

CITY OF COQUILLE
CITY COUNCIL MEETING MINUTES
October 1, 2007

COUNCIL PRESENT: Mayor Steve Britton, Councilors: E.N. "Corky" Daniels, Kathy Hagen, Fran Capehart, Bruce Parker, and Loran Wiese

STAFF PRESENT: Fire Chief Dave Waddington, Public Works Director John Higgins, Finance Director Chuck Dufner, Library Director Anne Conner, City Attorney John Trew and Deputy Recorder Rene Collins

PRESS: Sentinel and The World

AUDIENCE: A roster of those present is on file in the City Recorder's Office

1. CALL TO ORDER AND FLAG SALUTE

Mayor Britton called the meeting to order at 7:00 p.m.

2. MAYOR'S COMMENTS

Mayor Britton welcomed everyone to the new City Hall and said he will get a total figure on what was spent. He reported some of Council attended the League of Oregon Cities conference in Bend. They had a speaker about attitude and humor and he was excellent. The Oregon's Mayors Association took part in a wellness program for Law Enforcement Officers and Fire Fighters, which are at the highest risk in the City. Mayor Britton would like Police Chief Reaves and City Manager O'Connor to review the program and the physical agility requirements the wellness program promotes for keeping them in shape. Mayor Britton made available some copies of Home Rule in Oregon Cities and the Legislative Session Summary of Bills

3. COUNCIL COMMENTS

Councilor Hagen said the Police Department's new uniforms look nice and professional and the park looks nice. Councilor Parker said he enjoyed the League of Oregon Cities conference. Councilor Short said she enjoyed the conference and received a lot of information. Councilor Capehart enjoyed the guest speaker about attitude. She talked to Representative Wayne Krieger, Senator Ron Wyden's aid and Gordon Smith's aid about the railroad and feels the City should support Congressman DeFazio and his meeting about the railroad. Councilor Capehart presented the Gold Safety Award FY 06-07 to Finance Director Dufner from the League of Oregon Cities.

4. STAFF REPORTS

Fire Chief Waddington said that personnel have been busy this month with 53 ambulance calls and 14 fire calls, and fire season is not closed yet. Public Works Director Higgins said the sweep arm at the chlorine contact chamber at the Waste Water Treatment Plant is repaired and J Williams construction is working on the sidewalk in front of the Fire Hall and should be finished later this month. He also said there was a complaint from Mr. and Mrs. Rawlins about gorse growing in the area. He has contacted Mr. Smejkal about the problem and he has hired Mr. Roberts to cut the brush on the slopes. Mr. Roberts will work on the areas with the gorse. NW Natural Gas has completed the line to the Community Building and the pool and we are waiting for the contractor to hook the line up. Library Director Conner said 18 people attended the training for responsibilities and effective operations for boards of non-profit groups. There was a good turnout for the Wine trip and it is "Ban Books" week. Police Chief Reaves said Sergeant Smith and Officer Bryant deserve recognition for their work on the last part of the move from old City Hall and built the new evidence storage. Officer Sanborn is in the top 5 in his class at this time and he will graduate in November. Mayor Britton said he would be talking with Chief Reaves about the pay scales and retention of officers. Finance Director Dufner said the investment is doing well and he is working on the audit schedules for October 29, 2007. He included some information on Senate Bill 416, which says the City can elect to exclude some properties from receiving a tax freeze on improvements made to historic homes. If Council is interested he will research it more. Mayor Britton asked if we are going to leave the City Hall name on the outside of the building or have it removed. Finance Director Dufner said he would ask the Abbotts. Councilor Parker asked about McKay's Building and Mr. Dufner said that Mr. McKay is going to build; it just takes time do to the engineering.

5. PUBLIC PARTICIPATION

None

6. CONSENT CALENDAR

A. City Council Minutes of September 4, 2007

Councilor Hagen made a motion to approve the consent calendar. Councilor Short seconded the motion; all voted in favor.

7. REQUEST BY ANTOINETTE MAY TO ADDRESS THE COUNCIL IN REGARD TO THE DECISION TO REMOVE THE TREE IN FRONT OF THE COMMUNITY BUILDING.

