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**City of Florence  
City Council Minutes  
April 18, 2011**

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**CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE**

Mayor Brubaker opened the regular council meeting at 7:00 p.m. with the pledge of allegiance. Other members present included Council President Nola Xavier, Council Vice President Suzanne Roberts, Councilor Brian Jagoe and Councilor Paul Holman. Staff in attendance included City Manager Robert Willoughby, Public Works Director Miller, Chief of Police Maurice Sanders, Community Development Director Sandra Belson, and City Recorder Kelli Weese.

**PRESENTATION**

*Dick Smith and Judy Fleagle will present the new book "Crossings", which depicts the bridges built by Conde McCullough.*

Mr. Smith presented and Ms. Fleagle presented the Council an honorary copy of their book "Crossings" which depicts the stories behind the Siuslaw River Bridge and others on the Oregon Coast.

**TSUNAMI AWARENESS PROCLAMATION**

Mayor Brubaker proclaimed April 2011 as Tsunami Awareness Month in order to increase the distribution of information about the Tsunami threat and how to prepare for it.

**APPROVAL OF AGENDA**

Mayor Brubaker asked for any additions or corrections to the agenda, hearing none he moved on to the next item.

Mayor Brubaker reminded the public that the 'Burn to Learn' on the old senior center would occur April 19<sup>th</sup> at 6:00 p.m.

**PUBLIC COMMENT**

*Mayor Brubaker explained that this was a time in the meeting that offered an opportunity of anyone in the audience who would like to address the council for a maximum of three (3) minutes for any item not otherwise listed on the agenda.*

**Mr. Ron Caputo**

Mr. Caputo said he accepted an award for the City of Florence from the Oregon Department on March 26<sup>th</sup> to recognize the City as a resource steward. The Oregon Department of Fish and Wildlife wishes to recognize the City of Florence for their excellent volunteer contributions to the fish resources of Oregon.

## **CONSENT AGENDA**

### **MINUTES**

*Consider approval of the regular council meeting minutes of April 4, 2011.*

Councilor Holman moved to approve the consent agenda which included the minutes of the April 4, 2011 City Council meeting. Second by Councilor Jagoe, by voice all ayes motion carried unanimously.

### **ACTION ITEM**

#### **JUSTICE CENTER ROOF AND HVAC PROJECT**

*Consider authorizing the completion of the construction drawings for the Justice Center Roof and to begin the request for proposals.*

CM Willoughby presented the topic by summarizing the staff report provided in the packet.

#### **Paul Jensen – Florence Justice Center Architect**

Mr. Jensen said they completed a study of the justice center and its roof and in analyzing the building it was clear that the existing air conditioning units were near the end of their life due to considerable rust. He said those air conditioning units were residential grade units with a resistance heater and thus were not true heat pumps. Mr. Jensen said they were also looking into the possibility of getting a rebate from Bonneville power because they were going to be installing the most efficient units available. That installation would also mean they would save about 15% in their heating costs.

Mr. Jensen said they are recommending a combination of a new roof and roof repairs because specific portions of the roof would require different degrees of maintenance or replacement.

Mayor Brubaker asked if the construction would affect work at the Justice Center at any time. Chief Sanders said that it would not. He said it would be a relatively quick construction of about three weeks.

Councilor Roberts asked if the engineers cost estimate took into consideration the new heat pumps and the stainless steel cap. Mr. Jensen said they did.

Councilor Roberts asked if they had anything in writing that said the County would be helping to finance \$10,000-\$15,000. CM Willoughby said Lane County had confirmed that they will participate at 2.8% of the total costs.

Councilor Roberts asked how they included the insurance and bonding costs. Mr. Jensen said that related to any insurance the City might want to take out on the project, but that wasn't going to be a problem because they were going to ask the contractors to have that insurance. PWD Miller said bonds referred to any performance bond they would have for the contractor.

