

CITY OF COQUILLE
CITY COUNCIL MEETING MINUTES
December 1, 2008

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

STAFF PRESENT: City Manager Terence O'Connor, Public Works Director John Higgins, Sergeant Pat Smith, Library Director Anne Conner, Finance Director Dufner, City Attorney John Trew and Deputy Recorder Rene Collins

PRESS: The World, Coquille Community News

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 7:01 p.m.

2. MAYOR'S COMMENTS

Mayor Britton showed the new street signs that are being prepared by the Coos County Road Department; all the signs will be changed during the next two years.

Mayor Britton said there has been a misunderstanding or miscommunication with the public regarding Councilor Hagen's Council position. The Mayor said Councilor Hagen's position was declared vacant at the November Council Meeting due to the fact that she would be living outside the City limit making her not qualified for the election process. Mayor Britton said he thought because Councilor Hagen was not eligible, she could not assume the Council position and he thought they would take the person with the next highest votes as she could not have her name removed from that ballot at that time and that is how he arrived at Dian Courtright to fill the position.

3. COUNCIL COMMENTS

Councilor Capehart said the Tour of Homes and the fun bus will provide the transportation, Eagles craft fair, Methodist Church lunch, and Saturday night is the lighted Christmas Parade, all the events will be listed in the paper. Councilor Short said the dog park is having two tables at the Eagles craft fair and have the Christmas Dog to have your or your pets' picture taken with. Councilor Short said that every year there are goals that Council and City and would like to review those goals starting at the first of the year and address one a month to see if they have been accomplished and discuss them. Councilor Short also asked for a separate agenda item for citizens' ideas. Councilor Wiese thought it should be an agenda item. Councilor Parker said he is glad to be back from his knee surgery and is feeling better. He would like to think about Councilor Short's idea about a separate agenda items for citizens ideas. Councilor Hagen said the codes officer responded to a request and it has been taken care of and she will bring in her letter of resignation to the City Manager tomorrow. Councilor Wiese said First Street is wonderful. Mayor Britton asked if the letter had been written to the County about providing parking where the annex was located. City Manager O'Connor said the letter has been sent.

Kernal presented that the City received the Above and Beyond Award from the Employer Support of the Guard Reserve program.

4. STAFF REPORTS

Fire Chief Waddington said the final number of ambulance calls at the end of the month was 62 calls. The Christmas lighted parade is this Saturday and Fire Department will deliver Mr. & Mrs. Clause via the ladder truck and the big tree in front of the Library will be lighted. The Shop with the Heros program has raised \$3,000 for the event. Christmas Tree Lane is on display at the Community Building and waiting for bids; half the proceeds go to the defibrillator purchase fund.

Planner Higgins said the Public Works and Police Department are sharing the Codes Enforcement Officer and it has been helpful and he thinks First Street looks wonderful. The water treatment plant contractor will start some work later this week. Councilor Parker asked if the asphalt price would fall due to the falling price of oil; Planner Higgins hopes it will.

Library Director Conner said things are hopping at the library and people are rediscovering the value of the library.

Sergeant Smith said that Chief Dannels is at Career Officer Development Training program for the next two weeks at the academy. Sergeant Smith presented the parade route for the Christmas Parade, which is used for the Gay 90's route. There will be 14 officers and reserves helping with traffic; the parade should not last more than an hour. Sergeant Smith invited everyone to attend the Lighted Christmas Parade. Councilor Wiese suggested putting it on the public service announcement on KCBY. Mayor Britton said that due to the date change of the parade, the gentlemen with the 53 foot truck with the 32,000 lights will not make the parade this year, but will attend next year. Sergeant Smith thanked Councilor Wiese and his family for donating a 1994 Chevy step-side truck to use for a Dare vehicle and will be a mascot to the department. It is in the paint shop at this time. Mayor Britton challenged all councilors to donate to the Shop with the Heros program.

Finance Director Dufner said the investment account is still earning about 5% and the final version of the budget is at your table and the auditors will present in January. The hits on the website have increased over the last two years and he will continue to update the pages.

Attorney Trew said that his understanding that Councilor Hagen may or may not be moving out of the City limits. It was not his understanding that the seat had been declared vacant and his advice to the City Manager is if she is elected that she was a valid candidate when she ran or she would not have filed as a valid candidate. If after election she is no longer eligible, he recommended going through the canvassing of the votes. Councilor Hagen can present resignation and then go through the process of filling the vacancy per charter rules. Attorney Trew said he was confused by the paper saying that there was a special meeting, which he believes there was not. The process should be canvass the votes, accept resignation, and the council rules say that you are to publish and ask for applications, interview and choose from the applicants.

