

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

February 4, 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, Cindi Miller, Don Spangler, Kevin Stufflebean, and Judy Weeks. Councilor Jeff McKeown was absent due to illness. City staff present were City Manager Bill Grile, Deputy Recorder Joyce Jansen, City Attorney Randall Tosh, Finance Director Gail George, Community Services Director Bruce Meithof, Police Chief Marc Adams, and Library Director Carol Ventgen. Members of the media were also present.

WORK SESSION

Mayor Verger reviewed the items on the consent calendar. Councilor Weeks requested item 2c approval of a right-of-way use permit be brought down to the regular agenda. Councilor Stufflebean noted a correction in the date on pages 6 through 10 of the minutes. Mayor Verger noted appointment to the Budget Committee would be by ballot, and briefly reviewed the right-of-way use permit for South First. City Manager Grile reported the supplemental budget is necessary because of additional funding for the Urban Renewal Districts. He noted the Empire District will receive an additional \$115,000 and the Downtown District an additional \$125,000. Mr. Grile explained the Telecommunications Act of 1996 affects municipalities and upon advice from the League of Oregon Cities, the City has prepared an ordinance to deal with rights-of-ways. Mayor Verger explained the ordinance amending ordinance no. 114 and resolution 97-8 were housekeeping matters. City Attorney Tosh reported parking permits and regulations for the downtown area is currently addressed in resolution form and should be in ordinance form.

Councilor Spangler asked if the April 17th budget committee meeting could be rescheduled since he will be returning from Australia on that date. After further discussion, Council consensus was to leave the meeting on the 17th but not begin discussing the budget until the following meeting. Councilor Stufflebean asked that the budget meetings be video taped. Mr. Grile explained the auditorium does not have a sound system and was not set up for video. Councilor Stufflebean said he would approach the Public Access TV Board about taping the meetings.

COUNCIL MEETING

Flag Salute

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

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Consent Calendar

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

- a) Approval of the minutes of the regular meeting of January 21, 1997
- b) Approval of the minutes of the work session of January 9, 1997
- c) Approval of right-of-way use permit - 766 South First Street (Golden Store House)
- d) Resolution 97-6 - Community Services periodic review grant
- e) Resolution 97-7 - Police equipment grant

Item 2c was removed from the consent calendar and made agenda item 3a. Councilor weeks moved to approve the consent calendar as amended. Councilor Miller seconded the motion which carried with the Mayor and all Councilors present voting aye.

Appointment to the Budget Committee

Mayor Verger explained there were two vacancies on the Budget Committee and Roger Gould had been appointed at the previous Council meeting. A vote is required for the remaining vacancy because no other candidate received a majority vote. Dave Williams was appointed to the Budget Committee receiving four votes.

Approval of the Right-of-Way Use Permit for 766 South First Street

City Manager Bill Grile explained the existing building encroaches on the public right-of-way and to exist lawfully, the owner must obtain a right-of-way use permit. He commented this would not give title interest in the property, and situations of this nature are not uncommon among older buildings. Councilor Spangler inquired if there were plans to tear the building down and Community Services Director Bruce Meithof said the owner plans to use the building for storage. Councilor Spangler asked if traffic would be impeded by the building and Mr. Meithof said no. Councilor Stufflebean moved to approve the right-of-way use permit. Councilor Benetti seconded the motion which passed with the Mayor and all Councilors present voting aye.

Public Hearing - Supplemental Budget for FY 1997/97

City Manager Bill Grile explained the City is under contract with the Urban Renewal Agency to do certain projects. He explained the supplemental budget is required because the Downtown Urban Renewal District generated an additional \$125,000 and the Empire District generated an additional \$115,000. The supplemental budget will allow the funds to be appropriated, and also contains a housekeeping matter of funds left over from a truck purchased in the last budget year.

Mayor Verger opened the public hearing on the supplemental budget and asked for public comments. Hearing no comments Mayor Verger closed the public hearing.

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Resolution 97-3 Adopting the Supplemental Budget and Making Appropriations

Mayor Verger moved to adopt Resolution 97-3 adopting the supplemental budget and making appropriations. Councilor Benetti seconded the motion which passed with the Mayor and all Councilors present voting aye.

Ordinance No. 235 Regulating Public Rights-of-Ways

City Manager Bill Grile explained the Telecommunications Act of 1996 makes changes in the way local governments manage the rights-of-ways within their jurisdiction. Mr. Grile noted the city attorney reviewed the matter and prepared the ordinance to protect the City's ability to regulate use of public rights-of-ways. Councilor Weeks moved to enact the ordinance and Councilor Miller seconded the motion. Deputy Recorder Joyce Jansen read the ordinance by title only and the Councilor was polled with the following results:

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

Ordinance No. 236 Amending Ordinance No. 114 Controlling Vehicular and Pedestrian Traffic and Resolution 97-8 Establishing Parking Areas and Permit Fees

City Manager Bill Grile explained the provisions for establishing parking permits and regulations needed to be included in Ordinance No. 114. The city attorney prepared an amendment to the ordinance and a resolution setting the fees and establishing parking regulations. Councilor Miller moved to enact Ordinance No. 236 and Councilor Weeks 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, Miller, Spangler, Stufflebean, and Weeks
Voting no: None
Absent: Councilor McKeown

Councilor Weeks moved to adopt Resolution 97-8 establishing parking areas and permit fees. The motion was seconded by Councilor Spangler and passed with the Mayor and all Councilors present voting aye.

