

**COTTAGE GROVE CITY COUNCIL
MEETING MINUTES
NOVEMBER 14, 2022**

CALL TO ORDER

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

ROLL CALL

City Recorder Mindy Roberts called the roll. The following were

PRESENT IN THE COUNCIL CHAMBERS: Mayor Gowing, Councilors Candace Solesbee, Chalice Savage, Mike Fleck, Jon Stinnett, Greg Ervin and Kenneth Michael Roberts.

PRESENT VIA
GOTOMEETING:

COUNCIL ABSENT:

YOUTH REPRESENTATIVE: Kassidy Poetzl

STAFF PRESENT IN THE COUNCIL CHAMBERS: City Manager Richard Meyers, Assistant to the City Manager Jake Boone, City Recorder Mindy Roberts, Public Works & Development Director Faye Stewart, Finance Director Roberta Likens, Interim Police Chief Jeff Groth and City Planner Eric Mongan.

STAFF PRESENT
VIA GOTOMEETING:

CITY ATTORNEY:

MEDIA PRESENT: Cameron Reiten - KNND, and Ryleigh Norgrove -The Chronicle

ITEMS ADDED TO THE AGENDA

None

APPEARANCE OF INTERESTED CITIZENS FOR ITEMS NOT ON THE AGENDA

Linda Olson 1305 Girard, Cottage Grove, Oregon spoke about the earthquake preparedness presentation at the Armory and said she was concerned about the low attendance level. She also expressed her concern that the City does not provide any funding for Bohemia Mining Days and the historic museums.

Dale Gangl 1386 Cottonwood Place, Cottage Grove, Oregon expressed concern about the homeless being near playgrounds.

Butch Gabrielson 33330 E Howe Lane, Creswell, Oregon spoke about a situation regarding individuals trespassing on his property.

Duane Taddei 77561 Hwy 99, Cottage Grove, Oregon expressed concern for the previous speaker's situation.

PUBLIC HEARINGS

- (a) Public Hearing for Ordinance to Vacate a Portion of Right of Way Located at the Intersection of South 7th Street and East Fillmore Avenue

Mayor Gowing announced that the Public Hearing is postponed.

CONSENT AGENDA

- (a) Approval of October 10, 2022 City Council Minutes
(b) Approval of October 21, 2022 Agenda Session Minutes
(c) Approval of October 24, 2022 City Council Minutes

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

Mayor Gowing announced the motion with a second and called for discussion. Seeing none he called the vote.

The vote on the motion was as follows:

VOTE	Councilor Roberts	Councilor Stinnett	Councilor Savage	Councilor Fleck	Councilor Solesbee	Councilor Ervin	Mayor Gowing
AYES	X	X	X	X	X	X	X
NAYS							
ABSTAIN							

RESOLUTIONS AND ORDINANCES

- (a) Resolution Requesting the Board of Commissioners of Lane County to Surrender Jurisdiction of Various Road Sections within the Incorporated City Limits of Cottage Grove

City Planner Eric Mongan presented background information regarding the various road sections that were previously annexed into the City. He said upon Council approval, the resolution would be presented to the Lane County Board of Commissioners for them to consider surrendering the properties.

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR ROBERTS TO ADOPT RESOLUTION 2082.

Mayor Gowing announced the motion with a second and called for discussion.

Councilor Ervin asked what the reasons are for this and what the conditions of the roads are.

Public Works and Development Director Faye Stewart responded to Councilor Ervin's question. He presented detailed information as to the location of each property and the reason for the request.

Councilor Savage asked if the City would be responsible for putting in the sidewalks on these roads if they do not currently have sidewalks.

Public Works and Development Director Faye Stewart replied that if the City decides to upgrade the road, the adjacent property owner would be responsible, unless Council directs differently.

Mayor Gowing called for further discussion. Seeing none he called the vote.

The vote on the motion was as follows:

VOTE	Councilor Roberts	Councilor Stinnett	Councilor Savage	Councilor Fleck	Councilor Solesbee	Councilor Ervin	Mayor Gowing
AYES	X	X	X	X	X	X	X
NAYS							
ABSTAIN							

Mayor Gowing announced that Resolution 2082 is adopted.

BUSINESS FROM THE CITY COUNCIL

(a) 2022 Municipal Court Report

Municipal Court Judge Fisher presented information to Council regarding statistics of court proceedings over the past year. He indicated that some of the crimes that had previously fallen off over the past couple of years are now starting to return to historic norms, including DUIIs and Criminal Trespassing. He added that when looking at the 75 Criminal Trespassing charges, it is important to note that it does not mean there are 75 different people and may amount to only 15 people.

