

**MINUTES OF THE PROCEEDINGS OF THE
CITY OF COOS BAY CITY COUNCIL**

July 6, 2010

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 the City Council Meeting

Those present were Mayor Jeff McKeown and Councilors Mark Daily, Jon Eck, Joanie Johnson, Stephanie Kramer, Gene Melton, and John Pundt. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Finance Director Rae Lea Cousens, Deputy Finance Director Susanne Baker, Planning Administrator Laura Barron, Public Works and Development Director Jim Hossley, Fire Chief Stan Gibson, Library Director Carol Ventgen, and Police Captain Cal Mitts.

Flag Salute

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

Consent Calendar

Mayor McKeown reviewed the consent calendar which consisted of 2a: approval of the minutes for the June 15, 2010 Council Meeting; 2b: approval to submit a letter to OCZM program for a state planning grant; 2c: approval of Fire Station No. 1 (Team) Change Orders No. 15 (\$6,159) and 16 (\$10,150); 2d: ratification of lodging representative Joe Monahan to the Visitor and Convention Bureau Board; 2e: approval of a new OLCC license for All American Pizza Coop; 2f: approval of card room license for Captain's Cabin; 2g: approval of OLCC license renewals for 7-Eleven, Captain's Cabin, Cranberry Sweets, Coney Station, El Sombrero, Sharkbites Seafood Café, Smith's Bayway Market, and Walt's Pourhouse; 2h: ratification of the Bay Area Chamber of Commerce appointment of Mark Mattecheck to the Visitor and Convention Bureau Board; and 2i: approval of OLCC license renewal for Outdoor Inn. Councilor Kramer moved to approve the consent calendar approving the minutes of the June 15, 2010 Council Meeting; approving submittal of a letter to OCZM program for a state planning grant; approving Fire Station No. 1 (Team) Change Orders No. 15 (\$6,159) and 16 (\$10,150); ratifying lodging representative Joe Monahan to the Visitor and Convention Bureau Board; approving new OLCC license for All American Pizza Coop; approving card room license for Captain's Cabin; approving of OLCC license renewals for 7-Eleven, Captain's Cabin, Cranberry Sweets, Coney Station, El Sombrero, Outdoor Inn, Sharkbites Seafood Café, Smith's Bayway Market, and Walt's Pourhouse; ratifying Bay Area Chamber of Commerce's appointment of Mark Mattecheck to the Visitor and Convention Bureau Board; and exclusion of consent calendar item 2i, OLCC license renewal for the Outdoor Inn. Councilor Melton seconded the motion which passed with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye. Councilor Kramer moved to approve OLCC license renewal for the Outdoor Inn. Councilor Eck seconded the motion which passed with Mayor McKeown and Councilors Eck, Johnson, Kramer, Melton, and Pundt voting aye. Councilor Daily abstained from the vote, is deemed, pursuant to the provisions of 4.7.4 of the Rules of the City Council, to have voted with the majority, which approved the motion.

**Presentation on Auto Angel by Coos Bay Toyota's
General Manager Howard Forte**

Mr. Howard Forte was not present to address the agenda item.

**Public Hearing on the Plan Amendments and Rezone
of Angell Asset Group – Approval Would Require
Enactment of the Draft Proposed Ordinances**

Planning Administrator Laura Barron read the public hearing disclosure and stated Mr. Gary Angell applied to change the plan and zone designation on 2.59 acres of property in Eastside, west of 5th Avenue, north of H Street, east of Isthmus Slough, and south of F Street. Oregon Department of Land Conservation and Development (DLCD) Field Representative Dave Perry submitted a letter raising the issue of adjacent tidelands owned by Georgia Pacific West. Mr. Perry stated in order to remove the water-dependency from the subject project the estuarine designation for the tidelands would need to be redesignated for non-water dependent adjacent uses. The applicant requested a continuance at the June 15, 2010 Council meeting in order to pursue written authorization from Georgia Pacific West to change the estuarine designation of the tidelands adjoining the subject property. The proposal was amended to include only the Angell property. Ms. Barron stated DLCD has subsequently stated the area of the plan and zone change was of an insignificant amount and Georgia Pacific West's approval would not be required. Copies of a letter dated July 6, 2010 from Steven Abel, Stoel Rives LLP, for Georgia Pacific was provided to the Council and read into the record as Exhibit 1. Mayor McKeown opened the public hearing. No public comments were given and the hearing was closed. Councilor Pundt moved to adopt the findings and conclusions set forth in the Planning Commission's Final Recommendation for amendments to Volume III, Coos Bay Estuary Management Plan, and enact the Ordinance to facilitate the residential development of the subject property. Councilor Johnson seconded the motion. Deputy Finance Director Susanne Baker read the ordinance by title only and Ordinance No. 435 was enacted by the following vote:

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| Aye: | Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt. |
| Nay: | None |
| Absent: | None |

Councilor Pundt moved to adopt the findings and conclusions set forth in the Planning Commission's Final Recommendation and enact the Ordinance to change the plan map designation from "Industrial" to "Residential High-Density" and "Residential Low-Density;" Councilor Johnson seconded the motion. Deputy Finance Director Susanne Baker read the ordinance by title only and Ordinance No. 436 was enacted by the following vote:

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| Aye: | Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt. |
| Nay: | None |
| Absent: | None |

Councilor Pundt moved to adopt the findings and conclusions set forth in the Planning Commission's Final Recommendation and enact the Ordinance to change the zone designation of the subject property from "Waterfront Industrial" to "Multiple Residential" and "Single-family

and Duplex Residential.” Councilor Johnson seconded the motion. Deputy Finance Director Susanne Baker read the ordinance by title only and Ordinance No. 437 was enacted by the following vote:

