

**COTTAGE GROVE CITY COUNCIL MEETING
MINUTES
June 22, 2009**

CALL TO ORDER

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

ROLL CALL/PLEDGE OF ALLEGIANCE

City Recorder Joan Hoehn called the roll. The following were

Present: Mayor Gary Williams, City Councilors Wayne Clark, Diane Conrad, Mike Fleck, Lynn Miller, Thomas Munroe, Heather Murphy

Youth Representative Kara Strickland was present.

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

City Attorney Pat Melendy was present.

No News Media were present.

ITEMS TO BE ADDED TO THE AGENDA

None

Mayor Williams said he was going to move the item, "If I Were Mayor..." Contest to this point on the agenda because of the number of people in the audience specifically there for this item.

BUSINESS FROM THE CITY COUNCIL

(a) "If I Were Mayor..." Contest Winners

Mayor Williams stated that there were 17 poster entries, 2 essays and 2 video entries. He awarded certificates to students who entered the contest and awarded certificates and cash prizes to the 1st and 2nd place winners of the three categories.

Richard noted that the first place winning entries in each category will be sent on to the League

of Oregon Cities to be entered in the state-wide competition.

PUBLIC HEARINGS

(a) Public Hearing on Proposed Uses of State Shared Revenues

Finance Director Bert McClintock explained that state law requires cities to hold two public hearings on the proposed uses of state shared revenues. One was held before the budget committee on May 12th, and one this evening before the City Council. Each hearing provides for the citizens of Cottage Grove to comment on the proposed uses of the funds.

Mayor Williams opened the public hearing. There was no one in the audience to speak; therefore, the public hearing was closed.

(b) 2009-2010 Budget Hearing

Finance Director Bert McClintock explained that the City Budget Committee has met and approved the 2009-2010 budget. This public hearing is a requirement of the Oregon Revised Statutes and must be held prior to the City Council adopting the budget resolution, which is on the agenda for this evening. The purpose of the hearing to receive comments from the public regarding the City's ability to spend its funds and how they are spent. She provided information (attached as Exhibit A) regarding a change that's being proposed at a staff level.

Mayor Williams opened the public hearing regarding the 2009-2010 budget.

1) Katie Owens, 30 Van Buren, Cottage Grove, voiced her concerns regarding the budget and specifically the proposed increases in the water service. She thought the ratepayers and taxpayers always subsidize the developers with the new water plant and proposal to pump water up Mt. David. She spoke to the money being found in the budget for the pool, which she thought was good but a very small percentage of the population uses the pool as opposed to the population that uses water, which is everybody in the City. She thought if they were going to use money to subsidize anything it should be the water bill. She asked Council to reconsider how money is being spent. She spoke to Hayden Homes using the covered railroad bridge to sell their homes, and wondered how much money they were donating toward the restoration of the bridge. She also pointed out that 1st Street was torn up for sewer and gas and those things to go south to where Hayden Homes is building, and she assumed taxpayers were subsidizing that.

Katie said the other thing she wanted to address was the transfer of money that's going to be for the jail. She said she was told of a prominent citizen in Cottage Grove who was caught with a pound of methamphetamine in his vehicle. If the policeman would have taken him to Eugene he would have been back in Cottage Grove before the policeman came back himself, so they decided to charge him with a misdemeanor so he would at least have some jail time in Cottage Grove. She thought the City should be more hard case about things like this, and if Lane County jail is going to release them, they would at least face felony charges. She thought if the intent of

upgrading the jail was just to charge felons with misdemeanors so they could be held for two to three days, it didn't seem like it served ultimate justice.

Finance Director Bert McClintock went over the changes staff has for Council subsequent to the budget committee adopting the proposed budget (see attached Exhibit A).

There was no one else in the audience to speak; therefore, the public hearing was closed.

