

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

July 6, 2004

The minutes of the proceedings of a meeting of the City Council of the City of Coos Bay, Coos County, Oregon, with interviews held at 6 p.m. and the regular meeting held at 7 p.m. in the Council Chambers at City Hall, 500 Central Avenue, Coos Bay, Oregon.

Those Attending

Those present were Mayor Joe Benetti and Councilors Jon Eck, Roger Gould, Anna Marie Larson, Jeff McKeown, and Kevin Stufflebean. Councilor Cindi Miller was absent. City staff present were City Manager Chuck Knight, Deputy Recorder Joyce Jansen, City Attorney Nathan McClintock, Planning Administrator Laura Barron, Finance Director Janell Howard, Fire Chief Stan Gibson, Library Director Carol Ventgen, and Police Chief Eura Washburn.

Interviews of Applicants for the Library Board, Tree Board, and Parks Commission

The City Council interviewed Patty Scott, Curt Benward, Jim Loftin, and David Thompson for consideration of appointment to the Library Board, Tree Board, and Parks Commission.

Flag Salute

Mayor Benetti opened the meeting and led the assembly in the salute to the flag. Mayor Benetti requested appointments to the Library Board, Parks Commission and Tree Board be added to the agenda which was approved by the Council.

Consent Calendar

Mayor Benetti reviewed the consent calendar which consisted of a recommendation to approve annual OLCC license renewals for Coney Station, Hours and Ours, Inc. dba Coach House Belle Bee Tavern, and Outdoor In Inc., and approval of the Final Order with Findings of Conditional Use for an 83 Unit Assisted Care Facility. Councilor Eck moved to approve the consent calendar as presented. Councilor Stufflebean seconded the motion which passed with Mayor Benetti and Councilors Eck, Larson, McKeown, and Stufflebean voting aye. Councilor Gould abstained from the vote due to a conflict of interest regarding the assisted care facility.

Appointments to the Library Board, Tree Board and Parks Commission

The City Council appointed Curt Benward to the Library Board with Mayor Benetti and Councilors Eck, Gould, and Stufflebean voting for Mr. Benward; Councilor Larson voting for David Thompson; and Councilor McKeown abstaining from the vote. The City Council appointed Cora Vandervelden and Sharan Thompson to the Tree Board with Mayor Benetti and Councilors Eck, Gould, and Stufflebean voting for Ms. Vandervelden and Ms. Thompson; Councilor Larson voting for David Thompson; and Councilor McKeown abstaining from the vote. The City Council appointed Patty Scott to the Parks Commission with Mayor Benetti and Councilors Eck, Gould, and Stufflebean voting for Ms. Scott; Councilor Larson voting for David Thompson; and Councilor McKeown abstaining from the vote.

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Discussion of Fire Station Study Siting Study

Mayor Benetti explained the Fire Station Siting Committee presented a recommendation on fire station replacements to the City Council at the last meeting. He suggested discussion of the siting study be continued and that Council give staff direction on how to proceed with the project. The Council reviewed the Ocean Blvd. site for the Empire Station and the McAuley property as a possible location for the downtown station. Both locations meet the criteria as determined by the committee. Councilor Larson expressed concern for pedestrian and traffic safety if the station were located at the McAuley site. Councilor Stufflebean commented the city could install the technology to control traffic lights for emergency vehicles. Councilor McKeown commented the McAuley property is within the Downtown Urban Renewal District; however, he was concerned that the property may not be large enough. Mayor Benetti noted there is substantial property at this location and the site does meet the criteria. Councilor Eck commented the second choice for the downtown station was at 4th Street and Elrod Avenue. There was further discussion on use of urban renewal funds for the construction of the downtown station, the geological stability of both sites, and flooding issues.

Councilor Gould commented if the Council would like the issue on the November ballot, they need to direct the city attorney to prepare the ballot title. Councilor McKeown expressed concern about being able to have everything ready for the ballot and recommended the City proceed carefully and do the project right. Councilor Stufflebean commented if the City waits for the May ballot there is the requirement for a double majority vote, otherwise the City would be waiting two years. Mayor Benetti stated the Council would have further discussion on the fire stations at the next meeting.

