

COTTAGE GROVE CITY COUNCIL
REGULAR MEETING MINUTES
August 8, 2016

CALL TO ORDER

Mayor Thomas Munroe called the meeting to order at 7:00 pm in the Council Chambers at City Hall.

ROLL CALL

City Recorder Trudy Borrevik called the roll. The following were

PRESENT: Mayor Thomas Munroe, City Councilors Kenneth Michael Roberts, Jake Boone, Jeff Gowing, Garland Burbach, Amy Slay and Mike Fleck

ABSENT:

YOUTH

REPRESENTATIVE: Henry Lancaster

STAFF PRESENT: City Manager Richard Meyers, Finance Director Bert Likens, Public Works Director Jan Wellman, Community Services Director Pete Barrell, Community Development Director Howard Schesser, and Interim Police Chief Scott Shepherd

CITY ATTORNEY: Lauren Sommers

OTHERS PRESENT: Jon Stinnett, The Sentinel, Cameron Reiten, KNND Radio

ITEMS TO BE ADDED TO THE AGENDA

None.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

John Brown, 101 E. Broadway, Eugene, said he represented PakTech who recently purchased the Kwiikee building in Cottage Grove. He said he had been in the real estate business for forty years and never before had he had a better level of cooperation and understanding of the process and the necessity to be responsive and be quiet when it was time to do so. He said the City Manager, Richard Meyers, excelled beyond belief and he wanted to commend him and his staff for doing an exemplary job. He said when they had an issue with electricity, Richard went to EPUD to arrange for executive session meetings. He saw PakTech coming to Cottage Grove as a positive thing for the entire community and said it couldn't have happened without Richard and the City's cooperation. He said the City couldn't have a better person as City Manager and thanked Council

for having an outstanding City Manager and Staff.

Bob Stender, 518 S. Douglas Street, Cottage Grove, invited everyone to attend the W.O.E. Heritage Fair, August 19th through the 21st. He said there was a lumberjack show on Friday night and Saturday and this year there would be wiener dog races on Saturday.

PUBLIC HEARINGS

- (a) Public Hearing to Repeal Existing Development Code Chapter 3.7.200 Floodplain Development and Establishing a New Chapter 3.7.200 Flood Damage Prevention. (DCTA-1-16) City of Cottage Grove

Community Development Director, Howard Schesser, said Council had been provided a staff report regarding changes to the 100 year floodplain. He said it didn't change the existing FIRM (Flood Insurance Rate Maps) mapping at this time but would probably come to Council in a year. He said the changes brought the City into compliance with the State and Federal statutes. He said the Planning Commission held a public hearing and they recommended approval.

Mayor Munroe opened the public hearing.

No one appeared to speak.

Mayor Munroe closed the public hearing.

CONSENT AGENDA

- (a) Approve Minutes of July 25, 2016 Regular City Council Meeting

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

The vote on the motion was as follows:

VOTE	Councilor Roberts	Councilor Boone	Councilor Gowing	Councilor Burbach	Councilor Slay	Councilor Fleck	Mayor Munroe
AYES	X	X	X	X	X	X	X
NAYS							
ABSTAIN							

RESOLUTIONS AND ORDINANCES

- (a) First Vote for Ordinance Repealing Chapter 3.2.700 Floodplain Development and Establishing a New 3.2.700 flood Damage Prevention. DCTA-1-16 City of Cottage Grove

Community Development Director, Howard Schesser, said the Council held the public hearing

and staff was recommending approval. He said the Ordinance had been available for at least one week prior to the meeting and could therefore, be adopted in one meeting.

IT WAS MOVED BY COUNCILOR BOONE AND SECONDED BY COUNCILOR BURBACK THAT ORDINANCE NO. 3064 BE ADOPTED.

The vote on the motion was as follows:

VOTE	Councilor Roberts	Councilor Boone	Councilor Gowing	Councilor Burback	Councilor Slay	Councilor Fleck	Mayor Munroe
AYES	X	X	X	X	X	X	X
NAYS							
ABSTAIN							

Mayor Munroe announced the Ordinance was adopted.