Councilor Ervin thanked Judge Fisher for the report and asked how the lack of mental health support is affecting court.

Judge Fisher replied by saying that there are two components to the mental health aspect for people in the criminal justice system. He said the first, is people who lack the mental capacity to understand what is happening. He said the other component, which we see very frequently, is people who are suffering from untreated mental illness and as a result are self-medicating. He added that historically we would refer people to South Lane Mental Health (SLMH), which worked great for people who have insurance or could pay for it themselves. He expanded on other difficulties with getting people who are in the criminal justice system into mental health treatment.

Councilor Stinnett asked who would need to be involved in order to try and address the situation.

Judge Fisher said we would need to start by finding a mental health provider that would participate and then move to include the court, police and other community base resources.

Councilor Savage asked what happens to outstanding fines and why there is a \$90 discrepancy between fines given subtracted by outstanding fines.

Judge Fisher said unpaid fines are ultimately sent to collections and are almost entirely traffic fines. He added that he also noticed a separate entry for \$90 and since he did not understand the entry he did not include it in the report.

Councilor Ervin said he would like to restart the conversations regarding the mental health issues and receive frequent feedback to Council.

Councilor Fleck asked when people are in jail for extended periods of time, can we get them the help they need in order to help keep them successful when they are released.

Judge Fisher replied that he would redirect that question to the Police Department and it would likely depend upon the resources that they have available. He added that the court used to, as part of a judgement, require that people seek mental health treatment but we would often see them coming back because they couldn't afford it or it doesn't exist. He said the court has had

some success in the past imposing substantially longer jail sentences, giving them an opportunity to get into and complete an inpatient program and they would get day-per-day credit.

Councilor Solesbee asked Judge Fisher what his suggestions are for decreasing the number of criminal trespass issues, in light of hearing the previous testimony from a citizen where he indicated that people trespassed on his rental property and it was ruled a civil issue.

Judge Fisher said as an attorney, that type of issue being civil not criminal can depend on many different factors. He added that the current trespasses are about 40% from stores such as Walmart and Safeway and another 40% are from parks. He said you could impose longer jail sentences but some of them would not be opposed to that.

Mayor Gowing asked if there were any further questions.

Mayor Gowing asked if a date needs to be set for the evaluation.

City Manager replied yes, and Council needs to approve the form to be used in Executive Session.

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR ERVIN TO USE THE CURRENT FORM.

Mayor Gowing announced the motion with a second and called the vote.

The vote on the motion was as follows:

VOTE	Councilor Roberts	Councilor Stinnett	Councilor Savage	Councilor Fleck	Councilor Solesbee	Councilor Ervin	Mayor Gowing
AYES	X	X	X	X	X	X	X
NAYS							
ABSTAIN							

There was open discussion as to when to hold the evaluation.

It was determined to hold the evaluation in Executive Session at 6:00 pm on December 12, 2022 prior to the regular City Council meeting.

(b) Approval of West Yost Proposal for Engineering Services for Cottage Grove Wastewater Treatment Secondary Clarifier Final Design

Public Works and Development Director Faye Stewart presented background information and history regarding the need to rebuild the secondary clarifier. He said this proposal is for Phase II of the rebuild project and is to complete the final design documents, bid services and project management. He also noted that the name of the Wastewater Treatment Plant has been changed to the Water Reclamation Facility to better reflect the work that is being done at the facility.

Councilor Fleck said he moves to approve the motion that was made by Public Works and Development Director.

Councilor Ervin seconded the motion.

Mayor Gowing announced the motion with a second.

Councilor Ervin asked how the timing of the rebuild is going to be affected by the water table.

Public Works and Development Director replied that we have the ability to check the water table around the facility and a pump in the ground if we have a ground water situation. He said the intent is to start the work in June of 2023 and it should be enough construction time to be completed in October.

Mayor Gowing called for further discussion.

City Manager asked Councilor Fleck to clarify that he is making the motion based on what was stated.

Councilor Fleck restated his motion as follows.

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR ROBERTS THAT COUNCIL APPROVE THE TASK WORK ORDER FROM WEST YOST FOR ENGINEERING SERVICES TO COMPLETE FINAL DESIGN DOCUMENTS, BID SERVICES AND PROJECT MANAGEMENT OF PHASE II OF THE SECONDARY CLARIFIER REBUILD PROJECT IN THE AMOUNT OF \$171,870 AND AUTHORIZE THE CITY MANAGER TO SIGN THE TASK WORK ORDER.

