

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

June 17, 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 work session in the Council Chambers at 6:30 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 Jeff McKeown, Cindi Miller, Don Spangler, Kevin Stufflebean, and Judy Weeks. Councilor Joe Benetti was absent. City staff present were City Manager Bill Grile, Deputy Recorder Joyce Jansen, City Attorney Randall Tosh, Community Services Director Bruce Meithof, Assistant Police Chief Chuck Knight, Library Director Carol Ventgen, and Fire Chief Stan Gibson.

WORK SESSION

Mayor Verger reported the water board manager had been invited to give a report on the water supply project. Mr. Schab reported the preferred water supply project is to raise Upper Pony Creek, increase the water drawn from Joe Ney, and increase pumpage from the dunes. He said the water board has been through a long process in reviewing options for increasing the water supply. He noted water supply issues have been around since 1947. Among sources reviewed were Upper Pony Creek, West Fork Millicoma River, Joe Ney, Coos River, North Fork Coquille River, dune aquifer, and Tenmile Lake. Mr. Schab reviewed the process the board went through in looking at ways to increase the water supply, and noted in 1995 the board received a satisfactory review of the Tenmile Lake water rights application. He said the evaluation considered if the water supply would meet immediate peak season; incremental municipal and industrial demands of the service area to the year 2030; minimal or mitigable environmental consequences; implementation within the necessary time frame; compatibility; and reasonable cost. Mr. Schab noted the preferred alternative is the dunes augmentation plan which would take the community to 2037 and would cost \$15.5 million. He commented the figure is in the planning stages and could be subject to change.

Mayor Verger requested Mr. Schab explain the part Upper Pony Creek would play in the plan. Mr. Schab reported they would raise Upper Pony Creek and transfer water from Joe Ney, and the plan includes a new pumping station to handle the transfer. Councilor McKeown expressed concern about relying on the dunes for a lot of water, and commented the Forest Service would require curtailing pumping if there were adverse affects on the dunes. He commented the water board has been somewhat shortsighted in the water supply in the past. Mr. Schab explained the board analyzed the options using the criteria of reliability, cost, and environmental concerns. Mayor Verger thanked Mr. Schab for his presentation.

Mayor Verger reviewed the consent calendar and requested item 2f) amending the Coos Bay Police Officers' Association agreement be added. City Manager Bill Grile reviewed the list of proposed changes in the 97/98 budget. Mr. Grile requested suspension of the awning program until the City knows what revenues will be available for urban renewal. He commented the applications that have been received and approved will receive funding. Councilor Weeks asked for an explanation of the amount of funding spent and the remaining balance. Mr. Grile reported the

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difference in the balance is due to Council reprioritizing urban renewal projects during the past year in the amount of \$25,000. He asked Council to review the project summary report and noted there are several projects that will be put on hold until the City knows what will happen with urban renewal funding. Mr. Grile commented the Legislature should have an answer before the session ends. Councilor Spangler asked what the carryover balance is for downtown urban renewal, and Community Services Director Miethof said \$700,000. Councilor Spangler suggested these funds be used to continue the awning program. Mr. Grile cautioned Council of the need to watch revenues and expenditures until the City knows what funds will be available for urban renewal. Mayor Verger suggested everything be placed on hold until then.

Mr. Grile reported he and Mr. Meithof had looked at options for the building codes inspection program and it looks like the City cannot do the plumbing and electrical inspections without an additional codes specialist. He explained the plumbing inspector does inspections 25 percent of the time and the electrical inspector does inspections 60 percent of the time. Mr. Grile recommended keeping the A-level fire, life and safety and have the State do the electrical and plumbing. Mayor Verger asked if the electrical and plumbing inspections could be contracted out. Community Services Director Meithof commented the City has not been able to fill part time positions in the past due to the required certifications. Councilor Weeks suggested having the inspectors do the paperwork. Mr. Meithof responded it would need to be negotiated with the union due to the difference in pay and there would also be scheduling problems to deal with. He noted that currently an employee works almost full time handling the permit process.

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 June 3, 1997
- b) Approval of OLCC license renewals
- c) Renewal of the library district contract
- d) Renewal of the Mingus Park Pool Management agreement
- e) Transfer of appropriations in Library Fund - Resolution 97-17
- f) Authorization to amend Coos Bay Police Officers' Association agreement

Item f) was added to the consent calendar. Councilor Weeks moved to approve the consent calendar as amended presented. Councilor miller seconded the motion which carried with the Mayor and all Councilors present voting aye.

