

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

June 4, 2002

The minutes of the proceedings of a regular meeting of the City Council of the City of Coos Bay of held at 7 p.m. in the Council Chambers at City Hall, 500 Central Avenue, Coos Bay, Coos County, Oregon.

Those Attending

Those present were Mayor Joe Benetti and Councilors Anna Marie Larson, Jeff McKeown, Cindi Miller, Kevin Stufflebean, and Judy Weeks. City staff present were Deputy Recorder Joyce Jansen, City Attorney Randall Tosh, Community Services Director Shanda Shribbs, Fire Chief Stan Gibson, Carol Ventgen, and Police Capt. Eura Washburn.

Flag Salute

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

Presentation of the Mayor's Recognition Award

Mayor Benetti commended Gloria Hillstrom for her vision and dedication in developing Choshi Gardens in Mingus Park. Due to illness, Mrs. Hillstrom was not able to attend the meeting and her daughter and son-in-law, Bev and Sonny Meyers, accepted the award for her. Members of Mrs. Hillstrom's volunteer group were also present and acknowledged by the Mayor for their contributions.

Consent Calendar

Mayor Benetti reviewed the consent calendar which consisted of approval of the minutes of March 9, March 19, April 2, and April 16, 2002 meetings, ratification of appointment of the Coos Library Board, ratification of Councilor Miller's appointment to the Port's Airport Advisory Committee, appointment of the Coos Bay Downtown Association representative to the Tree Board, approval of the Library District agreement, and approval to surplus city property. Councilor Weeks moved to approve the consent calendar as presented. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

Report from Marshfield High School Representative

Jon Hanson

Jon Hanson the district has hired a new boys basketball coach, the Senior Ball was successful, and the Senior class has one more day of school. Graduation ceremonies will be held on Saturday evening and many of the graduates will be attending SWOCC as well as U of O and Oregon State in the fall. Jon introduced Leslie Wall who will be attending the city council meetings next year.

Department Heads Report by Library Director Carol

Ventgen

Library Director Carol Ventgen reported the library has been busy with changes in staff; the author's night series has been well attended, and the summer reading program has gotten off to a good start.

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Recommendation to Approve OLCC License Renewals

The Police Department has reviewed OLCC license renewals for Abby's Legendary Pizza, Bassett-Hyland Energy, Cedar Grill, Fred Meyer, Kum Yon's Restaurant, Puerto Vallarta Restaurant, Rite Aid #5377, Safeway Store #1556, 7-Eleven Store #2353-17090C, Sumin's Restaurant, and Timber Inn Restaurant, Inc. and has found no basis for denying a recommendation for approval. Councilor Weeks moved to recommend approval of the license renewals. There was a brief discussion about the approval process and consensus of the Council was to place future OLCC license renewals on the consent calendar. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

Public Hearing – Telecommunications Business License Ordinance and Enactment of the Ordinance

Mayor Benetti explained the purpose of the hearing is to take public input on the proposed telecommunications business license ordinance and he recommends the hearing be continued to the July 16th meeting to allow more time for consideration and input on the proposal. Citizens were reminded to sign the roster and the public hearing was opened for comments.

Karl Kennedy, Senior Executive Officer for ORCA, North Bend, stated the ordinance is business unfriendly and telecommunication businesses already pay several federal and state taxes. The ordinance would add another tax and the increase in operating expenses would be passed onto consumers. Mr. Kennedy asked the Council to look at the ordinance from a business standpoint and not adopt the new fees. Mayor Benetti explained the City Council has asked staff to bring funding recommendations to the City Council for consideration, and he has received a number of calls in support of the ordinance. Steve Smith, Verizon's Coos Bay office, commented Verizon is against the ordinance because it gives the city manager too much power over telecommunications and Verizon does not want their records open to the city or public. City Attorney Randall Tosh explained the ordinance requires an audit of the records as part of the franchise and the records are exempt from public disclosure.

Vaughn Raines, Preferred Connections, Lakeside, expressed concern about the proposed fees, the power the ordinance gives to the city manager, and that confidential information would be made public. George Gayer, Edgewireless, Bend, Oregon, commented the ordinance was rejected by Lane County Circuit Court and is now in the Oregon Supreme Court. Mr. Tosh stated as a point of clarification, there had not been a ruling from Lane County Circuit Court. Guy Ralph, Coos Bay, commented if the ordinance were enacted, he would remove his service from the city of Coos Bay. Terry Pointer, Technical Director for South Coast ESD, commented her office provides services to school districts in Coos and Curry Counties and Reedsport and expressed concern about the increase in the cost of their use of the internet if the ordinance was enacted. Jim Bice, North Bend, stated the ordinance would be another stumbling block for economic development and another government intrusion into small business. Bob Adams, Coos Bay, commented that in order to bring technology to the South Coast, the community needs affordable internet connection and the proposed ordinance would impose more taxes on businesses. Glen Hopkins, Unicom, commented Unicom's margin will not sustain this type of fee and the cost would have to be passed onto customers. Crystal Murdock, Coos Bay, expressed concern the increase would impact the ability senior citizens and students to afford the service.

