


CITY OF COOS BAY
JOINT CITY COUNCIL / URA WORK SESSION
Agenda Staff Report

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|--|---------------------------|
| MEETING DATE February 28, 2017 | AGENDA ITEM NUMBER |
|--|---------------------------|

TO: Mayor Benetti and City Councilors
FROM: Jim Hossley, Public Works Director 
THROUGH: Rodger Craddock, City Manager
ISSUE: Consider Accepting Marshfield Pioneer Cemetery Lots

SUMMARY:

Cricket Soules presented to the Parks Commission, on behalf of Mrs. Hausler, a request to donate family "Burial Plots" within Marshfield Cemetery. Mrs. Hausler and a cousin would be willing to donate the plots to the City of Coos Bay. They would require the plots remain vacant, and no human remains be placed in these plots in the future. If desired, they would donate a bench with a plaque recognizing the pioneer families of Coke, Anderson, and Luse. The Parks Commission recommended acceptance of the donated plots.

ACTION REQUESTED:

Unless the consensus of the Council is to not accept the plots, staff will bring this proposal to a future regular City Council meeting to consider formal acceptance of the plots and authority for the City Manager to sign and accept the quit claim deed for the donated cemetery plots.

BACKGROUND:

The Marshfield Pioneer Cemetery Logbook that is kept at Coos Bay City Hall lists (Judge) John S. Coke as the owner of six plots, Block 225, Plots 5, 6, 7, 8, 9, & 10. No deed was recorded in Coos County records. Judge Coke's granddaughter is Mrs. Virginia Y. Hausler (1460 SW 66th Ave, Portland, OR 97225).

The family members, Mrs. Hausler and a cousin, would be willing to donate the six plots to the City of Coos Bay. They would require that no bodies would be interred in these plots in the future. If desired, they would donate a bench with a plaque recognizing the pioneer families of Coke, Anderson, and Luse.

The plots are in a very desirable location next to the Sailors-Soldiers Monument. At present, there is no plan for how best to use this space if they become the property of the City, but it may be good to have them available for the future.

The Parks Commission unanimously voted to recommend the City Council accept the transfer of the six cemetery plots. Should the Council desire to accept the plots, the City Attorney will prepare the appropriate quit claim deed(s).

BUDGET IMPLICATIONS:

The cost to the City to acquire the cemetery plots will be staff time to prepare and execute quit claim deeds plus the cost to record said deeds. The City will be required to add the plots to the maintenance responsibility it already has for the existing right-of-way in the cemetery.

MEETING: Parks Commission

DATE: Thursday, October 13, 2016

- New Business –
 1. Consider accepting cemetery lots from Mrs. Hausler

The City of Coos Bay have the option of obtaining six empty plots that adjoin the Veterans' Monument. Family members would be willing to gift them to the City, with the restriction that no one would be buried there in the future. Cricket Soules has been in contact with Mrs. Virginia Hausler, granddaughter of the nominal owner, for nearly a year. The family may also be willing to donate a bench, if we desire, with a plaque recognizing the pioneer families of Anderson, Coke, and Luse. The lots would be very desirable, and since Mrs. Hausler is older, it would be good to settle the question before the opportunity is lost.

Resolving one issue, of course, may necessitate considering others. The question of ownership of the cemetery continues to be an issue.

In 1907, the local newspaper, the *Coos Bay Times*, wrote with pride: "One thing Marshfield has a right to be proud of. Even if she hasn't a hotel, she has at least a very creditable cemetery." With gentle humor, the article even poked fun at neighboring North Bend, lamenting the fact that, without their own cemetery, those residents had the "inconvenience" of being transported to Marshfield to be buried. By the mid-1910s, however, the cemetery was running out of room for the residents of the burgeoning Coos Bay region, and the decision was made to establish a new cemetery outside of the city limits. The Odd Fellows Cemetery Corporation transferred the cemetery's "streets, alleys, roads [and] passage-ways" to the ownership of the City of Marshfield in 1921, beginning a long period of city oversight which continues to today.

