

NORTH BEND CITY COUNCIL MINUTES
JUNE 12, 2007

Mayor Wetherell opened the meeting on the above date in the North Bend Council Chambers located at 835 California Street at 7:30 p.m.

COUNCIL PRESENT: Howard Graham, Bill Richardson, Frank Amatisto, Barry Hayes, Janet Rubin, and Larry Garboden.

STAFF PRESENT: City Administrator Jan Willis, City Attorney Mike Stebbins, Police Chief Steve Scibelli, Assistant Fire Chief Jim Brown, Library Director Gary Sharp, Engineering Manager Matt Whitty, Building Official Steve Werst, and Finance Director Juana Bell.

APPROVE MINUTES OF THE MAY 22, 2007 MEETING

Councilor Howard Graham moved and Councilor Janet Rubin seconded the approval of the minutes of May 22, 2007 meeting. Motion carried by unanimous vote.

APPROVE BILLS AGAINST THE CITY OF NORTH BEND

Finance Director Juana Bell presented the bills against the city from May 17 through June 6, 2007, and she requested approval in the amount of \$271,626.41 Councilor Janet Rubin moved and Councilor Frank Amatisto seconded the bills against the city be approved as presented. Motion carried by unanimous vote.

PUBLIC COMMENT

No public comment.

2007 JULY JUBILEE PRINCESS COURT CORONATION

July Jubilee Court Coordinator Deana Spence, gave a brief summary of each July Jubilee Princess, and she invited Mayor Wetherell and Councilor Janet Rubin along with the 2006 Princess Court to assist in the honors of crowning the new 2007 July Jubilee Court as follows:

Caitlin Finch, Lynn Stulz, and Rachel Heaney.

PUBLIC HEARING –POTENTIAL DANGEROUS BUILDING 2505 SHERIDAN

Mayor Wetherell opened the Public Hearing at 7:44 p.m.

Ralph Dunham, Stuntzer's Engineering, stated he was representing Yesi Guirado the current homeowner of the property located at 2505 Sheridan Avenue. Mr. Dunham gave a summary of the events on the property prior to the sliding of the hill and the precautions the property owner took to stabilize the hillside. Mr. Dunham stated he had received a draft memorandum with a summary of the findings for the soil testing on the hillside below Mr. Guirado's property, and he would not be releasing the draft summary for public record until it was a complete and accurate document but he expected to have the final report in the next week.

City Attorney Mike Stebbins asked if the report will lay out the options to resolve the issue and stabilize the hillside. Mr. Dunham stated yes, they may need additional information depending on the type of repair and degree of work.

Eugene Hill, P.O. Box 1125, Bandon, Oregon, stated he was the owner of the Sapphire Mongolian Grill Restaurant and he spoke of concern on the potential dangerous building located above his property. Mr. Hill stated he had spoken with a local engineering firm and local contractors to propose a fix to complete the improvements to stabilize the hillside to reduce the risk of his restaurant being in an unsafe position. Mr. Hill proposed the City of North Bend pay to construct the necessary repairs to stabilize the hillside for an estimated \$700,000 and the city council decides at a later date to assess the cost to the party at fault. Mr. Hill stated he is prepared to fight the issue and he would not go down without a fight.

Councilor Howard Graham asked Mr. Hill if he had written documentation on the proposed cost and estimates to stabilize the hillside. Mr. Hill stated no had not, it was only verbal communication over the phone with the contractors and engineers.

City Attorney Mike Stebbins stated to Mr. Hill, that he must understand that he is asking the City of North Bend to spend tax payers money to fix an estimated \$700,000 problem that has no supporting documents. Mr. Stebbins stated the city must receive written documentation to make any determination regarding the property at 2505 Sheridan or any surrounding property.

Ralph Dunham, Stuntzner's Engineering stated he would like to clarify that his firm had conducted hand augured borings on the hillside and conducted a geotechnical survey of the property.

Cheryl Barnes, 2515 Sheridan, North Bend, stated she has lived at the property adjacent to the 2505 Sheridan property for over 32 years. Mrs. Barnes gave a detailed description of the activity of the property from the previous owners and the attempts to stabilize the

house and the hillside. Mrs. Barnes expressed her concerns of the sloping hillside and the incorrect reporting by The World newspaper on the condition of the property. Mrs. Barnes stated she supported Mr. Hill's proposal and she urged the city council to consider his ideas.

