

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

June 6, 2000

The minutes of the proceedings of the regular meeting of the City Council of the City of Coos Bay, Coos County, Oregon, beginning at 7 p.m. with a work session in the Council Chambers and proceeding to a regular session at 7:30 p.m. in the Council Chambers at City Hall, 500 Central Avenue, Coos Bay, Oregon.

Those Present

Those present were Mayor Joanne Verger, Councilors Joe Benetti, Cindi Miller, Don Spangler, Kevin Stufflebean, and Judy Weeks. Councilor Jeff McKeown was absent due to another commitment. City staff present were Acting City Manager/Deputy Recorder Joyce Jansen, City Attorney Randall Tosh, Community Services Director Bill Finney, Codes Administrator Joe McClay, Police Captain Eura Washburn, and Deputy Fire Chief Mark Anderson.

WORK SESSION

Mayor Verger reported there were two items to be added to the consent calendar, OLCC license renewals for Coney Station and M' Ocean Market, and approval of a special event permit. Mayor Verger reviewed the consent calendar. Councilor Weeks inquired about previous problems with the Coney Station and Capt. Washburn reported there have been improvements and the Police Department recommended approval of the renewal. Mayor Verger reported an appreciation plaque would be presented to Phil Marler for his service on the Planning Commission. Also on the agenda were reports from D.B. Western and the Confederated Tribes. Councilor Spangler inquired if there were guidelines regarding the Tribe's proposal to place land into trust. City Attorney Randall Tosh reported the City Council could object the action affected the Urban Renewal Plan, projects of the city, and financial issue of losing the tax dollars. Mayor Verger commented the parcel is small and inquired if there was a reason to add to the reservation. Mr. Finney reported the parcel abuts the reservation. Acting City Manager Joyce Jansen asked the City Council if they would be interested in holding a work session for a final review of the changes made to the proposed FY 2000/2001 budget. Consensus of the Council to meet June 13, 2000 at 7 p.m. at city hall.

COUNCIL MEETING

Flag Salute

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

Consent Calendar

Mayor Verger reviewed the consent calendar which consisted of approval of the April 18, 2000 minutes, setting a hearing date of July 11, 2000 before the Planning Commission regarding the Front Street Development, approval to surplus the old city hall phone system, approval of annual OLCC license renewals for Bank Brewing Company, Boyd's Eastside Market, Cedar Grill, Coach House, Dawson's, Fireside Restaurant/Woodshed Bar, Gooney's Sports Bar, Oregon Wine Cellars, etc., Red Lion Inn, Rite Aid,

City Council Minutes – June 6, 2000

Safeway, Seven Eleven, Sumin's Restaurant, Coney Island, and approval of OLCC change of ownership for McKay's Markets. Councilor Weeks moved to approve the consent calendar as amended. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

Appreciation Award for Planning Commissioner Phil Marler

Mayor Verger commented members of the Planning Commission are required to do a tremendous amount of study and have the responsibility for the growth and development of the city. Mayor Verger expressed appreciation to Phil Marler for his service on the Planning Commission from January 1996 to June 2000 and presented him with a plaque. Mr. Marler commented he has enjoyed serving the city and was resigning to move to Natchets, Mississippi.

Report from D.B. Western and International Contractors, Inc. Regarding a Request for a Letter of Support for a Modular Causeway System Project by John Binford

John Binford, representing D.B. Western, reported they are requesting a letter of support for their bid for an Army project. The project would be to build causeway systems for the Army which would bring 300-plus family wage jobs to the area. Mr. Binford reported manufacturing the causeways is environmentally safe and would be built at their facility on the North Spit. Councilor Spangler commented it is unusual for the Council to give support for one contractor. Mr. Binford noted it is a very large project and needs the support of the whole community. Councilor Weeks commented she supported the project, but not a particular company. Mayor Verger commented how a community will react to the project is important and consensus of the Council was to support the project.

Department Head Report from Community Services Director Bill Finney

Community Services Director Bill Finney reported funding from the Community Incentive Fund could be available for the Front Street Development project for constructing sidewalks, paving and installation of lights. Funding is available for projects that are already planned and have the Council's commitment. Staff is requesting approval from the Council to proceed with the application process. Mr. Finney noted he would be attending a meeting in Salem next week regarding the program. Councilor Spangler inquired if other projects were more urgent and Mr. Finney reported there are three potential projects; the other two are property acquisition which the City has not actually committed to purchasing. The Front Street Development project already has a plan in place and the City has committed to the project.

