

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

March 19, 2013

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 Crystal Shoji and Councilors Mark Daily, Jennifer Groth, Stephanie Kramer, Gene Melton, John Muenchrath, and Mike Vaughan. City staff present were City Manager Rodger Craddock, Finance Director Susanne Baker, Deputy Finance Director Amy Kinnaman, Economic Revitalization Administrator Joyce Jansen, Public Works and Development Director Jim Hossley, Library Director Sami Pierson, Fire Chief Stan Gibson, and Police Chief Gary McCullough.

Flag Salute

Mayor Shoji opened the meeting and asked Michael Coburn and Mikayla Reed to lead the Council and assembly in the salute to the flag.

Public Comments

No comments were given.

Consent Calendar

Mayor Shoji reviewed the consent calendar which consisted of 3a: approval of the minutes of March 5, 2013 3b: acceptance of February 2013 accounts payable and payroll check registers; and 3c: acceptance of the February 2013 combined cash report. Councilor Melton moved to approve the consent calendar approving the minutes of March 5, 2013, accepting the February 2013 accounts payable and payroll check registers, and accepting the February 2013 combined cash report. Councilor Groth seconded the motion which carried with Mayor Shoji and Councilors Daily, Groth, Kramer, Melton, Muenchrath, and Vaughan voting aye.

Presentation of the Welcome Home Vietnam Proclamation by Michael Coburn of the Marshfield High School Memorial Day Planning Committee

Michael Coburn and Mikayla Reed presented a Welcome Home Vietnam proclamation on behalf of the Marshfield High School Memorial Day Planning Committee. Mr. Coburn and Mayor Shoji read the proclamation aloud, declaring March 30th as Welcome Home Vietnam Veterans Day. Councilor Melton moved to approve the Welcome Home Vietnam Veterans proclamation. Councilor Kramer seconded the motion which carried with Mayor Shoji and Councilors Daily, Groth, Kramer, Melton, Muenchrath, and Vaughan voting aye.

Semi-Annual Report on the Coos Bay/North Bend Visitor Convention Bureau by Director Katherine Hoppe

Katherine Hoppe, Director of Promotions and Conventions for the Coos Bay-North Bend Visitor and Convention Bureau (VCB) provided a report on the VCB's activities. Highlights included the

City Council Minutes – March 19, 2013

an update on the yearlong research project tracking visits to the VIC's website and visitor information center guests, in addition to the new Adventure Coast Coupon Card Program, tradeshow programs and partnerships, and the success of the recent 3A Tournament. Ms. Hoppe also highlighted the VIC's website performance, features, and usage.

Approval of the Fiscal Year Ending (FYE) 2013 Technology Purchases

Finance Director Susanne Baker stated the approved FYE 13 budget included technology purchases for the Finance Department, City Manager's Office, Urban Renewal Administration division, and server upgrades. The equipment would be purchased through Dell utilizing government/special State pricing tables. This year's order included six desktop computers; four notebooks, monitors, wireless keyboard/mice bundles; and one management (documents) server, one SQL (databases) server, one messaging (emailing) server, and one virtual server for an approximate total of \$48,900. Councilor Kramer moved to approve the \$48,900 in technology purchases. Councilor Daily seconded the motion which carried with Mayor Shoji and Councilors Daily, Groth, Kramer, Melton, Muenchrath, and Vaughan voting aye.

Approval of the Tax-Exempt Bonds Post-Issuance Compliance Policy

Finance Director Susanne Baker stated during the processing of the recently completed refunding of the Urban Renewal Agency (Agency) bonds, bond counsel advised that the Agency and City of Coos Bay (City) should adopt a post-issuance compliance policy for tax-exempt bonds. The policy sets forth procedures for the City and Agency to ensure compliance with applicable requirements of the federal tax law necessary to preserve the tax status of tax-exempt obligations. The policy would cover all issuance(s) of new and outstanding tax-exempt bonds in accordance with applicable federal tax requirements. Adoption of the policy would provide financial sophistication for the Agency and City along with assurances to the Internal Revenue Service and to other financial institutions of the intent and commitment to comply with federal tax requirements. Ms. Baker noted tax-exempt bond issuances of governmental agencies were also subject to Internal Revenue Service audits and were on the rise due to the economic conditions of the past several years and the failures in the financial markets. Councilor Groth moved to approve the tax-exempt bonds post-issuance compliance policy. Councilor Melton seconded the motion. Councilor Daily inquired if there were reasons to use a non-tax exempt bonds whereby Ms. Baker explained any investment in private property or public property that was privately managed had to be less than 10% aggregate of the total tax exempt proceeds. A call for the question was made which carried with Mayor Shoji and Councilors Daily, Groth, Kramer, Melton, Muenchrath, and Vaughan voting aye.

