

CITY OF COTTAGE GROVE
CITY COUNCIL
Agenda Session Minutes
October 7, 2011

City Council Members Present: Mayor Gary Williams and City Councilors Mike Fleck, Victoria Doyle and Jake Boone. Absent: City Councilors Garland Burbach, Jeff Gowing and Heather Murphy.

City Staff Present: City Manager Richard Meyers, Police Chief Mike Grover, Public Works Director Jan Wellman, Community Development Director Howard Schesser, Community Services Director Pete and City Attorney Sean Kelly (8:55).

The meeting was called to order by Mayor Gary Williams at 8:17 a.m. in the City Council Chambers at City Hall.

The Mayor said Monday at 4 pm was an Executive Session to discuss the City Manager's evaluation.

Richard said the Council was provided with a copy of his evaluation from last year and a blank form for Council to complete this year.

The Mayor said there was also a work session at 6 pm to discuss the biosolid issue.

Councilor Fleck asked about the loader and said it would wear out eventually and if there was anyway staff could furnish Council with some different scenarios to gauge how quickly it would expend the life of the loader.

Richard said the loader was patched together.

Councilor Fleck said he had started a spread sheet with the options presented to Council and had done some calculations if the City took out a loan for the dryer system. He asked if the City were to create a Class A biosolid, what could the City make selling it.

Richard said Myrtle Creek wasn't doing very well selling it, there really wasn't a market for it. He said on the East coast some municipalities were able to sell it because they didn't have other compost resources.

Councilor Fleck asked if staff could contact agencies who were selling it and find out how much they were selling it for and how much they were making.

Public Works Director, Jan Wellman, said it would be minimal.

Richard said the City would probably have biosolid left to dispose of.

Community Services Director, Pete Barrell, asked if the City had contacted Rexius to see if they would be interested in using it in their operations.

Richard said they probably wouldn't buy it as they could get stuff for free.

Richard said one thing they hadn't realized until last week, was the drying process did smell due to the biosolids being dried and emissions would have to be dealt with LRAPA. The exact impact wouldn't be known until it was dried and it would be year round. That process wouldn't take care of removing the smell.

Councilor Fleck asked how many wastewater customers there were.

Jan said 3650 but it fluctuated.

Councilor Fleck asked if an additional employee was needed with every scenario presented.

Jan said initially someone may not need to be added, but the wastewater treatment plant was already short handed two people according to DEQ recommendations. If Option 1, 2 or 3 of the hauling options was chosen, there needed to be someone with back hoe experience to load the trucks. If an additional person was hired, they would be able to do other things around the plant.

Richard said it may also be cheaper for the City to purchase it's own trailer.

Jan said if the City purchased it's own trailer, it could be parked so the biosolids came off the press directly into the trailer so there would be no need for someone to load it into the trailer.

Councilor Fleck said if an additional employee were hired with the Heard Farms scenario, it could cost the ratepayers an additional \$2.73 per month.

Pete commented that one of the current part-time employees could be changed to a full-time employee which would cost the City less.

Jan said there were a lot of options regarding the hiring of an additional employee.

Councilor Fleck said he wanted the citizens to understand the impact the Council's decision would be on them regarding the wastewater rates.

Jan said without hiring an employee, the cost to the ratepayer would be about \$1.25 per month.

Councilor Doyle asked if any of the hauling options would be a permanent solution.

Richard said the Heard Farm could be a permanent solution as he was established as a facility.

Councilor Doyle clarified that the active drying option would cause a smell all year round affecting those who live in the City limits.

Richard said that was correct and it was more costly.

Councilor Boone asked if the active drying option was chosen, if the City would be able to take biosolids from other cities to process to recover some of the money invested.

Richard said it would be difficult to get the biosolids into the City's system and the City would be responsible for whatever was in their waste.

Jan said the City currently incurred hard costs with the hauling of the biosolids in the amount of \$7,500 to \$10,000 and including soft costs it was probably over \$15,000.

Richard said part of those costs would be absorbed in the cost of the Heard Farms option.

Councilor Doyle asked if there was a fourth alternative not to do anything.

Richard said yes, but the problem would continue because of the volume of biosolids being produced. He said the new blowers being installed would probably only reduce the current amount by ten percent. The hauling could only be done from May 1st to October 1st and it couldn't be hauled when it rained.

