

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

December 7, 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 Council President Jeff McKeown and Councilors Jon Eck, Roger Gould, John Muenchrath, and Kevin Stufflebean. Mayor Joe Benetti and Councilor Cindi Miller were 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, Administrative Assistant Susanne Baker, Library Director Carol Ventgen and Police Captain Rodger Craddock.

Flag Salute

President McKeown opened the meeting and led the assembly in the salute to the flag.

Consent Calendar

President McKeown reviewed the consent calendar which consisted of approval of the minutes of November 16, 2004 and adoption of Resolution 04-16 accepting the results of the general election of the Mayor and three City Councilors. Councilor Stufflebean moved to approve the consent calendar as presented. Councilor Gould seconded the motion which passed with all Councilors present voting aye.

Report from the Firefighter's Memorial Committee by Bob Huggins

Bob Huggins, representing the Firefighter's Memorial Committee, reported the committee has been meeting since Spring 2003 to plan a memorial for fallen firefighters Randy Carpenter, Jeff Common, and Chuck Hanners. Several locations were considered and the committee settled on the property across from City Hall on Central Avenue. Mr. Huggins reported Matt Fare and Mike Seldon contributed to the design ideas and local artist Dutch Mostert prepared a rendering of the design. A copy of the design was distributed to the Council and also displayed to the audience. Mr. Huggins reviewed the cost for the memorial, the brochure, and fund raising ideas. Battalion Chief Dean Martin reviewed the firefighter's memorial website – Coosbayfirefightersmemorial.com – which is hosted by PD Designs in Coos Bay. Mr. Martin reported donations to the memorial fund may be made to the Finance Department.

Councilor Gould commented the estimated cost of the memorial is \$100,000, of which \$60,000 is estimated for the statue. Councilor Gould commented on Randy's commitment to education and the establishment of a firefighters education fund by his family. Councilor Gould presented the city with a check for \$20,000 from Randy's parents Wayne and Drew Carpenter, and his daughters Sara and Stephanie for construction of the memorial. President McKeown expressed appreciation to the Carpenter family on behalf of the city.

SOLV – OMI Citizenship Award Presentation

Patty Cook, Bank of America, explained the SOLV citizen award was established to bring government, business and citizens together to enhance the livability of the state. The 2004 banquet was hosted by Bank of America and OMI was recognized as the recipient of this year's award. A video about OMI was shown to the assembly. Steve Simpson, OMI Project Manager in Coos Bay, accepted the award and thanked SOLV, the City Council, and staff for their work.

Request from the Railway Historical Society to Continue Repairs to the Building Located at 766 South First Street

Administrative Assistant Susanne Baker reported the Historic Railway Society has requested approval to make repairs to the building located on the railway museum property. Ms. Baker explained the building is a temporary structure and is partially located in city right of way. The city allows temporary buildings to be located in the right of way; however, a permanent building requires Council approval. Councilor Stufflebean inquired why urban renewal funds were used for the building permit and Ms. Baker reported the agreement between the Historic Railway Society and the Urban Renewal Agency allows use of the funds. Councilor Eck moved to authorize the Railway Society to make repairs to the building contingent upon meeting applicable codes and acquiring permits. Councilor Stufflebean seconded the motion which passed with all Councilors present voting aye.

Consideration of Adoption of Resolution 04-15 Adjusting the Rate for Alum Sludge Treatment and Clarifying the Rate for New Residential Accounts

Administrative Assistant Susanne Baker reported the amount paid by the Coos Bay-North Bend Water Board to the City for treatment of alum sludge is reviewed annually and an adjustment is made to insure that the cost of the service is reflected in the fees paid. Ms. Baker explained the resolution also clarifies the language for new residential accounts that open during the April billing cycle. Councilor Stufflebean moved to adopt Resolution 04-15 setting sewer user rates, charges and fees. Councilor Gould seconded the motion which passed with all Councilors present voting aye.

