

CITY OF COTTAGE GROVE  
CITY COUNCIL  
AGENDA SESSION MINUTES  
January 20, 2023

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

Those in attendance virtually and in person: Mayor Solesbee, Councilors Merryday, Savage, Fleck, Stinnett and Ervin.

Staff present virtually and in person: 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 and City Planner Eric Mongan.

Worksession

(a) Design Criteria for the Main Street Revitalization Project

Public Works and Development Director Faye Stewart thanked Mayor Solesbee and Councilors Ervin and Merryday for attending the Main Street Project open house with property owners and business owners. He said the Worksession on Monday will start at 6:00 pm and Damien Gilbert from Branch Engineering will walk through the design concepts and answer questions. He said there are three areas that Staff needs direction from Council; the sidewalk and street widths, corner bulb outs and trees.

Councilor Ervin asked for visuals showing what the ADA area would like with no bulb outs.

Public Works and Development Director said that he can try to provide something general and added that it is difficult because the elevation is different at each corner.

Councilor Ervin asked if it would be like the corner at 10<sup>th</sup> and Van Buren.

City Planner Eric Mongan suggested that the engineers present the design criteria to meet ADA standards, not intersection specific, but what has to be done to accomplish Federal Standards.

Councilor Ervin said having that information could be helpful.

Councilor Merryday said he has talked to many people about the Main Street project and there are mixed opinions about the width of sidewalks and having trees. He said everyone he talked to was in opposition to having bulb outs. He asked if there are any alternatives like raised intersections.

Public Works and Development Director Faye Stewart said he manned that station at the open house with the bulb out information. He said the general statement when he started the conversation with people was that they were against them. He said when he was able to explain the benefits of the bulb outs, most everyone felt comfortable. He added that the only comment that would be hard to address regardless, is that bulb outs would change the historic feel of downtown.

Councilor Fleck referred to the maps and he questioned the size of the bulb outs. He said he would prefer doing a smaller bulb out to accommodate ADA. He said he would also like to have more conversation regarding the trees.

Public Works and Development Director offered to meet with Councilor Fleck to review and discuss the proposed bulb out information. He explained the size of the bulb outs on the side streets in comparison to Main Street.

Councilor Fleck said the other impact is that we will lose parking.

Public Works and Development Director said that is not necessarily true and suggested that Councilor Fleck meet with him to go over the details.

City Manager reminded Council that this information will be covered in the worksession on Monday night.

Councilor Savage said that she is interested in getting the names of trees that would work best for the area and asked if there are bulb out examples from other cities. She said it does not appear to her that bulb outs would take up parking because they are in the area that are currently painted yellow.

Councilor Ervin asked if bulb outs are considered a sidewalk and if it is okay to drive on a sidewalk.

Public Works and Development Director replied, that would be a question for Mr. Gilbert. He added that we would not want to encourage people to drive over them.

Mayor Solesbee asked if there were any further questions.

#### Items to Be Added to the Agenda

None

#### Public Hearings

- (a) Public Hearing for Ordinance Annexing a Portion of Lane County Road No. 538 into the City of Cottage Grove (A2-22)

City Planner Eric Mongan informed Council that this will be a public hearing for an ordinance annexing a portion of South 6<sup>th</sup> Street between Cleveland Avenue and Taft for approximately 900 linear feet. He said the purpose of the annexation is to allow for contiguous City limit connections south of Cleveland Avenue. He added that the Hillcrest Market is looking to come into the incorporated City Limits of Cottage Grove with the intent of demolishing the current structure and rebuilding a new convenience store with gas station.

Councilor Ervin asked about the interchange and if there are any plans for it going forward. He also inquired about some of the lines drawn on the map.

City Planner Eric Mongan replied that no public property is subject to this ordinance. He said that the western margin of South 6<sup>th</sup> Street is the Urban Growth Boundary and had to be notified, but they will not be able to annex. He added that Staff will be working with a traffic engineer and ODOT to see what impacts this change may or may not have to the interchange.

Councilor Fleck explained the history of the area and past attempts to have a full interchange.

City Manager Richard Meyers said when the bridge was reconstructed it was done so that it could handle a full interchange.

Mayor Solesbee asked if Hillcrest Market has new owners.

City Planner replied no, he believes they have owned it since 2006.

#### Consent Agenda

None

#### Resolutions and Ordinances

(a) Resolution Amending the Comprehensive Fee Schedule

Public Works and Development Director Faye Stewart explained the changes to the Fee Schedule and the reasons for the changes.

Councilor Fleck expressed concern over SDC increases and said he would like to have a study done to make sure that we are competitive.

(b) Second Vote on Ordinance No. 3167, as Amended, Amending Chapters 9.28 and 12.24 of the Cottage Grove Municipal Code Regarding Offenses by or Against Minors and City Parks and Public Playgrounds

City Manager Richard Meyers indicated that this is the ordinance from the last meeting that was postponed and there has been no changes.

Councilor Ervin said there is a lot of reference in the recitals to survival or survival shelter and asked for a definition. He said there is also a reference to wellness as an entitlement and he does not understand the reason for it. He said the way it reads is that the City is responsible for providing it. He added that he does not understand Section 4 e (2) and asks if it means you cannot pick up a leaf or a rock in the park. He asked if this is a whole new ordinance.

City Manager replied no, it is the existing code.