Councilor Doyle said Council had heard from the citizens who lived in the county, but was concerned that the word hadn't gotten out to the citizens whose bills would be increasing. She asked about having a public hearing on the matter.

Discussion was held on making citizens aware of the issue.

Councilor Doyle asked if the Heard Farms option was the most viable.

Staff replied yes.

Discussion was held on the possibility of lawsuits being filed and the DEQ permit.

Councilor Boone asked if Heard Farms would take the biosolids year round.

Jan said yes and that was an advantage to the City.

Mayor Williams said the Councilors were elected to represent the citizens and they needed to make their best decision on what was good from their position and the best fiduciary responsibility on behalf of the people they served.

Richard said it was wise to try and avoid a conflict between the citizens and those in the County who have been affected by the smell.

Councilor Doyle thanked staff for the time and energy put into providing the Council with workable alternatives.

The Mayor moved on to the regular Council agenda.

November and December City Council Meetings

Richard said staff would like to have both regularly scheduled meeting dates in November, the 14th and 28th. Community Development needed the November 28th meeting for the remand for Jack-in-the-Box, which was the Monday after Thanksgiving. Currently there wasn't anything scheduled for the November 14th meeting. He said the second meeting in December was the 26th which was a legal holiday. It could be cancelled or moved to Tuesday, the 27th. He said staff's recommendation was to cancel the December 26th meeting.

Discussion was held.

Biosolids

Richard said Council couldn't take a direction or decision in the work session, however they could make a decision or vote in the regular meeting.

Richard said Mr. Moore had expressed his concern that the minutes on the City's website didn't include all the attachments he had provided to the City, which had to be scanned. He said the official minutes did have the attachments and were available for public review. He said Mr. Moore was going to bring up that issue at the meeting Monday night.

Councilor Fleck asked if Council should hear staff's report and then discuss the issue and put it on the October 24th agenda for a decision. He wanted to provide the regular citizens an opportunity to come to the Council meeting after they read about it in the newspaper.

Richard suggested Council give staff a direction to prepare more detailed costs associated with one of the options.

Jan let Council smell a sample of dried biosolids from the Myrtle Creek wastewater plant.

Concerns from the Council

The Mayor asked the Councilors who attended the League of Oregon Cities Conference to give a brief report on the conference at the meeting Monday night.

Community Development Corporation Charter Signing

Richard said the City, Chamber of Commerce, Economic/Business Improvement District (EBID) and the Economic Development Committee (EDC) had been meeting for more than a year to

pursue economic development opportunities. They had come up with reviving the existing Community Development Corporation (CDC) as an effective mechanism to pursue the coordinated efforts. The charter had been prepared by the CDC to present at the Economic Development Summit on November 9, 2011. He said the charter was non-binding and lined out the parameters and basic things that were expected of the different organizations and how things would be operated. The request before Council was to allow the City Manager to sign the charter at the ceremonial signing during the summit.

Councilor Fleck said he hadn't been at one of the EDC meetings for awhile so he hadn't been involved in the CDC process. He asked Richard to provide background on the advantages of having the CDC.

Richard said there were benefits for grants and funding, as well as being able to generate money. He talked about how Portland had used their CDC to develop their downtown area.

Councilor Fleck tied in Item 8(b), **Small Business Loan Request**, and said one of the Council goals was to re-institute a small business loan fund which would include the funds being discussed and giving them to the CDC. He said he wasn't opposed, as long as there were stipulations, such as a financial oversight of a banker. He said he would prefer the City did it in order to control the money.

He was opposed to the CDC spending money on the Gates property. He said the City could order him to take down his building due to it being a hazard. He was opposed to using City funds to do something that the property owner should do himself.

Richard said the process was the CDC would spend the money, but would get value back from the property and that was part of the purpose of the CDC. They would enter into an agreement and one of the things they were trying to do was to buy it flat out and have the CDC own it and then do the improvements.

Councilor Fleck said at the last meeting that was not the direction of the EDC.

