



**Coburg City Council
Regular Session
March 14, 2017 – 7 P.M.
Coburg City Hall
91136 North Willamette St., Coburg**

COUNCILORS PRESENT: Ray Smith, Mayor; Nancy Bell, Patti Gianone, Patrick Kocurek, Steve Stearns, Councilors

ABSENT: Sharyl Abbaspour, Chris Page

STAFF PRESENT: Anne Davies, City Attorney; Brian Harmon, Public Works Director; Anne Heath, Finance Director; Sammy Egbert, City Recorder; Larry Larson, Coburg Chief of Police; Milo Mecham, City Attorney (retired); Petra Schuetz, City Administrator

GUESTS PRESENT: Cathy Engebretson, Coburg Finance Audit Committee; Cory Hill, Coburg Distilling Company LLC; Eric Peterson, Hayden Homes

RECORDED BY: Rodney Cimburke, LCOG

1. CALL TO ORDER:

Mayor Smith called the Regular Session of the Coburg City Council to order at 7:03 p.m.

2. PLEDGE OF ALLEGIANCE:

Council conducted the Pledge of Allegiance.

3. ROLL CALL:

Mr. Cimburke called the roll and announced a quorum was present.

4. MAYOR COMMENTS

Mayor Smith reported an article he had written for the Mayor's Corner in the City of Coburg Newsletter, in which he asked for citizen participation in the Visioning process, received lots of community responses. He offered that type of government-citizen communication was one of the greatest rewards of being an elected official. Mayor Smith added that there was an item on that meeting's agenda which would no doubt offer the opportunity for much community

feedback. He said although government procedures don't allow for an open dialogue between Council and citizens, he has worked to be not so rigid with that rule, so that Council and citizens can communicate effectively; he said that the behavior of those present would dictate how the rules would be enforced. Finally, Mayor Smith asked everyone present to be respectful in both sharing their opinions, and listening to the opinions of others.

5. AGENDA REVIEW

Ms. Schuetz drew Council's attention to red folder items to be added to the agenda:

- A correspondence from Ms. Heath to Council concerning the Summit Bank loan.
- Public testimony that was submitted after the Agenda was drawn up. All testimony pertained to the Hayden Homes subdivision.
- Attachment L to the Subdivision Staff Report from Muddy Creeks Irrigation Board.

7. CITIZEN TESTIMONY:

There was no citizen testimony.

8. DEPARTMENT ACTIONS & UPDATES

- **City Administration: Tab 2**

Ms. Schuetz offered Council an update on City Administration. She highlighted the Community Visioning Summit coming up on Thursday, March 16, 2017, and the Easter Egg Hunt at Norma Pfeiffer Park on Saturday, April 15, 2017. She also reported the Parents of Teenagers presentation on teen drug use will be presented by the Coburg Police Department on April 18, 2017 at 7 p.m.

6. CONSENT AGENDA: Tab 1

Councilor Gianone moved, seconded by Councilor Bell, to accept the Consent Agenda as presented. The motion carried unanimously 4:0.

- **Planning**

Public Hearing: Tab 3

ORDINANCE A-241 AN ORDINANCE APPROVING A MASTER PLANNED DEVELOPMENT AT ASSESSOR'S MAP 16-03-33-00 TAX LOTS 00109 & 00110 PURSUANT TO ARTICLE X.V OF THE COBURG ZONING CODE ORDINANCE A-200G AND ORDINANCE A-199-E

Mayor Smith opened the Public Hearing on Ordinance A-241 at 7:14 p.m.

Mayor Smith declared an ex parte contact with the developer / applicant's local and regional supervisors he and an informal discussion in October 5, 2016.

Mr. Kernen offered Council a staff report on Ordinance A-241.

Councilor Gianone asked if Council was approving a "concept," what exactly that entailed.

Mr. Kernan responded that in this case, "concept" meant the entire proposed subdivision.

Mayor Smith said the draft Minutes of the Coburg Planning Commission's (CPC) last meeting stated that there was extensive discussion on the placement of the development's open space, and Hayden Homes (HH) offered to move said space.

Mr. Kernan reported that the CPC did indeed deliberate thoroughly on moving the open space to the interior of the development, but ultimately decided that the front corner of the property—at the corner of Pearl and Industrial—was best utilized as open space.

Councilor Stearns expressed reservations about children playing that close to the corner of Pearl and Industrial.

Mr. Kernan clarified that it was open space, not necessarily a park with a playground.

Mayor Smith reminded everyone in attendance that this was a first reading before Council, and the Ordinance requires two Council readings before accepting or rejecting it.