(c) Public Hearing on Comprehensive Plan Amendment (CPA-1-09) to Amend Comprehensive Plan Economic Development Element and the Economic Opportunity Analysis

Community Development Director Howard Schesser explained that this is a public hearing for the Comprehensive Plan Amendment to change the economic element in that plan as well as to adopt the Economic Opportunities Analysis Report that has been completed by the citizens committee and the consultant. It has been reviewed by DLCDC and is in compliance with Goal 9 requirements. The Economic Analysis assesses the City's comparative economic advantages in a regional context, and also identifies commercial and industrial employment opportunities, describes site requirements for targeted types of employment and for the right kinds to see if the City has the right number of sites for the City's economic development objectives. It is a long term document, 20 years, and complies and is the first of two steps. The second step would be to do a Goal 9 urbanization analysis. Staff has to do this step first according to the DLCDC, and then do the second step. Some cities are lucky enough like Eugene and Springfield to do both steps at the same time. Staff would have preferred that but were only given grant money for the first step.

Howard said that with him tonight for questions when Council gets to the resolution is City Planner Amanda Ferguson who headed up the committee and worked closely with the consultants as well as Greg Winterowd of Winterbrook Planning. It's now appropriate that Council hold the hearing.

Mayor Williams opened the public hearing for public comment on the Comprehensive Plan Amendment (CPA-1-09).

There was no one in the audience to speak; therefore, the public hearing was closed.

PUBLIC COMMENT ON AGENDA ITEMS

None

RESOLUTIONS AND ORDINANCES

(a) Resolution Transferring Appropriations within the General Fund

Finance Director Bert McClintock explained that this resolution addresses the current year’s fiscal budget that ends June 30, 2009. ORS 294.450 allows the transfer of appropriations within a fund. It is necessary to transfer funds from the contingent line item to various departments of the general fund to allow for unanticipated expenses in travel costs, restitution and retirement costs. She said the resolution reduces the amount in the general fund contingency and increases appropriations within the various departments for the unanticipated expenditures.

IT WAS MOVED BY COUNCILOR MUNROE, SECONDED BY COUNCILOR FLECK THAT RESOLUTION NO. 1708, “A RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN THE GENERAL FUND,” BE ADOPTED.

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							

(b) Resolution Transferring Appropriations within the Building Inspection Program Fund

Bert explained that this resolution amends the current year’s budget by transferring funds from the Materials and Services, Building Inspection Services line item to Personal Services, to provide for the final payment requirements of an employee who was laid off per personnel policies. The amount reduces the amount in the contracted services line item for building inspections and increases the appropriations for personal services.

IT WAS MOVED BY COUNCILOR FLECK, SECONDED BY COUNCILOR MILLER THAT RESOLUTION NO. 1709, “A RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN THE BUILDING INSPECTION PROGRAM FUND,” BE ADOPTED.

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							

(c) Resolutions Concerning State Shared Revenues

Bert said that ORS 221.770 pertains to state-shared revenues and requires cities to adopt an ordinance or resolution stating that they receive state revenue sharing money. It further requires cities to pass a resolution stating that the city provides at least four designated municipal services. Provisions of the law require cities to certify that two public hearings were held, one before the budget committee and one before the city council. These resolutions are required every year if the City is going to receive the state-shared revenues.

1) Resolution Certifying the City of Cottage Grove’s Eligibility to Receive State Shared Revenues (cigarette, liquor, and highway taxes) under ORS 221.760

IT WAS MOVED BY COUNCILOR MUNROE, SECONDED BY COUNCILOR FLECK THAT RESOLUTION NO. 1710, “A RESOLUTION CERTIFYING THE CITY OF COTTAGE GROVE’S ELIGIBILITY TO RECEIVE STATE SHARED REVENUES (CIGARETTE, LIQUOR, AND HIGHWAY TAXES) UNDER ORS 221.760,” BE ADOPTED.

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							

2) Resolution Declaring the City of Cottage Grove’s Election to Receive State Revenues

IT WAS MOVED BY COUNCILOR MUNROE, SECONDED BY COUNCILOR FLECK THAT RESOLUTION NO. 1711, “A RESOLUTION DECLARING THE CITY OF COTTAGE GROVE’S ELECTION TO RECEIVE STATE REVENUES,” BE ADOPTED.