Consideration of Enactment of an Ordinance to Amend the Tourism Promotion Agreement to Permit the Charleston Merchant's Association to be a Voting Member

City Attorney Nate McClintock reported an ordinance was enacted in October to include a representative from Charleston on the Tourism Promotions Board and the amendment would make the position a voting member. The City of North Bend will be considering the amendment at their next council meeting. Councilor Stufflebean moved to enact the ordinance amending the Tourism and Promotions Committee agreement. Councilor Gould seconded the motion and Deputy Recorder Jansen read the ordinance by title only. Ordinance No. 359 was enacted by the following vote:

Aye: Councilors Eck, Gould, McKeown, Muenchrath, and Stufflebean

No: None
Absent: Mayor Benetti and Councilor Miller

**Consideration of Enactment of Ordinances to Change the Zone
Designation of approximately 13 Acres Located in the Eastside Area**

City Attorney Nate McClintock read the public hearing disclosure to the assembly and explained the zone change involves approximately 13 acres in the Eastside area. Mr. Thompson owns a parcel in the buffer zone and has requested the zoning be changed to permit a single-family dwelling. Councilor Stufflebean stated for the record that he is related to Mr. Thompson, but has not had discussion on this issue, and feels he is able to make an impartial decision.

Mr. Elton Thompson, owner, commented the Port had rezoned the area to R3 some years ago which included his lot as well. He requested the Council to approve rezoning his property so he could build a house. There was further discussion on the merits of rezoning Mr. Thompson's property and the impact of Ballot Measure 37 if the remaining property were rezoned. Councilor Muenchrath commented not rezoning the remaining property would not prevent use of the property. Councilor Gould moved to enact the ordinance changing the zoning designation for certain real property from "buffer" to "single-family and duplex residential". Councilor Eck seconded the motion and Deputy Recorder Jansen read the ordinance by title only. Ordinance No. 360 was enacted by the following vote:

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

Councilor Gould moved to enact the ordinance changing the Comprehensive Plan Map designation for certain real property from "Quasi Public" to "Residential Low-Density". Councilor Stufflebean seconded the motion and Deputy Recorder Jansen read the ordinance by title only. Ordinance No. 361 was enacted by the following vote:

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

City Attorney's Report

City Attorney Nate McClintock reviewed the proposed ordinance establishing a procedure and policy in response to the requirements of the passage of Ballot Measure 37. The law went into effect December 2, 2004 and at this time the City has not received claims for compensation under this measure. There was further discussion on the claims process, a set fee versus a fee for the cost of service, and where the city would take the funds to pay an approved claim. Mr. McClintock suggested the Council review the draft and schedule the ordinance for the next meeting.

City Manager's Report

City Manager Scott McClure reported he has met with employees, attended meetings in the community, and visited with citizens. He briefly reported on a meeting with the School District regarding emergency planning.

Public Comments

Lou Leberti, 1725 North 8th Street, expressed concern about the South Coast Gospel Mission operating in his neighborhood and requested the City consider allowing placement of a gate on 8th Street to restrict the use of the gravel road. Councilor McKeown suggested staff review the request.

Council Comments

Councilor Eck reminded the public to use designated drivers, and the Volunteer Firefighters will be hosting at Shore Acres on the 26th. Councilor Stufflebean expressed disappointment the Council has not received an update of the fire station siting. City Manager McClure commented a report would be given at the next Council meeting. Deputy Recorder Jansen reported the Mayor had previously recommended the City Council meet in a work session on this subject. President McKeown recommended the Council give consideration to forming a joint Coos Bay-North Bend Committee to look into ways the two cities can cooperate in the provision of services.

Executive Session

Pursuant to ORS 192.660 (2) (d) an executive session will be held for the purpose of discussing labor negotiations. The City Council reconvened into regular session.

Adjourn

There being no further business to come before the Council, President McKeown adjourned the meeting to December 21, 2004 in the Council Chambers at City Hall.

Jeff McKeown, Council President

ATTEST:

Joyce Jansen, Deputy Recorder