Mayor Gowing announced the motion with a second and called for further discussion. Seeing none he called the vote.

The vote on the motion was as follows:

VOTE	Councilor Roberts	Councilor Stinnett	Councilor Savage	Councilor Fleck	Councilor Solesbee	Councilor Ervin	Mayor Gowing
AYES	X	X	X	X	X	X	X
NAYS							
ABSTAIN							

(c) Councilor Subcommittee Appointment for Planning Commission, Historic Preservation Commission, Urban Forestry Committee and Budget Committee Interviews

City Planner Eric Mongan provided information as to which Committees and Commissions will have open positions as of December 31, 2022. He asked Council to appoint interview subcommittees to interview applicants applying for Planning Commission, Historic Preservation Commission, Urban Forestry Committee and Budget Committee.

The Subcommittee appointments were made as follows:

- Planning Commission; Councilor Fleck, Councilor Ervin and chair Councilor Roberts.
- Historic Preservation Commission; Councilor Roberts, Councilor Ervin and chair Councilor Stinnett.
- Urban Forestry Committee; Councilor Savage, Councilor Solesbee and chair Councilor Ervin.
- Budget Committee; Councilor Fleck, Councilor Savage and chair Councilor Solesbee.

Councilor Savage asked if the Budget Committee vacancies included Dana Merryday's position.

Finance Director Roberta Likens said that she will confirm and add another position to the openings if needed.

(d) Amendment to City Manager Employment Agreement

Mayor Gowing presented background information regarding the performance evaluation of the City Manager. He said based on the overall evaluation rating of Excellent/Good from the majority of Council he recommends the City Manager receive a 4.9 % COLA. He added that the increase is equivalent to the COLA given to non-represented City of Cottage Grove employees. He said the recommendation is that City Council approve the amendment to the employment agreement effective July 1, 2022 and authorize the Mayor to sign the amendment.

Councilor Fleck commended the City Manager for his effort and work in a difficult year.

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR ROBERTS TO APPROVE THE AMENDMENT TO THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF COTTAGE GROVE AND RICHARD L MEYERS EFFECTIVE DATE OF JULY 1, 2022 WITH A 4.9% COLA, AMENDING THE BASE SALARY TO \$151,894.36 AND AUTHORIZE THE MAYOR TO SIGN THE AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN THE CITY OF COTTAGE GROVE AND RICHARD L MEYERS.

Mayor Gowing announced the motion with a second and called for discussion.

Councilor Solesbee said that she would like to do salary comparisons. She said a few years back the City employees were told that government organizations were concerned about layoffs and pay cuts, and they were asked to not take their raise.

Councilor Ervin said in prior years there has been discussion before a proposal and asked how this came about.

Mayor Gowing replied that this is another way of doing it and he decided to move forward.

Councilor Fleck said that Council usually asks what the different bargaining units received and that is how they assess a salary increase for the City Manager. He said he would propose that we do a salary survey next year.

Councilor Ervin said that he just did a quick search of COLAs and it varied from 8.9%, 7.3%, some over 10% and some metrics were over 13%. He added that this would be half of those COLAs and an actual decrease overall.

Mayor Gowing said the increase was based on what the other departments in the city received.

Councilor Solesbee asked for verification that City employees were asked to not take a raise and they did not get one.

City Manager replied that did not happen.

Mayor Gowing said there was a time in 2009 or 2010 when Department Heads and the City Manager did not get a pay raise.

Councilor Ervin said he recalls that there were salary comparisons given last year.

Mayor Gowing called for further discussion. Seeing none he called the vote.

The vote on the motion was as follows:

VOTE	Councilor Roberts	Councilor Stinnett	Councilor Savage	Councilor Fleck	Councilor Solesbee	Councilor Ervin	Mayor Gowing
AYES	X	X	X	X	X	X	X
NAYS							
ABSTAIN							

(e) Concerns from Council

Councilor Fleck acknowledged that it will be a diverse Council next year. He proposed that Council starts with a fresh slate and said that he is hopeful that everyone is willing to set aside the past to work towards what is best for the citizens.

Mayor Gowing congratulated Mayor Elect Solesbee and offered his assistance as she transitions into the position. He added that if she succeeds, the City succeeds and that means the most to him.

Mayor Gowing said that he would like to have the City look into getting smart lights and stop light cameras.

Mayor Gowing thanked the City Recorder for her work and effort into coordinating the Mayor's Ball. He also thanked Dana and Amy Merryday and City Staff for staying late to help clean up.