Councilor Holman asked what the life span of the new roof would be. Mr. Jensen said there was a 10 year guarantee on the roof, but the lifespan should be about 25 years. CM Willoughby said they would make sure they perform the regular maintenance on the roof. He said the design for the new roof included a walkway to help alleviate problems of damaging the roof system by people and equipment walking on it during maintenance activities.

Councilor Jagoe asked about the lifespan for the paint on the justice center. Chief Sanders said they were able to keep the paint in good shape through pressure washing the mold that naturally grows.

Councilor Jagoe asked about placing the Air Conditioning units on the ground. Mr. Jensen said they had considered that scenario but were able to save a substantial amount of money by putting them back on the roof.

Mayor Brubaker asked how much more expensive it would be to do a shed roof instead of a membrane. Mr. Jensen said the flaw in the shed roof scenario was that it would result in them more than doubling the height of the building which would add a lot of pressure to the structure due to wind and seismic forces. He said the existing sheer walls were not designed to handle that pressure. He said overall the cost to do a shed roof would have been \$1 million or more.

Councilor Roberts moved to authorize the completion of the construction drawings for the Justice Center Roof and to begin the request for proposals. Second by Councilor Holman, by voice all ayes motion carried unanimously.

## **REPORT ITEMS**

### **2011 BUSINESS LICENSE RENEWALS**

*The City Recorder will provide a report to Council on the 2011 Business License Renewals.*

### **Staff Report & Council Questions**

CR Weese introduced the topic and discussed the information from the staff report.

Mayor Brubaker asked how many businesses paid a delinquency fee. CR Weese estimated that 40-60 businesses paid a delinquency fee.

Councilor Roberts questioned Ordinance 18, Series 2010 which was the Ordinance that passed the current Business License City Code FCC 2-2. She said the violations portion of that code was difficult to follow. She asked when the \$500 fee was implemented. CR Weese said the \$500 fee was implemented in Ordinance 18, Series 2010 which was passed in November. Councilor Roberts said to her knowledge we had never used the \$500 fee provision.

Mayor Brubaker said it was up to the Council to provide direction on when they would use that fee and how strict they were on the 50% surcharge deadline.

CM Willoughby said they had been trying for the first 2 years of enforcing the ordinance for voluntary compliance. He didn't believe they had taken anyone to court for operating without a business license. That was when the bigger penalties would apply.

The City Council discussed the history of the delinquency fee. CM Willoughby said they are probably at the point where it would be acceptable to set the delinquency fee to begin on January 20<sup>th</sup> as the code dictates. He said they had set a different date in the past in order to slowly implement the business license code, but after two years he felt businesses were aware of the law.

Mayor Brubaker asked the Council if they would like to implement the delinquency fee on January 20<sup>th</sup> as per the City Code.

Councilor Jagoe said he was contacted one of the businesses that is located on Bay Street, and that business stated they did not receive a business license renewal because the renewal was sent to Bay Street. He said he understood that the City needed to implement fines but felt Staff should be double checking to make sure renewal forms were going to proper mailing addresses.

Councilor Jagoe questioned removing the contractors from consideration because he felt that contractors often do not need to pull permits in order to do work.

CM Willoughby said they have been making strides to make sure that everyone has an active mailing address so now they will have more ability to get the mailings directly to the business owners. However people are responsible for complying with the business license law.

CM Willoughby said they currently prosecute those contractors, or any business, that does business in the City without a license. He said it is the City's current practice that a business is only required to have a business license once they are actually doing business in the City, not when they are advertising. However, that was a policy decision for the City Council to discuss.

Councilor Roberts said business licenses were important because they allow the city do a background check on business owners to make sure the citizens of Florence are protected.

CM Willoughby said achieving a business license is easier for people that have an actual place of business. He said if City staff see an ad, or receive a tip, about a business doing business without a license then they will pursue it. He said they need to balance the issue of making sure that businesses within the City have business licenses, with the amount of staff time expended to achieve full compliance. He said it can be problematic to spend \$1000 in staff time to collect an \$80 business license fee for someone who is only doing business in Florence for a few hours during the course of the year.

