



## **MINUTES**

### **Coburg City Council Special Meeting**

July 26th at 6:00 P.M.

91136 N Willamette Street

Hybrid Meeting in-person or via Zoom

**MEMBERS PRESENT:** Council President Nancy Bell, Mark Alexander, John Fox, Kyle Blain, John Lehmann (via Zoom), Patty McConnell

**MEMBERS ABSENT:** Mayor Smith

**STAFF PRESENT:** City Administrator Anne Heath, Finance Director Tim Gaines, City Recorder Sammy Egbert, City Attorney Anne Davies, Megan Winner, Coburg Planning

**GUESTS:** Zoe Anton, Cathy Engebretson

**RECORDED BY:** Angela Kern, Lane Council of Governments (LCOG)

### **CALL TO ORDER**

Council President Bell called the meeting to order at 6:05 pm.

### **PLEDGE OF ALLEGIANCE**

Councilor Blaine led the Pledge of Allegiance.

### **ROLL CALL**

Ms. Egbert called roll. A quorum was present.

### **AGENDA REVIEW**

A-200-L was moved to the end of the Agenda. Agenda Item 2.5 was added under Council Action Items to approve the Roberts Court contract with Riverbend Construction.

### **CITIZEN TESTIMONY**

None

## RESPONSE(S) BY CITY COUNCIL

None

## CONSENT AGENDA

None

## ORDINANCES AND RESOLUTIONS

### 1. Second Reading

#### ORDINANCE A-254 AN ORDINANCE DECLARING A TEMPORARY BAN ON PSILOCYBIN SERVICE CENTERS AND THE MANUFACTURE OF PSILOCYBIN PRODUCTS

Ms. Heath gave a brief explanation of the Ordinance.

Councilor McConnell wondered if the Council would have an opportunity to hear from expert speakers at the end of the ban. Ms. Heath said yes, that could be arranged.

Council President Bell explained that the Council was voting to put the ordinance on the November ballot for voters to decide. Ms. Heath noted that if the public voted against the ordinance, Oregon Measure 109 would enact. Council President Bell suggested that public education was needed.

**MOTION:** Councilor Blaine moved to adopt **Ordinance A-254**, seconded by Councilor Alexander. The motion passed 5:0:1. Councilor Fox abstained on account of tardiness.

## COUNCIL ACTION ITEMS

### 2.5 Roberts Court Pavement Project Contract Approval

Ms. Heath explained that the contract covered Roberts court, which was an extension of Roberts Road, which had already been approved by the Council. She noted that there had been two bids and that the project qualified for Oregon Transportation Infrastructure Bank (OTIB) funding in the amount of \$379,000.

Councilor Fox inquired if two bids were fewer than expected. Ms. Heath said no. There was some discussion about the standard 1-year warranty.

**MOTION:** Councilor Fox moved to approve the Roberts Court contract with Riverbend Construction, seconded by Councilor McConnell. The motion passed unanimously, 6:0:0.

### 3. IOOF Lease Agreement Amendment

Ms. Heath explained that the current lessor wanted to amend the existing contract to exclude the front half of the parking lot from the lease. She cited an incident during which the lessor

may have violated the terms of the lease by restricting access to power. It was noted that the City needed to clarify which power poles were available to plug spiders into.

After discussion of the terms of the lease, the Council decided to deny the amendment request.

**MOTION:** Councilor Fox moved to deny the IOOF lease amendment, seconded by Councilor Blaine. The motion passed unanimously, 6:0:0.

Councilor Alexander inquired as to how the Council could protect the City from future issues with the lessor. Ms. Heath suggested that City Attorney Davies send the lessor a notice regarding the lease violation.

**MOTION:** Councilor moved to draft a lease violation notice letter to the lessor, seconded by Councilor Alexander. The motion passed unanimously, 6:0:0.

#### **ADMINISTRATIVE INFORMATION REPORTS**

##### **4. Charter Amendments**

Ms. Heath noted that the Council was reviewing a new Charter, based on the recommended charter of the League of Oregon Cities, with language specific to Coburg. The new Charter:

- Clarified the role of the Office of Mayor
- Added the role of City Administrator
- Removed the position of Treasurer
- Allowed judges to appoint a pro-tem judge
- Addressed vacancies and how they are filled
- Allowed a final vote by vacating Councilors

Council President Bell requested clarification in the language regarding abstention. Ms. Heath made note of it. Council President Bell praised the staff for their hard work.

