



## MINUTES

### Coburg City Council Meeting

August 8<sup>th</sup>, 2023 at 6:00 P.M.

91136 N Willamette Street

Hybrid Meeting in-person or via Zoom

**MEMBERS PRESENT:** Mayor Nancy Bell, Kyle Blain, Cathy Engebretson, John Fox, John Lehmann, Claire Smith, Alan Wells

**MEMBERS ABSENT:** None

**STAFF PRESENT:** City Attorney Anne Davies, City Administrator Adam Hanks, Anne Heath, City Recorder Sammy Egbert, Chief of Police Larry Larson, Finance Director Greg Peck, Public Works Director Brian Harmon

**RECORDED BY:** Jackie Low, Lane Council of Governments (LCOG)

### CALL THE CITY COUNCIL MEETING TO ORDER

Mayor Bell called the meeting to order at 6:01 pm.

### PLEDGE OF ALLEGIANCE

Mayor Bell led the Pledge.

### ROLL CALL

Ms. Egbert called roll. A quorum was present.

### MAYOR COMMENTS

Mayor Bell welcomed City Administrator Adam Hanks, who started in this role on July 31<sup>st</sup>. Ms. Egbert conducted swearing in ceremony for City Administrator Hanks. Mayor Bell thanked City Administrator Anne Heath for her service to the city and announced retirement party for Ms. Heath at City Hall on Thursday, August 31<sup>st</sup> from 3:00 to 6:00 pm. Ms. Heath will continue to work with the city through August to assist with the city audit.

**AGENDA REVIEW**

Amended Minutes for June 13, 2023 and July 11, 2023 for consideration under the consent agenda.

Remove Agenda Item 5 Wildish Building Company Contract.

**CITIZEN TESTIMONY**

None.

**CONSENT AGENDA**

- 1. Minutes June 13, 2023, City Council
- 2. Minutes July 11, 2023, City Council

**MOTION:** Councilor Fox moved, seconded by Councilor Wells, to accept the consent agenda as amended.

The motion passed unanimously – 6:0.

**ORDINANCES AND RESOLUTIONS**

- 3. Second Reading

**ORDINANCE A-163-U** AN ORDINANCE ADOPTING THE OREGON CRIMINAL CODE, OREGON UNIFORM CONTROLLED SUBSTANCES ACT, OREGON LIQUOR CONTROL ACT, AND THE OREGON MOTOR VEHICLE CODE; REPEALING CONFLICTING ORDINANCES

**MOTION:** Councilor Lehmann moved seconded by Councilor Blain to adopt Ordinance A-163-U An Ordinance Adopting the Oregon Criminal Code, Oregon Uniform Controlled Substances Act, Oregon Liquor Control Act, and the Oregon Motor Vehicle Code; repealing conflicting ordinances,

The motion passed unanimously- 6:0.

**4. RESOLUTION 2023-13** A RESOLUTION APPROVING THE ORIGINAL ART MURAL POLICY

Member comments and questions included clarification of the definition of mural, approval criteria, and who would be responsible for approving or denying proposals. Mural was defined as an original art not intended to advertise. Criteria for approval include color, size, materials, workmanship, and themes on a content neutral basis. Ms. Winner informed the Council the policy was written in alignment with Type 1 Land Use review and proposals in public spaces would be required to go through the process for donations for public spaces policy in addition to the Type 1 review.

Councilor Lehmann expressed concern of the responsibility and liability placed on city administration staff to approve or deny proposals.

Mr. Hanks advised that as the policy is written, Type 1 review may be forwarded to the appropriate committees. Discussion was held to determine if Type 2 review may be more appropriate for this policy.

Mr. Hanks proposed adopting resolution as it is written with direction for discussion between Council and staff at a future date, potentially the Council's upcoming work session in September.

**MOTION:** Councilor Fox moved, seconded by Councilor Engebretson to adopt Resolution 2023-13 A Resolution approving the Original Art Mural Policy.

The motion passed 4:1 with Councilor Lehmann voting against because he wasn't ready to make final decision. Councilor Smith abstained.

