



**Coburg City Council
Regular Meeting**
April 13, 2021 7:00 P.M.
Via Virtual Conference

COUNCILORS PRESENT: Ray Smith, Mayor; Nancy Bell, Patricia McConnell, John Lehmann, John Fox, Mark Alexander.

COUNCILORS ABSENT: Kyle Blain.

STAFF PRESENT: Sammy Egbert, City Recorder; Anne Heath, City Administrator; Brian Harmon, Public Works Director; Gary Darnielle, Attorney and Planning Advisor; Megan Winner, Economic Development Coordinator; Henry Hearley, LCOG Associate Planner.

GUESTS: Dale Kast.

1. Call the Meeting to Order

Mayor Smith called the City Council meeting to order at 7:05 p.m.

2. Pledge of Allegiance

Ms. Egbert played the Pledge of Allegiance.

3. Roll Call

Ms. Egbert did a roll call; a quorum was present.

4. Mayor Comments

Mayor Smith reminded Councilors and elected officials that the Statement of Economic Interest report was due Thursday April 15, 2021. Coburg had a history of people getting fined by the State for not submitting the report. He said it was a busy Spring for the City and there were many meetings go on.

5. Agenda Review

There were no changes to the agenda.

6. Citizen Testimony

Dale Kast, owner of Kast Construction, had a few questions on the alley on North Miller. He had the two lots in that area and would be building homes. He already had buyers set up. They wanted to know if they had the option of using the alley to access to back of their properties to potentially build an extra garage or additional dwelling unit (ADU). The buyers wanted to work with the City to get the alley vacated since there was stuff in it.

7. Response(s) by City Council

Mayor Smith said they would be addressing Mr. Kast's comments later in the meeting. He acknowledged that it was something that staff would be looking into legally. Coburg had these issues in the past and it was time to address it.

Councilor Fox thought that Mr. Kast asked great questions.

8. Consent Agenda

Minutes February 23, 2021 Council & Planning Joint Work Session

Minutes March 9, 2021 City Council

Councilor Lehmann noted that there was conversation during minutes review at the March 9, 2021 started by Councilor Fox. He had said that the minutes needed to be more accurate to the conversation. The rest of the Council agreed with that. Ms. Egbert asked if he wanted them to go back through the Council meeting recording to revamp the minutes. If so, they would not be able to approve them that night. Councilor Lehmann withdrew his amendments.

MOTION: Councilor Bell moved, seconded by Councilor Fox, to approve the consent agenda as presented. The motion passed unanimously.

9. Ordinances and Resolutions

a. Resolution 2021-05 a resolution accepting grant funding award from Travel Oregon's Destination Ready program

Ms. Winner told the Council that staff had applied for a Travel Oregon grant and received \$11,700 to create a bike hub. The bike hub would be in Pavilion Park on the North Harrison side. The design had not been established yet, but it would fit in with the rest of the town. They were planning for construction to be completed in August.

Councilor Alexander asked what steps were being made to make sure that the bike hub would be used by the right people. Ms. Winner replied that they were looking at other bike hubs in Oregon. The design would also go to the Park & Tree Committee. Councilor Alexander wondered if there was thought going into the safety of participants and their bikes. Ms. Winner responded that there would be rack for the bikes to be put on, but liability had not been discussed yet. Councilor Alexander was concerned that the hub would be used for something else. Ms. Winner said that it would be designed for bike use, but it would be in a public area. Mayor Smith acknowledged that as a concern. Visibility would be an important part of the design.

Councilor Fox knew that in Eugene there were chain link fences in their bike hubs. Bikes could be hung vertically and had good visibility. They also had a lock on the fence so that not anyone could get in.

Councilor Lehmann wondered if a camera could be put in place to monitor the area. He inquired into if the grant would completely cover the infrastructure costs. Ms. Winner replied that they got other regional funds through the Central Lane Metropolitan Planning Organization. With the combination of the two the City would not have to provide funds. Councilor Alexander asked if they could create the hub with just one grant. Ms. Winner told him that the grants were approved with the bike hub. Ms. Heath added that the City would have to give around \$3,000 to the project, but that was there only match.

MOTION: Councilor McConnell moved, seconded by Councilor Fox, to approve Resolution 2021-05 a resolution accepting grant funding award from Travel Oregon's Destination Ready program. The motion passed unanimously.

Councilor McConnell requested that if Councilors had recommendations for the bike hub security that they make those suggestions known to the Park & Tree Committee. Councilor Lehmann just opposed a chain fence since it would look bad. Mayor Smith agreed, since it would be in the middle of town.