By the 1930s, with the Odd Fellows Cemetery Corporation in decline, it became clear that the city would need to take a more active role in maintaining the cemetery. In 1938, the City Engineer held meetings with "interested parties," "for the purpose of having the cemetery placed in a presentable condition." The Council's concern for the cemetery's upkeep propelled it to facilitate the passage of state legislation in 1945, allowing the City to legally allocate municipal funds for its care

The original intentions of taking ownership of the cemetery, however, were not fully realized. Although the City Recorder was directed to "record the City's Marshals deed to this tract of land," this directive was never completed. Instead, Coos County records still list the Odd Fellows Cemetery Corporation as the owner of the cemetery. While it is commonly accepted that the City of Coos Bay owns the Marshfield Pioneer Cemetery, the lack of a recorded deed could have repercussions that might inhibit the future stewardship of this cultural asset.

From Cricket Soules:

The question of ownership of the cemetery continues to be an issue. Due to an oversight, the process to record the ownership of cemetery was never carried out. A deed that transferred ownership of the driveways, alleys, and passageways to the City was recorded in 1921. Provisions to issue a Marshall's deed to accept the remaining unsold lots or property in total was never completed. The tax records still list the Odd Fellows Cemetery Corporation as the owner. Several county and state employees have brought this nominal lack of ownership to my attention.

We have done a lot of research on this matter, and at least some staff time was expended on this issue. Although it seems like a moot point, there are still ownership questions. Both the OPRD Historic Cemeteries Commission and the Oregon Mortuary & Cemetery Board expressed concern about the unclear ownership but understood the situation and set aside their concerns for a grant and licensing. This might not be the case with other agencies.

The other issue of concern is that of memorial plaques in the cemetery:

MEMORIAL PLAQUE: *Personal memorial plaque is not allowed to be placed in any park facility. However, they are suitable for the Marshfield Pioneer Cemetery in the designated area for "Memorial Plaques". In order to be considered for Marshfield Cemetery, the following must apply to the nominee: Why the nominee should be considered. The nominee's significance as relates to the City of Coos Bay Outstanding community contributions, accomplishments, achievements, or distinctions. Outstanding community involvement or service.*

I know the commission members worked long and hard on the Master Plan, but I have no idea where they thought these "memorial plaques" could be located or who actually suggested it as an option. There is no space within the confines of the cemetery where any plaques could be placed. If someone actually decided to propose that a memorial plaque be placed in the cemetery, we could be placed in a very difficult situation.



City of Coos Bay

Public Works & Development Dept.

500 Central Ave., Coos Bay, Oregon 97420 • Phone (541) 269-8918
Fax (541) 269-8916

MEMORANDUM

October 17, 2016

To: Jim Hossley, Public Works Director

From: Randy Dixon, Operations Administrator

Randy Dixon

RE: Marshfield Cemetery (Burial Plot Donation)

Cricket presented to the Parks Commission on behalf of Mrs. Hausler a request to donate family "Burial Plots" within Marshfield Cemetery. Mrs. Hausler and a cousin would be willing to donate the plots to the City of Coos Bay. They would require the plots remain vacant, and no human remains be placed in these plots in the future. If desired, they would donate a bench with a plaque recognizing the pioneer families of Coke, Anderson, and Luse. Parks Commission recommended staff prepare this memorandum to the Public Works Director seeking acceptance of donated plots.


Regards,

The Marshfield Pioneer Cemetery Logbook that is kept at Coos Bay City Hall lists John S. Coke as the owner of six plots, Block 225, Plots 5, 6, 7, 8, 9, & 10. No deed was recorded in Coos County records. Coke's granddaughter is Mrs. Virginia Y. Hausler (1460 SW 66th Ave, Portland, OR 97225).

The family members, Mrs. Hausler and a cousin, would be willing to donate the plots to the City of Coos Bay. They would require that no bodies would be interred in these plots in the future. If desired, they would donate a bench with a plaque recognizing the pioneer families of Coke, Anderson, and Luse.

