

**COTTAGE GROVE CITY COUNCIL
REGULAR MEETING MINUTES
February 8, 2010**

CALL TO ORDER

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

ROLL CALL/PLEDGE OF ALLEGIANCE

COUNCIL PRESENT: Mayor Gary Williams, City Councilors Mike Fleck, Jeff Gowing, Thomas Munroe, Heather Murphy, Wayne Clark and Diane Conrad

YOUTH REPRESENTATIVE: Sierra Hakanson

STAFF PRESENT: City Manager Richard Meyers, Police Commander Dan White, Public Works Director Jan Wellman, Community Services Director Pete Barrell, Community Development Director Howard Schesser, Finance Director Bert McClintock and City Engineer, Ron Bradsby

CITY ATTORNEY: Sean Kelly

OTHERS PRESENT: John Stinnett, Cottage Grove Sentinel

ITEMS TO BE ADDED TO THE AGENDA

None

PUBLIC HEARINGS

None

PUBLIC COMMENT ON AGENDA ITEMS

Joan Siedel, 1142 Ash, Cottage Grove, addressed the Council regarding Item 6(a) and 6(b) and said she didn't understand why the Resolutions were necessary on the two measures, the Council

had already stated their opposition and it seemed almost vindictive. She said she was also interested in the changing of the ward boundaries and if it would bring a lot more residents under one councilor.

Jim Welsh, 90050 Killian Lane, spoke to Council as a representative for the Cottage Grove Board of Realtors regarding Item 6(a) and 6(b). He said the Board was in opposition to the two measures and thought the Resolutions were a great message to those who Council represented within the City and the Resolutions spoke for themselves.

RESOLUTIONS AND ORDINANCES

(a) **Resolution Opposing Measure #20-156 - Makes Type III Planning Commission Decisions Advisory Only**

Councilor Fleck said the point of the resolutions was not to be mean spirited. Whether the intent was good or not, he thought both measures were not in the best interest of the citizens and he felt compelled to state why publicly so that was why he brought forth the resolutions. He tried to stay strictly with what he felt were the facts, not to attack anyone or their values. He did go through them fairly quickly and he offered that if there were some recommended amendments, he was willing to listen to them. He said he didn't think the measure was necessary regarding the Type III decisions, that the Planning Commission did a great job and understood land use better than Council, that was all they did. Council focused on a lot of subjects and the Planning Commission specifically worked with land use and to take it out of their hands would be micro-managing a group that understood the issue better than Council.

Councilor Conrad said the discussion wasn't about the initiatives, Council had already had that discussion, it was about the resolution. She spoke to the Ethics Commission to see if it was an abuse of office, whereas a Council can oppose measures rather than as individuals. She was told that in some arenas it could be considered an abuse of office but the Ethics Commission dealt only with conflicts of interest. She spoke to the Attorney General's office regarding the resolution and was told that resolutions can be written about anything, they didn't have to be true, anything can be put in the resolution and it would be legal.

She had two concerns about the resolution. She said the statement of "increase the costs to citizens seeking land use approval to use their private property" was an amazing statement and "the measure, if adopted, would more than double the time required to receive land use approvals" was another big statement. The statements didn't have to be true, they didn't have to be factual and she asked Council if they wanted to use the wording in a resolution and more importantly if they wanted to use the position as Councilor to make statements opposing a measure. Did they want to use the Council as a political ploy?

Councilor Munroe said he didn't see any Councilors using their office to abuse power. He said Councilors are voted into office to look out for the public in general. He said the resolutions were a way of doing that. If the public decrees that it was totally out of line, what next? He felt after discussing it with Councilor Fleck that it was the best way to go. If Council didn't take a stand now for what was totally right, what kind of Planning Commission would the City have?

The Planning Commissioners are good, honest and trusted citizens who give their time without any pay, to do the best they can for the City of Cottage Grove. He believed that the document that was to be put forth at the ballot, would absolutely hurt the process.