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							

(d) Resolution Adopting the 2009-2010 Budget, Making Appropriations and Imposing and Categorizing Ad Valorem Taxes

Bert said the Cottage Grove Budget Committee met and approved the 2009-2010 budget. A public hearing before the City Council was held this evening to hear additional comment. The new fiscal year begins July 1, 2009 and the City is required to adopt a budget for the new fiscal year no later than June 30th. The resolution includes the additional grant monies she spoke of earlier; the \$5800.

Councilor Conrad said she wrote an amendment to this budget and everyone was provided with a copy (attached as Exhibit B). In the budget every department has certain categories such as budget year objectives and operational objectives and she thought the City Council should also follow that same format. And she thought the City Council should put in their own objectives and goals, so she wrote her suggestions down to be added into this budget.

Councilor Miller said she would suggest that this come at a different time, perhaps when they do vision statements that they do every so often. She said she couldn't support this because it's another way of clouding the issues and putting more things before Council than really needs to be. She thought Council should look at the budget and not worry about what City Council objectives are this year.

Mayor Williams said he's not opposed to this but suggested bringing it up or considering it under Concerns from the City Council.

Council consensus was to consider this under Concerns from the City Council.

IT WAS MOVED BY COUNCILOR MILLER, SECONDED BY COUNCILOR MUNROE THAT RESOLUTION NO. 1712, "A RESOLUTION ADOPTING THE 2009-2010 BUDGET, MAKING APPROPRIATIONS AND IMPOSING AND CATEGORIZING AD VALOREM TAXES," BE ADOPTED.

Councilor Conrad said she will vote for this budget but wanted to state that she has several reservations.

Councilor Clark asked staff if the developers are getting a free ride.

Richard said he needed to correct some of the statements that were made earlier. The 1st Street work was not tied to Hayden Homes, it was Northwest Natural Gas. They were replacing their aged utility line in the ground. What Hayden Homes did was in 2nd Street and between Harrison

and the Riverwalk. He said the City isn't pumping water to Mt. David; that's all gravity fed. When there becomes a need to be at a higher elevation on Mt. David or on Blue Sky and in those areas, those developers will have to participate in putting in a high level reservoir. Those developers pay for services to their development. To say that developers get a free ride isn't true. Richard talked about Cottage Grove's water rates and SDCs compared to other cities.

Councilor Murphy asked Richard to explain since it was brought up how the money was transferred to the school for the pool.

Richard said the money for the pool came from the urban renewal money. The urban renewal district is near the end of its life; there are three projects left. And there are additional funds that have been collected from property taxes that are in excess of what's needed to finish those projects. So they are sending back some of that money early to the taxing jurisdictions that it came from. We'll be giving the school district back about \$170,000. That's going to reduce the school district's allocation from the state. The City is also getting about \$200,000 back and will be using \$65,000 of that to go into funding the pool for one year to see how big the support is in the community and to determine if there is an alternative funding source for that.

Richard said another thing he wanted to mention was when the police department cites someone for a misdemeanor because we can't get them on a felony, it's not just because there's no jail room. It's because they won't prosecute it at the county as well. The county has a two or three page list of crimes that they won't prosecute for. It's not a couple of days in jail; it can be up to a year.

Councilor Miller pointed out for the public how much work went into this budget and the fact that no one took a COLA except one department.

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							

(e) Resolution Amending the Comprehensive Plan Economic Development Section and Adopting 2009 Economic Opportunity Analysis

Howard explained that this resolution has two parts. It adopts the new economic element within the plan and adopts the 2009 Economic Analysis. Staff is recommending approval.

Howard asked Amanda and Greg Winterowd to come forward to answer any questions.

Councilor Fleck said there are a few different numbers in this study than in some of the studies seen in the past. He said the study says Cottage Grove's property tax rate is \$17.16 per thousand of assessed value, and he thought Measure 5 capped it to \$10.00, general government, \$5.00 for schools. He thought this number must be off. He said he also questioned the number of folks driving to Eugene and back, and thought from earlier studies they looked at 50% to 60% range of workforce driving to Eugene. He thought it seemed like some of the assumptions were quite a bit lower in this study, and he was curious about the methodology that went into some of those.

