

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

June 20, 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 McKeown was absent. City staff present were City Manager Bill Grile, Deputy Recorder Joyce Jansen, City Attorney Randall Tosh, Community Services Director Bill Finney, Fire Chief Stan Gibson, Finance Director Janell Howard, Library Director Carol Ventgen, and Police Chief Chuck Knight.

WORK SESSION

Mayor Verger reported Pam Blake from DEQ would be speaking to the City Council regarding the Pony Creek Watershed and the proposed study. Mayor noted the City of Coos Bay has not participated in funding the study. Ms. Blake reported Pony Creek is designated as a water quality limited creek and under a federal court order, DEQ is required to develop a loading study. Although Pony Creek is not high on the list for development of a plan, Ms. Blake recommended local users partner with DEQ on this study. Ms. Blake commented if there is not a partnership, DEQ will tell users what to do, and if DEQ does not meet the mandated schedule the EPA will establish the protective measures for the water. The assessment of Pony Creek began due to flooding problems. The study would look at the channel and wetlands, and since the City of Coos Bay has ownership within the watershed, it would be good to have the city involved.

Mayor Verger commented the issue was raised by landowners in North Bend and initially the Coos Bay City Council did not believe it was Coos Bay's problem. Mayor Verger reported in a meeting with John Craig, Corps of Engineers, he had indicated the study would be of the whole system. Ms. Blake commented if landowners had not come forward, she would still have looked for partners for the study, and without partners, DEQ would come back to the City after the assessment was done. Councilor Benetti expressed concern about who would perform the study and inquired if each property owner did not comply with the requirements outlined in the study, would the City of Coos Bay be held responsible. Ms. Blake said each property owner would be responsible for fulfilling the requirements and the City would not be held accountable to those who did not meet the requirements. Councilor Spangler noted there are two items the EPA is concerned about – water temperature and bacteria, and questioned what the study would show for \$35,000. Ms. Blake reported the data notes a problem, but does not state where the problem comes from or how to cure the problem. The study will take other issues such as wetland and riparian areas, and stormwater treatment, into consideration as well as include suggestions to improve the situation.

Mayor Verger inquired if stronger regulations for stormwater treatment will soon be required by cities and Ms. Blake commented Phase II will affect cities with a population of 10,000 or more. Ms. Blake noted Pony Creek would be a good tool to lessen stormwater impact.

COUNCIL MEETING

Flag Salute

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

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Consent Calendar

Mayor Verger reviewed the consent calendar which consisted of approval of OLCC license renewal for Checkerberry's Flowers and Gifts, approval of the renewal on the contract between the City of Coos Bay and the Coos County Library Service District, approval of a special event permit for the Downtown Association for July 12th Farmer's Market, authorization to surplus timber for construction of the Upper Pony Creek dam, adoption of Resolution 00-25 transferring of library funds, approval of policy guidelines for the use of the Mingus Park Stage, approval to proceed with new wastewater projects, approval to proceed with street overlay projects, and approval of the minutes from the May 2, 2000 meeting. Councilor Weeks asked item 2f to be brought down from the consent calendar. Councilor Stuffelbean approved the consent calendar as amended. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

Public Hearing on the Supplemental Budget for Fiscal Year 1999/2000

Mayor Verger opened the public hearing and invited the public comments on the supplemental budget. There being no comments the hearing was closed.

Adoption of Resolution 00-22 Adopting Fiscal Year 1999/2000 Supplemental Budget and Making Appropriations

Mayor Verger moved to adopt Resolution 00-22, as attached.... adopting fiscal year 1999/2000 supplemental budget and making appropriations. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Public Hearing on the Proposed Fiscal Year 2000/2001 Budget and Use of State Revenue Sharing Funds

Mayor Verger opened the public hearing and invited the public comments on fiscal year 2000/2001 budget and the use of state revenue sharing funds. There being no comments the hearing was closed.

Adoption of Resolution 00-23 Electing to Receive Shared Revenues from the State and Adoption of Resolution 00-24 Adopting Fiscal Year 2000/2001 Budget and Making Appropriations and Levying Ad Valorem Taxes

Mayor Verger moved to adopt Resolution 00-23 electing to receive shared revenues from the state and adoption of Resolution 00-24 adopting fiscal year 2000/2001 budget and making appropriations and levying ad valorem taxes. Councilor Weeks seconded the motion. Finance Director Janell Howard reported a correction to the Parks Improvement Fund to \$75,000 instead of \$85,000. Mayor Verger amended her motion to include the correction in the Parks Improvement Fund. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Approval of Guidelines for the Use of the Mingus Park Stage

Mayor Verger inquired if there is a penalty for unauthorized use of the stage and City Manager Bill Grile reported there is none at this time. The guidelines for the use of the stage will be reviewed after the

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summer season and brought back to the City Council in the form of a resolution. Councilor Weeks expressed concern about policing the area. City Attorney Randall Tosh recommended amending Ordinance No. 248 to restrict skateboarding. Councilor Weeks moved to approve the guidelines as presented. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

Adoption of Resolution 00-21 Authorizing a Five Percent Increase in Sewer Use Fees

City Manager Bill Grile reported the Budget Committee approved a five percent increase in sewer use fees effective July 1st. The Council and staff have wrestled with how to keep up with capital outlay requirements without rate increases and have done well with no increase since 1995. Mr. Grile commented state law requires that sewer use fees be used only for wastewater use. Mayor Verger opened the floor for public comments; there were none to be heard. Councilor Miller moved to adopt Resolution 00-21 authorizing a five percent increase in sewer use fees. Councilor Stufflebean seconded the motion.

