

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

**July 2, 1996**

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, Cindi Miller, Don Spangler, Judy Weeks, and Dave Williams. City staff present were City Manager Bill Grile, Deputy Recorder Joyce Jansen, City Attorney Randall Tosh, Finance Director Gail George, Operations Supervisor Mary Beth Holst Accounting, Community Services Director Bruce Meithof, Police Sgt Jack Bushmaker, Library Director Carol Ventgen, Assistant Library Director Michele Caldwell. Members of the media were also present.

### **WORK SESSION**

Mayor Verger introduced Chris Christoffer and members of the Council welcomed him to the area and expressed appreciation for his desire to serve in the community. Mr. Christoffer said he had recently moved to Coos Bay, is employed at Western Bank and is looking forward to serving on the Southwestern Oregon Community Action Board. A correction to the spelling of Landrith Pamel was noted on page 80 of the minutes. Councilor Weeks inquired if the canopy for Garland's would be similar to what Mr. Rosencrantz had put on his building. Community Services Director Bruce Meithof said it is similar, but that because it is not an awning and cannot be funded through the normal process, it required be approval by the Council. Mayor Verger reviewed the downtown parking study and asked if the RFP included all the things recommended by the parking committee. Mr. Grile said the RFP did not the include recommendations, but that the parking committee's list would be given to the parking consultant for review. Mayor Verger commented the committee didn't seem to desire many changes be made to the parking. Councilor Weeks asked about shortening on-street parking spaces and expressed concern about cars backing out onto the street. Mr. Grile responded that it was Mike Crow's recommendation to shorten the spaces to increase the number of spaces available. Councilor Spangler said the city engineer indicated parking spaces must be a certain length. Mr. Grile suggested the RFP could be changed to meet the Council's desire. Mayor Verger commented the majority of the Council were in favor of going out for an RFP, although she did not support it due to the cost involved. City Attorney Tosh reviewed ordinance no. 231 prescribing initiative and referendum procedures. Mr. Grile commented that staff, the Chamber of Commerce, Port, SWOCC, city of North Bend, and Pacific Power had worked together in developing the VISION 2006 document. He explained the purpose of the plan was to help in procurement of grants. Mr. Grile reported that Gary Rifkin had previously requested rollerblading be treated separately from skateboards in the city's ordinance. Staff researched other city's ordinances and drafted a revision for Council review.

## **Council Minutes - July 2, 1996**

### **COUNCIL MEETING**

#### **Flag Salute**

Mayor Verger called the meeting to order 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 June 18, 1996
- b) resolution 96-25 continuation with City/County Insurance Service for property/casualty coverage, attached hereto and thereby made a part thereof

Councilor Benetti moved to approve the consent calendar with a correction in the spelling of Landrith Pamel on page 80 of the June 18, 1996 minutes. Councilor Weeks seconded the motion which carried with the Mayor and all Councilors present voting aye.

#### **Appointment to the Community Action Board**

The Southwestern Oregon Community Action board recommended the city appoint Mr. Chris Christoffer to their board as the city's representative. Mayor Verger commented that Mr. Christoffer is employed with Western Bank and his expertise and experience would be of benefit to the board and the community. Councilor Mayor Verger moved to appoint Chris Christoffer to the Community Action Board. Councilor Miller seconded the motion which carried with the Mayor and all Councilors present voting aye.

#### **Ordinance No. 232 - GRANTING TO FALCON CABLE SYSTEMS A FRANCHISE**

City Manger Grile reported ordinance no. 232 amends the city's current ordinance granting to Falcon Cable Systems a franchise for the use of streets, alleys and public easements. Ross Hammock, Falcon Cable Systems, explained the ordinance was necessary due to Falcon Cable Systems being legally required to be dissolved under the terms of its master limited partnership agreement. He said there would no changes in service to the community. Deputy Recorder Joyce Jansen read the ordinance in full to the assembly and the Council was polled with the following results:

Voting Aye: Mayor Verger, Councilors Benetti, Miller, Weeks, and Spangler

Voting No: None

Absent: Councilors Combs and Williams

## **Council Minutes - July 2, 1996**

### **Approval of Funding for Garland's Canopy and Easement Authorization**

City Manager Bill Grile reported the canopy was not technically an awning and therefore required Council approval for funding from the city awning program. Authorization for an easement was necessary because the canopy for the back door exit would extend over the property line. Councilor Miller moved to approve the use of funds for the canopy and authorize the easement for the canopy. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

