



## **MINUTES**

### **Coburg City Council Meeting**

July 27, 2021 7:00 P.M.

Coburg City Hall

91136 N Willamette Street

**MEMBERS PRESENT:** Mayor Ray Smith; Patty McConnell, Kyle Blain, Markus Alexander, John Fox, John Lehmann, Nancy Bell.

**MEMBERS ABSENT:** None.

**STAFF PRESENT:** Sammy Egbert, City Recorder; Anne Heath, City Administrator; Brian Harmon, Public Works; Megan Winner, Planning and Economic Development; Gary Darnielle, City Attorney; Tim Gaines, Finance Director.

**RECORDED BY:** Jayson Hayden, Lane Council of Governments (LCOG).

#### **CALL TO ORDER**

Mayor Smith called the meeting to order at 7:08 P.M.

#### **PLEDGE OF ALLEGIANCE**

Mayor Smith led the pledge of allegiance.

#### **ROLL CALL**

Ms. Egbert took roll and a quorum was present.

#### **MAYOR COMMENTS**

Mayor Smith shared that it had been a challenging 17 months running Zoom meetings and thought that hybrid meetings would be the norm going forward. He said the month of July was interesting for the City and projects had continued to move forward. Mayor Smith thanked Councilor Bell for stepping in as acting mayor while he was on vacation.

#### **AGENDA REVIEW**

Ms. Egbert noted that she had received an additional written testimony for the public hearing on the transportation utility fee (TUF).

## **CITIZEN TESTIMONY**

### **Written Testimony by Roger Everly**

Mr. Everly shared that the turn on W McKenzie and Willamette St. got pretty hectic in the evenings and that he had almost been in an accident recently. He noted that because the street was only one lane that it got fairly crowded.

## **RESPONSE(S) BY CITY COUNCIL**

Mayor Smith said the City was aware of this issue and it would hopefully be addressed soon.

Councilor McConnell noted that part of the issue was people parking on the street rather than in the parking lot behind the new Coburg Inn and that vehicles were taking up half of the right-hand lane.

Councilor Lehmann mentioned the trees being trimmed at Chief's and asked if this was an example of City property being encroached. Mr. Harmon answered that they were in the county right of way and that the City does maintain those. In response to inquiry from Councilor Lehmann, Mr. Harmon confirmed that it was the City's responsibility to maintain the right of way.

Councilor Lehmann brought up the issue of vacating alleys and noted that a proprietor had two signs in the right of way and wished to have discussion regarding the sign ordinance.

## **CONSENT AGENDA**

### **1. Minutes June 8, 2021 City Council**

Mayor Smith noted an error that Ms. Smith should say Ms. Heath.

**MOTION:** Councilor Fox moved, Councilor Blain seconded a motion to approve the consent agenda as presented. Motion passed unanimously.

## **SPECIAL GUEST**

There were no special guests.

## **ORDINANCES AND RESOLUTIONS**

### **2. Public Hearing | Second Reading**

#### **ORDINANCE A-252 AN ORDINANCE ADOPTING A TRANSPORTATION UTILITY FEE FOR THE CITY OF COBURG**

**Mayor Smith opened the public hearing at 7:30 P.M.**

Ms. Heath shared that there were no changes to the ordinance as the Council did not request any changes. She said changes to the schedule were discussed but there were no changes to

the ordinance itself. Ms. Heath said staff had reached out to most businesses to engage in conversation regarding this and a social media newsletter had been sent out to the community.

She noted an error on page 3 which should say staff would implement as soon as possible but no less than 30 days instead of no more than 30 days.

Councilor Lehmann asked about a possible typo on page 24 and Ms. Heath confirmed that it the cost appropriate for the residence to cover should be \$4,000 per month.

Councilor Fox wished to add a note in the public communication that this was not a surprise and had been discussed and Mayor Smith agreed and added making public the number of businesses which had been contacted. Ms. Heath added that she had left messages and follow up emails for businesses she wasn't able to directly contact.

Councilor Blain asked how the TGM affected decisions moving forward and Ms. Heath thought that the TGM could affect how street conditions were addressed and that they had re-designated a street as a local street instead of a collector. She added that it could affect the costs as more money would be spent to make downtown streets safer.

Councilor McConnell asked to clarify about the written testimony and Ms. Heath said that she would follow up with how the council directs. Mayor Smith stressed the need to consider staff capacity when responding to testimony.

Mr. Anderson said that he was supportive of the ordinance and thought the roads needed to be maintained. He was thankful that the City had been conservative with its fees and thought the schedule was fair.

Ms. Heath noted that annual review was built into the ordinance and that the council could make the decision to reduce the fee if the staff is successful in achieving grants. She noted that the fee may need to be increased if the cost of maintaining roads rose.

