

MINUTES OF THE PROCEEDING OF THE CITY COUNCIL

September 19, 1995

The minutes of the proceedings of a regular meeting of the City Council of the City of Coos Bay, Coos County, Oregon, beginning with a work session in the Council Chambers at 7:00 P.M. and proceeding to regular session in the Council Chambers at 7:30 P.M.

Those Present

Those present were Mayor Joanne Verger, Councilors Joe Benetti, Gary Combs, Cindi Miller, Don Spangler, Judy Weeks and David Williams. City staff present included Interim City Manager Chuck Knight, City Recorder/Finance Director Gail George, City Attorney Randall Tosh, Library Director Carol Ventgen, Police Chief Marc Adams, Deputy Fire Chief Mark Anderson and City Engineer Ralph Dunham. Members of the media were also present.

Work Session

Mayor Verger reviewed the agenda for the meeting. Councilor Spangler asked what percentage of property owners was required to bind the Council on improvement districts. City Engineer Ralph Dunham explained the City's ordinance requires 66.67% of the affected property owners to be in favor of a project in order to require the Council to proceed. He also explained the Council can proceed with a project on their own motion, which is usually only done when there is a health or safety hazard. He pointed out only one of the streets, 22nd Street, met the two-thirds requirement. The other streets range from 33% to 60% of the property owners signing petitions in favor of initiating the district. Dunham related on Blanco, one property owner who owns 38% of the property has asked the district be formed. He told the Council the County owns 50% of the property on Blanco. Dunham also pointed out a potential problem in that the petitions call for improvement of 22nd and California, 21st and California and 20th and California and he is not sure the owners on 22nd would want their street improved if California was not improved. David Ris, Coos County Counsel, said the County really didn't care at this point and he was not here to object. He said he did not have permission from the County Commissioners to be counted as a yes vote at this point. Dunham also wanted the Council to know the projects being requested add up to \$160,000 and this year's budget for projects is \$132,000.

When asked, Finance Director Gail George reported the \$20,000 additional needed for the property purchase and closing costs would come from funds in the Wastewater Construction Fund currently appropriated to be transferred to the Wastewater Reserve Fund.

Dunham explained the reason the bids for construction of Mall Block Three came in over the budget. He noted one reason was the short bid period, another was the short construction period, and lastly the added paver crossing. Councilor Weeks asked if construction could be delayed and save several thousand dollars. Councilor Miller asked if we have a bid for removing the canopies on Third Street. Benetti asked if the construction could be done after the first of the year and Dunham replied in the affirmative if they were given a longer construction period.

COUNCIL MEETING

Flag Salute

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

Presentation of Boardwalk Interpretive Exhibit Donation

Ralph Duddles, OSU Forest Extension Agent and Bob Thomas, Chairman, Coos Chapter of the Society of American Foresters presented a donation in the amount of \$4,875 to help with the costs of the educational interpretive displays on the boardwalk. Mayor Verger accepted the donation and thanked them on behalf of the City.

Consent Calendar

Mayor Verger read the items on the consent calendar which included the following:

- a) Approval of the minutes of the special meeting of August 30, 1995.
- b) Approval of the minutes of the regular meeting of September 5, 1995.
- c) Approval of Resolution 95-17 - defining the terms "Community Development Director" and "Public Works Director" in public documents of the City to mean "Director of Community Services".
- d) Approval of Resolution 95-18 - accepting and appropriating a grant for a juvenile firesetter program.
- e) Proclaiming October as Disability Employment Awareness Month.

Councilor Miller moved to approve the consent calendar as presented. The motion was seconded by Councilor Weeks and carried with the Mayor and all Councilors voting aye.

Citizen Comments

Flora Lee Lockhart, Coos Bay, related that at a previous Council meeting she was asked to bring back a list of the problem areas she has observed regarding sidewalks and she has brought such a list tonight. She said she has learned that since the last Council meeting seven people have fallen over things she feels the City is responsible for. She told the Council that in her opinion the City is not paying enough attention to its sidewalks.

Geno Landrum, Coos County, appeared to thank those who helped with the Fun Festival. He especially thanked Darrell King for his help with the traffic for the "Cruz the Coos". He asked the City consider putting in additional electrical outlets when working on mall block three.

