

COTTAGE GROVE CITY COUNCIL
REGULAR MEETING MINUTES
March 28, 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: City Councilors Mike Fleck, Heather Murphy, Garland Burback, Victoria Doyle and Mayor Gary Williams

ABSENT: City Councilors Jeff Gowing and Jake Boone

**YOUTH
REPRESENTATIVE:** None

STAFF PRESENT: City Manager Richard Meyers, Howard Schesser Community Development Director, Mike Grover Police Chief, Pete Barrell Community Services Director, Finance Director Bert McClintock, Jan Wellman Public Works Director and City Planner Amanda Ferguson

CITY ATTORNEY: Sean Kelly

OTHERS PRESENT: Cameron Reiten - KNND Radio; Jon Stinnett - Cottage Grove Sentinel

ITEMS TO BE ADDED TO THE AGENDA

None

PUBLIC HEARINGS

- (a) Public Hearing on Appeal of the Planning Commission Approvals of Jack-In-The-Box: Conditional Use Permit (CUP-2-10) AP-2-11; Variance (V-7-10) AP-3-11; and Site Design Review (SDR-1-10) AP-4-11

Community Development Director, Howard Schesser: Good evening. You have before you an appeal regarding the three applications that the Planning Commission considered at their meeting in, it's been a while, in January 12th of this year, dealing with the conditional use permit, and in the tourist commercial zone, a conditional use permit is required because of the drive through

aspect of the restaurant. The variance is required because we have a standard with regard to location of the drive through related to a street. Ideally it's not to be between the street and a building so you have that, although you wouldn't know it in Gateway, Burger King, KFC and even the Carl's Jr., to some point, don't meet that standard. Then you have the site design review which is the major document that has gone through the Code line by line item on each one of the Codes. Since the time the Planning Commission has seen it, you also have the traffic impact analysis before you, the one that is dated March 14th and you have a copy before you. Before you open the hearing, we would note that I did pass you the one Memorandum dated today (attached hereto and marked Exhibit "A") with regard to Condition #40 that if you do decide later in the meeting to uphold the decision of the Planning Commission to deny the appeals, that we would request that you change Condition #40 in the site design review to reflect the one before you and this is a result of information that we got from ODOT approving that traffic analysis today, this afternoon. So given that, I recommend the public hearing be opened.

Mayor Williams opened the public hearing.

Michael Robinson: Good evening Mayor Williams and members of the City Council, my name is Michael Robinson. I'm a Land Use Attorney here on behalf of the applicant and my mailing address is 1120 NW Couch Street, 10th Floor, Portland, OR 97209-4128. Now before I begin Mayor, if I could, I would like to introduce Brett Fox. Brett wants to talk a little bit about the project and then I will come up and address the approval criteria with your permission.

Brett Fox: Good evening ladies and gentlemen. We have worked diligently with the City Staff in putting together our application for this project and we are very eager to get started so we hope that we can answer any questions you might have at this time and move forward as quickly as possible. We've really got two tax parcels at this location and primarily at this time we are interested in developing a Jack-in-the-Box restaurant on the corner of Oswald and Gateway. Thank you very much.

Michael Robinson: Mayor Williams and members of the Council, Mike Robinson, again on behalf of the applicant. My presentation will be fairly short today and the reason is this is your record in this case and if there is anything else we can do on this, I'm not sure what it would be. I have to compliment both your Staff and your Planning Commission, I think they have helped us make a better application and a record that in my view will withstand appeal. So, you have met Brett, I would also like to introduce our traffic consultant, Brian Genovese. Brian is with JRH Engineering in Eugene. Brian did the traffic study. If you have had a chance to look at it, you see that it was a very thorough traffic study. All of the intersections, as I will tell you in a moment, operate acceptably with the exception of the I-5 South bound ramps. What we are going to do is put in a permissive left turn signal, and that's that blinking yellow light so when there is a gap in traffic, let's you turn left, you get more capacity. When we put that in, that intersection is actually going to perform better than it does today. We are going to give you more capacity. But if you have questions about the traffic study or about how that works, Brian is the person to talk to, not me. So you have met Brett, you have met Brian, you have met me. Let me just walk you through the applications if I could and then I'll conclude. As Howard said there are three applications before you. The conditional use permit, that's because drive through restaurants in the tourist commercial zone are conditional uses. We have a variance to allow queuing for the

