

**COTTAGE GROVE CITY COUNCIL  
MEETING MINUTES  
JULY 25, 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 Chalice Savage, Mike Fleck, Jon Stinnett, Greg Ervin, and Kenneth Michael Roberts

PRESENT VIA GOTOMEETING: None

COUNCIL ABSENT: Councilor Solesbee

YOUTH REPRESENTATIVE: None

STAFF PRESENT IN THE COUNCIL CHAMBERS: City Manager Richard Meyers, City Recorder Mindy Roberts, Public Works & Development Director Faye Stewart, and Police Chief Scott Shepherd

STAFF PRESENT VIA GOTOMEETING: Assistant to the City Manager Jake Boone and Finance Director Roberta Likens

CITY ATTORNEY:

MEDIA PRESENT: Cameron Reiten - KNND Radio

**ITEMS ADDED TO THE AGENDA**

- (a) Proposed Amendment to Ordinance 3162

**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
NAYS							
ABSTAIN							

### **APPEARANCE OF INTERESTED CITIZENS FOR ITEMS NOT ON THE AGENDA**

Venice Mason 28 South 6<sup>th</sup> Street, Cottage Grove, Oregon provided additional information supporting her previous presentation to Council regarding Community Gardening.

Kathleen Mattson 1740 Bryant Ave., Cottage Grove, Oregon spoke against President Biden signing Executive Orders when he took office and she said it has created a progressive, liberal agenda that is changing everything.

Johanna Zee 1386 Cottonwood Place, Cottage Grove, Oregon reflected on the previous Work Session and addressed disparaging comments that she said were made towards Community Strong Cottage Grove. She expanded on some points of the Work Session presentation.

### **PUBLIC HEARINGS**

None

### **CONSENT AGENDA**

- (a) Approval of June 27, 2022 City Council Minutes
- (b) Approval of July 8, 2022 Agenda Session Minutes
- (c) Approval of July 11, 2022 City Council Minutes

**IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR ERVIN 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
NAYS							
ABSTAIN							

Mayor Gowing asked that people keep the McIntire Family in their thoughts and prayers as they navigate this difficult time.

### **RESOLUTIONS AND ORDINANCES**

- (a) Second Vote on Ordinance No. 3161 Adopting Chapter 8.40 Overnight Camping Program.

City Manager Richard Meyers said it was brought up at the Agenda Session on Friday to consider adding to the Ordinance opportunities to evaluate the condition or function ability of the vehicles or RVs. He said after a review of the Nuisance Ordinances and discussions with the City Attorney there is concern with attempting to set standards for the vehicles. He said the Ordinance is between the City and the property owner and not the individual living in the RV or vehicle. He said that the City needs to be very cautious with having requirements that could potentially make the City liable in the event that something happens. He added that most of the issues that would come up could be addressed through the Nuisance Ordinances.

Councilor Ervin asked what public property there is that is not managed or under the discretion of the City.

City Manager said it would be School District, Fire District and County and State properties.

Councilor Ervin asked if the intent is to leave it with the private owners, is it prohibited by ORS 195.520.

City Manager said ORS 195.520 specifically states public and private properties.

Councilor Ervin asked if the limit of 2 vehicles on public property is limited to total properties.

City Manager replied that there are provisions for more transitional housing on properties under a different ORS.

Councilor Ervin asked if an owner has multiple properties if the limit is per owner or property.

City Manager replied that it is per property.

**IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR ROBERTS TO HOLD THE SECOND VOTE ON ORDINANCE NO. 3161 ADOPTING CHAPTER 8.40 OVERNIGHT CAMPING PROGRAM.**

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							

Mayor Gowing announced Ordinance No. 3161 is adopted.

- (b) Second Vote on Ordinance No. 3162 Declaring a Ban on Psilocybin Service Centers and the Manufacture of Psilocybin Products.

City Manager explained that the City Attorney has provided a revised Ordinance correcting the reference to the ORS number and language in the sixth "Where As" recital that carried over from the sample Ordinance. He said if Council wants to accept the amendments, the Ordinance would need to be amended and then adopted with the amendments.