Councilor Fleck said he had stated he was okay with changing the language, however the fact was that if the City was going to have two public hearings regardless, that it would by State law for public hearings notice, increase and more than double the time because of the amount of notice time that had to be given for a public hearing before both bodies. He didn't add, but could have, that it would push the 120 day rule with the risk of a writ of mandamus on almost every item as well, if any hiccup in the process went forth such as with Mt. David and Sunrise Ridge. He felt it was his job as an elected representative to make sure the citizens understood some of the risks that were involved.

Councilor Conrad reminded Council that the discussion should not be about the initiatives and what was happening was using the Council as an opportunity to air political views again. The discussion should be focused on the resolution. As individuals Council can talk to anyone they would like about the initiatives, the question before Council with the resolution was if Council wanted to use the Council to talk about the measures and that had already been done.

Councilor Murphy said she hadn't been available before today to have the discussions and was curious as to why the extra step with the resolution. Council did have the discussion and were all clear in their position, so why the extra emphasis. What were Councilors Fleck and Munroe hoping with the resolutions.

Councilor Fleck said to call public attention to it. His concern was that because it was on a special election in March and there hadn't been any media coverage on the issue, there would be a low turn out. He was okay if Council didn't want to accept the resolution, but felt strongly enough that the resolution was not in the best interest of citizens and if it were a way to call attention and get the media involved with the process, there was a better chance of having a better informed electorate.

Mayor Williams said he was intrigued that the question of political decisions would come from a panel of people who make political decisions. He said he looked at the ballot measures, both of them, as harmful to the citizens of Cottage Grove. He had a responsibility placed on him, as do the fellow Councilors, that they need to act on the best interests of the citizens of Cottage Grove. The two ballot measures, in his view, were harmful to the community of Cottage Grove. He supported both of the resolutions and asked his fellow Councilors to do the same.

IT WAS MOVED BY COUNCILOR MUNROE AND SECONDED BY COUNCILOR FLECK THAT RESOLUTION NO. 1727 BE ADOPTED.

Councilor Clark said this put him in a peculiar situation because he had already stated his total opposition to the two issues and now the decision was should Council have a resolution brought forth to restate the opposition. If he opposed that because he thought it was silly, when strong statements have already been made, that it could be construed that he supported the measures.

He pointed out to the chair and the maker of the two resolutions when it was discussed by Council he had said he didn't think it was a good idea. They could have brought forth some kind of voice of the council discussion and done it a different way. He would reluctantly support the resolution, however he did not believe it was the best way to go about it and it would be extremely more divisive for Council.

Councilor Murphy concurred.

The vote on the motion was as follows:

VOTE	Councilor Fleck	Councilor Gowing	Councilor Munroe	Councilor Murphy	Councilor Clark	Councilor Conrad	Mayor Williams
AYES	X	X	X	X	X		X
NAYS						X	
ABSTAIN							

(b) Resolution Opposing Measure #20-157 - Planning Commission and City Council Decisions on Member's Bias

Councilor Fleck apologized to the other Councilors, that the resolutions had been a last minute thought and he had intended to poll the Council to see what their concerns would be. He said this item stood against everything the nation was founded on, where one person could swing the vote on something, it was just wrong. He felt very strongly about it and the measure was the one that really drove him to bring the resolutions before Council. He highlighted that the whereas that had to do with due process and allowing less than a majority to influence decisions in either body just was something he could not live with. He brought the resolution before Council and was willing to amend sections if they didn't feel appropriate for Council.

Councilor Conrad said the discussion was not about the initiatives, they were about the resolution. She brought attention to numerous whereas' in the resolution.

The third whereas that said something about removing a fellow representative from their position. The initiative did not state, remove from their position, it recused a vote, it did not remove someone from their position. Another whereas that said, would create the opportunity to remove fellow members to eliminate opposing views and opinion, addressed a personal intent. Did Council really want to support a resolution that addressed someone's personal intent, they wanted to eliminate opposing views. Needless to say that if someone did have that intent, they would have it with or without the initiative.

