

## MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

July 14, 1997

The minutes of the proceedings of the special meeting of the City Council of the City of Coos Bay, Coos County, Oregon, held in the Manager's Conference at 7:00 p.m.

### **Those Present**

Those present were Mayor Joanne Verger, Councilors Joe Benetti, Jeff McKeown, Cindi Miller, Don Spangler, and Kevin Stufflebean. Councilor Judy Weeks was out of town. City staff present were City Manager Bill Grile, Deputy Recorder Joyce Jansen, City Attorney Randall Tosh, and Community Services Director Bruce Meithof.

### **Discussion of Changes in the Awning Program Ordinance**

Mayor Verger called the meeting to order and stated the purpose of the meeting was to review the ordinance and give direction to staff on the awning program. City Manager Bill Grile reported there are 18 items presented in the staff report for comments from the Council.

Community Services Director Bruce Meithof commented staff would welcome other ideas from the Council and noted members of the Design Review Board were also in attendance at the meeting. Mr. Meithof reviewed the history of the awning program which began in 1993. Councilor Spangler commented the program was initially for the core area and asked by what authority the program was expanded. Mr. Meithof responded the change occurred with the creation of the Empire urban renewal district. Mayor Verger commented the intent was to change the downtown area to urban renewal, but not to change the original intent of the program. Mayor Verger referred to the minutes of December 1, 1996 regarding the changes made to the ordinance. Councilor Spangler said the Council did not knowingly change the area for the awning program, and the intent of the program was to replace the canopies on the buildings with awnings. Mr. Meithof noted the issue of the boundaries is one of the items to be discussed. Mayor Verger commended Mr. Meithof on the preparation of his report. Mr. Meithof explained the items listed in the report have not been prioritized but are merely items that staff is seeking Council's direction on.

Review Responsibility. Mr. Meithof reviewed the first item on the report and discussed whether the Design Review Board is the appropriate body to review the awning applications. Staff's recommendation is to retain the Board as the reviewing body, and pay close attention to coordination issues. Mayor Verger supported adding two additional people to the Board from the Empire area and retaining the Board as the reviewing body. Councilor Spangler inquired if the reviews could be split between the Planning Commission and Design Review Board. Mr. Meithof commented that would require applicants to go before two review bodies. Councilor McKeown said two steps would complicate the issue. Councilor Benetti commented the only time the Planning Commission is involved is if the sign is larger than allowed or different than the standard. City Attorney Tosh reported the Design Review Board is actually a branch of the Urban Renewal Agency and it administers the program, although that is not clear in the ordinance. Councilor Miller asked about the City Manager making a decision without the benefit of Board's discussions. Mr. Grile commented he does not attend the meetings and the only role of the city manager is to make sure

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the guidelines are followed and the money is available. Consensus of the Council was to retain the status quo.

Program Boundary. Mr. Meithof reviewed the second item of whether the program should be restricted to replacement of the canopies in the downtown area or throughout the urban renewal district. He said the staff's recommendation is to restrict to the downtown area, as was the original intent. Mr. Grile commented the program is not a revenue sharing program and that because someone pays the taxes does not guarantee they will get a part of it; urban renewal is to be used in blighted areas. Consensus was to restrict the awning program to the downtown area.

Application Preference. Mr. Meithof reviewed the options as first come, first serve or give preference to those buildings who have had canopies removed. Mr. Meithof reviewed calculations for estimating the amount of funding to set aside for those buildings that have had canopies removed, and anything over this amount could be used for awnings. Mayor Verger expressed concern that if awnings were put on every building that has had the canopies removed, there may not be funding available for awnings. She commented even if this occurred, the City will have accomplished what it originally set out to do. Councilor Benetti recommended priority be given to those who have had their canopies removed and that they can apply for only one awning, front or back, but not both. Mr. Meithof said staff is recommending building owners be given six months to apply.

Flora Lee Lockhart asked if the City would be willing to give building owners \$50 per foot to fix up building facades. Councilor Miller commented facades must be repaired before an awning can go up and that perhaps six months was not enough time. Ralph Larson suggested a clause be added to help building owners fix up their buildings. Councilor Benetti commented repairing building facades was another issue, the facade loan program, and should be looked at separately. Ann Keizer suggested the first three months of the year be set aside for buildings which have had the canopies removed and the remaining funds would be disbursed on a first come, first serve basis. Consensus of the Council to provide funding preference to those buildings which have had their canopies removed using a time period to apply of six months for this year and three months for each following years.

