

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

April 19, 2005

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 Stufflebean was absent. City staff present were City Manager Scott McClure, Deputy Recorder Joyce Jansen, City Attorney Nathan McClintock, Fire Chief Stan Gibson, Library Director Carol Ventgen, Police Chief Eura Washburn.

Flag Salute

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

Presentation of the Tree City USA Award by Jennifer Wright, Oregon Department of Forestry

Jennifer Wright reported the City of Coos Bay is one of 38 cities in Oregon participating in the National Arbor Tree Foundation. Ms. Wright presented the City Council with the 2004 Tree City flag and certificate.

Presentation of Certificates of Appreciation to the Choshi Bridge Committee

Mayor Benetti expressed appreciation to the members of the Choshi Bridge Committee for moving forward quickly with the design and fundraising for the replacement of Choshi Bridge. Certificates of Appreciation were presented to June Est-Pundt, Gary Rifkin, Roger Gould, Cindi Miller and Mike Vaughan. Members acknowledged but not present were Jerry Baldock, Bev Meyers and Mark Villars. Ms. Est-Pundt presented the City with a check for \$1,000 from the Sister City Association. Mr. Rifkin, chair of the committee, commented the members worked well together and were able to do their work quickly, and he commended Cindi Miller for her fund raising endeavors.

Department Reports

Chief Stan Gibson reported the annual volunteer firefighters awards banquet was held last weekend and over 140 years of service to the community was recognized.

City Attorney's Report

City Attorney Nate McClintock reported recently Larry Wood had requested the City look into prohibiting the use of burn barrels. Open burning is addressed in the City's building ordinance and is allowed within the city with a permit. Chief Gibson commented a permit is not required for a burn barrel and the City follows DEQ regulations, and staff will be updating the current

ordinance in the near future. He explained if a fire is creating a nuisance, Fire Department staff would ask the citizen to put it out.

Mr. McClintock reported a mediator is being selected for firefighter negotiations, and meetings have been scheduled for May 12th to hear presentations on health savings plans.

City Manager's Report

City Manager Scott McClure distributed a work plan for the City goals and briefly reviewed the plan. Mayor Benetti inquired about the wastewater systems development charge and Mr. McClure reported the project has started and the street sdc will be less complicated. Mr. McClure reminded everyone of the Budget Committee meeting next Tuesday.

Public Comments

Larry Wood, Coos Bay, expressed concern for the quality of life, safety, and health issues that may be compromised by open burning. He reviewed information and statistics from his research and encouraged the Council to consider restricting burning throughout the city. Mayor Benetti commented the EPA and DEQ agencies monitor environmental quality and at this time the Council does not see a reason to make changes to the ordinance.

Lou Leberti, Coos Bay, reported his request to close North 8th Street was denied by the city manager and he is asking for an appeal of the decision. Mr. Leberti expressed frustration at the length of time to obtain copies of public records and that the appeal was not on the agenda for this meeting. There was further discussion on the condition of the street, traffic and safety concerns, and maintenance. Mr. Leberti stated he and the residents would like the street closed. Mrs. Leberti commented there are 45 homes in the area and there were no problems when the street did not go through in the past. The street was a deadend from 1974 through 1996. She also expressed concerns for safety due to speeding on the street. Mr. Leberti stated he would install the gate himself if it was allowed by the City. Mayor Benetti commented if installed, the Leberti's must be willing to remove if required. Councilor Muenchrath commented a majority of the residents did not support closing the street and suggested before taking action, notification should be given to all the residents.

Councilor Gould commented North 8th is a platted street and was closed until 1996, and was opened up at the request of a single property owner. There was further discussion regarding notice of a public hearing and the right of way use permit. Mayor Benetti expressed disappointment the item was not on the agenda and City Manager McClure reported the item had been removed because Mrs. Leberti wanted to have copies of the requested public documents before the meeting. Councilor Gould commented as a public issue, procedurally, Council needs to have a public hearing. City Attorney McClintock will review the process.

Jack Bushmaker, Coos Bay, commented he has lived in the neighborhood for 22 years and he and many of the residents are opposed to closing the street. Notice had not been given that the item would be discussed so many of the residents had not attended this evening's meeting. Mr. Bushmaker suggested the school bus service, post office, and fuel delivery trucks also be given notice of hearing. He asked that notice of the public hearing be given to the residents.

Mary Hoffman, Coos Bay, asked that the street remain a deadend street and expressed concern about traffic moving too fast on the street. There is a day care center located in the area and she was concerned for the safety of the children.

Council Comments

Councilor Gould commented he will miss the second budget meeting and the next council meeting due to knee replacement surgery. Councilor Eck reported he had participated in an Eagle Court of Honor for Josh Brainard on Sunday and noted that less than 4 percent of Boy Scouts reach Eagle level. Councilor Miller reported fund raising for Choshi bridge is going well and expressed condolences to Laurel Ashman's family. Councilor Muenchrath thanked citizens for their comments at the meeting. Councilor McKeown thanked Mr. McClure for the progress report, but expressed frustration that the city was not further along with the goals.

Mayor Benetti reported an open house for ACS will be held April 23rd and the tallships, Bill of Rights and Lady Washington will be in port this month. He also extended condolences to Ms. Ashman's family and noted a memorial service will be held Sunday afternoon. Mayor Benetti congratulated firefighters for their years of service to the community. He commented Mr. McClure has been city manager for six months and it is time to do an evaluation. The Council will be contacted to schedule the meeting.

Executive Session

The executive session scheduled pursuant to ORS 192.660 (2) (d) for the purpose of discussing labor negotiations was cancelled.

Adjourn

There being no further business to come before the Council, Mayor Benetti adjourned the meeting to May 3, 2005 in the Council Chambers at City Hall.

Joe Benetti, Mayor

ATTEST:

Joyce Jansen, Deputy Recorder