



**CITY OF COOS BAY CITY COUNCIL**  
**Agenda Staff Report**

MEETING DATE	AGENDA ITEM NUMBER
October 21, 2014	

TO: Mayor Shoji and City Councilors

FROM: Jim Hossley, Public Works Director 

THROUGH: Rodger Craddock, City Manager 

ISSUE: North 8<sup>th</sup> Street Gate

**BACKGROUND:**

On December 29, 2004 the City received a right-of-way use permit application and letter from Lou and Kathie Leberti, 1725 N 8<sup>th</sup> Street, requesting to place a gate across the N 8<sup>th</sup> Street between residence addresses at 1801 and 1865 N. 8<sup>th</sup>. Their desire was to create a dead end for the road. Apparently the road had been a dead end prior to it being opened in 1996 by the owners of 1801 N 8<sup>th</sup> Street to gain access to their new home. It should be noted that the N 8<sup>th</sup> Street right-of-way is/was originally platted as a through street.

Shortly after receiving the letter and application from the Leberti's, staff mailed surveys to 45 residents along N 8<sup>th</sup> between Coos Bay Blvd and Redwood Ave and to the blocks of N 10<sup>th</sup> St that ingress/egress onto N 8<sup>th</sup>. The City received 9 responses in favor of gating and 13 in favor of keeping the road opened. The City also placed the radar/speed trailer on N 8<sup>th</sup>. Data gathered by the trailer indicated that more than 90% of the drivers traveled at speeds less than 25 mph. Then City Manager Scott McClure denied the Leberti's request February 22, 2005. On April 14, 2005, the Leberti's appealed the City Manager's decision to the City Council. On April 19, 2005, the Council directed staff to schedule a public hearing on the issue. In May 2005, the Leberti's obtained 20 signatures from neighboring residents in support of the gate. On June 7, 2005, the City Council approved installation of a gate across North 8<sup>th</sup> Street in the vicinity of 1801 N 8<sup>th</sup>. The swing gate was installed shortly thereafter and remains in place to this day. The gate is locked but can be opened by the Coos Bay Fire Department.

The gate does slow down response time by public safety. Rather than risk the time it takes to stop a response vehicle and for personnel to get out and unlock the gate, emergency responders take an indirect route and drive around the block. Fire Chief Anderson's research shows that the fire department has responded to eight (8) emergencies on N. 8th St. between Coos Bay Blvd and Pine (1500 blk to 2000 blk) in the last 2 years. Chief McCullough determined that the police department has responded to 72 emergency calls in the area of 1500 to 2200 blocks of N. 8<sup>th</sup> street since January 2012. Both Chiefs would prefer the gate removed. For Public Works crews the gate adds to time and inconvenience when working in the area.

**ADVANTAGES:**

For nearby residents, the gate provides relief from pass by traffic.

**DISADVANTAGES:**

Slows public safety response time over what existed between 1996 and 2005. In addition, it is not

good public policy to gate public streets.

BUDGET IMPLICATIONS:

None if gate remains in place. Should the gate be removed, there would be some cost in labor and equipment to remove the gate.

RELATED CITY GOAL:

Not a City goal

ACTION REQUESTED:

If it pleases the City Council, advise staff regarding any changes you desire to make regarding the gate across 8<sup>th</sup> Street in the vicinity of 1801 8<sup>th</sup> St.

ATTACHMENTS:

Minutes from the June 7, 2005 City Council Meeting

Letters from the Leberti's

Letter from City Manager Scott McClure

1725 N 8<sup>th</sup> Street  
Coos Bay, OR 97420  
December 29, 2004

City of Coos Bay  
500 Central Ave.  
Coos Bay, OR 97420

To: City Council and other staff to whom it may concern

Subject: Placement of a gate across road on North 8<sup>th</sup> Street off of Koosbay Blvd (north side) between residence addresses at 1801 and 1865 North 8<sup>th</sup> Street to create a dead end again as it was prior to 1996.

North 8<sup>th</sup> Street off of Koosbay Blvd was changed from a dead end street with a burn to a thru street when a new home was built at 1801 North 8<sup>th</sup> Street. The road was opened for fire protection purposes only. The owner of the property had two options before starting to construct his home. The first option was for the landowner to have a fire hydrant installed and the second option being opening the street up to thru traffic. Both options were to be at his expense. The property owner chose to open the road.

