

COTTAGE GROVE CITY COUNCIL
REGULAR MEETING MINUTES
January 23, 2017

CALL TO ORDER

Mayor Jeff Gowing 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 Jeff Gowing, City Councilors Bob Ehler, Kenneth Michael Roberts, Mike Fleck, Jake Boone, Garland Burbach and Amy Slay

YOUTH
REPRESENTATIVE: Emma Meyers

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

CITY ATTORNEY: Carrie Connelly

OTHERS PRESENT: Caitlyn May, The Sentinel; Cameron Reiten, KNND Radio

Mayor Gowing asked for a moment of silence in honor of Carlton Woodard who was an important member of the community who recently passed away.

ITEMS ADDED TO THE AGENDA

None.

APPEARANCE OF INTERESTED CITIZENS FOR ITEMS NOT ON THE AGENDA

None.

PUBLIC HEARINGS

(a) 2016-2017 Supplemental Budget Hearing

Finance Director, Roberta Likens, said there were circumstances that required expenses to be paid that hadn't been budgeted and revenue received that hadn't been anticipated. She said a

supplemental budget was required to pay these expenses and recognize the revenue which required a public hearing if the fund was increased by more than ten percent. She said the supplemental budget was for the Special Trusts Fund which would be increased by more than ten percent. She said the public notice for the hearing was published in The Cottage Grove Sentinel on January 11, 2017. She said it was now appropriate for the Council to hold the public hearing and receive comments.

Mayor Gowing opened the public hearing.

No one appeared or requested to speak.

Mayor Gowing closed the public hearing.

CONSENT AGENDA

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

- (a) Approve Minutes of January 9, 2017 Council Meeting
- (b) Annual Safety Committee Report

The vote on the motion was as follows:

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

RESOLUTIONS AND ORDINANCES

- (a) Resolution Adopting a Supplemental Budget for Fiscal Year 2016-2017 and Making Appropriations

Finance Director, Roberta Likens, said Council held the public hearing on the supplemental budget. She said ORS 294.471 permitted the governing body to create a supplemental budget for the fiscal year in which the regular budget had been adopted for certain and specific reasons. She said it was now appropriate for Council to consider the Resolution.

Councilor Boone asked what would happen if the Council didn't adopt the Resolution.

Richard said the City wouldn't be able to spend the money that the City had contracted to spend for the Armory fundraising. He said the City could receive grants but wouldn't be able to spend them for what they were received for.

Mayor Gowing asked if they would have to be returned to the granting agency.

Richard said it would depend on the timing of when the grants expired.

Mayor Gowing said if a grant was received for a historic building, it couldn't be used on roads.

Richard said that was correct, it couldn't be spend on anything else.

Councilor Roberts asked if the funds were to complete the Armory window restoration.

Richard said part of it was for the window restoration, but it was mostly for the contract with Lund Consulting for the fundraising for the Armory and to account for the money that was coming in.

IT WAS MOVED BY COUNCILOR BOONE AND SECONDED BY COUNCILOR SLAY THAT RESOLUTION NO. 1924 BE ADOPTED.

The vote on the motion was as follows:

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

BUSINESS FROM THE CITY COUNCIL

(a) Request for Loading Zone/Bus Stop

City Engineer, Ron Bradsby, explained that the City had received a request from Bobby Krasneski regarding the placement of a loading zone/bus stop at his residence at 325 Grant Avenue. He said the Krasneski's were foster parents for children with special needs and were concerned about the loading and unloading of the children, one who currently uses a wheelchair, from the bus at his home. They had concerns about cars parking near his driveway approaches, preventing the bus from being able to load and unload the children at curbside.

Ron said he contacted the school district and was told their preference was to unload children at curbside versus stopping in the street which held up traffic. He explained that in Section 10.04.030 B of the Municipal Code, it stated that the City Council had the right to authorize parking areas, bus stops and loading and unloading zones. He said if it were approved, it would have to comply with Section 10.12.040 of the Municipal Code. He said it was staff's recommendation for Council to deliberate the issue and determine if they wanted to change the existing conditions. If Council chose to make changes, they would need to pass a motion outlining the changes.

Mayor Gowing asked Chief Shepherd whether a bus was in a loading zone or not, if Oregon law required them to have lights on the bus for loading and unloading children? He said it was really

the safety of the distance the children would travel to the bus, not traffic.

Chief Shepherd said the area in question was a dead end street and didn't have through traffic.

Councilor Fleck asked where the property was on the map that was provided to Council and which streets were dead end streets.

Ron pointed out the location of the property on the map. He said South 4th dead ended just past Hayes Street and Grant and Hayes were both dead end streets. He said Hayes Street wasn't shown on the map.

Councilor Fleck asked if it was a bus stop for a school district bus.

Ron said it was and was a request from the resident at 325 Grant Avenue.

Councilor Fleck asked how many children were picked up at that location.

