

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

**March 4, 1997**

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, Jeff McKeown, Cindi Miller, Don Spangler, Kevin Stufflebean, and Judy Weeks. City staff present were City Manager Bill Grile, Deputy Recorder Joyce Jansen, City Attorney Randall Tosh, Finance Director Gail George, Library Director Carol Ventgen, Community Services Director Bruce Meithof, and Police Chief Marc Adams. Members of the media were also present.

### **WORK SESSION**

Mayor Verger noted at the previous meeting the city manager had requested authorization for the City to pay a portion of the Water Board's timber management study, and the motion did not appear in the minutes. City Manager Bill Grile responded the request would be included in the 97/98 proposed budget. Mayor Verger noted reports would be made by the Oregon Coast Lab Band and the Coos Art Museum, and a medal of merit would be presented by Chief Adams.

City Manager Grile explained he supported maintaining the building codes program. Mr. Grile noted with Councilor Weeks' help several very effective meetings had been held with the Homebuilders Association, and he had recently met with them to explore options to maintain the building program. Mr. Grile explained funding for the program seemed to have been worked out, with the exception of the electrical and plumbing inspectors; and then the City's senior building inspector accepted a position in Seaside. After re-examining the options, he and Mr. Meithof reluctantly accepted, considering the City's budget shortfall, the best choice would be to turn the program back to the State. Mr. Grile noted the cost of replacing the position would be approximately \$400 a month more than the current salary, plus benefits. He commented the State is obligated under law to provide a building program, but is not obligated to help the City with other programs. Mr. Grile noted the program currently costs the City and if kept, would cost more and result in the loss of more jobs. He explained some of the service could be contracted out and would generate revenue for the general fund. Bob Mitchell has offered to do plan checks which would generate approximately \$14,000 for the City. Mr. Grile explained that without the senior inspector the City would not have the ability to perform A-level inspections. The program could be turned back to the State or a shared program with North Bend could be developed. Mr. Grile noted the Homebuilders' survey of their membership favored a shared program with North Bend which currently has an A-level inspector in their public works director Ron Stillmaker. Mr. Grile expressed concern about the work load Mr. Stillmaker would be taking on with doing inspections for both cities.

Councilor Benetti suggested keeping the B-level inspector and returning fire, life and safety back to the State. Community Services Director Bruce Meithof reported this suggestion would earn

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the City approximately \$12,000 annually; however, there are some additional costs in keeping the program, such as the computer upgrade at a cost of \$14,000. Councilor Benetti asked if eliminating a clerical position would save sufficient funds. Mr. Meithof said by eliminating the electrical, plumbing, and clerical positions the savings would be around \$32,000. Councilor Benetti noted that by keeping the B-level program, the City would be in the black by \$12,000. Mr. Meithof explained expenses to run the B-level program is \$91,000; however, this does not figure in the clerical position. Mayor Verger inquired whether the City does more B-level than A-level, and Mr. Meithof responded yes. Councilor Benetti noted by contracting the plans review out, the City's portion would earn \$14,000 which would come to \$26,000 in revenues. Councilor Miller inquired about the lag time if the State does the program and Mr. Meithof noted the City's turn around time is generally one week and the State currently takes 12 weeks. Councilor McKeown asked what the turn around would be if Bob Mitchell was hired to do the plan reviews and Mr. Meithof said the minimum turn around would be three weeks. He explained there would be mailing costs involved, but if the State has the program, the City would also have mailing costs. Mr. Grile noted the City is required to negotiate with the AFSCME union concerning the privatization of work. He also noted the City would need to be sure Mr. Mitchell is properly bonded and insured to protect the City. Mayor Verger commented the best of both worlds would be to keep the program as we have it; however the City is facing a serious shortfall and there is only so much money available.

### **COUNCIL MEETING**

#### **Flag Salute**

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

#### **Consent Calendar**

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

- a) Approval of the minutes of the regular meeting of February 18, 1997
- b) Amendment to extend the ODOT agreement to June 30, 1997 - North Front Street reconstruction project
- c) Proclamation of March 12<sup>th</sup> as the 85<sup>th</sup> anniversary of the Girl Scouts

Mayor Verger commented her family has been a strong supporter of the Girl Scout program, and read the proclamation to the assembly. Councilor Miller moved to approve the consent calendar as presented. Councilor Weeks seconded the motion which carried with the Mayor and all Councilors present voting aye.