Consideration of Approval to Acquire Timber Land from Coos Bay/North Bend Water Board

Public Works and Development Director Jim Hossley stated based on a recommendation from the City's Timber Management Consultant, Stuntzner Engineering & Forestry, LLC, the City and the Coos Bay/North Bend Water Board (CBNBWB) entered into a Memorandum of Understanding (MOU) to conduct a joint timber sale which included .88 acres of timber cruise owned by the CBNBWB and surrounded by City owned land. The MOU also included an option for the City to purchase the .88 acres "at a price to be mutually determined and agreed to by the City and CBNBWB". Greg Stone of Stuntzner Engineering prepared an appraisal of the land

City Council Minutes – March 19, 2013

which determined the value of the newly planted land was \$788. Mr. Hossley noted staff would need to prepare a lot line adjustment if the property was purchased. Councilor Muenchrath moved to approve the preparation of a lot line adjustment and the purchase of the .88 acres from the Coos Bay North Bend Water Board for the cost of \$788. Councilor Kramer seconded the motion which carried with Mayor Shoji and Councilors Daily, Groth, Kramer, Melton, Muenchrath, and Vaughan voting aye.

Authorization of a Special Procurement Process to Purchase Tanker Trailer(s)

Public Works and Development Director Jim Hossley stated the City fleet included a tractor with a pressurized tanker trailer to haul sludge (bio solids) from wastewater treatment plant #2 to the sludge lagoon in Eastside. Mr. Hossley noted the tanker trailer was in poor condition and in need of replacement. Pursuant to Section 2 of the City's contracting rules, Mr. Hossley requested the Council to authorize a special procurement process to purchase pressurized sanitary sewer tanker trailers and/or a truck mounted tank system. Estimated replacement cost was \$150,000 due to the specialty nature of the pressurized tanks which was an estimated cost savings over the standard purchasing method of \$20,000 - \$30,000. Councilor Muenchrath moved to authorize the special procurement process to purchase two sanitary sewer tanker equipment pieces not to exceed a total cost of \$150,000. Councilor Kramer seconded the motion which carried with Mayor Shoji and Councilors Daily, Groth, Kramer, Melton, Muenchrath, and Vaughan voting aye.

Award of Bid for the 10th Street and Lockhart Avenue Sewer Improvement Project

Public Works and Development Director requested approval of bid to Benny Hempstead Construction in the amount of \$218,632 for removal and replacement of 175 feet of failed sanitary sewer along S. 10th Street from West Lockhart Avenue and continuing north approximately 650 feet aligned in an easterly direction. The construction would include replacement of connections which served numerous private properties. Mr. Hossley noted the project was associated with the 20-year take down schedule for storm and sewer projects which were being funded by an Oregon Infrastructure Finance Authority (IFA) grant and loan. Councilor Muenchrath disclosed that Benny Hempstead was a personal friend whereby the Council declared no conflict with Councilor Muenchrath. Councilor Kramer moved to award the bid to Benny Hempstead Excavating Inc. for the 10th and Lockhart sewer improvement project for the amount of \$218,632 plus a contingency of \$31,368 for an amount not to exceed of \$250,000 without prior approval from the Council. Councilor Daily seconded the motion which carried with Mayor Shoji and Councilors Daily, Groth, Kramer, Melton, Muenchrath, and Vaughan voting aye.

City Attorney's Report

City Attorney Nate McClintock was absent.

