



Coburg City Council
Regular Session
October 9, 2018 – 7 P.M.
Coburg City Hall
91136 North Willamette St.

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

STAFF PRESENT: Anne Davies, Coburg City Attorney; Sammy Egbert, Coburg City Recorder; Tawnya Ellis, Staff Account; Brian Harmon, Coburg Public Works Director; Anne Heath, Coburg City Administrator; Larry Larson, Coburg Police Chief

OTHERS PRESENT

Nancy McKibben, Coburg Community Foundation, Chris Morris, Branch Engineering, Michelle Sunia, Coburg Community Foundation

RECORDED BY: Rodney Cimburke, LCOG

1. CALL TO ORDER:

Mayor Smith called the Regular Session of the Coburg City Council to order at 7:02 p.m.

2. PLEDGE OF ALLEGIANCE:

Council conducted the Pledge of Allegiance.

3. ROLL CALL:

Ms. Egbert called the roll and announced a quorum was present.

4. MAYOR COMMENTS

Mayor Smith said he was proud to have recently traveled with a group called The Honor Flight, which took veterans back to Washington D.C. to visit war memorials.

5. AGENDA REVIEW

Ms. Egbert pointed to several items in the late additions Red Folder: Tab 1: draft Work Session Minutes from May 15, 2018, and Tab 2A: minutes from the 9/11 Work Session.

6. CITIZENS TESTIMONY:

None.

7. RESPONSE BY CITY COUNCIL

None.

8. CONSENT AGENDA: Tabs 1, 2, and 2A
Minutes May 15, 2018 City Council Work Session
Minutes September 11, 2018 City Council Work Session
Minutes September 11, 2018 City Council

Councilor Gianone pointed out the following needed corrections on the 9/11 Joint Work Session Minutes:

- Page 2, Line 1, it reads: “Mr. Callister suggested City of Coburg form a new boding”, but should read: “...form a new body”
- Page 2, Last Line, it reads: “Ms. Davies replied that a work session would be adequate.”, and it should read: “...a work session would be adequate to discuss UGB.”

Councilor Gianone moved, seconded by Councilor Page, to accept the Consent Calendar as amended. The motion passed unanimously 6:0.

9. SPECIAL GUEST: Coburg Community Foundation

Nancy McKibben and Michelle Sunia, representing the Coburg Community Foundation, offered Council an update on where the Community Foundation was currently at in regards to the purchase of the Primrose Lane to turn into a Coburg Community Center.

Councilor Page wondered if the dollar amounts on the handout the Community Foundation members dispersed to Council were the costs toward the actual purchase of the building.

Ms. Sunia said that was correct.

Councilor Gianone asked what the specific amount needed was at this time.

Ms. Sunia replied \$175,000 by March, and \$395,000 by June.

10. DEPARTMENT ACTIONS AND UPDATES

City Administration

City Administration Monthly Update: Tab 3

Ms. Heath offered the council a monthly City Administration update.

Councilor Page asked if it would make sense for Council to adopt a policy in which Councilors would take meeting notes on specified pieces of paper, since any notes taken at a meeting, and/or concerning a decision to be made at said meeting, was a matter of public record.

Ms. Davies suggested moving toward paperless during meetings.

Ms. Egbert said the City of Coburg was heading in that direction.

Councilor Bell asked for clarification about a previous conversation concerning septic tank placement on the lots in the new Hayden Homes development.

Mr. Harmon said the lots were individually-based, and Coburg has asked that all of the septic tanks are placed in the front of the lots, and the developer had run into issues fitting the tanks in the front yards.

Councilor Bell wondered if this issue was only for lots without houses on them yet.

Mr. Harmon said that was correct.

Councilor Page asked if the Wetlands Park security concerns were associated with the wetlands or the path through them.

Ms. Heath responded it was associated with both.

Councilor Gianone offered that she had been approached by Coburgians asking about the Welcome to Coburg sign on the interstate.