Councilor Holman asked about the one license that had not yet responded. CR Weese described the history of that business license renewal and said they were a permanent business with a location within the City limits.

Chief Sanders said in general people voluntarily comply with the business license law after notice from the Code Enforcement Officer. He said he had only known of two instances where businesses were cited for doing business without a business license. CM Willoughby said they generally deal with the business license issue on a complaint basis.

Mayor Brubaker asked the City Council if they were comfortable with out of town contractors advertising in Florence and then being required to get a business license when they do get work. He said he agreed with the City Manager that there is a point of diminishing returns when it comes to staff time expenditures and said any other work toward full compliance would require an extra level of staff time.

Councilor Xavier said if a business is advertising then Staff could do a quick look through the phone book or paper to see what businesses are advertising without a business license. Staff could then send letters to those businesses informing them of the City's business license policies while keeping an eye out to see if they are in fact doing business without a license.

Councilor Jagoe suggested that when the Code Enforcement Officer does spot checks on businesses he could include that information in his monthly report to give the City Council some information on how many businesses are in the City limits that do not have business licenses. CM Willoughby said they would have a conversation with the Code Enforcement Officer to get a sense of how many people were doing business without a license.

Councilor Roberts said she was concerned about adding more tasks to the City Staff who were already spread so thin. She felt they should continue to operate on a complaint driven basis. She felt increasing staff's workload by adding more enforcement to the business license program would mean other responsibilities of those staff would not be accomplished. She knew that when other City Records tried to go through the phone book it took quite a few weeks to complete that project.

Councilor Roberts said the business license application and renewal forms listed mailing addresses which meant it was up to the applicant to make sure that their mailing addresses were correct. She felt the City did not have the staff time and thus money to lead people by the hand.

Councilor Jagoe said in the case of the business on Bay Street the renewal form was mailed to the Bay Street address and not the mailing address. CR Weese said as many as 150 of the renewal forms were returned because business owners do not update their mailing addresses.



Mayor Brubaker asked the Council if they were comfortable letting Contractors be enforced on a complaint basis. The City Council agreed.

Mayor Brubaker asked the Council if January 20<sup>th</sup> was an adequate date to institute a delinquency fee of 50% of the business license. Councilor Xavier agreed because it was over a month of notice for businesses because renewals were mailed in November. The City Council agreed.

Councilor Roberts asked what types of businesses were classifications 6 and 11. CR Weese said they were the peddlers and temporary businesses. Councilor Roberts asked if banks and insurance companies were exempt. CR Weese said they were not.

The City Council thanked staff for their hard work and asked how much money the business license program brought in per year. CR Weese said it was about \$100,000 per year.

### **GROWTH ASSUMPTIONS FOR TRANSPORTATION PLANNING**

*The Community Development Director will provide a report to Council on the growth assumptions for the 2035 Transportation System Plan.*

### **Staff Report & Council Questions**

CDD Belson introduced the topic and discussed the information in the staff report. She said the City had enough space in the Urban Growth Boundary to accommodate all of their future housing needs, although it might be difficult to fit in all of the multi-family housing that was projected.

CDD Belson discussed the employment projections developed for the study. She said the City currently had more land than necessary for the employment projections which meant the City might want to allow more multi-family housing developments within commercial zones.

CDD Belson said currently the City was waiting for the State to approve a revised agreement with the consultant and once that agreement was in place they would begin work on the Transportation System Plan.

Mayor Brubaker asked if the study took into account any activity south of the bridge. CDD Belson said some areas south of the bridge were included in the study and referenced the Transportation Analysis Zones (TAZ) Map from the packet. The City Council discussed the TAZ map.

Councilor Holman asked if the Casino was included in the employment analysis. He said as far as he could tell it was only mentioned in a footnote. CDD Belson said the report wasn't clear on where the Casino's employment was allocated but it was included in the study, as well as any future expansion the Casino may have.

