

COTTAGE GROVE CITY COUNCIL
REGULAR MEETING MINUTES
January 24, 2011

CALL TO ORDER

Mayor Gary Williams called the meeting to order at 7:30 in the Council Chambers at City Hall.

ROLL CALL/PLEDGE OF ALLEGIANCE

City Recorder Trudy Borrevik called the roll. The following were

PRESENT: Mayor Gary Williams, City Councilors Mike Fleck, Jeff Gowing, Jake Boone, Heather Murphy, Garland Burback and Victoria Doyle

YOUTH REPRESENTATIVE: Dallas Murphy

STAFF PRESENT: City Manager Richard Meyers, Howard Schesser Community Development Director, Mike Grover Police Chief, Pete Barrell Community Services Director, Finance Director Bert McClintock, Ron Bradsby City Engineer and City Planner Amanda Ferguson.

CITY ATTORNEY: Sean Kelly

OTHERS PRESENT: Cameron Reiten - KNND Radio, Greg Winterowd - Winterbrook Planning

ITEMS TO BE ADDED TO THE AGENDA

None

PRESENTATIONS

Mayor Williams read a proclamation proclaiming February 2011 as Kiwanis Children's Cancer Cure Month and presented the proclamation to representatives of the Cottage Grove Kiwanis Clubs.

PUBLIC HEARINGS

(a) Public Hearing on Urban Growth Expansion and Comprehensive Plan Land Use Map Amendments for Employment Lands (MCPA-3-10)

Community Development Director, Howard Schesser, said the public hearing was to look at the Urban Growth Expansion and Comprehensive Plan Map amendment to expand the urban growth boundary for employment land purposes. In 2009 the City undertook an Economic Opportunity Study in accordance with State law and from that have started the process to look at where the urban growth boundary can be expanded in order to accommodate employment lands that provide growth for the next twenty years. He said the City hired Winterbrook Planning with a DLCD grant to assist the City with the process and Greg Winterowd was present at the meeting to present the presentation he gave to the Cottage Grove and Lane County Planning Commissions in April, 2010. He said there was a joint public hearing before the Cottage Grove and Lane County Planning Commissions in October, 2010 and the record was kept open until November for additional written submissions. Each commission deliberated separately, Cottage Grove Planning Commission on December 15, 2010 and Lane County Planning Commission on December 21, 2010 and both commissions unanimously approved the recommendation that was brought forward with the removal of one parcel of resource land.

Howard said putting land in the urban growth boundary did not bring it into the City, it didn't annex the land into the City and didn't re-zone the land into the City or put City zoning on it. He said it just changed the comprehensive plan map and the boundaries of the urban growth boundary for those areas that in the future could be annexed into the City and developed in accordance with the zoning they would have to go through. It did designate the land and in many cases the majority of the land was the same designation that was in the comprehensive plan.

He introduced Greg Winterowd of Winterbrook Planning and said he would do his presentation with regards to urban growth boundaries and the items the City was required to look at and in the order they were required to look at.

Councilor Fleck asked if the County had different zoning for lands that resided within the UGB of a municipality.

Howard said they did but from what he understood they weren't going to change it to Chapter 10, they were going to keep it at Chapter 16.

Greg Winterowd said he had enjoyed working with staff and the citizen's advisory committee and the Lane County staff on doing the Economic Opportunity Analysis and the Urban Growth Boundary and Comprehensive Plan Amendment. He complimented the public works staff who worked with the planning staff to make sure they could prove to the State and others the City could provide services to the land being added to the urban growth boundary.

He said the reason he did the simple path presentation was because trying to diagram the Economic Development Rule called Goal 9 of the State or the Urbanization Rule, Goal 14, would be too confusing and hard to understand. He said he simplified it so people could understand why

cities were going through the process, providing enough land in the urban growth boundary for the next twenty years for employment purposes.

