

CITY OF COTTAGE GROVE
CITY COUNCIL
AGENDA SESSION MINUTES
October 22, 2021

The meeting was called to order by Mayor Gowing at 8:30 am.

Those in attendance virtually and in person: Mayor Gowing and Councilors Solesbee, Savage, Fleck, Stinnett, Roberts and Ervin (8:31).

Staff present virtually and in person: City Manager Richard Meyers, City Recorder Trudy Borrevik, Public Works & Development Director Faye Stewart, City Engineer Ron Bradsby and Civil Engineer Ryan Sisson.

Public Hearings

- (a) Public Hearing on Five Year Extension of Economic Improvements District (EID) and Business Improvement District (BID)

Public Works & Development Director Faye Stewart said the Council had given staff the authority to move forward with the extension of the EID/BID Improvement Districts. He said the public hearing tonight was the first of two required public hearings. He said the second hearing and second vote on the ordinance would be at the December 13, 2021 Council meeting. He said staff would send out the public notice to all the members in the districts with the assessment amount for each property and business owner. He said as of yesterday, 12 businesses and/or property owners who had submitted their formal remonstrance request. He said it was well under the 33% at the current time.

Councilor Stinnett said as Program Administrator of Downtown Cottage Grove, he would be recusing himself at the meeting Monday night.

Councilor Savage said in the ordinance it referenced Exhibit A and B being attached however she didn't see them in the Council packet.

Faye apologized that it wasn't included and said he would provide a copy to Council later today.

Resolutions and Ordinances

- (a) First Vote of an Ordinance Extending the Economic Improvement and Business Improvement Districts

Mayor Gowing said the ordinance covered what was discussed in the public hearing item.

Business from City Council

(a) Federal Fund Exchange Agreement

City Engineer Ron Bradsby said he and Faye had attended an ODOT webinar on the Fund Exchange Program. He said there were changes to the program which he went over. He said the agreement was changing from being project specific to a Master Agreement for a three year term. He said in January, 2022 the exchange rate would increase from \$.94 on the dollar to \$.90 on the dollar. He said ODOT recommended that any agency with outstanding balances draw down the funds to take advantage of the \$.04. He said the new Master Agreement was before Council to get the exchange dollars at a higher rate before January 1, 2022.

Councilor Fleck asked what ODOT did to earn ten percent and how they could justify it. He said he was appalled and the downside was that the City couldn't use the money for other projects in the City, it could only be used that was tied to certain streets in Cottage Grove.

Ron said if the City went through the standard project, the City had a list of 18 streets that were state identified and the City could spend dollar for dollar, however in doing so, the City had to meet state criteria or federal highway administration criteria.

Councilor Fleck asked if it was plausible for the City to use just those dollars, since there was such a small amount anymore and not do the exchange.

Ron said he had a hard time answering the question as it was hard to focus on the 18 streets when there was so many miles of streets in need of repair. He said he understood his frustration.

Councilor Fleck said he hoped the City would be reaching out to the State Legislators and hammering them on the issue.

Public Works & Development Director Faye Stewart said the League of Oregon Cities was heavily involved in the drafting of the agreement and process and were recommending that cities support it. He suggested Councilor Fleck might get answers from LOC. He said if the City did federal projects, the robust requirements required to do the projects would more than eat up the ten percent of the money applied towards the project. He said resources from the exchange were assisting and paying for chip sealing that had been done and road patches scheduled for next spring and were included in the current budget.

City Manager Richard Meyers said the costs associated with record keeping and reporting for the federal program was extensive and would easily eat that up, but on the other side, the administrative costs were not ten percent. He said an advantage for the City was that the money could be drawn out all at once and the City didn't have to get reimbursed for projects which provided more flexibility for the City.

(b) November and December City Council Meetings

City Manager Richard Meyers said there were no conflicts with Council meetings in November. He said Thanksgiving was on November 25th and the Council meeting would be on November 22nd. He said in December, the second meeting was December 27th and Christmas was on the Saturday before. He said it was staff's recommendation to cancel the December 27th meeting.

Councilor Ervin said he would be out of town on November 22nd.

Councilor Savage said it was her daughter's 10th birthday and it would be nice if she could be home.

Mayor Gowing said it was something to discuss on Monday night. He said he was okay with either date, however if they had the December 27th meeting, the agenda session, which he felt were important to have, would be on Christmas Eve day which he wasn't in favor of.

Councilor Stinnett asked how the Executive Session for the Judge's evaluation would be handled if the November 22nd meeting was cancelled.

Richard said it could be moved to the December 13th meeting.

(c) Amendment to City Manager Employment Agreement

Mayor Gowing said he would be gone for the meeting Monday night and Council President Fleck would present this item. He said the Council was being asked to approve the amendment to the City Manager Employment Agreement.