Mayor Brubaker the two main employment sites that should be included would be the Casino and the Health Services sectors of the Florence economy.

### **STREET CONDITION SURVEY**

*The Public Works Director will provide a report to Council on the 2011 Street Conditions Survey.*

PWD Miller presented a PowerPoint presentation (*Attachment 1*).

Mayor Brubaker asked how Pavement Condition Index (PCI) numbers were determined. PWD Miller described the PCI methodology which included hiring a contractor to inspect the streets within Florence.

Councilor Holman asked what the standard amount of gravel/asphalt was for residential streets. PWD Miller said the standard was 3 inches of asphalt to 6-8 inches of base rock. Councilor Holman asked how that standard differed from private streets. PWD Miller said private streets generally had 2-3 inches of asphalt on a 6 inch base, but it depended on the specific circumstances of the development. The City Council discussed private streets.

PWD Miller said the City had learned a lot about the current structure and condition of the City's streets through the sewer replacement project and discussed the hypothetical structure and possible lifespan of the streets.

Councilor Holman asked what had gotten the City to the point they were in. PWD Miller said they had speculated that when the streets were initially paved the City had simply laid a layer of asphalt over the gravel streets. He said there were much more effective ways of paving streets. The City Council discussed the newer construction techniques.

Councilor Holman asked what types of maintenance would be required if all of the streets within the City were to be reconstructed to modern specifications. PWD Miller said brand new streets generally didn't need any maintenance within the first 5 years and local streets could go for as long as 10-12 years, but as long as they continued to do maintenance on those new streets they shouldn't have to reconstruct them.

Councilor Jagoe said he had recently read that the Oregon Department of Transportation was considering banning studded tires. He asked if that would help improve the streets in Florence. PWD Miller said most of Florence's street damage was caused by settlement and water damage. He said studded tires were really an issue on the interstate and highway system.

### **MONTHLY REPORTS**

The City Council discussed the monthly reports submitted by the various city departments. Topics discussed included the Siuslaw Estuary Partnership Open House, Mutual Aid Assistance at the Police Department, Meeting with Driftwood Shores on Tsunami evacuation, DUIs at Court, Court case backlog, Hwy 101

pedestrian crossings, Chipper at Public Works, Pratt property, inmate work at public works, and emergency airlifts at airport.

## **CITY MANAGER REPORT**

- *Old Town Parking Update*

CM Willoughby discussed the old town parking public meetings. He said it was clear that no matter what action the City took some people would be unhappy. He said the parking problem was primarily focused along Bay Street and thus the goal was to achieve a regular turnover of cars in that area. He was considering making a year round restriction on Bay Street for oversized vehicles and then removing the seasonal parking restrictions outside of that area.

CM Willoughby said whatever changes they might make would have unintended consequences and thus the parking issue would need to be addressed again after the changes had been made.

CM Willoughby asked the Council if they felt a review of the parking fines in Old Town was warranted. He said currently the parking fines had been set at \$15 for the past 10+ years and that was not enough to get people's attention.

Mayor Brubaker asked if it was possible for the City to allow parking within the alleys. CM Willoughby said the City would be creating 8 new parking spaces underneath the bridge but there were not a lot of opportunities to create new parking spaces. Mayor Brubaker asked if the alleys were needed for fire access. Councilor Jagoe said the alleys were needed in many instances.

Councilor Holman said the Port of Siuslaw was considering putting a fee on their parking lot, and he felt that would make a large impact on the parking situation. CM Willoughby said it was primarily locals who parked on the City streets and the tourists who parked in the Port parking lot.

Councilor Roberts said she felt a 3 hour parking limit on Bay Street was too long, and felt it should be 2 hours. She said she also felt the \$15 fee should be raised.

Councilor Jagoe asked who made the decision about building parking spots underneath the Siuslaw River Bridge. He said that location was a very popular photography site. CM Willoughby said the City Council approved the project and it was currently approved by the Oregon Department of Transportation as well.