Bobby Krasneski, 325 Grant Avenue, explained why he was requesting the loading zone designation. He said they currently had three special needs foster children in their home. He said when cars were parked by his driveway, it didn't allow the bus to pull up to the curb to load and unload the children.

Councilor Ehler asked if only one child was special needs.

Mr. Krasneski said all three children were special needs, but only one was in a wheelchair.

Councilor Boone asked which street the bus was on when it stopped to pick up the children.

Ron said it was on 4th Street in front of the driveway.

Councilor Fleck said he understood where the resident was coming from, but had concerns and didn't know if he would be able to support it.

Councilor Burback asked how often the loading and unloading occurred.

Mr. Krasneski said it was for pick-up and drop off only.

Councilor Burback asked if it was one of the areas that sidewalks were required.

Richard said it was but not included in the sidewalks that were designated recently by Council.

Ron said the intersection would get handicapped ramps in the future.

Richard said he and Ron went out to the site and measured for another possible place for the bus to stop but the measurements didn't work out.

Councilor Burback suggested that Mr. Krasneski talk to the neighbor about leaving the space next to his driveway vacant.

Richard said there was a lot of on street parking in that area during the week.

Councilor Roberts said he understand the issue but felt it might open it up for more citizens to come before Council for similar requests. He asked if there would be any cost to the City.

Richard brought up the idea of putting something temporary out that could be taken out and brought in during the loading and unloading times.

Discussion was held if the request warranted the need to install a loading zone/bus stop.

Councilor Boone recommended that Council not approve the request.

Mr. Krasneski said the bus drivers preferred to stop at the curb, not in the street.

Karen Munsell, P. O. Box 174, Cottage Grove, spoke from her experience as a former bus driver of twenty years for the school district. She said she understood Mr. Krasneski's concerns.

Councilor Burback said he would like to hear from whoever was in charge of the school district bus service.

Councilor Boone asked if the school district had ever told Mr. Krasneski they wouldn't pick up the children.

Mr. Krasneski said no but the bus driver said she would prefer not to have the cars parked there.

Ron said he talked with Teresa, who was in charge of transportation for the school district, and she said if possible, they would prefer for special needs children, that the bus drop them off at curbside when possible.

Mayor Gowing asked that the matter be tabled until the next Council meeting.

(b) Approval of Property Tax Exemption for 360 South River Road Historic Snapp House

City Manager, Richard Meyers, said the request was from the Lane County Assessor's Office regarding an application for real property tax exemption for the Prospectors and Goldiggers Snapp house at 360 South River Road. He said Council had approved a previous exemption in April, 2006 which expired in April, 2016. He said the request did meet the requirements of the ORS 307.115. He explained how the tax exemption would affect the City.

Councilor Fleck asked if they were a 501(c)(3) why they couldn't just go to the County for the exemption.

Richard said they were a 501(c)(3) and the County said it had to be approved by the City.

Councilor Boone talked about language in ORS 307.115 which listed reasons for denying the exemption and said if the reasons were true, language said the granting authority “shall not deny the application,” if the City wanted to comply with the law. He asked the City Attorney if that was true.

City Attorney, Carrie Connelly, said it could be denied for a different reason but just not for loss of revenue.

IT WAS MOVED BY COUNCILOR BOONE AND SECONDED BY COUNCILOR FLECK THAT COUNCIL APPROVE THE APPLICATION FOR PROPERTY TAX EXEMPTION BY THE PROSPECTORS AND GOLDDIGGERS FOR PROPERTY AT 360 S. RIVER ROAD AND DETERMINE THAT GRANTING THE PROPERTY TAX EXEMPTION IS IN THE GENERAL WELFARE OF THE COMMUNITY AND THAT THE PUBLIC GAINS SIGNIFICANT BENEFITS FROM THE ENHANCED VALUE TO THE ABUTTING PARK, ENHANCED RECREATION OPPORTUNITIES AND THE PRESERVATION OF A HISTORIC SITE WHICH FAR EXCEED THE LOSS OF PROPERTY TAX REVENUE.

Jerry Brandsness, 900 N. Douglas Apt. #31, Cottage Grove, said he was the Past President of the Prospectors and Golddiggers and he was the one who discovered when going through their safe deposit box that the exemption had expired. He said they had meetings with legal counsel to determine what they needed to do to renew the exemption. He said they weren’t a rich organization and the property tax was a considerable expense to their organization. He said they were a 501(c) 3, non-profit organization. He thanked the Council for their consideration.

The vote on the motion was as follows:

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

(c) Municipal Court Judge Contract Renewal or Performance Evaluation Process

City Manager, Richard Meyers, said the Municipal Court Judge was the Council’s employee. He said the Judge’s contract was up for renewal and the Judge was interested in modifications to his contract. He said Council needed to decide how they wanted to modify his contract and Council could assign the Mayor or a Councilor to meet with the Judge to discuss those modifications. He said if Council wanted to do an evaluation of the Judge, they would need to first approve the evaluation form prior to an evaluation. He said staff had several examples from other entities to review.

