

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

March 18, 1997

The minutes of the proceedings of the City Council of the City of Coos Bay, Coos County, Oregon, beginning with a special meeting at 6 p.m., proceeding to a work session at 7:00 p.m. and a regular session at 7:30 p.m. in the Council Chambers.

Those Present

Those present were Mayor Joanne Verger, Councilors Joe Benetti, Jeff McKeown, Don Spangler, Kevin Stufflebean, and Judy Weeks. Cindi Miller was absent due to surgery. City staff present were City Manager Bill Grile, Deputy Recorder Joyce Jansen, City Attorney Randall Tosh, Community Services Director Bruce Meithof, and Police Chief Marc Adams. Members of the media were also present.

COUNCIL INTERVIEWS

The Mayor and Councilors interviewed Andrew Locati, Bruce Harlan, and Chris McAlear for a vacancy on the Planning Commission.

WORK SESSION

Mayor Verger reviewed the items of the consent calendar. Councilor Spangler requested item 2e be removed from the consent calendar and made a part of the regular agenda. Mayor Verger noted the appeal of the Tree Board decision was postponed to April 1, 1997 at the request of Mr. Dana Stout. Councilor Weeks asked for an explanation of the wastewater line item transfers. City Manager Grile responded there are two large capital items in the wastewater budget this year for the facilities plan and the UV system. He explained a recent report from OMI determined the facilities plan is not needed at this time as the plant is running at 60 percent capacity, and the UV system will cost significantly more than the City had originally estimated. It is OMI's recommendation to invest the funds to make the system more efficient. Community Services Director Meithof commented that by the end of the year, OMI will have saved the City around \$50,000. Mr. Meithof explained the monies had been in a reserve account and then transferred to the wastewater budget for the facilities plan and UV project. He explained the funds would be transferred back to the reserve account less the \$83,000 for the improvements. Mr. Meithof further explained the requested generator is needed to run the system when the power goes down, and the variable frequency drive pumps operate only at the speed necessary to do the job which conserves electricity and improves the efficiency of the plants. Councilor Benetti asked if the City would be required to install scrubbers in the chlorine system. Mr. Meithof reported if a new chlorine system was installed or the current system renovated, the City would be required to install scrubbers; however, our system is grandfathered and scrubbers are not required. Councilor McKeown commented the City is relying on OMI's professional judgement. Mayor Verger noted the question is whether the money should be left in the fund. Councilor Weeks suggested the money be left in the fund to cover unforeseen expenses.

Mayor Verger noted the amendment to Ordinance No. 238 would change the time for getting

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a measure on the ballot. Mr. Grile explained Ordinance No. 239 amends the ordinance to reflect the State's changes in the structural and specialty building codes.

COUNCIL MEETING

Flag Salute

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

Addition of Agenda Item

Mayor Verger requested an item be added to the Council agenda. Consensus of the Council was to add the South Front Street Project as item 3a of the agenda.

Consent Calendar

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

- a) Approval of the minutes of the regular meeting of March 4, 1997
- b) Approval of the minutes of the special meeting of March 12, 1997
- c) Resolution 97-10 PERS pickup for non-represented employees
- d) Appointment of Planning Commissioner to the Parks Commission
- e) Comprehensive Plan map amendment in South Empire - Resolution 97-11
- f) Approval to apply for ODOT Fund Exchange Program to complete improvements to F Street

Item 2e Comprehensive Plan map amendment in South Empire - Resolution 97-11 was removed from the consent calendar and placed on the agenda as a regular item at the request of Councilor Spangler. Councilor Weeks moved to approve the consent calendar as mended. Councilor Stufflebean seconded the motion which carried with the Mayor and all Councilors present voting aye.

Appointment to the Planning Commission

Interviews of three applicants, Bruce Harlan, Andrew Locati, and Chris McAlear, were held prior to the Council meeting in the Manager's Conference Room. Voting was done by ballot and Bruce Harlan was appointed to the Planning Commission by a majority vote of the Council to fill an unexpired term ending December 31, 1998. Councilors Spangler and Stufflebean voted for Chris McAlear, and Mayor Verger, Councilors Benetti, McKeown, and Weeks voted for Bruce Harlan.