The next whereas, removed the voice from the represented citizen, lead someone to say that no one should recuse themselves because any recusal would eliminate a voice, that was true. One could argue that they weren't removing the voice of the represented citizen, you were removing a biased voice. Another whereas, potential for abuse by self serving interests, again addressed someone's personal intent and could exist with or without the initiative. The other whereas that

said, due process, a vote where only a majority could guarantee that. She thought Council should realize that a majority vote did not guarantee due process. She also thought that in some important situations, a majority was not used but a 2/3 vote was used. The issue of majority did not guarantee due process. The other issue was that maybe some people believed that the issue of ethics should leave no doubt. The last whereas, amended the wrong section of the Municipal Code, why would that be a wrong section?

She said the resolution urged citizens to vote no. The biggest question was did Council want to take the position to tell people how to vote. Councilors could do that as individuals but with the resolution, they would then be supporting that as a Council they would tell people how to vote.

Councilor Fleck addressed the whereas that said amended the wrong section of the code. He said that if Councilors looked in the Code book, they would find that the ordinance was to create a Section 13 in the Appendix and there was already a Section 13 in the Code so a new Section 13 could not be created. He suggested that a better place to have put it would be under Section 2.48 which talked about the Council and duties. He said that some of the signatures for the initiative were gathered before Section 13 was adopted but the second set of signatures were not, the ones that actually allowed it to get on the measure and he assumed that the wording could have been changed to create an appropriate code or could have started over if it had enough support. He did write the resolution at the last minute and if there was language that would be better served with the modification he was willing to consider it.

Councilor Munroe said he looked under Section 9, Council Procedural Rules in Resolution 1313, dated February 25, 1997 and the ID theft was not until 2008. As the ballot measure was done, he could be wrong in date, sometime in June, 2008, then it should have been clarified at that time. He agreed with Councilor Fleck that the whole thing was out of wack.

Councilor Conrad clarified one more time that the date on the text of the initiative was June 6, 2008 and the current title of 13 was on October 15, 2008 so even if it were a confusion because the text was before the Section 13 at present, did Council still want to accept the wording that it was in the wrong section. It was a minor issue that she had outlined so did Council really want that kind of text to support something to say yes as a Councilor I am telling you how to vote.

Councilor Clark said public bodies constantly take positions on ballot measures, etc., it happened frequently and wasn't an abuse of power or a rare activity therefore he didn't agree with Councilor Conrad on that. He offered some friendly suggestions to the resolution: strike completely the third and sixth whereas statements; in the fifth whereas strike the words "to eliminate opposing views and opinions" and in the seventh whereas strike the words "by self-serving interests". He said he believed in the whereas that talked about due process that it was referring to the member who is going to be excluded from the vote, their due process not the person bringing the issue to the board. He also said he had an issue with the resolution and wouldn't have any trouble voting for it, however he still felt it wasn't needed. He said we hear it constantly in our nation's capital, one senator can put a hold on something and it will not happen and we hear nothing but complaints about that kind of politics, but we would like to bring that sort of issue right down here and I can't tell you how strongly I oppose that. That is not how

these councils should work. This is not “I don’t like Mr. Fleck’s idea so I think he is biased. I don’t have to prove that, I think you are bias. I can’t agree with that.

Councilor Conrad said not wanting to talk about the initiatives, she wanted to make a statement that they have to be mindful that the text of the initiatives state that with discussion and reason, so it was not I don’t like you, I think you are biased, you must have a discussion and reason.

Councilor Clark said the reason could be because I think you are bias.

Councilor Conrad said the initiative only spoke to bias it did not speak to voting on the issues that were on the council or commissioner’s agenda, if the majority then was used as it was without the initiative. She said he was only about bias and you couldn’t think of that, that some people think that in an ethical situation, if there should be no doubt so that if you just used the majority, that meant that there were people on the commission or the council that were voting yes there was bias and then they were saying that was okay.