10. Council Action Items

a. Vacation Procedure

Mr. Hearley said that the alley in question currently had grass and no pavement. They did not know if there were any utilities under it. The alley was designated for the public after it was construction in 1902. There were fences and other accessory structures that were in the alley and it would be difficult for a person to travel from one end to the other. He shared some photos of the alley.

First, the City Council could direct staff to vacate the alley in question. In that case a sub option was posed. The City could initiate that action, or if the neighbors were serious about pursuing vacation of the alley, they could petition City Council. Second, if vacation of the alley was not desired, City Council could either do nothing (leave the situation as is) or direct staff to further investigate the process to begin asking property owners to remove the protruding fences and other structures from the alley right-of-way. Third, City Council could also direct staff to review all alleyways for possible vacation.

Councilor Lehmann generally would support vacation of the alley. However, he did not want it to be a gift to the new owners. He wanted them to look at a tax assessment of the land and assign that cost to the new owners. Councilor Lehmann stated that they had to do the whole alley and get all five neighbors on board and more investigation into the situation from staff.

Councilor McConnell asked if the two red lines would be where the potential new boundary would be. Mr. Hearley clarified that they noted roughly where the alley was. He wanted them to investigate more about the alley since its location was not precise.

Councilor McConnell asked if the alley provided real access to Hayden homes. Mr. Hearley replied that it only provided pedestrian access. There were flowers in the way at that time, but they could be moved.

Councilor McConnell noted that 3200 Lincoln way had two buildings that were in the alley. Vacating would be a major issue for the owners of that home.

Councilor Bell had a problem with vacating alleys in the City. She remembered a conversation around an alley being vacated in the past to help public works. They had to be cautious when making this decision and get information on vacating all alleys. Councilor Fox agreed. They had to be cautious and if they vacated that alley, they should do all of them. Mayor Smith agreed. There was City precedent with vacating alleys which had caused issues in the past. He understood that this alley was less of an issue, but they should have more information before moving forward. Mayor Smith wanted to set a policy on whether they would vacate or maintain the alleys. If they kept the alleys, then the City should maintain them.

Mr. Harmon said most of the East/West alleys did not have any City utilities in them. It was the North/South alleys that were likely to have utilities. He noted that people were not using the alley as people would have when the alley was constructed in 1902.

Councilor Lehmann said that if they did not vacate the alleys, then they had to address fire safety aspects of what was in the alley.

Mr. Darnielle said that some rights-of-way were easements to the public and in those situations the land went to adjacent property owners.

Councilor Fox asked if staff had gone and looked at the alley. Mr. Hearley replied that someone went and reported to him what they found. Ms. Heath added that her and Ms. Winner went and took photos of the alley and all the structures that were protruding into it.

Mayor Smith wanted to see set back violations and potential remedies for them. Also, they had to find which alleys created vital access to properties.

Councilor Lehmann heard that they could vacate the alley but keep an easement. Mayor Smith said they could vacate but would need to be careful of what the easements were. Councilor Fox inquired into if they did vacate if they would need to investigate selling the property. Mayor Smith wanted them to create a policy on the vacating process and requirements around it.

Councilor Lehmann wanted to look at this one alley first and have staff create a listing of all alleys in the area. Councilor Fox did not agree with that plan. He suggested moving the fence back to neutralize the issue and keep them from getting into tough decisions too quick. Councilor McConnell did not want Mr. Kast to be left to make these decisions, even if he did volunteer. Mayor Smith said all they would do for Mr. Kast was notify the property owners that they were over their property lines. The City would not act on anything else. Ms. Heath noted that the items in the alley had been in place for up to over twenty years. There could be legal ramifications from property owners towards the City since they allowed them to be put there. Mr. Darnielle stated that since the City owned the property the property owners could not sue.

Councilor Lehmann thought they should notify the property owners of the issue and ask if they would want to buy the land from the City. If even one of the five said no, he did not want to move forward with vacating the alley. Mayor Smith agreed.

Councilor Bell wanted staff to look into policies from other cities around vacation. Mr. Darnielle pointed out that the Development Code had four criteria that the City Council had to look at when deciding on vacation. He did not think they were complete, but that the Council had brought up several points that should be added to the code.

b. Park | Tree Citizen Advisory Committee Bylaw Amendment

Ms. Egbert shared that the Park & Tree Committee reviewed their bylaws and recommended some changes to be made. City Council had to approve the amended bylaws.