He presented the power point presentation “A Simple Path - Continued”, *which is attached hereto marked Exhibit “A”*. He talked about the “sands and stones” concept, that for a lot of land needs, it was a lot like pouring sand into a vessel, you had a twenty year supply of so many housing units, sometimes commercial land could be viewed that way, so much park land, it didn’t have special needs. The idea of stones was, like a Japanese garden, they had to be carefully placed and they were big chunks, they had special siting requirements that had to be met. The concept of sand, meaning population growth, housing, stones and employment growth that had to be located near a freeway, flat land and with public facility services. He said local government could define the kinds of employment sites that would be needed in the community.

Mayor Williams thanked Greg for his presentation.

Mayor Williams opened the public hearing.

Frank Cretser, 77940 Hwy 99 South, Space #12, Emerald Valley Mobile Home Park, Cottage Grove, asked how soon the property would be condemned and if he had to find a place to move his mobile home and asked what he did when it happened.

Howard said just because the land was in the urban growth boundary, it was up to the property owner to decide if they wanted to move forward with development. He said it was a twenty year time frame the City was dealing with that they had to provide land for, so there wasn’t anything saying that the property would be redeveloped anytime in the near future and most likely leaving it with a low density residential it wouldn’t be changed.

Mayor Williams closed the public hearing.

PUBLIC COMMENT ON AGENDA ITEMS

None

RESOLUTIONS AND ORDINANCES

- (a) Second Reading for Ordinance No. 3001 Amending the Comprehensive Plan Land Use Map (MCPA-4-10)

Community Development Director, Howard Schesser, said the Council held the public hearing and had the first reading at the last meeting and staff recommended that Ordinance No. 3001 be adopted.

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR GOWING THAT ORDINANCE NO. 3001 BE READ ONCE IN TITLE ONLY AND PLACED ON ITS FINAL PASSAGE.

The vote on the motion was as follows:

| VOTE | Councilor Fleck | Council Gowing | Councilor Boone | Councilor Murphy | Councilor Burback | Councilor Doyle | Mayor Williams |
|---------|-----------------|----------------|-----------------|------------------|-------------------|-----------------|----------------|
| AYES | X | X | X | X | X | X | X |
| NAYS | | | | | | | |
| ABSTAIN | | | | | | | |

City Attorney, Sean Kelly, read Ordinance No. 3001 once by title only.

IT WAS MOVED BY COUNCILOR MURPHY AND SECONDED BY COUNCILOR FLECK THAT ORDINANCE NO. 3001 BE ADOPTED.

The vote on the motion was as follows:

| VOTE | Councilor Fleck | Council Gowing | Councilor Boone | Councilor Murphy | Councilor Burback | Councilor Doyle | Mayor Williams |
|---------|-----------------|----------------|-----------------|------------------|-------------------|-----------------|----------------|
| AYES | X | X | X | X | X | X | X |
| NAYS | | | | | | | |
| ABSTAIN | | | | | | | |

(b) Second Reading for Ordinance No. 3002 Amending Title 14, City Wide Land Use District Map (MCPA-4-10)

Community Development Director, Howard Schesser, said Council had amended the Comprehensive Plan for the same property and had the first reading at the last meeting and staff was recommending that Ordinance No. 3002 be adopted.

IT WAS MOVED BY COUNCILOR MURPHY AND SECONDED BY COUNCILOR FLECK THAT ORDINANCE NO. 3002 BE READ ONCE IN TITLE ONLY AND PLACED ON ITS FINAL PASSAGE.

The vote on the motion was as follows:

| VOTE | Councilor Fleck | Council Gowing | Councilor Boone | Councilor Murphy | Councilor Burback | Councilor Doyle | Mayor Williams |
|---------|-----------------|----------------|-----------------|------------------|-------------------|-----------------|----------------|
| AYES | X | X | X | X | X | X | X |
| NAYS | | | | | | | |
| ABSTAIN | | | | | | | |

City Attorney, Sean Kelly, read Ordinance No. 3002 once by title only.

IT WAS MOVED BY COUNCILOR MURPHY AND SECONDED BY COUNCILOR FLECK THAT ORDINANCE NO. 3002 BE ADOPTED.