Councilor Fleck said he could support all of the changes that Councilor Clark had suggested, that he actually liked the suggested amendments.

Councilor Murphy said she thought it was ridiculous when they were talking about initiatives or whatever, to get down to ticky-tacky word-smithing in a City Council meeting and she thought the citizens have intrusted Council with a serious job and she would prefer that they didn’t discuss issues such as this in great lengths. That meant please think through the processes and along with what Councilor Clark said, let Council discuss them in a professional and respectful manner and move along.

Mayor Williams asked if Council could move to a question with the amendments.

City Attorney, Sean Kelly, said they should move to the question and then have someone offer the amendments at that point.

IT WAS MOVED BY COUNCILOR MUNROE AND SECONDED BY COUNCILOR FLECK THAT RESOLUTION NO. 1728 BE ADOPTED.

IT WAS MOVED BY COUNCILOR CLARK AND SECONDED BY COUNCILOR GOWING TO AMEND RESOLUTION NO. 1728 AS FOLLOWS: STRIKE COMPLETELY THE THIRD AND SIXTH WHEREAS STATEMENTS; IN THE FIFTH WHEREAS STRIKE THE WORDS “TO ELIMINATE OPPOSING VIEWS AND OPINIONS” AND IN THE SEVENTH WHEREAS STRIKE THE WORDS “BY SELF-SERVING INTERESTS.

The vote on the amendment was as follows:

VOTE	Councilor Fleck	Councilor Gowing	Councilor Munroe	Councilor Murphy	Councilor Clark	Councilor Conrad	Mayor Williams
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AYES	X	X	X	X	X		X
NAYS						X	
ABSTAIN							

The vote on the motion as amended was as follows:

VOTE	Councilor Fleck	Councilor Gowing	Councilor Munroe	Councilor Murphy	Councilor Clark	Councilor Conrad	Mayor Williams
AYES	X	X	X	X	X		X
NAYS						X	
ABSTAIN							

BUSINESS FROM THE CITY COUNCIL

(a) Water Leak Adjustment

City Manager, Richard Meyers, said the City had received a request from Ray’s Food Place for a water leak adjustment. The leak was not underground and did not meet the City’s requirements for an adjustment. The leak was at the old Ray’s (Shop Smart) building at 1405 Hwy 99 N. in the Village Shopping Center and was for 570,800 gallons. It had not been repaired, the line to the roof had just been shut off.

Councilor Munroe said if nothing went into the sewer, then the City should credit the sewer portion of the bill.

Mayor Williams asked if the run off was working it’s way into the sewer disposal.

Richard said it went into the storm drainage system.

Councilor Fleck asked if when the City looked at these requests, if the prior year’s charges were looked at and then the current bill was reduced to that amount.

Richard said that was what was typically done but this case did not fit into that category. The leak was rather substantial, equal to about two swimming pools.

Councilor Fleck said he would not want to waive all the wastewater charges.

City Attorney, Sean Kelly, said that was the leak procedure and this situation did not fit that.

Councilor Murphy said she was concerned about deviating from the procedures, due to the fact that the City had been receiving so many more of the requests and exceptions had been made and the City was opening itself to more and more interpretations. She didn’t feel that an exception needed to be made.

Councilor Conrad said she agreed with Councilor Munroe that since the sewer was not used, that it should not be charged.

Councilor Munroe said he didn't associate stormwater with wastewater, that this was a case of having to pay for something that wasn't used.

Councilor Clark said if the City was going to keep making adjustments, the ordinance needed to be fixed so these issues didn't keep coming to Council.

Mayor Williams said the weather during the period in question caused a lot of frozen pipes. There was some responsibility on the property management, because they kept the utility services in place, to make sure there were no problems during that time and therefore he didn't recommend making any adjustment.

Councilor Clark asked about the Mayor's statement and if the liability had to do with the difference in the volume of water.

