



MINUTES

Coburg City Council Meeting
December 12th, 2021 7:00 P.M.

Coburg City Hall
Virtual and at 91136 N Willamette Street

MEMBERS PRESENT: Mayor Ray Smith, Markus Alexander, Nancy Bell, Kyle Blain, John Fox, John Lehmann, Patty McConnell.

STAFF PRESENT: Sammy Egbert, City Recorder; Anne Heath, City Administrator; Megan Winner, Planning and Economic Development; Gary Darnielle, City Attorney; Anne Davies, City Attorney; Tracey Pugh, Main Street Coordinator; Tim Gaines, Finance Director; Brian Harmon, Public Works; and Chief Larry Larson, Police.

GUESTS: Shannon Sardell, Heritage Committee; Cathy Engebretson, Finance Audit Committee; Henry Hearley, Lane Council of Governments (LCOG); Bill Johnston, Oregon Department of Transportation (ODOT).

RECORDED BY: Beth Bridges, LCOG.

CALL TO ORDER

Mayor Smith called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

Mayor Smith led the pledge of allegiance.

ROLL CALL

Ms. Egbert took roll and a quorum was present.

MAYOR COMMENTS

Mayor Smith addressed the annexation issue. He expressed confidence in the decision-making abilities of the Council, after they had received respectful public input and had discussed the issue. Mayor Smith reviewed meeting protocol and noted it was the last meeting of 2021.

CITIZEN TESTIMONY

There was no citizen testimony submitted.

CONSENT AGENDA

- 1. Minutes September 15, 2021 City Council**
- 2. Minutes October 12, 2021 City Council Planning Commission Work Session**
- 3. Minutes October 12, 2021 City Council**

MOTION: Councilor Bell moved, and Councilor McConnell seconded, to approve the consent agenda as presented. Motion passed unanimously.

AGENDA REVIEW

Ms. Egbert explained the red folders contained copies of three letters of written testimony submitted prior to the deadline but after the Council packet had been prepared.

SPECIAL GUESTS

4. Heritage Committee

Mayor Smith welcomed Heritage Committee member Shannon Sardell. She described their use of some of the Certified Local Government Grant from the State Historic Preservation Office to create and present three bronze plaques to property owners who had preserved their historic structures. The committee planned to honor those property owners and recognize three additional property owners at the May 2022 downtown event.

5. Finance Audit Committee

Mayor Smith recognized Cathy Engebretson, chair, Finance Audit Committee. Ms. Engebretson detailed the committee's work on reviewing the financial policies and procedures, defining the qualifications for their external financial reviewer, learning from an audit tool book, and receiving an update from Finance Director Tim Gaines regarding the revised Systems Development Charge (SDC) financing fees. She said future projects included drafting or revising a conflict-of-interest policy and reviewing the FY20 audit findings.

ORDINANCES AND RESOLUTIONS

6. Public Hearing/First Reading: Ordinance A-200-J

Mayor Smith opened the Public Hearing at 7:22 p.m. He read the ordinance by title and reviewed the process and emphasized the importance of public testimony to address the criteria identified in the staff report, comprehensive plan, or development code. When Mayor Smith asked if any counselor wished to declare an ex parte contact or conflict of interest, no one did.

Staff Presentation:

Henry Hearley, LCOG, gave the staff presentation. He used a Powerpoint presentation entitled *Planning Commission Public Hearing ANX 01-20 & ZC 01-20*. Mr. Hearley described how the City of Coburg had determined the need to expand its Urban Growth Boundary (UGB) for employment needs. Several areas were studied and the property now before the Council was selected as it had the most development potential. As per Industrial Policy 7, the property must have twenty percent open space. It will be improved akin to a park for use by employees and provide a buffer between development and neighboring residential property to the east. Mr. Hearley relayed one issue raised at the Planning Commission was to add a buffer between

the proposed development and the Premier RV property to the west. Staff recommended the issue be addressed during the master plan process. Mr. Hearley added the Planning Commission also had questions about the Traffic Impact Analysis (TIA). Turning to East Van Duyn Road, Mr. Hearley listed the improvements planned for the road and funded by the applicant. He reviewed the findings of the TIA, highlighting the trip cap requirement. Mr. Hearley described the similarities and differences between Light Industrial and Campus Industrial zones. He said the applicant's intent was for the property to be zoned Light Industrial once annexed and referenced a number of adopted policies and plans that supported the designation. Mr. Hearley then reviewed the criteria for annexations and zone changes. In conclusion, he recapped the staff's and Planning Commission's recommendations.