drive through between the building and Oswald West Avenue. Staff report, I think, explains it pretty well. The reason we have to do that is because you can't have two drive throughs facing one another, the circulation won't work on site so we have put it out to the side. And lastly we have site development review for both restaurants. Because Brett said there was two existing legal lots, there is a property line adjustment that's working its way through your system to slightly tweak the lot line, that is not before you tonight however. Your Staff originally recommended approval of the three applications, Planning Commission approved them, this appeal followed, Staff once again recommended approval and I think the evidence is more than sufficient to show that we meet the approval criteria. Now let me just mention a few facts to you. As Brett said there are two lots here. They are existing legal lots and we are going to in a later application modify the lot lines slightly. So we start out with two lots, we're going to end up with two lots and we will have two restaurants, one on each one. With the exception of some single family homes on the westside of the two lots, all the surrounding uses are office or retail, in fact most of them are similar to what Brett's proposing to building here, restaurants. Because this is an interchange, folks get off the freeway and have a bite to eat. Oswald West is a local street that runs off of Gateway and just one important point for you to note, the location of the drive through facility will be across the street from the insurance office building, it won't be across the street from the duplex that is further west of that office building. So we will have a commercial office compatibility, not a retail to residential. Gateway is a minor collector in your TSP and also a commercial collector in your development code. Oswald West is a local street. We are going to end up with two driveways, so effectively they are going to be shared driveways but effectively you could look at it as one driveway for each business. We have one on Gateway, we meet the standards for a driveway there. We have one on Oswald West, we meet the standards for a driveway there. I had just a few issues I wanted to cover and they are pretty minor. The traffic study. Brian's traffic study was very thorough, Howard coordinated with the School District and with ODOT as required by your Code and we didn't get a comment from the District, we did get a comment from ODOT. They suggested revised condition of approval 40, we have looked at that, we are comfortable with it and they also approved the traffic study and they believe the condition of approval is feasible. You may hear some testimony tonight regarding the property line adjustment. I would tell you my opinion, that's not relevant to the decisions before you tonight, that is going to come up in a separate application. What's before you tonight, the CUPs, the variance and the site design review. We think we have met all of the approval criteria for all three applications, we did the traffic impact analysis recently, I have a couple of separate letters, including a March 16th letter, that has extensive findings on the traffic study criteria, January 11th letter and a December 3rd letter, all of which address the approval criteria. And we only have opponent. We have had one hearing before the Planning Commission, we only had our next door neighbor, Carl's Jr., who was the opponent. We may have more tonight but up until now we haven't gotten letters or testimony from other folks. So at the end of tonight, we hope that you will approve this application, we are comfortable with the conditions of approval recommended by your staff. We believe that the substantial evidence that is in the record is sufficient for you to find that the approval criteria are met. If I haven't answered questions that you are thinking about, please ask me before you close the record, or Brett or Brian, our job is to give you the information that you need to approve this application. With that we would ask you to follow the recommendation of both your Staff and your Planning Commission and approve the applications. If you do so tonight, we ask that you direct the prevailing party to return the findings for review by your staff and then I understand you could

make the final decision at your Council meeting on April 11th. So thank you for your time tonight. Mayor, are there any questions we can answer for you or your Councilors?

Mayor Williams: Not at this time, no. Is there anyone else in the audience who wishes to address the Council regarding this? Please come to the microphone and state your name and address for the record. Good evening.