Public Hearing for the Rezone and Plan Amendment on the Southeast Corner of Ocean Boulevard and Vine Avenue (ZON2004-00030)

Laura Barron, Planning Administrator, read the public hearing disclosure statement to the assembly and explained the location and current zoning of the property. The request is to change the zoning from general commercial to qualified residential/professional. Ms. Barron reported concerns expressed to the Planning Commission were in regards to increased traffic and the petitioners were satisfied with the commission's condition on the rezone. The Planning Commission approved the rezone on June 8, 2004 with the condition that no multi-family dwellings be allowed. Mayor Benetti opened the public hearing. Norman Frazier, 2690 35th Street, representing the residents of 34th, 35th, Yew, and Lindburg streets urged the Council to uphold the condition that no multi-family dwellings be allowed. There being no further public comments, Mayor Benetti closed the public hearing.

Councilor Stufflebean moved to enact the ordinance changing the zoning designation for certain real property from "General Commercial" to "Qualified Residential Professional". Councilor Eck seconded the motion. Deputy Recorder Joyce Jansen read the ordinance by title only and Ordinance No. 355 was enacted by the following vote:

Aye:	Mayor Benetti and Councilors Eck, Gould, Larson, McKeown and Stufflebean
No:	None
Absent:	Councilor Miller

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Councilor Stufflebean moved to enact the ordinance changing the Comprehensive Plan Map designation for certain real property from “Commercial” to “Residential High Density”. Councilor McKeown seconded the motion. Deputy Recorder Joyce Jansen read the ordinance by title only and Ordinance No. 356 was enacted by the following vote:

Aye: Mayor Benetti and Councilors Eck, Gould, Larson, McKeown and Stufflebean
No: None
Absent: Councilor Miller

Rezone of Property Located in John Topits Park (ZON2004-00010/ZON2004-00037)

Mayor Benetti and Councilor McKeown declared a conflict of interest in this matter and stepped down from the Council dais. Mayor Benetti asked Councilor Gould to chair the discussion. Councilor Stufflebean reported he is the Council representative on the Community Action Board. Councilor Gould asked if there were any objections to Councilor Stufflebean participating in the discussion and decision. None were heard. Planning Administrator Laura Barron reported the Council reversed the Planning Commission’s decision to rezone .88 acres in John Topits Park at the June 1, 2004 meeting. Ms. Barron briefly reviewed the property involved, the purpose for the rezone, and the conditions approved by the Council June 1st. Councilor Gould commented the condition to enacting the ordinance is an easement for the city would need to be granted, and noted the findings of fact are included as Exhibit A of the ordinance.

Councilor Stufflebean moved to enact the ordinance changing the zoning designation for certain real property from “Park/Cemetery” to “Qualified Public Educational Facilities”. Councilor Eck seconded the motion. Deputy Recorder Joyce Jansen read the ordinance by title only and Ordinance No. 357 was enacted by the following vote:

Aye: Councilors Eck, Gould, Larson, and Stufflebean
No: None
Abstaining: Mayor Benetti and Councilor McKeown
Absent: Councilor Miller

Approval of the Proposed Agreement of Mutual Land Exchange Between the Coos Bay-North Bend Water Board, the Cities of Coos Bay and North Bend, and Charleston View LLC

City Attorney Nate McClintock reported the Council previously passed a resolution authorizing the land exchange and presented at this time for Council’s approval is the actual agreement for the exchange. Mr. McClintock commented the Planning Commission has requested the agreement be in place before LLC moves forward with the development. Councilor Gould moved to approve the mutual land exchange agreement. Councilor Eck seconded the motion which passed with the Mayor and all Councilors present voting aye.

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City Attorney's Report

City Attorney McClintock reported the Charleston Merchants Association has expressed a desire to be included as a member of the Tourism Promotions Committee. He has contacted Councilor Garboden from North Bend regarding the membership and the North Bend City Council has no objections. Mr. McClintock noted the position would be a non-voting position because Charleston cannot contribute financially to the committee.

City Manager's Report

City Manager Chuck Knight reported there is additional damage to the Marshfield Sun Building that was unforeseen at the time project and funding to replace the siding was approved. Staff will bring a report of the cost of repairs to the council for their consideration. Mr. Knight commented there have been a number of questions regarding urban renewal funds brought by citizens and he recommended an Urban Renewal Agency meeting be scheduled for July 20th.