Greg Winterowd from Winterbrook Planning stated that this came from work that Echo did. He said what they should do is find out what the rate (property tax rate) is and replace it.

Councilor Fleck said that it seemed to him that the folks that were driving up to a metropolitan area the number seemed low, the miles driven were between 15 and 29, compared to previous studies. So he asked if the trend has changed or are they deriving numbers from different methods.

Greg said he wasn't familiar with the numbers so it's difficult for him to judge this. He said he would like to find the reference and define what he's talking about so he can answer his questions.

Councilor Fleck indicated when talking about other studies he was referring to the 20/50 and a study when LTD first came to town.

Amanda responded that those studies were very dated, even 20/50 numbers were based on 1997 through 2001. Echo Northwest used information that was recently gathered from the state on current businesses, and information they had as far as their employees. So these numbers are a little more accurate.

Howard said that in previous studies those consultants did not do what Echo Northwest did. They went to the Department of Revenue and Employment and actually looked at individual information from the businesses within Cottage Grove, which he knows the others didn't because they signed the confidentially agreement not to release information.

Councilor Conrad asked for an explanation of why in this study such things as transportation and environmental issues were not covered.

Greg said the transportation issue is addressed several times in terms of encouraging inside transit, encouraging local jobs so people don't have to commute as much, encouraging training locally so that the workforce would be better able to cope with the new jobs. He said from a transportation standpoint he thought they did address it. In terms of environmental issues what they did do is look at environmental constraints that exist in the employment land and also the

future employment possibilities outside the UGB, and those could be factored into future analysis.

Councilor Conrad said she understands that this study had to be done now because staff was under pressure to fulfill a grant requirement, so they couldn't wait until the end of the year to have more substantial basis for projecting twenty years and that the grant only included goal 9 and did not include goal 14 and when they do get a grant for goal 14 they would actually go into environmental issues and more transportation issues.

Howard responded that they originally applied for Goal 9 and Goal 14 to do it as one, but because Cottage Grove is a smaller city DLCD said they only get the one grant and do the first part first and then do the second. That's what staff has done. Greg and Echo Northwest has prepared the Economic Opportunities Analysis, which is Goal 9. The next grant request is to be Goal 14 which will take in the transportation plan that was updated, the economic analysis, the environmental work (they are working with LCOG as they now have a wetland grant), and all that information is going to come into the plan as they work their way through Goal 14. That's going to look at the issue of what land uses the City should have, whether or not the urban growth boundary should be extended, where everything should go and then all the pieces of the puzzle are brought in together at that time.

Councilor Conrad said, concerning the idea for a zone for a business park, in the business park it's usually just one area, and it talks in the arena about transitional zoning. Transitional zoning would have mixed uses to have better transition say from residential areas to industrial areas or commercial areas. Whereas the concept of a business park would be an area where people would have to travel into and out of, and she was wondering why the concept of a business park was being used rather than a transitional zone.

Greg responded that the business park is a concept that's actually a nation-wide concept; it's not just being applied or recommended in Cottage Grove. A business park is viewed as something that is typically more compatible with adjacent residential development because it's all indoors. And so in that sense it could be called a transitional zone. The thing identified in this report is a need for such a park; they haven't placed it anywhere yet, and that's something that would be done later on with the urban growth boundary. Goal 14 means urban growth boundaries, Goal 12 means transportation, Goal 5 means the environmental stuff, i.e., the wetlands. He said they didn't use the terminology of transitional zoning in Cottage Grove, because that's more typically how you arrange land uses rather than a type zone.

Councilor Conrad asked if they thought the concept of a business park to be in competition with the downtown area.

Greg responded that they didn't. He said they were very careful, in their analysis, to look at land need and supply. About 85% of the jobs that they anticipate coming to this community are retail and service jobs, and they're proposing to meet these jobs in part with a business park and in part with a 12-acre shopping center.

