

## **MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL**

**November 16, 2004**

The minutes of the proceedings of a regular meeting of the City Council of the City of Coos Bay, Coos County, Oregon, 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, Jeff McKeown, Cindi Miller, and John Muenchrath. Councilor Kevin Stufflebean was absent. City staff present were City Manager Scott McClure, Deputy Recorder Joyce Jansen, City Attorney Nathan McClintock, Finance Director Janell Howard, Fire Chief Stan Gibson, Library Director Carol Ventgen, and Police Chief Eura Washburn.

### **Flag Salute**

Mayor Benetti opened the meeting and led the assembly in the salute to the flag.

### **Administration of the Oath of Office to Mayor Benetti and Councilors Eck, McKeown and Muenchrath**

The oath of office was administered to Mayor Benetti and Councilors Jon Eck, Jeff McKeown, and Dr. John Muenchrath by Deputy Recorder Joyce Jansen.

### **Election of Council President**

Mayor Benetti asked the Council to approve his nomination of Councilor Jeff McKeown as Council President. Councilor Gould moved to appoint Councilor McKeown as the Council President. Councilor Miller seconded the motion which passed with Mayor Benetti and all Councilors present voting aye.

### **Consent Calendar**

Mayor Benetti reviewed the consent calendar which consisted of approval of the October 19, 2004 and November 2, 2004 minutes, and recommendation to approve the OLCC application for Old City Hall Grand Ballroom. Councilor Eck moved to approve the consent calendar as presented. Councilor Miller seconded the motion which passed with Mayor Benetti and all Councilors present voting aye.

### **Public Hearing on the Supplemental Budget for Fiscal Year 2004/2005 and Adoption of Resolution 04-13 Adopting the Supplemental Budget and Making Appropriations**

Finance Director Janell Howard reported the Council had approved moving forward with several wastewater priority projects and directed staff to prepare the supplemental budget at the previous Council meeting. Councilor Gould explained the projects included developing the

methodology for wastewater collection system development charges, construction of the Coalbank Slough pressure line, construction of the North Main Street storm water reroute, replacement of the Alder Street sanitary sewer line, and repair of the Market Street storm water outfall. Mayor Benetti opened the public hearing on the supplemental budget for fiscal year 2004/2005. No comments were submitted and Mayor Benetti closed the public hearing. Councilor Gould moved to adopt Resolution 04-13 adopting the supplemental budget and making appropriations. Councilor Miller seconded the motion which passed with Mayor Benetti and all Councilors present voting aye.

**Public Hearing to Consider Approval of a Special Public Works Loan from OECDD for the Coos Bay-North Bend Water Board Bay Crossing Project and Adoption of Resolution 04-14 Authorizing the Loan and Entering into a Contract with OECDD**

Mayor Benetti reported the Coos Bay-North Bend Water Board is applying for funding for the bay crossing water pipeline project in the amount of \$450,000 from each city, Coos Bay and North Bend. The funds would be a Special Public Works Loan from the Oregon Economic and Community Development Department. Mayor Benetti opened the public hearing for comments. No comments were submitted and Mayor Benetti closed the public hearing. Councilor Miller moved to adopt Resolution 04-14 authorizing a loan from the Special Public Works Fund by entering into a contract with the Oregon Economic and Community Development Department. Councilor McKeown seconded the motion which passed with Mayor Benetti and all Councilors present voting aye.

**Initiation and Setting a Public Hearing for Street Vacations [ZON2004-00084]**

Planning Administrator Laura Barron reported a request has been received from Schlosser Development West, Inc. for the city to act as the applicant for a series of street vacations. The proposed street vacations are part of a plan to develop property located along the southern boundary of the city along Coalbank Slough. Schlosser Development has requested the city act as the applicant for the vacations which will allow them to proceed directly to a hearing before the Planning Commission. Ms. Barron explained the process would help the applicant in that they would not need to obtain notarized consent from each property owner; however, all property owners will receive notice of the hearing. Ms. Barron noted the city has acted as the applicant before, and the final decision would be made by the City Council.