### **Authorization to Proceed with Downtown Parking Study RFP**

City Manager Grile reported Council had previously requested him to prepare an RFP for a consultant to review parking in the downtown area. He said a parking jamboree had made a number of recommendations which would be reviewed by the consultant. Councilor Weeks asked if the City should wait until after Mr. Clay's charette before going with an RFP. Mr. Grile said it could wait; however, there is a considerable amount of underutilized second floor office space because there is not enough parking and a consult could be helpful with this. Mayor Verger commented that Workforce 2000 will be moving out of the Hall Building which may have an impact in parking spaces available. Mayor Verger asked if the ODOT traffic study would be available to the city and Mr. Grile responded the study may be available but he had not yet received a response to his inquiry. Mr. Grile said the RFP is not intended to produce a parking structure, but to look at possible parking solutions. Councilor Weeks inquired where the funding for the consultant would come from and Councilor Benetti suggested urban renewal funds could be used. Councilor Benetti further commented the cost of the consultant would come to the Council for approval or disapproval. He said he supported going out for the RFP and if the cost was excessive, he would not support it. Councilor Spangler commented parking had been discussed for a long time and it is important to have an impartial person look at the situation.

Ralph Larson, Coos Bay, reported he had invested money on second floor development but the cost of installing an elevator prohibited further development. He said parking was not a problem in the downtown area. Mayor Verger commented the requirement for an elevator was regulated by the Americans With Disabilities Act.

Councilor Weeks moved to accept staff recommendation to proceed with the RFP and ask the consultant to review the recommendations from the parking jamboree under the scope of the study. Councilor Spangler seconded the motion which passed with Councilors Benetti, Miller, Weeks and Spangler voting aye. Mayor Verger voted no.

### **Ordinance No. 231 - Amendments to Ordinance No. 25 Establishing the Procedure for Initiative and Referendum Procedures**

City Attorney Randall Tosh reported the current ordinance would not allow the Council to present an initiative to the voters without circulating a petition. The amendment would allow the Council to place initiatives on the ballot upon a vote of the Council. Mr. Tosh noted charter amendments would require a super majority of the Council which he explained is one less than an unanimous vote

## **Council Minutes - July 2, 1996**

of all sitting Councilors. Deputy Recorder Joyce Jansen read the ordinance in full to the assembly and the Council was polled with the following results:

Voting Aye: Mayor Verger, Councilors Benetti, Miller, Weeks, and Spangler

Voting No: None

Absent: Councilor Combs and Williams

### **Adoption of VISION 2006 - Regional Goal Statement and Grant Procurement Document**

City Manager Grile reviewed VISION 2006 and reported the purpose of the document is to serve as a community-wide strategic plan for the entire Bay Area and to aid with the procurement of grant funds for local projects. Councilor Spangler moved to adopt VISION 2006. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye.

### **Proposed Amendments to Ordinance No. 228 - Regulating Skateboards and Similar Devices**

Mayor Verger suggested the item be tabled to another meeting to allow Gary Rifkin the opportunity to attend the meeting. Consensus of the Council was to table the item. Councilor Weeks inquired whether helmets should be required for rollerbladers. City Attorney Tosh said he would check into the matter and report to the Council.

### **Public Comments**

Bill Morgan, owner of the Dairy Queen, reported that his business had suffered a great deal of theft and vandalism due to skateboarders. He said the problem had increased since the park was built and suggested the park be removed. Mayor Verger asked if Mr. Morgan had experienced problems with other sports groups and he responded that a number of skateboarders have a different attitude. Councilor Benetti commented that if the park was removed, the skateboarders would be back on the streets and sidewalks. Councilor Weeks asked what kind of response he was getting from the police department and Mr. Morgan said they always respond as quickly as they can.

Tom Thompson, Coos Bay, Old City Hall, said he agreed with Mr. Morgan and said he was also having a lot of problems with the skateboarders doing damage to his building and property. Mayor Verger pointed out that if the skateboard park were removed, there would be more in the downtown area. Councilor Weeks commented that in discussions with Chief Adams, he had urged people to call in the location of the skateboarders. Councilor Miller suggested the possibility of a firmer penalty. City Manager Grile said the ordinance gives authority to confiscate boards on the third offense. Mayor Verger said the City must pay special attention to this problem.

Sgt. Jack Bushmaker reported there are two groups that use the park; one group uses the park to skate and one group to cause problems. Sgt. Bushmaker recommend people call the police department when there is a problem and let them handle the situation.