Mayor Williams said there was a prolonged freezing event, a property management company or owner ought to have had the due diligence to protect an empty commercial building against adverse weather and they didn't. Therefore, he felt there was an assumed liability on their part.

Councilor Conrad asked if she remembered correctly that the last case before Council the sewer fee was eliminated because the sewer was not used.

IT WAS MOVED BY COUNCILOR CONRAD AND SECONDED BY COUNCILOR MUNROE THAT THE BILL FOR 1405 HWY 99N. BE ADJUSTED TO ELIMINATE THE SEWER FEE.

The vote on the motion was as follows:

VOTE	Councilor Fleck	Councilor Gowing	Councilor Munroe	Councilor Murphy	Councilor Clark	Councilor Conrad	Mayor Williams
AYES	X	X	X			X	X
NAYS				X	X		
ABSTAIN							

(b) Ward Boundaries

City Manager, Richard Meyers, said he was getting ready to update the City's web page and put a new colored map on the site and realized that as a result of some annexations and recent developments that had occurred over the last couple of years, the boundary lines didn't connect in some places. Those boundary lines needed to be extended to the city limit boundaries. He explained the maps provided to Council and what each one showed and talked about the difficulty and confusion in determining the ward boundaries. He said the wards had been redrawn with suggested changes in modifying the wards. He talked about how the changes in

the City's Charter had affected the voting for Councilors in the four wards. He said there was a need to change the ward boundaries before the next election and how it would affect some of the current councilors if they elected to run in the next election.

Councilor Fleck asked if the City had any idea what the population was in each of the current wards. He knew the City didn't have to have an equal population in each ward but hoped that the City would still have somewhat equal representation.

Richard said we did not, the only data was the 2000 census which would not include a number of areas on the map.

Councilor Fleck asked if the map would have to be changed after the 2010 census data was available.

Richard said technically no, because it didn't have the requirement that the citizens had to vote for councilors only from their ward, however there did need to be ample candidate potential from each ward. He said the current ward 2 was an example because it didn't have a lot of residences in it and the density wasn't there like in the other wards.

Councilor Munroe asked if the finance department had an approximate number of the amount of water bills in each ward.

Richard said we wouldn't be able to give an accurate account due to multi-family units and other issues.

Councilor Clark said he would suggest that instead of massaging the process, it might be good to form a committee to work with staff to look at the ward boundaries in a little more depth.

Mayor Williams appointed Councilor Clark, Munroe and Murphy to a committee to review the ward boundary maps and Councilor Clark to be the Chair and Councilor Murphy the Vice-Chair.

(c) Audit Committee Meeting/Annual Audit Acceptance

Bert McClintock, Finance Director, said the City's Audit Committee had met on January 26, 2010 with the City's Auditor, Kamala Austin from Merina and Company, LLP. The financial statements for the year ending June 30, 2009 received a clean opinion fairly presenting the City's financial position. There were no audit restrictions on the audit scope placed by management nor were there any disagreements with management. They also performed a single audit of the federal awards received by the City with no findings to be reported. There were some capital assets that had not been captured the previous year so an adjustment was made, they were assets that were given to the City by a developer and not recognized by the finance department. The audit was on the City's web page. Staff recommended that the City's Comprehensive Annual Financial Report for the year ending June 30, 2009 be accepted and put on permanent file by the City Council.

IT WAS MOVED BY COUNCILOR MUNROE AND SECONDED BY COUNCILOR

GOWING THAT THE CITY’S COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE YEAR ENDING JUNE 30, 2009 BE ACCEPTED AND PUT ON PERMANENT FILE BY THE COUNCIL.

Councilor Conrad said she would be voting in favor of the issue but wished to comment on two items. Some of the expenses for the Middlefield Golf Course, such as equipment, was listed under the Water Department and she knew it was a legal listing but wanted to note that. Also the largest portion of the City of Cottage Grove’s net asset, 88%, reflects its investment in capital assessments, example land, building, machinery and equipment. She brought that up because in a workshop that she attended, the responsibility of a City Council was to help guide the priorities of the budget and did the Council want 88% of the budget in capital assets.