City Manager's Report

City Manager Rodger Craddock stated the City earned Tsunami Ready/Storm Ready recognition from NOAA's National Weather Service, a ceremony was scheduled for Friday, March 22nd at 2:00 p.m. at the Downtown Fire Station; reported continued progress on the

City Council Minutes – March 19, 2013

creation of the Urban Renewal Advisory Committee and the Street Task Force; announced both the City and Coos Bay-North Bend Water Board received an American Tree Farm Certification. Mr. Craddock also announced the Coos Bay Police Department recently implemented video conferencing system to allow officers to make grand jury testimony here at City Hall and would eliminate the need to travel back and forth from Coquille; reminded the Council the next City Council meeting was scheduled for April 2, 2013 and would be held at the Coos Bay Public Library; reminded the Council that Budget Committee meetings were scheduled for April 18, 23, 25, and 30th in the Council Chambers.

Council Comments

Councilor Groth stated nine art projects were selected to be added to the 2nd Court mural project; noted the League of Oregon Cities would be holding meeting in Coquille on April 3rd at 5:00 p.m. Mayor Shoji encouraged students of all ages to participate in on the “If I Were Mayor Contest”.

Executive Session

An executive session was scheduled to be held pursuant to ORS 192.660 (2) (e) for the purpose of discussing real property transactions. Due to a decision of the Urban Renewal Agency to not purchase the Sunset Pub property, the executive session was not held.

Adjourn

There being no further business to come before the Council, Mayor Shoji adjourned the meeting. The next regular Council meeting was scheduled for April 2, 2013 in the large meeting room at the Coos Bay Public Library.

Attest:

Susanne Baker, City Recorder

Crystal Shoji, Mayor

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

April 2, 2013

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 Library Meeting Room, 525 Anderson Avenue, Coos Bay, Oregon.

Those Attending

Those present were Mayor Crystal Shoji and Councilors Mark Daily, Jennifer Groth, Stephanie Kramer, Gene Melton, John Muenchrath, and Mike Vaughan. City staff present were City Manager Rodger Craddock, Acting City Attorney Karen Costello, Finance Director Susanne Baker, Economic Revitalization Administrator Joyce Jansen, Library Director Sami Pierson, Fire Chief Stan Gibson, and Police Chief Gary McCullough.

Flag Salute

Mayor Shoji opened the meeting and asked Council President Stephanie Kramer to lead the Council and assembly in the salute to the flag.

Mayor Shoji's Introduction Comment Concerning Process of Meeting

Mayor Shoji welcomed the audience, reviewed the agenda and rules for the evening, and stated the meeting would be run with civility.

City Manager's Report Regarding the Mingus Park Memorial

City Manager Rodger Craddock provided a brief history of the Mingus Park Veterans Memorial; noting on April 10, 1972 the City Council supported the Bay Area Jaycees request to make several improvements to Mingus Park which included a Vietnam Memorial. July 24, 1972 City Council meeting minutes reflect the Council approved a resolution commending the Bay Area Jaycees for their work in Mingus Park. September 19, 1972 City Council minutes reflect the Council's decision to inform the Jaycees of three complaints/objections received and possible future objections, in hope the Jaycees could resolve the concerns. Mr. Craddock noted on October 19, 2010, Landy Marshall (former member of the Bay Area Jaycees) requested the Council/City to rehabilitate the memorial because the finish had deteriorated due to exposure over the years. During the summer of 2011, city staff attempted to clean the memorial by pressure washing but failed to make any visible improvements. During the summer of 2012, city staff contracted with Brock Concrete to resurface the memorial by pressure grouting a thin layer of grout over the exterior at a cost of \$485.

Mr. Craddock stated on August 21, 2012 Mayor Shoji received a concern from a Myrtle Point resident and member of the South Coast Secular Society who thought the recently refinished memorial was new and "a clear violation of separation of church and state." On February 7, 2013 the City Manager's office received a letter from the Freedom From Religion Foundation (FFRF) regarding the memorial. The author advised their organization was contacted by some of their "Oregon members regarding the cross" and asserted the memorial was unconstitutional because of the presence of the cross and requested the immediate removal of the cross from the park. Mr. Craddock advised the FFRF commonly sent letters like the one received by the City in effort to persuade public entities to correct what they have determined to be

City Council Minutes – April 2, 2013

unconstitutional displays of religious displays on public property; noted the FFRF asserted it had filed more than 40 First Amendment lawsuits since 1977.