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| Aye: | Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt. |
| Nay: | None |
| Absent: | None |

Consideration of Revisions to Title 17 of the Coos Bay Municipal Code (CBMC)

Planning Administrator Laura Barron stated the School District 9 Maslow Project, services for homeless and at-risk youth, was proposed to be located in an existing residence at 760 S. 2nd Street zoned “General Commercial” (C-2), an allowed use in the C-2. However once the structure was converted to another use, permitted within the zone, said structure shall not revert back to residential use. The landowner of the residence does not want to relinquish the ability to use the structure as a residence after the 12-month period of the School District’s use for the nonresidential use for the Maslow Project. A Variance to the Code for the commercial zone would not be permissible to avoid an inconvenience, increase profitability, correct a self-created hardship, or allow the use of property for a purpose not authorized within the zoning district, CBMC Chapter 17.350.010. An option would be to amend CBMC Chapter 17.25.030 to allow more than 12 months before a nonconforming use would relinquish the ability to remain as the nonconforming use. Amending the Code to allow a greater period than 12 months for the expiration of a nonconforming use would apply throughout the City to all nonconforming uses. Lisa Gisavio, Maslow Project representative, stated the criteria used to select a property included proximity to the high school, public transit system, parks; property with a kitchen and shower facilities; and economical rent. Ms. Gisavio stated the facility will be a one-stop resource for kids and families in need of services. Councilor Daily asked City Attorney McClintock if the item could be revisited after a certain amount of time to evaluate the use wherein City Attorney McClintock stated yes. Councilor Daily moved to direct staff to proceed with the process to change the Coos Bay Municipal Code to allow a time period greater than 12 months before a nonconforming use expires. Councilor Kramer seconded the motion which passed with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

Appointment of City Representative to the Visitor & Convention Bureau Board

Mayor McKeown moved to appoint Councilor Johnson to the Coos Bay North Bend Visitor Convention Bureau Board. Councilor Melton seconded the motion which passed with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

Consideration of Changes to City Banner Regulations

Public Works and Development Director Jim Hossley stated by consensus of the City Council at the February 16, 2010 meeting, staff was directed to revise the City’s banner regulations to allow for-profit business logos on banners when hung on city property. The proposed changes allow logos that do not cover more than 25% of the face of the banner; are not the primary focus

of the banner; priority would be given for banners with community events held within the city limits; and reservations allowed up to two weeks ahead of the event. Mayor McKeown stated the change would be consistent with city goals of promoting our local economy. Councilor Pundt stated alcohol and tobacco advertising logos on banners would not exemplify the image the City Council would want to project. Mr. Hossley affirmed for Councilor Melton that the Oregon Dept. of Transportation (ODOT) does not allow business logos on banners hung over Highway 101. Councilor Pundt moved to approve the banner regulations as proposed and prohibit logos and language advertising alcohol and tobacco. Councilor Kramer seconded the motion which passed with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

Coos Bay Public Library's Quarterly Report by Library Director Carol Ventgen

Library Director Carol Ventgen provided a quarterly report from January - March 2010 of library activities and services offered to the public. Ms. Ventgen provided information on the Library's events surrounding the 100th birthday celebration.

Public Comments

Steve Pickering, Coos Bay: Stated the Coos Bay Speedway will be hosting a "Run to the Bay" event on July 31st and August 1st. Gary Riftkin, Coos Bay: Spoke of his concerns regarding the condition of the Lockhart building as well as his adjacent structure.

City Attorney's Report

No report was given.

City Manager's Report

City Manager Rodger Craddock stated this month commences the schedule of one Urban Renewal meeting per month; Taylor's Fish Market was a success; there were 45 vendors at the Farmer's Market; and the Coquille Tribe will be formally accepting the new Visitor & Convention Bureau agreement.

Council Comments

Councilor Daily suggested signage be placed on the boardwalk for businesses wherein Mr. Craddock stated Ms. Jansen was working on this project; and announced the Lab Band started a "second time around" group. Councilor Johnson stated the Coos Art Museum was exhibiting Maritime Art from July 17th through September 18th; thanked Fire Chief Gibson for the fireworks display and new fire station dedication; announced the Coos Art Museum fundraising dinner; and was impressed with the Boat Building Center dedication. Councilor Kramer stated the Boat Building Center gained 45 charter members; the Clamboree was successful; the new fire station dedication was wonderful; thanked the City for commencing the Hollering Place project; impressed with the success of the Farmer's Market; and suggested the City address tall growing weeds. Councilor Pundt stated the Clamboree was a success and the Hollering Place project was progressing. Councilor Melton announced the showing of the movie The Great Escape, at

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the Egyptian Theater, Friday, 7:00 p.m. Councilor Eck thanked those who attended the new fire station dedication; commended Fire Chief Gibson for the success of the construction project. Mayor McKeown stated the Clamboree, Boat Building Center, and Fire Station dedication was successful; thanked Councilor Eck for starting the 4th of July Mayor's Firecracker Run; and attended the Coquille Tribe Restoration Day event.

Fire Chief Gibson presented Councilor Pundt a dedication plaque for the new fire station; commended the Auxiliary for the 4th of July in the park fishing pond; and was pleased with the successful fireworks presentation.

Adjourn

There being no further business to come before the Council, Mayor McKeown adjourned the meeting. The next regular Council meeting was scheduled for July 20, 2010 in the Council Chambers at City Hall.



Jeff McKeown, Mayor

Attest: 

Rae Lea Cousens, City Recorder