Kim O'Dea: Good evening. Kim O'Dea, Law Office of Bill Kloos, 375 W. 4th, Suite 204, Eugene, OR 97401. I'm an attorney and I represent the opposition. I am going to make this nice and short and sweet tonight. (Handed out a letter dated March 28, 2011 addressed to City of Cottage Grove City Council, attached hereto and marked Exhibit "B"). I sound like a broken record up here so I'm just going to hit the high points and then I'm going to sit down and let you do your deliberation. I think the variance, I mean the property line adjustment, is relevant to the current application because all the site plans you have in front of your and all the site plans that have been analyzed by Staff, are based on a property line adjustment that cannot happen, at least in the foreseeable future, because it is the same application filed within the same year and that will be before you and I'm sure you've heard plenty about it. But I do think it is relevant to this application because of the shape and the dimensions of the site plans and all the setbacks haven't been measured for property lines. Staff admits that we have two legal lots, we have two tax lots and the site it consists of two lots, which means that the review of the development ordinance is going to be from the property lines. Those property lines are going to shift, so the facts that you have in front of you, if those property lines can't shift, the facts are going to change. But the biggest bar to this development being approved, is that it does not, it needs a variance, it needs a variance to the provision of CGZO 2.3.180.A, that means no driveways or queuing areas located between the building and the street. It doesn't qualify for a variance of that standard, because the reason it needs a variance is because it is designed badly. The variance provisions are supposed to be very difficult. If you read them they are near impossible to meet and that is because you only need a variance if you really, really, really can't do something. If your property is completely within a flood plain, you can't develop at all, you need some relief, you need some variance. Here, it's a design that is causing the problem. The staff report relies a lot on the common driveway. Well there is no reason that has to be a common driveway, they could ask for another driveway, they could, they haven't. They could design the site with only, they could one development site, and only do one development on the site, they could, they haven't. I haven't see anything in the record at this point, that shows any alternatives to this particular design and this particular use on the site, that would warrant a variance. Those are the two really big issues that we keep bringing up over and over and over again so I'm just going to hit them, hit them lightly like that because you have plenty of stuff in the record that talks to both of these issues. It appears from some of the stuff that has been brought into the record lately, that another variance is going to be needed. As I reviewed it, it was to the apron width, I believe, and the notation was just go ahead and make that a condition of approval and we'll come back and do a variance to that as well, so perhaps we will be back before you again in some future time, looking at more variance provisions. With that if you have any questions from me, that's great but like I said you have plenty and plenty and plenty of paper in the record from the law office of Bill Kloos.

Mayor Williams said he didn't believe there were any questions at this time.

Applicant rebuttal.

Michael Robinson, again on behalf of the applicant. Let me touch on the three things that Ms. O'Dea commented on. The property line adjustment. I am comfortable with you adding a condition to these approvals, requiring recording of the property line adjustment before we have a certificate of occupancy. Property line adjustment is not before you but I will tell you that it is fully approveable so if you want to add a condition, as I have just suggested, I am fine with that. I don't think it is necessary but in abundance of caution, I am comfortable with that. Cottage Grove Development Code 2.3.180.A, that is the variance to allow the queuing between the drive through facility and the street. I disagree with Ms. O'Dea, variances aren't meant to be impossible, if they were impossible to achieve, you wouldn't have them in your Code. It is fully possible for you to approve this one and it is fully possible for it to be upheld on appeal. The staff report and our submittals give you plenty of substantial evidence explaining why a variance is justified in this case so I disagree that it is not possible to be satisfied. If you did follow her suggestion, you wouldn't be able to meet the Code, you would have two driveways from each lot too closely spaced on Gateway Boulevard to meet your standards. I guess her suggestion is you leave one lot vacant. I don't think that's a good economic use of land, it doesn't generate jobs or taxes and it doesn't do what your Code is intended to do which is to encourage good development in the City. Lastly she suggests that we need another variance for the apron width, that's in your Code it uses the term throat depth, we don't. We have talked with Staff and if you look through the Staff report they have explained how that provision of the Code operates. They were actually out in front of us on addressing that issue and we agreed with the Staff report so I think you can reject that argument. Mayor that is the only rebuttal I have. We waive our right to final written argument and we hope you make a tentative decision tonight. Thank you.

