

**COTTAGE GROVE CITY COUNCIL
MEETING MINUTES
JULY 11, 2022**

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 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: None

COUNCIL ABSENT:

YOUTH REPRESENTATIVE:

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, and Police Captain Conrad Gagner

STAFF PRESENT VIA GOTOMEETING: Finance Director Roberta Likens

CITY ATTORNEY:

MEDIA PRESENT: Cameron Reiten - KNND Radio, Sarah Glass - The Sentinel and Ryleigh Norgrove - Chronicle

Councilor Stinnett entered the Council Chambers at 7:02 pm after Roll Call had been taken.

ITEMS ADDED TO THE AGENDA

- (a) Change Order for Community Center Roof Repair Project.

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR ERVIN TO ADD THE PROPOSED ITEM TO THE AGENDA.

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							

APPEARANCE OF INTERESTED CITIZENS FOR ITEMS NOT ON THE AGENDA

Jennifer Ferraez 37522 Sallee Road, Dorena, Oregon read a written response to discussions held at a recent City Council meeting. The response discussed homelessness, her personal experience with the unhoused and the need to work together as a community.

Bernhard Donner 77914 Chisolm Trail Drive, Cottage Grove, Oregon said he had recently talked with the homeless at Trail Head Park. He said he feels the homeless should be taken care of by the people in the Community not the City.

Kathleen Mattson 1740 Bryant Ave., Cottage Grove, Oregon spoke about being involved in an educational standards committee in Springfield that revolved around a reform act that was to be implemented in the schools. She said she is against the behavior clinic giving out needles and also against having a Health Clinic.

Travis Burleson 1580 Anthony Ave., Cottage Grove, Oregon spoke against having a homeless shelter in his neighborhood.

Porter Burleson 1580 Anthony Ave., Cottage Grove, Oregon spoke against having a homeless shelter in a residential neighborhood.

Patrick Cartwright 2145 South R Street, Cottage Grove, Oregon spoke against the City spending money on the homeless.

Feather Boustead 1350 Pleasant View Drive, Cottage Grove, Oregon spoke in favor of taking the time to further investigate the solutions for Homelessness. She said she believes the community can come together and reach a consensus.

PUBLIC HEARINGS

None

CONSENT AGENDA

City Recorder announced a correction to the June 24, 2022 Agenda Session Minutes. She said on page 4, paragraph 3 the word “not” was omitted before the word “prohibited”.

- (a) Approval of June 13, 2022 City Council Minutes
- (b) Approval of June 24, 2022 Agenda Session Minutes

Councilor Savage stepped out of the Council Chambers at 7:26 pm.

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

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
NAYS							
ABSTAIN							

Councilor Savage reentered the Council Chambers at 7:28 pm

RESOLUTIONS AND ORDINANCES

- (a) An Ordinance Adopting Chapter 8.40 Overnight Camping Program

City Manager presented the proposed Overnight Camping Program in the form of an Ordinance with the changes that Council suggested. He covered the basic parameters and limitations of the program.

Councilor Ervin asked for more information on the conditions for denial in Section 8.40.030 Section 2 and asked if it is subjective.

City Manager said it could vary from property to property. He said currently some properties are not in good condition and some that have recurring nuisance issues so it would not be feasible to allow camping at those types of properties.

Councilor Fleck asked if tents would be allowed in open spaces at businesses, churches and non-profits. He said the program references vehicles and asked if it could be modified.

City Manager replied that it does allow for tents and read from Section 8.40.30 1(a).

Councilor Savage clarified that the application process is free.

City Manager replied yes.

Councilor Stinnett asked if neighbors can give feedback prior to someone allowing camping next to them.

City Manager said if a neighbor reports a potential problem the City would look into it.

Councilor Solesbee clarified that only two campers are allowed on a commercial property, one on a private residence and they must be five feet off of the property line.

City Manager replied yes, the restriction states that they must be five feet from any side or rear property lines.

Councilor Ervin asked if the five feet restriction is for the structure or belongings.

City Manager replied it is for the actual structure.

Councilor Ervin asked if the setback is designed for emergency access.

City Manager replied that the intent is for separation from property lines.

Councilor Solesbee asked what the process will be when a problem occurs.

City Manager said it will vary depending on the issue. He added that nuisances, dumping of wastewater in the driveway and noise complaints would have different consequences.

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR ERVIN TO ADOPT ORDINANCE 3161.

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

City Manager stated that this is the First 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 the First Vote of Ordinance 3161 carried.

