

## **MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL**

**October 1, 1996**

The minutes of the proceedings of the 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 a 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 Dave Williams. City staff present were City Manager Bill Grile, Deputy Recorder Joyce Jansen, City Attorney Randall Tosh, Community Services Director Bruce Meithof, Library Director Carol Ventgen, Fire Chief Cliff Vaniman, and Police Chief Marc Adams. Members of the media were also present.

### **WORK SESSION**

Mayor Verger opened the meeting and reviewed the items of the consent calendar. Councilor Spangler requested item 2c be moved from the consent calendar and placed as an agenda item. Mayor Verger requested the award of bid for the Front Street reconstruction project be added to the agenda, and consensus of the Council was to add the item. Mayor Verger noted that Dan Morin was present and would be giving a presentation on the Bay Area First Step Program.

Mayor Verger commented on the proposal from the On Broadway Theatre to perform A Midsummer Night's Dream in Mingus Park. City Manager Grile said the performances would be during the summer months only. Mayor Verger said the performances would be on Sunday around 5 p.m. Councilor Spangler commented there may be some concern about the performances from neighbors, but he did not anticipate any problems. Councilor Weeks inquired about lighting in the park and Mr. Grile said the planned lighting was for low lights to illuminate the trail.

Community Services Director Bruce Meithof reported on the Oregon Department of Transportation funds. He said ISTEA was the old name for program funds passed from Federal to State as part of the gas tax. The monies were allocated to metro areas such as Coos Bay and North Bend. The program was recently changed to STP and separated Coos Bay and North Bend. Mr. Meithof noted the change made it easier to allocate funds to projects, and the monies can now be used for street improvements. Application for project funding is made to the State and once approved, the City has two years to complete the project. Mr. Meithof reported the D Street project is from 1995 funding and the city has until 1997 to complete the improvements. Mr. Meithof said originally the project was to improve access for the boat ramp, but when the Marine Board included the improvements in the boat ramp development, the City submitted an amendment to the state to improve other portions of D Street and allow funding for improvements on F Street. Mr. Meithof commented that ISTEA funding previously required a 6 percent match from the City and now the State withholds 6 percent for administration cost. Councilor Combs commended staff for creative financing, and noted that competition for funding is great. Mayor Verger remarked on the Front Street improvements, and Mr. Grile referred Council to the map for clarification of the area to be improved. He said the area is heavily used by truck traffic and is in great need of repair.

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Mayor Verger reported attending a meeting on the salmon enhancement plan which will be presented by the National Marine Services. The plan requests that Oregon be able to protect the salmon without having the salmon listed on the endangered species list. Mayor Verger noted Oregon is the first state to come up with this type of plan.

### **COUNCIL MEETING**

#### **Flag Salute**

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

Mayor Verger welcomed and introduced Jennifer Sharp as the student representative from Marshfield High School. Ms. Sharp said she would be reporting back to the student body and would also be reporting to the City Council. She distributed MHS packets to the Council. Mayor commented the relationship between the city and the schools has been very good and she encouraged more students to attend Council meetings.

#### **Consent Calendar**

Mayor Verger read the consent calendar which consisted of the following items with item c) Right-of-way use permit - High Valley Development Corporation, moved to the regular portion of the agenda:

- a) Approval of the minutes of the regular meeting of September 17, 1996
- b) OLCC license - Lighthouse Grocery and Deli
- c) Right-of-way use permit - High Valley Development Corporation
- d) Domestic Violence Awareness proclamation
- e) Disability Employment Awareness proclamation

Councilor Miller moved to approve the consent calendar as amended. Councilor Weeks seconded the motion which carried with the Mayor and all Councilors present voting aye. Mayor Verger read the proclamations to the assembly.

#### **Right-of-way use permit - High Valley Development Corporation**

Mayor Verger opened the subject for discussion. City Manager Grile reported High Valley Development is seeking permission for 16 carports to encroach 10' into the right-of-way of Donnelly Avenue. The matter had been before the Planning Commission and they had approved the variance. Councilor Spangler expressed concern that permanent structures built in the right-of-way may not be in the city's best interest. Mayor Verger said most of the structure was on the owner's property and her understanding was that a small extension would be in the right of way.