Mr. Craddock stated since the news release of FFRF's request, staff received numerous communications from interested persons and organizations from across the country. Some of the alternative options for the Council's consideration were:

Sell, donate, or lease a small section of property around the memorial thereby it would no longer be construed as unconstitutional as it would not be on "public property"; the local American Legion Post 34 offered to take custody of the property and care for the memorial.

Leave the memorial at its current location, but remove the cross or replace the entire memorial with a secular memorial.

Move the memorial onto private property. The City received two offers: one from the board of directors of the Prayer Chapel on Commercial Avenue and the second from the owner of Ocean View Memorial Gardens for placement on their property.

Mr. Craddock cautioned the matter for consideration as highly emotional and was fraught with potential litigation; noted litigation of this nature might not be covered by the City's insurance carrier. The City received offers from three different law firms specializing in constitutional law offering to defend the City pro bono should the City be served with a lawsuit; but none of the firms would indemnify the City. Mr. Craddock advised the City would still face financial jeopardy should a lawsuit occur and if the City lost at trial. Two of the firms have offered to assess the relevant facts involving the memorial at no cost to the City and would provide the Council options. Mr. Craddock advised that after taking public comments the Council would move into executive session to discuss possible litigation.

Public Comment Regarding the Mingus Park Memorial City Attorney's Report

Mayor Shoji suggested the audience approach the podium in groups in order to reduce rebuttal of a previous speaker. Mayor Shoji selected the first person that signed in on the speaking roster, Ruth Wiley, to determine the coin toss of which group would speak first; stated the time allowed to speak would be limited to three minutes for individuals and five minutes for a group leader; and written comments submitted would be considered. Ms. Wiley selected "heads" on behalf of the group requesting to keep the memorial in the park. Police Chief McCullough tossed the coin which resulted in heads.

Group 1 - Keep the memorial in the park in some format: Ruth Wiley: Stated her son was in the military, suffered a casualty, believes the memorial offers thanks to military families, and removing the memorial tells military families that the community does not care. Al Petit: Stated the separation of church and state has nothing to do with the constitution, cited the Trinity decision, cited Jefferson letters, referenced many national structures that have religious memorials, stated the United States is a Christian nation, stated the FFRF selects institutions that cannot afford lawsuits in hopes they would succumb to their threats of a lawsuit. Joshua Spillers: Stated he attended many Fallen Angel ceremonies; stated the memorial should include a cross, the issue must be fought; and he was not offended by others beliefs. Teresa