BUSINESS FROM THE CITY COUNCIL

(a) Federally Qualified Health Clinic

Jackie Lester 77914 Chisolm Trail Drive, Cottage Grove, Oregon representative from Be Your Best read Ordinance Number 1753 and spoke in favor of the Federally Qualified Health Clinic. She asked Council to support the project and allocate money from the Contingency Fund.

Bruce Kelsh 78340 Halderman Road, Cottage Grove, Oregon spoke in favor of the Federally Qualified Health Clinic.

Joyce Settlemeyer Cottage Grove Oregon spoke in favor of the Federally Qualified Health Clinic.

Bill Christiansen 1337 Elm Ave., Cottage Grove, Oregon spoke in opposition of the Federally Qualified Health Clinic. He read literature from the Oregon Health Authority Public Health Division and expressed concerns for minors and the ability to staff the clinic due to shortages.

Johanna Zee 1386 Cottonwood Place, Cottage Grove, Oregon spoke in opposition of the Federally Qualified Health Clinic.

Linda Olson 1305 Girard Avenue, Cottage Grove, Oregon spoke in opposition of the Federally Qualified Health Clinic.

Amy Merryday 205 Adams Ave., Cottage Grove, Oregon spoke in support of the Federally Qualified Health Clinic.

City Manager Richard Meyers introduced Eve Gray, Director of Lane County Health and Human Services and Alicia Beymer, Chief Administrative Officer of Cottage Grove Community Medical Center and Peace Health Sacred Heart Medical Center, University District.

Eve Gray and Alicia Beymer presented information regarding the Federally Qualified Health Clinic (FQHC). The information covered operation of the clinics, benefits to the community and the impact on private health care providers.

Councilor Solesbee stepped out of the Council Chambers at 8:04 pm and returned at 8:06 pm.

Eve Gray and Alicia Beymer asked Council for their questions.

Councilor Ervin asked for clarification as to how the Health Clinic receives funding, what services get reimbursed and who guides what services are needed and provided.

Eve Gray explained the funding for the FQHC in general. She said that strategic direction is guided the FQHC Board and the Lane County Board of Commissioners.

Councilor Ervin asked a follow up question regarding funding and asked if there are minimum services that must be offered.

Eve Gray replied that she does not know if there are specific codes that must be billed and to answer she would have to go through the regulations. She said Well Care Visits and Acute Exacerbation of Illness are a minimum expectation. Eve Gray explained that they are already approved as FQHC and this would be adding a site and it is relatively straight forward.

Councilor Stinnett asked what steps are being taken to ensure the Clinic would not interfere with normal operations of the school.

Eve Gray replied that they have worked closely with Lane Community College, it is part of the lease agreement and the school is comfortable they can continue to provide the classes that they need to.

Councilor Stinnett asked if LCC has the potential and room to offer more classes.

Eve Gray said they have classroom space and she would have to reach out to LCC regarding growth and expansion.

Councilor Fleck asked if there are people loitering outside the Clinic waiting for appointments and what the potential impact on the surrounding area would be.

Eve Gray said they do not have people who are loitering. She said people are walking in and out like a regular clinic and waiting in the waiting room. She said staff addresses any situation with security if needed.

Councilor Fleck asked if Councilors could arrange a tour. Eve Gray replied yes.

Councilor Savage said she likes the educational component of the FQHC and shared a personal story.

Councilor Solesbee expressed concern about the lack of staffing in the field and how opening a new clinic would affect the current local providers.

Eve Gray replied that the FQHC is not competing with the hospital for providers. She said the types of providers that they bring are Primary Care Providers which typically have different training and credentials than Hospital Providers. She added that the majority of the staffing are Medical Assistants and Office Assistants and they can both be trained through the LCC Curriculum and Practicum.

Alicia Beymer said that having an FQHC will reduce the number of visits to the Emergency Department and allow the 4,000 people that are seeking care in Eugene to be seen in Cottage Grove.

Eve Gray added that it will be tracked by the Quality Metrics.

Councilor Ervin asked how a new patient would access the clinic.

Eve Gray said the process is just like any Clinic. She said patients call the Clinic, ask if they are taking new patients and they are put on the next available new patient appointment.

Councilor Ervin asked if that creates a Patient/Primary Care Physician relationship. He followed up by asking where the 4,000 patient number comes from and what the number of patients per provider is.

Eve Gray replied yes. She added that she believes there are three providers for this clinic. She said they will follow the standards as to how many patients a provider can have on their panel and it is estimated that they could serve 5,000 patients at this clinic per year.