Ms. Egbert told Councilor Gianone that, in the future, it would be helpful if she were to have concerned citizens fill out a Citizen's Inquiry Form.

PUBLIC HEARING: Tab 4

ORDINANCE A-233-B AN ORDINANCE PROVIDING FOR LICENSING OF TELECOMMUNICATIONS PROVIDERS, REQUIRING REGISTRATION AND A LICENSE FEE FOR TELECOMMUNICATIONS PROVIDERS THAT PROVIDE SERVICES WITHIN THE CITY OR USE THE PUBLIC RIGHT OF WAY, REPEALING ORDINANCE A-233-A

Mayor Smith opened the Public hearing at 7:38 p.m.

Ms. Davies provided Council with a staff report on the Ordinance.

Councilor Page asked if any of the companies mentioned in the Ordinance relied on the exemption yet.

Ms. Davies said they had not asked for any exemptions yet.

Councilor Page wondered how the exemption could be taken by a company which did not bring to Coburg its own infrastructure.

Ms. Davies responded that every new telecommunications company would bring their own infrastructure with them.

Mayor Smith expressed unease that there was no Council input on future exemption decisions, rather this was a decision made by the Mayor and the City Administrator, without Council backing of any kind.

Councilor Gianone asked if this issue was similar to utility infrastructure.

Ms. Davies said they were similar, but there were different rules governing utilities than there were governing cable companies.

Mayor Smith closed the Public Hearing at 7:52 p.m.

Public Works

Well Field and Water Project Update: Tab 5

Chris Morris, from Branch Engineering, offered Council an update on the well field and the water project.

Mayor Smith asked how the issue of contamination within a certain radius of Coburg's current wells was being dealt with by the project.

Mr. Morris said there was potential nitrate contamination in the area, but there was still much well-to-well interference to be studied and dialed in. He also suggested extensive drawdown tests to see how much Coburg's wells were pulling from other local wells used for irrigation, etc., and vice versa.

Councilor Gianone asked if areas to the west of town would be the best potential places for a new well field.

Mr. Morris said that was correct.

Councilor Stearns wondered what the minimum gallons per minute (gpm) was.

Mr. Morris replied ideally 400-500 gpm.

Finance

Finance Monthly Update: Tab 6

Ms. Ellis offered Council a Finance Department monthly update.

Councilor Gianone wondered why the check the City wrote to Delta Construction Company for \$76,416.20 for work on Mill Street, was twice what she was under the impression the project would cost.

Mr. Harmon said Councilor Gianone was referring to the Harrison-McKenzie project, which was done by Wildish.

Police

ORDINANCE A-246 AN ORDINANCE CONTROLLING VEHICULAR AND PEDESTRIAN TRAFFIC; PROVIDING PENALTIES; AND REPEALING ORDINANCE A-188: Tab 7

Chief Larson offered Council a staff report on the Ordinance.

Mayor Smith posited the issue at hand was enforcement. He said that, with the majority of Section 24 PROHIBITED PARKING being stricken, the City's, and the Police Department's hands were tied as per enforcement of the Ordinance. Mayor Smith said he would like to retain Section 24.4, which deals with residential parking permits, and strike Section 24.3, which deals with light industrial parking permits.

Councilor Page wondered why Section 23.3, which deals with light industrial parking permits, was stricken.

Ms. Heath responded that City staff did not think it would be feasible to manage a program of that size.

Mayor Smith asked about Section 19 REMOVING GLASS AND DEBRIS. He wondered why the part was stricken which held a party to an auto accident, or a person causing broken glass or other debris to be on a street, liable for cleaning up that debris.

Chief Larson opined that part of Section 19 should stay, because not every accident had a tow truck on seen to clean up.

Councilor Bell wondered if the City could be held liable if someone cleaning debris out of the street was struck.

Councilor Stearns said all changes to the Ordinance should be weighted toward Chief Larson's enforcement of it.