Ralph Larson, Coos Bay, reported he had started an opinion poll which indicated 85 to 90

## **Council Minutes - July 2, 1996**

percent of the citizens do not support the library expansion, parking structure, and urban renewal; and supported finishing current urban renewal projects before beginning new ones. Mayor Verger inquired if those signing the petition were registered voters and Mr. Larson said yes.

Ross Hammock, Coos Bay, commented that he and his wife are frequent users of the boardwalk and commended the city on the new sign at the entrance of the board walk.

### **City Manager's Report**

Mr. Grile reminded Council of the annual softball challenge on July 20th at Ferry Street Park. Councilor Spangler said he would be available and Mayor said she would be attending an League of Oregon Cities meeting in Salem on that date. Mr. Grile invited the Mayor and Councilors to submit a one or two sentence statement about the library for inclusion in the July issue of the City News. Mr. Grile reported the trip to The Dalles and Gresham to tour OMI facilities was very successful and expected to have the proposed OMI contract on the August 6th agenda. He said if Council was interested, a tour of the Roseburg facility could be arranged. Mr. Grile noted he would be attending a workshop in Portland on July 15th and 16th on the telecommunications act.

### **Mayor and Council Comments**

Councilor Spangler reported he had visited wastewater treatment plant I and that staff does a top level job. He said only one employee supports going with OMI and there is still a lot of apprehension among the employees. Mr. Grile commented a meeting has been scheduled for OMI to meet with employees and their spouses. Mr. Spangler said the last 15 minutes of the previous Council meeting tape was not shown. Ross Hammock said he would check into the matter.

Councilor Weeks commented she had received numerous telephone calls supporting the library expansion project.

Councilor Benetti said he sees many people using the boardwalk and feels it is a real benefit to the community. He said in response Mr. Spangler's recent public forum letter, he has received a number of phone calls supporting the library expansion. Mr. Benetti commented the Council has been working on the project for three years and during that time the whole Council was supportive of the expansion. He further stated that he believed Mr. Spangler's letter misrepresented certain facts.

Mayor Verger said the Sizemore measure would roll property taxes back to 1994. She commented that everything is part of the democratic process and that the Council does not have to have a unanimous vote on all issues. Mayor Verger stressed the importance of respecting different opinions and having respect for the majority vote. She further stated the Council does strive to do a good job of representing the community.

Councilor Miller reported on attending the retirement party for Bob Mill and that she had received many calls supporting the library project and the Council. Ms Miller commented she would like to hear less negative information about the Council and was disturbed with some of the content of Mr. Spangler's letter.

Councilor Spangler commented never said he was not in support of the library expansion but had simply requested that a citizen survey be placed in the City News. He had also asked that the matter be placed on the ballot for an advisory vote; not to stop the expansion, but to let the

## **Council Minutes - July 2, 1996**

citizens speak to what they want. Mayor Verger asked why this had not been expressed earlier in the process rather than waiting until plans were underway, and property purchased for the expansion. Mr. Spangler reported that in July 1994 the project had been presented to the Planning Commission at a much lower cost than that submitted to the Council. Library Director Carol Ventgen said she tried to call Mr. Spangler about the figure he reported in his letter. She was mystified by the number because the first project estimate was not made until after the citizen advisory committee was appointed. Mr. Spangler said it was from the Planning Commission package presented by staff. City Attorney Tosh commented the first time \$3 million was mentioned was in the amendment to the Urban Renewal plan in 1991 or 93 when library was added to the plan.

**Mayor Verger** said there seems to be an undercurrent of accusation. She said no one is trying to be deceptive, no one is playing a game, and that in order to go forward the Council needs to do it together. She continued, saying that it is okay to disagree and the democratic process works. She said the Council wants to know what people think and welcomes phone calls and letters. The Mayor invited citizens to come to city hall to her office and the city manager's office. Councilor Benetti said a newspaper poll wouldn't be accurate, and further, the project has been well advertised, public hearings were held, and never more than a handful came to the meetings. Mr. Grile asked the Community Services Director and the Library Director to review the files for information. He explained there is no criteria for the Planning Commission to consider the cost of the project and likely the Council would not have seen material sent to the Planning Commission. Ralph Larson said the notice is only in the legal section of the paper, and asked why the Council is so afraid to put the library issue on the ballot. Mayor Verger responded that everyone has a right to their opinion and Mr. Larson's petition was on bonding, not the library project.

### **Adjournment**

There being no further business to come before the Council, Mayor Verger adjourned the meeting to July 16, 1996 at 7:00 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