Councilor Ervin asked when the Clinic is forecasted to be built and if the staffing shortages continue, how long it will take them to get to that service level.

Eve Gray replied that they are hoping to start construction this fall and open in the spring. She said the job market is tough and they continue to recruit and bring in traveling providers if they have to. She added, that is another reason it is exciting to have the additional training and opportunities on site.

Councilor Solesbee shared her past hospital experience during the time of staffing shortages.

Eve Gray explained that the training, staffing and interest levels are different at a hospital than at a clinic.

Councilor Savage stepped out of the Council Chambers at 8:45 pm.

City Attorney addressed the concern brought up earlier regarding a Conflict of Interest for Councilor Savage and Councilor Fleck.

Councilor Fleck replied that he does not derive funding from the County in a Health capacity and does not have a Potential or Actual Conflict of Interest.

Councilor Savage reentered the Councilor Chambers at 8:46 pm.

City Attorney asked Councilor Savage to respond to a concern regarding a Conflict of Interest.

Councilor Savage replied that she worked in Medical field for 15 years, her licensing has lapsed and she could not be employed at the Clinic.

Councilor Ervin said he is interested in knowing more about services rendered and the cultural impact. He said if the City supports the Clinic we should have some say in the operation and he questions if it is a wise use of money. Councilor Ervin said assuming that the Clinic could be staffed and it only provides health and dental care, he inquired how much money is needed or if it can be good faith support.

Councilor Fleck said he supports the FQHC and talked about how important affordable health care is to the community. He said he supports the full amount and is willing to compromise on the dollar amount if that is what Council wants.

Councilor Ervin said there are aspects of the care that he supports but will not support it if there are certain aspects of care that come along with it. He said he is not convinced and he needs to satisfy those concerns.

Councilor Fleck said he trusts the Care Providers that have presented the information and he supports the Clinic.

Councilor Stinnett said Council should not be basing their decision on supporting the Clinic based on how it is going to evolve or not evolve. He said the need is immediate and obvious especially in Dental Care. He added that he does not understand the need to compromise on the amount.

IT WAS MOVED BY COUNCILOR STINNETT AND SECONDED BY COUNCILOR FLECK TO ALLOCATE THE FULLY REQUESTED AMOUNT OF \$100,000 FOR THE FEDERALLY QUALIFIED HEALTH CARE CLINIC AT LANE COMMUNITY COLLEGE.

Councilor Solesbee said she thought Council was still discussing.

Mayor Gowing replied there is a motion on the table.

Councilor Fleck clarified with Councilor Stinnett that the motion is for \$100,000.

Councilor Stinnett replied yes.

Mayor Gowing announced there is a motion with a second.

Councilor Solesbee said her experience from lack of staffing was in 2013 and to say we just need to trust it will work out, does not work for her. She said she does not agree with giving \$100,000 when the City is faced with higher gas prices and a change order for the Community Center Roof Repair project.

Councilor Roberts asked if the money is from ARPA.

City Manager replied yes, the money is from the American Rescue Plan and was allocated and set aside in the Budget in the Contingency Line.

Councilor Roberts asked what else the money could be used for if we do not use it for this.

City Manager replied it can be used for replacement of lost revenue. He said it cannot be used for debt or pensions.

Councilor Roberts said there is not a perfect Health Care System, the Clinic is important for our community, he has heard enough and is ready to move forward.

Mayor Gowing asked if there was any 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
NAYS					X	X	
ABSTAIN							

Councilor Fleck stepped out of the Council Chambers at 8:58 pm and returned at 8:59 pm

(b) Change Order for Community Center Roof Repair Project

Public Works and Development Director Faye Stewart presented Council with information regarding the need for a Change Order for the Community Center Roof Repair. He said the change is needed due to finding a second layer of roofing that was not known to exist when the project was bid. He added that the loan contained a contingency of \$123,672.00 for potential change orders.

Councilor Solesbee said there were repairs previously done on the roof and asked how this was overlooked.

Public Works and Development Director Faye Stewart said the repair applied a tar material over the existing membrane and it was not cut into.

IT WAS MOVED BY COUNCILOR ERVIN AND SECONDED BY COUNCILOR FLECK TO AUTHORIZE THE CITY MANAGER TO SIGN THE CHANGE ORDER REQUEST # 1 FOR THE COMMUNITY CENTER ROOF REPAIRS PROJECT FOR THE REMOVAL OF THE SECOND ROOFING LAYER FOR #114,748.00 TO RICHARDS REMODELING, LLC.