Sargent Webster, North Bend, commented on how well he liked the "Cruz the Coos". He then asked for clarification on the changes to the council rules about public comments that he read about in the paper as he did not understand the comments in the editorial. Mayor Verger said she

too was confused by the editorial in the paper and that nothing was really changing from the present practice except that the City Attorney was requesting a roster so that people's names would be correct for the record. City Attorney Randall Tosh explained the reason for the changes was to bring the Council Rules in line with the current actual practices of the Council. Webster said he was sorry the article in The World was so misleading. Verger pointed out she has office hours every week at City Hall where anyone can come in and talk with her and she has never been interested in limiting public input. Councilor Spangler pointed out the Council is still working on the rules and nothing is final yet. Councilor Miller read the proposed section on public comments to the audience and she feels it shows the Council is very interested in public input. Webster then voiced his objection to the Council hiring Bill Grile as City Manager because of his impression of him when Grile was on the Council and he did not want to let those opposed to the mission speak in a Council meeting.

Rhonda Houston, Coos Bay, asked if there was an organization in Coos Bay which would help an AIDS patient get a job. She said she had contacted many agencies and was not able to find any help for such a person. Verger said she was not aware of anything, but suggested she contact the medical profession. Councilor Weeks suggested contacting Andy Nasburg and Councilor Combs suggested the Bay Area Hospital, Southwestern Oregon Community College, and the Chamber of Commerce as potential resources.

Bill Rosencrantz, Coos Bay, expressed his appreciation for the police department's prompt action in removing an obnoxious drunk from his store during the Fun Festival.

Appointment to the Library Board

Councilor Benetti moved to appoint Sharon Thomas to fill the balance of resigned board member Gretchen Johnson's term which runs through June 30, 1998. The motion was seconded by Councilor Weeks and carried with the Mayor and all Councilors present voting aye.

Formation of an Improvement District - California Avenue, South 20th, 21st, and 22nd Streets

City Engineer Ralph Dunham pointed out the district on California Street was actually four improvement districts. He reminded the Council the City requires two-thirds of the affected property owners consent to initiate a local improvement or the Council also can initiate a district on their own motion. Dunham reported most of the petitions do not have the required two-thirds of the property owners signatures.

Wanda Oberstaller, 21st Street, said she has lived there for twenty-five years and is very tired of the dust created by the traffic on the hill. She also pointed out some safety problems with the gravel street.

Kirk Wilson, Coos Bay, wanted to know just what properties are involved. He was informed his property was not in the district.

Geno Landrum, also wanted to know if his property was in the district and was informed it was. He asked that the City prepare a five or ten year plan that addresses some of our unimproved roads. He said he was not against the project and would like to be kept informed. Councilor Combs

said if the district was formed, everyone would be kept informed and allowed to comment at a public hearing and he was in favor of forming the district and taking it to the public hearing phase.

Kathleen Fisher expressed concern over the safety of the gravel on the hill and feels the paving would be a benefit to many people. She also expressed concern over the sight distance when turning from California onto Southwest Boulevard.

Mayor Verger explained Councilor Combs was in favor of initiating the project and having the required hearings. Dunham noted that if the Council initiated the district on their own, the City would be liable for any costs of bringing the project to the public hearing stage if the project did not progress past that stage.

Norman McDaniel, commented on the dust problems caused for everyone when driving up the road. He also pointed out safety problems due to the narrowness of the road.

Verger asked Dunham to explain the process if the district is formed. Dunham said he had given some of the people very rough estimates, but if the district was formed, better estimates would be available. He said once the district is formed the street would be designed and estimates would be sent by certified mail to all affected property owners before the next public hearing. Property owners would then have a chance to comment on the project before it is constructed.

Kirk Wilson asked if the district could be expanded at this point to extend the street or add waterlines. Dunham said the request before the Council now was to improve the streets as shown and Wilson should contact the Water Board for information on water lines. He added that it was not economically feasible to improve 21st Street through the canyon.

Councilor Combs moved to direct staff to spend the appropriate funds to proceed with the improvement districts on 20th, 21st, 22nd, and California as outlined in the report. The motion was seconded by Councilor Weeks. Spangler asked how the project would be paid for and Finance Director Gail George explained there are funds on hand to construct the streets and the affected property owners would have the opportunity to pay off their share over 10 years. The question was called and the motion carried with the Mayor and all Councilors voting aye.

Formation of an Improvement District - Blanco Avenue

Steve Auer told the Council he would like to see this project move forward while there are only a few property owners to deal with. When the Council was informed there were not sufficient funds in the budget to do both this project and the California project that was already approved, Auer said he intended to pay for his portion of the project as soon as it was constructed. George said this project could be looked at after the California project is done since some of those in that project may pay when the project is complete, providing enough funding for the second project. David Ris, Coos County Counsel, said he did not presently have the authority to say the County, who owns 50% of the affected property on Blanco, was in favor of the project at this time, but said the County did not object to the project. He noted the County was currently in the process of selling the affected property and said approving the district tonight would cause them some paperwork problems at this point. Ris said he would like to see the eventual purchaser of the property participate in this decision and the County would like the Council to wait to initiate the district until after the property sale scheduled on October 14th. Geno Landrum asked Ris if an improvement would increase the

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value of the property the County is selling. Ris pointed out the improvement would not be put in before the scheduled sale next month. He said the project makes perfect sense, but the timing is not good for the County. Tosh suggested the Council table the item until the County makes a decision on whether or not to approve the project.