Mayor Benetti stated it is premature to begin the street vacation process before a plan for access to the area has been presented. Ms. Barron commented the burden of proof is on the applicant [Schlosser] to support the street vacation, and at this time, nothing requires that he provide a site plan. Mayor Benetti commented the city has been very accommodating to the developer and it is important to know where the traffic light will be located. Ms. Barron reported the action requested tonight just initiates the process. Councilor Gould commented there is no problem beginning the process and all the abutting property owners would receive notice of the Planning Commission hearing. There was further discussion on the process for street vacations and the requirement for the applicant to justify the vacations. Councilor Gould stated the applicant is aware the city is concerned about traffic in this area. Councilor Miller moved to set

the hearing date before the Planning Commission for January 11, 2005. Councilor Eck seconded the motion which passed with Mayor Benetti and all Councilors present voting aye.

### **City Attorney's Report**

City Attorney Nate McClintock reported both cities had previously approved an amendment to the Tourism and Promotion Committee agreement to add a representative from the Charleston Merchants Association. At the Council's request another amendment was drafted to make the Charleston representative a voting member. The amendment was forwarded to the City of North Bend for approval and the amendment was tabled. Mr. McClintock asked if the Council would like to move ahead with the ordinance modifying the agreement or wait until North Bend has taken action. After a brief discussion, consensus of the Council was to move forward with the ordinance. Councilor Muenchrath commented the controversy is because Charleston does not have a room tax. Mayor Benetti reported the Charleston Merchants Association funds advertisements of the area with the Tourism and Promotions Committee. Mr. McClintock reported on the necessity of an ordinance to handle the requirements of Ballot Measure 37

### **City Manager's Report**

City Manager Scott McClure commented everything is going well after two days on the job.

### **Public Comments**

Ken Cantrill presented a pen and ink drawing of the USS Constitution as a gift to the City of Coos Bay. Mayor Benetti thanked Mr. Cantrill for the drawing and commented it will be hung in a place of honor at city hall.

### **Council Comments**

Councilor Gould welcomed re-elected Councilors McKeown and Eck, and newly-elected Councilor Muenchrath to the Council. He also welcomed Mr. McClure to the City of Coos Bay. Councilor Eck expressed condolences to the family, friends and co-workers of Susan Spargo. She had served on the Planning Commission for several years and will be missed by the city and the community. Councilor Eck also welcomed Councilor Muenchrath and City Manager Scott McClure. Councilor Miller commented she had known Susan from childhood and she will be missed by the community. She also welcomed Councilors Eck, McKeown and Muenchrath to the Council, as well as City Manager McClure.

Councilor Muenchrath congratulated Mayor Benetti and Councilors McKeown and Eck on being re-elected to the City Council. He commented he is looking forward to working with the Council and learning more about city government. Councilor McKeown commented Susan Spargo contributed a lot to the community and will be missed by many. He expressed appreciation for the opportunity to serve on the City Council, and also welcomed Councilor Muenchrath and City Manager Scott McClure.

Mayor Benetti welcomed Scott McClure and his family to Coos Bay, and congratulated Councilors Eck and McKeown on their re-election to the Council. He also welcomed newly elected Councilor Muenchrath to the Council. Mayor Benetti expressed condolences on behalf

of the City to Susan Spargo's family. Ms. Spargo had served on the Planning Commission since 1998, was very active in the community, and will be remembered her contributions to the community. Mayor Benetti reported the Downtown Association's annual Tree Lighting Ceremony would be held on the boardwalk on Saturday, Nov. 27<sup>th</sup> beginning at 6 p.m. and he encouraged everyone to attend the event. Mayor Benetti reported the Planning Commission has requested a work session with the City Council to review the design standards and staff will be contacting the Council for possible meeting dates.

**Executive Session**

An executive session was held pursuant to ORS 192.660(2) (e) for the purpose of discussing real property negotiations. The Council reconvened into regular session.

**Adjourn**

There being no further business to come before the Council, Mayor Benetti adjourned the meeting to December 7, 2004 in the Council Chambers at City Hall.

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Joe Benetti, Mayor

ATTEST:

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Joyce Jansen, Deputy Recorder