

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

May 6, 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, Don Spangler, Kevin Stufflebean, and Judy Weeks. Councilor Cindi Miller was absent due to illness. 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.

WORK SESSION

Mayor Verger reviewed the items of the consent calendar. Councilor Weeks commented on Councilor Miller's letter concerning her absence from Council and Budget Committee meetings due to illness. Mayor Verger noted she had spoken with Councilor Miller and she is still not able to attend the Council meetings. The Mayor commented Chief Adams would be presenting a distinguished service award to Reserve Officer Larry Carpenter.

Mayor Verger reported Geno Landrum was before the Council for clarification of Council's February 18th decision on signage for his building. Councilor Spangler remembered asking Mr. Landrum which sign he desired and Mayor Verger commented Council approved the building sign as long as no sign appeared on the awning. City Manager Grile noted the Council's decision was very clear at the February 18, 1997 meeting approving the sign and no lettering on the awning. Mr. Grile mentioned that Mr. Landrum had taken the matter to the Chamber of Commerce. Mayor Verger reviewed the motion made at the February 18, 1997 council meeting. Councilor Spangler said he understood the Design Review Board would deal with the awning. Mayor Verger noted the perpendicular sign and the awning with a sign was not bad looking and suggested the Council decide this evening on the signs.

City Attorney Tosh reported the matter must go through the Planning Commission because the square footage of the sign exceeded that allowed by the ordinance. Mr. Grile reported the sign would require a variance approved by the Planning Commission, and further explained the requirements for a variance. Councilor Weeks commented the sign takes away from the uniform look of the canopies in that block. Councilor McKeown commented from the February 18th minutes it was obvious Mr. Landrum knew they were speaking of the signage, and he suggested the Council stick with their original decision. Mr. Tosh pointed out that Mr. Landrum has the right to apply for a variance. Mr. Grile noted that going before the Planning Commission does not guarantee he will get the variance. Councilor Benetti said there is certain criteria for awnings and signage, and a business may not have both a sign on the awning and a sign on the building. Community Services Director Bruce Meithof commented the Council cannot deny the signage; Mr. Landrum has the right to go before the Planning Commission and request a variance. Mr. Meithof reported he had told Mr.

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Landrum the Design Review Board had approved the awning signage, and Mr. Landrum said he did not know this. Councilor Spangler said Mr. Landrum should go through the proper channels. Mr. Tosh reminded the Council they could not rule on the awning sign, and explained the Design Review Board cannot approve signs that violate the sign ordinance. Councilor McKeown asked if Mr. Landrum was in violation of the code and Mr. Tosh said technically, yes.

Mr. Grile reported Ordinance No. 240 is to vacate a portion of Donnelly Avenue, and explained the applicant had previously received a right-of-way use permit from the City. Mr. Grile briefly reviewed the fact sheet for the charter amendment measure. He explained that Oregon law allows government bodies to adopt factual statements about ballot measures. Councilors McKeown and Spangler commented the fact sheet explains the measure very well. Mayor Verger commented that everyone has been paying for the program to this point, and the charter amendment would make it a user fee.

Councilor Spangler asked that at a future date the Council discuss the subject of taverns being open 24 hours a day. Councilor McKeown noted they cannot serve alcohol 24 hours a day.

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 April 15, 1997
- b) Approval of Councilor Miller's absence
- c) Approval of OLCC license renewals

Councilor Weeks moved to approve the consent calendar as presented. Councilor Benetti declared a conflict of interest. Councilor McKeown seconded the motion which passed with the Mayor and Councilors McKeown, Spangler, Stufflebean, and Weeks voting aye.

Award of Distinguished Service Medal to Reserve Officer Larry Carpenter

Chief Adams presented Reserve Officer Larry Carpenter with the distinguished service medal and commended him for exceptional service to the police department. Officer Carpenter has improved the operation of the reserve unit and has volunteered 3,000 hours to the department.

Clarification of Council Decision on Appeal of the Design Review Board Decision - Geno Landrum

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Geno Landrum expressed his confusion over the Council's decision of February 18, 1997 and was before the Council again for clarification of their decision. His understanding was that Council had approved his sign. Mr. Landrum referred to the sign permit and said there was no mention of the permit being revoked. Mayor Verger commented the Council supports business and tourism in the community. She explained Council's decision was to allow the perpendicular sign and no signage on the awning, and Mr. Landrum would need to go before the Planning Commission to seek a variance for his sign due to the size of his sign. City Manager Bill Grile explained the City Council and staff cannot make the decision on his sign because it is larger than the sign ordinance permits. Mr. Grile noted that for a variance the applicant must prove exceptional and unique circumstances; and the applicant is entitled to due process and can appeal the Planning Commission's decision to the Council. Mr. Meithof reviewed sign requirements as defined by the land development ordinance. Staff will follow up with a letter to Mr. Landrum explaining his options.