Mr. Finney reported the City is a recipient of Environmental Agency funds for environmental cleanup and a pilot program for properties in the Front Street area. The first hearing to rezone the Front Street area will be held July 11th before the Planning Commission. Mr. Finney will be presenting the Front Street project to the Congress of New Urbanism and Livable Oregon in Portland next week. He noted Coos Bay is receiving a lot of state interest on the project.

Mr. Finney commented the bid for bollard lighting for the Empire Street Scape came in lower than anticipated and staff is requesting Council direction on the draft unmanaged vegetation ordinance. Mayor Verger reported she has received a number of calls against the ordinance and expressed concern that citizens presume a draft ordinance is one step from being enacted. She requested Council have an opportunity to review ordinances before they are presented to the public. Councilor Spangler suggested current ordinances be reviewed and unmanaged vegetation be handled in that way.

City Council Minutes – June 6, 2000

Codes Administrator Joe McClay reported the owner of buildings located at 1432 Newmark Avenue had been given until May 30th to comply with building codes. No permits have been taken out and no work has been done on the buildings, and the State has set a meeting with Mr. Olayee and Mr. Bryner for next Wednesday. Councilor Spangler inquired what the Council had directed staff to do if the owners were not in compliance by May 30th. Mr. McClay reported the city attorney stated there is an appeal period for the owners to appeal the decision. City Attorney Randall Tosh reported the owners have 60 days for appeal rights in which they can appeal the Council's decision. Councilor Spangler commented the dates previously set by the Council were phony and asked why the Council had not been told of the appeal time period at the time the date was set. Mr. Tosh reported the judgement will become final on the date of the decision.

Report from Tourism Promotions Director Beve Saukko

Tourism Promotions Director Beve Saukko reported the ships Lady Washington and the Hawaii Chiefon will be in port in the spring of 2001. A number of conventions have been booked including the Odd Fellows Lodge for 2004 and tentatively for 2005 and 2006; the Oregon Federation of Garden Clubs in June 2001, and TOPS convention in 2003. Ms. Saukko reported the Bay Area coupon books will be out next week and arrangements to provide a weather camera of the bay area to be shown on KVAL and KCBY. The camera must sit on a hill and will do a scan of the area. Councillor Benetti noted the camera must have microwave and phone line access and would be controlled from Eugene. The Tourism Promotions Committee paid \$30,000 for the camera in trade for \$30,000 in advertising. Mayor Verger commented the camera in Florence is well received.

Appointments to the Building Code Board of Appeals

Mayor Verger explained there are two positions open on the Building Code Board of Appeals and Tom Gayewski and Steve Auer have indicated they are interested in serving on the Board. The Board was established by Ordinance No. 239 as a five-member board. Currently there are three board members; Bruce Harlan, Andrew Locati, and Pete Zyta appointed by the Council on April 18, 2000 for three-year terms. Councilor Stufflebean moved to appoint Steve Auer and Tom Gayewski to the Building Code Board of Appeals for two-year terms. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

Award of Bid for Construction of Pump Station No. 19

Community Services Director Bill Finney reported the low bid is from Alpine Construction and came in less than the project estimate. He noted the company is based in Tillamook and has a good reputation for doing this type of work. The project consists of building a new pump station on City-owned property adjacent to the Eastside sewage lagoon, installation of new gravity pipelines from the present pump station nos. 19 and 20, and the construction of a pressure line to intersect existing gravity lines to pump station no. 17. Existing pump station nos. 19 and 20 will be taken out of service and used as system manholes only. Four bids were received from Alpine Construction for \$179,312, JBS Construction for \$250,135, Laskey Clifton Corp. for \$258,111.58, and Mark Colton Backhoe for \$302,785. The project estimate provided by Stuntzner Engineering is for \$200,000. Councilor Miller moved to award the bid to Alpine Construction in the amount of \$179,312. Councilor Spangler seconded the motion which passed with the Mayor and all Councilors present voting aye.