Janel McPherson of Coburg, spoke in **opposition** to the HH development. Ms. McPherson read, and agreed with, a letter written by fellow Coburg resident Mary Mosier in opposition to the development.

Mr. Mecham stated that the normal procedure was the Applicant would have the first opportunity to speak, and, under law, the Applicant is allowed a chance for rebuttal to any testimony presented against them.

Ms. Davies clarified the order was to be: the applicant, those members of the public speaking in favor of the applicant, then finally, those members of the public speaking against the applicant.

Mr. Peterson offered Council a presentation outlining the proposed HH development in Coburg.

Councilor Bell asked what the average price of a home in this neighborhood.

Mr. Peterson replied that pricing had not been set yet, although he anticipated the average price to be in the high \$200,000s to the mid \$300,000s.

Councilor Gianone asked what the average square footage of the homes would be.

Mr. Peterson answered 1,500-2,200 ft².

Councilor Stearns wondered if Hayden Homes had considered alternatives to the placement of the open space at the corner of Pearl and Industrial.

Mr. Peterson clarified that the open space was not necessarily a park. He added that although HH was open to moving the space to the interior of the development, they were reluctant to do so without a formal agreement with the City, for fear of the open space becoming an empty lot left to grow wild in the middle of the development.

Councilor Kocurek asked if Hayden Homes had a design plan for the proposed open space.

Mr. Peterson responded that they did not, that it was an open space dedicated to the City, which would have the final say in its design.

Paul Vaughn of Eugene, spoke in **favor** of the Hayden Homes development. He stated that he was the official legal counsel of the longtime owner of the property, the Mary Jane Stevenson Family Trust. Mr. Vaughn pointed out that the CPC had a healthy debate on the placement of the open space, and came to the conclusion that, since the open space is not a park, it would be more aesthetically pleasing on the corner of Pearl and Industrial than the fenced yards of homes.

Claire Smith of Coburg, spoke in **opposition** to the HH development. She pointed to the draft minutes of the February 15 CPC meeting, in which it was written that Mr. Peterson had stated that Muddy Creeks Irrigation Project (MCIP) was clear they did not want another entrance/exit on Industrial; Ms. Smith said this was a misleading statement, and the CPC decision was based on it. She added that although HH claims the open space is not designated as a playground, there is a playground in the open space on a set of plans being circulated by HH. She wondered if Coburg would really be getting an open space, or just the lot HH feels is the least valuable and one they could do nothing with.

David Fendrich of Coburg, spoke in **opposition** to the HH development. He expressed concern with the speed with which the HH development was moving forward, citing that other, similar projects in Coburg have taken much longer to plan, develop, and implement. He said he did not believe the majority of Coburg residents were aware of the development at all. Finally, Mr. Fendrich spoke in favor of an ingress/egress on Industrial Way, as, he reported, for most of the day there was little to no traffic present.

Patty McConnell of Coburg, spoke in **opposition** to the HH development. She clarified that she was not criticizing the Coburg Planning Commission, rather, she said the conversation was confusing overall, especially where Coburg Zoning Ordinance A-199-E was concerned. Ms. McConnell posited that the HH development should go back to the CPC, as it seems to have been rushed. She concluded that she would like to see a new traffic study done, as she deemed the previous study untrustworthy.

Bryan McConnell of Coburg, spoke in **opposition** to the HH development. Mr. McConnell's comment addressed solely what he saw as a need for an entrance/exit onto Industrial. He said that as a Planning Commissioner for Coburg, the safety of the citizens was a top priority, and he felt the ingress/egress onto Industrial from the HH development was in the best safety interests of Coburg citizens.

Mr. Peterson offered rebuttal to the citizen testimony. He said, in regards to the proposed open space at the corner of Pearl and Industrial, another option would be to fence the corner in, so as not to allow entrance into the proposed community from that corner. He said their original intent was to create a pedestrian connection to the Coburg Loop Path.

Mayor Smith closed the Public Hearing on Ordinance A-241 at 8:27 p.m.

Mayor Smith stated that the proposed open space was a concern of his. He also saw the potential for drivers cutting through the neighborhood to avoid traffic; he suggested an egress only onto Industrial from the proposed HH development, and an ingress-only into the development from Pearl. Mayor Smith also expressed concern with the traffic study being an underrepresentation due to it being carried out in August. He concluded that he wasn't in favor of the open space being placed, unfenced, on the corner of Pearl and Industrial.

Councilor Stearns agreed with the Mayor vis-à-vis the corner of Pearl and Industrial. He added that while he thought HH had a good plan with this development, he felt it needed a little more work as far as taking into account safety concerns.