The vote on the motion was as follows:

| VOTE | Councilor Fleck | Council Gowing | Councilor Boone | Councilor Murphy | Councilor Burback | Councilor Doyle | Mayor Williams |
|---------|-----------------|----------------|-----------------|------------------|-------------------|-----------------|----------------|
| AYES | X | X | X | X | X | X | X |
| NAYS | | | | | | | |
| ABSTAIN | | | | | | | |

(c) First Reading for Ordinance Expanding the Urban Growth Boundary and Amending City Comprehensive Plan, Land Use Diagram Map (MCPA -3-10) for Employment Lands

Community Development Director, Howard Schesser, said Council held the public hearing tonight and read the minutes from both the City and County Planning Commissions and staff was recommending that the ordinance be introduced, read once by title only and following discussion be brought before the Council at the next meeting for a second reading and consideration for adoption.

Councilor Fleck said he thought it was a convoluted process. He said the City had adopted a business park overlay zone last year in apprehension and now weren't going to implement it but after reading through the material he understood why.

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR GOWING THAT ORDINANCE NO. 3003 BE INTRODUCED, READ ONCE BY TITLE ONLY AND FOLLOWING DISCUSSION BE BROUGHT BEFORE THE COUNCIL AT THE NEXT MEETING FOR A SECOND READING AND CONSIDERATION FOR ADOPTION.

The vote on the motion was as follows:

| VOTE | Councilor Fleck | Council Gowing | Councilor Boone | Councilor Murphy | Councilor Burback | Councilor Doyle | Mayor Williams |
|---------|-----------------|----------------|-----------------|------------------|-------------------|-----------------|----------------|
| AYES | X | X | X | X | X | X | X |
| NAYS | | | | | | | |
| ABSTAIN | | | | | | | |

City Attorney, Sean Kelly, read Ordinance No. 3003 once by title only.

(d) First Reading Ordinance Amending Chapter 13.04 of the Cottage Grove Municipal Code Related to Water System Regulations and Charges in Its Entirety

Finance Director, Bert McClintock, said through the years, Chapter 13.04 had been amended several times, making additions and deletions to sections that were no longer needed. She said the Code had become unorganized and difficult to understand and staff felt it needed to be

reviewed and rewritten to modernize the language and address the aspects of the current operations. She said it was important to note that the Public Works Director, City Engineer, City Manager and herself as well as staff that dealt with the system, were involved in rewriting the code. She said one goal of the revised code language was to address water leak provisions which clearly indicate procedures. The proposed code did not create any new fees although the Council may want to consider a fee for late payments. Staff was recommending that the ordinance be read once by title only and be placed on the next agenda for a second reading and subsequent adoption.

Councilor Fleck brought up concerns that he had regarding the ordinance. He said in Section 13.040.030, it talked about distribution on all private connections and the intent was that people who were already hooked to the City water system, and he wanted to make clarification about homes that were annexed into the City that may have well systems, that this was did not force them to actually come into the City. He confirmed that Section 13.040.070 (A) was the description of the items listed in sub-sections 1, 2, 3, 4 and 5 and discontinuance of service would not be just because there was not a backflow device but it actually referred to sub-section 5. His concern in mentioning these items was that if there were older homes or if they had been annexed it, he wouldn't want to go City wide enforcing the changes.

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR BOONE THAT ORDINANCE NO. 3004 BE INTRODUCED, READ ONCE BY TITLE ONLY AND FOLLOWING DISCUSSION BE BROUGHT BEFORE THE COUNCIL AT THE NEXT MEETING FOR A SECOND READING AND CONSIDERATION FOR ADOPTION.

The vote on the motion was as follows:

| VOTE | Councilor Fleck | Council Gowing | Councilor Boone | Councilor Murphy | Councilor Burback | Councilor Doyle | Mayor Williams |
|---------|-----------------|----------------|-----------------|------------------|-------------------|-----------------|----------------|
| AYES | X | X | X | X | X | X | X |
| NAYS | | | | | | | |
| ABSTAIN | | | | | | | |

City Attorney, Sean Kelly, read Ordinance No. 3004 once by title only.