Councilor Xavier said she agreed with Councilor Roberts that a 3 hour parking limit was too long. The City Council voted on the length of the parking limit. Councilors Xavier and Roberts voted for a 2 hour time limit. Councilors Jagoe, Holman, and Mayor Brubaker voted for a 3 hour time limit. The City Council decided to support the implementation of a 3 hour time limit and the other actions proposed by the City Manager.



Councilor Jagoe said he would like to see the parking fines remain the same but have the City start enforcing those fines more. He felt the parking actions should occur in three steps, 1) changing the restrictions to year round, 2) looking at increasing the fine, 3) Reducing the time to three hours.

The City Council decided they would support a discussion on parking fine increases.

PWD Miller said the goal was to have the new signs in place by the second week in May which would be just before the Rhododendron Festival.

- *Apex Helicopter's request to land in the city limits for special events*

Mayor Brubaker said Apex would not be asking to land in the City limits in the near future because they had not been able to achieve property owner permission from the sites they were investigating.

- *LCC Meet the Dean April 28<sup>th</sup> at 10:00 am*

CM Willoughby said the City Council and public were invited to meet the new dean of Lane Community College at Florence on April 28<sup>th</sup> at 10:00 am.

- *2010 Census Appeal*

CM Willoughby said after some research it was determined that the City could not appeal the population numbers from the 2010 census. Mayor Brubaker said it might be possible for the City to use the Portland State University estimates for one more year.

## **MAYOR AND COUNCIL REPORTS**

The City Council had no items to address.

With no further business, Mayor Brubaker adjourned the meeting at 9:51 p.m.

  
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Phil Brubaker, Mayor

## **ATTEST:**

  
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Kelli Weese, City Recorder



Public Works – "Working with a Vision Towards the Future"

## City Of Florence Public Works

### Street Condition Survey Report

Mike Miller  
Public Works Director

## Street Division

### Long Term Goal:

To provide and maintain a high quality and efficient multi-modal transportation system that recognizes that every citizen should be able to travel on our streets and to have a variety of transportation choices. The City is committed to transportation enhancements through road improvements and the provision of high quality trails, bike lanes and sidewalks.

### Essential Requirements:

- Street surface maintenance

## What is PCI?

A numerical index between 0 and 100 and is used to indicate the condition of a roadway. It is widely used in transportation civil engineering and is a statistical measure of the condition of the pavement. The PCI survey will provide us with objective, factual information regarding our street network and quantify the needs.

## How do our Streets stack up?

### 2008 Lane Miles of Street

- 19.18 miles Arterials (PCI 72)
- 11.51 miles Collectors (PCI 79)
- 48.03 miles Residential (PCI 77)

### 2011 Lane Miles of Street

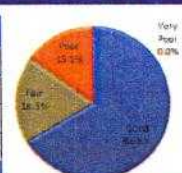
- 14.50 miles Arterials (PCI 65)
- 12.52 miles Collectors (PCI 71)
- 48.34 miles Residential (PCI 74)