Ms. May, 94643 Frontier Lane, presented a petition to save the tree in front of the Community Building and read a few of their comments and would like to present a few alternatives. Upon examination of the tree, Alisa Wells, a head agent for the OSU Forestry Department, said she found no signs of declining health, compromised stability or potential hazard. Steve Miller, the arborist, stated there is no sign of disease or hazard. It is in need of a class 1 trim. We are asking that you do not cut the tree down and you consider the recommendation of Steve Miller and preserve the tree for future generations. Mayor Britton said due to the size of the tree it has not been able to be decorated. Mr. Miller said a class 1 trim removes loose or diseased limbs, and dresses the wound on the tree to keep from losing the branch. Mayor Britton asked if we could lift the bottom of the tree and Mr. Miller said yes that would not be a problem. Councilor Capehart said we have not been able to use the flagpole and can that be addressed in the trimming. Mr. Miller said it can be trimmed around that area and is addressed in his proposal. The limb may have broken due to the length and leverage of the limbs. Councilor Wiese asked if after the trimming would the tree be less in girth and thinned and Mr. Miller said yes. Councilor Wiese asked if during the trimming if disease is found or unsafe would he notify the City and he said yes. Mr. Miller said that he would be willing to take a close look at the tree. Lowell Thomas said an expert said that the tree would not survive a large trimming and Mr. Miller agreed but there are rules to trimming and it can't be topped due to the species. Mr. Spencer asked if the tree has ever been topped and Mr. Miller did not think it had been. Mr. Miller said it is a Diadora Cedar not native to this area. Councilor Short thought that the previous discussion was that the tree is too big and it should not have been planted there. Planner Higgins asked the tree's age and Mr. Miller thought maybe 50 years old. Planner Higgins is concerned what the tree would look like after the trimming. Councilor Short said you will not be able to top it and it will continue to grow taller. Mr. Latta asked if the tree is taken care of what is the life expectancy; Mr. Miller said an additional 50-60 years. Mayor Britton and Councilor Hagen said they would not be opposed to a Class 1 Trim. Councilor Short asked if we had an estimate on the removal of the tree; Planner Higgins said he did not.

8. RESOLUTION 14-2007 A RESOLUTION AUTHORIZING FIRST INVESTORS CORPORATION TO ESTABLISH A 457 DEFERRED COMPENSATION PLAN WITH THE CITY OF COQUILLE FOR THE BENEFIT OF CITY EMPLOYEES

Finance Director Dufner said that the 457 deferred comp plan is an investment option that an employee can use to defer their payroll to at no cost to the City. The company works with other agencies in the area and thought we might be interested in offering it to the City Employees and there is not a minimum number of participants.

Councilor Wiese moved to adopt resolution 14-2007a resolution authorizing First Investors Corporation to establish a 457 deferred compensation plan with the City of Coquille for the benefit of City Employees. Councilor Parker seconded the motion; all voted in favor.

Mr. Osinski, Green Acres, expressed his concerns about employees investing their funds into mutual funds as he feels it is not a good investment at this time. Mayor Britton said that the City is giving the employees another option. Mr. Osinski does not think that this is an informed option due to market conditions.

9. ORDINANCE 1464 AN ORDINANCE GRANTING COMSPAN BANDON, AN OREGON CORPORATION, A NON-EXCLUSIVE FRANCHISE AND RIGHT TO CONSTRUCT, OPERATE AND MAINTAIN FIBER-BASED SERVICES IN THE CITY OF COQUILLE, OREGON. RENUMBERED, ORIGINALLY ADOPTED 8/6/2007 AS ORDINANCE 1463.

Councilor Capehart made a motion to adopt ordinance 1464, and Councilor Hagen seconded the motion. Roll call vote Councilor Daniels –yes, Councilor Wiese – Yes, Councilor Hagen – yes, Mayor Britton – yes, Councilor Parker – yes, Councilor Capehart – yes, Councilor Short –yes.