#### **Oregon Coast Lab Band - Presentation by Greg Young**

Greg Young, director of the Oregon Coast Lab Band, reported the band has over 100 members, and 200 volunteers and supporters. He noted the program is done entirely with private donations. Mr. Young reported the band will be featured in the April issue of Jazz magazine, will

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be traveling to San Francisco, and in June 1997 will appear with Doc Severnson. He commented on the commitment of the band members and positive image they project. Mr. Young reported they have been sponsored for 13 weeks on the public access TV channel. Mayor Verger commended Mr. Young and the band for their accomplishments and contributions to the community.

### **Coos Art Museum Report - by Helen Scully, Director**

Helen Scully, director of the Coos Art Museum, reported on the activities at the museum and thanked the Council for their support. The activities included the public hanging, the student art show, the upcoming artisan show, and the 4<sup>th</sup> annual maritime show. Ms. Scully noted the museum is planning to apply for more grants, do additional fund raising programs, and enlist more people from the community to be involved in the museum. Mayor Verger asked if artists would be on the board walk when the Lady Washington is in port. Ms. Scully said she would mention at the next Bay Area Art Association meeting.

### **Medal of Merit Award to Officer Scott Snyder - Presented by Chief Marc Adams**

Chief Adams presented a medal of merit award to Officer Scott Snyder for his exemplary work with the Coos County Investigations Team in solving a homicide. Chief Adams noted the District Attorney's office had sent a letter commending Officer Snyder for his participation in solving the case. Mayor Verger congratulated Officer Snyder and expressed the appreciation of the community for his service.

### **Request to Surplus City Owned Property Adjacent to 1085 Pacific Avenue**

City Manager Grile reported on a request from Frances and Helen Nestor to purchase a parcel of City owned property adjacent to 1085 Pacific Avenue. He noted the City does not have a need for the property and it is currently assessed at just under \$2000. Councilor Miller moved to declare the property surplus and set the price at \$1996. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

### **Review of City Manager's Recommendation Concerning the Building Codes Program**

City Manager Grile reported after evaluating the building codes program, he and the community services director reached the conclusion that due to the program losing more money without the A-level, plumbing, and electrical inspections, the program be terminated effective March 21<sup>st</sup>. Councilor Stufflebean noted that although he works for a plumbing and electrical company, he does not have anything to gain from this decision. Mayor Verger invited the public to make comments on the matter.

Wayne Bergess, North Bend, said as a contractor it is important to have the inspection program, and to have access to inspections in a timely manner. Mr. Bergess urged the Council to consider keeping the building inspection program. Councilor Spangler inquired if he had a suggestion on where to get the funds to continue the program and Mr. Bergess suggested increasing the permit fees. He commented those using the program should pay.

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Carl Bock, Coos Bay, said the availability of local inspectors is important to contractors and suggested the City cut costs in other areas to support the building program. He said City staff has been good to work with and it would be a loss to the community if the building program were cut. Councilor Spangler inquired when the City began doing A-level and Mr. Grile responded it has been done for a long time. He explained the plumbing and electrical were more recent additions to the services offered.

Wayne Slape, Coos Bay, reported he has worked all over the state and feels Coos Bay has the best department. He said the County only has inspectors two days a week and the City offers inspections when you need them. Mr. Slape commented he would not like to see fire, life, and safety returned to the State because the average turn around time is eight to nine weeks. He also expressed concern the City would lose control over how construction is done. Councilor Spangler asked Mr. Slape if he would be willing to pay more in fees and Mr. Slape said yes.

Ralph Larson, Coos Bay, said he has spent 27 years remodeling and rehabing structures and recently had a very satisfactory experience using the plumbing inspector. He commented it would be a step backwards for the community if the City gave up the building program. Mr. Larson explained it is important for contractors to have timely inspections on their buildings and the program protects the lives, health and safety of all citizens. He suggested the matter be placed before the voters to increase user fees.

Tom Gayewski, Coos Bay, reported he has 31 years of construction experience and has had no problems with any building codes departments. He reviewed the organization chart for the Community Services Department and suggested cuts could be made in supervisory positions in order to keep the building program.