(b) First Vote of Ordinance Annexing the Cottage Grove State Airport (A-1-16) City of Cottage Grove

Community Development Director, Howard Schesser, said the annexation was only for the airport property that was owned and maintained by the State Aviation Department and would continue to be owned and maintained by them. He said the State Aviation Board unanimously approved in September, 2015, a motion to request the City to annex. He said the Council on January 25, 2016 directed the City to initiate the application and start the expedited process. He said a fourteen day comment period had been available for any person that had been notified to make comments or request a public hearing. He said staff did receive one comment from one of the tenants which came in within the fourteen day comment period which ended August 3, 2016. He said one request was received on Friday, August 5, 2016 for a public hearing which was outside the time frame. He provided Council with a Memorandum with that request. He said the issues raised in the request weren't related to the criteria that Council used to making a decision regarding annexation. He said once the property was annexed into the City, the City and State would start the process to rezone the property from County to City zoning and create a master plan for the development of the property. He said the State Aviation wanted water, sewer and police services so they could market the airport for economic development. He said the ordinance had been available for more than a week and could be adopted in one meeting. He said there were two minor changes in the ordinance. One change acknowledged the two comments received in Section 3 of the ordinance and new wording was provided. He said the other change was a grammar correction in the fourth WHEREAS. He said staff was recommending approval.

Councilor Boone said as he understood in any annexation process, the City wasn't taking over operation of the facility; it was merely taking that portion of land and changing the status from in Lane County to inside the City limits of Cottage Grove. He said the State of Oregon would still be operating the facility and putting the money in for upgrades, etc.

Howard said that was correct.

IT WAS MOVED BY COUNCILOR BOONE AND SECONDED BY COUNCILOR SLAY THAT ORDINANCE NO. 3065 BE ADOPTED.

Councilor Fleck asked about allowing public comments.

Discussion was held on whether or not public comments could be received.

City Attorney, Lauren Sommers, said she was familiar with the City's expedited annexation process.

Howard said on an expedited process, the matter went directly to the Council and he believed Council could take comments.

Mayor Munroe asked if anyone wanted to comment.

No one asked to comment.

Councilor Roberts asked if the City knew what the cost would be to install new infrastructure on the property.

Howard said the cost wasn't known. He didn't think water would be a problem; however the sewer would have to come off Palmer Avenue or Jim Wright Way. He said the State would be responsible for any development costs on the property.

The vote on the motion was as follows:

VOTE	Councilor Roberts	Councilor Boone	Councilor Gowing	Councilor Burbach	Councilor Slay	Councilor Fleck	Mayor Munroe
AYES	X	X	X	X	X	X	X
NAYS							
ABSTAIN							

Mayor Munroe announced the Ordinance was adopted.

- (c) A Resolution Calling an Election on November 8, 2016, to Refer to the Voters of the City of Cottage Grove, Oregon, a Three Cent Increase in the City's Motor Vehicle Fuel Tax and Adopting a Ballot Title

Mayor Munroe asked if anyone in the audience wished to comment.

No one asked to speak.

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR SLAY THAT RESOLUTION NO. 1913 BE ADOPTED.

Councilor Burback said he would vote for the resolution, however he thought a bond measure should be tied with the gas tax increase. He said in order to fix all the street issues, it would take a lot more than what the gas tax would generate.

City Manager, Richard Meyers, said the average received each year on the gas tax was around \$337,000 which would double with the proposed gas tax increase. He said the money received from the gas tax could only be used on streets, including painting stripes, patching holes, and the electricity that ran the lights. He said it cost money just to have the streets.

He said an issue with a gas tax was that it would have to increase in the future because it didn't keep up with inflation. He said if the Council approved the Resolution to put the gas tax increase on the November ballot, City staff and the City could not advocate for or against the measure, which meant there wouldn't be any information going out about the measure. He asked Council if they wanted to wait until the May, 2017 ballot and put together a bonding package with the gas tax. He said if it were on the November 2016 ballot and failed what would the alternatives be for funding streets. He said they could put it back on the ballot in May or next November or wait and get information out to the voters about why it was important.