Mayor Britton said there was not a special meeting held and he asked Councilor Wiese if they should take the person with next highest votes or do we ask for applicants. Mayor Britton was leaning towards taking the person with the next highest votes. Councilor Wiese canvassed the Councilors and they agreed that it was fine to take the person with the next highest votes, which was Dian Courtright. Mayor Britton said they going to get more clarification of the process. Councilor Parker asked if Councilor Hagen asked if she had to resign tonight. Mayor Britton said that at the November meeting Council agreed to let her stay until year end. Mayor Britton called for input after the meeting.

5. CITY MANAGER'S REPORT

City Manager O'Connor read item #7 of Chief Dannels report. The City Manager reviewed the process that the Police department is going through as a result as the last incident. Cash will be immediately deposited when taken into possession. OSP is conducting an ongoing investigation and other agencies are assisting in the audit of the evidence rooms. The insurance company is also sending a representative to help with policy suggestions and policy review.

The Coquille Chapter of the Beta Sigma Phi Sorority will be holding the 56th Annual Valentine's Ball event at the Coquille Community Building on 2/7/2009. Councilor Wiese made the motion to approve the Beta Sima Phi use the Community Center at no charge; Councilor Daniels second the motion. All voted in favor; Councilor Short abstained.

City Manager O'Connor presented a change of owner Liquor license request. The request is to transfer the Limited On-Premise licensee from Martin and Unice Dodd to Terry and Julie Nighswonger. The police report showed no negative results. Councilor Daniels made a motion approve the liquor application transfer. Councilor Wiese seconded the motion; all voted in favor.

City Manager O'Connor will be on vacation on 12/18/08 and will return to work on 1/8/09, and extends his congratulations to the new council members and Mayor Britton. The City Manager also said the he and the City

Staff are excited to continue the good works of the past, improve on those things needing improvement and working with the Council in moving the City forward to the future.

Mayor Britton said that the City recognizes media as radio, newspaper and TV. He feels that Council needs to think about what media is and how the World Wide Web fits into the media definition.

Robert Jump said he has read that several cities are looking what should be considered media, and is not sure what you are trying to accomplish by deciding who is and is not media.

Mayor Britton said there are two web sites, Coquille Community News and MGX.com, that report news in Coquille. Mayor Britton thinks that Council needs to recognize the different medias, so they be allowed in executive session but not allowed to report on the discussion, and wants to consider who to recognize. Attorney Trew has been keeping up on this also and a web news site like Robert Jump's qualifies, but you have to be cautious about every website being a news and he wants to work with the City Manager on developing a policy that Council would be comfortable with. Mayor Britton said he would appreciate the guidance. Mayor Britton will start writing an article weekly on "From the Mayors Desk".

6. PUBLIC PARTICIPATION

Ms. P Benson said there have been conflicting news reports in regards to Councilor Hagen's resignation and if Dian Courtright has been appointed to the position. Ms. Benson asked Mayor Britton if there was a special meeting; Mayor Britton replied no. Mayor Britton said under his interpretation that Dian Courtright would be the next City Councilor. Ms. Benson said regardless of what the charter said and Mayor Britton said no, that is why the City has involved the City Attorney to clarify the procedure. Jean Ivy, Coquille Valley Sentinel, said she made a mistake and the wording should have said there was a canvassing of Council per Councilor Wiese and there is a letter of resignation published in the paper. Ms. Benson asked which media she should believe; Mayor Britton said there was not a meeting. Ms Benson read a blog from MGX which stated that the City paid several thousands dollars in settlements involving Robert Jump. City Manager said no there was no settlements paid involving Robert Jump.

Nancy Keller rented the building at 1st and Central to give dance, art and sculpture opportunities. They see a vision of what the community wants and needs. Please contact her and let her know what your ideas are. They will be changing their name, and need volunteers to help with getting the old Whooz-it building ready. The program is for children and adults. There will be an after school program for the children. The programs are by donation only.

Mary Geddry, 340 N Collier, believes it is a responsibility of the media to report as accurately as possible. She feels Ms. Ivey would not deliberately print lies about someone because of a friend.