Since 2008 Street Condition decreased from 76 to 71

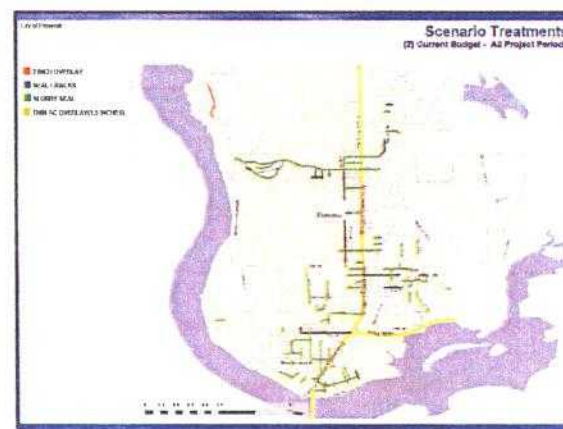
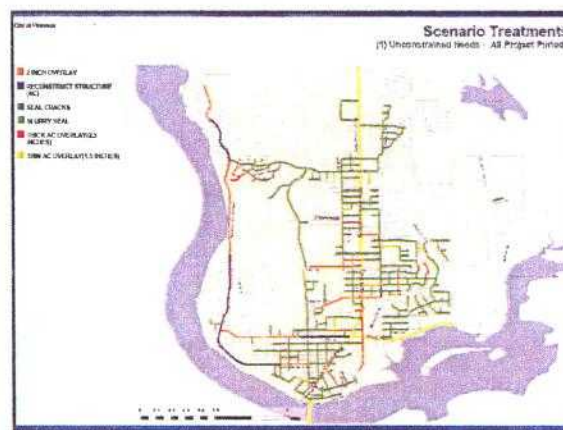
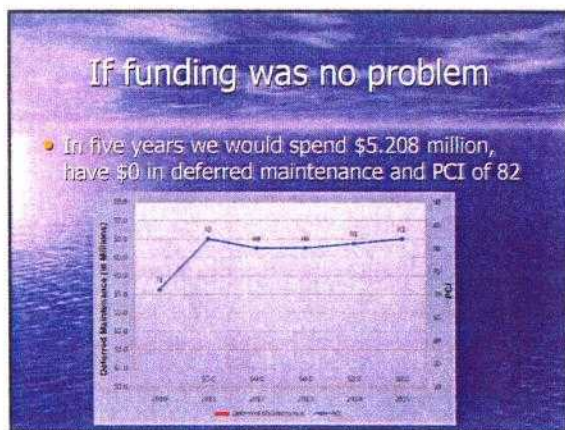
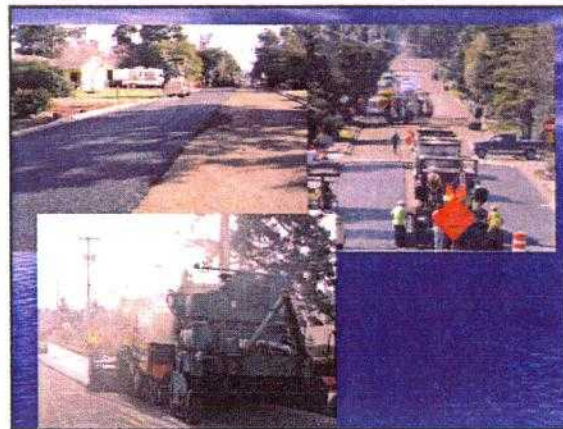
Condition Category	PCI Range	Network %
Good	75 - 100	76.1%
Satisfactory	50 - 74	22.0%
Fair	25 - 49	2.9%
Poor	0 - 24	0%

