

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

October 21, 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, and Judy Weeks. Councilor Kevin Stufflebean was absent. City staff present were City Manager Bill Grile, Deputy Recorder Joyce Jansen, City Attorney Randall Tosh, Police Chief Marc Adams, Community Services Director Bruce Meithof, Library Director Carol Ventgen, and Fire Chief Stan Gibson.

WORK SESSION

Mayor Verger reviewed the consent calendar and the requirement of adopting the criteria and standard for evaluating the city manager. City Attorney Tosh reported the law requires the public have access to the decision making process, and if the evaluation is done during open session the public would be able to have input. If it is done during executive session the public input requirement would have been met by adopting the criteria and standards. Mr. Grile distributed a memo to the Council on his assessment of the past year. He commented the city manager cannot be evaluated without also evaluating the departments and for that reason a brief assessment of each department has been included in his memo. Mr. Grile reported the law provides that only certain matters may be discussed during executive session and the Council may wish to do the evaluation partially in executive session and partially in open session. Mr. Grile said he had no objection to having the whole evaluation in open session.

Mr. Grile reported an individual has contacted the Library about making a donation of stock to be sold to fund the purchase a new microfilm machine. The ordinance provides that before the library board may dispose of property they must receive authorization from the Council.

Mr. Grile reported the tourism and promotions agreement and the ordinance ratifying the agreement were prepared by the city attorney and reviewed by the committee members and North Bend city attorney. Councilor Spangler asked for clarification of Section 5 referring to the term 2/7. Mr. Tosh explained the current rate for room tax is seven percent, of which two percent is used to fund the activities of the tourism and promotions committee. Mayor Verger inquired if the section on contracts and leases also refers to billboards. Mr. Tosh responded billboards would be included as well as office space and the like. There was further discussion about partnerships with other agencies, billboard leases, and the length of the agreement. Mr. Tosh commented statutory powers are required to be included in a government agreement, and noted there are limitations on what public funds may be spent on. Mr. Grile reported the city attorney and community services director have jointly worked on cleaning up the first agreement with Operations Management International.

Council Minutes - October 21, 1997

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 October 7, 1997
- b) General and Automobile Liability insurance with City/County Insurance Services — Resolution 97-22
- c) United Nations Day proclamation

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

Public Input and Adoption of the Criteria and Standards for Evaluating the City Manager

Mayor Verger noted the evaluation of the city manager has been scheduled for October 27th at 6:30 p.m. and reviewed the criteria and standards as follows: relationship with Council, administration, leadership, community/public relations, personnel and labor relations, and community groups and other agencies. Mayor Verger asked for public input on the criteria and standards; no comments were heard. Councilor Miller moved to adopt the criteria and standards. The motion was seconded by Councilor Weeks which passed with the Mayor and all Councilors present voting aye.

Authorization for the Library Board to Dispose of Donated Property

City Manager Grile reported Mr. Cyril McKenna of Trabuco Canyon, California has contacted the Library about donating stock to be sold to fund the purchase of a new microfilm reader for the library. City ordinance requires authorization from the Council for the Library Board to dispose of the stocks. Councilor McKeown reported his firm would be handling the sale of the stock and although he would not receive personal benefit from the transaction, he would not be voting on the matter. Councilor Miler moved to accept the stock certificates and authorize disposal of the stocks to purchase a microfilm machine. Councilor Weeks seconded the motion which passed with the Mayor and Councilors Benetti, Miller, Spangler, and Weeks voting aye. Councilor McKeown abstained from voting.

Adoption of the Tourism and Promotions Committee Agreement and Enactment of Ordinance

Council Minutes - October 21, 1997

No. 245 Ratifying the Agreement

Councilor Benetti commented the City of North Bend has tabled this matter. City Attorney Tosh reported the agreement has been revised to clarify the power and duties of the tourism and promotions committee, and to conform with State statutes. Mayor Verger moved to adopt the agreement and enact Ordinance No. 245. Councilor Miller seconded the motion. Deputy Recorder Jansen read the title of the ordinance and a correction to Section 1. The Council was polled with the following results:

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

Authorization to Amend the Contract with Operations Management International

City Manager Grile explained the amendment to the contract regarding compensation to OMI for non-routine services. He noted this is a standard clause in OMI agreements and is basically for smaller municipalities to enable them to pay for large expenditures, and further explained it is highly unlikely the City of Coos Bay would use this provision. Mr. Meithof reported a change was made in the reporting requirements to correlate with the City's budget. Mr. Grile commended Community Services Director Meithof on working with OMI on the agreement. Councilor Miller moved to authorize approval of the Operations Management International contract amendments. Councilor Weeks seconded the motion with passed with the Mayor and all Councilors present voting aye.