Councilor Fox asked if the Light Industrial zone allowed for a distribution center and for more information regarding air quality assessments. Mr. Hearley responded yes for the distribution center and explained any development would be required to have air quality standards reviewed by Lane Regional Air Protection Agency (LRAPA), with involvement from the Department of Environmental Quality (DEQ).

Applicant Presentation

Ramon Fisher, property owner of the land under consideration, reviewed the work leading up to the annexation request. He stressed the importance of zoning the land Light Industrial and requested the zoning be deemed Light Industrial concurrent with the annexation. He introduced Kelly Sandow, Sandow Engineering, who conducted the TIA.

Ms. Sandow described the components of the TIA in response to an annexation and zone change, the scope of work, and its underlying assumptions. She discussed how they developed the trip cap requirement from 4:00 p.m. to 6:00 p.m. In the future, additional development phases would need to have updated TIAs which may include mitigations. Ms. Sandow referenced Figure 3 in the packet which showed the impact of the proposed development and Figure 4 which showed the current traffic volumes. She explained the impact on intersections was measured in vehicles, not people, and included all types of trips (e.g., employees, deliveries, services). When asked about the accuracy of the analysis, Ms. Sandow assured the Council the TIA had been reviewed by Coburg, Lane County, and ODOT staff.

Councilor Fox recalled if the development were a distribution center, the traffic was primarily on the highways and not an impact on downtown Coburg. He asked if that type of business had approached Mr. Fisher. In response, Mr. Fisher said he didn't know who might want to develop there once the land was annexed. He understood the Council's reservations regarding a warehouse operation and planned to work closely with the City of Coburg with each potential development to ensure it was compatible with the City's goals.

Mr. Johnston said the I-5/Coburg Interchange Area Management Plan (IAMP) indicated developments along Van Duyn would relocate their access from Van Duyn to the new access road once it was constructed. Mr. Fisher added he had agreed to have the new access road built on his property as a condition of the annexation.

When Councilor McConnell asked if the exit from I-5 would be widened at that point, Ms. Sandow said yes.

Councilor Fox, thinking of a possible future scenario where traffic exceeded the cap, asked if the City of Coburg have a role in approving the mitigation. Mayor Smith added if the city could say no to the proposed mitigation. In response, Mr. Johnston referenced the Transportation Planning Rule in state statutes and opined their question was a legal one.

City Attorney Gary Darnielle said the master plan for each development would enable Coburg Council the opportunity to weigh in on or object to any mitigation proposed.

Public Comment

Peter Dettmer, 90834 Coburg Hills Drive, requested the Council not take formal action until they answered questions previously raised, including how much tax money was spent to bring water lines to the property and for the drainage system installed there. He advocated for a larger protective buffer on Van Duyn Road and for the property, if annexed, to be zoned residential. Mr. Dettmer encouraged the Council to protect the beauty that was Coburg.

Kevin Dwyer, 90541 Diamond Ridge Loop, said he and twenty-seven other families in the Diamond Ridge subdivision opposed the annexation and zoning change as they would like to keep the area rural. He noted the work environment was changing and questioned both the need for industrial parks and if their work force would come from the Coburg area. Mr. Dwyer stressed the added traffic on the current highway overpass was of special concern and gave examples of how dangerous it was. He advocated for the city to work with ODOT to get funding from the recently enacted federal infrastructure package to improve the overpass.