Ordinance No. 240 - Vacating a portion of Donnelly Avenue West of 7th Street

City Manager Bill Grile explained the ordinance will vacate a narrow strip on Donnelly Avenue for the purpose of allowing space for carports. He noted the applicant had previously been granted a right-of-way use permit for this area. Councilor Weeks moved to enact Ordinance No. 240. Councilor Stufflebean seconded the motion. Deputy Recorder Joyce 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

Consideration of Building Codes Ballot Measure Fact Sheet

City Manager Bill Grile reported the fact sheet was prepared to explain the charter amendment was being referred to the voters to shift the burden away from property tax and onto building permit fees. Councilor Spangler moved to adopt the fact sheet. Councilor Weeks seconded the motion. Councilor McKeown inquired how the fact sheets would be distributed and suggested the information be placed on the City's WEB page. City Manager Grile said the sheets would be sent to the press and the Homebuilders Association, and would be available at city hall and the library. The motion passed with the Mayor and all Councilors present voting aye.

City Attorney Report

City Attorney Randall Tosh reported he would be participating in a hearing on Thursday morning regarding DEQ fines.

City Manager's Report

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City Manager Bill Grile reported Mr. Shuichi Karube from Segae, Japan, was visiting Oregon through the Rotary Exchange Program. Mr. Karube spent the morning with Mr. Grile at city hall and then toured the wastewater facilities plant. Mr. Grile reported on a letter from Drop-In Playschool requesting the City waive their rent at the Empire Community Building for April and May. The Drop-In Playschool will be closing their doors in May and do not have the funds to pay their rent. Councilor Weeks moved to grant the request to waive the rent for April and May. Councilor Benetti seconded the motion which passed with the Mayor and all Councilors present voting aye.

Mr. Grile reported two downtown business owners will come before the Council on May 20th with a request to keep the City canopies in front of their buildings. He recommended reviewing the requests on a case by case basis. Mr. Grile reviewed the State Marine Board's change in financing for the Eastside boat ramp in which the State now indicates the City have a cash match for the project. He explained that the current project had the land donated by the Port of Coos Bay and wetland mitigation as the match. The Community Services Department will be following the project closely. Mr. Grile reported the City will proceed with the 4th of July in the park event. There is \$5,000 in the budget for this event and the Christmas Tree Lighting Ceremony and Mr. Grile's recommendation is to use the \$5,000 for the 4th of July. He noted with the loss of two park employees the City may need to hire temporary help for the event. Mr. Grile explained there would not be funds for the tree lighting ceremony and perhaps the Downtown Association would fund the event. He reminded everyone of the NASA exhibit on the 10th and 11th and commended Kay Heikkela on doing a good job of advertising the exhibit.

Mayor and Council Comments

Councilor Weeks reported she was not able to attend the Parks Commission meeting due to a meeting with Delta Kappa Gamma. She commented on receiving a call regarding skate board parks from a student who found the City on the WEB. Councilor Weeks said the Council has been invited to participate in a pie eating contest during the North Bend Jubilee.

Councilor McKeown commented he found the budget process very informative and encouraged citizens to attend the budget meetings.

Councilor Spangler requested the city manager's office to work with employee groups and organizations to clean up the City. Mr. Meithof reported the Dahlia Society has adopted city hall. Mayor Verger commented the area along the boardwalk needs work and Mr. Meithof said the work is part of a contract for the State's Highway 101 Beautification Project. Councilor Weeks suggested the City Council start the process by adopting a block.

Councilor Stufflebean reported the public access TV staff did not film the last budget meeting because of a prior commitment. He suggested the City Council consider meeting in different areas of the city. Mayor Verger noted the city has done this before, but if there isn't a focus for the meeting, citizens will not attend. Mayor Verger said it is a good idea and worth keeping in mind. She commented that when people are pleased with the way things are going, they usually don't come to Council meetings, and noted that televising the meetings has helped keep many people informed.

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Councilor Benetti reported on attending the Downtown Association meeting and they are gearing up for the Blackberry Arts Festival in August. He noted the town hall meeting regarding the parking and traffic study in the downtown area will be held on May 21st at the library auditorium.

Mayor Verger referred to a newspaper article regarding employee use of city equipment and suggested a policy be developed for the City. She reported on a bill before the revenue committee which would raise the registration fee vehicles and provide for a \$2 fee for each household. Mayor Verger reported that visitors from Canada have been very pleased with the area.

Adjournment

There being no further business to come before the Council, Mayor Verger adjourned the meeting to May 20, 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