Councilor Page suggested a language change to Section 19, in which, instead of reading, "...shall remove the glass or other debris," should read, "...shall be responsible for the removal of the glass or other debris."

Councilor Page wondered why Section 27 ACTION BY POLICE OFFICER, which deals with a police officer removing the keys from an unattended vehicle, was stricken.

Ms. Heath said it could be an issue, because technically, if a police officer reaches inside a vehicle to remove the keys, that could be considered Illegal Search & Seizure.

Ms. Davies questioned whether Section 18 OBSTRUCTING STREETS AND SIDEWALKS, wasn't enough to make Section 19 unnecessary.

Mayor Smith asked Council to weigh in on Section 27.

Councilor Stearns said it should be left in the Ordinance.

Councilor Gianone said it should be stricken.

Councilor Bell said it should be stricken.

Councilor Kocurek said it should be stricken.

Councilor Page said it should be stricken.

Councilor Blain said it should be stricken.

Section 27 was stricken from the Ordinance.

Mayor Smith asked Council to weigh in on Section 19.

Councilor Blain said it should be reworded as discussed by Councilor Page.

Councilor Gianone said it should be reworded as discussed by Councilor Page.

The rest of Council agreed.

Mayor Smith asked Council to weigh in on Section 24.3.

Councilor Blain said it should be left in the Ordinance.

Councilor Page said Section 24.4 dealt with the issue posed in Section 24.3, and the latter should be stricken from the Ordinance.

The rest of Council agreed.

Mayor Smith asked Council to weigh in on Section 24.4.

Councilor Stearns said it should be stricken.

Councilor Gianone said it should be stricken.

Councilor Bell said it should remain.

Councilor Kocurek said it should remain.

Councilor Blain said it should remain.

Councilor Page said it should remain.

Mr. Harmon voiced concerned with Section 5 DUTIES OF THE DIRECTOR OF PUBLIC WORKS. He said that many of the duties listed were in fact not his duties to perform.

Councilor Page asked if the Traffic Engineer, who would be responsible for any changes made to City traffic controls, and not Mr. Harmon, was a member of the Public Works department.

Mr. Harmon replied the Traffic Engineer was a staff member, a contractor working for Coburg, so he was technically a third party.

Councilor page wondered if changing the language at the beginning of the Section from “shall do,” to “may do,” would solve the issue.

Ms. Davies responded the contract Traffic Engineer would count as the “designee” in the original language, but changing from “shall” to “may,” was not a bad idea.

Mayor Smith suggested amending the language to: “The Public Works Director or their designee, may exercise the following duties.” He also conferred with Mr. Harmon and suggested removing items 3 and 6 removed from the Ordinance, which dealt with oversize or overweight vehicle permitting, and designating certain streets as bridlepaths, respectively.

Mr. Harmon suggested amending the language to “The Public Works Director or their designee, may exercise the following duties, per traffic engineering principles.”

Councilor Page suggested amending the language to “The Public Works Director or their designee, may exercise the following duties, per traffic engineering principles, and consistent with Section 7.”

Councilor Page moved, seconded by Councilor Bell, to adopt Ordinance A-246, an ordinance controlling vehicular and pedestrian traffic; providing penalties and repealing Ordinance A-188 as amended. The vote was a tie, with Councilors Gianone, Kocurek, and Stearns voting against. The motion passed 4:3, with Mayor Smith breaking the tie in favor of the motion.

11. COUNCIL COMMENTS

Councilor Gianone announced she was part of a group working with the Ford Family Foundation, attempting to make everything that foundation has to offer, accessible to rural communities. She distributed a survey for Council to that effect.

11. ADJOURNMENT

Mayor Smith adjourned the meeting at 9:17 p.m.

APPROVED by the Mayor and Council of the City of Coburg this 13 day of November, 2018.



Mayor, Ray Smith

ATTEST:



Sammy L. Egbert, City Recorder