South Front Street

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City Manager Grile explained the project would make improvements to South Front Street which includes installing a stormdrain and repairing two tidegates. Mr. Grile explained the area experiences flooding every winter and there are several businesses in the area that are adversely affected. He reported that no money has yet been spent on the project and the City has contracted with an engineer to prepare an estimate for the project. Mr. Grile noted the area is within the urban renewal district and the project qualifies for use of these funds. Mayor Verger inquired if other funds could be used instead of urban renewal and Mr. Grile replied there was not enough available to do the project. Community Services Director Meithof explained other funding would be used for replacing the sewer line along the Coos River Highway and repairing damages from the December storm. Mayor Verger expressed concern about declining urban renewal funds. Councilor Spangler mentioned the unfinished projects in the downtown area and asked where these projects fall in priority. Mr. Grile reported the projects could be prioritized any way the Council would prefer. Mayor Verger commented the downtown list consisted of a number of finishing items and are not as critical as the flooding on Front Street. Mr. Meithof reported the engineer would not have his work done before June. Councilor Benetti inquired if the street would be paved and Mr. Meithof said it would not. Mr. Grile noted the Council and Budget Committee had emphasized infrastructure improvements. Councilor Benetti asked if this project could come from next year's projects, and Mr. Grile said it could. Councilor Benetti suggested funding the project part from urban renewal and part from sewer project funds. Mr. Grile said he would bring the project back to the Council for their decision when the cost estimate has been completed.

Request from Dennis Schmidt to Surplus City Owned Property

City Manager Grile reported Dennis Schmidt owns property adjacent to a small parcel of City owned property and which he is interested in purchasing. Mr. Grile explained staff has reviewed the property and determined there is no need for the City to keep it. Councilor Weeks moved to surplus the property and set the price at \$350. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye.

Appeal of Tree Board Decision from Dana Stout Regarding Removal of Trees at 200, 210, and 220 South 4th Street

The appeal of the Tree Board's decision was rescheduled to April 1, 1997 at the request of Dana Stout.

Comprehensive Plan Map Amendment in South Empire - Resolution 97-11

City Manager Grile reported the Planning Commission held a hearing to consider the criteria for the rezone, and it is their recommendation to rezone the area from commercial to residential. Councilor Spangler said he was reluctant to grant the rezone and decrease the amount of available industrial land. Community Services Director Meithof explained in the past there had been an effort to bring in industrial development but due to the property being adjacent to residential, there was no interest in developing the property. He further explained the property has good potential for

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residential use as it is surrounded by residential. Councilor Stufflebean asked if this was in connection with the Alzheimer issue and Mr. Meithof said no. Mr. Meithof noted that when the City does their periodic review, heavy industrial areas could be rezoned where appropriate. Councilor Weeks moved to adopt Resolution 97-11 which is attached hereto and made a part of thereby, amending the comprehensive plan map designating blocks 107, and 109 through 120 in the First Addition of Empire to low density residential. Mayor Verger seconded the motion which carried with the Mayor and Councilors Benetti, McKeown, Sufflebean, and Weeks voting aye. Councilor Spangler voted no.

Authorization for Line Item Transfers in the Wastewater Budget

Mayor Verger reported the funding would be used to purchase a generator and pump to increase efficiency and reduce the operating costs of the wastewater facility. The Mayor commended staff on their report and cost-saving measures. Councilor Weeks moved to approve transferring \$83,400 to cover the expenditures. Councilor Spangler seconded the motion which passed with the Mayor and all Councilors present voting aye.