Howard said with regard to the \$17.16 for the property tax, if you read further in that paragraph that also included the school district bond and LCC bonds. Those were voter approved bonds

and they're included in that rate.

Greg said right now there are 163 developed industrial acres and 443 acres of commercial land in the community; there's a lot of commercial land. If they would have projected commercial land need based on the existing ratio of population growth to commercial land, they would have had a lot more commercial need. He said instead of using that they listened to what they heard from the community through the citizen advisory committee, who looked at the vision plan and the vision said downtown is very important to this community, and redevelopment of existing underutilized properties along the highway also is important. So they assumed that over half of the need that would be met would occur through redevelopment of existing areas. That's a lot, and to talk about over the next twenty years, one additional 12-acre shopping center plus a business park would absorb some additional service of office jobs is assuming a lot of redevelopment and not the other way around. Had they sought simply to have more land in the growth boundary could have come up with many, many more acres of commercial, but they didn't because of policies, because they didn't want to encourage the new green field development at the expense of downtown. He said in his view he thought they addressed that pretty thoroughly.

Councilor Fleck said other than some of the assumptions especially regarding transportation he'll trust the consultants on it. He said by and large he really does like the document and some of the assumptions and the recommendations.

Councilor Conrad said she will be voting for this, but with reservation. She thought what this document did, it did very well. But on a conceptual level, following state regulations and rules and regulations doesn't necessarily mean they're developing a comprehensive plan, so she would be looking forward to Goal 14 when that's being worked on.

Greg said he couldn't agree with Councilor Conrad more regarding following state rules and regulations, so that's why they began with what this community said they wanted and put it through the state regulations, but this isn't a state driven plan; it's a locally driven plan. There is more ability under State-Wide Planning Goal 9 for local determination of what you do and how you plan your time in doing any of the other goals. But Goal 14 is a little bit tighter. What they try to do is set the stage for the Goal 14 work with doing solid Goal 9 work now.

Councilor Clark thanked the consultant for his effort, and indicated that he as always remains a bit skeptical on the community's dependence on tourism and recreational activities as its number one economic driver.

IT WAS MOVED BY COUNCILOR FLECK, SECONDED BY COUNCILOR MUNROE THAT RESOLUTION NO. 1713, "A RESOLUTION AMENDING THE COTTAGE GROVE COMPREHENSIVE PLAN ECONOMIC DEVELOPMENT SECTION," BE ADOPTED.

Councilor Miller noted that she was left off the list of committee members, and Howard

indicated they would make sure she was on the final one.

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							

(f) Resolution Supporting the Grant for Upgrade of Municipal Jail Cells

Police Chief Grover explained that the Police Department applied for a grant in the amount of \$14,686 for the upgrade of the present jail cells. Part of the requirement of the grant is to have the City Council pass a resolution supporting what they are trying to do.

IT WAS MOVED BY COUNCILOR MUNROE, SECONDED BY COUNCILOR MILLER THAT RESOLUTION NO. 1714," A RESOLUTION SUPPORTING THE GRANT FOR UPGRADING OF MUNICIPAL JAIL CELLS," BE ADOPTED.

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							

(g) Resolution Amending the Comprehensive Fee Schedule to Waive Certain Business Related Fees for a Specific Time Period

Richard explained that this resolution basically takes the place of the ordinance that Councilor Conrad presented in previous meetings. Staff determined that amendments to the comprehensive fee schedule should be done by resolution and not ordinances. So this resolution was put together and would amend the fee schedule by waiving the application fees for taxi cabs, merchant police and used merchandise license fees from June 23rd to October 30th. This is for new applications. The OLCC license fee is also in here and the license fee for commercial kennels. The circus and carnival fees were not included as they are waived already if the circus or carnival is giving their proceeds to a nonprofit agency or if the people in the circus are local talent. They also removed the waiver of the fee for the community center, because the fee for the use of the community center is based on the cost it takes City personnel to clean up after the use.

