

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

November 20, 2001

The minutes of the proceedings of the 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 Present

Those present were Mayor Joe Benetti and Councilors Anna Marie Larson, Jeff McKeown, Cindi Miller, Don Spangler and Kevin Stufflebean. Councilor Judy Weeks was absent. City staff present were Assistant City Manager Joyce Jansen, City Attorney Randall Tosh, Clerical Assistant Stacey Babb, Community Services Director Shanda Shribbs, Finance Director Janell Howard, Fire Chief Stan Gibson and Police Chief Chuck Knight. City Manager Bill Grile was out of town.

Flag Salute

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

Consent Calendar

Mayor Benetti reviewed the consent calendar which consisted of approval of the minutes of September 18, October 2 and October 16, 2001. Councilor Miller moved to approve the consent calendar as presented. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye.

Department Head Report by Community Services Director Shanda Shribbs

Community Services Director Shanda Shribbs reported city staff and council have an opportunity to purchase articles of clothing with the city of Coos Bay logo. She noted staff has received many comments from the Chamber of Commerce and citizens regarding the lack of items bearing the city logo and perhaps in the future city logo items could be offered to the public. Councilor Spangler strongly voiced opposition to selling logo items to the public as it would compete with local businesses. Councilor Larsen commented the logo items would not be in direct conflict and would give people more choices. Councilor Miller suggested a local business could carry the items and Councilor McKeown commented it is a nice opportunity, but staff should be sensitive to local business. Mayor Benetti inquired if it was staff's intent to make a lot of money and Ms. Shribbs responded no, but items would not be offered at prices so low as to undercut other businesses. She also explained that the artist, Dutch Mostert, has a copyright on the logo and if a profit is made from the use of the logo, he will be paid ten percent. Ms. Shribbs reminded everyone of the Oregon Downtown Association workshop on December 6th and reported the first fund raiser for the skateboard park is a raffle of a bicycle at the Bay Area Bike Center in North Bend. Other fund raising events are being planned and interest in the park is growing.

Enactment of an Ordinance Amending the

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Transient Occupancy Tax Ordinance

Councilor Spangler declared a conflict of interest and stepped down from the council dias. Councilor Stufflebean moved to enact an ordinance amending Ordinance No. 2663, providing for a transient occupancy tax for the city of Coos Bay and administrative procedures for collection of same. Councilor Miller seconded the motion.

Councilor Spangler, Tower House Bed and Breakfast, reported businesses using credit cards are charged a fee of four percent and he would like to see the ordinance amended to have the city reimburse the charges incurred when charging the part for the city. Mayor Benetti commented it is worth looking into all the variables, but he's not sure how the city would handle the reimbursements. Councilor Stufflebean commented the credit card fee should be considered as part of the overhead costs of doing business. Councilor Spangler stated a business can't charge more to credit card users to offset the fees. Councilor McKeown expressed concern for the amount of staff time required to process the reimbursements. He further commented credit card fees are the cost of doing business and before a decision is made, further research be done. Mayor Benetti recommended staff review the matter and come back to the council at a later date.

Mike Gaudette, Southwestern Community College, commented the ordinance is designed to close some ambiguities and it also includes the college. He reported other public colleges in the state allow use of student housing for conferences and none of them pay transient occupancy taxes. Mr. Gaudette suggested the tax not be levied against the college if the housing is used for education related functions. Mayor Benetti noted there have been non-educational events where guests used the college housing and transient taxes were not paid. He supported excluding the taxes for educational uses. City Attorney Randall Tosh suggested the amendment could be made this evening. Councilors McKeown and Miller agreed with the mayor. Councilor Spangler commented it would be nice not to have the college competing with businesses required to pay the tax. Patricia Williams commented she has operated a bed and breakfast in Coos Bay for 11 years and she deducts the credit card fee from her taxes before paying the city's transient tax.

Mr. Tosh prepared and read to the assembly subsection E of Section 6 exempting the use of college dormitories from paying the transient tax. Councilor Miller moved to amend the ordinance by adding subsection E and Councilor Stufflebean seconded the motion. Mr. Tosh read Section 6 to the assembly. Clerical Assistant Stacey Babb then read Ordinance No. 315 by title only and polled the Council with the following results:

Voting aye:	Mayor Benetti and Councilors Larson, McKeown, Miller, and Stufflebean
Abstaining:	Councilor Spangler
Voting no:	None
Absent:	Councilor Weeks.