Public Comments

Frances Cooley, 720 Prefontaine, presented the Council with a petition regarding a visibility problem at the intersection of Radar Road and Ocean Boulevard, and a parking problem along Radar Road. Mrs. Cooley reported a number of residents in the area were greatly concerned with the lack of visibility due to the cars on the Nissan lot being parked too close to the sidewalk. She also

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commented that on-street parking on Radar Road and trucks parking in the street to unload cars created a traffic hazard. Mrs. Cooley reported citizens had talked with the owner of the Nissan dealership without success.

Maxine Tindell, 735 Prefontaine, reported she has lived in the area for 17 years and expressed concern for vehicular and pedestrian traffic along Radar Road and Ocean Boulevard. Mrs. Tindell said she had stopped by the dealership to discuss moving the cars back and she was not well received. She commented it is a dangerous situation and she has previously contacted the police department concerning the problem. Mrs. Tindell also expressed concern that emergency vehicle access to the area would be a problem.

Kit Rainey, 835 Prefontaine, explained the difficulty in turning off of Ocean Boulevard onto Radar Road and the danger of the congestion caused by on-street parking and off-loading of vehicles on Radar Road.

Councilor Miller inquired if the City had an ordinance protecting sidewalk areas. Community Services Director Bruce Meithof responded City ordinance prohibits parking on a public right-of-way but does not give the City power regarding location of cars on a lot. Mr. Meithof explained the ordinance requirements for parking spaces for businesses. He reported the City has been looking into the on-street parking currently allowed on Radar Road. Mayor Verger commented where cars are parked on the lot is voluntary, and perhaps the person parking the cars is not aware of the problem. Police Chief Marc Adams reported the police have talked with the owner and asked him to voluntarily park further back. Chief Adams noted the owner is not doing anything illegal. Councilor Spangler questioned why the City can do nothing if citizens create a safety hazard. Mr. Meithof explained the City has power to request setbacks and property lines, however, the property in question is commercially zoned which allows building up to the property line with no setbacks. Mr. Grile noted the City could, if they desired, enact tough restriction requirements. He suggested before doing this, staff could meet with the owner and try to work out a solution. Consensus of the Council was the city manager and community services director would meet with the owner.

Lorraine Pallo, 761 Denise, reported she uses Radar Road and has had several near misses and would like to see something done to reduce the congestion. Mrs. Pallo expressed concern about safety when school buses are using Radar Road.

City Attorney's Report

City Attorney Randall Tosh reported he will have an advisory opinion on the use of Urban Renewal money to pay off revenue bonds.

City Manager's Report

City Manager Bill Grile reported receiving a letter of resignation from Planning Commissioner Gun Langley due to health problems. Mr. Grile said the City received a bid of \$4,000 to paint the Marshfield Sun Building, and unless otherwise directed by Council, the bid will be accepted. He noted the building is on the national register of historic places. Councilor Weeks inquired if the money was in the budget and Mr. Grile said yes. Mr. Grile reported an offer for office space has been received from Chuck McKay, and asked Chief Adams to comment. Chief Adams said Chuck McKay, of McKays Stores, has offered office space in their building located on

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Newmark Avenue for use as a police substation. He reported Officer Wayne Sowle has been given the project and will be seeking volunteers and donations to establish the office. Chief Adams explained this is a zero budget operation and may take a while to complete. He said the department is pleased with the very generous offer. Mr. Grile commented the City has been approached by three organizations requesting the City apply for Community Development Block Grants. He expressed concern about the time and staff involved in applying, and if received, administering the grants. Mr. Grile noted the City has a number of projects going on and does not feel staff can take on more work. After further discussion, Council consensus was not to apply for the grants. Mr. Grile reported the cost of the police and fire contract increase has been computed with the latest consumer price index and the total cost comes to \$144,665 rather than the earlier estimate of \$165,000. He noted the new figures were \$88,550 for police and \$56,073 for fire. Mr. Grile commented both the unions have expressed desire to be good partners with the City and are discussing postponing the increases. He noted both unions are firm in not taking pay cuts.

Mayor and Council Comments

Councilor Weeks reported the recent Regional Forum held in Sutherlin was very well attended. She was pleased to attend the DARE graduation at Milner Crest and noted this year would be Officer Lounsbury's last class. Councilor Weeks reported the Parks Commission approved Brandon Waylen's science project to place a nesting box at Empire Lakes Park.

Councilor Miller commended John Topits for his annual report on the volunteer hours at Empire Lakes Park.

Councilor Spangler reported attending the OCZMA meeting in Salem on January 30th and 31st. He commented on the recycling bill to help fund parks and a bill requiring buildings to be rehabed to endure seismic activity. Councilor Spangler noted OCZMA supports the Coastal Salmon Restoration Act.

Councilor Benetti thanked John Topits and the volunteers for their work at the Empire Lakes Park.

Mayor Verger commended Judy Weeks and Nikki Whitty on their work on the Regional Forum. She expressed appreciation for the eight and a half years Gus Langley has served on the Planning Commission.

Adjournment

There being no further business to come before the Council, Mayor Verger adjourned the meeting to February 18, 1997 at 7:00 p.m. in the Council Chambers of City Hall.

ATTEST:

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

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