Mayor Williams closed the public hearing.

Council took several minutes to read the letter from Kim O'Dea dated March 28, 2011.

(b) Public Hearing on Comprehensive Plan Amendment/Land Use Map Amendment for Family Relief Nursery (MCPA-5-10) 720 N. 14th Street and 1500 Harvey

Councilor Murphy, recused herself, as the Family Relief Nursery is her employer, and left the Council Chambers (7:49pm).

City Planner, Amanda Ferguson, said the application before council was to make three changes to the properties between 720 N. 14th and 1500 Harvey Lane. She said the first was to re-designate the single family lot that was on the corner of Harvey and North 14th, 1500 Harvey, from Low Density Single Family Residential to Medium Density Residential in the Comprehensive Plan Map. She said the second was to take the same lot and rezone it from R-1 Single Family Residential to R-C Residential Commercial. The next was to take the lot upon which the Family Relief Nursery sat and the two vacant lots adjacent to it, and rezone those lots from R-2 Multi-Family Residential to R-C Residential Commercial. She said the application was designed to allow the Family Relief Nursery to come back in the future with a site design review that would link all four of the lots into an expanded facility. She said they were looking to change the zoning to Residential Commercial to allow them to expand the types of

coordinated uses that were occupying the site, including allowing them to have other service organizations that were similar to their mission, to locate in an office building that they were proposing to construct in the future under separate application. She said the Planning Commission held a public hearing on the application on February 16, 2011 and four people spoke at the hearing, one in favor and three opposed. Following the deliberation, the Planning Commission recommended to Council unanimously, that the application, MCPA 5-10, be adopted based on the criteria findings and conclusions and recommendations found in the Staff report. She said it was now appropriate for Council to hold the public hearing.

Mayor Williams opened the public hearing.

Jim Belknap, 1785 E. Main Street, Cottage Grove, Oregon, spoke on behalf of the applicant, Family Relief Nursery, as a member of the Board of Directors. He said the Family Relief Nursery had been in existence for approximately fifteen years. He said the nursery served approximately one hundred twenty-five children a year. They provided therapeutic child care, intervention and counseling to families in crisis. They currently had thirty-two positions for children that they were able to serve within their facility. They were limited by the square footage they had in their facility and had a waiting list of over forty children who needed their service. He said that in itself spoke to the merits of their proposal. He said in order to expand their facility, they had purchased two adjoining lots and they needed the zone change. He said they would come back later with their design proposal. He said parking was a real problem with their facility and in the neighborhood. He said the immediate proposal they had, which they had spent the last two years developing, would expand from nineteen to twenty-six parking spaces, if they were able to successfully process through the site review. He said in addition, they were going to construct a circular turn around for vehicles coming to the facility so they wouldn't have to back out. He said most of the students were bused to their facility under a contract with South Lane School District. He said they had to deal with the parking for their staff, which they were attempting to resolve. He said there was a need to provide counseling for adult sexual abusers. He said it was the Family Relief Nursery's hope that Council would assist them in continuing the work of the community and breaking the cycle of child abuse.

Jan Fuller, 1300 Pennoyer Avenue, Cottage Grove, Oregon. She said Pennoyer Avenue was the street that butted up against 14th Avenue and Witherspoon Court and she was three houses down from the entrance to Witherspoon Court. She agreed there was a need to deal with child abuse and help people, but didn't think that rezoning the area was the answer. It would impact her property values and had already impacted the amount of traffic on Pennoyer Avenue. She said the school bus used to pick her daughter up at their house, but now because of a school bus hitting a parked car in the area, the bus route had been changed and they now had to take her daughter to the end of the street to be picked up. She said because of the parking issues in the area, the same thing could happen again with the increase of buses bringing more children to the Relief Nursery. She said she thought a more appropriate thing to do was for the Relief Nursery to relocate to another location instead of trying to add on to the existing facility.