He said some of the Council had questions about indexing or reducing the gas tax and the City Attorney had researched it and found that every change in the gas tax had to go before the voters. He said if it was put in the ordinance that it was indexed automatically by the CPI, the argument could be that was voted on that it was indexed and it could be automatic but there is probably a really good argument that said not that it was a change and litigation would ensue and we would spend all the money we could gather trying to decide that case. Setting it up so we set it as one of the things we were thinking is if you could adopt it and say no more than 3 cents per gallon that way the council could adjust it and go down to 2 cents or 1 cent or eliminate some of that. That's a change and would require a vote even if you were going down under the statute. So those two have changed from the writing of the memo but they are issues you might want to think about. I gave you a copy of the bumpy roads report from TRIP, very interesting report talking about the cost of substandard and poor roads. \$516 is the average for the country and they looked at mainly larger cities than us, per driver per vehicle of what damaged occurred to cars as a result of driving on bumpy roads. And if you look at even if you were driving a car that got 15 miles to the gallon and you drove 12,000 in a year, you were only spending an additional \$24 a year on fuel tax. He said those were selling points that he thought would be really useful and helpful in getting out, but do you want have the time to get that out by November and do you have a group that is interested enough in really pursuing and making sure the voters understand that. Those are the questions I think are really important. The other issues and these are more politically and this is where you get to think about it, is there is a lot of stuff on the November ballot and even though you can sit at home and fill out your ballot and when you get bored and tired you can watch Jeopardy for awhile and come back and fill out the ballot, people are going to get tired of everything on there and there is a lot of other tax measures on there.

Mayor Munroe asked who created the law that said gas tax had to be used within three years of collecting it. He asked how smaller cities were expected to collect enough gas tax money to do anything. He said cost expenditures were rising thirty-two to thirty-six percent a year.

Richard said it was in the Oregon Constitution. He said if the City went beyond three years to do projects, it would never generate \$9.5 million. Richard said roads were falling apart everywhere which was a big issue. He said if it went to the ballot in November it would be effective January 1, 2017 which was six months of revenue the City would receive. If it were on the May ballot, it would probably be effective July 1, 2015.

Councilor Fleck said he didn't see any downside to putting the gas tax on the ballot and asking the voters to decide. He said roads were the second biggest complaint he received. He said the voters knew the conditions of the streets. He supported going forward with putting it on the November ballot.

Mayor Munroe said he agreed with Councilor Burback about a joint gas tax increase and a bond measure.

Councilor Gowing said he was okay with going forward with the gas tax on the November ballot. He said he received a lot of complaints about the streets from people who lived outside the City limits, who wouldn't be affected if a bond measure was put on the ballot. He said with a gas tax would be equal for everyone.

Councilor Boone said he was in favor of more than a three cent increase and was okay with voting no if it meant looking at a joint bond measure and gas tax increase.

Mayor Munroe said at the Mayor's conference this year, there was a State official who recommended that cities increase their gas tax to ten cents.

Richard said there was a motion and second on the table to consider first. He said bonding would take more time to put together. Council would want to wait until after the November election to see if the gas tax passed and how much it would generate to help reduce the level of the bond.

The vote on the motion was as follows:

VOTE	Councilor Roberts	Councilor Boone	Councilor Gowing	Councilor Burback	Councilor Slay	Councilor Fleck	Mayor Munroe
AYES	X	X	X	X	X	X	X
NAYS							
ABSTAIN							

Councilor Burback asked when Council would start looking at a bonding process, after the November election?

Richard suggested that the Council, by motion, direct staff to begin putting together information to pursue a bond in the upcoming May, 2017 election for specific projects and streets for the following November election.