Once the road became a thru city street, the city was obligated to maintain it. The property owners were not required to put in culverts and the gravel road washes out continuously. This, therefore, causes the city to regularly spend city funds to gravel, grade and maintain the road at city taxpayers expense, when in fact by installing a locked gate and having the City of Coos Bay Fire Department having a key to it would eliminate the continued cost of maintenance to the road.

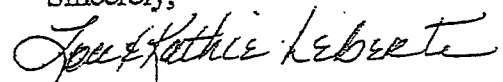
With the road once again becoming a dead-end street, as it had been for many decades, the vehicular traffic would be pushed back to Highway 101 and not through the existing residential neighborhood. We understand that this probably will not stop the increased pedestrian traffic.

The construction start of the remodeling of the South Coast Gospel Mission at 1999 North 7<sup>th</sup> is scheduled to begin in early 2005. It is our desire that by closing North 8<sup>th</sup> Street with a locked gate that it will train (or retrain) drivers to once again use the already existing paved streets to the east of North 8<sup>th</sup> through the commercial area as had been done in past years, or remain on Highway 101. By doing so, the City of Coos Bay will no longer need to constantly put monies into maintaining the graveled area of North 8<sup>th</sup> Street to the west of the new site of the proposed Mission.

It is our hope, as well as many of our neighbors, that the closure of the street will possibly help to restore some of the property values to our private residences in the immediate area. The Mission hopes to house up to sixty men and establish a facility for women; and the already existing T.H.E. House, on Koosbay Blvd., which houses up to twenty-seven people per night on a daily basis will obviously bring many transitional people to our immediate neighborhood.

We want to thank all of those concerned for considering the proposed placement of a locked gate in the 1800 block of North 8<sup>th</sup> Street between 1801 North 8<sup>th</sup> and 1865 North 8<sup>th</sup> in Coos Bay.

Sincerely,



Lou and Kathie Lebert

Enclosed: Photo copies of street



FEB 28 2005

# City of Coos Bay

Department of Community Services

500 Central Avenue, Coos Bay, Oregon 97420 • Phone 541-269-8918

<http://www.coosbay.org>

February 22, 2005



Lou & Kathie Leberti  
P.O. Box 1137  
Coos Bay, Oregon 97420

RE: Request to close North 8<sup>th</sup> Street

Dear Mr. and Mrs. Leberti:

Your request to close North 8<sup>th</sup> Street between Koosbay Blvd and Redwood Ave at approximately the 1800 block has been considered and resulted in the recommendation to keep the street open as a public street. North 8<sup>th</sup> Street was originally platted as a through street and is being used as it was originally intended, by the public. Other criteria used to form the conclusion are as follows:

1. North 8<sup>th</sup> Street was opened at the expense of the property owner of 1801 North 8<sup>th</sup> Street as a condition of approval the new residence being built. The owner submitted engineered plans that provided the centerline design grade for the street. The street provides fire access to the hydrant at North 8<sup>th</sup> Street and Pine Street.
2. A survey was mailed to the residents along North 8<sup>th</sup> Street between Koosbay Blvd and Redwood Ave and to the blocks of North 10<sup>th</sup> Street that ingress/egress onto North 8<sup>th</sup>, a total of 45 residents. Surveys results were: 13 not in favor of closing North 8<sup>th</sup> Street and 9 affirming the closure.

The radar/speed trailer was placed along North 8<sup>th</sup> Street with the results enclosed.

Citizen involvement is encouraged and appreciated by the staff and Council. If we can be of further service to you, please let us know.

Sincerely,

Scott D. McClure  
City Manager

Enclosure

Mayor and Council

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Agenda Item #4

Agenda Item #12

Coos Bay Boardwalk

May 2005

City of Coos Bay  
500 Central Avenue  
Coos Bay, Or 97420

Attention: Mayor Joe Benetti and members of City Council

We, the undersigned owners/residents of property on or near North 8<sup>th</sup> Street (north of Koos Bay Blvd) would like to request that North 8<sup>th</sup> Street be closed to vehicular traffic between 1801 and 1865 North 8<sup>th</sup> Street where a berm once existed. The berm which existed, to our knowledge, for a minimum of 50 years created a dead end. We feel that the placement of an operational swinging gate with a lock held by the Coos Bay Fire Department would enable this to once again become a closed street.

No one in the neighborhood, not even adjoining property owners to the immediate north and south of 1801 N. 8<sup>th</sup>, were advised about the street opening. Public records were requested from the city to see if "any notice" had been given to anyone. The city was unable to locate anything in their records. This is an inexcusable error on the city's part. Property owners should be informed when changes are made that affect their neighborhood. This opening occurred only because of a new home being built at the 1801 N. 8<sup>th</sup> address. The lack of notification from the City of Coos Bay was disturbing and as traffic has continued to increase over the past several years, so have safety issues regarding traffic.