City Council Minutes – June 6, 2000

Enactment of Ordinance No. 294 Vacating Portions of Myrtle Avenue Between North 6th and North 8th Streets North of Myrtle Avenue

Community Services Director Bill Finney reported the street vacation received considerable discussion at the Planning Commission level and the Commission is recommending a portion of the requested vacation be approved. Councilor Spangler moved to enact Ordinance No. 294. Councilor Weeks seconded the motion. Deputy Recorder Joyce Jansen read the Ordinance by title only and the Council was polled with the following results:

Voting Aye: Mayor Verger and Councilors Benetti, Miller, Spangler, Stufflebean and Weeks
Voting No: None
Absent: Councilor McKeown

Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians Notification of Trust Conversion Request at 1325 Neese Street

Community Services Director Bill Finney reported the City has received formal notification that the Confederated Tribes intend to purchase property at 1325 Neese Street and place the parcel in trust. Mr. Finney reported the Council may express an opinion on the proposal and noted there will be a loss of \$1100 annually in property taxes. The Tribe was notified of the meeting and staff is recommending no objection be made. Councilor Spangler stated he would like to go on record as opposing placing the parcel in trust. Councilor Spangler reported the purpose of placing land in trust is to help the Tribe be self-sufficient and placing this parcel does not benefit their self-sufficiency. Councilor Benetti agreed.

Isaiah Ursprung, representing the Confederated Tribes, reported the property is adjacent to the reservation and would be used for residential purposes which would promote the self-sufficiency of the Tribe. Councilor Benetti inquired in the Tribe will be asking for other residential areas to be placed in trust. Mayor Verger asked if the Tribe would want the parcels next to this property and Mr. Ursprung stated he did not know at this time. He indicated the location and cost were what lead the Tribe to purchase the property. Councilor Spangler said he would rather see the property remain on the tax rolls. City Attorney Randall Tosh commented the deadline for comments is 30 days from the date of the letter on June 19th.

Councilor Spangler moved to send a letter stating the Council's opposition in placing the land in trust because it does not fit in with self-sufficiency and it will take the property off the tax rolls at a cost of \$1100 annually. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye. Mayor Verger moved the letter also express the City's concern about the removal of more property from the tax rolls. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

Public Comments

Rondi Potter, Downtown Association, reported the Association is looking into sponsoring a farmer's market in downtown Coos Bay on a weekly basis beginning mid-summer and going through early fall. The market would include local producers as well as those outside the area.

Mayor and Council Comments

Councilor Stufflebean reported the Airport Advisory Committee met today and he will have the

City Council Minutes – June 6, 2000

informational handouts distributed to the Council. He reported the Committee committed \$30,000 to the South Coast Development Council and the Port of Coos Bay has committed \$20,000. The 800 Support building will be completed in July. Councilor Stufflebean inquired on the status to extend the urban growth boundary to Bunker Hill. City Attorney Tosh reported this would be a part of the Comprehensive Plan and would involve Coos County. Councilor Stufflebean noted the County had left this out of their periodic review process. Mr. Tosh said the Council could initiate the process to expand the urban growth boundary.

Councilor Benetti reported the street scape on Broadway began today and asked citizens to be patient during the project. He commented the Empire area planters look great and commended the Empire Association for their work. Councilor Benetti inquired about the process when the City receives notification of land to be placed in trust. Mr. Finney reported the information is circulated to City departments for comments.

Councilor Miller reported the Parking Committee met last evening and recommended parking on 4th Street be set at 90 minutes. Mr. Finney noted the issue is with bank employees using the street for parking. Councilor Miller moved to set the parking limit to 90 minutes on Bennett Avenue between 4th and 6th Streets. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye. Councilor Miller reported the next Parking Committee meeting will be held on July 12th and the committee will be asking the Council to review parking in the Jennie's lot.

Councilor Spangler reported on the possibility of the college and school districts of developing a trade school. The college is taking the lead on researching the concept.

Councilor Weeks commented on attending the dedication of the memorial for Bruce Meithof at Studavent Park. Several staff members were there and a tree was dedicated to Bruce. Councilor Weeks supported the Downtown Association's proposal for a Farmer's Market.

Mayor Verger reported Capt. Washburn and Officer Snyder were guests on the last Focus Show, the groundbreaking for the performing arts center at SWOCC was recently held, the Memorial Day Parade was good in spite of the rain, and Wednesday is Flag Day. Mayor Verger expressed appreciation to Marty Crouse for volunteering to arrange the July 4th celebration in Mingus Park. Mayor Verger reported the stage would be dedicated on July 4th at 10:30 a.m.

Adjournment

There being no further business to come before the Council, Mayor Verger adjourned the meeting to June 13, 2000 at 7 p.m. in the Manager's Conference Room at City Hall.

Joanne Verger
Mayor of the City of Coos Bay
Coos County, Oregon

ATTEST:

Joyce Jansen
Deputy Recorder of the City of Coos Bay
Coos County, Oregon