City Council Minutes – April 2, 2013

Rig: Stated the FFRF is not freedom from religion but rather the right to believe as one chooses. If the presence of a cross offends it would be a hate crime to Christians; should then Choshi bridge or any other symbol of a culture be removed. Ms. Rig encouraged people to embrace their neighbors for who they are and what they had to offer. Anna Marie Slate: Stated the memorial honored 58,439 Vietnam veterans who died in the war and they deserved our respect, this is a Christian nation. Ms. Slate stated the Pledge of Allegiance is made to God and that we should not give into someone that does not live in our community. Kevin Dubisar: Stated he served in Iraq and does not want the memorial touched or moved in any way. Mr. Dubisar stated the veterans will post guards around the memorial to prevent its removal. Jim Nielsen: Stated he served in the military and was deeply concerned with the Wisconsin group regulating our area; stated the cross symbolized Jesus Christ and the sacrifice of the military; encouraged sensitivity to the veterans and wanted to see the memorial left in the park. Bill Leslie: Stated he served in the military and urged the Council to not move in a quick manner; referenced lawsuits involving crosses at Mount Soledad, Camp Pendleton, City of Frankenberg, City of Woonosa, and the Mojave Desert. Stated the cross was not a symbol of Christianity but rather a symbol of death that honored those who have fallen; and he was speaking for those military soldiers that died; and thought a cause “don’t tear me down” should be formed. Mr. Leslie encouraged the Council to find a group to support the cause monetarily and then named fallen soldiers by last name. Barbie Leslie: Stated she was a wife of a veteran, spoke of the community fund raising to originally construct the memorial to support the soldiers who died; and the memorial represented death. Annie Comfort: Stated she viewed the memorial out of respect for those who died for others. When the symbol stood on public property it stood as a symbol of those who died for the community and moving it onto private property would change the symbolism to a religious symbol. Ms. Comfort stated she was concerned that others would choose what symbols we would use. Mary Griffin: Stated the government could not endorse or fund religion, referenced Utah cases regarding private sponsorship of crosses along the highway for fallen officers to memorialize safety and sacrifice. Suggested those opposed to crosses for memorials place a question mark above their memorials and pledged \$100 to fight the lawsuit. Phil Chuster: Stated viewing the Vietnam memorial wall was the most emotional day of his life and he was not offended that it was a secular monument. Stated the Mingus Park memorial cross objections were unconstitutional, the case was already decided, and stated a current Supreme Court ruling, “the goal of avoiding government endorsement does not require eradication of all religious symbols in the public realm (the land under the cross, the cross, and the monument)”. Steve Schneiderman: Stated the memorial should remain; the cross was not a religious symbol but rather a memorial symbol. Stated his family was Jewish and they have never felt the cross was objectionable or offensive. Stated his father was Council President at the time the memorial was constructed and being Jewish he did not object to its placement. Roger Molly: Stated he believed Jesus Christ died for his sins and wondered why the fallen veterans who were represented by the memorial were being attacked. John Watson: Stated he expected a white cross to be placed on his fallen military family members graves. Recited the First Amendment and stated that he did not believe the cross was intended as a religious symbol but rather to honor veterans who died; does not think the Wisconsin group had any standing; referenced The Liberty Institute; recited fallen veterans names; and stated the memorial should stand with the cross intact. Ethel Petrie: Stated her four brothers were in the military, requested that money not be a consideration in the decision, and stated the loss of soldiers affected both families and the community. Mike Bernard: Stated he was a veteran, asked that all efforts be made to keep the memorial in the park, and referenced national cemeteries with row after row of crosses; suggested crosses were a symbol of a lost life, there

City Council Minutes – April 2, 2013

were many crosses alongside the road which did not inspire worship but reminded of a lost life; stated moving the memorial would be a win for the FFRF and asked that the Council be willing to fight to keep the memorial because the soldiers died for the right to display the cross. Onica Straussman: Stated the crosses along the roadside meant that someone died and the memorial in the park was for the soldiers who died in the wars noted most memorials had crosses, the memorial was a gift to the City and one does not give back a gift; asked if someone could purchase the land where the memorial was located. Leshonica Shinerel: Stated she served in Iraq, it was not right for anyone to take from the soldiers the memorial, and stated fallen family members died and shed blood for the right to have the memorial in the Mingus Park. Rich Waters: Stated it was ridiculous for a group from Wisconsin to take our memorial away, thanked the veterans for their sacrifice, stated the memorial should remain, and encouraged the Council to fight the issue. Rick Tine: Stated he was a former combat marine from Vietnam and travelled from Portland to support the community. Stated the Wisconsin group had joined with 19 other groups in an attempt to remove the word God from the our currency, cited case law, suggested fighting the issue, referenced crosses in Arlington and Normandy, and offered to do anything to help keep the memorial. Mr. Rowe: Stated he was active duty in the military as a corpsman, had been deployed to Iraq, felt the pain of war, and brought his unit to the memorial to inspire others to service in the military. Stated he was not religious and offered his unit's assistance to save the memorial. Jason Payne: Stated he was the creator of the website to save the Mingus Park memorial and the Chairman of the Coos County Republican Committee. Stated the definition of the freedom of religion; stated there were many things in Mingus Park that represented religion and memorial; stated that many use nature as religious symbols and he was not offended; referenced the fish as a Christian symbol and that he was not offended when he sees someone fishing in Mingus Park. Mr. Payne asked that the City of Coos Bay fight with all they had to keep the memorial. Anonymous lady: Stated she did not agree with the tactics to remove the cross, asked that the cross not be removed and to do whatever it took to keep it there, and reminded we live in a free country. Daniel Hoffman: Stated families have difficulty explaining to the children of fallen veterans where their fathers have gone. Craig Spots: Thanked the Wisconsin group for exposing the group to people that did not know it was there and for bringing a tight knit community together. Thanked the veterans and stated that he would replace the cross with another cross if it was removed. Katherine Payne: Stated she was a navy veteran; reminded that the freedom of religion was to ensure that the government did not establish a national religion; questioned how the Wisconsin group was funded and asked that the memorial not be moved. Gary Merriman: Stated the military did not discriminate on race or religion; stated there was not a cross on the battlefield; Mr. Merriman stated he was a military veteran and had his 19th birthday in Vietnam where there were many who gave their life and could not be here to express their opinion. Stated that veterans were offended by those who spit on the right to have the memorial with a cross and that he was appalled and ashamed by the Wisconsin group. Angie Ollinger: Stated she was a retired veteran; suggested the Council not endorse the cross in order to defeat the FFRF claims; recommended the public pay for repairs to the cross; suggested negotiations be commenced with the group to keep the case out of court; and reminded that the Jaycees have the right to replace the cross with a larger one. Karl Bender: Stated Dr. James Dobson referenced respect to positions of people in authority and referred to a FFRF YouTube video where the founders used language that was offensive and not used by those in the room; asked if the Council was afraid to engage in battle with the group; and reminded there are many who gave their lives for us to meet. Stated it would take courage to stand against tyranny and those who spit on the memory of the soldiers who sacrificed their all; the community would be standing behind the Council if they made the right

