

## **MINUTES OF THE PROCEEDING OF THE CITY COUNCIL**

**September 17, 1996**

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 Verger, Councilors Cindi Miller, Don Spangler, Judy Weeks, and David Williams. Councilors Benetti and Combs were out of town. City staff present included City Manager Bill Grile, City Recorder/Finance Director Gail George, City Attorney Randall Tosh, Library Director Carol Ventgen, and Police Chief Marc Adams. Members of the media were also present.

### **Work Session**

The meeting was called to order and Mayor Verger reviewed the agenda for the meeting. Councilor Spangler expressed his disappointment that the City of North Bend was not included in the Joint Powers Agreement shown on the consent calendar. City Manager Bill Grile said North Bend had participated in a couple of the meetings but chose not to join with the others on this issue. Mayor Verger asked for and received permission to add agenda item 3a, a presentation and request for support by Kay Heikkila of the Tourism Promotions Committee. City Attorney Randall Tosh explained the process for setting criteria for review of the city manager when the evaluation will be held in executive session. He said the public was not entitled to comment on the performance of the city manager, but was welcome to comment on the criteria to be used for the evaluation. Mr. Tosh also reminded the Council the evaluation should not be a discussion of how the City is doing in general, but of how well the city manager was following the direction of the Council and performing other aspects of his job. Councilor Spangler noted that the memo from the Mayor contains some evaluation of the manager and asked if he was supposed to submit a written evaluation. Mayor Verger said she included some observations in her memo, but that it did not contain her full evaluation and the criteria she suggested were subject to change by the Council.

Mayor Verger reported learning from the Mayor of Beaverton that in his city, the Council receives the action items from the agenda earlier than the rest of the agenda and then they have until noon on the day of the meeting to ask questions and receive information on those items. She said this is helpful in giving the Council more time to consider the action being taken. She indicated she would like to look into doing this in Coos Bay.

## **COUNCIL MEETING**

### **Flag Salute**

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

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### **Consent Calendar**

Mayor Verger read the consent calendar which consisted of the following items:

- a) Approval of the minutes of the regular meeting of September 3, 1996
- b) Approval of the minutes of the executive session of September 10, 1996
- c) Authorization to sign a Joint Powers Agreement with the Water Board, School District #9 and the Bureau of Land Management for a safety program
- d) Proclamation requested by the Red Cross declaring September as National Marrow Donor Awareness Month
- e) Initiating an amendment to the exempt parking area indicated in the Land Development Ordinance and setting a public hearing date before the Planning Commission on said amendment for October 8, 1996

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

### **Introduction of OMI's Coos Bay Project Manager Gary Young**

City Manager Bill Grile introduced Gary Young who came to Coos Bay from The Dalles to supervise OMI's Coos Bay operation. Mr. Young praised the staff which came from the City and said he is looking forward to a professional relationship with the City.

### **Request from the Tourism Promotion Committee for a Letter of Support for Their Bid for the Governor's Tourism Conference**

Kay Heikkila from the Tourism Promotion Committee, and Kathi Joy from the Bay Area Chamber of Commerce related some of the history of the conference and explained the opportunity to bid on having the Governor's Tourism Conference in Coos Bay. Ms. Heikkila outlined the requirements for hosting the conference in 1998 or 1999. She reported there is considerable community support already and asked for a letter of support from the City Council to go along with the bid which is due September 30, 1996. Councilor Miller moved the Council write a letter of support. The motion was seconded by Councilor Weeks and carried with the Mayor and all Councilors present voting aye.

### **Adoption of Criteria for Evaluating the City Manager**

Mayor Verger said her memo contained a report on the kind of working relationship she has with the manager, not her evaluation, and suggested some criteria. She informed the audience of the process being used since the manager requested the evaluation be done in executive session. She suggested main topics for the evaluation could be: Relationship with Council, Administration, Leadership, Community/Public Relations, Personnel and Labor Relations and meetings with Community Groups and Other Agencies. The Council then suggested sub-topics under each

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category as follows:

### Relationship With Council

Communication

How well does the manager carry out the council's policies?

### Administration

Budget preparation and administration

How does the manager set standards for department heads and conduct annual evaluations?

### Leadership

What are his strengths and improvements?

How does he hold his department heads accountable?