Mary Seals, P. O. Box 523, 78008 S. 6th, Cottage Grove, read a prepared statement which is attached hereto and marked Exhibit "C").

James Belknap, said an easement was beneficial to a tract of land and Mr. and Mrs. Seals had an easement that benefitted their tract of land. He said the easement was not restricted and they had the right to use access over, what was formerly the Taylor property, for access to their property and the Family Relief Nursery wasn't restricting that. He didn't feel Mrs. Seals was correct in making the assertion that they could deny access over land that was held in fee title by the Presbyterian Church which leased the property to the Family Relief Nursery for a dollar a year. He said the access to the Seals' property was an unimproved portion of property that laid behind the three rental homes that they owned and the access didn't provide the vehicular access to the three homes, the three homes went out opposite from where the street came into the end of what would be Witherspoon Court or the extension of 14th Street. He said although there is a parking problem in that area, the Relief Nursery didn't have control over everyone who parked in the area. He said if it was brought to their attention of improperly parked vehicles, staff would make contact when appropriate to have the vehicles moved. He said he believed the representation Mrs. Seals made regarding the easement was inaccurate and he would be happy to return if necessary or present the information to the planning staff and get a title report to demonstrate who owned what and who had the legal access.

Mayor Williams closed the public hearing.

PUBLIC COMMENT ON AGENDA ITEMS

None

RESOLUTIONS AND ORDINANCES

- (a) First Reading for Ordinance Amending Comprehensive Plan for Family Relief Nursery (MCPA-5-10)

Community Development Director, Howard Schesser, said Council had held the public hearing and had the recommendation of the Planning Commission and staff was recommending that the ordinance be introduced, read once by title only and following discussion, it be brought before the Council at the next meeting for a second reading and consideration for adoption.

Councilor Fleck said at the Friday Agenda Session, he thought it was stated that there was not a recorded easement that could be found.

Howard said Amanda had looked but was unable to find a recorded easement with the County. He said it didn't mean it didn't exist but they hadn't been able to locate one and there hadn't been one entered into the evidence at either one of the public hearings.

Councilor Fleck said there was some other confusion as well because it did state in the minutes that Mrs. Seals owned the property, yet there was testimony from Mr. Belknap that she didn't own it, but had an easement across the property.

Howard said Mrs. Seals and her husband owned the property north of Witherspoon Court and the Relief Nursery. He said the Presbyterian Church owned the property that the Relief Nursery was located on.

Councilor Fleck wanted to confirm that the easement wasn't restrictive, that as long as access was granted the easement was in force.

Howard said to his knowledge it was an access easement and they could still gain access. He said there had been issues with cars parking there but it wasn't exclusive to his knowledge nor had there been any evidence presented showing them that.

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR DOYLE THAT ORDINANCE NO. 3008 BE INTRODUCED, READ ONCE BY TITLE ONLY AND FOLLOWING DISCUSSION IT BE BROUGHT BEFORE THE COUNCIL AT THE NEXT MEETING FOR A SECOND READING AND CONSIDERATION FOR ADOPTION.

Councilor Burback asked if there was a way to get a copy of the easement on a drawing.

Howard said they hadn't seen a copy of the easement. He said it was his understanding that the easement went up through the driveway of Witherspoon Court which served as the driveway for both Witherspoon Court as well as the Relief Nursery.

Councilor Burback asked if it was on the other side if the fence.

Howard said yes, that was correct.

Councilor Doyle said the bottom line was they were talking about an easement issue but they had no physical paper showing the easement gave only the Seals and emergency vehicles use of the property.

Howard said he didn't have the easement nor was anything entered into the record.

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
NAYS							
ABSTAIN							

City Attorney, Sean Kelly, read the ordinance once by title only.