David Barnes, 2515 Sheridan, expressed his concerns regarding the condition of the hillside and stated he feels the house located at 2505 Sheridan was not in any danger of sliding, but he would like to see something positive to resolve the issue.

Hearing no further public comment, Mayor Wetherell closed the hearing at 8:39 p.m.

Councilor Howard Graham moved and Councilor Larry Garboden seconded to continue the temporary orders of "Do Not Enter" and "Cease Work" until documents were presented to determine the stability of the property located at 2505 Sheridan and to continue the public hearing to June 26, 2007. Motion carried by unanimous vote.

RESOLUTION NO. 3059 – IRREVOCABLE POWER OF ATTORNEY LOCAL INVESTMENT POOL

Finance Director Juana Bell stated the city council had received a copy of Resolution No. 3059 that authorizes the Power of Attorney to the City of North Bend for the purpose of depositing and transfers of monies to the State of Oregon Investment Pool as required by ODOT for the Waterfront Project. Councilor Howard Graham moved and Councilor Bill Richardson seconded the approval of Resolution No. 3059- Irrevocable Power of Attorney Local Investment Pool. Motion carried by unanimous vote.

RESOLUTION NO. 3060 – E-TRADE FINANCIAL GOVERNMENT TAX-FREE BROKERAGE ACCOUNT

Finance Director Juana Bell stated the city council had discussed at a previous work session the option to establish an account to receive the anonymous donation to the Save Our Pool project that was in the form of share stocks. Mrs. Bell stated Resolution No. 3060 authorizes the City of North Bend to receive the donation and to set up an E-trade account that would liquidate the stock to monies towards the Swimming Pool improvements project. Councilor Howard Graham moved and Councilor Bill Richardson seconded the approval of Resolution No. 3060 – E-Trade Financial Government Tax-free Brokerage Account. Motion carried by unanimous vote.

APPROVAL OF LIBRARY SERVICE CONTRACT

Library Director Gary Sharp asked the council for approval of the Library Services Contract Amendment for Fiscal Year 2007-2008. Mr. Sharp stated each year the contract is approved by the City of North Bend to receive funds from the Coos County Library Service Districts Operating Budget. Councilor Howard Graham moved and Councilor Frank Amatisto seconded to approve the Library Service Contract Amendment. Motion carried by unanimous vote.

APPROVAL OF CHANGE ORDER #1 TO POLICE DEPARTMENT UPGRADES

City Administrator Jan Willis stated the council had received a copy of Change Order #1 for the Police Department Remodel that was prepared by Architect Rich Turi and signed by contractor Don Thompson. Mrs. Willis stated Change Order #1 includes an additional sprinkler head; minor construction changes in the dispatch center and reduces the costs for the records department as the records clerk has relocated to the main reception area at city hall, resulting in a deduction in construction costs. Mrs. Willis stated authorization of Change Order #1 would reduce the total costs by \$3,560.66. Councilor Bill Richardson moved and Councilor Frank Amatisto seconded the approval of Change Order #1 to the Police Department Upgrades. Motion carried by unanimous vote.

APPROVAL OF CHANGE ORDER #2 TO POLICE DEPARTMENT UPGRADES

City Administrator Jan Willis stated Change Order #2 to the Police Department Upgrades would allow the city to amend the loan documents with OECDD to allow the contractor to proceed with the upgrades to the volunteer area and the locker rooms for the officers. Mrs. Willis stated she had spoken to Becky Bryant with OECDD and had received a fax confirmation for the authorization to proceed with the loan amendment for the additional \$94,000.00 to complete the project by December 6, 2007. Mrs. Willis stated the original loan documents from OECDD were being prepared and forwarded to the city to be placed on the upcoming council agenda for final authorization. Councilor Bill Richardson moved and Councilor Frank Amatisto seconded the approval of Change Order #2 to the Police Department Upgrades. Motion carried by unanimous vote.