**Mayor Smith closed the public hearing at 7:44 P.M.**

Mayor Smith stressed that they did not like to impose more fees or increase taxes and they tried to be considerate to businesses and low-income residents.

**MOTION:** Councilor Blain moved, Councilor Fox seconded a motion to adopt Ordinance A-252, an ordinance adopting a transportation utility fee for the City of Coburg. Motion passed unanimously.

### **3. Public Hearing**

#### **RESOLUTION 2021-16 A RESOLUTION ESTABLISHING A TRANSPORTATION UTILITY FEE RATE SCHEDULE FOR THE USERS AND USE OF THE COBURG MUNICIPAL STREET SYSTEM**

**Mayor Smith opened the public hearing at 7:48 P.M.**

Ms. Heath shared that this resolution worked hand-in-hand with the ordinance and that the fees could be updated annually by resolution. She shared that the council had discussed possible changes namely dealing with fraternal organizations which gave back to the community and recommended a change to the schedule to add a line for fraternal organizations with a revenue below \$25,000 a flat fee of \$10 and for fraternal organizations higher than \$25,000 to have a flat fee plus \$.27 per trip. She noted that the other fees had not changed.

Councilor Blain asked if fraternal organizations included religious places and Ms. Heath answered no. She added that every fee was based on associated trips and there was a separate schedule for churches.

**Mayor Smith closed the public hearing at 7:52 P.M.**

**MOTION:** Councilor Bell moved, Councilor Alexander seconded a motion to adopt resolution 2021-16 a resolution establishing a transportation utility fee rate schedule for the users and use of the Coburg municipal street system. Motion passed unanimously.

#### **4. ORDINANCE A-163-S AN ORDINANCE ADOPTING THE OREGON CRIMINAL CODE, OREGON UNIFORM CONTROLLED SUBSTANCES ACT, OREGON LIQUOR CONTROL ACT, AND THE OREGON MOTOR VEHICLE CODE; REPEALING ORDINANCE A-163-R.**

Chief Larson explained that this ordinance allowed police to cite crimes and violations into the Coburg municipal court.

Mayor Smith noted that the first reading of this was held on June 8, 2021.

**MOTION:** Councilor Alexander moved, Councilor Blain seconded a motion to adopt Ordinance A-163-S an ordinance adopting the Oregon criminal code, Oregon uniform controlled substances act, Oregon liquor control act, and the Oregon motor vehicle code; repealing ordinance A-163-R. Motion passed unanimously.

#### **5. RESOLUTION 2021-14 A RESOLUTION IN SUPPORT OF AN APPLICATION TO THE STATE OF OREGON'S TRANSPORTATION AND GROWTH MANAGEMENT PROGRAM TO ASSIST WITH UPDATING AND ALIGNING THE CITY'S TRANSPORTATION SYSTEM PLAN**

Ms. Winner shared that staff was seeking approval of a resolution in support of an application to the TGM grant.

Mayor Smith asked when they would hear about the results of this but Ms. Winner was not sure.

**MOTION:** Councilor McConnell moved, Councilor Alexander seconded a motion to approve Resolution **2021-14** a resolution in support of an application to the state of Oregon's transportation and growth management program to assist with updating and aligning the City's transportation system plan. Motion passed unanimously.

**6. RESOLUTION 2021-15 A RESOLUTION TO INITIATE A COMPREHENSIVE PLAN AMENDMENT TO THE COBURG COMPREHENSIVE PLAN TO (AMEND OR DELETE) POLICY 6 OF GOAL 14.**

Ms. Winner explained that this tied into the work session discussion on transportation and asked for approval of a resolution to initiate a comp plan amendment. She shared that the first option was to amend policy 6 which would add wording to the language of the policy and the second option was to delete it entirely.

Mr. Darnielle said that legal council recommended option 1 and explained that if annexation was consistent with the comprehensive plan you did not have to make findings but if annexation were not consistent with the comprehensive plan it would create a headache and issues that should not arise during a simple annexation process. He recommended modifying the policy specifying the extra urban growth boundary exceptions you wanted to include and then running it by DLCDC making sure they were comfortable with the language.

Ms. Heath explained that this was brought about by a problem with E Van Duyn being a county road which was adjacent to the urban growth boundary for industrial lands. They had very clear expectations about how the road would be built but they were unable to implement them as they didn't have jurisdiction of the road but Ms. Heath said the county suggested they take jurisdiction of the road. She said they had looked at multiple options and had worked out a process with their regional partners which involved amending the comprehensive plan to allow for the annexation of a right of way which was adjacent to the urban growth boundary and then the City could then take jurisdiction of the road and designate the design of the road.

Councilor McConnell asked if there could be any drawbacks of this and Ms. Heath explained that this was a step in fixing an issue that was overlooked.