Proclaiming Results of the May 20, 1997 Election Amending the City Charter

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Mayor Verger read the proclamation of the election results, as required by City ordinance: Measure 6-48 amending the Coos Bay city charter to fund the building codes inspection program through user fees received 2,278 yes votes and 1,493 no votes. The vote shows a majority to be in favor of the measure, and the measure shall be effective as of Mayo 20, 1997.

Public Hearing - Fiscal Year 1997/98 Budget and Use of State Revenue Sharing Funds

Mayor Verger opened the public hearing for the City's proposed fiscal year 97/98 budget and use of State revenue sharing funds. There being no comments to be heard, the public hearing was closed.

Adoption of Resolution 97-14 Electing to Receive Shared Revenues from the State; Resolution 97-15 Adopting the Fiscal Year 1997/98 Budget and Making Appropriations; and Resolution 97-16 Levying Ad Valorem Taxes

Mayor Verger moved to adopt Resolution 97-14 which is attached hereto and made a part of thereby, electing to participate in the State shared revenue program. Councilor Miller seconded the motion which carried with the Mayor and all Councilors present voting aye. Mayor Verger moved to adopt Resolution 97-15 which is attached hereto and made a part of thereby, adopting the 97/98 budget and making appropriations. Councilor Weeks seconded the motion which carried with the Mayor and all Councilors present voting aye. Mayor Verger moved to adopt Resolution 97-16 which is attached hereto and made a part of thereby, to levy ad valorem taxes. Councilors Weeks seconded the motion which carried with the Mayor and all Councilors present voting aye.

Consideration of Temporary Suspension of the Downtown Awning Program

City Manager Grile recommended suspending the awning program received until the City knows what the Legislature will do about urban renewal funds. Councilor Miller expressed concern for people whose canopies have come down, and commented they should have first chance when funding is again available. Mr. Grile noted it would be a temporary suspension and staff would bring the matter back to the Council. He commented the process would move forward for those applications already received, but no new applications would be accepted. Councilor McKeown inquired if there was funding for all these applications and Mr. Grile responded yes.

Steve Clay, downtown property owner, commented the design review ordinance is poorly written and needs revision. He said that applications have been denied that are in fact worthy of funding. Mr. Clay supported the temporary suspension of the program and suggested the time be used to rewrite the ordinance. Mr. Grile requested the item be carried over at least two meetings to give staff an opportunity to prepare the ordinance.

Flora Lee Lockhart, downtown property owner, reported that much of the lumber from the canopies was in good shape and expressed concern that some building owners were allowed to keep their canopies while others were not. She noted that without the canopy she has problems with rain water at the entrance of her building.

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Consideration of Building Codes Inspection Services Options and Adoption of Ordinance No. 242

City Manager Bill Grile reported the electrical inspector spends 60 percent of his time doing inspections and 40 percent doing the city's electrical work. He commented that keeping the electrical and plumbing inspectors would require an additional clerical position, and would not be cost effective. He recommend discontinuing the electrical and plumbing inspections. Mayor Verger commented that the measure presented to the voters was for a full service building codes program. She inquired if it would be possible for the inspectors to be shared by other cities. Community Services Director Meithof responded the State would perform the inspections but would not contract with the City to do a portion of the program. He noted possible options could be to contract with the new State inspector to perform inspections for the City in the evenings or on weekends, which may not be convenient for the contractors; employ a part time person to perform the inspections; or contract with a private company such as Mortier in Eugene. Mr. Grile noted that Mortier is no longer willing to do a portion of the program. Mayor Verger asked that the City advertise for the positions. Councilor Weeks asked if certain hours could be set for obtaining permits and have the inspector in the office part of the time. Mr. Grile noted that would be an expensive clerical position. Councilor Spangler said it is important to make an effort to provide a full service program. Councilor Stufflebean agreed and commented that an additional codes specialist was not needed. He expressed concern that with the City doing part of the inspections and the State doing part, there would be delays for contractors. Councilor McKeown noted the time outside of plumbing and electrical inspections could not be compensated by the fees and suggested the City advertise for part time positions. Mayor Verger asked that the ordinance be held over until a later meeting.

Request for Additional "Match" for the Eastside Boat Ramp Project

City Manager Bill Grile reported the Marine Board has requested the City put up additional funding for the Eastside boat ramp project. He noted the Port has provided the property and the County has provided the technical advise for the project. Mr. Grile suggested using \$23,000 from the Wastewater fund to provide a pressure sewer line and pump for the restrooms. Councilor Miller moved to authorize \$23,000 from the Wastewater fund as the City's match for the boat ramp project. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Public Comments

Gary Combs, Coos Bay, commended the Council for staying with the Eastside boat ramp project. He noted there has been strong public support for the project and a good partnership has developed between the Port, City staff, the Marine Board, Fish and Wildlife, Coos County, and boating and fishing groups. Mr. Combs commented the boat ramp would have a positive impact on the community by providing a recreation facility.