Steve Clay, Coos Bay, stated Coos Bay is the finest department to work with and strongly supported keeping the program and maintaining an A-level inspector. He explained the disadvantages of the State running the program would be the turn around time, flexibility and knowledge of the area, availability of inspectors for in-person service, State employee's lack of experience, and lack of follow-up inspections. He suggested increasing the fees to keep the program. Tom Gayewski commented the codes department can charge for re-inspections but has not done so. Councilor Spangler said the problem is that the fees have not been collected in the past. City Attorney Tosh said Council cannot end run 47, and increases in fees must be approved by the voters.

Gene Williams, contractor for the SWOCC housing project, said he has worked in Coos Bay for approximately two months and the City's community services department is great. He stressed the value of local personal service and short turn around time.

David Gates, Coos Bay, commented he is building a home and a business in the Empire area of Coos Bay and the City's inspectors have helped him immensely. He expressed support for keeping the building program and would be willing to pay more in fees.

Mike Sherritt, Coos Bay, agreed with support of the program and the reasons given and said the service is well worth a fee increase. He noted the additional costs would be passed on to the homeowners, however, the fees are still lower than in many parts of the country.

Guy Mennenger, Coos Bay, commented that non-contractors also need permits and if delays would keep him from earning money, he would most likely work without a permit. He commented the City has a great department and he would support increasing the fees.

Chuck Knowlton, reported he is from out of town and recently helped his in-laws with an addition. He said the City has a great department and he would support fee increases.

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Ken Hargens, Coos Bay, reported he has worked closely with the inspectors and the service has been great. He agreed the program should be kept.

Mayor Verger commented it was good to hear to many good things about the department, although it was not a surprise to hear that staff is doing such a great job. The Mayor noted the City does not have too many employees, however, with Measure 47 the City will have a serious budget shortfall and the State is not planning to backfill cities. Mayor Verger noted that she has not seen citizen support for more taxes and increased fees, and most want to see government downsized. Ralph Larson commented the majority of voters would not be paying the fees because these are user fees and just those who are using the program pay. Mr. Larson said the building department is moving Coos Bay forward and Council should put the matter up to a vote. City Attorney Tosh noted the deadline for the May general election is in approximately two weeks and Council would need to decide tonight if they wish to go to the voters. Councilor Weeks moved to discuss increasing the fees and putting a measure on the ballot for the May election. Councilor Stufflebean seconded the motion.

Councilor Benetti opinioned the vote was premature, and the program could be continued with B-level inspections by cutting the electrical and plumbing inspectors, and the clerical position. He continued that with these cuts and by contracting out the plan reviews, the program would break even or even possibly make some money. Mr. Grile suggested the fee increase could support A-level and B-level inspectors but would still eliminate the plumbing and electrical. There was further discussion on providing the plumbing and electrical inspections and Mr. Grile noted the City could discuss sharing this service with North Bend. Mr. Grile said he would like to keep all of the program, but not on the backs of other departments. Councilor McKeown commented the citizens voted for Measure 47 and although 47 is putting the City backward, the reality is the community supported 47 and now must live with the decision. He further commented the State will provide the building program but will not support other services the City provides. Councilor Spangler recommended letting the voters decide if they want a fee increase. Mr. Grile noted the AFSCME union has the option of submitting a proposal on any jobs the City plans to contract out. Mayor Verger commented a motion has been made to go out to a vote in May to raise permit fees. Councilors Spangler and Stufflebean voted aye, the Mayor and all other Councilors present voted no.

Councilor Benetti made a motion to reconsider the issue. Councilor Weeks seconded the motion which passed unanimously. City Attorney Tosh commented if the ballot measure was not prepared by the deadline, it wouldn't go to the voters until November. Mr. Grile asked if it was Council consensus to have the fee increase support the program, but not include the plumbing and electrical inspections. Councilor Benetti commented the increase should cover the senior inspector position and not include the electrical and plumbing inspectors. Councilor Spangler expressed concern the State would take too long to perform the electrical and plumbing inspections and both are critical in construction. Mr. Tosh pointed out the vote would not be to simply raise the fees \$85,000, but would be to cover the fee structure so the service is wholly funded by the fees. There was further discussion on keeping the plumbing and electrical inspection service and the cost involved.