Richard explained the difference between this resolution waiving fees and what Council did previously with the SDC ordinance. That action waived the interest for those that apply and participate in the installment program on SDCs which is in an ordinance and not part of the comprehensive fee schedule. That was a text amendment to the code provisions that deal with SDCs.

IT WAS MOVED BY COUNCILOR CONRAD, SECONDED BY COUNCILOR FLECK THAT RESOLUTION NO. 1715, “A RESOLUTION AMENDING THE COMPREHENSIVE FEE SCHEDULE ADOPTED BY ORDINANCE NO. 2361,” BE ADOPTED.

Councilor Miller said she hoped Council remembered that the first ordinance dealt with the housing and building industry was only targeted to that because everything else was going to be in such flux. She said they needed to keep in mind that you can never be fair in any of this because it over weighs and over laps. The SDC did not stop the fees, the fees for SDC came in. It was the interest that was delayed. This ordinance wants to stop fees; the public will end up paying these fees. She said she couldn’t support this.

Councilor Conrad reiterated that the intention was to be fair for all businesses. You can look at what kind of money are we talking about or you can look at how can we give any kind of recognition of financial help to any of the businesses. And she thought this resolution was trying to have the attitude of helping, and it’s all just gestures to the total business community of how can the City help them.

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
NAYS		X	X				
ABSTAIN							

(h) Second Reading of Ordinance No. 2983 Sidewalk Amendments

Richard said this ordinance amends the code clarifying the liability for sidewalk repairs and sidewalk injuries. The only things being amended and added are in Section 8.12.090, subsection A which clarifies that the owner adjacent to the sidewalk is suppose to maintain it in good and safe condition and then the entire section 8.12.095 is added. This simply clarifies that the abutting property owner is responsible for taking care of that sidewalk and taking care of any injury or whatever results.

Councilor Clark asked who gets to decide if your sidewalk is kept in good repair and safe condition.

Richard said there are standards that take care of that, and there's another part of the code that talks about some standards that are adopted by the engineering department. There isn't any kind of inspection program on sidewalks right now. It is strictly something that occurs by somebody identifying a problem, and then a letter is sent. It is either complaint or lawsuit driven.

Councilor Clark asked if there was some way to let people know of this change; maybe something in the water bill.

Richard said staff could do that, and people's home insurance companies already know this and tell homeowners they need to take care of the sidewalks if they are in disrepair.

Richard responded to questions and concerns from Council.

Councilor Conrad said she continues to have problems with the 2 hours indicated in the ordinance for clearing the sidewalk of snow or ice. She said she would feel more comfortable if it was something like 12 hours.

Richard explained why the 2 hours benefitted the property owner rather than a shorter or longer period of time.

Council asked for legal counsel's opinion regarding this.

Pat Melendy, attending the meeting in Sean's absence said he wasn't in on the drafting of the ordinance, and this is the first time he's had an opportunity to review it. He said he thought the way it reads 095 and 090 are independent of each other. It doesn't say you have a free 2 hours, but if that was the intent of the ordinance then maybe there should be some reworking of the ordinance.

Richard said since the referral to the 2 hours isn't being changed and was in the existing code, he would suggest adopting this ordinance tonight because the language clarifying the liability needs to be in place. Council can come back and discuss the 2 hours another time.

IT WAS MOVED BY COUNCILOR FLECK, SECONDED BY COUNCILOR MILLER THAT ORDINANCE NO. 2983, "AN ORDINANCE OF THE CITY OF COTTAGE GROVE, OREGON AMENDING SECTION 8.12.090 CLARIFYING THE DUTY TO KEEP SIDEWALKS SAFE AND ADDING SECTION 8.12.095 CLARIFYING LIABILITY FOR SIDEWALK INJURY", BE READ ONCE IN TITLE ONLY AND PLACED ON ITS FINAL PASSAGE.

Roll was called on the motion and the vote 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							

Attorney Pat Melendy read Ordinance No. 2983 once in title only.