7. CONSENT CALENDAR

- A. City Council minutes from November 3, 2008

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

8. CANVASS OF CITY OF COQUILLE ELECTIONS

Councilor Wiese made a motion to accept the canvas of elections of votes from the November 4, 2008 election for City Council. Councilor Short second the motion; all voted in favor. The following results were read for the record:

Mayor

Steve Britton – 1,228
Michael Reaves - 409
Write Ins- 29
Over Votes – 1
Under Votes – 245

Council

Kathy Hagen – 809

John Spencer – 507

E.N. Corky Daniels – 924

Amanda Davidson – 590

Fran Capehart – 758

Dian Courtright-710

Write Ins – 33

Over Votes – 129

Under Votes – 1,276

9. PRESENTATION ON EXPO CENTER BY KIM LEHMANN, EXECUTIVE OFFICER, HOME BUILDERS ASSOCIATION OF SW OREGON.

The Homebuilders Association of Southwestern Oregon had a strategic planning session and set a goal to build an expo center, as the community needs one. The facility would have a 42,000 square foot exhibition hall; three locations are being looked at in the area. Gary Hargens said that the impact of the event center could provide income and jobs in the community. We have lots of things for visitors to do and see. The facility could have RV shows and conferences. The facility in Seaside is 15,000 sq. feet and the Boys and Girls Club is 30,000 sq. feet and does not fit the needs of the community. The building will be built green and there will be many partners in this project. The expo center would not take away from existing stores. We are looking to bring dollars into the community. Home Builders Executive Officer Lehmann said we have support from state and national levels and would like a letter of support to assist in the appropriations process. HBASWO President Vanderveldon said this facility will be for the community, and we need something to bring more income into our community by bringing tourism into the community.

Councilor Capehart asked if the building would be built by 2011 and would there be banquet facilities. Vanderveldon does not know the exact building timeline at this time and yes there will be banquet facilities.

Lowell Thomas asked if there is anything in HBASWO plans to house the people who would come to the expo center. Gary Hargens said that a number of hotels would come when the expo center is built. Executive Officer Lehmann said when choosing a site we are looking for property with an area to expand.

Councilor Capehart made a motion of support and direct staff to write a letter of support. Councilor Short seconded the motion; all voted in favor.

10. QUASI-JUDICIAL PUBLIC HEARING – ROBERT AND MARIE BODEN REQUEST FOR ZONE CHANGE.

Mayor Britton opened the public hearing at 8:37 p.m. on Monday, December 1, 2008.

In the matter of a request for a zone change, comprehensive plan amendment and comprehensive plan map amendment. Robert and Marie Boden 50359 Hwy 242 Broadbent, own the property located at 361 E. 2nd Street. They are requesting that the zoning be changed from C-1, Commercial Downtown Business District to R-Residential. The Coquille Planning Commission heard the request November 10, 2008 and recommends that the City Council approve the request for a Comprehensive Plan amendment, Comprehensive Plan Map amendment and a change of zone from C-1, Commercial Downtown Business District to R-Residential

Councilor Wiese asked which building that is; Mr. Boden responded that it the acupuncture office.

Mayor Britton asked if any Council member had an ex parte contact, including site visits, they wish to declare. Councilor Parker said he did have an ex parte contact; he did a price comparison analysis and is aware of the zoning issues. He does not feel that it is a conflict.

Mayor Britton asked if anyone objects to the jurisdiction of the Council to hear this matter; there were none.

Planer Higgins said the application has been advertised and notices were sent as required. Planning commission had a hearing and recommended Council approve the request. Mayor Britton asked if they owned the property across the street. Planner Higgins said no, that building is the Emergency Management building.

Attorney Trew stated the following:

All testimony, arguments and evidence must be directed toward the criteria outlined in the staff report or 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 (LUBA) 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.

Does Council have any questions of staff? There were none.

Does the applicant wish to present additional written or oral evidence? Ms. Boden said the current zoning makes the property non-sellable and non-rentable, and it makes more sense to change the zoning.

Does anyone wish to speak in opposition of the application? There were none,

Do any other interested parties or representative of public agencies wish to testify? There were none.

Mayor Britton said the public hearing on this matter is closed at 8:45 p.m. on December 1, 2008.

Councilor Bruce Parker made a motion that the Council approve the zone change, the comprehensive plan amendment, the comprehensive plan map amendment, adopt the finding submitted by the applicant and direct staff to prepare a final order with findings and ordinance. Councilor Capehart seconded the motion; all voted in favor.

11. ORDINANCE NO. 1472 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 1472 declaring a zone change designation of certain real property within the City of Coquille, Oregon. Councilor Hagen seconded the motion.