City Council Minutes – April 2, 2013

decision. Chaplain Alfreida Batdorf: Stated it was her privilege to serve in the Vietnam where she learned about diversity and counted it a joy and a privilege to have served. Stated we needed to stand for what was important; she had a son who had with permanent scarring from service as did her son-in-law. Noted scars from service were deep. Jack Frost: Stated he was a pastor and this was not a battle of flesh and blood but a spiritual battle, it was about Jesus, and it was also for veterans. Jim Batdorf: Stated he enjoyed the park and referenced the geese that do not always get along with others; stated he enjoys the cross in the park that reminds him of the service of others in the military and of his own military service; stated that this was our cross in our park and it symbolized many things; the cross stood for the ultimate price and honor. Mr. Batdorf referenced a cross alongside the highway 101 south; stated the cross reminds that we stand for honor and valor and to do away with the symbol takes away from who we are if we do not speak up. Lori Winger: Stated that she enjoyed Mingus Park and the religious and cultural icons: Choshi bridge, pagoda, and light house; and believed it was discriminatory to single out one icon. Jim Wheeler: Stated he was a veteran, shared many of the sentiments already stated by those present; stated there was a trust from the Council at the time of placement to the veterans; referenced a case where display of a latin cross was not unconstitutional; stated the memorial represented history at the time of placement; noted secularism was a religious point of view to the exclusion of everything else which violates the constitutional rights of all Americans; supported the memorial to be left intact. John Lemmons: Stated his house borders the park and he lights a cross on his property and was tired of the anti-Christ groups. Stated he had family members who were veterans and removing the cross, which was dedicated to the soldiers of Vietnam, was just another stab in the back to those who gave so much; encouraged the Council to do the right thing by keeping the memorial. David Paul Romanowski: Stated he served in the military and his father and grandfather both served in the military. Stated the Vietnam veterans suffered too much dishonor from society upon their return, removal of the memorial would further dishonor them, and the Council had the responsibility to not take their respect. Mr. Romanowski referred to his tour in Iraq where there was as lack of religious freedom and people pay with their life for religion. Barbara Weed: Stated she was Navajo and understood what it meant to have land taken away and battles in court. Stated the memorial was dedicated to veterans who died; stated the memorial was constructed in a religious trust; stated that the right exists to have the memorial remain and asked that those for the memorial stand (wherein a majority of the room stood); stated the soldiers fought for the Wisconsin groups ability for expression of freedom and it was extreme that one person could cause removal of the memorial. Ms. Weed noted the memorial was constructed as a place to rest, reflect, and respite. Jodie McCaffree: Asked that the meeting be extended because there were hundreds of people outside that could not speak. Stated the FFRF was using a date from the Gregorian calendar with religious significance and it was ironic; suggested crosses were used for memorials and had different meanings for different people and gave the Red Cross as an example. Stated the constitution guaranteed the right to have freedom of religious activities on public property. Tom Osborn: Stated he was a veteran and that he honored and respected those who have served in battle and died in service. Stated those who died deserve to be honored with the cross and suggested the movement would continue onto other religious icons in the park. Suggested to not let the decision be a monetary decision and requested the meeting be extended.

