

**CITY OF COQUILLE
CITY COUNCIL MEETING MINUTES
November 2, 2009**

COUNCIL PRESENT: Mayor Steve Britton, Councilors E.N. “Corky” Daniels, Loran Wiese, Linda Short, Fran Capehart, Bruce Parker and Matt Muenchrath.

STAFF PRESENT: City Manager Terence O’Connor, Public Works Director John Higgins, Police Chief Mark Dannels, Fire Chief Waddington, Library Director Anne Conner, Finance Director Chuck Dufner, City Attorney John Trew and Deputy Recorder Rene Collins.

PRESS: Coquille Valley Sentinel, The World Newspaper

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

1. CALL TO ORDER/ PLEDGE OF ALLEGIANCE

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

2. MAYOR’S COMMENTS

Mayor Britton welcomed the twenty-five students attending the meeting from the economics and government class from Coquille High School. He encouraged all the students to attend the Council meetings any time.

3. COUNCIL COMMENTS

Councilor Capehart welcomed all the students and recognized some of the students from The Voice of Democracy applicants. Coquille’s 125th anniversary is next spring. A kickoff dinner will be held February 2, 2010. There will be a celebration during the Gay 90s Festival. There are several Holiday Christmas activities planned. Councilor Short welcomed the students and would like the students and city have a good relationship and said the Council can speak any time and the City staff can tell you what they do. Councilor Parker said the Eugene Duck game was fabulous. Councilor Wiese and Daniels welcomed the students. Councilor Muenchrath welcomed Officer Henthorn to the Police Department and encouraged everyone to help support the Shop with the Heroes Program. He is looking forward to the pool committee report.

4. STAFF REPORTS

Fire Chief Waddington said approximately 250 children and 200 adults attended the Fire Prevention open house on October 8, 2009.

Planner Higgins said he had an additional comment on the request from Ethel Petre about a possible handicapped parking stall on the north side of the Community Building which leads to the handicap access for the Library. There are two handicap parking spots on Birch, one is 96’ and the other is 56’ feet from the ramp. If you were to designate number space number three or two it would be 48’ to the north sidewalk to the library. If you had to remove the sidewalk and designate a new handicap space you would lose 2 parking spaces; one would be a handicapped. Planner Higgins did not get bids for the change. He also wants Council to remember that anyone with a handicap sticker can park anywhere in the city with no time limit. Parking spaces one and two are 30 minutes, but an ADA person can park without a time limit. Councilor Wiese said that we should educate the people who have ADA stickers and the parking options they have and said it would be very expensive to remove the sidewalk. Councilor Muenchrath asked Planner Higgins how many complaints he receives. Planner Higgins said he does not receive a lot of complaints and we could encourage the employees to park in the back parking lot or let the senior meals attendees park in the back. Planner Higgins feels there is adequate ADA parking, and you would lose a space and the cost would be at least \$2,000. Councilor Muenchrath made a motion to have staff put a cost estimate together and refer it to the Public Safety Committee. Councilor Parker seconded the motion; all voted in favor.

Library Director Conner said October’s final circulation was 7,231; in 2008 it was 7,031 and the year to date is 30,173. The book sale is this weekend and Friends shop from 9 to 10. Chili will be served for lunch and Sunday is \$1.00 per bag of books. Councilor Short said membership is \$12 to be a friend of the library and \$15 for a family.

Police Chief Dannels introduced the Police Department new addition, Officer Dan Henthorn. The Finance Director swore the new officer into duty. He worked for the Sheriff’s Department in the jail facility for the past three years. Officer Henthorn is scheduled to attend the academy in January. The haunted house finished Saturday with 800 attendees during the four days. Chief Dannels wanted to thank Vicky Lack and Dustin Backman. The event earned \$2,400. Clean up will be tomorrow night at 6:00 p.m. The Shop with the Heroes program is starting and he appreciates all the support of the community. The

Christmas in Coquille planning has begun including the lighted parade. Registrations are being accepted. The Coos Bay police department donated another Crown Vic and Mayor Britton found a 2005 Crown Vic from an auction for \$1,000.

Finance Director Dufner said the audit went well and they will present their report in January. The investment is earning a little less than 5%. He reported that Sterling Bank received a cease and desist order which means that they have entered an agreement the FDIC to include raising some additional capital. We have reapplied with the OBDD \$2,500,000, of which we hope \$500,000 will be a grant and \$2,000,000 of interim financing. Combining that with the \$6,936,440 committed by the DEQ and an EPA grant of \$243,000 and the City's own funds will provide enough funding to complete the plant. USDA will provide the permanent financing after the plant is complete.