Andrew Hays, 90576 Diamond Ridge Loop, reiterated his testimony to the Planning Commission that it was not good to put an Industrial zone in between two residential zones. He said if the Council decided to do so, they should designate it as a Campus Industrial zone. Mr. Hays described the reasons a Campus Industrial zone was preferable, including air quality, materials/equipment storage, and landscaping. He referenced local examples of each type of industrial zone and noted the Campus Industrial zoned sites were preferable neighbors.

Council Response to Public Comment

Councilor Alexander questioned why the proposed zoning had been changed from Campus Industrial to Light Industrial. Mayor Smith explained that the discussion between Campus Industrial or Light Industrial has been an ongoing one for the last ten years. He said the economic development staff with the State had recommended the Light Industrial zone.

When Councilor McConnell asked at which Planning Commission meeting had they recommended Light Industrial, Ms. Egbert said November 17, 2021. Mayor Smith added a previous Council had decided on Light Industrial as the zoning because that's what was in the Comprehensive Plan. The decision was before this Council again.

Councilor Alexander asked if it was possible to have a Light Industrial model with some of the requirements of the Campus Industrial, e.g., storage and landscaping. Mr. Hearley explained those issues could be addressed when the developer presented their master plan to the City.

Mr. Fisher shared he had been approached by people interested in solar panel manufacturing or tech server farms. When he added he didn't envision anything with smoke stacks, Mr. Hearley clarified that use only occurred in a Heavy Industrial zone.

Councilor Bell followed up on Mr. Dwyer's suggestion to work with ODOT to get funding from the federal infrastructure package. Ms. Heath and Mayor Smith described their lobbying efforts. Mr. Johnston explained it was estimated to cost \$36 million to construct the bridge, and funding for construction had not been identified. He said there were higher priority projects on the state system for use of the newly enacted federal funding.

Councilor Blain clarified the money invested to install the drainage system was not tax dollars. When he asked Ms. Heath about the water infrastructure project, she explained it was an enterprise fund in which expenses were paid for by water fees. She added the water infrastructure project served more property owners in addition to Mr. Fisher and those property owners needed to pay to bring the water from the main line into their property.

Mayor Smith said the City of Coburg had spent tax dollars on planning (e.g., the Comprehensive Plan). Mr. Hearley added annexation applicants paid a fee (\$10,000) to cover the staff costs.

Mayor Smith closed the public hearing at 9:06 p.m. He noted the second reading of the Ordinance was scheduled for January 11, 2022.

COUNCIL ACTION ITEMS

7. City Administrator Employment Agreement

Anne Davies, City Attorney, briefed the Council on the renewal of the City Administrator's contract. She pointed out changes in section 7, subsections b and c, (regarding severance) and the increase in Ms. Heath's base salary to \$113,000.

MOTION: Councilor Bell moved, and Councilor Blain seconded, to accept the City Administrator Employment Agreement with the City of Coburg as presented. Motion passed unanimously.

8. Planning Commissioner Appointment

Megan Winner said there was one vacancy on the Planning Commission and the Planning Commission had voted to recommend Alan Wells at their October 20, 2021 meeting. If appointed, Mr. Wells would serve through October 2023 unless reappointed by Council.

MOTION: Councilor Fox moved, and Councilor Alexander seconded, to recommend the mayor appoint Alan Wells to the Planning Commission for a term expiring in 2023.

Motion passed unanimously.

Mayor Smith appointed Alan Wells to the Planning Commission.

ADMINISTRATIVE INFORMATION REPORTS

9. Coburg Main Street Update

Tracey Pugh, Main Street Coordinator, gave a Powerpoint presentation entitled *Coburg Main Street Update*. She described their work on mural projects downtown, adding art installations, hanging seasonal flower baskets, installing wayfinding signage and signage at the north and south ends of town, and creating an online and printed map and directory of businesses.

Councilor Lehmann endorsed many of the ideas presented. He advocated for more inclusion of references to farming, horses, and old-fashioned bicycles as those images set Coburg apart.

When Councilor Bell asked who maintained the flower baskets, Ms. Pugh said previously the baskets were maintained by businesses but it might be worthwhile to look into other options.