Councilor Benetti commented this Council has really held staff to issue and they have been very responsible in this matter; he would rather not increase the use fees but it is necessary. Councilor Weeks stated she could not support the increase due to other increases such as water, cable TV, etc. Councilor Miller commented the City has struggled to keep any increases from happening and the issue was discussed in depth at the Budget Committee meetings. Councilor Spangler commented the real fact is that the cost of doing business goes up and although he does not want to see an increase, the alternative is not a good one. He would rather do increases gradually than face a 42 percent increase as recently done in Yahats. Councilor Stufflebean suggested small increases every year instead of waiting five years. Mayor Verger commented in fairness to staff she has been very much against rate increase, however, the Budget Committee did review this very carefully and made the decision to increase the fee.

The motion passed with Mayor Verger and Councilors Benetti, Miller, Spangler and Stufflebean voting aye; Councilor Weeks voting no.

Authorization to Proceed with the Request for Analysis of Newmark Avenue to Ocean Boulevard Proposed “Newmark Avenue Project” RFP

City Manager Bill Grile reported Council has expressed concern about access and improving Newmark Avenue to accommodate growth. The RFP presented to the Council would be for the development of an access management plan on Newmark, would make a determination of a need for public right of way for lines to accommodate development, and would establish construction cost estimates for phases of the project. Mayor Verger moved to authorize staff to proceed with the RFP. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

City Council Appointments

a) Library Board – Councilor Stufflebean moved to re-appoint Judy Lovell to the Library Board for a four-year term. Councilor Spangler seconded the motion which passed unanimously.

b) Planning Commission – Councilor Weeks moved to appoint Mark Daily to fulfill an unexpired term on the Planning Commission. Councilor Miller seconded the motion which passed unanimously.

c) Tree Board – Councilor Miller moved to re-appoint Cora Vandervelden to a citizen-at-large position on the Tree Board. Councilor Stufflebean seconded the motion which passed unanimously.

Direction to Proceed with 911 Contingency Plan

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Chief Knight reported when the 911 plan was put in place several years ago, it called for a selective router to be placed in the Coos Bay office to route calls to whoever has primary law enforcement jurisdiction. Chief Knight expressed concerns about the financial impact of changing the location because certain funding goes with the calls and what is the best service for the citizens of Coos Bay and North Bend. He reported a fire last Saturday near Millington severed the lines for south county which demonstrated the need to maintain a dispatch center in the Bay Area. Chief Knight commented a partnership with North Bend is critical for maintaining a dispatch center in the Bay Area and requested the Council encourage the City of North Bend enter into discussion by issuing a formal invitation to North Bend. Chief Knight noted the adopted budget contains funding for the center for the next year.

Mayor Verger commended Chief Knight on his work on this matter and commented the citizens of the Bay Area deserve nothing less than our full attention to public safety on a day-to-day basis and during emergency and disaster situations. Mayor Verger supported a partnership with North Bend to maintain a dispatch center in the population center of the County.

Public Comments

Pat May, Bandon, reported the local newspaper would not print her letter regarding the mental unit at Bay Area Hospital. She commented she was held in the unit for two weeks in February 1999 and expressed concern regarding her treatment while at the hospital.

Julia Spangler, Empire Community Association, expressed appreciation for the improvements to the Newmark area and reported a number of citizens also appreciate improvements for safety and economic reasons.

City Manager's Report

City Manager Bill Grile expressed appreciation for the replacement of a portion of F Street by Johnson Rock Products. Northwest Natural Gas has contacted his office regarding a franchise with the City and they have received approval from the PUC to service the Bay Area.

Mayor and Council Comments

Councilor Weeks reported a draft tax ordinance has been prepared and is ready to present at a Council work session with the taxi owners.

Councilor Spangler reported the Fiber South Consortium has received ten RFPs and will meet again July 7th to review and select one or more to offer the contract. He commented several good companies responded and all must address the "last mile" issue. The provider will be asked to make the connection without the City coming up with funds to do so.

Councilor Miller noted that Ken Larson, President of the Downtown Association, has resigned to accept a job out of state. She thanked Steve Doty and Karen Turner, Community Services staff members, for helping get things situated for the June 17th downtown event; and Bill Day for working Saturday.

Councilor Benetti asked staff to look at the access to parking at Mingus Park because some vehicles have been using the pedestrian access to enter the lot. He also suggested maintenance of the disk golf course be done. Councilor Benetti inquired about the status of the charter amendment to set up a streets trust fund and Mr. Grile reported it is being prepared by the city attorney.

Councilor Stufflebean reported the Boys and Girls Club is on track and looking good and the senior graduation all night party was held at the club. He reported the RFP for the master plan for the airport terminal is coming along; he appreciated the extra patrol of the newly completed Mingus Park stage; and was

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glad to see repairs being done to F Street.

Mayor Verger inquired about the plans for the boardwalk aquarium and Mr. Finney reported the matter will be on the Urban Renewal Agency agenda. Mayor Verger reported the grand opening for the Big K-Mart Store has been scheduled for June 30th at 7:30 a.m. and she will be out of town and asked Council President Miller to attend the opening.

Executive Session

The City Council convened in executive session pursuant to ORS 192.660 (1) (h) for the purpose of discussing pending litigation. The Council reconvened into regular session.

Authorization to Proceed with a Settlement Agreement with the Charleston Sanitary District

Councilor Miller moved to approve the settlement agreements with Charleston Sanitary District as prepared by the city attorney. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye.

Adjournment

There being no further business to come before the Council, Mayor Verger adjourned the meeting to July 5, 2000 at 7 p.m. in the Council Chambers of 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