Joyce Day, Coos Bay, expressed concern about the air quality due to the burning of debris on Morrison Avenue. She reported the area had been replanted by the County two years ago and

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was now being destroyed. Mrs. Day asked that residents in the area be given consideration regarding health problems and protection for the birds and wildlife. Councilor Spangler reported a complaint had been filed with EPA and the contractor had moved the burn pile. Planning Administrator Kevin Cupples commented that most of the property is within the city limits and a portion is on tribal lands. City Attorney Tosh suggested Mrs. Day contact DEQ and City Manager Grile said he would look into the matter.

Tom Rumreich, North Bend, commended the City on the Eastside boat ramp project. He said the boat ramp would provide great access to Isthmus Slough and recreational opportunities as well as bring in tourism dollars to the community.

Jesse Hasty, Coos Bay, reported receiving a letter from the City requiring repair of the sidewalk in front of his dwelling. Mr. Hasty expressed concern about the way the sidewalk issue was handled and stated he felt the City had been negligent in not enforcing the ordinance until now. He did not feel it was his responsibility to replace the sidewalk. City Manager Bill Grile commented Mr. Hasty had met with him last week and he had encouraged him to submit a proposal to the Council. Mr. Grile noted that Mr. Hasty had been given an extension to August 1st to sort out his options. Mr. Grile reported the ordinance places the responsibility of maintenance of sidewalks on the property owners, and the City has sent out a number of letters to property owners whose sidewalks are in need of repair. Councilor Spangler asked if the sidewalk presents a hazard for pedestrians. Mr. Hasty said the house next door does not have a sidewalk. Mayor Verger asked that staff and council review the matter.

Stacia Dunn, Coos Bay, commented that Steven and Vera Berry have done everything to comply with Ordinance 239 and asked why the Council did not participate in a round table discussion on the matter of the Berry's burned residence on Kingwood Avenue. Ms. Dunn referred to a number of questions regarding the ordinance, the resolution to abate, and removal of asbestos by the property owner. Mayor Verger asked Ms. Dunn to leave a list of her questions with the city attorney and they would all be addressed. Ms. Dunn said she would need to prepare the list before it could be submitted.

Flora Lee Lockhart, Coos Bay, inquired when a portion of sidewalk near the library would be repaired and noted portions of the sidewalk on Market Avenue have been damaged by the trees. Mayor Verger said staff would look into the matter.

City Manager's Report

Mr. Grile reported the deadline for proposals for parks and grounds maintenance was today. He noted the adopt-a-block program for city clean-up is still in the works and the Community Services Department would be handling the program. Mr. Grile commented staff would be collecting ordinances from other cities on dealing with brush and grass, and would prepare a report to Council on the matter. He reported a letter had been received from the elections department clearing the City of the charge of an election violation regarding the building codes program fact sheet. Mr. Grile noted he would be working with the North Bend administrator regarding public access TV program issues, and will prepare a recommendation for the Council.

Mayor and Council Comments

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Councilor Spangler apologized for remarks he had made at a previous meeting about Mr. Bill Campbell, and said he had met with Bill personally to apologize. Councilor Spangler complimented the Police Association for accepting the PERS pickup and saving the taxpayers money.

Councilor Stufflebean welcomed Fire Chief Stan Gibson to Coos Bay. He reported attending two DARE graduations and was impressed with the program. Councilor Stufflebean asked that a way to budget for two police vehicles be looked into.

Councilor McKeown commended the Mayor and Bill Grile for coming up with a creative match for the Eastside boat ramp. He invited everyone to visit the Vietnam Memorial currently on display at the college.

Councilor Weeks commended the Police Officers Association on signing the agreement for the six percent PERS contribution.

Councilor Miller reported the plans for the 4th of July event were coming together well and committee members Marty Crouse and Joyce Jansen have done a wonderful job.

Mayor Verger commented the annual 4th of July in the Park event was a good family event and she was looking forward to attending.

Executive Session

Mayor Verger moved to meet in executive session pursuant to ORS 192.660 (1) (d) and (h) for the purpose of consulting with legal counsel concerning labor negotiations and potential litigation. Councilor Weeks seconded the motion which passed with the Mayor and all Councilors present voting aye.

Adjournment

There being no further business to come before the Council, Mayor Verger adjourned the meeting to July 1, 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