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:

PRESENT IN THE COUNCIL CHAMBERS: Mayor Jeff Gowing and Councilor Kenneth Michael Roberts

PRESENT VIA GOTOMEETING: Councilors Jake Boone, Mike Fleck, Greg Ervin and Candace Solesbee

COUNCIL ABSENT:

STAFF PRESENT IN THE COUNCIL CHAMBERS: Police Chief Scott Shepherd, City Recorder Trudy Borrevik and Civil Engineer Ryan Sisson

STAFF PRESENT VIA GOTOMEETING: City Manager Richard Meyers, Finance Director Roberta Likens, Public Works & Development Director Faye Stewart and Civil Engineer Ryan Sisson

CITY ATTORNEY: None

MEDIA PRESENT: Cameron Reiten, KNND (In Council Chambers) Damien Sherwood, The Sentinel (Virtual)

ITEMS ADDED TO THE AGENDA

IT WAS MOVED BY COUNCILOR BOONE AND SECONDED BY COUNCILOR FLECK THAT ITEM 8(d) BE MOVED TO BEFORE ITEM 4 AND IF THE COUNCIL APPROVES FILLING THAT VACANCY TONIGHT THAT THE PERSON FILLING THE VACANCY BE SWORN IN TONIGHT RIGHT AFTER THE SELECTION.
The vote on the motion was as follows:

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8 (d) Discussion of Ward 2 Vacancy and Possible Filling of Vacancy

City Manager Richard Meyers said at the June 8th City Council meeting, the Council considered whether or not to fill the vacant Ward 2 Council position created by the death of Councilor Bob Ehler, which expires December 31, 2020. He said Council elected not to fill the position and wait to see who won in the General Election. He said there were two candidates for the Ward 2 position, however one elected to withdraw for personal reasons, which left Jon Stinnett as the only candidate. He said Council could consider appointing Jon Stinnett to the Ward 2 position for the remainder of the term. He said if for some reason, he wasn’t elected November 3rd, whoever was elected would fill the position in January, 2021. He said if Council votes to appoint Jon to the position tonight, he suggested that they also have him sworn in so that he can begin his role as City Councilor Ward 2.

**IT WAS MOVED BY COUNCILOR BOONE AND SECONDED BY COUNCILOR ROBERTS THAT JON STINNETT BE APPOINTED TO THE CITY COUNCIL FOR THE REMAINDER OF THE VACANT WARD 2 POSITION TERM.**

Mayor Gowing said he didn’t see any reason not to appoint Jon, that he was a good candidate and was the only running for the position.

Richard said the appointment was for the remaining portion of the vacant term. He said the election would still be in place and people would have to vote for Jon to get him into office in January.

The vote on the motion was as follows:

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City Recorder Trudy Borrevik swore in Jon Stinnett as Ward 2 City Councilor.
APPEARANCE OF INTERESTED CITIZENS FOR ITEMS NOT ON THE AGENDA

None

PUBLIC HEARINGS

None

CONSENT AGENDA

(a) Approval of September 14, 2020 Council Meeting Minutes

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

The vote on the motion was as follows:

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RESOLUTIONS AND ORDINANCES

(a) Ordinance Amending the Cottage Grove Municipal Code Title 14 City Wide Zoning Map 78030 Hwy 99S (Map 21-03-05 TL 200) and Adjacent Vacant Lot (Map 21-03-05 TL103) ZC 1-20

Public Works & Development Director Faye Stewart said the Planning Commission approved the zone changes at their August 19, 2020 meeting. He said both properties were owned by the City and were recently annexed into the City. He said the first property was a single family home with a proposed zone change from Lane Code Chapter 16 RC Rural Commercial to RC Residential Commercial. He said the second property was an adjacent vacant lot located at the corner of Emerson Lane and Hwy 99 with a proposed zone change from Lane Code Chapter 16 RI Rural Industrial to M Industrial. He said it was now appropriate for Council to consider the Ordinance for adoption.

