

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

May 5, 2009

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

Flag Salute

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

Consent Calendar

Mayor McKeown reviewed the consent calendar which consisted of approval of the minutes of April 21, 2009; acknowledgement of receipt of AP and Payroll check registers; and approval of an OLCC license renewal for Bi-Mart located at 550 S. 4th St. Councilor Kramer moved to approve the consent calendar as presented. Councilor Johnson seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

Presentation of a Proclamation on Emergency Medical Services (EMS) Week by Steve Humphrey

Steve Humphrey stated the Proclamation for Emergency Medical Services week would identify the City of Coos Bay as a community that recognizes the important contributions Emergency Medical Services provide to citizens. Councilor Eck moved to approve the proclamation. Councilor Melton seconded the motion which carried with Mayor McKeown, Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

Presentation of a Proclamation on Poppy Days by Grace Scatos

Grace Scatos stated the Poppy Day Proclamation would identify the City of Coos Bay as a community that recognizes the important contribution the American Legion Auxiliary provides to veterans and children in our community. Councilor Melton moved to approve the proclamation. Councilor Eck seconded the motion which carried with Mayor McKeown, Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

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Presentation on a Sawmill Trail Proposal by Dick Wagner

Chairman of the North Bend Historic Landmark Commission Dick Wagner presented a proposal to City of Coos Bay to mark the route of the historic Sawmill-Coos Indian Trail, running from Simpson Heights to the Hollering Place in Empire. Mr. Wagner briefly reviewed the history of the Sawmill-Coos Indian Trail and stated the project would be of no cost to the City. Mayor McKeown stated it was a great project and thanked Mr. Wagner for his presentation.

Bay Area Chamber of Commerce Report by President Sherry Yarbrough

Bay Area Chamber of Chamber Commerce President Sherry Yarbrough presented a quarterly report which included: a challenge of “Together We Can”, focusing on team work and the impact it has on the community with the goal of promoting positive reinforcement, finding solutions, education, and helping those in need; The Oregon International Port of Coos Bay, led by Jeff Bishop, agreed to purchase and maintain the rail line; Women’s Safety and Resource Center celebrated its 30th anniversary in March; the 2009 Chamber Directory is available at Chamber office; in October the Economic and Development Committee will be implementing a New Business Challenge program that will provide \$13,500 to start-up businesses and is seeking a legal advisor to sit on the Committee. Government Affairs Committee commenced in February led by Rick Howell; Ms. Yarbrough thanked the Council for their support. Mayor McKeown stated he would like to coordinate a summit of community partners to include the Chamber and other cities representatives.

Introduction of K-9 Buddy and Retirement of K-9 Charlie

Police Chief Rodger Craddock stated the Coos Bay Police Department was the first Department in Oregon to successfully implement a K-9 program over 30 years ago. Mr. Craddock announced the retirement of K-9 Charlie, a nine year old German Sheppard, who served the community for six years. Mr. Craddock recognized both K-9 Charlie and his handler, Officer Ken Labrousse for their service to the community. Mr. Craddock thanked Ocean Boulevard Veterinary Hospital and Dr. Wendy Labrousse for providing ongoing health and welfare services for K-9 Charlie at a reduced or no fee basis and Puppy Love Grooming for providing bathing and grooming services for all Coos Bay police service dogs for many years at no cost to the City; Mayor McKeown presented Dr. Wendy Labrousse of Ocean Boulevard Veterinary Hospital and Cindy Johnson of Puppy Love Grooming with a plaque in recognition of their support. Mr. Craddock stated K-9 Buddy and handler Officer Tony Wetmore were away at training and unable to attend.

Public Hearing on a Proposed Local Improvement District (LID) on Minnesota Avenue – Approval of the LID will Require Enactment of the Proposed Ordinance

Public Works and Development Director Jim Hossley stated on August 15, 2006 a public hearing was held to establish the Minnesota Avenue district boundary, benefitted properties and the method for cost distribution for the Local Improvement District (LID); on September 19, 2006, the City Council, by Resolution 06-32 declared their intention of improving the portion of

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Minnesota Avenue west of S. 14th Street. All costs associated with the street improvement project totaled \$132,029.80; all affected owners within the district were notified of the final distribution of costs and their right to voice any opinion whether these costs are just. Mayor McKeown stated Council sits as a Board of Equalization in this matter and opened the public hearing. Ray Lee, 1485 Minnesota Avenue; requested calculations for the Minnesota Avenue LID be reevaluated for his proposed portion of the assessment based on previous correspondence with Public Works and Development employee, Karen Turner. Butch Cook, 1620 Minnesota Avenue; stated he shares driveway access with Minnesota Avenue property owner Ray Lee and opposes Mr. Lee's request for reevaluation or an additional assessment to his property. Mayor McKeown closed the public hearing. Mayor McKeown tabled the proposed LID on Minnesota Avenue and approval of the LID until June 2, 2009 and directed staff to explore the issues brought forth in the public hearing.