The community building hood bid came in over budget and South Coast Business Employment Corp (SBSEC) is going to contribute \$5,000 toward the cost of the hood. The SCBEC works with the Area Agency of Aging to provide senior meals 3 days of the week at the Community Building.

5. CITY MANAGER'S REPORT

City Manager O'Connor said we have a situation that requires a council action. The personnel policy states no person may be an applicant for a position who is a member of the immediate family of the Mayor or a City Councilor. Travis Britton is a reserve officer, son of Mayor Britton, and is a possible applicant for City hire. According to policies and procedures this is being brought before you and the policy requires that the council unanimously approve the potential applicant because of the relationship to the Mayor. There were no objections to Travis Britton being considered for hire. Councilor Wiese asked if he would go through the same hiring process as other applicants. City Manager O'Connor said yes.

Coos County Library District Board of Directors small cities representative has an opening. Kathy Phillips, a Myrtle Point resident, has agreed to have her name submitted for the open position of the Coos County Library Board. Ms. Phillips is a retired school teacher, is a member of the Myrtle Point Library Foundation and Chair person for the Coquille Arts Center. Councilor Wiese moved to approve Kathy Phillips as a candidate for the Coos County Library District Board of Directors Position. Councilor Short seconded the motion; all voted in favor.

Charter Communications notified the City they will be raising their rates across the board. In the past the council had to approve any base rate changes, which is no longer applicable. This is the first request to raise the basic rate by five dollars in ten years. The City does receive a percentage of their income based on the franchise agreement.

O'Connor said we are moving forward with resubmitting another application to OBDD for a grant and funding package for the waste water treatment plant. Part of the application OBDD asked the following question:

If the project is for a wastewater treatment facility which will discharge into a water quality limited stream(s), but TMDLs have not yet been established for the stream by the Department of Environmental Quality, please attach documentation which indicates that DEQ has determined the project can be constructed without the establishment of TMDLs.

The City had a meeting with John Gasik from DEQ, Dyer Partnership, John Higgins, and we were told to proceed with the WWTP while DEQ does a temperature study and figures out the temperature TMDL's. When CCD asked Mr. Gasik the question, his response was when you need the answer, I will ask. The City located an email from Mr. Gasik dated 2006 which address the situation stating DEQ is working on the temperature TMDL for the Coquille River and Waste Load allocation by this TMDL will need to be addressed during the 20 year plan which would occur after the new sewer plant is built. It is estimated that a sewer plant life is only 20 years. City Manager O'Connor showed the proposed layout of the of the new sewer plant facility.

6. PUBLIC PARTICIPATION

Ethel Petre, 1535 Shelly Road, said she had asked about parking space number 3 and feels that would be a good spot because there is no curb. Planner Higgins said there is a ramp for wheel chair access. Councilor Wiese asked Ms. Petre if people knew they could park for an extended time if they have an ADA sticker if that would take care of the problem. Ms. Petre thought it might and it suggested it be put in the paper to let people know. Councilor Wiese said he would like to recommend to the Public Safety Committee to advertise the parking requirements.

Nella Abbott, 41581 Swinging Bridge Lane Curry County, presented a \$100.00 donation check to Chief Dannels for the Shop with the Heroes program. Councilor Short said the play was a lot of fun and well attended.

7. CONSENT CALENDAR

A. City Council minutes October 12, 2009

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

8. REQUEST BY F.A.W.N. FOR THREE FREE USES OF THE COMMUNITY BUILDING TO CONDUCT THEIR SPAYING AND NEUTERING CLINIC

Claudine Nored from Fawn said they serviced 131 cats at the last clinic. Councilor Capehart said they always leave the community building clean.

Councilor Muenchrath made a motion to waive the use fee for FAWN for three uses of the community building to conduct their spaying and neutering clinic. Councilor Daniels seconded the motion; all voted in favor.

9. REQUEST BY COQUILLE CHAMBER OF COMMERCE TO WAIVE THE USE FEES FOR THE COMMUNITY BUILDING FRIDAY DECEMBER 11, 2009, FOR THE CHAMBER'S FIFTH ANNUAL CHRISTMAS IN COQUILLE CELEBRATION.

Councilor Wiese made a motion to waive the use fee for the Chamber's fifth annual Christmas in Coquille celebration at the Community Building on Friday December 11, 2009. Councilor Muenchrath seconded the motion; all voted in favor.