AWARD OF BID FOR MARION STREET OVERLAY PROJECT

Engineering Manager Matt Whitty stated the council had received in a copy of the staff memo outlining the bids for the Marion Street Overlay Project. Mr. Whitty stated the City of North Bend received and opened bids on June 7, 2007 from the following qualified contractors;

LTM, Inc.- Coast Division \$66,879.00
Laskey-Clifton Corporation \$67,018.00

Johnson Rock Products #79,348.00

Mr. Whitty gave a brief summary of the project and he recommended the council accept the low bid awarding the contract to LTM, Inc in the amount of \$66,879.00 and to direct City Attorney Mike Stebbins to prepare the contract documents authorizing Mayor Wetherell to sign them. Councilor Howard Graham moved and Councilor Bill Richardson seconded the authorization to award the Marion Street Overlay Project to LTM, Inc. in the amount of \$66,897.00 and to direct staff to prepare the documents and authorizing Mayor Wetherell to sign the final contract. Motion carried by unanimous vote.

APPROVAL OF MAY 17, 2007 TRAFFIC COMMITTEE MINUTES

Engineering Manager Matt Whitty presented the May 17, 2007 City of North Bend Traffic Committee Minutes for approval. Councilor Howard Graham moved and Councilor Bill Richardson seconded the approval of the May 17, 2007 Traffic Committee Minutes. Motion carried by unanimous vote.

APPROVAL OF AGREEMENT WITH SHUTTER'S CREEK OREGON DEPARTMENT OF CORRECTIONS

City Administrator Jan Willis stated a copy of the Shutter's Creek Inmate Work Agreement between the City of North Bend and the Oregon Department of Corrections is an annual agreement and was provided to the council for renewal. Mrs. Willis stated the Parks Department uses the inmate work crews several times a year and the agreement allows the City of North Bend to enter into those project arrangements with the Shutter's Creek. Councilor Frank Amatisto moved and Councilor Barry Hayes seconded the approval of the Inmate Work Crew Agreement between the City of North Bend and Oregon Department of Corrections. Motion carried by unanimous vote.

CITY REPORT

City Administrator Jan Willis reported on the following:

- Mrs. Willis stated the North Bend Public Library would be presenting a puppet show on June 23, 2007 at 1:00 p.m.
- Mrs. Willis reported on the recent video voyage presentations at the North Bend Public Library and the success of the recent Grant Workshops.
- Mrs. Willis reported the Public Works Department is currently working on the Airport outfall project.
- Mrs. Willis reported that Engineering Manager Matt Whitty was currently working on preparing bid documents for the repairs at Troy Lane,

California Street improvements at the City Maintenance Shop and the Information Center parking improvements.

- Mrs. Willis reported on the completion of the slip lining project throughout the city.
- Mrs. Willis stated Public Works Superintendent has reported on the proposed project to relocate a portion of the Wastewater Treatment facilities to allow extension for the taxiway.
- Mrs. Willis stated the Fire Department was preparing for the upcoming FAA inspections.

COUNCIL COMMITTEE REPORTS

Mayor Wetherell stated there were no recent council committee meetings to report on.

COUNCIL COMMENT

Councilor Howard Graham congratulated the new incoming July Jubilee Princess Court.

Councilor Larry Garboden had no comment.

Councilor Bill Richardson had no comment.

Councilor Janet Rubin had no comment.

Councilor Barry Hayes reported on the recent Save Our Pool Beach Party fundraiser held at Pony Village Mall, and he thanked the community for attending the event and the many businesses that supported the fundraiser.

Councilor Frank Amatisto had no comment.

Mayor Wetherell reported that the school year was complete and he reminded the community to be cautious of the children out during the summer months. Mayor Wetherell congratulated the 2007 July Jubilee Princess Court.

OTHER BUSINESS

No other business.

Mayor Wetherell adjourned the meeting at 9:00 p.m. to convene to Executive Session pursuant to ORS 192.660 (2)(i) City Administrator Performance Review.

The city council convened to regular session following an executive session to discuss the performance of the City Administrator. Mayor Wetherell announced that the Administrator had received a very favorable evaluation. Councilor Frank Amatisto moved and Councilor Bill Richardson seconded to increase City Administrator Jan Willis salary to Step 5 of the current salary range. Motion carried by unanimous vote.

Mayor Wetherell adjourned at 9:30 p.m.

Mayor Rick Wetherell

ATTEST:

City Recorder Angie Kellar