(b) First Reading for Ordinance Amending the Land Use District/Rezoning for Family Relief Nursery (MCPA-5-10)

Community Development Director, Howard Schesser, said this was the second step in the process and was the actual rezoning and staff was recommending that the ordinance be introduced, read once by title only and following discussion, it be brought before the Council at the next meeting for a second reading and consideration for adoption.

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR DOYLE THAT ORDINANCE NO. 3009 BE INTRODUCED, READ ONCE BY TITLE ONLY AND FOLLOWING DISCUSSION IT 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
NAYS							
ABSTAIN							

City Attorney, Sean Kelly, read the ordinance once by title only.

Councilor Murphy returned to the Council Chambers (8:18pm).

(c) Resolution Placing a Lien for Nuisance Abatement on Lot 1, Cottage Grove Industrial Park

Community Development Director, Howard Schesser, said the City was in the process of foreclosing on Lot 1 in the Industrial Park. He said the City went through the nuisance abatement process for the materials and cars that were stored on the property. The City, after giving notice to the owner to clean up the property by February 7, 2011, had to have staff abate the property at a cost of \$2,534.37 which included administrative costs. An invoice was sent to the owner on February 22, 2011 and they were given thirty days to pay the invoice which they hadn't done. It was staff's recommendation that Council adopt the Resolution.

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR MURPHY TO ADOPT RESOLUTION NO. 1767.

Councilor Burback said it seemed to him that when it first started with the piece of property and the way the owner was using the property, the City should have done something sooner.

Howard said it took staff several months to track down the owner and the City had to go through the proper processes.

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

NAYS							
ABSTAIN							

BUSINESS FROM THE CITY COUNCIL

- (a) Appeal of the Planning Commission Approvals of Jack-In-The-Box: Conditional Use Permit (CUP-2-10) AP-2-11; Variance (V-7-10) AP-3-11; and Site Design Review (SDR-1-10) AP-4-11

Community Development Director, Howard Schesser: You have held the public hearing, you have a very large record in front of you and I'm just going to cut to the chase, that staff was recommending that Appeals AP2, AP3 and AP4-11 be denied. The decisions of the Planning Commission on the Conditional Use Permit (CUP-2-10), Variance (V-7-10) and the Site Design Review (SDR-1-10) be upheld for the conditions in the staff reports dated March 28, 2011 be required with the one amendment to Condition #40 in the SDR and that the prevailing attorney prepare findings for Council's consideration at their meeting, your meeting on April 11th of this year.

Mayor: Thank you. Council discussion? Mr. Fleck.

Councilor Fleck: Question. Howard can I make this in one motion for all three?

Howard: Yes.

Councilor Fleck: Okay.

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR DOYLE THAT THE APPEALS OF AP2-11, AP3-11 AND AP4-11 BE DENIED AND THE DECISIONS OF THE PLANNING COMMISSION ON CONDITIONAL USE PERMIT (CUP-2-10), VARIANCE (V-7-10) AND SITE DESIGN REVIEW (SDR-1-10) WITH THE AMENDMENT TO ITEM 40 BE UPHELD AND FURTHER THAT CONDITIONS OF THE STAFF REPORTS DATED MARCH 28, 2011, BE REQUIRED AND THAT THE PREVAILING ATTORNEY PREPARE FINDINGS FOR COUNCIL'S CONSIDERATION AT THEIR MEETING OF APRIL 11, 2011.

Mayor: Motion has a second. Council discussion.

Councilor Burback: The only thing I would like to say is I am really impressed with the way this, if I can say it, the way that company has laid out the plans for the Jack-in-the-Box and the proposed other restaurant there, the traffic flow and all that stuff, it seems like they went to an awful lot of work to make things work between them and the City.

Mayor: Other comments? Since we are ready to vote, those in favor of the motion signify by saying aye. Are there any opposed? Motion carries.

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
NAYS							
ABSTAIN							

(b) “If I Were Mayor, I Would” Contest

City Manager, Richard Meyers, said Council had before them the information from the Oregon Mayor’s Association Student Contest “If I were Mayor.....” which the City had participated in for several years. He stated what the age categories were and the prizes for each age category. Entries would have to be submitted by May 31st and the winner’s names and entries would have to be to the Oregon Mayor’s Association by June 30th.