(d) Concerns from Council

Councilor Fleck said he had received a letter from Lisa Colgin giving high praise to Faye Stewart and Public Works for the way they handled a complaint recently regarding a noise that was coming from the Wastewater Treatment Plant. He said he would read the letter at Monday night's meeting.

Councilor Stinnett said he would be bringing up a concern from a citizen regarding the people hanging out in front of the Community Center impeding people's ability to access the center.

Councilor Roberts said he had heard the same complaints about people hanging out around the Community Center.

Business From the City Manager

(a) City Manager Report

City Manager Richard Meyers said there was a ribbon cutting at 5:30 pm at the Royal Luxe Nails and Spa in the Safeway Shopping Center.

Richard said staff had been working on options for the Community Center. He said this morning he had counted six tents structures at the Community Center. He said he drove around town looking for other tent or camp sites and found six trailers or rvs at the truck stop and recognized four which he had seen moving around town. He said the Oregon Legislature and Governor had passed a law regarding the Boise-Martin case which would significantly impact what the City could do. He said the City would have to have a place for the homeless to stay. He said the City was working with Community Sharing, the County and other organizations to see if something could be done at the warming shelter site. He said the City would also be looking at possible code changes in the ordinance to help move it along. He said another law that was passed in 2021 was the definition of campsites and if someone were on a site for 72 hours or longer, it became a campsite and a 72 hour notice was required and a 30 day holding of all the person's personal property. He said the City's abandoned vehicle ordinance was 72 hours. He said if someone were parked and living in a car or RV and it was marked and the City had to have it towed, the City would be required to pay for the storage for 30 days. He said if the person picked up the vehicle, the City Attorney believed that the statute didn't allow for the City to charge for the storage fees. He said staff was working on bringing something back to Council in November or December. He said due to the legislation passed, the City had to provide a place which was currently being provided at the Community Center.

Councilor Ervin asked what provisions there were for maintaining and cleaning the community center grounds. He said with people living on the grounds, was staff able to maintain sanitary conditions. He asked if the City had to provide them with a notice prior to moving them.

Richard said if the City needed to move them to clean, a 72 hour notice had to be given because they had created a campsite. He said if the City moved to a dusk to dawn, the City could move them without having to provide a 72 hour notice. He said one thing the City was doing with the regular contacts was to let them know what they could or could not do while at the community center property. He said there was a porta potty for them to use so there wasn't a human waste problem.

Councilor Ervin said it sounded like they had rights once they camped for 72 hours and asked how far the rights went. He asked if they could trespass someone from their tent. He asked if he were to set up minimum camps everywhere in the City, could he trespass people from all of those camps. He asked if the City could set up its own campsite. He asked if there were creative workarounds.

Richard said the City was working on establishing a camp site or location they could go to and have it controlled.

Councilor Ervin said he was referring to the City setting up a campsite at the community center and utilizing the entire property as the campsite. He said that way they wouldn't be able to trespass on the City's campsite.

Richard said he didn't think that could be done as it was still public property and had to be occupied in order to have it be trespassing.

Councilor Roberts said the complaints he had received were about the people staying close to the front door. He said there were also some living around the back of the building. He asked if there were cameras around the community center.

Richard said the people by the front door would be moved away from the front entrance. He said one of the tarp structures was actually in the handicap walkway. He said staff were regularly letting them know they needed to move their items as they couldn't block the doors.

Councilor Solesbee suggested to the rest of the Council that they should take a walk around the community center if they hadn't done so. She said she was frustrated and said there was garbage everywhere behind the community center. She believed that having the porta potty available encouraged people to be on the property and that she had witnessed people urinating at the back of the building. She said it was only going to grow and she didn't know what the solution was. She felt it should be from dusk to dawn at any of the City properties. She said the City was too small to create the problems like there was in Eugene and Portland. She said the City's services couldn't handle it and suggested providing counseling services and not putting the burden on the police.

Mayor Gowing asked if they could be moved to Pine Meadows, Schwartz Park or Baker Bay which were established campgrounds.

Richard said under the state law, public campgrounds were not included and they had more authority to move them from their property. He said they couldn't be moved off City property unless there was some place for them to go.

Councilor Ervin suggested scheduling a work session to discuss and brainstorm options and solutions.

Richard said there was a stakeholder group that met monthly that was made up of Lane County, South Lane Mental Health, Community Sharing, South Lane Wheels, Square One Village and several other non-profit organizations that had interactions with the homeless population. He said they had been working on finding ways to address the issue and find the revenue to fund it. He said the City was looking at funding to boost the programs at South Lane Mental Health who was having financial challenges. He said they were scheduled to meet next week.

Mayor Gowing adjourned the meeting at 9:06 am.

Trudy Borrevik, City Recorder

Jeffrey D. Gowing, Mayor