Councilor Ervin said he supports smart lights. He requested that the Water Treatment Plant and Water Reclamation Facility tours be brought back and take place on a regular basis.

Councilor Ervin said he would like to invite South Lane Mental Health to speak at Council to discuss their role in the community and the challenges that they face. And he asked if a date has been set for a Cottage Grove Police presentation about crime statistics, historically and current.

Councilor Ervin said that he is ready to propose a bond measure for road improvements and get that discussion started. He reported that at the Lane Economic Committee meeting there was an update regarding Lane Community College goals and priorities. He added that he has received an email regarding inadequate speed signs on Taylor.

BUSINESS FROM THE CITY MANAGER

(a) Management Plan for Use of Public Lands by Individuals Experiencing Homelessness

City Manager Richard Meyers said before moving forward with the ordinance and resolution, the City Attorney would like to look closer at the results of the Grants Pass case, as some of the changes might affect our park exclusions. He said administratively the rules have been applied and all of the parks will be cleared as of tomorrow. He added that enforcement of park hours will begin tonight, including parking and that the ordinance and resolution information will be available before December 3rd.

Venice Mason 28 S 6th Street, Cottage Grove, Oregon spoke in support of the overflow site and park ordinances that will allow for the parks to be open for everyone. She encouraged the City to provide covered spaces so that people can keep their things dry.

City Manager Richard Meyers pointed out that there is a request through the Resource Network for lightly used 10 x 10 canopies to provide respite from the rain at the shelter site. He said people wanting to donate can contact Teresa or Jessica at the Community Center.

City Manager said that donations are also being sought to help Beds for Freezing nights get up and running and also that Carry It Forward is looking for volunteers to help them get started on some of their other programs.

City Manager reported that the Interim Police Chief Groth has been meeting with South Lane Mental Health. He said they are talking about programs, looking at other models and assessing their needs in order to start working with the City.

Councilor Ervin asked under what authority are people being asked to leave the parks.

City Manager replied that people cannot be in the park from 10:00 pm to 5:00 am.

Councilor Ervin asked if they refuse to leave will they be trespassed or cited.

City Manager replied that it would be a citation for being in the park after 10:00 pm.

Councilor Fleck said that Lane County is the Community Action Agency and he would like to see them take over our current operations. He added that Community Sharing is collaborating with Beds for Freezing Nights and working out the details.

(b) Report from City Manager

City Manager Richard Meyers informed Council that OBA Ramen is moving from their Hwy 99 location to Main Street and that the OLCC is requiring them to apply and pay for a new liquor license. He said Staff is suggesting that OBA Ramen not be required to apply and pay for a new City liquor license for the location change and asked if it is okay with Council.

Mayor Gowing asked why the OLCC is requiring them to pay for a new license.

City Manager replied because they view that a new location requires a new application. He added that Staff does not see a problem with the location and that there is no reason to charge them another City fee.

City Manager reported that the generator at Water Reclamation Facility ceased up and the repair cost to rebuild the engine is \$200,000. He said there is a rental generator on site so that we could run the facility if there is a loss of power. He added that the cost of the rental is \$20,000 per month and Staff will come back to Council when there is more information.

City Manager asked Council members to sign the letter to employees for the Turkey giveaway after the Council meeting.

City Manager reminded Council to sign up for the League of Oregon Cities Elected Essentials Workshop and he said that there is also an OMA New Mayor's Workshop at the same time. He added that those who are newly elected and existing are invited to attend.

City Manager announced that \$3000.00 was donated towards the Armory at the Mayor's Ball and 99 meals were served.

City Manager informed Council about the new 8 X 8 phone system. He said that each Council member has their own phone number, it can be accessed by installing an app on their mobile phone or electronic device. He explained some of the features and benefits and also offered training from the IT staff.

Mayor Gowing mentioned that the iPads are aging and asked if there is a plan to replace them.

City Manager replied that we are looking at replacing them.

Mayor Gowing said there has been difficulty loading new programs to the iPad because they are so old.

BUSINESS FROM CITY ATTORNEY

(a) Report from City Attorney

None.

EXECUTIVE SESSION

Mayor Gowing recessed the meeting at 8:39 pm to go into Executive Session.

Council reconvened at 8:58 pm.

ADJOURNMENT

There being no further business, Mayor Gowing adjourned the regular meeting of the City Council at 8:59 pm.

The next regular City Council Meeting will be held December 12, 2022 at 7:00 pm in the Council Chambers at City Hall.



Mindy Roberts, City Recorder



Jeffrey D. Gowing, Mayor