Group 2 - Memorial with cross needs to go: Steve Mardock: Stated he was glad to be a godless heathen; wondered about the religious discussion held; stated he respected the veterans and other servicemen; stated the cross evoked religion and as an atheist he was

City Council Minutes – April 2, 2013

despised. Stated he had the same opinion as the Wisconsin group and an honest and decent discussion could be held on the topic. Stated he honored veterans and the fire fighters memorial downtown however they should be honored in a way that was not divisive. Crystal Morris: Stated she was an atheist and did not think that taxpayer money should be used to repair the memorial in the park; suggested removing the cross to a private place with a plaque to let people know that it was a veteran's memorial. Stated her family was Christian, believed the Bible was fake, and suggested the Wisconsin group helps small town people like them to state their opinion.

Group 3 - Other thoughts: Dawn Britten: Stated she represented the Secular Society and read a letter from atheists and freethinkers stating the cross symbolized religion. Stated she was a secular humanist and the permanent display of religion was not allowed with the use of taxpayer funds or in related facilities. Stated the memorial honored Christian veterans not those of other religions; questioned where the Star of David was and icons of other religions. Suggested there were other things that were more important such as school funding that should be discussed. Stated the cross symbolized only Christian veterans and told other veterans who were not Christian that they were excluded and suggested now was the time to show peace and compassion to include the religious minority. Bob Fisher: Stated government should treat all of its citizens equally and when government allows a cross to be erected it sends a message of religious preference which was not right. Alex Cado: Stated he was a veteran and the cross did not stand out nor was it offensive. Stated he does not practice religion and the majority think the veterans should be respected; noted the cross had been there a long time, and it should remain. Gino Landrum: Asked if he could speak freely and that he was glad he could because that was what those soldiers who died for whose names were written on the memorial. Read a quote from Thomas Jefferson referencing too much government was not good and that we cannot please all people. Stated as a veteran he would defend both those for and against the cross and he was not religious. Matt Shrattner: Stated he was a veteran and had a long history of family military service. Referenced Mount Soledad and other similar issues; agreed with others who spoke in favor of the memorial; corrected the atheist lady that stated that there was not anything on the memorial referencing the soldiers wherein he had a picture of the plaque on his cell phone. Reminded the Council that they work for the people and were voted in for the people's best interest. Expressed concern about non-Christian comments made in the community by Councilor Vaughan. Mike Bohanan: Stated he was a veteran and served overseas seven times; stated the memorial was to remind of the loss suffered by soldiers for our freedoms, referenced a memorial on Hwy 101, asked that the memorial be fought for because the soldiers fought for you. Nathan Heisman: Referenced an Old Testament story of sacrifice; stated he was an atheist; stated religion enslaves the mind, the FFRF was wrong in that everyone had the right to express their opinion, and encouraged the option to move the cross onto private property. Landy Marshall: Stated he constructed the memorial in 1972; the Jaycees group decided what to place on the memorial and not the City. Stated he was a veteran who served two tours and the idea for the cross came from watching television and seeing all the dead soldier graves with crosses on them in Arlington. Referenced grave markings along the Oregon Trail were made with crosses. Stated after 30 years the memorial needed refurbished and he contacted the City regarding its condition. Stated the memorial was not a religious symbol but a memorial for those who died in Vietnam which included eight women. Jason Beller: Stated the memorial was a marker to fallen soldiers and would be glad to help in the fight.

City Council Minutes – April 2, 2013

Executive Session

An executive session was held pursuant to ORS 192.660 (2) (h) for consultation with legal counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed. No decisions were made.

Adjourn

There being no further business to come before the Council, Mayor Shoji adjourned the meeting. The next regular Council meeting was scheduled for April 16, 2013 in the Council Chambers at City Hall.

Crystal Shoji, Mayor

Attest:

Susanne Baker, City Recorder