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Roger Gould, attorney for High Valley Development, reported his client is requesting the permit to enable a cover to be built over existing parking, which is on public right-of-way and has an approved use permit. He further noted the cover would not take away any portions of the street or sidewalk. City Attorney Randall Tosh pointed out the permit does not transfer the property and the City could take the property back if it was needed. Councilor Spangler recommended the applicant come back with a permanent solution in lieu of a temporary fix. Councilor Combs declared a conflict of interest because his wife works for Roger Gould. Councilor Weeks moved to approve the right-of-way use permit with conditions no. 2 and 3 of the Planning Commission's recommendation. Councilor Miller seconded the motion which carried with Mayor Verger and Councilors Benetti, Miller, Weeks, and Williams voting aye. Councilor Spangler voted nay.

### **Information Briefing on Bay Area First Step Program - Presentation by Dan Morin**

Dan Morin addressed the Council and distributed information about the Bay Area First Step Program. Mr. Morin reported the program provides housing for recovering addicts and alcoholics. He explained the guest house does not provide treatment, only a safe, healthy environment, and most people stay under two months. Mr. Morin said that 22 people have been helped so far and over half have been able to continue with recovery. The program has been helped with donations from private funds and many volunteers, including the people being helped. Mr. Morin noted that more facilities are needed and he is currently working with Coos County Mental Health and Bay Area Hospital. Mayor Verger thanked Mr. Morin for taking time to come before the Council. She said the program is fulfilling a great need in the community and the support of other people is so important in the recovery. Mayor Verger suggested anyone interested in assisting the program contact Mr. Morin or Dr. Bob Bolin at Bay Area Hospital. Councilor Spangler asked where the house was located and if the neighbors had readily accepted the use. Mr. Morin said it is in a residential area of Bunker Hill and there had been no problem so far. He said in order to get into the house, residents must be free of drugs. Councilor Combs commended Mr. Morin for setting a good example for the community. Mr. Morin responded the applause goes to those in recovery.

### **Proposal for Outdoor Theater Performance at Mingus Park**

Judy Kobrin presented a proposal from the On Broadway Thespians to perform A Midsummer Night's Dream in Mingus Park during the months of July and August. Ms. Kobrin reported the production would be free to the public and would be held during the Oregon Coast Music Festival. The proposal also requested support from the City of Coos Bay to co-sponsor any grant applications made by On Broadway Thespians. The theatre group would be responsible for the temporary stage and temporary addition to the gazebo. City expenses would be limited to donated electricity and additional garbage collection and cleanup costs. Councilor Miller moved to approve the concept and agree to co-sponsor any grant applications completed by On Broadway Thespians. Councilor Weeks seconded the motion which carried with the Mayor and all Councilors present voting aye.

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### **Acceptance of ODOT Fund Exchange Program Agreement - "D" Street Improvement Project**

City Manager Bill Grile reported the agreement with ODOT is basically a grant conversion of funding for improvements to D Street. Originally the project was for a portion of D Street between Whitty and Bessie Streets, but was amended after the State Marine Board funded improvements to D Street in conjunction with development of the boat ramp. Councilor Combs commended staff for their insight for funding and planning. Councilor Benetti noted the improvements would take care of some of the concerns expressed by residents during the planning of the boat ramp. Councilor Spangler commended Councilor Combs for taking a role in the development of the Eastside boat ramp project. Councilor Weeks moved to authorize the agreement for \$109,980 with \$70,382 funded by the State and \$39,598 funded by the City's wastewater collections contractual budget line item. Councilor Miller seconded the motion which carried with the Mayor and all Councilors present voting aye.