**MOTION:** Councilor Alexander moved, Councilor Fox seconded a motion to adopt Resolution **2021-15** a resolution to initiate a comprehensive plan amendment to the Coburg comprehensive plan to (amend or delete) policy 6 of goal 14. Motion passed unanimously.

## **COUNCIL ACTION ITEMS**

### **7. Intergovernmental Agreement with City of Cottage Grove for Building Permit Program Services Addendum 1**

Ms. Winner explained that this addendum was to more accurately assess costs. She shared that Cottage Grove served two other cities and explained that Coburg currently pays 15%, Creswell pays 15%, Veneta pays 20%, and Cottage Grove pays 50% of the program based on use.

Councilor Fox asked how the relationship with Cottage Grove was and Ms. Winner said she could not speak more highly of the relationship, noting that they were easy to communicate with and helpful. Ms. Heath added they were a highly professional organization.

**MOTION:** Councilor Fox moved, Councilor Alexander seconded a motion to approve the Intergovernmental Agreement with City of Cottage Grove for Building Permit Program Services Addendum 1. Motion passed unanimously.

### **8. Grant Funds Acceptance from Cascade West Economic Development Districts**

Ms. Winner explained that the funding was in the amount of \$7,277 to purchase new appliances for the IOOF kitchen. She noted this was CARES Act money for resilience and recovery. She added that appliances have not been ordered yet and measurements needed to be taken in order to find the best investment.

Councilor McConnell asked if this would make the IOOF kitchen compliant to be rented out and Ms. Winner said work was still needed regarding health regulations.

**MOTION:** Councilor Bell moved, Councilor Alexander seconded a motion to accept grant funds from Cascade West Economic Development Districts. Motion passed unanimously.

## **ADMINISTRATIVE INFORMATION REPORTS**

### **9. Finance Written Update**

Mr. Gaines shared that they would like to see revenues at 92% but that this was not the case as revenues were often about a month behind. He noted that revenues were \$1.13 million higher than last year as a water project reimbursement and small city allotment grant for street work which inflated this value. He added that taxes through June 31<sup>st</sup> was approximately \$92,600 higher than last year. Mr. Gaines said that expenses were higher mainly due to the water project, which they were reimbursed for. He noted expenditure was 5% over revenue but that the gap would close soon as revenues were collected.

Councilor Fox asked by what percentage the budget was exceeded but Mr. Gaines did not have that number available.

### **10. Administration Monthly Report**

Ms. Heath shared that the water project was coming along and that they would be meeting with Premier RV the next day regarding potable water. She said an emergency could be declared for this to get a pipeline to them as fast as possible.

Mayor Smith asked what the timeline was on the water project and Ms. Heath explained that it was behind due to Covid and there was trouble getting through review processes. She said they had applied for an extension to make sure there was enough time to complete it.

Ms. Heath shared that Ms. Winner had been promoted to the Staff Planning Position. Ms. Heath wished to welcome Sara Dean to the administrative staff and shared that she had hired an economic development position.

Ms. Heath noted that they had received final version of the American Rescue Plan and how the money could be spent. She explained that it could be used to provide grants or loans for local businesses and to develop community housing and infrastructure for water, sewer, and broadband.

Ms. Heath gave an update on the alley vacation, explaining that the property owners had not been able to come to a decision and the request was to clear the alley so it could be used meaning the encroaching owners would have to move their property.

Mr. Harmon mentioned fines being levied due to permit violations at the wastewater treatment plant and said there was a meeting on August 10<sup>th</sup> to negotiate lowering fines. He explained that these were chlorine level violations due to the way the plant was designed. Councilor Fox asked what the extent of the fines were and Mr. Harmon answered \$4,200.

#### **COUNCIL COMMENTS**

Councilor Fox shared that the concert in the park had been a rousing success.

Councilor Alexander wished for the council to attend the police department training presentation.

Mr. Harmon wanted to hold a work session regarding wastewater related issues and hoped to set a tour for the council of the wastewater plant.

Ms. Heath shared that the City would partner to bring back the block party tentatively set for Friday September 17<sup>th</sup>.

#### **UPCOMING AGENDA ITEMS**

Franchise for Fiber Optics Telecommunication

Security System Update Contract

City of Springfield IGA Jail Bed

**FUTURE MEETINGS**

July 28 Finance | Audit Committee  
July 29 Code Review Ad-Hoc  
August 10 City Council

**ADJOURNMENT**

Hearing no further discussion, Mayor Smith adjourned the meeting at 8:56 P.M.

**APPROVED** by the Coburg City Council on this 14<sup>th</sup> day of September 2021.



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Ray Smith, Mayor of Coburg

**ATTEST:**

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Sammy L. Egbert, City Recorder