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

Councilor Stinnett asked if the City is concerned about other issues that may arise.

Public Works and Development Director said yes. He added that he cannot guarantee that we will not find other unknowns in the project.

Mayor Gowing called for any 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) Concerns from Council

Councilor Fleck spoke about the difficult role of being a City Councilor. He said be on Council is about service and making decisions that are in the best interest of our community. He added that people may agree or disagree and said that is part of the process. He said he understands people’s concerns and asked everyone to express them from an informed position.

Councilor Savage talked about her positive experience of spending time with Team Botswana.

Councilor Roberts thanked Faye Stewart, the Public Works Department, and Richard Meyers for their role and assistance with preparing Coiner Park and Bohemia Mining Days.

Councilor Solesbee said she thinks that City should have let people in the neighborhood of the Nazarene Church know that it was being considered for a homeless shelter. She said the decision has not been made as to what we are going to do and she understands why it concerned them. She added that it was fun to spend time with Team Botswana and she is looking forward to Bohemia Mining Days.

Councilor Ervin thanked the Chamber of Commerce for hosting the dinner for Team Botswana and allowing Council to be a part. He said he also is looking forward to participating in Bohemia Mining Days. He added that at the Lane Economic Committee meeting they had a presentation from Community Lending Works explaining a new micro loan that is being launched.

Mayor Gowing reiterated his past statements regarding the need to make a decision about the Homelessness issue and said after next week's Work Session Council needs to keep it simple and go from there. He said he met with Pete Kerns from Serenity Lane and he indicated that they do not have the means financially or with staffing to create a counseling center in Cottage Grove. He added that he also learned about opportunities for people to gain training and become counselors in our area.

BUSINESS FROM THE CITY MANAGER

(a) Report from City Manager

City Manager reminded Council about the League of Oregon Cities Priorities and that it will be discussed at the next meeting.

City Manager said BMD will be starting next week and covered some of the road closures.

City Manager thanked Council for coming to the Chamber dinner with Team Botswana. He recounted activities that the Team was able to participate in and said they had a great experience in Cottage Grove.

City Manager informed Council that Looking Glass has volunteered to take them on tours of the facility and the location and plans for their new facility.

City Manager reminded Council about the opening for a representative in the LTD District. He said the deadline is Friday, July 15th and encouraged anyone interested in applying to contact the City or go directly to the LTD website.

City Manager expressed sadness as he announced the loss of K-9 Marco. He said that Marco joined the City in 2018, retired in May of 2022 and was recently experiencing some health issues. City Manager said that Marco was not only a partner to one of the City's Police Officers but a part of the family. He proceeded by playing a brief video that was provided by the Biehler family and talked about what a wonderful dog he was. City Manager offered condolences to Officer Biehler and the Biehler Family.

BUSINESS FROM CITY ATTORNEY

(a) Measure 109 and Local Options

Johanna Zee 1386 Cottonwood Place, Cottage Grove, Oregon spoke in favor of prohibiting psilocybin manufacturing and service centers in Cottage Grove.

City Attorney Carrie Connelly explained to Council that Oregon voters passed Measure 109 in 2020 and licenses can start being issued to allow the manufacture and use of psilocybin in January of 2023. She presented three options for Council to consider.

Councilor Ervin asked if we refer it to the voters, can it be done at any time.

City Attorney said yes, it can be referred at any time.

Councilor Stinnett asked if one year from now we decided there was a problem and wanted to refer to the voters, licensing would stop, and the licensees that already exist would continue to operate until the voters have their say.

City Attorney said they would continue to exist because they would be licensed.

Mayor Gowing replied, they would be grandfathered in.

Councilor Fleck said he is undecided about this issue and added that there is a cost if we put it to the voters.

City Manager said there is no cost to the City if it is on the General Election.

Mayor Gowing stated this is the best time to do it, if we are going to.

Councilor Stinnett said he has trouble envisioning what the problem would be if we have a licensed provider. He said there was deep concern about marijuana in the community and it was pretty much unfounded. He said he does not want to do anything at this point.

Councilor Savage said she supports referring it to the voters.

City Attorney said if Council wants to ban the manufacturer and use of psilocybin right now and refer to voters, it places a prohibition in the City Code and the Council can repeal it later.

Councilor Solesbee said she supports referring it to the voters.

Mayor Gowing said too many times at Council it has been brought up to take things to the voters and this is an opportunity to do so.

Councilor Stinnett asked Mayor Gowing to clarify what he means by too many times.