Councilor Benetti moved to amend the motion to go out for a vote in May to raise permit fees to fund the building program without the plumbing and electrical inspections. Councilor Weeks seconded the motion which passed with Mayor Verger and Councilors Benetti, McKeown, and

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Weeks voting aye. Councilors Miller, Spangler, and Stufflebean voted no.

### **Review Priorities for Urban Renewal and Public Works Projects**

City Manager Grile reported that with more than half of the fiscal year past, it is advisable that the Council review the urban renewal and public works projects. The projects are divided into five categories; Empire urban renewal, downtown urban renewal, Wastewater, ODOT exchange program, and special assessment fund. Mayor Verger commented it was possible that urban renewal would be eliminated by the legislature in 1998. Councilor Spangler commented the Empire urban renewal district has more funds than noted in staff's report, and the priorities had been established as gateway, sidewalks, and lights. Community Services Director Meithof reported sidewalk and lighting projects could use up the funds. Mr. Grile expressed concern about not being able to have the projects completed or at least started, and explained that without an engineer the City has only one person to oversee managing projects. Mr. Grile suggested Council may wish to consider contracting out the projects.

Mr. Grile reviewed the downtown urban renewal projects and noted the total was \$808,000. Councilor Spangler asked where the funds for the library were on the list of downtown urban renewal projects and Mr. Grile responded funding for these projects uses the library money. Councilor Weeks asked which canopies were to be removed. Community Services Director Bruce Meithof reported the Council would need to decide which canopies would be removed as there is not enough money to remove all of them. Councilor Spangler asked if the parking lot across from the library could be paved. Mr. Meithof said Council could make that a project in place of one of the currently listed projects at an estimated cost of \$75,000 to \$80,000. Mr. Meithof noted all the projects listed have previously been before the Council and this report just puts them in list form. Councilor McKeown asked what the South Front Street/Ingersoll Avenue project entailed and Mr. Grile commented the project would alleviate the traffic problem in the Safeway and Fred Meyer area. Mr. Grile reviewed the wastewater projects of \$423,245 and noted that staff would be presenting a change in the projects at the next meeting. Mr. Grile reviewed the ODOT exchange program projects which included North Front Street, D Street, and F Street improvement projects. The Special Assessment Fund was reviewed which included local improvement districts for California Street, 20<sup>th</sup> Street, 21<sup>st</sup> Street, and 22<sup>nd</sup> Street. Councilor Miller asked about the prioritization of the projects and Mr. Grile said they are grouped together but not in a prioritized order. Mr. Grile explained the legislature may be discontinuing urban renewal in two years and suggested staff contact engineering firms about doing the projects. Consensus of the Council to proceed with the city manager's suggestion.

### **Public Comments**

Steve Clay, Coos Bay, requested the Council consider the list of items needed to complete Blocks one, two and three submitted by the Central Avenue property owners.

Diane Hannah, Coos Bay, expressed concern about water problems on South 8<sup>th</sup> Street and requested the City look into solving the problem. She indicated she has made repeated contacts with staff about maintaining the ditch and doing something to handle the volume of water in the area. She said her house was in danger and the water was causing an unsanitary condition in the neighborhood.

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Mr. Grile reported the city attorney had reviewed the matter last year and in his opinion it is not the City's responsibility. Mayor Verger said the matter would be scheduled as an agenda item at a later date. Mr. Grile asked that Mr. Tosh distribute copies of his previous letter again.

**City Manager's Report**

Mr. Grile reported the City will receive a \$25,000 match on the Front Street project and thanked CCD for their good work on the project. Mr. Grile noted he has scheduled vacation for March 28<sup>th</sup> through April 4<sup>th</sup>.

**Mayor and Council Comments**

Councilor Weeks reported the skateboard park meeting went very well, and the formation of a new association is planned and will include adults and youth.

**Executive Session**

On motion by Mayor Verger, seconded by Councilor Miller and approved unanimously, the Council adjourned to executive session pursuant Council to ORS 192.660 (1) (h) for the purpose of consulting with legal counsel concerning potential litigation.

**Adjournment**

There being no further business to come before the Council, Mayor Verger adjourned the meeting to March 12, 1997 at 5:30 p.m. in the Council Chambers of 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