IT WAS MOVED BY COUNCILOR BOONE AND SECONDED BY COUNCILOR BURBACK THAT COUNCIL DIRECT STAFF TO BEGIN PUTTING TOGETHER INFORMATION TO PURSUE A BOND IN THE UPCOMING MAY, 2017 ELECTION FOR SPECIFIC PROJECTS AND STREETS FOR THE FOLLOWING NOVEMBER ELECTION.

The vote on the motion was as follows:

VOTE	Councilor Roberts	Councilor Boone	Councilor Gowing	Councilor Burback	Councilor Slay	Councilor Fleck	Mayor Munroe
AYES	X	X		X	X	X	X
NAYS			X				
ABSTAIN							

BUSINESS FROM THE CITY COUNCIL

- (a) Request to Extend the Economic Improvement District and the Business Improvement District for a Five Year Period

Community Development Director, Howard Schesser, said the Economic Business Improvement District Board had requested that Council authorize their request to extend the Economic Improvement District and the Business Improvement District for five years. He said the current term ended the end of 2016. He said since 2001 they had come to Council with three year extensions. He said the boundaries and assessments were the same and the only difference was the request for a five year extension rather than a three year extension. He outlined the process that had to be followed for the extension.

Councilor Fleck said he supported the request.

Councilor Burback said he also supported the request and said the EBID was looking for stability in cash flow. He said they had a really good Board of Directors.

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR BOONE THAT THE SCHEDULE FOR CONSIDERATION OF EXTENSION OF THE EID & BID FOR FIVE YEARS BE APPROVED.

The vote on the motion was as follows:

VOTE	Councilor Roberts	Councilor Boone	Councilor Gowing	Councilor Burback	Councilor Slay	Councilor Fleck	Mayor Munroe
AYES	X	X	X	X	X	X	X
NAYS							
ABSTAIN							

(b) Concerns from Council

Councilor Slay said she received an email from a citizen concerned about a cell tower and asked what the exact location of the cell tower was.

Mayor Munroe said it was outside the City limits and that he had contacted the same citizen and advised him to contact Commissioner Faye Stewart.

Councilor Burback said he had seen a cell tower in Rogue River that looked like a tree which looked better than a metal pole. He thought it should be addressed in the future for cell towers inside the City limits.

Councilor Roberts said there were a lot of events this weekend. He said the Buster Keaton movie The General would be showing in Bohemia Park on Saturday evening and there was a train show going on in the Armory, Friday through Sunday. He said he also got the results from his medical tests and everything came back negative.

BUSINESS FROM CITY MANAGER

(a) Report from City Manager

City Manager, Richard Meyers, gave out flyers to the Council for the train show. He said the train show was going on in the Armory from 10 am to 8 pm on Friday and Saturday and 10 am to 5 pm on Sunday. He said it was the largest model train show in Lane County.

He said The General was showing at Bohemia Park Amphitheater on Saturday at 7:30 pm and clips from the Morelock films would be shown before the movie. He said the trailer to the movie was playing every hour on South Lane TV Channel 14.4.

Richard encouraged people to enter the exhibition portion of the fair.

Mayor Munroe added that there were two Buster Keaton exhibits at the Library.

Richard said some of the international Buster Keaton Fan Club would be in town for the weekend and Buster Keaton's nephew would also be in town.

Councilor Boone said he forgot to mention during Concerns from Council that he had encountered a few tourists over the last several weeks and every one of them was struck with how friendly and nice Grovers were.

Mayor Munroe commented that at the Mayors conference last summer there were similar comments about how friendly Grovers were.

BUSINESS FROM CITY ATTORNEY

(a) Report from the City Attorney

None.

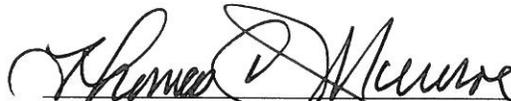
ADJOURNMENT

There being no further business, Mayor Munroe adjourned the regular meeting of the City Council at 7:46 p.m.

The next regular City Council Meeting will be held September 22, 2016 at 7:00 p.m. in the Council Chambers at City Hall.



Trudy Borrevik, City Recorder



Thomas C. Munroe, Mayor