Richard said it was part of the negotiation and he didn't know where they were on the negotiation. He said the other piece was as they did it, they would get a price and if they did get it redeveloped, anything above that the CDC would get. It was meant to be a way for the CDC to get money back into them through the investment and improvement of the property. They weren't doing it for the property owner so he didn't get a benefit for work he didn't have to do.

Councilor Fleck said there were several at the EDC meeting who expressed concern about spending money on the Gates property. He was supportive of signing the charter but had concerns about loaning the CDC the small business loan funds. He said the City was responsible for how the funds were spent and he would like to see more information about the utilization of the money.

Councilor Boone asked why a letter hadn't been sent to Mr. Gates in the past regarding the condition of his property.

Richard said the City would rather try to find an amiable way to get Mr. Gates to repair and take care of his property. He could tear the building down and put up a chain link fence around it. He said people currently used the property for parking.

Discussion was held on the Gates property.

Richard said CDC's all over the state took control of underdeveloped property or property in disrepair and improved the property. He said the funds were economic development money, not tax dollars. He explained the money came from Zentek, who paid back their CDBG grant and the money had been used for loan funds.

Discussion was held on small business loans, the risks involved and the process.

Richard said the CDC was also asking the City to forgive the loan repayment and the Council could put stipulations on that agreement.

Councilor Fleck asked if staff could provide some points for Monday night regarding the forgiving of the repayment.

Richard said they could ask to have it tied directly to the redevelopment of the Gates property so it didn't get used for something else, that they wanted to see the downtown improved.

Discussion was held on what the Council could request as a condition of giving the CDC the funds. It was also discussed what the roles of the CDC was and the City's role in the CDC.

Howard Schesser, Community Development Director, said they could say it couldn't be used for administrative use but for property acquisition.

Mayor Williams said he would like the Council to review the current Council Rules. He said it was a good time to look at updating and/or changing some rules and to see what other cities had. He would like to see a work session scheduled at a later date to discuss the issue.

Richard said the League of Oregon Cities had samples of other cities Council rules and policies on it's website.

Former Councilor Tom Munroe joined the meeting at 9:07 am.

Discussion was held on some current rules and rules some Councilors would like to see changed. The current rules are found in the Municipal Code under the appendix.

Report from the City Manager

Richard said the Chambers Railroad Bridge was moved across the river yesterday. It went really well and he would be putting a video on the city's website showing the move. There was quite a few people who attended, a lot of pictures and videos were taken and Wildish did a great job.

He said the City received a Silver Safety Award from the CIS at the League of Oregon Cities Conference.

He said today was the homecoming parade and the start of the Oregon Covered Bridge Festival.

At 2:30 pm on Saturday, October 8th, was the ribbon cutting for the bicycle trail at Trailhead Park There would be a bicycle ride from the trailhead out to Mosby Creek Trailhead.

Councilor Fleck asked if the County was doing anything at the crossing on Row River.

Richard said YAC talked about it at the recent meeting and wanted to do something about it. They were going to talk with BLM and Lane County and see what they could do on some of the crossings.

Sean Kelly, City Attorney, said the morning Rotary Club was working on doing something.

Pete Barrell, Community Services Director, said Cycle Oregon was working on doing something with the Rotary Club as well.

Richard said something needed to be done at the 16th Street crossing. He said the City was redoing the intersection at Thornton and Mosby Creek with a traffic signal.

Report from the City Attorney

Sean said he attended the LOC Conference. He said he received notification that Jack-in-the-Box appealed the LUBA decision with Circuit Court.

Richard said the downtown trick or treating was going to be Friday, October 28th from 4-6pm. He said the City would be having the pumpkin contest and Council would be asked to come in that week to judge the pumpkins. He said there would also be a "people's choice" award, where the citizens could vote on which pumpkin they liked.

Tom Munroe said he had an incident with a bicycle rider about a month ago at the intersection of Harrison and River Road. He said bicyclists needed to reminded to obey traffic signs and signals.

Discussion was held on bicyclists not obeyed traffic signals.

Richard said Cycle Oregon gave bicycles to the Boys and Girls Club to do training to help kids learn to ride bikes properly. He said the Boys and Girls Club was having financial trouble and were shutting down until January, 2012.

The meeting was adjourned at 9:20 am.

Trudy Borrevik, City Recorder

Gary Williams, Mayor