Mayor Gowing said he would like to appoint two Councilors to meet with the Judge and if there needed to be minutes if there were two.

Richard said if there were two it created a committee of the Council which meant it was a public body and minutes would be brought back to the Council. He said staff recommended having one Councilor.

Carrie said the decision was less about one versus two, it was more around the role and what they were being delegated to do.

Mayor Gowing said if there was one, it would be more what they felt to bring back and if there were two there would be more open diversity.

Richard said if the Councilors met with the Judge and came back to Council with the issues the Judge brought up, it wouldn't be bringing a recommendation, it was reporting back to Council.

Mayor Gowing said he would prefer to have two Councilors and appointed Councilor Boone and Councilor Slay.

Carrie said after the Councilors met with the Judge, they could provide the information to her and she would formulate recommendations to the Council.

Councilor Fleck said Council couldn't go into how the Judge ruled, but how he administered the court.

Carrie said she was referring to just contract negotiations, but asked whether or not the Council wanted to do an evaluation.

Councilor Fleck and Boone said they would like to do an evaluation of the Judge.

Councilor Slay asked if it leveled the playing field if the evaluation were opened up to all staff that interacted with the Judge.

Richard said the challenge was when there were only a few individuals who interacted with the Judge; there wasn't the same anonymousness if there were numerous individuals. He said cities struggled to determine how to evaluate their judges.

Mayor Gowing said with the last Judge there wasn't any evaluation, however there were issues.

Councilor Fleck said it was a difficult process. He thought everyone should receive smart goals and there should be criteria outlined for the Judge. He suggested outlining the goals and criteria now and then next year hold an evaluation to see if he was meeting those expectations.

Mayor Gowing said Council might not know the law, but they knew people and could evaluate someone's performance.

Carrie said there were things they could evaluate on such as did they seem prepared, were they on time or did they cancel hearings. She said there were things that anyone was qualified to weigh in on that would be helpful feedback to Council. She said objective criteria would help.

Richard asked how Council wanted to proceed with an evaluation process.

Consensus was to create and establish goals and criteria for the Judge and evaluate him next year.

Carrie said she would come up with some sample ideas and thoughts for Council to review.

(d) Schedule Work Session for Council Training

City Manager, Richard Meyers, said it was time to schedule training with the City Attorney covering open meeting and ethic laws and Council rules. He said staff was recommending a work session be scheduled for Monday, February 13, 2017 at 6:00 pm before the regular City Council meeting.

(e) Concerns from Council

Councilor Boone gave a book to each of the Councilors to review titled *Economics in One Lesson*.

Mayor Gowing said it was Howard's last meeting and he had nothing on the Agenda. He wished Howard the best and congratulated him on his retirement.

Councilor Fleck said he served on the Planning Commission twice with Howard and thanked him for being reasonable and someone who looked out for Cottage Grove. He said he appreciated everything he had done and would miss him.

Councilor Boone thanked Howard and said he appreciated all he had done.

Councilor Burbach said he also had been on the Planning Commission and said Howard was a very good person as a leader and he appreciated all he had done.

BUSINESS FROM CITY MANAGER

(a) Report from City Manager

City Manager, Richard Meyers, provided Council with homework for the Goal Setting Work Session on Saturday, February 4, 2017 at 8:00 am.

Richard said it was Howard's last meeting and his retirement dinner was on Friday night, January 27th at 6:00 pm at the Armory.

Richard said the Chamber banquet was last Saturday and Mayor Tom Munroe won the First Citizen award. He said it was in the Armory and was a great event. He talked about other events that were scheduled at the Armory in the last week.

Richard said the Bohemia Mining Museum had a grand re-opening Saturday, January 28th.

BUSINESS FROM CITY ATTORNEY

(a) Report from the City Attorney

City Attorney, Carrie Connelly, said Lauren Sommers would be doing the Council training on February 13th.

Carrie said she would be the attorney at the regular meeting Council would be talking about SDCs.

ADJOURNMENT

Mayor Gowing said Tori Raade, one of the Youth Advisory Council, received the Junior First Citizen at the Chamber banquet.

Richard said both the winner and runner up were YAC members and four of the seven interviewed for the award were YAC members.

Mayor Gowing recognized the newly elected Chamber President, Candi Solesbee in the Council Chambers.

Fire Chief Wooten and Fire Marshall Danny Solesbee were also recognized as being in the Council Chambers.

There being no further business, Mayor Gowing adjourned the regular meeting of the City Council at 8:01 p.m.

The next regular City Council Meeting will be held February 13, 2017, at 7:00 p.m. in the Council Chambers at City Hall.



Trudy Borrevik, City Recorder



Jeffrey D. Gowing, Mayor