IT WAS MOVED BY COUNCILOR FLECK, SECONDED BY COUNCILOR MILLER THAT ORDINANCE NO. 2983, “AN ORDINANCE OF THE CITY OF COTTAGE GROVE, OREGON AMENDING SECTION 8.12.090 CLARIFYING THE DUTY TO KEEP SIDEWALKS SAFE AND ADDING SECTION 8.12.095 CLARIFYING LIABILITY FOR SIDEWALK INJURY”, BE ADOPTED.

Councilor Conrad said she believes Council could be passing an ordinance she believes needs to be changed and she would really like to table this for two weeks and then have an ordinance that doesn’t need to be changed.

Roll was called on the motion and the vote 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
NAYS						X	
ABSTAIN							

(i) Items Tabled from Previous Meetings

- 1) Second Reading of Ordinance No. 2982 An Ordinance Amending Ordinance 2361 of the City of Cottage Grove Comprehensive Fee Schedule Exhibit “A” Items: V. Business, XI. Miscellaneous, XII. Community Center Fees and Policies

Richard explained that this item needs to be taken off the table. At the previous meeting there was a motion to read it for the second time by Councilor Clark, seconded by Councilor Conrad. He said staff is recommending that it be removed from the table and allow for the motion to be withdrawn and then just not act on it any more.

IT WAS MOVED BY COUNCILOR CONRAD, SECONDED BY COUNCILOR MUNROE THAT COUNCIL REMOVE FROM THE TABLE ORDINANCE NO. 2982.

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							

Councilor Clark stated he would withdraw his motion, and Councilor Conrad withdrew her second.

Richard said that Noel Moen is now present in the audience and was the first place winner for her PowerPoint entry for the “If I were Mayor” contest. She wasn’t present when the awards were given out earlier in the evening.

Mayor Williams presented her award.

BUSINESS FROM THE CITY COUNCIL (continued)

(b) Urban Forestry Committee Report

Richard said members of the Urban Forestry Committee are present and Julie Kinerowski will be giving a report.

Julie Kinerowski, President of the Urban Forestry Committee reported on what the committee has been working on. She said since October they’ve been working on invasive removal along the greenway, along river. The City for the fifteenth year has received the Tree City USA designated; they participated in September in the “Gathering of the Gardeners”; in April they participated in the “Day of Caring” planting trees at Middlefield in honor of Arbor Day; they had a member attend the May Heritage Tree Conference and participated in the May 16th SOLV Down by the Riverside cleanup. She said they are working with the Middle Fork Watershed Council on invasive species removal. They recently bought a banner and sign to let people know who they are and have printed tee shirts. Their goals for this year are to receive again Tree City USA, participate in Gathering of the Gardeners and also going to be participating in Earth Day activities. This next year they’re going to work on getting some of the trees that have died replaced that were part of the Memorial Tree program.

Councilor Munroe thanked her for the work they did in Prospector Park.

Councilor Conrad said she is the liaison for the Watershed Council and speaking for them they very much appreciate the Urban Forestry Committee’s work along the river banks.

(c) Change of Privilege Liquor License for Hidden Valley golf Course

Richard said the owner of the golf course is taking over Hidden Valley Restaurant and adding the privileges for distilled spirits. Richard explained what the off-premises privilege includes and that OLCC is recommending that all golf courses have an on and off-premise license because of people taking the alcohol off the premises.

Councilor Conrad asked if this is one application for the golf course and restaurant.

Richard explained that Mr. Nord owns both the golf course and restaurant but was leasing the restaurant to someone else, and that lease is gone now and he wants to start running the restaurant on his own. So it would be one application for both.

Councilor Conrad said since he already owned the golf course what change in this liquor license would be affecting his operation of the golf course.

Richard said none of it would except for the off-premises sales; that would be new for both.

IT WAS MOVED BY COUNCILOR FLECK, SECONDED BY COUNCILOR MILLER THAT COUNCIL FORWARD A FAVORABLE RECOMMENDATION TO THE OLCC ON THIS APPLICATION.

Councilor Conrad stated she would be voting in favor of this with the understanding that basically the changes that are being made in the application are being recommended by the liquor commission.