There being no further public comments, Mayor Benetti closed the public hearing. Councilor McKeown commented the Council has not made a decision on this ordinance and the citizen input is helpful to the

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Council in considering this matter. Mayor Benetti noted there is a lot for the Council and staff to analyze before moving forward with the ordinance. Councilor Miller moved to continue the public hearing to July 16, 2002. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye.

Award of Bid for Construction of the South 11th Street Sanitary Sewer Replacement Project

Community Services Director Shanda Shribbs reported this portion of South 11th Street is a part of the Marshfield Overlay Project and needs to have 500' of the sewer line replaced. One bid was received and it is less than the project estimate. Councilor Stufflebean moved to award the bid to JBS Construction in the amount of \$46,935. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Award of Bid for Construction of Wastewater Pump Station No. 7

Community Services Director Shanda Shribbs reported pump station No. 7 is located in an area of Empire which has grown substantially and the pump station can no longer handle the volume. The design has been approved by DEQ and funds are budgeted in this fiscal year. Councilor Weeks moved to award the bid to Huffman-Wright Construction in the amount of \$279,617. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

Approval of the Tourism Services Agreement with the Bay Area Chamber of Commerce

City Attorney Randall Tosh explained the tourism services agreement would replace the current lease agreement between the City and the Chamber of Commerce. Councilor Stufflebean moved to approve the service agreement with the Chamber of Commerce. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

Public Comments

Frances Cooley, Coos Bay, presented a proposal to amend the city charter to provide that positions on the City Council are elected by a ward system with the Mayor selected by the Councilors. Mrs. Cooley suggested the Council present this to the voters in November. Mr. Tosh noted the measure should be drafted as it would appear in the charter. No action was taken by the Council. Keith Topits, Coos Bay, reported he has served as a volunteer in Empire Lakes Park for several years and resigned from the Parks Commission and as a volunteer on May 21st because he was accused of being a thief. Mr. Topits further explained his involvement in caring for the park. Community Services Director Shanda Shribbs reported there has been discussion on control of the park and maintaining a sense of order.

Council Comments

Councilor Larson welcomed the Farmer's Market to downtown Coos Bay, wished graduating seniors good luck, and reminded everyone of the Relay for Life spaghetti dinner next Thursday. Mayor Benetti commented there have been parking problems in the past during the Farmer's Market and asked if Council

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would consider waiving tickets on Wednesday's. Councilor Miller moved to suspend parking tickets on Wednesday's beginning June 5th through October 16th. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye. Councilor Stufflebean commented the circle of influence concept is important and suggested members of the council attend the next workshop. State, cities and school budgets are all experiencing budget challenges and the workshop shows how the entities can do shared budgeting.

Mayor Benetti reported Jim Whitty will speak on consolidation of the cities of Coos Bay and North Bend at the next Chamber of Commerce Board meeting. Councilor McKeown reported he attended the retirement party for Dr. Giles Parker who retired as the school district's superintendent, and congratulated Gloria Hillstrom on receiving the first Mayor's Recognition Award. Councilor Weeks congratulated Mrs. Hillstrom on the development of Choshi Gardens, and commented fiber optics is critical for economic development. Councilor Miller commented Mrs. Hillstrom's work is a good example of volunteerism in Coos Bay and reminded everyone of the Farmer's Market being held in downtown Coos Bay June through October.

Mayor Benetti asked the Council to consider appointing a task force to review the budget and make recommendations to the Council. Membership would include representation from the city's election precincts and three members of the Budget Committee. Consensus of the Council was to form the task force. Mayor Benetti reported citizens can begin filing for Council or Mayor positions.

Executive Session

Councilor Miller moved to go into executive session pursuant to ORS 192.660 (1)(f) to consider records that are exempt by law from public inspection. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye.

The City Council reconvened into regular session.

Adjourn

There being no further business to come before the Council, Mayor Benetti adjourned the meeting to June 18, 2002 in the Council Chambers at City Hall.

Joe Benetti, Mayor

ATTEST:

Joyce Jansen, Deputy Recorder