The vote on the motion was as follows:

VOTE	Councilor Fleck	Councilor Gowing	Councilor Munroe	Councilor Murphy	Councilor Clark	Councilor Conrad	Mayor Williams
AYES	X	X	X	X	X	X	X
NAYS							
ABSTAIN							

(d) Approval of Technical Assistance Grant Agreement Between DLCD and the City of Cottage Grove

Community Development Director, Howard Schesser, said he just received the agreement today at 1pm. It was a Technical Assistance Grant from the Department of Land Conservation and Development (DLCD) in the amount of \$30,000 to conduct the Urbanization and UGB Amendment Study. The full project was estimated to be around \$60,000 with a good portion of the City’s share to be in-kind services. Staff was recommending Council authorize the City Manager to enter into the Technical Assistance Grant Agreement with DLCD in the amount of \$30,000.

IT WAS MOVED BY COUNCILOR MUNROE AND SECONDED BY COUNCILOR FLECK THAT THE CITY MANAGER BE AUTHORIZED TO ENTER INTO THE TECHNICAL ASSISTANCE GRANT AGREEMENT WITH DLCD IN THE AMOUNT OF \$30,000.

The vote on the motion was as follows:

VOTE	Councilor Fleck	Councilor Gowing	Councilor Munroe	Councilor Murphy	Councilor Clark	Councilor Conrad	Mayor Williams
AYES	X	X	X	X	X	X	X
NAYS							

ABSTAIN							
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(e) American Recovery and Reinvestment Act (ARRA Economic Stimulus) Agreement Amendment

City Engineer, Ron Bradsby, said that in April, 2009, Council was presented with options for use of ARRA funding through the federal government. Council directed city staff to replace Woodson Bridge between Hwy 99 and North River Road and South 8th Street. Upon that decision, ODOT prepared an agreement between the City and ODOT and acquired signatures in August, 2009. The document before Council was an amendment to that signed agreement, which added Surface Transportation Program funds to the construction phase of the project, corrected inconsistencies in the language, as well as added provisions that were not available in 2009. Staff recommended that Council authorize the Mayor to sign the agreement.

IT WAS MOVED BY COUNCILOR MUNROE AND SECONDED BY COUNCILOR MURPHY THAT COUNCIL AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT.

The vote on the motion was as follows:

VOTE	Councilor Fleck	Councilor Gowing	Councilor Munroe	Councilor Murphy	Councilor Clark	Councilor Conrad	Mayor Williams
AYES	X	X	X	X	X	X	X
NAYS							
ABSTAIN							

(f) Concerns from City Council

Councilor Conrad said she attended a recent lecture and program by the Workforce Network at Lane Community College (LCC), that was accepting applicants that would create job skills and job opportunities. They had two sites, (541) 463-5223 and (541) 686-7601, both in Eugene. Also St. Vincent dePaul Society had a program called ARRA Jobs Program for individuals and families and the program was directed for homeless people. They would take homeless people into the program, give them job training and possible job search and placement at not cost which was available until June 30, 2010.

Councilor Munroe asked about the curb and gutter in front of City Hall and where it was on the maintenance list.

Richard said it would be on the maintenance list during the work session on streets.

Councilor Conrad said that on February 15th from 7-9pm in the Council Chambers, she and Mike Fleck would be holding an educational forum on the initiative measures providing both sides of

the issues and answers questions.

YAC Representative Sierra Hakanson said her dad worked for OBEC and today they had sent engineers to look at the bridge by the highschool and they had found out that it was leaning.

BUSINESS FROM THE CITY MANAGER

(a) South Lane School District Pool Update

City Manager, Richard Meyers, said the City had provided \$65,000 to the School District to help with the operation of the swimming pool and Mike Dirksen was present to provide Council with a report on the pool operations over the last year.