### **Award of Bid - Front Street Reconstruction Project**

City Manager Bill Grile reported a portion of Front Street was greatly in need of repairs due to the high volume of truck traffic. Bids for the project had been received from Umpqua River Navigation, Johnson Rock Products, and Bracelin-Yeager Construction with the low bid received from Umpqua River Navigation for \$92,429.50. Councilor Spangler inquired if sewer lines would also be improved during the street project. Community Services Director Bruce Meithof replied the storm water lines would be improved, but the sanitary lines were under the state highway. Councilor Benetti noted that \$10,660 of the project cost was from urban renewal funds for storm-sewer repairs, and the bid was lower than the \$96,000 budgeted for the project. Councilor Benetti moved to award the bid to Umpqua River Navigation in the amount of \$92,429.50 and authorize the expenditure of \$10,660 of urban renewal infrastructure funds. Councilor Spangler seconded the motion which carried with the Mayor and all Councilors present voting aye.

### **Public Comments**

Kevin Stufflebean, representing Empire Community Association, reported the association is requesting the City Council transfer Empire urban renewal funds from the infrastructure line item into urban renewal projects. He said the consensus of the association and residents in Empire was that visual projects should begin immediately. Mr. Stufflebean distributed copies of a petition supporting the request. Mayor Verger inquired if the Empire Association had any problems with the urban renewal plan. Mr. Stufflebean responded that most of the plan had come from the residents, and the theme and signage was the first phase. Mayor Verger suggested the request be placed on the agenda after the November 5th election. Councilor Spangler commented the money is already there and recommended going ahead with the projects in this year's budget. Councilor Combs expressed concern about funding for expansion of treatment plant II and improvements to sewer lines, and suggested staff provide the Council with a report before a decision is made to transfer the funds.

Ralph Larson, Coos Bay, inquired whether the property on Donnelly could be sold rather than vacating a portion of the street. City Attorney Tosh said the streets were dedicated at the time

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they were platted and the City doesn't own the street; the adjoining property owners do. City Manager Grile explained that right-of-ways are held in trust for the public and could not be sold.

### **City Manager's Report**

City Manager Bill Grile referred to written report which was distributed to the Council. Mr. Grile reported on attending the graduation of the 12th platoon at Shutter Creek and noted the program is highly successful in turning lives around. Mr. Grile displayed a portion of the wood removed from the canopies in block IV and pointed out the extent of dry rot and bug damage. He commended city crews for their work on block IV and said they expect to be finished next week.

### **Mayor and Council Comments**

**Councilor Spangler** reported being contacted by two members of the Charleston Fire District Board indicating the board is interested in contracting with the City of Coos Bay for fire protection. He further reported the board members had discussed the matter with the City Manager and were told the City was not interested. Councilor Spangler suggested looking into contracting because it would bring in money. Fire Chief Vaniman reported being contacted by Charleston and he had recommended the board contact Mayor Verger.

City Manager Grile commented he discussed the matter with Chief Vaniman and Coos Bay had offered assistance after the Charleston Fire Chief was fired. Mr. Grile reported the Charleston Fire District had commissioned a study as to whether to hire a chief or contract out. He further commented the board was split in their decision and the City of Coos Bay should not interfere. He suggested the Charleston Fire District submit a letter to the Mayor indicating their interest in contracting for fire protection. Councilor Spangler said he had spoken with the chairman of the Charleston Fire District Board and a letter would be forthcoming to the City of Coos Bay.

**Councilor Weeks** reported attending the 20 year anniversary celebration of the Friends of Library. She noted that during the eclipse a lot of people were using the board walk, and expressed concern for the Music Association budget shortfall of \$8,000.

**Councilor Combs** reported the Coos County Economic Development Department has formed a partnership to do a feasibility on mountain biking and requested funding from the City in the amount of \$500. Mayor Verger said the activity appears to be a draw for tourism and suggested Councilor Combs approach the Tourism Promotion Committee for funding.

**Councilor Miller** commented the Fun Festival was well attended and was a success.

**Councilor Benetti** commented he was glad to see traffic light being installed at Elrod and Bayshore. He noted the Chamber lot improvement project was coming along.

### **Adjournment**

There being no further business to come before the Council, Mayor Verger adjourned the meeting to October 8, 1996 at 7:00 p.m. in the Manager's Conference Room at City Hall.

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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