Public Comments

Hal Ford, Coos Bay, expressed his opinion the library expansion project does not fit the criteria for urban renewal funding. He suggested the Plaza Shopping Center property located on 4th Street would be an appropriate location for the library. Mr. Ford said he was not opposed to the library, just opposed to spending money on the expansion.

Miles Everett, Coos Bay, speaking on behalf of the Democratic Central Committee, encouraged everyone to vote yes on the library project.

City Attorney's Report

Mr. Tosh reported the amendment to the wastewater ordinance will be brought to the Council next month.

City Manager's Report

Mr. Grile reported the first quarter financial statement has been distributed to the Council and noted the property taxes will be slower coming in this year. He briefly explained the situation

Council Minutes - October 21, 1997

with the swans donated to the City and the Oregon Department of Fish and Wildlife administrative rule regarding muted swans. Mr. Grile commented the South Town Storm Project can be scaled back to include fewer storm drains in the event that a street project is in the future, and would reduce the cost of the project considerably.

Mr. Grile explained there were design problems with the 5th Street Project and noted Bracelin and Yeager has worked with City staff to make the corrections. He noted the changes have increased the project cost by \$6,000 to \$7,000. Councilor McKeown expressed concern about the City using an architect on projects when an engineer should have been used. Mayor Verger commented steps should be taken to prevent this type of problem. Councilor Spangler suggested the architect bear the cost of the changes and stated it is not fair for taxpayers to pick up those costs. Consensus of the Council was staff would meet with the architect about this matter.

Mr. Grile reported installing lights in the breeze way near the Egyptian Theatre will require further research to establish an electrical line and meter base. He offered an estimate of \$5,000 for the project and noted the Urban Renewal Agency Board could discuss and make this a project.

Mayor and Council Comments

Councilor Spangler encouraged citizens to vote in the election, and passed along a message from Bob Scott to Chief Adams regarding professional conduct of Officer Lounsbury.

Councilor Benetti also encouraged citizens to vote and reported the Nucor meeting was well attended and positive.

Councilor Miller also encouraged citizens to cast their votes and reported the Mayor's comments at the Nucor meeting were very good. Councilor Miller said the Yergen and Meyer business after hours was very well done, and the League of Women Voters panel last week was well attended. She expressed condolences at the passing of Wylie Smith and Jack Brookins.

Councilor Weeks reported the Employee Awards Committee has recognized Becky Ryder, Accounting Clerk, for her outstanding job performance and awarded her a \$40 gift certificate and an appreciation certificate. Councilor Weeks commented on the attendance and community interest in the Nucor meeting. She reported attending the breakfast and meeting with Senator Gordon Smith.

Councilor McKeown thanked Mr. Cy McKenna for his donation to the library and expressed his support of the library project. He commented the project will do good things for the downtown area and felt the traffic flow problems will be addressed in the Kittelson parking and traffic study. Councilor McKeown noted Nucor is a good project and suggested the Council have a work session to discuss how the Council can help bring them to the Bay Area.

Mayor Verger reported attending a breakfast with Nucor and stated it is imperative that elected officials work to bring Nucor to Coos Bay. Mayor Verger thanked KWRO radio for providing live coverage of the Nucor meeting last evening. She congratulated Becky Ryder on being recognized as an exemplary employee. Mayor Verger expressed condolences to the families of Wylie Smith and Jack Brookins. Mayor Verger reported the evaluation of the city manager would be held on October 27th at 6:30 p.m. and reported on various meetings she will be attending.

Executive Session

Council Minutes - October 21, 1997

Mayor Verger moved to meet in executive session. The motion was seconded by Councilor Benetti and passed with all members present voting aye. The City Council met in executive session pursuant to ORS 192.660 (1) (d) and (h) for the purpose of consulting with legal council regarding labor negotiations and potential litigation. The Council briefly discussed the AFSCME negotiations on the parks utility positions and the unfair labor practices grievance. The city manager and city attorney discussed with the Council concerns regarding the budgeting process with water boards and cities. The city attorney reviewed Terrence Graves' suit against the city regarding a reverse condemnation claim.

The Council reconvened into regular session.

Adjournment

There being no further business to come before the Council, Mayor Verger adjourned the meeting to October 27, 1997 at 6:30 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