Councilor Daniels - yes

Councilor Wiese - yes

Councilor Hagen - yes

Mayor Britton - yes

Councilor Parker - yes

Councilor Short - yes

Councilor Capehart - yes

12. RESOLUTION 24-2008 A RESOLUTION ALLOWING KAREN AND JOHN GUMMO TO APPLY FOR A SECOND PERIOD OF SPECIAL ASSESSMENT ON THEIR HISTORIC DESIGNATED RESIDENCE

The Gummos are requesting the City pass a resolution allowing them an additional 15 year period of special assessment on the Sherwood Home. The County will assess the property at this time before the taxes are frozen for another 15 years. Their Current value has been reevaluated by the tax assessor. Councilor Wiese said that we have used this as a signature home in our City and supports the request.

Councilor Wiese made a motion to adopt resolution 24-2008 allowing Karen and John Gummo to apply for a second period of special assessment on their historic designated residence. Councilor Hagen seconded the motion. All voted in favor

13. ORDINANCE NO 1469 AN ORDINANCE ADOPTING AMENDMENTS TO THE CITY OF COQUILLE COMPREHENSIVE PLAN

Councilor Wiese made a motion to approve ordinance 1469 adopting amendments to the City of Coquille Comprehensive plan. Councilor Hagen seconded the motion.

Councilor Daniels - yes
Councilor Wiese - yes
Councilor Hagen - yes
Mayor Britton - yes
Councilor Parker - yes
Councilor Short - no
Councilor Capehart - yes

14. ORDINANCE NO 1470 AN ORDINANCE ADOPTING AMENDMENTS TO THE CITY OF COQUILLE ZONING MAP

Councilor Wiese made a motion to approve ordinance 1470 adopting amendments to the City of Coquille Zoning Map. Councilor Daniels seconded the motion.

Councilor Daniels - yes
Councilor Wiese - yes
Councilor Hagen - yes
Mayor Britton - yes
Councilor Parker - yes
Councilor Short - yes
Councilor Capehart - yes

15. ORDINANCE NO 1471 AN ORDINANCE ADOPTING AMENDMENTS TO THE CITY OF COQUILLE MUNICIPAL CODE TITLE 17, PLANNING AND ZONING

Councilor Wiese made a motion to approve ordinance 1471 adopting amendments to the City of Coquille Municipal Code Title 17, Planning and Zoning. Councilor Daniels seconded the motion.

Christina Holliday, 711 N. Cedar Coquille, asked if chickens would be allowed. Planner Higgins said yes, chickens would be allowed.

Councilor Daniels - yes
Councilor Wiese - yes
Councilor Hagen - yes
Mayor Britton - yes
Councilor Parker - yes
Councilor Short - no
Councilor Capehart - yes

Councilor Short wants agenda item to discuss having a half acre and a cow

16. ADJOURNMENT

Mayor Britton adjourned the Council Meeting at 9:07 p.m.

Mayor, Steve Britton

ATTEST: _____
Deputy Recorder

City of Coquille
Urban Renewal Agency
December 1, 2008

Chairman Wiese opened the URA meeting at 9:15.

Executive Director O'Connor said that is time to have a discussion on how to best utilize the URA funds. A healthy URA fund should be in debt, but it also needs a repayment plan in place for the debt. Normally URA funds are used to raise the assessed value of properties, which leads to additional capacity for debt for the URA because of increased taxes. That in turn allows the URA to participate in small projects that beautify the area but may not lead to a direct increase in the assessed value of property.

The current URA plan for the City of Coquille identifies 11 million dollars worth of projects or improvements to the community, with many of the projects not resulting in direct increase in assessed values. There are now community projects such as the pool and river walk. The URA needs to decide how much money should be put towards these types of projects.

Finance Director Dufner said the graph shows the planned versus actual annual dollars received yearly for the Urban Renewal Agency. The plan called for 12 1/2 million dollars and we will probably only reach 10 million dollars. The question is what do you want to spend money on. The URA could borrow and do projects immediately, but the debt service would use up all the available funds. If we use it now, it cost money to issue bonds, the plan needs to be updated and certify that the City can carry the debt. Bond Council would have to verify the type of projects. If you are interested in the bonds we can start the process.

Councilor Wiese said the tax dollars have changed due to the tax dollar rules passed. Councilor Capehart said can we reserve a small amount for property improvement, and Chairman Wiese said that money is there. Executive Director O'Connor said the question is what projects do we undertake in the future the pool, river walk and how many projects do we want to under take and to what scale. URA needs to decide if they only want to invest in projects that increase the tax dollar base. It URA spends 1.5 million on 3 projects it would take 19 years to repay the loan and then approximately \$30,000 a year to use on new projects.

Chairman Wiese adjourned the meeting at 9:30

Chairman, Loran Wiese

ATTEST: _____
Deputy Recorder, Rene Collins