- (e) First Reading Ordinance Amending Section 2.64.150 and 2.64.170 of the Cottage Grove Municipal Code Regarding Elections

City Manager, Richard Meyers, said the current sections in the Code were in conflict with the State Statute which had changed over the years. He said under State law if a citizen filed an initiative petition they would have to have signatures of at least fifteen percent of the registered voters at the time the petition was filed and for a referendum they would have to have signatures for at least ten percent of the registered voters at the time the petition was filed. The City's Code for initiatives requires signatures of fifteen percent of the number of votes cast at the last election for the office of Mayor and ten percent for referendums. The other provision that was in conflict

was the appeal of ballot titles. The current Code states that the City Attorney prepares the ballot title language and if an elector is dissatisfied with the title, they appeal to the City Council. He gave an example where this could be a conflict. If the petition filed were a referendum that was attempting to go before the voters referring something the Council had done, the appeal would go back to the Council who voted for and supported the item already. This could be a conflict or look like a conflict because the appeal would go back to the body that you were sending the vote about. Under State law, appeals of ballot titles would go to the Circuit Court. He said the ordinance before Council fixed the Code to comply with the provisions of State Election Laws. He said the change in signatures would be different. The current Code required 452 as of the last election for an initiative and under the proposed ordinance using the State law requirements it would be 724 signatures.

IT WAS MOVED BY COUNCILOR MURPHY AND SECONDED BY COUNCILOR BURBACK THAT ORDINANCE NO. 3005 BE INTRODUCED, READ ONCE BY TITLE ONLY AND FOLLOWING DISCUSSION BE BROUGHT BEFORE THE COUNCIL AT THE NEXT MEETING FOR A SECOND READING AND CONSIDERATION FOR ADOPTION.

The vote on the motion was as follows:

| VOTE | Councilor Fleck | Council Gowing | Councilor Boone | Councilor Murphy | Councilor Burback | Councilor Doyle | Mayor Williams |
|---------|-----------------|----------------|-----------------|------------------|-------------------|-----------------|----------------|
| AYES | X | X | X | X | X | X | X |
| NAYS | | | | | | | |
| ABSTAIN | | | | | | | |

City Attorney, Sean Kelly, read Ordinance No. 3005 once by title only.

- (f) Adoption of An Ordinance Repealing Chapter 9.40 Relating to Forfeiture of Property by Drug Traffickers and Adopting a New Section 9.06.035 Oregon Civil Forfeiture Code Adopted

City Manager, Richard Meyers, said the ordinance had an emergency clause so the Council would have to determine if there was an emergency and then make a motion to read it twice by title and then make the motion for adoption. He said all the motions would require unanimous votes.

IT WAS MOVED BY COUNCILOR MURPHY AND SECONDED BY COUNCILOR FLECK THAT THE COUNCIL DETERMINES IT IS IN THE PUBLIC INTEREST THAT ORDINANCE NO. 3006 BE ADOPTED AT A SINGLE MEETING.

Councilor Boone asked what the downside was to not declare an emergency. City Attorney, Sean Kelly, said time. The City currently had about five cases pending for forfeitures and he was concerned there may be some concern to finish the projects.

Councilor Boone asked if the City was already doing forfeitures under the current ordinance.

Sean said no, not under the current municipal ordinance, they were operating under the new State law.

Councilor Boone asked if Council didn't pass the ordinance, how did they lose out on the current cases. Did they continue to use the current State law.

Sean said the problem was a conflict with the current Municipal Code being incorrect and outdated. He said the City had seized items and were moving forward on the forfeitures, however there could be conflicts with the Code which would not allow the City to complete the forfeitures. His primary concern was the fact that the projects were in the works and he would feel more comfortable if they had the new ordinance in place sooner rather than later. He said the police weren't an active, regular patrol on the freeways, only when there was time for them to patrol that area. They had seized twenty pounds of marijuana and over ten pounds of methamphetamine in eight months, it was a problem that was being addressed.

He said the other thing they noticed in looking at statistics was there had been few forfeitures since the State law had been written. Lane County hadn't really been doing anything with forfeitures. He said it was an appropriate tool, especially when dealing with people moving substantial amounts of narcotics up and down the freeway.

Councilor Boone said one of his concerns was the wording in the ordinance "...specifically granting the City authority to seek civil forfeiture in non-drug related cases...." and asked if it was inherent in the Oregon Statutes or was that an extra clause that the City was adding.