The grade of the graveled portion of the road should have been improved by the city when they told the property owners of 1801 N. 8<sup>th</sup> to push through the street if they chose not to go to the expense of having a fire hydrant installed. The graveled road is narrow and there is a total lack of visibility until you reach the crest of the hill. Adding to the problem is the angle of the street when leaving or entering the graveled portion of the street.

If a motorist uses the road frequently, many are aware of the danger. A first time, infrequent, or careless driver using the street as a shortcut creates a terrible hazard, especially if that driver is traveling over 20 miles per hour straight down the middle of the road.

The residents of the 1600 and portions of the 1700 block of 8<sup>th</sup> Street (where the street is paved on the south end) in particular fear being side-swiped, rear-ended, or hit head-on while trying to enter or exit their own driveways, or simply when wanting to turn around to park in front of their homes on the street.

Please try to understand that until you have traveled the street regularly on a daily basis or reside on the most southerly part of N. 8<sup>th</sup> Street (towards Koos Bay Blvd), you may not be able to comprehend the complexity of the problems.

The opening of this street has unfavorably affected homeowners and their families and we the following residents request a reversal of the decision which was made to open our street.

Printed Name	Address	Signature
Lou & Kathie Leberti	1725 N. 8 <sup>th</sup> , Coos Bay	Kathie Leberti
SANDY MYERS	1685 N 8 <sup>th</sup> Coos Bay	Sandy Myers
Mary M Hoffman	1679 N 8 <sup>th</sup> Coos Bay	Mary M Hoffman
MARTIN A HOFFMAN	1679 N. 8 <sup>th</sup> COOS BAY	MARTIN A HOFFMAN
Margie Spencer	2015 N 8 <sup>th</sup> CB	MRS Spencer
Bill Hunt	2015 N 8 <sup>th</sup> CB	Bill Hunt
Allen & Lisa Johnson	2045 N 8 <sup>th</sup> ST CB	Allen Johnson
Jaarod Gravelle	2025 N 8 <sup>th</sup> ST CB	Jaarod Gravelle
Denise Gravelle	2025 N 8 <sup>th</sup> ST CB	Denise Gravelle
MARCUS MYERS	2095 N. 8 <sup>th</sup> ST	MARCUS MYERS
STAN OLBERG	1674 N. 8 <sup>th</sup> ST.	Stan Olberg
Mary Boyd Siquitila	1690 N. 8 <sup>th</sup> St.	Mary Boyd Siquitila
Don Hammerman	1687 N. 8 <sup>th</sup>	Don Hammerman
Anna L. Thompson	1777 N. 8 <sup>th</sup> St.	Anna L. Thompson
John & Gay Noah	1777 N. 8 <sup>th</sup> St.	Gay Noah
Candace & Jesse Crooks	1688 N 8 <sup>th</sup> St	Candace Crooks
C Scott Everett	1865 N 8 <sup>th</sup> ST	C Scott Everett
Wyle & Stacy Purdie	1895 N 8 <sup>th</sup>	Stacy Purdie
Richard J. Gable	1687 N 8 <sup>th</sup>	Richard J. Gable
W.A.R. PARHAM	1999 NUTMEG	W.A.R. PARHAM

Lou & Kathie Leberti  
1725 N. 8<sup>th</sup> St.  
Coos Bay, OR 97420

May 31, 2005

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Mayor Benetti and City of Coos Bay Councilors  
500 Central  
Coos Bay, OR 97420

Subject: Appeal in regards to City Staff and City Manager decision to keep N. 8<sup>th</sup> St. off  
Koos Bay Blvd. Open.

We do not feel that the explanation of the city coming to their decision is sufficient  
reason for denial of our request for an operational swing gate to be placed where there had  
once been a barrier/berm for a minimum of 50 years.

Proper paperwork has been filed with the city regarding a right of way use permit.

Concerns of safety of the residents in this neighborhood, particularly on N. 8<sup>th</sup> St. where  
vehicle speeding and careless driving has become a major problem, is our objective in  
this appeal.

Attached is a copy of a letter with the signatures of twenty owners/residents who live on  
N. 8<sup>th</sup> St. or that ingress/egress said street. These people all have issues about the lack of  
feeling safe in the neighborhood when it comes to vehicle traffic. Also attached are  
copies of photos of N. 8<sup>th</sup> St. and a brief explanation of them.