#### **RECESS**

Council President Bell called for a 5-minute recess at 6:55 pm. Council reconvened at 7:00 pm.

#### **SPECIAL GUEST**

##### **2. Public Hearing | First Reading**

**ORDINANCE A-200-L AN ORDINANCE AMENDING ARTICLE VII.C OF THE COBURG ZONING CODE TO IMPLEMENT A FORM BASED CODE FOR THE CENTRAL BUSINESS DISTRICT AND IMPLEMENTING OTHER GENERAL HOUSEKEEPING UPDATES TO THE ZONING CODE**

Council President Bell noted that it was a Type 7 Legislative Procedure and gave instruction for speaking. She opened the public hearing at 7:05 pm.

Ms. Winner gave the staff report. She noted that there had been concerns about the formula-based business restrictions.

Guest Zoe Aston presented the Central Business District (CBD) form-based code. She noted that it was based on existing code. She detailed the purpose of the CBD. She noted that the overlay zone went on top of the CBD and showed two parcel types: Downtown Core and Downtown Flex.

Councilor Lehmann requested clearer language in Section 4B of the Matrix, detailing that no more than 30% of a front yard could be paved. Ms. Winner addressed his concerns and Ms. Davies agreed that the language could be adjusted.

Councilor Lehmann noted that 2.B.1, the requirements for recessed garages, had been stricken and wanted to know the likely impact. Guest Cathy Engebretson explained that the requirements were for residential dwellings and were not generally applicable to Main Street.

Ms. Winner continued with her staff report. She detailed the changes being proposed.

Councilor Fox made a point of clarification, noting that his packet was missing D and E.

Councilor McConnell made a point of clarification, noting that the formula-based business restrictions only applied to the CBD. She also wished the record to show that the decision to strike the garage setback requirements had not been unanimous. Ms. Winner pointed out that the Code Review Committee had requested to reevaluate the setback requirements at a later date.

Councilor Lehmann noted that the language on page 21 regarding Accessory Dwelling Units (ADU) seemed to discourage building new units. City Attorney Davies noted that the Matrix did not show the whole code and that the proposed changes actually lifted limitations.

Councilor Lehmann questioned the small park on the overlay map. It was determined to be private property belonging to the Dairy Mart.

#### TESTIMONY:

Cathy Engebretson of 32703 E. Locust Street explained the development code for the public.

Ryan Hudman of 32589 Hatfield Street protested the restrictions on formula-based businesses as too restrictive for small business owners. He requested that the Council make the proposed amendment less intrusive.

Robert Lamont of Newburg, Oregon, was opposed to the restrictions on formula-based businesses. As the owner of 3.81 acres adjacent to City Hall, he felt that the proposed changes were too restrictive. He also requested a modification to the map to allow for more Flex use on the land.

Bruce Lamont of Newburg, Oregon, was opposed to the restrictions on formula-based businesses. As the co-owner of 3.81 acres adjacent to City Hall, he felt that the proposed changes were too restrictive.

Council President Bell closed the public hearing at 8:00 pm.

### **COUNCIL COMMENTS**

Councilor McConnell suggested modifying the definition of a formula-based business for the community. Ms. Winner said that the staff had prepared alternate language for conditional use, such as a square foot limitation. Staff had also prepared some criteria for formula-based businesses.

Councilor Fox suggested that formula-based businesses could modify their appearance to meet Coburg building standards. Addressing the public hearing, he noted that the discussion of Core or Flex designations was separate from the discussion of formula-based businesses.

Ms. Winner clarified that the 3.81 acres owned by the Lamont's had always been CBD and the zoning had not been changed.

Council President Bell asked for a recommendation from Council to Staff to move forward with the conditional use language. Council gave the recommendation and it was decided that a second First Reading and Public Hearing would take place on August 9th, 2022, at 7:00 pm.

### **UPCOMING AGENDA ITEMS**

Ord A-200-L Zoning Code Amendment  
Ord A-163-T Criminal Code  
2022 City of Coburg Charter referral to voters

### **FUTURE MEETINGS**

July 27, 2022 Finance Audit Committee  
August 9, 2022 City Council

### **ADJOURNMENT**

Council President Bell adjourned at 8:22 pm.

**APPROVED** by the City Council of the City of Coburg on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

---

Ray Smith, Mayor of Coburg

**ATTEST:**

---

Sammy L. Egbert, City Recorder

Questions or clarification contact me at 541-682-7852 or [sammy.egbert@ci.coburg.or.us](mailto:sammy.egbert@ci.coburg.or.us)

DRAFT