Councilor Fleck asked if this has been available for more than a week so that a second reading can be done and have it adopted.

City Manager replied that the amendment are corrections and it does not change the intent of the Ordinance.

**IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR ERVIN TO HOLD THE SECOND VOTE ON ORDINANCE NO. 3162 AS AMENDED DECLARING A BAN ON PSILOCYBIN SERVICE CENTERS AND THE MANUFACTURE OF PSILOCYBIN PRODUCTS.**

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

Councilor Stinnett said he understands banning something because it poses a threat or is against our values but that has not been decided. He said it sounds like this is a solution in search of a problem. He said the only reason stated in the Ordinance to ban, is that the City of Cottage Grove is uncertain how the manufacturing, delivery and administration of Psilocybin will operate. He added that does not sound like a plausible reason to him.

Councilor Fleck said this is an opportunity to see how this rolls out in other communities. He said he would rather be cautious and if we see that it is working well in other communities we could rescind it at any time.

Councilor Stinnett asked why we would ban it, if we can rescind it, instead of just waiting until there proves to be a problem.

Mayor Gowing replied that if we don't ban it, they would be grandfathered in. He said this allows us to prevent anything and we can allow it later if we chose to.

Councilor Stinnett said we do not know what the problems or issues would be and the voters will not either.

Councilor Ervin said he supports the Ordinance because there is a lack of parameters around the administering.

City Manager said some of the reasoning is that there are windows of time to make decisions. He said a moratorium or ban can only be done during a General Election. He added that the State has not adopted the rules or how it is going to operate which makes it difficult for any city. He said if the ban is passed by the voters, it gives Council some time to see what other cities are doing, see if there are any problems and potentially remove the ban.

Councilor Savage said even though this passed at the State level she would like to wait until some of the kinks are worked out.

Councilor Stinnett said banning something that might be a problem someday is terrifying. He said the City is never going to be able to regulate how it is run in the actual setting. He added that if the City is going to be cautious, we should be cautious in regards to alcohol. He said alcohol is far more dangerous and costly to the community.

Mayor Gowing called the question and 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					
ABSTAIN							

Mayor Gowing announced the Second Vote for Ordinance No. 3162 carried.

- (c) Resolution Calling an Election on November 8, 2022 to Refer to the Voters an Ordinance Prohibiting Psilocybin Businesses within the City of Cottage Grove, Oregon and Adopting a Ballot Title and Explanatory Statement.

City Manager Richard Meyers said that this Resolution takes the action from the Ordinance and puts it on the ballot.

**IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR ERVIN THAT COUNCIL ADOPT RESOLUTION 2077.**

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							

Mayor Gowing announced Resolution 2077 carried.

### **BUSINESS FROM THE CITY COUNCIL**

- (a) 2023 League of Oregon Cities Legislative Priorities

City Manager Richard Meyers said that Council has been provided a packet of 28 different topics and possible policy issues from the League of Oregon Cities. He said the League is looking for the top five choices from each community which will then be compiled and used as the main priorities of focus. He asked Council how they would like to select the five that will be provided to the League of Oregon Cities as Legislative Priorities.

Johanna Zee 1386 Cottonwood Place, Cottage Grove, Oregon spoke in opposition to the City being a part of the League of Oregon Cities. She said in order to be a member, the City must be compliant with their ideas. She said we can think and decide for ourselves and do not need to follow the rule book of somebody else.

Council members each presented their choices and the top five were;

- Local Funding to Address Homelessness
- Community Resiliency and Wildfire Planning
- Address Measure 110 Shortcomings
- Property Tax Reform
- Infrastructure Financing and Resilience

City Manager Richard Meyers said that Council's colleagues from around the State have helped to formulate these ideas and policies. He corrected previously made comments by saying that the League does not set any regulations that cities are required to follow. He said it is a voluntary organization formed in 1926 and it allows cities and local government to have a voice.

Assistant to the City Manager Jake Boone spoke as a former elected official and League of Oregon Cities President. He said he was on the Board for many years and would be happy to answer any questions and help set aside misinformation.

Mayor Gowing added that the League has good networking opportunities and training workshops.