IT WAS MOVED BY COUNCILOR BOONE AND SECONDED BY COUNCILOR FLECK THAT COUNCIL ADOPT ORDINANCE NO. 3131.
The vote on the motion was as follows:

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Mayor Gowing announced that Ordinance No. 3131 had been adopted.

**BUSINESS FROM CITY COUNCIL**

(a) 2020 Municipal Court Report

Municipal Court Judge Martin Fisher said he provided his report to Council but it was not his typical report since 2020 hadn’t been a typical year. He talked about a recent legislative action that prohibited the suspension of driver licenses due to non-payment of fines and how it would affect the court. He said it could have a big impact on the court’s revenue in the future.

He spoke about the Court Clerk Michelle Rounsaville and said everyone should be commending her for the unbelievable job she had been doing during COVID. He said she had almost single handedly managed what bordered on an impossible task of contacting defendants who were uncontactable. He said she has had to juggle the court schedule and technological issues and has gone above and beyond her normal duties.

Councilor Ervin thanked the Judge for providing his report to Council earlier this year. He asked about the collection process for undue fines and available collection mechanisms.

Judge Fisher talked about collection agencies and said they only received a fee if they collected revenue for the court and then it was a percentage of what was collected. He said some collection agencies weren’t very aggressive in their collection efforts.

Councilor Ervin expressed his concerns about the change in the process for collecting fines and how it could affect the courts.

Judge Fisher said he agreed with Councilor Ervin and expressed his concerns as well.

Councilor Fleck said the City Manager had send a letter to Judge Fisher regarding virtual court and asked if he would address it.

Judge Fisher said the concerns raised were valid and the Court wasn’t going to move forward with virtual court at this time. He said it would probably be an option made for the Court instead of by the Court in the future. He said with recent changes at City Hall reestablishing seating in the lobby, it allowed defendants to come inside instead of having to wait outside. He said with only ten people being allowed in the Courtroom at one time, there had to be an area where defendants could wait.
Councilor Boone asked if there was any support that he currently needed from Council.

Judge Fisher said he would like to have the ability to do remote appearances for defendants in custody. He said the jail wasn’t currently set up to do remote appearance and there would have to be modifications done to the jail area and equipment would have to be purchased and installed.

Mayor Gowing said he had a meeting with the City Manager, Finance Director, Police Chief and Court Clerk regarding the Municipal Court. He said the main issue was the holding of virtual Court, however they also discussed concerns from the Court. He said the concerns were: the canceling of Court dates, no traffic matters since March, additional paperwork for Court Clerk; no show cause cases being held; defendants not taking information from Court Clerk serious; increased work load for Court Clerk and the Judge not reviewing cases before Court and not taking notes using cover sheet. He said the Judge said the Court Clerk is doing a great job and said it sounded like she was but didn’t want to see her overworked.

Judge Fisher responded to the issues the Mayor spoke about. He said regarding the Court dates, one date had a scheduling issue in the morning and another date had jury trials scheduled that he thought weren’t going to trial. He said the Court was handling traffic matters and several years ago a Traffic Violations Bureau was established which allows the Court Clerk to take care of traffic violations without a Court appearance. He said with COVID, the Court was only doing virtual until the first part of June so all the cases from March to June were either resolved by the Court Clerk or were rescheduled for a future date. He said regarding show cause hearings, he wasn’t quite sure what that was about. He said there were issues about how the Court addressed show causes as their options were limited and explained. He said regarding the cover sheet not being used, it was for his benefit and he filled it in when he thought there was something he needed to know.

Councilor Fleck said his agency was still allowing people to do community service.

Councilor Ervin asked the Judge to address the issue of him not reviewing cases before Court.

Judge Fisher said he wasn’t sure that was directed to him. He said he never reviews a case before Court, it just wasn’t done. He said there had been some issues with the attorneys not reviewing cases.

Mayor Gowing said that wasn’t an issue that the Council handled, it was handled by the City Manager.

Councilor Fleck thanked Judge Fisher for his service to the City and said he appreciated him addressing the concerns with Council.