Councilor Engebretson recommended staff consider changing policy to Type 2 from Type 1 and to include language for murals on City buildings.

Councilor Lehmann recommended staff compare mural and sign ordinances for consistency of definitions and approval criteria.

#### **COUNCIL ACTION ITEMS**

##### 5. Wildish Building Company Contract to Build an Operations and Storage Building

This item was removed from the agenda. Ms. Heath noted that the City issued an intent to award to Wildish Building Company and, consistent with both state and local procurement laws, a protest of the intent to award was filed by one of the bidders. Staff is working with the City's legal team to ensure the protest process is addressed and resolved prior to Council making the formal contract award. Councilor Fox appreciated the review attention given to the lowest bid and the acknowledgement of issues.

##### 6. Branch Engineering Contract and Rates

Ms. Heath presented a 1 year contract renewal with Branch Engineering explaining there is a proposed rate increase of 25% on current projects in process, and a 40% increase on any new projects that begin under this contract.

Council comments and questions included acknowledgement of impact of rate increases on the budget and inquired with staff on the ability to develop a Request for Proposal (RFP) for engineering services prior to the expiration of this new contract renewal in July of 2024. Mr. Hanks advised Council that an RFP could be developed for a number of different engineering service scenarios and suggested that staff could provide Council with several different options and highlight anticipated pro's and con's associated with the different options.

**MOTION:** Councilor Blain moved, seconded by Councilor Fox to approve the contract with Branch Engineering Inc. as City Engineer.

The motion passed unanimously 6:0:0.

## **ADMINISTRATIVE INFORMATION REPORTS**

### **5. Finance Quarterly Presentation**

Mr. Peck presented the finance quarterly report.

Councilor Engebretson asked about the Water Fund revenue versus expenses. Mr. Peck clarified that reports are preliminary, and Ms. Heath stated reimbursements are expected.

Councilor Lehmann asked if the previous warning of the outlook for Personal Services still stood from two months ago. Ms. Heath shared the City needs to continue to generate revenue for the General Fund to accommodate increasing costs and clarified that water revenues will not be going into the General Fund.

Mayor Bell shared Budget Committee has asked how revenue can be increased and Council is tasked with evaluating ways to increase revenue. Mr. Peck shared this is a statewide trend.

Councilor Wells asked clarification if the city is running at a deficit each year. Ms. Heath shared the General Fund absorbs departments, such as Parks, that do not generate revenue which impacts deficit. Councilor Wells asked how to fund a deficit. Ms. Heath emphasized that report is preliminary and there is approximately \$800,000 in reimbursement from the water fund that is still expected.

Councilor Lehmann asked if funds are received from use of parks for events. Ms. Heath advised revenue is very minimal and Council can evaluate how revenues are serving the community and impact on Public Works.

### **6. Total Maximum Daily Load Annual Update**

Mr. Harmon presented.

Councilor Fox asked for clarification of the period of the report. Mr. Harmon stated this report is for the year 2022.

### **7. Administrative Monthly Report**

Ms. Heath presented. She informed the Council that the Water Project well drill is not completed. Ms. Heath advised Premier RV delineation is still in process with a letter sent to the governor's office. The city can apply for a temporary hook up to water through OHA which will have its own application process. Mr. Harmon will work with Premier RV to determine the seriousness of the situation and timeline in order to determine if temporary line should be placed.

Mayor Bell asked if liaison assignments are working for the Council. Consensus to continue with current assignments.

**COUNCIL COMMENTS**

Mayor Bell asked if Ms. Heath has had an opportunity to follow up with citizen inquiries about the post office. Ms. Heath shared she has tried to contact the post office without success and is still investigating.

**ADJOURNMENT**

Mayor Bell adjourned at 8:30 pm.

**APPROVED** by the City Council of the City of Coburg on this 12th day of September, 2023.

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Nancy Bell, Mayor of Coburg

**ATTEST:** \_\_\_\_\_  
Sammy L. Egbert, City Recorder

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