Councilor Bell noted that in Article 4 – Membership the Committee had gotten rid of the one non-voting Council member. They removed that since a liaison was added to the Committee recently. Mr. Harmon wanted to clarify that it was removed since Councilor McConnell was acting as a liaison, not an official member of the Committee.

Councilor Fox stated that they had a section on reviewing and approving the minutes, but nothing on taking minutes. Ms. Egbert replied that the City provided a minute's recorder through LCOG to all Committee and Commissions. Mayor Smith said that minute recording was a City-wide policy.

Councilor McConnell asked if it was the responsibility of the City to get information out about the meetings. Ms. Egbert responded that the City oversaw that.

Councilor Lehmann was surprised that the rule of the Park & Tree Committee was limited to organizing fundraising events and promoting donations. He thought they did more. Mayor Smith replied that they

did. The City would be looking at a more uniform bylaw format for all Committees. Ms. Egbert noted that the Park & Tree Ordinance had more detailed information on what the Committee did.

Councilor McConnell was really impressed with how organized the Park & Tree Committee was.

MOTION: Councilor Bell moved, seconded by Councilor Fox, to approve the amendments to the Park & Tree Citizen Advisory Committee bylaws. The motion passed unanimously.

11. Administrative Information Reports

a. Financial Written Update

Councilor Lehmann remembered that they had talked a few months ago about renting the Independent Order of Odd Fellows (IOOF) building. He wanted an update on that. Mayor Smith replied that it would come to City Council in May.

b. Citizen Inquiry Quarterly Report

Councilor McConnell said they got an email from someone regarding a stop on the freeway. Mayor Smith said he talked with Chief Larson. The Chief had spoken with that individual and was told they could come make an official complaint with the police office.

c. American Rescue Plan

Ms. Heath said that information on the plan was coming out slowly. Coburg would get a little bit under \$240,000. They would get half some time before July and the other half some time in Spring 2022. The Federal government provided guidelines for how the money would be spent. They were still being finalized. Governor Brown had come out with her ten-point recovery plan to help cities. She wanted to start the conversation on how the money would be spent. No decision had to be made that night.

Some issues were housing, economic development, broadband, emergency response. Ms. Heath was looking at if a building would be an option under emergency response. She included all information she had on the topics and was open to Councilors own ideas.

Mayor Smith liked the idea of helping local businesses. They could partner with the Chamber to reach out to businesses and find out how to help.

Councilor McConnell thought they had a great list and wished they could put money towards everything.

Councilor Lehmann thought that having numbers attached to each project would help. Then Councilors could prioritize projects and a more productive conversation could take place. He liked the idea of solar panels onto City Hall so they would have back-up power. Ms. Heath told him that they had back-up generators for the City and a 12-hour battery for City Hall. She would get numbers for everyone in the Friday memo.

Councilor McConnell asked if they had any money left over from the previous COVID-19 funds. Ms. Heath replied that they had used all \$50,000.

Councilor Fox was interested in the innovative housing and Main Street project items. That money could help with the expenses from the Code Review Ad-Hoc Committee.

d. Administration Monthly Report

Ms. Heath added that she had a conversation with someone at Coburg Sanitary Services. They ordered the sanitary bins that were supposed to be provided in May. There were a bunch of delays so the timing was

off, but they would be delivered as soon as possible. Until then, people will not be charged for the pick-up of yard waste.

Councilor Alexander asked what a pop-up plaza was. Ms. Heath replied that it was a plaza that they could move. They could close off a street and put it down for events. She said it would be a place for people to gather and include ten solar powered tables.

e. Committee Minutes

Councilor Fox reported that the Ad-Hoc Code Review Committee had started. It was a large scope of work, but they had already had great conversations. Mayor Smith appreciated the talent and skill on that Committee.

Councilor Bell noted that the Park & Tree Committee had talked about including solar light at Jacob Spore Park. He wanted to know what happened with that. Mr. Harmon said one light was installed at the corner of the Park near the entrance to the loop path.

12. Upcoming Agenda Item

IOOF Hall Lease Agreement
Transportation Utility Fee
Annexation Application

13. Future Meetings

April 14 Heritage Committee
April 20 Park | Tree Work Session & Meeting
April 21 Planning Commission
April 22 Code Review Ad-Hoc
April 28 Finance | Audit Committee
May 11 City Council

14. Adjournment

Mayor Smith adjourned the meeting at 9:07 p.m.

(Minutes recorded by Lydia Dysart)

APPROVED by the City Council of the City of Coburg on this 11th day of May 2021.

ATTEST:

Sammy L. Egbert, City Recorder

Ray Smith, Mayor of Coburg