(b) Citizen Request to Add Crosswalk Striping Across East Main Street at 12th Street

Civil Engineer Ryan Sisson said a citizen had requested a crosswalk be added to the intersection of E. Main Street and S. 12th Street. He said the request was to paint new striping across E. Main Street from both corners of 12th Street to access Lulu’s Dog Park. He outlined the criteria the Engineering Department used to determine if the crosswalk should be installed. He said the recommendation was that a crosswalk be added to E. Main Street if a licensed Traffic Engineer could confirm that pedestrian safety would be increased.

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Councilor Fleck said he walked Main Street a lot in the summer but wouldn't cross Main Street except in a controlled intersection during busy times. He said he had concerns but would approve having a traffic study performed.

**IT WAS MOVED BY COUNCILOR BOONE AND SECONDED BY COUNCILOR FLECK THAT A TRAFFIC STUDY BE PERFORMED BY A LICENSED TRAFFIC ENGINEER TO CONFIRM THAT PEDESTRIAN SAFETY WOULD BE INCREASED IF CROSSWALK STRIPING WERE ADDED ON E. MAIN STREET AT 11TH, 12TH, 15TH AND 17TH STREETS.**

Councilor Stinnett said was in favor of adding a crosswalk on E. Main Street at 12th Street and thought education on rules surrounding crosswalks should be encouraged.

Mayor Gowing commented that he saw a lot of people crossing in between crosswalks and having striped crosswalks might make people use them instead ofjaywalking.

Councilor Boone asked if the traffic study would identify if there was a need for flashing lights at crosswalks.

Ryan read from his Memorandum to Council his recommendation for what should be included in the traffic study. He asked Councilor Boone to explain his request.

Councilor Boone said he was referring to the crosswalks where you had to push a button to active flashing lights.

Ryan said the study would include any recommendation for the addition of flashing lights.

Councilor Roberts said he had a problem with the speed on E. Main Street and said there was a crosswalk just two blocks away. He said he had issues with spending $5,000 for a traffic study at this time.

The vote on the motion was as follows:

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(c) **Citizen Request to Remove Stop Signs from Intersection of S. 16th and E. Madison Avenue**

Civil Engineer Ryan Sisson said a citizen had requested that stop signs be removed on S. 16th Street at Madison and provided the reasons for the request. He said his recommendation was to keep the stop signs as well as consider other options to enhance safety as discussed in his Memorandum.

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Councilor Fleck said Ryan mentioned at Agenda Session that he had contacted neighboring property owners who wanted to keep the stop sign.

Ryan said that was correct, he had spoken with the property owners on the Southeast and Northwest corners, both of which had lived there for years. He said most of his recommendation was based on their input about speeding before and after the intersection on 16th Street and in their opinion keeping the stops would decrease the overall speeds in the area.

Councilor Fleck said he agreed with Ryan’s assessment and would support adding additional crosswalk striping.

**IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR BOONE THAT COUNCIL MAINTAIN THE STOP SIGN AND ADD CROSSWALK STRIPING AT THE INTERSECTION OF S. 16TH AND MADISON.**

Mayor Gowing asked if flashing stop signs could be added to the crosswalk.

**IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR BOONE TO AMEND THE MOTION TO ADD FLASHING STOP SIGNS BE ADDED TO THE INTERSECTION OF S. 16TH AND MADISON.**

Police Chief Scott Shepherd said for years the Police Department had been constantly being asked to patrol the stretch between Main Street and E. Madison for speeding and the placement of radar signs. He said he thought it would be a mistake to remove the stop signs. He said if there were complaints about people rolling through stop signs at that location, to let him know and they would do some focus patrol to try and change the behavior.

Ryan said one of the options for Council to consider was to add double yellow striping along the center line on S. 16th Street. He said when one was added to Kalapuya Street, it helped slow traffic down noticeably.

**IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR BOONE TO AMEND THE MOTION TO ADD DOUBLE YELLOW STRIPING ALONG THE CENTER LINE OF S. 16TH STREET.**

Councilor Ervin said he liked the idea of removing the stop sign. He said if speeding was the main issue and it was addressed with other options, there would be no need for the stop signs. He asked how effective radar signs were in slowing down traffic.

Ryan said ODOT provided guidance to municipalities who managed their local streets and cautioned them when they were considering changing the traffic pattern drastically. He said when the street conditions were drastically changed where the expectations of the driver were impacted, accident rates rose by five percent for a period of time.

Chief Shepherd said while radar signs did reduce speed they were only effective while they were in place and once removed, the behavior of the driver resumed. He said focused patrols were intermittent and were used when there was a problem. He said if Council decided to install a permanent radar signs, it wouldn’t have the effectiveness that they would if they were installed
temporarily.

Richard said it was important to note that Madison and 16th Streets were collector streets and were designed to collect traffic from residential neighborhoods. He said Gateway was an arterial street and if the stop signs were removed on 16th Street, vehicles might turn from Gateway onto Madison to 16th Street as a way to Main Street to avoid Gateway.

Councilor Ervin asked why it wasn’t being discussed to install stop signs at more intersections on 16th Street.

Ryan talked about collector streets and their purpose and how they interacted with other streets.

The vote on the motion was as follows:

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(e) Concerns from City Council

Councilor Stinnett said it wasn’t often that you get a literal vote of confidence from our peers and people we respect and admire and he thanked his fellow councilors and couldn’t wait to get to work on behalf of the City of Cottage Grove. He said he has had great support from so many people and it meant the world to him.

Councilor Ervin commented that the flashing crosswalk at 10th and Main Street wasn’t working all the time. He said it hadn’t worked twice now when he and his family had used it. He said it was pushed by one of his children, however it should work even if a child pushes it. He asked if staff could look at that.

Councilor Boone thanked City Staff for their dedication and keeping things going during this year of unexpected situations occurring and said everyone had been doing a wonderful job.

BUSINESS FROM CITY MANAGER

(a) Report from City Manager

City Manager Richard Meyers thanked Council for the discussion with the Judge.

Richard thanked everyone who attended the memorial dedication for former Councilor Ehler last Saturday and said he thought the family was appreciative.

Richard said the Municipal Court had an incident where the company that provided the Court software was hacked. He said the City’s IT Staff was working on the issue and that steps were taken to protect the City’s network.
Richard said he sent out an email this morning regarding the small business emergency grants however it was wrong and he would provide an update in the Friday Update.

Richard said the LOC Virtual Conference was October 14th and 15th.

Richard commented about the Virtual ICMA Conference he attended last week.

Richard said he was concerned about the mental status of employees so the City was going to have some mandatory training in October.

Richard said the recruitment was open for YAC and if any of the Council knew youth from 7th to 12th grades, encourage them to contact the City Manager’s Office.

Richard said the Mayor had received a letter from a young man who wanted to do a Halloween parade and they invited him to attend the planning meeting. He said the committee was proposing a cruise on Halloween from 3:00 to 5:00 pm where kids would be in vehicles with their costumes and businesses would on the sides of the street handing candy to the kids inside the vehicles. He said the location was still being discussed.

**BUSINESS FROM CITY ATTORNEY**

(a) Report from City Attorney

None.

Mayor Gowing recessed the meeting to go into Executive Session at 8:22 pm.

**EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660 2(e) TO DELIBERATE WITH PERSONS DESIGNATED BY THE GOVERNING BODY TO NEGOTIATE REAL PROPERTY TRANSACTIONS**

Mayor Gowing reconvened the regular meeting at 8:31 pm.

**ADJOURNMENT**

There being no further business, Mayor Gowing adjourned the regular meeting of the City Council at 8:32 pm.

The next regular City Council Meeting will be held October 12, 2020, at 7:00 p.m. in the Council Chambers at City Hall.

Trudy Borrows, City Recorder

Jeffrey D. Gowing, Mayor

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