10. Zone Change request by Nebhut Smith.

Mayor Britton opened the quasi-judicial public hearing at 7:56 in the matter of Planning Commission File No 11-1-07, a request for a Comprehensive Plan amendment, Comprehensive Plan Map amendment and change of zone from C-2 commercial General to R-Residential. The property is located at 382 West Central Blvd., Coquille, Oregon, Coos County Assessor's Map 27 13 36CA, tax lot #300 and a portion of tax lot #400. He asked if any council member had an ex parte contact, including site visits, they wish to declare; there were none. Does any council member have any actual personal bias or personal interest that would preclude participation in this hearing; there were none. Does anyone object to the jurisdiction of the Council to hear this matter; there were none. Mayor Britton said the planning staff would identify and list applicable, substantive criteria as part of the staff report. All testimony, arguments and evidence must be directed toward the criteria outlined in the staff report of other criteria in the comprehensive plan or land use regulations which the person believes applies to the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the council and the parties an opportunity to respond to the issues precludes appeal to the Oregon Land Use Board of Appeals based on that issue. The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this council to respond to the issue precludes an action for damages in circuit court. Planner Higgins said all notices were advertised and posted as required and notice given to the proper parties. The staff report is in the packet; the Planning Commission met on September 12, 2007 and heard the evidence; there was none against. The Planning Commission recommend Council adopt the ordinance based on the facts of finding and the evidence presented. Councilor Hagen asked what street you access the property from; Planner Higgins said off of West Central Blvd by the Shell Station. Councilor Wiese asked why the property is zoned commercial. Mr. Higgins said because the property is within so many feet from what was state HWY 42 and commercial made sense at that time. The remainder of the parcels along central Blvd are still commercial. The North portion of the property was annexed a year ago and rezoned residential. Chris Hood, Stuntzner Engineering, said the property was zoned commercial when HWY 42 went passed it and now that the Hwy has been rerouted the traffic flow has been shifted around that area. At the time the comp plan was developed it was identified how many acres of commercial property the City would need for the next 20 years with a growth rate of 1.12 annually. The population has dropped so you still have the amount of commercial property needed for the 20-year growth and the additional 29 acres at the GP site was added. You have enough commercial lands to meet the City's needs and you have a shortage of residential lands, especially flat buildable land. The back half of the property is residential and we are asking for the front part of the property to be zoned residential. Mayor Britton asked if Council had any questions; there were none. There was no representative of the Planning Commission to address Council. He asked if anyone wanted to speak in support or opposition of the application; there were none. Do any other interested parties or representatives of public agencies wish to testify; there were none. He called for any additional comments from staff or if any participant request an opportunity to present additional evidence, arguments or testimony regarding the application; there were none.

Mayor Britton closed the Public Hearing at 8:09 p.m. and proceeded to Council discussion.

Councilor Hagen made a motion to accept the Planning Commission's recommendation and approve the application for Comprehensive Plan amendment, Comprehensive Plan Map amendment and change of zone from C-2 Commercial General to R-Residential and that the staff is directed to prepare a final order with findings. Councilor Short seconded the motion. Roll call vote Councilor Daniels –yes, Councilor Wiese – Yes, Councilor Hagen – yes, Mayor Britton – yes, Councilor Parker – yes, Councilor Capehart – yes, Councilor Short –yes.

11. ORDINANCE 1465 AN ORDINANCE DECLARING A ZONE CHANGE DESIGNATION OF CERTAIN REAL PROPERTY WITHIN THE CITY OF COQUILLE, OREGON.

Councilor Wiese made a motion to approve ordinance 1465 declaring a zone change designation of certain real property within the City of Coquille, Oregon. The motion was second by Councilor Daniels. Roll call vote Councilor Daniels –yes, Councilor Wiese – Yes, Councilor Hagen – yes, Mayor Britton – yes, Councilor Parker – yes, Councilor Capehart – yes, Councilor Short – yes.

12. REQUEST BY COQUILLE ROTARY TO WAIVE THE COMMUNITY BUILDING FEES FOR THE ROTARY AUCTION.

Councilor Hagen made a motion to waive the fees for Rotary for use of the Community Building. Councilor Short seconded the motion; all voted in favor

13. ADJOURNMENT

Mayor Britton adjourned the council meeting at 8:20 p.m. and invited everyone to enjoy cookies and cider.

Mayor, Steve Britton

ATTEST: _____
Deputy City Recorder