Steve Auer said he has already put in many improvements the County has benefited from and he does not see any need to delay this project longer.

Councilor Weeks moved to table the matter to the next meeting. The motion was seconded by Councilor Miller. Councilor Spangler pointed out this was really a motion to postpone the item until a time certain. Councilor Combs asked when he should declare a conflict of interest and Tosh said the conflict should be declared when the actual decision on the district was voted on. Weeks restated her motion to be to postpone the decision on forming an improvement district on Blanco Avenue to October 3, 1995. Miller accepted the restatement as a second and the motion carried with the Mayor and all Councilors voting aye

Property Purchase for Improvements to Wastewater Treatment Plant II - Resolution 95-21, Transferring Appropriations within the Wastewater Construction Fund

Councilor Benetti moved to approve Resolution 95-21 which transfers an appropriation within the Wastewater Construction Fund and authorizes the purchase of the property and payment of closing costs. The motion was seconded by Councilor Combs and carried with the Mayor and all Councilors voting aye.

Award of Bid - Mall Block 3 Development

Benetti moved the bid from Donald W. Thompson, Inc. be rejected and the project be re-bid for a later construction date. The motion was seconded by Councilor Weeks and carried with the Mayor and all Councilors voting aye.

City Attorney Report

City Attorney Randall Tosh gave no report.

City Manager Report

Interim City Manager Chuck Knight reported on the progress of the 10th Street Park and said he and Steve Doty had also made an inventory of problem sidewalks. He noted a liability sign would be posted at the Skateboard Park and reported on some signs throughout the City which have been changed and some which will be put in shortly. He said all the interpretive signs have been put up except the one about Old Wagon Road. Spangler asked about a sign in downtown Coos Bay directing people to the Old Empire District and Knight said he would look into it as it was not on his list. None of the other Councilors recalled such a sign being requested. Knight reminded the Councilors of the upcoming League of Oregon Cities meeting. He mentioned some problems with

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the skateboarders and said the City is trying contact Cunningham to find out when their association meets to let them know about the City's concerns. He said in his opinion the skateboard problem has not been alleviated by the park and feels we need to further work with them. Benetti said he talked to Cunningham who told him he would be here tonight, but did not show. Benetti also said he heard Cunningham was moving from the area.

Mayor and Council Comment

Councilor Spangler said a citizen had contacted him about whether or not the City would be interested in having Hyundai here if their plans in Eugene do not work out. He said the citizen will send his comments to the Council.

Councilor Weeks expressed concern about some vehicles in the "Cruz the Coos" throwing candy and creating a hazard for youngsters running out into the street to get the candy. She also said she noticed one of the glass panels at the boardwalk had been broken.

Councilor Combs wanted it noted for the record the City has spent a tremendous amount of money repairing sidewalks because they are concerned and said he would like to see more electrical for the mall. Dunham pointed out block two was reconstructed with more electrical than has ever been provided before. He thanked Chuck Knight for the job he is doing as Interim City Manager and expressed concern about skateboard facility, especially the lack of respect noting that the park can be taken away. Combs felt a five or ten year street improvement plan would be a good project for the new City Manager.

Mayor Verger said she would be leaving at 7:00 a.m. for the League's legislative briefing meeting tomorrow in Gold Beach and said anyone who wished to go was welcome to ride with her.

Executive Session

On Motion by Mayor Verger, seconded by Councilor Benetti, with the Mayor and all Councilors voting aye, the Council went into executive session pursuant to ORS 192.660 (1) (a) to consider employment of a City Manager, (1) (e) discussion of a real property transaction, and (1) (h) discussion of potential litigation.

Offer of Employment to Candidate for City Manager

Councilor Benetti moved that Bill Grile be hired as City Manager with the same salary and benefit package as the previous City Manager. Councilor Combs seconded the motion. The question was called and the motion carried with the Mayor and all Councilors except Councilor Spangler voting aye. Councilor Spangler voted no.

Adjournment

There being no further business to come before the Council, Mayor Verger adjourned the meeting to 7:00 o'clock P.M. in the Council Chambers of City Hall on October 3, 1995.

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

ATTEST:

Joyce Jansen
City Clerk of the City of Coos Bay
Coos County, Oregon