Sean said it was inherent in the Oregon Statutes but said it needed to be specifically adopted by the City.

Councilor Boone said he had been looking at the laws comparing criminal and civil forfeiture and his concern was he didn't feel clear about it and he was rather concerned about saying it was an emergency and passing it. He said he had done some research and found information that to him as a layman, looked rather unpleasant. He said we already had criminal forfeiture in place. He gave an example of an incident and asked if with criminal forfeiture, the City was able to take the vehicle.

City Attorney, Martin Fisher, said the short answer was no. A criminal forfeiture had to be included in a criminal complaint filed by the County DA and so it was part of a criminal proceeding in Circuit Court. The City couldn't do it at our level.

Councilor Boone asked if there was a way to allow the City to do that.

Martin said no.

Sean asked Councilor Boone what his concern was.

Councilor Boone said it seemed to him that what was going on was civil forfeiture had a lower bar that the government had to hurdle to take someone's property. It seemed that now it required

a criminal conviction on the part of somebody but not necessary the person who actually owned the item in question. He said that concerned him. He said it seemed like there were less protections for an innocent person under the civil forfeiture laws as they stand than there would be under criminal. Considering that the interstate ran through Cottage Grove, innocent people also traveled through on the freeway and there had been a number of documented cases of innocent people getting caught up in something like this where they were not big time drug traffickers like the forfeiture laws were originally designed to combat. He said they ended up losing property anyway because the procedures seemed to have been written to make it very easy for the government to stop the use.

Sean said it wouldn't disagree with him on the old provisions, but he would under the new provisions. In a criminal forfeiture, the distinction was it would be a charge where you would include the item as part of the pleadings in the criminal matter. He said it would be an element, he didn't know if it raised the bar that much over the civil forfeiture. He corrected a couple of things that normally a conviction would be required, however there were some exceptions to that rule as well. He had the same concerns Councilor Boone had, that he didn't want to see government infringing on the rights of the innocent unnecessarily. He said having worked through it and Martin and he having gone through it, he felt comfortable that there were adequate protections, that the law had been changed enough that it wasn't as easy as it used to be for the government to come in and abuse the process. He said the other thing was the way the money was disbursed. In the past it was kept by an agency and the way it was worded now was to remove tools that were being used to commit crimes from people that had been convicted or had consented and allowed officers to find substantial amounts of drugs in their cars. He said he saw on a weekly basis, charging instruments with people having methamphetamine on their person or in their vehicle. He said he hasn't sought forfeiture in any of those cases.

Councilor Boone said in the future, there could be people who used the laws improperly and he felt it was the responsibility of Council to make sure that whatever laws they passed were as concrete as possible as far as protecting innocent citizens. He said he didn't feel that the ordinance did that, it was too open ended. He gave scenarios of two different shoplifting cases of less than one hundred dollars. He said he didn't see where the ordinance had a check for proportionality.

Sean said in the case he described he didn't think there was a significant nexus between the person who stole the item and the theft occurred inside the store, it was concealed on their person and exiting the store and leaving in the vehicle. He said if they had taken the vehicle and rammed through the door and loaded it up with as much merchandise as they could and then sped away in the vehicle, the vehicle was clearly used in the commission of the crime.

Discussion was held on different scenarios of theft using a vehicle and how civil and criminal forfeitures would apply. Also discussed was driving offenses where a car could or could not be forfeited.

Councilor Burbach gave some examples of criminal cases and said he felt that when someone committed a crime, they needed to deal with the repercussions.

Councilor Doyle said when she first read the ordinance she was uncomfortable with it too, but after hearing the conversation she felt more comfortable with it. She said we weren't living in the 50's and we needed to have faith in our law enforcement.

Councilor Gowing said he felt they were worrying about a lot of things that they shouldn't because listening to all the conversation, they were worrying about how to treat someone that broke the law. He said they should pay for what they had done and he didn't have sympathy for someone that was going to be an eight time repeat offender.

Councilor Fleck asked someone's vehicle, other than the person arrested, being involved in a crime and if that vehicle could be seized if the owner of the vehicle didn't have any knowledge of the crime.