Ordinance No. 238 - Amending Ordinance No. 58 to Change the Time for Voting on Measures After a Measure has Qualified for the Ballot and Declaring an Emergency

City Attorney Tosh reported the amendment will change the time a measure can be referred to the people to 60 days from 90. This will bring the City in line with the State and will also allow the City to refer a measure for funding the building codes program with user fees to the May election. Mr. Tosh noted the change would be effective immediately. Mayor Verger moved to enact Ordinance No. 238 and Councilor Weeks seconded the motion. Deputy Recorder Jansen read the ordinance by title only and the Council was polled with the following results:

Voting Aye: Mayor Verger, Councilors Benetti, McKeown, Spangler, Stufflebean, and Weeks
Voting No: None
Absent: Councilor Miller

Ordinance No. 239 - Adopting Uniform and Specialty Codes, Substandard Building Provisions, and Dangerous Building Provisions

Community Services Director Meithof reported the State amends the building codes regulations every three years and Ordinance No. 239 reflects the current changes. Mr. Meithof explained it is necessary for the City to adopt administrative provisions in order to implement the codes. There was further discussion concerning the change for Class I and II above ground tanks. Mr. Meithof reported the new tanks are safer and the rules generally apply to commercial use. Councilor Benetti moved to enact Ordinance No. 239 and Councilor Weeks seconded the motion. Deputy Recorder Jansen read the ordinance by title only and the Council was polled with the following results:

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Voting Aye: Mayor Verger, Councilors Benetti, McKeown, Spangler, Stufflebean, and Weeks
Voting No: None
Absent: Councilor Miller

Public Comments

John Rowley, Coos Bay, commented on the need for providing a resthome for veterans in Coquille. Mayor Verger commented they have done an excellent job in preparing for the process of getting the home. City Manager Grile explained it is not a City of Coos Bay issue and the Council cannot take a position on the matter.

City Attorney's Report

City Attorney Tosh reported receiving a notice from the County Assessor's Office that the art museum has been removed from the tax roles.

City Manager's Report

City Manager Grile reported the candidates for fire chief have been narrowed to eight finalists and the assessment center has been scheduled for April 12th. He noted the assessment team would be made up of a City Councilor, a business person, an educator, two fire chiefs, a representative from the Coos Bay fire department, and a representative from the Coos Bay Firefighters Volunteer Association.

Mr. Grile reported traffic consultants from Kiddleson and Associates met with staff regarding the downtown parking and circulation study. The study is being paid for by the Oregon Department of Transportation and will look at pedestrian and vehicular needs, signage, and parking. Public meetings have been scheduled for May 7th and June 18th. Mr. Grile noted a committee to oversee the project will be made up of himself, Bruce Meithof, and representatives from the City Council, ODOT, and the community. Councilor Spangler inquired if the study would postpone the 5th Street parking project and Mr. Grile said it would not.

Mr. Grile suggested training for the Budget Committee be done in a brown bag lunch format and consensus of the Council to proceed with this suggestion. Mr. Grile commended the Fire Department on meeting budget challenges by having a used truck donated to the department. The donor wishes to remain anonymous at this time.

Mayor and Council Comments

Councilor Spangler reported he would be out of town for the next meeting and urged each Councilor to look at the site concerning the appeal of the Tree Board's decision at 200 South 4th

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Street before making a decision.

Councilor Stufflebean congratulated Bruce Harlan on his appointment to the Planning Commission and also asked everyone to look at the site regarding the Tree Board appeal.

Councilor Benetti inquired whether the Public Access TV Board would be purchasing more equipment and Councilor Stufflebean said yes. Mayor Verger commented the Budget Committee meetings would be recorded. Councilor Benetti asked if the Birch Street pedestrian trail issue had been resolved and Mr. Grile responded Mr. Meithof has done a great job on the matter, but it has not been fully resolved at this time.

Councilor McKeown commented the project status chart is very helpful and commended Mr. Meithof on the preparation of the report.

Councilor Weeks congratulated Bruce Harlan on his appointment, and commended Mr. Meithof on his professional and enthusiastic handling of the skateboard park meeting.

Mayor Verger reported the annual art museum meeting was well attended, and urged everyone to stop by and view the student art show currently at the museum. The Mayor commented the Jazz Festival was very successful and she and Mayor Slater crowned the king and queen on Saturday. Mayor Verger noted she would be speaking at the Underwriters meeting on Thursday and at the Daughters of the American Revolution on Friday.

Adjournment

There being no further business to come before the Council, Mayor Verger adjourned the meeting to April 1, 1997 at 7:00 p.m. in the Council Chambers of City Hall.

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

ATTEST:

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