Sincerely,



Lou & Kathie Leberti

Enclosures: Letter with signatures  
Photos of street

**CITY OF COOS BAY**  
**Agenda Staff Report**

MEETING DATE 6-7-05	AGENDA ITEM NUMBER
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DATE: June 2, 2005  
TO: Mayor Benetti and City Councilors  
FROM: Scott McClure, City Manager *SM*

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ISSUE Request to Close a Portion of N. 8<sup>th</sup> St.

BACKGROUND

Lou and Kathie Leberti have requested that the City consider closing a portion of N. 8<sup>th</sup> St. Staff recommended denial of the request. This decision was appealed to the City Manager, which upheld the denial. The decision of the City Manager has been appealed to the City Council and is now before you.

To help Council with its decision, I would like to provide a chronology of events leading up to this point, present some facts and analysis of the request and present Council with options. The following attachments have also been included for your review:

1. Recent correspondence between the applicants and the City.
2. Speed reports from the street (attached to City Manager letter to the Leberti's).
3. January citizen survey results regarding the issue.
4. Staff analysis of the closure request.
5. Recent public comments on the issue.
6. Information on the 1996 decision to remove the berm in the street as a condition of development approval.

**Chronology**

June 6, 1996	Carters issued a right-of-way use permit that allowed them to build a home without having to provide a fire hydrant or build a turnaround that could accommodate a fire truck.
December 29, 2004	Leberti's apply for right-of-way use permit to close 8 <sup>th</sup> St.
January 2005	Citizen survey completed.
February 11, 2005	Staff decision on the closure request.
February 22, 2005	Letter sent to the Leberti's on denial of closure request.
March 4, 2005	City Manager meeting with Kathie Leberti to discuss application denial.
March ?, 2005	City Manager informed the Leberti's that the denial will be upheld; discussed how to appeal City Manager decision to Council.
March 23, 2005	Leberti's file public records request
April 11, 2005	Leberti letter to City requesting an appeal of the staff and City Manager decision on the closure. The letter reiterated the records request and requested advisement on how to get this item on the Council agenda after records were provided.



April 14, 2005	Letter to Council provided by the Leberti's to the City Council regarding their appeal.
April 19, 2005	Leberti's appear before the City Council. Council directs staff to fulfill the Leberti information request and to schedule a public hearing on the issue at a time workable for the Leberti's.
April 21, 2005	Leberti's agree to June 7 hearing date.

## Discussion

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### Observations regarding this issue:

- o N. 8<sup>th</sup> Street is a platted street and opened as a condition of development. The reason for the opening (fire access) still exists.
- o The street is narrow in the area in question and has some visibility issues. This can cause a traffic safety issue if cars are traveling too fast.
- o Traffic data did not show that this street was receiving a high volume of speeders. Staff also noted that the street is not unique in the number of speeders or topographic issues.
- o The January citizen survey showed 9 in favor of the closure request and 13 opposed.
- o The recent citizen request for comments showed 3 in favor of the request and 2 opposed (written comments).
- o The Police and Fire Departments have commented that the requested closure would slow their response times to the neighborhood.

## Options

Some options for Council to consider:

1. Affirm the staff/CM decision to deny the closure request
2. Overturn the staff/CM decision and allow the street to be closed
3. Affirm the staff/CM decision and install "Narrow Street" signage at the crest of the gravel section to improve safety

Staff reviewed several other options for improvement of safety on the street, but did not consider them workable. The street could be turned into a one-way street. This would eliminate safety issues concerning vehicles traveling in opposite directions at the narrow point of the street, but could be confusing or a nuisance for users. Staff also looked into lowering the crest of the hill on the gravel section to improve visibility, but could not implement an alteration without negatively impacting an existing driveway.

#### ADVANTAGES

Street Closure – this would improve the safety of the street and cut down on traffic.  
Maintain Open Street – this would avert similar requests for street closures.

#### DISADVANTAGES

Street Closure – other requests will likely follow. More street closures could fragment our community and deny public use of public roads.  
Maintain Open Street – safety issues would continue.

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#### BUDGET

No budget impact.

#### RECOMMENDATION

Uphold the staff/CM decision.

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

**June 7, 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, John Muenchrath, and Kevin Stufflebean. City staff present was City Manager Scott McClure, Deputy Recorder Joyce Jansen, City Attorney Nathan McClintock, Finance Director Janell Howard, Fire Battalion Chief Howard Owens, Library Director Carol Ventgen, Planning Administrator Laura Barron, and Police Chief Eura Washburn.