Martin said yes but it was more challenging in the absence of some way to connect the person. There was a distinction between a person who was truly innocent versus the person who let the friend use the car repeatedly and kind of knows what is going on but doesn't know specifically.

Councilor Fleck said he had the answer to all of the concerns, that the Council was part of the checks and balances and they oversaw the staff but obviously they couldn't tell them how to prosecute, that wasn't within Council's scope. But if they continually did things that Council disagreed with they could use a different legal firm.

Sean said the procedure hadn't been discussed yet. He said in a case where they would be seeking a civil forfeiture, the first thing that happened was drugs or an item was found, whatever lead them to seize the item. He said at the time of the arrest the person was given notice of the City's intent to seek forfeiture and at that time they could take and file a claim seeking to have a hearing to avoid forfeiture of the item. There was then a hearing before a judge and determination was made as to whether or not forfeiture was appropriate at that time and then there was an additional check. He gave an example of someone arrested for less than an ounce of marijuana and a substantial amount of cash and the person was given the cash back because it wasn't appropriate for forfeiture.

Martin said there were two kind of hearings. A claimant could request an expedited hearing to determine whether the property should be seized and that would be done for something like a car, livestock, something that you needed back. Assuming the person received it back, that was a temporary order that let them keep it pending a trial. The City then had to file a lawsuit in Circuit Court and provide notice to the person who had it and it was published in the paper. Then they wanted to see if the person was convicted or acquitted. If they were convicted the game was over and if they were acquitted it had to be returned. If there was a third party, the City had an analysis of how connected they were and if it was something they could convince a judge of. He said in order to merit that level of work, it would have to be a sizeable asset or a repeat offender, he would not spend the time to have a trial over \$3,000 or an older car, it wasn't worth it.

Sean gave some other examples of cases where claims were filed.

Councilor Boone said he did concur that people needed to pay for what they had done, but he said he felt we might be charging them too much in some cases for what they had done. He asked if there was as way to split off the civil forfeiture portion of the ordinance and making it a separate item. He said he could see the emergency issue with the ordinance we had now and replacing it with the State code but needed more time to review the civil forfeiture.

Discussion was held on options regarding the proposed ordinance.

Mayor Williams reminded Council that in order to adopt the ordinance with an emergency clause, it did require a unanimous vote.

Councilor Fleck said he agreed with Councilor Boone that maybe the ordinance should be split into two ordinances, one for the criminal forfeiture and one for the civil forfeiture.

Sean it was possible to do that. He said he appreciated the concern over the ordinance he was having a little bit of difficulty understanding the distinction. He said non-drug forfeitures were there to address criminal behavior and to take away a tool from a criminal that had been using it to commit a crime.

Councilor Doyle clarified that what they were doing was adopting the State law not rewriting it.

Sean said exactly and the State did allow for non-drug forfeitures.

Richard said regarding procedure, if the motion to adopt with an emergency clause failed, then that clause fell off and the ordinance could be read once by title and bring it forward to the next meeting.

The vote on the motion was as follows:

| VOTE | Councilor Fleck | Council Gowing | Councilor Boone | Councilor Murphy | Councilor Burback | Councilor Doyle | Mayor Williams |
|---------|-----------------|----------------|-----------------|------------------|-------------------|-----------------|----------------|
| AYES | X | X | | X | X | X | X |
| NAYS | | | X | | | | |
| ABSTAIN | | | | | | | |

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR GOWING THAT ORDINANCE NO. 3006, WITHOUT AN EMERGENCY CLAUSE, BE INTRODUCED, READ ONCE BY TITLE ONLY AND FOLLOWING DISCUSSION BE BROUGHT BEFORE THE COUNCIL AT THE NEXT MEETING FOR A SECOND READING AND CONSIDERATION FOR ADOPTION

The vote on the motion was as follows:

| VOTE | Councilor Fleck | Council Gowing | Councilor Boone | Councilor Murphy | Councilor Burback | Councilor Doyle | Mayor Williams |
|------|-----------------|----------------|-----------------|------------------|-------------------|-----------------|----------------|
| | | | | | | | |

| | | | | | | | |
|---------|---|---|---|---|---|---|---|
| AYES | X | X | X | X | X | X | X |
| NAYS | | | | | | | |
| ABSTAIN | | | | | | | |

City Attorney, Sean Kelly, read Ordinance No. 3006 once by title only.