Mike Dirksen, 242 N. I Street, Cottage Grove, said he was the licensed teacher for South Lane School District for swimming classes. He said January, 2010 was the best month they have had in the last fifteen years. He said Terry Noah, would talk to Council about the adult senior program and Jason Mills, who was in charge of the community program, would provide information about the other programs at the swim center.

Terry Noah, 32738 Glacier Hill Road, Cottage Grove, said the adult senior swim program was a wonderful program, the numbers had increased in the program and they even had men attending. She told Council what the senior program had done for her and the other seniors that were involved in the program.

Jason Mills, 702 Benjamin Avenue, Cottage Grove, said he was the aquatic specialist for South Lane School District and was in charge of the community program. He provided figures and information regarding the swim center and outlined all the programs available. He provided handouts with information on the various programs and the pool schedules during the school year and the summer. He discussed changes that had been made at the pool and talked about the number of employees who worked at the swim center and their responsibilities. He said the School District had been awarded a grant in the amount of \$10,000 that was available to provide financial assistance for people who were unable to pay for programs, which helped to offset costs.

(b) Report from City Manager

Richard said the City would be 123 years old on Thursday, February 11, 2010, it was incorporated in 1887.

Richard talked about the Chambers Railroad Bridge and told Council that the bridge had moved slightly in the recent storms. The City Crew would be putting up additional fencing the keep people off the bridge and the City would be working with the police department to increase the patrol in the area and actually citing people if necessary. He said he had also talked with the School Superintendent to see if announcements could be made in the schools to let students

know to stay off the bridge, it was dangerous and not very stable. He said the work to remove the bridge was scheduled to start in July of this year.

Richard told Council that the YAC Academy was scheduled for Monday, February 15th from 9am-4:30pm and Council was invited to eat pizza with the students in the Council Chambers at noon.

Richard also reminded Council of the Work Session on wastewater was scheduled for Friday, February 19th from 1-2:30pm in the Council Chambers.

BUSINESS FROM THE CITY ATTORNEY

(a) Report from the City Attorney

City Attorney, Sean Kelly, said he was always available for Council and they could also contact staff regarding concerns or questions they may have about any issues.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Darby Valley, 206 S. 13th Street, Cottage Grove, spoke to Council in favor of helping the Village Green. He said it had come to his attention that they were having financial hardships and were considering taking a buyout offer which would turn at least the gardens, if not more, into a truck stop. He was a new resident to the community and had spoken with between 50 and 75 people in the last week and said there was a lot of support for helping the Village Green to become and remain a viable business and act as an engine to drive more business for the community.

John Albrecht, 725 Row River Road, Cottage Grove, said he worked at the Village Green but was not entitled to speak on their behalf, he was speaking to Council as a resident of Cottage Grove. He asked Council to consider items that come before Council in the future regarding the Village Green. He said with community, Council and other leaders in the community support, the Village Green to be kept as a resort.

Pat Patterson, 1140 S. 10th, Cottage Grove, said today was the 100th Anniversary of Boy Scouts of America in the United States. It was the only organization that was chartered by the U.S. Congress.

CONSENT AGENDA

(a) Approval of the minutes of the December 21, 2009 Work Session

(b) Approval of the minutes of the January 11, 2010 Regular Council Meeting

(c) Approval of the minutes of the January 25, 2010 Regular Council Meeting

Councilor Munroe said on the December 21, 2009 minutes on the second page at the bottom, Munroe Street was spelled incorrectly, it should be Monroe.

IT WAS MOVED BY COUNCILOR MUNROE AND SECONDED BY COUNCILOR CLARK TO APPROVE THE CONSENT CALENDAR AND MINUTES AS AMENDED.

The vote on the motion was as follows:

VOTE	Councilor Fleck	Councilor Miller	Councilor Munroe	Councilor Murphy	Councilor Clark	Councilor Conrad	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 9:14pm.

The next regular City Council Meeting will be held February 22, 2010 at 7:30 p.m. in the Council Chambers at City Hall.

Trudy Borrevik, City Recorder

Gary Williams, Mayor