Purpose of the Program. Mr. Meithof reviewed the purposes of the awnings: protection from the weather, improve the building's maintenance and aesthetics, or both. He reported confusion came about because the awnings were replacing canopies which were used to protect people from the weather. Councilor Benetti said that was not the intent of the program. Councilor McKeown suggested it be the decision of the building owner. Mayor Verger noted that there was no set criteria. Councilor Benetti said aesthetics are important and gave old city hall as an example, and suggested it be the building owner's choice as long as it improves the maintenance and aesthetics. Consensus of the Council that the purpose is for protection from the weather and to improve the maintenance and aesthetics.

Computation of Awning Allowance. Mr. Meithof reviewed the \$150 per front foot allowance for the awnings. He commented that because \$150 is allowed, all the bids come in for that amount. Consensus of the Council that front foot would mean the length of the proposed awning parallel to the building facade.

Timing of Approval/Commitment of City Funds & Order of Application Funding. Mr. Meithof explained that current practice is that the facade must be improved before the application

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for the awning can be made. Staff is requesting the Board be given the authority to approve the awning conditional upon improvements being made to the facade, and done within the fiscal year. He reported there has been some problems with first come, first serve. Mr. Tosh said there should be guidelines and criteria. Consensus of the Council is to permit applications to be conditionally approved, and allow funds to be reserved. If the Board deems the application is complete, it shall be reviewed in the order of submission.

Purchase v. Refurbishing. Mr. Meithof commented it is unclear if the program may be used to refurbish existing awnings whether City approved or otherwise. Councilor McKeown said if the City paid for the awning originally, the owner should not be able to change it simply because of a change in taste. Consensus of the Council that the awning program is for one-time installation, no replacement or refurbishment will be funded by the City.

Authority to Expand Application Request & Front, Back, Rear, and Sides. Mr. Meithof reported staff's recommendation is to give authority to the Board to review the sides of the building accessible to the public because of the impact on the aesthetics of the area. Mr. Grile suggested criteria for written. Consensus of the Council to accept staff's recommendation.

Ownership of Awning. Mr. Meithof said staff's recommendation was to transfer ownership to the building owner as a grant. Mr. Tosh requested this to be tabled for future discussion.

Future Removal of City Funded Awning. Mr. Meithof explained this has been brought up to cover when an owner no longer desires to keep the awning. He noted that the life expectancy of the awning is eight years. Staff's recommendation is that if the owner removes the canopy before the eight years, the owner will reimburse the city per a reimbursement schedule. Mayor Verger suggested this matter be held over for the next meeting.

Signage. Mr. Meithof reported the question is whether the Board should have the authority to regulate signage. Consensus of the Council that all signage other than window signage should be reviewable and the Board could not be more restrictive than the sign ordinance.

Awning Lighting. Mr. Meithof reported staff's recommendation is that the Board should review each application and use discretion. Consensus of the Council to review on a case by case basis and require lighting if needed.

Funding & Professional Design. Mr. Meithof explained the current amount allowed is \$150 per lineal foot and the problem is that all the bids come in for that amount. Staff's recommendation is that the applicant would submit the design to the City and the City would request quotes from the contractors. There was discussion of a fee to be charged to the applicant for design. Consensus of the Council to accept staff's recommendation and prepare a fee concept.

Repair of Other On-Site Amenities. Mr. Meithof explained the Board has been reviewing other on-site amenities and the question is whether this should be a responsibility of the Board. Mayor Verger commented recommendations could be made, but care should be given to mandating anything to building owners. Consensus of the Council to authorize the Board to review all components of a site which would impact the aesthetics of the area.

Continued Maintenance. Mr. Meithof reported the question is whether the building owner should be able to alter the building facade during the life of the awning without the review of the Board. Staff's commendation is that any changes during the life of the awning, eight years, would be reviewed by the Board. Consensus of the Council to accept staff's recommendation.

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Mr. Grile said staff would prepare a draft ordinance for Council's review. Mayor Verger suggested that at some point the program needs to be phased out and thought should be given as to when this would happen. Councilor Benetti commented that Measure 50 may have a significant impact on urban renewal and that will affect the awning program.

**Adjournment**

There being no further business to come before the Council, Mayor Verger adjourned the meeting to July 15, 1997 at 6:00 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