Mayor Smith acknowledged the many accomplishments of the Main Street program. He noted it was currently funded by the City but he hoped long-term to find other funding sources.

10. American Recovery Funds Update

Ms. Heath said Coburg had received the first half of the American Recovery Funds (\$129,000) in August. The second half would be allocated in 2022. She asked for feedback on the following estimates, based on prior Council discussions and staff recommendations: design and engineering of the Public Works shop; bike kiosk (\$15,000); Coburg Chamber of Commerce (\$15,000); Main Street Program (\$20,000); reimburse some of the expenses for technology in the City Council chambers (\$20,000); and \$10,000 for broadband feasibility study. Ms. Heath said it was difficult to apply the funds for transportation projects.

Councilor Lehman wanted the money to be spent in ways that benefitted all of Coburg.

Councilor McConnell expressed support for the Main Street program and shared public art installations were expensive, e.g., the estimate for one mural was \$30,000.

Mayor Smith noted the broadband feasibility study was very important. He didn't think there were other items that were more important.

Ms. Heath explained there were capital funds already budgeted for the communication technology in the council chambers and the \$20,000 could be allocated elsewhere if the Council so choose. She had recommended the line item as it met the criteria set forth.

After Councilors Lehman, Bell, and McConnell and Mayor Smith supported allocating more money to the Main Street program, Ms. Heath offered to bring a resolution for the allocation of the first half of the American Recovery Funds to the next meeting.

11. Finance Monthly Report

Tim Gaines, Finance Director, clarified he was giving a quarterly report.

12. Finance Quarterly Presentation

Mr. Gaines reviewed a spreadsheet entitled *City of Coburg, September 30, 2021, Fiscal Year 2022, Cash on Hand per Fund*. He noted the first quarter was a little slower than others as they

were awaiting property tax revenues. Mr. Gaines noted revenues in all funds were higher than the same time in the prior fiscal year. Turning to expenses, Mr. Gaines said they were also slightly higher than last fiscal year. None of the expenses were unanticipated. He discussed the revenues from city gas tax from April 2020 to present. Ms. Heath added that although the gas tax was doubled in April 2020, revenue did not double because the Covid shutdown resulted in less gas purchased. She said travel was beginning to rebound.

Councilor Fox asked for a comparison of revenues to expenditures by quarter.

13. Administration Monthly Report

Ms. Heath referenced the City Administrator's report in the packet and asked if there were any questions. She noted the alley vacation project was ongoing. After Mayor Smith described an incorrectly placed fence, Ms. Heath observed there were several instances around town where alley easements had been violated and she wanted to take a systemic approach.

Councilor Alexander raised the issue of too much truck drivers not driving safely on N Coleman going into the new subdivision. Ms. Heath offered to follow up on the issue.

COUNCIL COMMENTS

Councilor Bell acknowledged the staff for their thoughtful deliberations regarding issues.

Councilor McConnell asked about the status of Coburg assuming jurisdiction of Main Street. She thought it was dangerous for children going to school with so much speeding traffic. Mayor Smith said law enforcement was actively patrolling the street. He said it would take at least a year before Coburg would consider taking over county roads within the urban area because there was a lot of fact finding that needed to occur.

Mayor Smith thanked the people who served on the council committees. He asked councilors to reserve Saturday, February 5, 2022, for the Council retreat.

UPCOMING AGENDA ITEMS

- **Ordinance A-200-J (Second Reading)**

FUTURE MEETINGS

- **December 15 Planning Commission**
- **December 21 Park Tree Committee**
- **December 24 City Hall Closed - Christmas**
- **December 31 City Hall Closed - New Year's**
- **January 11 State of the City & City Council**

ADJOURNMENT

Hearing no further discussion, Mayor Smith adjourned the meeting at 10:07 P.M.

APPROVED by the Coburg City Council on this 11th day of January 2022.

Ray Smith, Mayor of Coburg

ATTEST: _____
Sammy L. Egbert, City Recorder

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