What training is provided to volunteers serving the city such as the Budget Committee members? (this criteria suggested by Kevin Stufflebean)

### Community/Public Relations

How does the manager work with the media?

What is his visibility in the community?

How does he handle people coming into city hall?

### Personnel and Labor Relations

How good are the manager's skills at maintaining harmony among workers and resolving grievances?

### Community Groups and Other Agencies

How is his interaction with other groups?

Mayor Verger asked the manager for a self evaluation and a list of the meetings he attends.

## **Public Comments**

Lowell Keef, Lakeshore Drive, expressed concerns about the city making exceptions to the code in his neighborhood and questioned the ability to get answers from the City. He said he feels if you file a written complaint, you should get a written answer and not be left hanging. City Manager Grile said he personally went out and looked at the property Mr. Keef was talking about and reviewed the status of his complaints with the Community Services Department. Mr. Grile said all codes have either been met or an alternative certified by an engineer was allowed as an exception. Mr. Grile offered to further review this with Mr. Keef, although he said he found nothing the City had done wrong and the Council had not waived any requirements. Mr. Keef said the City Council would have never seen him had they not sent him a letter that they were condemning his property to straighten out Lakeshore Drive. When asked by Councilor Spangler, Mr. Grile reported that an

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alternative can be suggested by a registered professional engineer to comply with a code problem and that happened in this case. He said the City does not substitute its judgment for that of a professional engineer in such cases, but allows the exception as provided by law. Mayor Verger said the Council was caught unprepared and would like to have a satisfactory resolution to this problem. Mr. Keef said he appreciated what he has seen in the Council in that they try and resolve problems. Mr. Grile asked what the Council would like to be provided with and Mayor Verger said she would like a time line and an explanation of the problem. Mr. Grile stated the City has accepted an engineer's certification on an alternative solution and if it didn't work, then civil suits could be filed.

Mike McDaniel, former city employee now with OMI, said he was speaking on his own to let the Council know what is going on in the wastewater department and thanked them for looking out for the City employees in the contracting out process. He reported things are being done to operate more efficiently than he ever thought possible. He praised the solutions available through OMI's e-mail system and said he felt the city will benefit from OMI in the long run.

### **City Attorney Report**

City Attorney Randall Tosh reported the motion for summary judgment in the property tax case involving the art museum building has been filed and after all briefs are submitted, a decision is expected in December.

### **City Manager Report**

City Manager Bill Grile informed the Council he had substantially completed the mission fact finding report and it is now on the City Attorney's desk. He reported on a meeting of the department heads who met to look at how to minimize program and service cuts should the property tax reduction measure pass in November. He said he doesn't want to be an alarmist about what might happen and wants to get a good handle on the options before they are made public. He then asked Chief Adams to give a brief report on the recent shooting incident.

Police Chief Marc Adams said the Coos County District Attorney felt the recent shooting was justified and an internal investigation said all department policies and procedures had been followed. He reported each officer in this type of incident is required to go to at least one debriefing with a psychologist due to the traumatic nature of the incident. He also said the incident will be reviewed to see if anything could have been done better or different. Mayor Verger praised the City of Coos Bay officers on dealing with people with mental problems and drug use so prevalent today.

Mr. Grile reported meeting with Chamber officials on the parking lot project. He commented there would soon be progress on block four of the mall when City crews are used to take down the canopies with firefighters using them for ventilation training. He then gave a progress report on the parking changes on 5th street and the painting of city hall. He drew the Council's attention to a letter from Jerry Lesan requesting an extension to deal with two outstanding codes issues at the Bay Area Rescue Mission and a letter from the City in which the requested extension was granted. Mr. Grile informed the Council he sent information to the Department of Transportation requesting a parking, pedestrian, sign and traffic study in the downtown area. He pointed out the information contains a

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proposed scope of work with the City providing maps and funding up to \$15,000 on approval of the Council and if ballot measure 47 doesn't pass in November.

### **Council Comments**

Mayor Verger reported going to the League of Oregon Cities Board meeting where they went over the legislative committee reports. She said she attended a function hosted by Mayor Ruth Bascom in Eugene which included a reception, an art show, and a football game. Mayor Verger said each city is doing their own analysis of the effect of ballot measure 47 and some cities feel they will have to shut their doors. She thanked the Council for their support and noted her pleasure at serving as Mayor.

### **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 1, 1996.

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

### **ATTEST:**

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