Councilor Murphy said she thought it was a great contest and hoped more students would participate.

Councilor Doyle said she would like to see more participation.

IT WAS MOVED BY COUNCILOR MURPHY AND SECONDED BY COUNCILOR FLECK THAT COUNCIL PARTICIPATE IN THE “IF I WERE MAYOR.....” CONTEST AND MARKET IT TO THE SCHOOLS.

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
NAYS							
ABSTAIN							

(c) Set Work Session Date to Discuss Process for Judge/Court Evaluation

City Manager, Richard Meyers, said the work session was to discuss how Council wanted to proceed with the Municipal Judge/Court evaluation.

After discussion, consensus was to have a work session prior to the Council meeting on April 11, 2011, starting at 6pm.

(d) On-Street Parking Request at 2175 R Street – Lorin Bailey

Community Development Director, Howard Schesser, said he was still working with Mr. Bailey on the parking issue and asked that it be continued to the next Council meeting on April 11, 2011.

(e) Concerns from the City Council

Councilor Burback asked what Council's thoughts were on changing the time of the Council meetings to start at 7pm instead of 7:30pm.

It was discussed briefly and consensus was to put it on the April 11, 2011 City Council Agenda when all Councilors would be present.

Councilor Fleck said his only concern was that there be adequate notice to the public of the time change as it had been the same for years.

Councilor Fleck said he attended the LRAPA Board and Budget meetings today and gave Council a brief update.

Councilor Burback asked about Oakridge and said they always seemed to have issues with wood burning stoves and asked if they were part of LRAPA. He asked how they could tell someone whose only source of heat was wood, that they couldn't burn their wood stoves.

Councilor Fleck said yes, Oakridge was a part of LRAPA and there had been some discussion of adding another seat to the LRAPA Board so Cottage Grove and Oakridge would have their own representation. He said if wood heat was someone's only source of heat, they would be allowed to use their wood stoves. He said there was a Federal grant that had been granted years ago to provide updated wood stoves to residents in Oakridge.

Mayor Williams provided some information about the wood stoves in Oakridge and said there was no natural gas available in Oakridge so their alternatives were limited.

BUSINESS FROM CITY MANAGER

(a) Report from the City Manager

City Manager Richard Meyers said the City would be conducting tours and taking surveys at the Armory this Saturday, April 2nd from 10am to 1pm.

He said the 2010 Census information was available and the new population for Cottage Grove was 9686.

Councilor Burback asked why the population signs for Cottage Grove weren't updated.

Richard said staff had been changing them regularly when new population figures were updated but ODOT had changed the signs and staff was waiting for the 2010 Census population figure to update the current signs.

Mayor Williams asked staff if they could guesstimate when we might arrive at the 10,000 population figure.

Richard said it had been done and he would get the information to Council.

Richard reminded Council to complete their SEI forms and turn them into the City Recorder in order to get them mailed by April 15th.

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 February 25, 2011 Council Agenda Session.
- (b) Minutes of the February 28, 2011 Regular City Council Meeting.
- (c) Minutes of the March 11, 2011 Council Agenda Session.
- (d) Minutes of the March 14, 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 Gowing	Councilor Boone	Councilor Murphy	Councilor Burback	Councilor Doyle	Mayor Williams
AYES	X			X	X	X	X
NAYS							
ABSTAIN							

Mayor Williams thanked Councilor Murphy for filling in for him at the last Council meeting while he attended a conference in Washington D.C.

ADJOURNMENT

There being no further business, Mayor Williams adjourned the regular meeting of the City Council at 8:39pm.

The next regular City Council Meeting will be held April 11, 2011 at 7:30 p.m. in the Council Chambers at City Hall.

Trudy Borrevik, City Recorder

Gary Williams, Mayor