Chief Dannels would like to personally challenge the Council to be in the parade on a float.

10. RESOLUTION 22-2009 A RESOLUTION AMENDING THE LICENSE, PERMITS, AND PROCEDURES BOOK AND ADOPTING NEW SEWER RATES FOR THE CITY OF COQUILLE AND AUTHORIZING THE RATES AND FEES CONTAINED THEREIN

City Manager O'Connor said this is part of the process to get the rates to be where they need to be to make the City eligible for the grant funding. The average rate needs to be \$43.00 month by 2011; the rate is being raised \$1.00 month for sewer only.

Councilor Wiese made a motion to adopt resolution 22-2009 amending the license, permits and procedures book and adopting new sewer rates for the City of Coquille and authorizing the rates and fees contained therein. Councilor Muenchrath seconded the motion; all voted in favor.

Councilor Short said she is working with the high school to have the students paint the downtown fire hydrants. If you are interested let your principal know or contact her. The colors downtown will be Victorian colors and neighborhoods will have different colors.

11. RESOLUTION 23-2009 A RESOLUTION ESTABLISHING THE FAIR HOUSING POLICY OF THE CITY OF COQUILLE

City Manager O'Connor said this is part of the requirement to work with the Umpqua Coastal Housing Center. The effect of the policy is the City needs to be able to assist renters, property owners, home owners, realtors and others in the housing market in Coquille with access to assistance and information regarding federal laws pertaining to fair housing.

Councilor Muenchrath made a motion to adopt resolution 23-2009 establishing the fair housing policy of the City of Coquille. Councilor Parker seconded the motion; all voted in favor.

Councilor Muenchrath encouraged the students to stay for the Pool Committee Report.

12. REPORT FROM THE SWIMMING POOL COMMITTEE

Judy Gederos, 1250 SE 6th Ave Coquille, said Lowell Thomas wrote a letter to Sherwood Architecture and asked for information pertaining to the cost estimates versus the bids that were received. Eighteen contracts received copies of the plans and twelve bids were received. The base estimate was 2,500,000 and the average bid received was 2,500,040. The high bid was 2,802,000 low bid was 2,310,000. It is thought the bidding competition will stay tight and construction inflation flat through the winter and into the early part of next year's bidding season.

Ms Gederos reviewed the grant funding they have applied for. The committee has raised \$250,000 at this point, but most agencies are requesting them to have 30% which means \$600,000 before grants can be received. The committee will continue to fundraise but they need all the help they can get. Councilor Muenchrath thanked Ms. Gederos for the report and he feels that Coquille can take the lead and can be a shining star and improve our community and would like the project to happen sooner rather than later. He is concerned the URA funds may not be the proper use of those funds but wants to encourage Council to look at other funds, such as parks and recreation, which may be available and make a decision before the end of the year and get the project going. Councilor Short said if want a pool we are going to have to do something to get the required amount of \$600,000. Ms. Gederos said the pool is not going to last forever no matter how many times you fix it. Councilor Wiese asked how old the bid for the pool is; Gary Combs said it is 3 years old. Mayor Britton said the committee needs a \$500,000 dollar commitment from the City or someone else to reach the 30%. City Manager O'Connor said the project does meet the URA requirements because it would enhance the community which in turn would bring more to the bottom line. Councilor Muenchrath said that you have to spend some on taxable improvements. O'Connor said yes and the rules say that they could not receive more than 25% of the cost of the project, because it serves others outside the area. Currently the Parks and Recreation receives approximately \$60,000 from the Reitman fund and the amount will go down due the interest rates. There may be an option of asking for general obligation bond. There will be some more discussions with the URA consultants on what some of the options are. The consultants are saying there is a possibility that URA could go out for a 1.2 million dollar bond in 2011, based on the revenue that will be coming in, and there would be dollars for other projects. Councilor Wiese said he thinks a general obligation bond is a good idea for the pool. Monique Tanata said the pool will benefit the community and more people will come to Coquille. Mayor Britton said the fund could be split between URA, Parks and Recreation and a general obligation bond. Councilor Muenchrath asked what time line are we on to break ground. Ms. Gederos said she thinks the first priority is to get the money in place and the state will not shut our pool down at this point because we are working on it. Councilor Capehart asked where we stand on the money for the Library. City Manager O'Connor said we have a lot of projects including a fire station that does not create tax dollars. Council has not prioritized or determined what amount they would like to spend on all the projects.

