other agencies to participate in funding the program.

Council Standing Committee Rotations

Council President Eck added this agenda item pursuant to a request by Councilor Melton to discuss the Council Standing Committee rotations. Councilor Melton proposed to extend the time period Councilors are assigned to a committee. Councilor Daily suggested combining the committees. Councilor Pundt suggested morning meetings or later than 4:00 p.m. Council President Eck stated the committees were formed to educate and not recommend or make decisions. A consensus of the Council was to commence the new rotations as of March 1st.

Award of Bid for the Old Wireless Lane Property

City Manager Chuck Freeman stated 1.62 acres of City property on Old Wireless Lane, south of the temporary levy, was declared surplus at the January 20, 2009 Council meeting. The City Council set the minimum bid of \$16,000 for both parcels and directed staff to solicit bids. One bid was received on February 11, 2009 for \$16,500 from A.T. Investments. Councilor Melton moved to accept the \$16,500 bid from A.T. Investments for the surplus property on Old Wireless Lane. Councilor Johnson seconded the motion which carried with Council President Eck and Councilors Daily, Johnson, Melton, and Pundt voting aye. Mayor McKeown and Councilor

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Kramer were absent.

Approval of the Oregon Resources Corporation Fire Service Agreement

Fire Chief Stan Gibson stated prior to 1993 the City of Coos Bay provided fire protection service to the Glenbrook Nickel Corporation in Bunkerhill, and the City of North Bend has provided service since 1993. Oregon Resources Corporation proposes to contract with the City of Coos Bay to provide fire protection services for \$18,000 per year with an annual CPI increase. Councilor Pundt moved to approve a fire protection contract with Oregon Resources Corporation for \$18,000 a year with an annual CPI increase. Councilor Johnson seconded the motion which carried with Council President Eck and Councilors Daily, Johnson, Melton, and Pundt voting aye. Mayor McKeown and Councilor Kramer were absent.

Approval of the Purchase of Rescue Equipment for the Fire Department

Fire Chief Stan Gibson stated the Coquille Tribal Community Fund awarded the City of Coos Bay an \$8,000 grant match to purchase a new Holmotro rescue tool. The existing equipment is aged, frequently breaks down, and is on the "core" technology equipment list to be replaced. The balance of the required funds will be from the sale of the existing tool and budgeted in capital equipment. Councilor Pundt moved to approve the purchase of the new Holmotro rescue equipment for \$27,562. Councilor Johnson seconded the motion which carried with Council President Eck and Councilors Daily, Johnson, Melton, and Pundt voting aye. Mayor McKeown and Councilor Kramer were absent.

Approval of FEMA Fire Prevention Grant Application

Fire Chief Stan Gibson stated approval is sought to apply for a NOAA grant for \$70,000 with a 5% match for emergency radios, smoke alarms, secure lock boxes for the elderly, and additional fire prevention tools. Councilor Melton moved to approve the application of a NOAA grant for \$70,000. Councilor Eck seconded the motion which carried with Council President Eck and Councilors Daily, Johnson, Melton, and Pundt voting aye. Mayor McKeown and Councilor Kramer were absent.

Public Comments

Gino Landrum, 63281 Clover Drive, Coos Bay stated the Council should encourage the Governor to direct the balance of the New Carissa funds to the Bay Area.

City Attorney's Report

No comments were given.

City Manager's Report

City Manager Chuck Freeman stated there was a miscommunication between the Visitor Convention Bureau and the League of Oregon Cities regarding the allocation of tourism dollars. More information regarding this statewide issue will be forthcoming.

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Council Comments

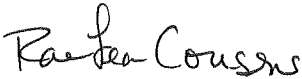
Councilor Daily stated the Swing Dance at The Mill was successful. Councilor Johnson stated there will be a Wave Energy meeting at the Port offices on Tuesday. Councilor Eck stated the 43rd Annual Lions Club Auction will be this Sunday.

Adjourn

There being no further business to come before the Council, Council President Eck adjourned the meeting.



Jon Eck, Council President

Attest: 

Rae Lea Cousens, City Recorder