### **Flag Salute**

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

### **Consent Calendar**

Mayor Benetti reviewed the consent calendar which consisted of approval of the minutes of March 29, April 5, and April 19, 2005, appointment of Coos Bay representative to the County Library Board, recommendation to approve an OLCC license application/greater privilege for Gustina Lund dba Silver Dollar Tavern, and recommendation to approve OLCC license renewals for 2005/06. Councilor Miller moved to approve the consent calendar as presented. Councilor Eck seconded the motion which passed with the Mayor and all Councilors present voting aye.

### **Presentation by Brett Weidemiller, President of the Firefighters Volunteer Association**

Brett Weidemiller, President of the Firefighters Volunteer Association, reported on the activities of the association and making a donation to the Fallen Firefighters Memorial fund. Councilor Gould reported almost \$60,000 has been donated.

### **Public Hearing on an Appeal of a Request to Close a Portion of North 8<sup>th</sup> Street**

City Manager Scott McClure reported a request to close a portion of 8<sup>th</sup> Street with a gate had been received. The street was originally opened up to meet fire code requirements. Staff did a survey of the residents and the request was denied. The request then came to the city manager and after review, was denied, and the Leberti's are appealing the denial. Mr. McClure noted residents in the neighborhood were given notice of the public hearing. Mayor Benetti opened the public hearing.

Lou Leberti, 1725 North 8<sup>th</sup> Street, Coos Bay, reported they built their home in 1974 on 8<sup>th</sup> Street. The street had been closed for many years and at the time the street was closed there were no comments about closure. Kathy Leberti commented the reason they requested the

street be closed was due to vehicle speed and careless driving, and the street is narrow. She reported 20 of the residents signed the letter supporting closure of the street. Mr. Leberti recommended using a locking swing gate to allow fire apparatus access and briefly reviewed history of development in the neighborhood and maintenance of the street. Mrs. Leberti commented the city's survey had a number of discrepancies and she suggested they not be counted. Mr. and Mrs. Leberti requested the Council consider their concerns for safety and approve closing the street. Mayor Benetti confirmed that Mr. Leberti is willing to install the gate at his cost, and if in the future the City requested removal, Mr. Leberti would remove the gate. There was further discussion by the Council regarding notice that the street would be opened, the possibility of requests to close other city streets, and access by public safety and emergency vehicles.

Marlene Boyd, 1690 North 8<sup>th</sup> Street, Coos Bay, commented on safety concerns due to the speed of traffic, and the poor visibility of the street. She supported closing the street. Jack Bushmaker, 1050 Redwood, Coos Bay, stated he has lived in the neighborhood for 22 years and walks and drives the street frequently without experiencing problems. He expressed concern that service vehicles, post office, and school buses would have difficulty if the street is closed. Mary Hoffman, 1679 North 8<sup>th</sup> Street, Coos Bay, commented she has lived in her home for 20 years and has concern about safety and speeding on the street. There being no further comments, Mayor Benetti closed the public hearing.

The Council discussed the condition of the street, the results of the city survey, and the history of the street being closed. Councilor Gould commented the street had been closed until 1996, there are safety concerns and he would support the closure. Councilors Eck, Miller and Stufflebean had driven the street and for safety reasons, supported closure of the street. Mayor Benetti also expressed support for the closure for safety concerns and because a majority of the neighborhood have requested the closure. Councilor Stufflebean moved to direct staff to authorize placement of approved apparatus to block the street by June 30<sup>th</sup>, and approve the right of way use permit. Councilor Miller seconded the motion which passed with Mayor Benetti and Councilors Eck, Gould, Miller, and Stufflebean voting aye; and Councilors McKeown and Muenchrath voting no. Mayor Benetti commented city staff will designate the location for placement of the gate and install the dead end signs.

**Public Hearing on a request for a Rezone and  
Plan Amendment of Property Located on South  
11<sup>th</sup> Street**

Planning Administrator Laura Barron read the public hearing disclosure to the assembly and reviewed the area proposed for rezone from commercial to residential. Ms Barron reported the Planning Commission approved the proposed rezone on May 10<sup>th</sup> and no objections to the rezone had been submitted. Mayor Benetti opened the public hearing. There were no comments and Mayor Benetti closed the hearing. Councilor Gould moved to approve the application and adopt the Planning Commission's findings. Councilor Miller seconded the motion which passed with the Mayor and all Councilors present voting aye. Councilor Gould moved to adopt the plan amendment. Councilor Stufflebean seconded the motion which passed with the Mayor and all Councilors present voting aye.