Councilor Gianone posited that HH had done a good job in matching with the spirit of Coburg, and she thought the sizes and prices of the homes were fair, and would offer more affordable housing in Coburg. She shared the concern of her colleagues as far as the proposed open space at the corner of Pearl and Industrial; she said that a border such as a wall or a fence might be appropriate.

Councilor Bell wondered if the impacts on sewer and wastewater had been sufficiently addressed.

Councilor Gianone asked where the storm water from the HH development would go.

Mr. Kernan replied that bioswales placed in the proposed development would capture the storm water.

Councilor Kocurek asked if there was a deadline by which a Council decision would have to be made.

Ms. Davies replied there was no deadline.

Councilor Kocurek said he liked the plan, and he felt the City would figure out something to do with the proposed open space.

Mayor Smith reported that, according to emails and other communications he had received, the citizens of Coburg do not feel like they had proper notification of the proposed development. He said that he hoped Council and the CPC would slow the process down a bit, to allow more vetting by the community.

Mr. Mecham reminded Council that this was the First Reading of the proposed Ordinance A-241, and at the next Council meeting, they could make the decision to: adopt it, make modifications and adopt it, or deny it. Another step, he offered, was to send it back to the CPC for further hearing and deliberation, although, that step was considered unusual.

Councilor Stearns asked what impact the proposed development would have on the Coburg sewer system, not just physically, but financially as well.

Ms. Schuetz replied that all the currently vacant lots in Coburg have been previously factored into water and wastewater projections for residential use, and the City had come to the conclusion that capacity will not be exceeded in the next 20 years.

Mayor Smith stated that Council consensus was to continue the public hearing to the April 11, 2017 City Council meeting. He listed the concerns as: safety surrounding the proposed open space on the corner of Pearl and Industrial, the traffic issue, and storm water issues as raised by MCIP. Mayor Smith concluded that at the April meeting, Council would make a decision which staff could put together as findings.

Community Visioning & Main Street Progress Report: Tab 4

Ms. Schuetz offered Council a progress report on Community Visioning and Main Streets.

City Recorder

Liquor License Application: Tab 5

Ms. Egbert introduced Cory Hill from Coburg Distilling Company, LLC who had submitted a recent application for a liquor license to the Oregon Liquor Control Commission (OLCC), and it was up to Council to recommend or not recommend that OLCC grant the license.

Councilor Gianone moved, seconded by Councilor Kocurek, to Oregon Liquor Control Commission that a License be granted to Coburg Distilling Company, LLC. The motion carried unanimously 4:0.

Finance

Budget & Finance Audit Committee Application: Tab 8

Ms. Heath introduced Council to Brooke Carroll, who had recently applied to the Coburg Finance Audit Committee.

Ms. Carroll offered Council a little background on her expertise with budget and finance.

Councilor Gianone moved, seconded by Councilor Stearns, to approve Brooke Carroll to Position 3 on the Budget Committee for which the term expires on June 30, 2019, and to Position 4 on the Finance/Audit Committee for which the term expires on November 1, 2018. The motion carried unanimously 4:0.

Quarterly Finance Audit Committee Report

Ms. Engebretson offered Council a quarterly Finance Audit Committee report.

Financial Monthly Update: Tab 6

Ms. Heath offered Council a monthly financial update.

Mayor Smith asked if Coburg had signed a new IT contract.

Ms. Schuetz stated that a new contract was signed, but that contract came in after the budget process was completed.

20 Year Sewer Analysis Update: Tab 7

Ms. Heath offered Council an update on the 20 year sewer analysis.

Councilor Gianone suggested leaving sewer rate as is for now, instead of lowering rates one year, only to raise them the next year.

Councilor Stearns suggested that Council give back as much money as possible to the citizens of Coburg to offset perceived overpayments to the Sewer Debt Fund.

Mayor Smith agreed with Councilor Stearns.

Receiving Property Donation — Police Vehicle, 2011 Chevy Tahoe

Chief Larson asked Council to authorize acceptance a gifted police vehicle (2011 Chevrolet Tahoe) from the University of Oregon Police Department.

Councilor Stearns moved, seconded by Councilor Bell, to authorize the City of Coburg to accept the donation of a 2011 Chevy Tahoe patrol vehicle to the Coburg Police Department. The motion carried unanimously 4:0.

Public Works Update

Mr. Harmon offered Council a Coburg Public Works Update.

City Administrator Performance Review

Mayor Smith admitted to not sending out the signed, changed copy of the review to close out the process, but he said he would send it out on March 15, 2017.

Mayor Smith adjourned the Regular Session of the Coburg City Council at 10:24 p.m.

APPROVED by the Mayor and Council of the City of Coburg this 11th day of April, 2017.



Mayor, Ray Smith

ATTEST:



Sammy L. Egbert, *City Recorder*