Gary Combs, grant writer, said the pool is worn out, the state health department is pounding at the door and the timing of grants is extremely important and recommends applying as soon as possible; he would like to see the bond as a backup if you do not receive the grant funding. There are three major players waiting for the committee to say they are going to do the project or not. There is the State Parks and Recreation fund that may be available and there are some other funding opportunities out there and 2011 is a reasonable goal. Mayor Britton believes all the Councilor Members support the pool project they need to figure out a way to help with the funding.

Finance Director Dufner said one dollar per thousand would raise 162,000 a year, which is a steep increase, there needs to be a few more calculations. Dufner suggested that a project list be made and look at all the funding possibilities that are available. Councilor Wiese suggested a work session before the December council meeting if Dufner could get the funding options put together. Councilor Muenchrath said he thought that was a good idea. Council agreed to have a work session to come up with a plan on December 7th at 6:00 p.m.

13. REPORT ON IMPLEMENTING AN EXPANDED MUNICIPAL COURT

City Manager O'Connor said staff met with Mr. Jones, State Court Administrator. He told the City that they would not be allowed to choose which items they would like to handle in court. Only those who had a court before 1983 would be allowed to continue in that manner. Coquille would have to provide everything including jury trials, indigent defense, and purchasing jail space from the county. O'Connor said that at this time it would not be feasible for the City to take on all the court issues.

Councilor Muenchrath said that the officers can cite people for theft if they are not punishable by a fine and they can be handled in the municipal court.

14. DISCUSSION WITH NELLA ABBOTT CONCERNING BILLING CHARGES

Stephen Abbot, Elk River Curry County, would like to continue the discussion on his water bill.

Finance Director Dufner said the Abbots were charged a bill for the law office and the apartment down stairs. The Abbots have said the apartment is not fully constructed. Finance Director recommended that they continue to be charged for two units. Finance Director Dufner asked Council to determine at what point the Abbots should be charged for two units if not at this time. Mr. Abbott said that they maintain that they do not have an apartment, they do not live there, and have one law office. The play was put on by the law office. Mr. Abbott suggested a business license fee to raise the revenue. He asked for a fair decision of one water bill.

Councilor Short asked what is a conditional use permit. Higgins said it allows a use in a zone that it is not normally allowed in that area. Mr. Abbott said they stay one or two nights a week and the apartment is not complete at this time and they do not use a measurable amount of water. Dufner said the water meter was broken and was replaced in August. Councilor Capehart said Mr. Garrett registered as a business. Abbott said Mr. Garrett did not register his business. He is not there. Councilor Short said would you consider it a residence if it was fixed up? He said no because he does not live there. City Manager O'Connor said the initial conversation was about a person possibly staying in the apartment for security. Councilor Wiese said the play upstairs was not a business. Mr. Abbot said the play was a promotion for the business and Ms. Abbott said the computer business was there for 2 months. Councilor Capehart asked what would happen if there was another promotion. Mr. Abbott said that his business would promote the function. Mr. Abbott is asking to be charged for a single unit and refund the last 3 months for the extra unit being charged. Mrs. Abbott said 1/3 of the play attendees ate at the restaurants in Coquille. Councilor Short said that has nothing to do with the water and sewer bill.

Mayor Britton liked the idea of keeping the second account open and suspending the charges at this time. Mayor Britton said he does not feel staying in your apartment for 1 or 2 nights week does not meet a residence requirement. Councilor Muenchrath said he feels they do meet the requirements of a residence because the space is a dwelling. If City staff sees a spike in water usage then you would come in and say I have a second business, and you should not receive special treatment because you hold events that bring people to Coquille.

Councilor Muenchrath made a motion to allow the two bills to remain in existence, and that if there is any evidence of more permanent residence or a second business appears in that building then a second billing will be activated by staff the following month. Councilor Capehart seconded the motion. Councilor Muenchrath withdrew his motion.

Councilor Muenchrath made a motion to keep both accounts open for the water and sewer at the Old City Hall building in the name of the Abbotts. Councilor Wiese seconded the motion; all voted in favor.

Councilor Muenchrath made a motion to have one of the water bills inactive for billing purposes as long as there is only one business located in the Old City Hall or no residence. Councilor Wiese seconded the motion; all voted in favor.

Mr. Abbott asked that the previous 3 months bills paid on the second account be applied to his first account. Councilor Muenchrath said that a motion is not required it is an administrative action.

15. ADJOURNMENT

Mayor Britton adjourned the Council Meeting at 9 p.m.

Mayor, Steve Britton

ATTEST: _____
Deputy Recorder