Councilor Ervin asked what the repercussions are if there is a violation. He said if we are adopting an ordinance we need to revisit what we are trying to achieve and see if things are still applicable.

Public Works and Development Director Faye Stewart shared situations where individuals have picked up rocks and put them into the grass, causing damage to the mower and potentially hitting someone. He added that there are reasons why encourage people not to move rocks and different things and it is not just arbitrary.

Councilor Ervin asked if a branch falls in North Regional Park and it is impeding normal play is it illegal to move it.

Public Works and Development Director said that it is not intended to penalize someone for moving a branch so that they can continue to use the course. He said there are people who take it upon themselves to cut vegetation and make new trails without authorization. He said there are practical sense reasons for things to be on the books so they can be addressed. He said he feels confident that we would not ask the police to go after someone who is moving a branch that fell out of the tree, but we could if they are maliciously taking something down.

City Manager Richard Meyers said everything that Councilor Ervin noted was already in the existing park code. He added that there is discretion in the ordinances and it is there for the City to be able to enforce when people maliciously and intentionally damaged parts of the park.

Councilor Ervin asked why it couldn't just say when it is malicious and intentional.

City Manager explained that if it were to go to court, you would have to prove that it was intended, rather than just having an ordinance that says it is not allowed.

Councilor Ervin said his viewpoint is that we need to craft things to prevent abuse, so that there is limited potential for abuse.

City Manager responded that is accomplished by having Staff that is not going to do that and uses discretion.

Councilor Fleck asked Councilor Ervin to outline his concerns and present it to Staff so the rest of Council could understand what he is concerned about. He added that he agrees with City Staff but would be happy to look at his concerns.

(c) First Vote of Ordinance Annexing a Portion of Lane County Road No. 538 into the City of Cottage Grove (A 2-22)

City Planner Eric Mongan explained that after the public hearing on Monday night Council will have the opportunity to hold the first vote on the ordinance to annex 900 feet of linear road.

Mayor Solesbee asked if there were any questions.

Business from City Council

(a) Taylor Avenue Sidewalk Project

Public Works and Development Director Faye Stewart provided background information and update on the Taylor Street Avenue project.

Councilor Fleck asked if the City would be paying for the project and then lien the homes.

Public Works and Development Director replied yes. He said some property owners would pay for the work, there is a one year payment plan option and the third option would be to lien the property.

Councilor Fleck said his opinion is that any extra work needs to be paid by the property owner.

Public Works and Development Director said that Mr. Bradsby was trying to get the project done and accommodate each property owner.

Councilor Ervin said this was about fixing the safety hazards, not extra work. He said Council passed a resolution to take care of the sidewalks and he does not understand what is meant by saying that an option is to do nothing.

Councilor Merryday asked if the homeowners could individually have contracts with the contractor to get the extra work done.

Public Works and Development Director replied yes, that is the intent. He said the City will facilitate getting the sidewalk done and if property owners want additional work, they will do that directly with the contractor.

(b) Cottage Grove Pedestrian and Bicycle Plan Advisory Committee Appointment

City Planner Eric Mongan said that the Cottage Grove Pedestrian Plan is getting started and Staff would like to have two City Councilors be appointed to represent the City Council.

Mayor Solesbee asked if the dates and times have been determined for the meeting.

City Planner responded that the first date will be February 22<sup>nd</sup> and the others have not been set.

Councilors Fleck and Merryday expressed interest for being on the committee.

(c) Concerns from Council

None

Business from City Manager

(a) City Council Discussion and Possible Direction Regarding Design Criteria for the Main Street Revitalization Project

Public Works and Development Director Faye Stewart said that this would be the time for Council to give possible direction to Staff regarding the project.

(b) Approval of Branch Engineering Task Work Order #1 for Engineering Services for the Bohemia Park Entry Plaza Project

Public Works and Development Director Faye Stewart explained that this task order is for engineering services to develop construction documents for the Bohemia Park Entry Plaza Project.

Councilor Savage asked if any pieces of the redwood tree that was removed could be utilized in the park.

Public Works and Development Director replied that the tree has not been used yet and Staff is considering a variety of projects.

(c) Approval of Branch Engineering Task Work Order #2 for Engineering Services for the Main Street Revitalization Project

Public Works and Development Director Faye Stewart explained that this task order is for engineering services to develop construction documents for the Main Street Project.

Mayor Solesbee asked if there were any questions.

(d) Report from City Manager

City Manager Richard Meyers announced that Councilor Fleck and Merryday will be attending City Day at the State Capital on Wednesday. He said that appointments have been made with Representative Conrad and Senator Hayden.

City Manager said testing was done on the generator in Colorado. He said the load test looked good, oil samples were taken for analysis and everything went well. He added that we have also discovered that CAT has offered an extended warranty if their analysis turns out well.

Councilor Fleck expressed his concern that the funding the LOC Mayors group is proposing is for additional funding and not taking away from other services.

City Manager Richard Meyers said there is a workshop on the homeless program and he will send out the workshop agenda.

Councilor Savage announced that she has a meeting with Floyd Prozanski at 9:00 am and invited the others attending City Day to join her.

Business from the City Attorney

(a) Report from the City Attorney

None

Items Removed from the Consent Agenda

None

Mayor Solesbee adjourned the meeting at 9:31 am.

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Mindy Roberts, City Recorder

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Candace Solesbee, Mayor