BUSINESS FROM THE CITY COUNCIL

(a) Set Public Hearing for Review of SDC

City Engineer, Ron Bradsby, said the Council had a work session before the regular meeting tonight to go over the process and the next step was to set a public hearing. He said it was staff's recommendation to schedule the public hearing for May 9, 2011 and direct staff to proceed with the preparation of the final report on the SDC charges.

Consensus was to schedule the public hearing for May 9, 2011.

(b) Set a Work Session Date to Continue Goal Setting

City Manager, Richard Meyers, said goal setting was held on January 8, 2011 and the Council was unable to complete the process, therefore a date needed to be scheduled when that could be completed.

Discussion was held and the consensus was to continue the goal setting for Monday, March 7, 2011 at 6 pm.

(c) City Council Vision Keepers Interview Subcommittee Appointments

City Manager, Richard Meyers, said there were appointments on the Vision Keepers that Council needed to make. The City also had several at-large positions that the City would be advertising for recruitment. Council needed to select a sub-committee to interview the applicants and bring forth to the Council for appointment.

Mayor Williams appointed Heather Murphy as the Chair and Councilors Gowing and Fleck to be on the sub-committee.

(d) Concerns from the City Council

Councilor Burback said he had been contacted by a citizen who was concerned about the swim pool. He felt it was important for the community, not just the schools, to be able to use the pool for various swims and programs. He felt the City should, at some point in time if possible, to figure out funding sources to keep the pool open that wouldn't impact the City directly as far as money was concerned. He said something like a sales tax of some kind on certain things might be something to look into.

Mayor Williams said at one time there was a lot of community involvement in a discussion about the pool and asked Richard if that was something that was still active.

Richard said there was a group being formed in the community who were working on finding out what kind of support there was for the pool.

Mayor Williams recommended Councilor Burback talk with Richard to find out who some of the principals were in the community group.

Councilor Fleck said he had attended the Lane Regional Air Protection Agency (LRAPA) meeting today as an observer, his first official meeting would be February 28, 2011. He explained that Lane County was the only county in the State with their own regulatory agency and what they did. He said there had been a contention amongst all of the stakeholders because Eugene had the most representatives based on population and the smaller communities had concerns. He said he was encouraged at the meeting by some of the comments that said at least at a minimum Oakridge and Cottage Grove should have full time representation on the board.

BUSINESS FROM CITY MANAGER

(a) Report from the City Manager

City Manager, Richard Meyers, said one thing they may want to keep their eyes on regarding LRAPA was that they had formed a committee to look at restructuring the organization.

Councilor Fleck said that was what he was referring to, it was a report back from the committee to the full board.

Richard let Council know the City had replaced some light bulbs in the back of the Council Chambers that the City was trying out to see about cost savings.

BUSINESS FROM CITY ATTORNEY

(a) Report from the City Attorney

None.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

None.

CONSENT AGENDA

(a) Minutes of the December 6, 2010 Council Work Session

(b) Minutes of the January 7, 2011 Agenda Session

(c) Minutes of the January 11, 2011 Regular City Council Meeting

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR MURPHY TO APPROVE THE CONSENT AGENDA.

The vote on the motion was as follows:

| VOTE | Councilor Fleck | Council Gowin | Councilor Boone | Councilor Murphy | Councilor Burback | Councilor Doyle | Mayor Williams |
|---------|-----------------|---------------|-----------------|------------------|-------------------|-----------------|----------------|
| AYES | X | X | X | X | X | X | X |
| NAYS | | | | | | | |
| ABSTAIN | | | | | | | |

ADJOURNMENT

There being no further business, Mayor Williams adjourned the regular meeting of the City Council at 9:27 p.m.

The next regular City Council Meeting will be held February 14, 2011 at 7:30 p.m. in the Council Chambers at City Hall.

Trudy Borrevik, City Recorder

Gary Williams, Mayor