Public Hearing on the Bay Ridge Sub-Division

Planning Administrator Laura Barron stated on April 14, 2009, the Planning Commission recommended approval of the tentative plat for the proposed Bay Ridge Subdivision with 37 conditions and a vote of 5 to 1; staff recommended City Council require a Conceptual Master Plan for the entire ownership of 200 acres; a Geotechnical Report to provide recommendations for feasibility and stabilization of cut and fill slopes, controlling surface water and drainage paths, including erosion control measures and slope stabilization devices to ensure the stability of slope; and lot site grading plan. Ms. Barron requested the three issues be made requirements of the developer and must be submitted and approved by the City Engineer prior to the submittal of the engineered plans for public improvements for the subdivision. The proposed 46-lot subdivision is located at the western terminus of Johnson Avenue and includes approximately 26 acres of the 28-acre parcel; 9 acres of the 26 acres will be used as recreation and stormwater detention pond. The property is situated on generally east-facing slopes that range in elevation from 50 feet near the southeast corner to 230 feet at the west side; an emergency access road is proposed from the western edge of the subdivision extending northwest to the western terminus of Elrod Avenue. City Engineer Carl Nolte stated a Conceptual Master Plan is standard practice for the development of any large parcel to determine utility sizing, identify flow and drainage areas and to design a system that will handle excess flow; it will provide a general idea of where things can and will run and should occur prior to engineering plans. Mayor McKeown opened the public hearing. Jim Pex, 1925 Timberline Dr; stated he was the engineer for the Bay Ridge Subdivision; geotechnical review was completed prior to design and will be ongoing throughout the project; and the master planning requirement for the entire 200 acres is vague, only 28 acres were proposed to be developed. Steve Donovan, 63522 Shinglehouse Rd; stated he is a Planning Commission Committee Member and voted against the approval of the tentative plat for the proposed Bay Ridge Subdivision due to the number of staff concerns; and strongly urges the requirement of a master plan and geotechnical plan. Mayor McKeown closed the public hearing. Councilor Melton moved to approve the tentative plat, based on the findings, conclusions and conditions set forth in the Final Recommendation dated April 17, 2009 along with the requirements of a Conceptual Master Plan, Geotechnical Report and lot site grading plan based on the three issues identified. Councilor Pundt seconded the motion which carried with Mayor McKeown, Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

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Approval of the Skateboard Park and Rules of Use – Approval will Require Adoption of Resolution 09-12

Public Works and Development Director Jim Hossley stated the city's insurance company City County Insurance Services (CCIS) recommended the City adopt a resolution for Skateboard Park rules and guidelines for use; to be posted on the fence adjacent to each Skateboard Park entrance. The resolution would designate the Mingus Park Skate Park as an outdoor recreational area thereby ensuring the provisions of the Recreation Use Immunity under ORS 105.682 are in affect and has the power to enforce the rules and regulations of the Skate Park. Councilor Daily moved to adopt Resolution 09-12. Councilor Johnson seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

Award of Demo Contract – 438 Elrod Ave.

Joe Slack, Principal Architect for HGE presented a request for bid to be awarded to Johnson Rock Products in the amount of \$111,980 for demolition, diversion of debris from landfills and asbestos abatement of the former First Presbyterian Church building in preparation for the construction of a New Fire Station. Councilor Eck moved to award the bid in the amount of \$111,980 to Johnson Rock Products. Councilor Melton seconded the motion which carried with Mayor McKeown, Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

Public Comments

Jelena "Dudi" Wittwer, 1185 E. Park Roadway; asked the Council to reconsider the rule against using inline skates at the Skate Park. City Engineer Carl Nolte stated he would research the matter for further consideration.

City Attorney's Report

No report was given.

City Manager's Report

No report was given.

Council Comments

Councilor Daily stated the Visitors Convention Bureau (VCB) was awarded the Partnership Award and Volunteer Achievement Award at the Oregon Tourism & Hospitality Industry 2008 Achievement Awards; social networking site Twitter ranked the VCB as No. 33 in the nation for visits to their website. Councilor Johnson reported the Coos Art Museum has two new exhibits, Expressions West and Vision 2009 and is offering free admission during the month of May, sponsored by Coos County Cultural Collation; Public Safety Standing Council received reports from Police Chief Rodger Craddock on accidents, grants and statistical updates and Fire Chief Stan Gibson on fire hydrants, grants and station updates. Councilor Melton briefly reviewed the

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April 25th Clean-up and was encouraged by the outcome; commended Fire Chief Stan Gibson and staff on the success of the Emergency Response Simulation; and announced a Hazmat Waste Collection May 30th at K-mart on Ocean Boulevard. Councilor Pundt stated he was encouraged with the ongoing community progress. Councilor Kramer congratulated Katherine Hoppe of the VCB for the recent awards; and announced Councilor Mark Daily had an upcoming birthday. Councilor Eck was also encouraged by the ongoing community progress. Mayor McKeown stated he was proud of the Budget Committee, the approval of the fiscal year 2009/2010 budget and increased bond rating for the City; attended the League of Women voters forum and was encouraged by the turnout; and felt the Emergency Response Simulation was a great learning exercise and was pleased to participate and observe.

Adjourn

There being no further business to come before the Council, Mayor McKeown adjourned the meeting. The next regular Council meeting is scheduled for May 19, 2009 in the Council Chambers at City Hall.

Jeff McKeown, Mayor

Attest:

Rae Lea Cousens, City Recorder