Public Input on Recruitment of the City Manager

Mayor Benetti explained public input on the recruitment of the city manager would be on the agenda for the next few meetings for the purpose of obtaining criteria from the public for the city manager position. No comments from the public were received. Mayor Benetti reported written comments would also be accepted.

Public Comments

June Est-Pundt, Coos Bay, reported the Concerned Citizens of Empire reviewed the city's goals and noted that goal number two is to continue with development of the Empire Water Front. They also reviewed the water front area and would like to talk with the Urban Renewal Agency about developing the property. Ms. Pundt offered the members of the concerned citizen group to assist the city in maintenance of the area, and requested the agency respond to their proposal for using urban renewal funds to paint Empire structures. Councilor Stufflebean reported the issue was that the property owners would be required to grant an easement to the agency. Councilor Gould commented in the past there were funds available for awnings and Mayor Benetti noted the previous city attorney had concerns with this program.

Ms. Pundt expressed concern about the condition of Ed Lund Park and not having a community building for meetings. She further suggested remodeling the Empire Fire Station rather than building a new facility. Councilor Stufflebean explained the Fire Station Siting Committee had studied the city's fire stations and had made a recommendation to the Council regarding replacement of the stations. Councilor Stufflebean briefly explained the history of Ed Lund Park, noting that it was originally a rose garden and not a playground/picnic park. Mayor Benetti reported Steve Skinner had contacted him regarding the possibility of state funding for the development of the water front property and overlook.

Fred Kirby, 1520 St. John Street, Coos Bay, expressed a number of personal concerns about South Coast Development Council and requested SCDC make a presentation on the government access channel. Mr. Kirby stated he had a list of 40 questions and that someone at the city had been sending him information anonymously. Councilor Gould briefly reviewed the history and purpose of SCDC and noted that many of Mr. Kirby's concerns had been addressed

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when the council was formed. Mr. Kirby commented he has sent numerous emails to the city and no one has responded. Councilor McKeown stated he has received Mr. Kirby's emails and had responded, and further noted SCDC meetings are open to the public. Councilor McKeown also read one of his email responses to Mr. Kirby to the assembly, and invited Mr. Kirby to attend SCDC board meetings. Mr. Kirby stated he would not help with economic development as long as SCDC was here. There were further comments by Mr. Kirby and the Council regarding the purpose and accomplishments of SCDC, Mr. Opitz's position with SCDC, whether SCDC board members would be willing to meet with The World and Coos News for an interview, and the source of funding for SCDC. Ron Opitz, Executive Director for SCDC, commented he had never met Mr. Kirby or Jim Bice until tonight, and his way of doing business is to meet and talk with people. He further commented people are feeling positive with what's happening in the community, and economic development takes time. Mr. Opitz invited Mr. Kirby to sit down with him and discuss his concerns.

Council Comments

Councilor Larson expressed concern about fire works being set off at Marshfield High School on the 4th. City Manager Chuck Knight commented it could have been illegal fireworks and could have been reported to the police department. Councilor Stufflebean commented the 4th of July in Mingus Park and the fireworks were great this year. Councilor Eck reported Fire Department staff participated in the required training for setting off fireworks, and spent 114 man-hours setting up for the firework display. Dan Crutchfield handled the arrangements for the fishing derby in Mingus Park which was manned by four staff and 11 volunteers. Councilor Gould commented it was good to see the 4th of July in Mingus is continuing. He recently walked across Choshi Bridge and commented it is in real need of being replaced. Councilor Gould expressed concern about the building official being contracted out to the City of North Bend when Coos Bay is short staffed. He commented it was good to hear from citizens, although it would appear that Mr. Kirby was given misinformation. Councilor Gould further commented on citizens being involved in the community, such as June Est-Pundt has done.

Councilor McKeown expressed hope that Mr. Kirby would help SCDC with economic development, and in terms of the building official working for North Bend, it is a positive way to cooperate together. There are ways the cities can consolidate some of our services. Mayor Benetti thanked everyone who helped with the 4th of July in the park and the Mayor's Firecracker Run was great. He commented he has received many comments that Coos Bay's fireworks were the best.

Adjourn

There being no further business to come before the Council, Mayor Benetti adjourned the meeting to July 20, 2004 in the Council Chambers at City Hall.

Joe Benetti, Mayor

ATTEST:

Joyce Jansen, Deputy Recorder