Mayor Gowing said it has been brought up to send things to a vote in reference to the Homeless issue and this is an opportunity to put something on the ballot.

Councilor Ervin asked if consumption can occur offsite.

City Attorney said offsite consumption is prohibited and it is highly regulated.

Councilor Ervin asked if you have to be indoors for the entire time.

City Attorney said you have to be on the Service Center premises and not on Public property, but we are unsure of what those premises may be.

Councilor Ervin said he cannot imagine a successful facility that keeps you indoors.

City Attorney explained the process for clients who want to have psilocybin administered to them.

Councilor Ervin asked if there is tangible information about how this may play out.

City Attorney said she is not an expert on this topic and Oregon is the first State to legalize it.

Councilor Ervin said he thought Manitoba Springs, Colorado allows it.

City Attorney said Oregon is the first State that has authorized it.

Councilor Ervin said maybe we should find out how it play out with Manitoba Springs and if they have valid concerns. He added that he is fine putting it to the voters, especially when he heard that places would be grandfathered in.

Councilor Fleck said he would like to send it to the voters and potentially ban it and then repeal it later if it is proven effective.

Mayor Gowing asked for an Ordinance number.

City Attorney replied that her preference is that there is a First and Second reading and then adopt the resolution by the end of July.

Public Works and Development Director Faye Stewart said when considering the marijuana issues, it might have been nice to adopt rules based on others experience. He said psilocybin and marijuana are two different products but it might be wise to see how it plays out and have some guidance.

Councilor Stinnett asked if Council could get information regarding impact.

City Attorney said she does not know who would have that data.

City Manager said you may be able to look at other communities in the State that do not enact the ban and see how things are affected.

Councilor Stinnett said if you refer it to the voters, they are not going to know either.

City Manager said that is the reason some people are considering a ban for a temporary time.

Mayor Gowing asked if we wait to do the First and Second reading at the next meeting, is it required to have an unanimous vote to pass.

City Manager replied yes.

City Attorney clarified that this is a permanent ban, not a temporary or partial ban.

Mayor Gowing stated but it goes to the voters.

City Attorney replied yes. She said it is not a two year ban, it is a permanent ban and it can be repealed.

Councilor Ervin said he would offer an amendment to make it not permanent.

Mayor Gowing said we have that ability regardless.

City Manager said yes, it could be repealed anytime. He said the referral puts it into place to take it to the voters, but Council could be repealed at any time without going to the voters.

Councilor Ervin asked what the repeal process is.

City Attorney replied that Council would pass an Ordinance that repeals the section of Code.

Councilor Ervin said this is tough decision because if you do not have experience you are gripped with fear.

Councilor Fleck said we will have history from other communities in a couple years.

Mayor Gowing asked what if the voters vote it down.

City Attorney said then the Ordinance does not take effect.

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR SOLESBEE TO ADOPT ORDINANCE 3162.

Mayor Gowing called for further discussion.

Councilor Stinnett clarified that they are being asked to vote on a ban and a referral.

City Attorney replied yes.

Councilor Stinnett said he heard no reason to ban and he will not be supporting the motion. He said he does not mind sending it to the voters.

Mayor Gowing said we are voting on an Ordinance to send it to the voters.

Councilor Stinnett said it includes a ban.

City Manager said the ban is not in effect until the voters approve it.

Councilor Stinnett said why ban it, if it does not matter.

City Attorney said the State Statute indicates that is how it gets put into place. She said the City adopts a prohibition then it gets referred to the voters and she read from the referenced Resolution.

Councilor Ervin asked if that leaves the City in the same position where someone could be granted a license and then grandfathered in.

City Attorney replied no, licenses are not being issued until January 2023.

Mayor Gowing called for any 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
NAYS		X					
ABSTAIN							

Mayor Gowing announced that the First Vote of Ordinance 3162 carried.

(b) Report from City Attorney

None.

City Manager indicated that information was not received from the Labor Union and an Executive Session will not be needed.

City Manager received a late message that Team Botswana will be leaving at 10:00 am to head to the Athlete's Village in Eugene. Community members are encouraged to show up along the route to cheer and wave them on to the Championships.

ADJOURNMENT

There being no further business, Mayor Gowing adjourned the regular meeting of the City Council at 9:53 pm.

The next regular City Council Meeting will be held July 25, 2022, at 7:00 p.m. in the Council Chambers at City Hall.

Mindy Roberts, City Recorder

Jeffrey D. Gowing, Mayor