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							

(d) Potential Purchase of Property at 1414 Washington Adjacent to Coiner Park

Richard said Council has talked about this in executive session at previous meetings. The property has been cleared of the law suits and settlements have been paid. Sufficient funds have been budgeted to purchase the property. The property owner purchased the property in July of 2008 for \$123,000; the City will be purchasing the property for \$120,000. The City will be paying off the mortgage and cleaning it up to make it a part of the Coiner Park property.

IT WAS MOVED BY COUNCILOR MUNROE, SECONDED BY COUNCILOR MILLER THAT COUNCIL AUTHORIZE THE CITY MANAGER TO PURCHASE THE

PROPERTY AT 1414 WASHINGTON.

Councilor Conrad said she totally agrees with prioritizing money for park land, but doesn't agree doing it at any price. She indicated she would be voting against this because of the high price being paid for this property.

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
NAYS						X	
ABSTAIN							

(e) Concerns from the City Council

1) Councilor Miller said at the last Council meeting she got her Corey's mixed up. The Corey she was thinking of was Wendell Corey's widow and the Corey's being talked about was the teacher Les Corey and his wife.

2) Councilor Conrad said earlier in the meeting there was mention of considering her suggestion regarding the budget commentary during this time, but due to the late hour she will delay it to another time.

Council discussed the need for some type of retreat for goal setting.

Mayor Williams suggested holding off on this until the first of the year, and indicated Council could talk about this at a later meeting.

BUSINESS FROM THE CITY MANAGER

(a) Report from the City Manager

1) Richard said this weekend was the Relay for Life, and they netted about \$46,000 and last year \$32,000. He explained some of the new things they added this year. The City took first prize for decorating the town purple. Another added event was awards for individuals raising the most money. The City won the award for raising the most money as a team. The City also received first place for the team raising the most money on line, and also received first place for best camp.

2) Richard said the ODOT has announced that the Saginaw overpass will be closed from July 6th through September 3rd.

3) Richard said the hospital announced today that they have a new administrator, Mary Anne McMurren.

BUSINESS FROM THE CITY ATTORNEY

(a) Report from the City Attorney

None

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

1) Wayne Kleckner, 79086 Quail Loop Road, Cottage Grove, reported that the Ford Foundation group that’s working on the Stewart Park project on Johnson and 8th will be putting cement in the playground area tomorrow. They have playground equipment going in and picnic tables and benches. The goal is by next Wednesday to place the picnic tables on the slabs being laid tomorrow. He thought it would be a great addition to that area.

2) Larry Nichols, 1045 S. 8th Street, Cottage Grove, said he spoke with some of the vendors in Coiner Park for the Wednesday Market, and they expressed concern that the permit was being changed or something and they would be moving to Trailhead Park.

Richard said the Chamber of Commerce has a permit for the Concerts in the Park and the Wednesday Grower’s Market. These are two events; the Wednesday Market in the Park and another Farmers Market on Saturday which is a separate group.

CONSENT AGENDA

(a) Minutes of the May 11, 2009 Regular City Council Meeting

(b) Acceptance of Bargain & Sale Deed in Lieu of Foreclosure - Parcel 1 of Lot 2 Cottage Grove Industrial Park

(c) Acceptance of Trustee’s Deed - Lot 11 in the Industrial Park

ITEMS REMOVED FROM THE CONSENT AGENDA

None

IT WAS MOVED BY COUNCILOR MILLER, SECONDED BY COUNCILOR FLECK THAT THE CONSENT AGENDA BE ADOPTED.

The vote on the motion was as follows:

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

Mayor Williams announced that Council would adjourn this meeting and go into a very brief Urban Renewal Agency Board Meeting.

ADJOURNMENT

There being no further business, Mayor Williams adjourned the regular meeting of the City Council at 9:28 p.m.

The next regular City Council Meeting will be held July 13, 2009 at 7:30 p.m. in the Council Chambers at City Hall.

Joan Hoehn, City Recorder

Gary Williams, Mayor