The plot are in a very desirable location next to the Sailors-Soldiers Monument. At present, there is no plan for how best to use this space is they become the property of the City, but it would be good to have them available for the future.

ROW I

| | |
|-------------------------|--|
| | Abby Kendall |
| Sailor-Soldier Monument |  Joshua Kendall |
| vacant | Isaac Hoppins |
| vacant sold 10 | vacant sold 9 |
| vacant sold 7 | vacant sold 8 |
| vacant sold 6 | vacant sold 5 |
| vacant | Joseph H. Richards Agnes Richards |
| James Bluford Davis | Joseph Richards |

BLOCK 225

Logbook kept at Coos Bay City Hall

Block 23rd I. O. O. F. Cemetery, Marshfield, Oregon. 112

| No. | NAME | Age at Death | Date of Death | | |
|-----|----------------------------|--------------|---------------|-------|-----|
| | | | Year | Month | Day |
| 1 | Agnes Richards | 480 | 1914 | Oct | 27 |
| 2 | | | | | |
| 3 | Agnes Richards | 692 | 1940 | Oct | 27 |
| 4 | | | | | |
| 5 | | | | | |
| 6 | | | | | |
| 7 | | | | | |
| 8 | | | | | |
| 9 | | | | | |
| 10 | | | | | |
| 11 | John W. Kendall | 680 | 1914 | Oct | 15 |
| 12 | Grand Army of the Republic | 710 | 1928 | May | 28 |
| 13 | | | | | |
| 14 | John W. Kendall | 680 | 1914 | Oct | 15 |

| | | | | | | | | | | | | | | | | |
|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 |

| No. | NAME | NOTES | AGE | CAUSE OF DEATH | Date of B. & P. | |
|-----|-----------------|---------|-----|----------------|-----------------|-----|
| | | | | | Year | Day |
| 1 | Joseph Richards | England | 75 | Old age | 1842 | 2 |
| 2 | James W. Davis | France | 46 | Old age | 1865 | 25 |
| 3 | Joseph Richards | | 27 | | 1842 | 2 |
| 4 | James W. Davis | | 51 | | 1865 | 25 |
| 5 | | | | | | |
| 6 | | | | | | |
| 7 | | | | | | |
| 8 | | | | | | |
| 9 | | | | | | |
| 10 | | | | | | |
| 11 | John W. Kendall | England | 70 | Old age | 1844 | 2 |
| 12 | John W. Kendall | France | 75 | Old age | 1844 | 2 |
| 13 | | | | | | |
| 14 | | | | | | |
| 15 | John W. Kendall | | 75 | Old age | 1844 | 2 |

Logbook kept at Sunset Memorial Park

Block 24th I. O. O. F. Cemetery, Marshfield, Oregon. 111

| No. | NAME | Age at Death | Date of Death | | |
|-----|----------------------------|--------------|---------------|-------|-----|
| | | | Year | Month | Day |
| 1 | Agnes Richards | 670 | 1914 | Oct | 27 |
| 2 | Agnes Richards | 670 | 1914 | Oct | 27 |
| 3 | John W. Kendall | 680 | 1914 | Oct | 15 |
| 4 | Grand Army of the Republic | 710 | 1928 | May | 28 |
| 5 | John W. Kendall | 680 | 1914 | Oct | 15 |

| | | | | | | | | | | | | | | | | |
|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 |

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|-----|-----------------|---------|-----|----------------|-----------------|-----|
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| 2 | James W. Davis | France | 46 | Old age | 1865 | 25 |
| 3 | Joseph Richards | | 27 | | 1842 | 2 |
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| 10 | | | | | | |
| 11 | John W. Kendall | England | 70 | Old age | 1844 | 2 |
| 12 | John W. Kendall | France | 75 | Old age | 1844 | 2 |
| 13 | | | | | | |
| 14 | | | | | | |
| 15 | John W. Kendall | | 75 | Old age | 1844 | 2 |

prepared by:
 Cricket Soules
 Marshfield Pioneer Cemetery volunteer
 October 17, 2016