(b) Concerns from Council

Councilor Savage announced that Shauna Neigh with the Chamber of Commerce has resigned and her last day is August 12<sup>th</sup>. She also announced that Concerts in the Park on Wednesday, July 27<sup>th</sup> has been cancelled due to extreme heat.

Councilor Fleck said he hopes Council can come up with a decision before the fall regarding homelessness. He said there are no funds from the County to run a Warming Shelter and Community Sharing does not intend to do so. He added that he would like to see it on the next Agenda.

Councilor Stinnett said he agrees. He said he will not be at the August 8<sup>th</sup> Council meeting and asked if it could be scheduled for August 22<sup>nd</sup>.

Mayor Gowing said he will not be at the meeting on August 22<sup>nd</sup>.

Council discussed what day would work best for a meeting and decided on August 15<sup>th</sup>.

Councilor Ervin asked if Councilor Fleck was suggesting that a hybrid dual-purpose setting would work as a Warming Shelter.

Councilor Fleck said Beds for Freezing nights no longer has volunteers to operate. He said Community Sharing was going to discuss taking over some of those efforts but it would be a moot point if there was going to be an 24/7 on-going shelter.

Councilor Ervin asked where the location was located for Beds for Freezing Nights.

Councilor Fleck replied that it operated out of the Catholic and Presbyterian Churches in a congregate setting.

Councilor Ervin asked if volunteers were found, would the spaces be available.



Councilor Fleck said he cannot speak for either organization.

Councilor Roberts asked if the Beds for Freezing Nights Board is still active.

Councilor Fleck replied yes.

Councilor Roberts asked if there would be funding available, if there is a surge in COVID.

Councilor Fleck said he has been told there are no funds.

Mayor Gowing thanked the Utilities Supervisor Greg Griswell and the Public Works Department for quickly helping a resident with a sewer drainage issue. He proceeded by reading a Thank You card written in crayon from the resident's child.

Councilor Roberts thanked Public Works and the City Manager for helping to make Bohemia Mining Days a success. He added that a collection was taken up at Bohemia Mining Days for the Police Department Dog Kennel and they raised over \$200 to be donated in the name of K9 Marco.

Mayor Gowing recessed the regular meeting for Executive Session at 8:07 pm.

Mayor Gowing reconvened the regular meeting at 8:17 pm.

#### **BUSINESS FROM THE CITY MANAGER**

- (a) Approval of and Authorization for City Manager to Enter into Collective Bargaining Agreement with the Laborers Local NO. 737 Laborers Unit.

City Manager Richard Meyers said negotiations have been completed with the Laborers and they have accepted the City's proposal. He explained the basic changes to the new agreement and said it is open for Council to ratify and authorize the City Manager to sign the Collective Bargaining Agreement.

**IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR ERVIN THAT COUNCIL APPROVE THE COLLECTIVE BARGAINING AGREEMENT WITH THE LABORERS LOCAL NO 737 LABORERS UNIT AND AUTHORIZE THE CITY MANAGER TO ENTER INTO THE AGREEMENT ON BEHALF OF THE CITY.**

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							

(b) Report from City Manager

City Manager reminded Council that the Eugene Symphony will be at Bohemia Park on Monday, August 1<sup>st</sup> at 7:30 pm. He said it is a great line up music and asked them to share the flyers that they were provided.

City Manager informed Council that one of the Athletes and an Assistant Coach from Botswana are back in town. He said their flights are not leaving until Wednesday and they will be in the community and training until then. He said the Chamber of Commerce CEO, Shauna Neigh and the City of Cottage Grove were given special recognition by Travel Lane County for their efforts in hosting of the Team.

**BUSINESS FROM CITY ATTORNEY**

(a) Report from City Attorney

None.

**ADJOURNMENT**

There being no further business, Mayor Gowing adjourned the regular meeting of the City Council at 8:25 pm.

The next regular City Council Meeting will be held August 8, 2022, at 7:00 p.m. in the Council Chambers at City Hall.

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Mindy Roberts, City Recorder

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Jeffrey D. Gowing, Mayor