Approval of a Salary Adjustment for the City Manager

Mayor Benetti commented the adjustment is a merit increase following the council's evaluation of the city manager's performance on October 24th. Councilors Spangler and Weeks did not attend the evaluation. Councilor Stufflebean moved to approve a merit increase of \$175 per month effective January 1, 2002. Councilor Miller seconded the motion.

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Councilor Spangler stated he would not support the pay increase as the city manager has already received 9% in salary increases this year, and in light of the financial situation of the city and county the increase is not appropriate. Mayor Benetti explained 4% was a COLA which all staff received and 5% is catch up to offset the times management staff did not receive adequate increases. Councilor McKeown commented the city manager's salary is in line with the state's average and a merit increase is appropriate when an individual's performance is found to be exemplary. Mayor Benetti agreed and noted the money is in the budget and further commented all of the council present at the evaluation gave Mr. Grile an outstanding review. Councilors Larson, Miller and Stufflebean agreed with the merit increase. Councilor Spangler stated the money is not in the budget. Finance Director Janell Howard reported the amount has been included in the manager's budget. The question was called and the motion passed with Mayor Benetti and Councilors Larson, McKeown, Miller and Stufflebean voting aye. Councilor Weeks was absent and Councilor Spangler voted no.

City Manager's Report

Assistant City Manager Joyce Jansen reported the city's web page is in the process of being refreshed and it is expected the project will be completed after the first of the year. Ms. Jansen commented the Mayor went back to college today and he and Chief Gibson judged the food drive competition. She encouraged everyone to attend the holiday open houses and to have a nice Thanksgiving.

Council Comments

Councilor Larson reported she attended the Commission on Children and Families program last week and congratulated Bi-Mart on their grand opening in downtown Coos Bay. She wished everyone a happy Thanksgiving.

Councilor Stufflebean commented the League of Oregon Cities conference was good and he would like to see the city participate in the youth advisory council program. He wished everyone a happy Thanksgiving and good luck to the Marshfield Pirates. Councilor Stufflebean noted he has accepted a new job working in Coos and Curry Counties.

Councilor McKeown stated he also supports the youth advisory council and suggested the item be placed on the December 18th agenda. He reminded everyone to shop locally if possible during the upcoming holiday season. Councilor McKeown reported the South Coast Development Council now has a web site and he suggested those interested check it out at sdcinc.org. He wished everyone a happy and safe holiday.

Councilor Spangler commended the students at Sunset Middle School for presenting an outstanding Veteran's day ceremony. He noted any professional would have been proud of the speeches given by the students.

Councilor Miller reported she attended several good sessions at the League conference and the annual tree lighting ceremony will be held at the Bay Area Convention Center November 23rd. A patriotic theme was chosen for this year's event and the holiday window decorating contest. She wished a happy holiday to all.

Mayor Benetti reported a card of appreciation had been received from Rex Miller of Eastside. He congratulated the Marshfield High School Band for placing in the Roseburg's Veteran's day parade and the MHS team for winning their last football game. Mayor Benetti also attended the League of Oregon Cities conference and noted interaction with other city officials is always enlightening. He reminded everyone the ODDA workshop is scheduled for December 6th. Mayor Benetti commented he had been invited to help judge the baskets SWOCC students put together to be distributed to 16 area families for the holidays.

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Executive Session

Councilor Miller moved to go into an executive session pursuant to ORS 192.660 (1) (d) for the purpose of discussing labor negotiations with legal counsel. Councilor Spangler seconded the motion which passed with the Mayor and all Councilors present voting aye.

The Council reconvened into regular session.

Ratification of the Firefighter's Agreement

Councilor Miller moved to ratify the Firefighter's collective bargaining agreement as presented 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 Benetti adjourned the meeting to December 4, 2001 at 7 p.m. in the Council Chambers of City Hall.

Joe Benetti, Mayor

ATTEST:

Joyce Jansen, Deputy Recorder