2008 - Average Network PCI = 76

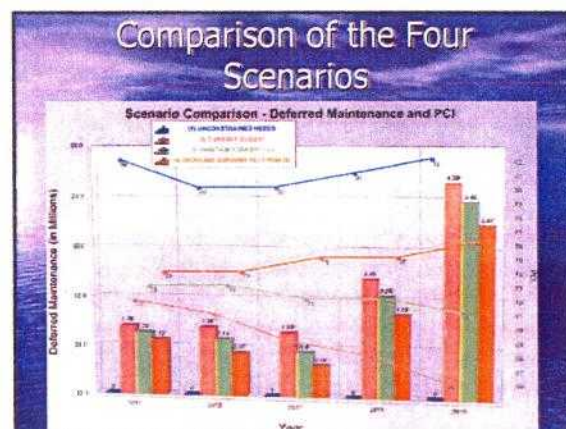
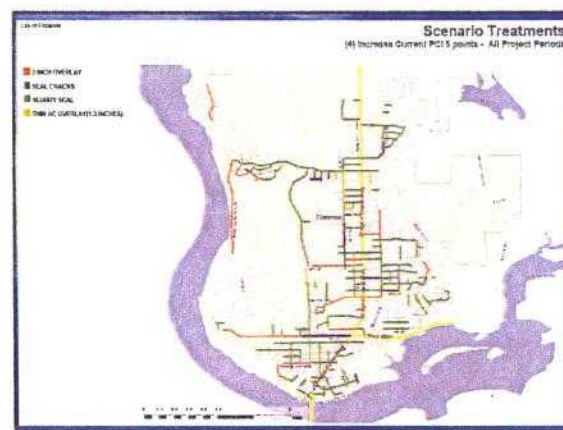
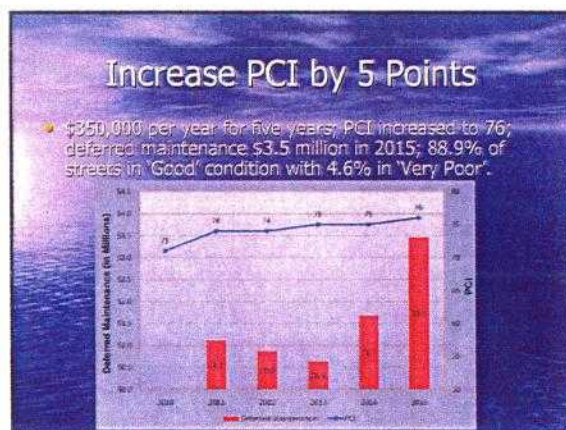
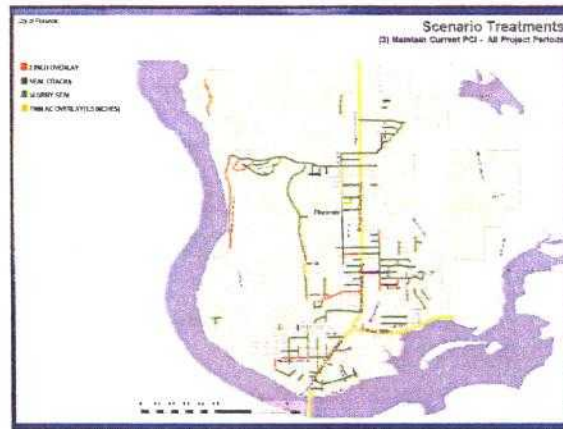
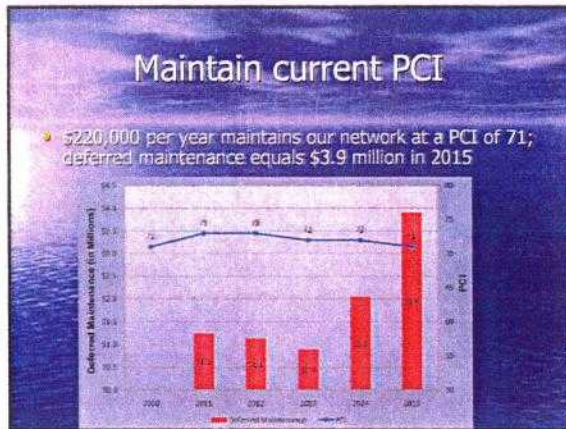
Condition Class	PCI Range	Arterial	Collector	Local	Total
Good (I)	70-100	9.3%	10.5%	46.5%	66.6%
Fair (II III)	50-69	3.2%	4.2%	10.9%	18.3%
Poor (IV)	25-49	7.1%	2.8%	8.2%	18.1%
Very Poor (V)	0-24	0.5%	0.0%	0.0%	0.8%
Totals		20.0%	17.5%	65.3%	













Rhody Drive – PCI 45  
(Remaining Life 5.31 years)



9th Street – PCI 47 (Remaining  
life 4.74 years)



### Next Steps

- PCI only looks at the surface of the street, need to look at subsurface conditions.
- Look at revenue needs to maintain and increase PCI.
- Remember our \$68.6 million investment.
- Look at opportunities to overlay/reconstruct streets in conjunction with utility replacement projects.

### Maple Street - reconstruction



Questions