



MINUTES

Coburg City Council Meeting

June 8, 2021 7:00 P.M.

Coburg City Hall

91136 N Willamette Street

Via Virtual Conference

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

MEMBERS ABSENT:

STAFF PRESENT: Sammy Egbert, City Recorder; Brian Harmon, Public Works Director; Anne Heath, City Administrator; Mandy Balcom; Court Administrator; Henry Hearley, Assistant Planner; Tim Gaines, Finance Director; Larry Larson, Chief of Police.

RECORDED BY: Jayson Hayden, Lane Council of Governments (LCOG).

CALL TO ORDER

Mayor Smith called the meeting to order at 7:01 P.M.

PLEDGE OF ALLEGIANCE

Ms. Egbert played the pledge of allegiance.

ROLL CALL

Ms. Egbert took roll and a quorum was present.

AGENDA REVIEW

Ms. Egbert shared that there were no additions, changes, or deletions to the agenda and said that written testimony was included in the packet from Richard Leech and an anonymous writer regarding the Transportation Utility Fee (TUF).

Councilor Bell asked for a motion to accept the consent agenda as presented.

Councilor Lehmann asked if they could comment on the written testimony before going to the consent agenda. Ms. Egbert said yes.

CITIZEN TESTIMONY

- 1. Written Testimony Richard Leach**
- 2. Written Testimony Anonymous**

RESPONSE(S) BY CITY COUNCIL

Councilor Lehmann said the person writing about the TUF being attached to the water bill and not just sewer implied that someone would not be paying if they had a sewer bill but no water bill. He asked if that were the case could the language be changed to say water and/or sewer? Councilor Bell asked if there was any instance of someone paying for water but not sewer and Mr. Harmon gave an example that Pioneer Valley Estates has water but not sewer service. Mayor Smith thought that the writer wanted the water and sewer bills to be separate and Councilor Fox asked if there were already two separate bills. Ms. Heath reviewed the ordinance but was unclear what the writer was referring to and Mayor Smith said it should be included in the monthly utility bill and attached to the water bill and not just those paying for sewer. He explained that entities outside the City did not pay a water bill to the City. Mayor Smith noted that many people did not recognize the difference between the water and sewer bills and suggested possibly adding a graphic to show this. Ms. Egbert commented that many people were using online bill payment and not opening physical bills anymore.

Councilor Blain wanted to clarify that sewer and water were on the same bill but separated and Ms. Egbert agreed. Councilor Blain thought that the testimony was confused about the difference.

Councilor Lehmann asked if written testimony was ever followed up on with feedback. Ms. Egbert explained that if people wanted feedback they needed to submit a citizen inquiry form and that these testimonies were just public comments posted on the website. Ms. Heath offered to have the staff reach out if desired but said that this was a City Council correspondence. Councilor Lehmann said it would be good for public relations to follow up with the writers of these comments. Mayor Smith said that he typically responded to these comments if they were significant issues but was hesitant to start responding to every input. He said he considered this discussion to be the appropriate response. Councilor Blain agreed and added that if people wanted a response they should go through the proper channels. Councilor Lehmann thought that citizens did not know about the appropriate form and Mayor Smith said he often encouraged people to fill out the citizen's inquiry form.

Councilor McConnell asked if this form could be announced at the top of the website explaining the feedback procedure. Mayor Smith and Ms. Heath said this could absolutely be added to the website.

MAYOR COMMENTS

Mayor Smith shared that there were a lot of issues and staff work related to the July Council meeting. He said he discussed with Ms. Heath and that they agreed to move the meeting back to have better preparation and presentation from the staff on these serious issues. He thought that giving more time was always better especially when looking at the TUF and other issues that could create good citizen input. Mayor Smith said that the meeting would be moved to the joint work session with the Planning Commission and then they would have the Council Meeting afterwards. He said there was no council meeting on July 13th and that the new date would be July 27th.

Councilor Fox asked what the July 8th meeting referred to and Ms. Heath answered that this was the regular scheduled meeting which had been rescheduled.

CONSENT AGENDA

- 3. Prosecutor Contract Extension**
- 4. Minutes May 11, 2021 City Council**

Mayor Smith asked if any Councilor wished to remove an item from the consent agenda. Hearing no comment he offered to entertain a motion.

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

SPECIAL GUEST

There were no special guests.

ORDINANCES AND RESOLUTIONS

- 5. Public Hearing | First Reading**

ORDINANCE A-163-S 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

Mayor Smith opened the public hearing at 7:21 P.M.

Chief Larson began his staff report, explaining that this was an ordinance done every year which allowed the City to adapt statutes for criminal codes and traffic violations that allow them to cite into the Coburg municipal court. He said that if this was not done then everything would have to go through Lane County circuit court.

Mayor Smith asked if anyone was registered to speak but there was no one.

Mayor Smith closed the public hearing at 7:23 P.M.

Mayor Smith announced that the second hearing would be July 27, 2021.

6. Public Hearing | First Reading

ORDINANCE A-252 AN ORDINANCE ADOPTING A TRANSPORTATION UTILITY FEE FOR THE CITY OF COBURG

Mayor Smith opened the public hearing at 7:23 P.M.

Ms. Heath shared a PowerPoint presentation and introduced guest Doug Gabbard from the FCS Group who would be available to answer questions regarding the use of the trip schedule.

Ms. Heath explained the history of the TUF, saying that it started with public comments regarding the condition of the streets. She said the Council appointed a citizen committee which met for over a year, holding public meetings and listening sessions, meeting with consultants, engineers, and business owners, and conducting a community survey and making a recommendation to the City Council. One of the recommendations was to put a gas tax on the ballot which was passed and increased the gas tax from \$.03 to \$.06.

She said the Council then gave direction to design a TUF and they started to engage the public by putting out information on social media and in newsletters. Additionally, last year they sent letters to all businesses.

Ms. Heath shared that the discussion has been put on hold due to Covid-19 but said that the council again directed staff to begin the TUF project in March of this year. She said the staff had designed ordinance and devised a way to equitably charge customers. She explained that Council was asked to provide input on the ordinance and fees and that the ordinance was reviewed by legal twice. She added that the fee schedule was designed and they were now holding the public hearing for this.

Ms. Heath shared a slide showing the condition of the streets and pointed out that while there were more residential streets, industrial streets were more expensive as they were wider and built on a different base.

She explained that the TUF was charged on monthly utility billing and that all properties were billed a fair share based on the use of the transportation system. She said this would either continue on until the Council said to stop or that there might be a limited time. She explained that the TUF provided a dedicated and stable funding source to finance ongoing maintenance and provided a funding source for debt. Ms. Heath said that there was a standardized assignment of priorities and process for implementing the transportation improvements as prescribed by the pavement management system. She added that all projects had to be engineered prior to implementation. Ms. Heath concluded that these were only projected costs until each project was engineered.

Ms. Heath shared that the street funding committee recommended to charge \$10 per month for residential units and \$7-\$10 per equitable unit for businesses but she did not believe they needed to charge \$10. She pointed out that they anticipated to need \$129,000 by 2022 which

was approximately \$11-\$12,000 per month and projected that in year 6 the fee would be dropped. She reminded the Council that anything after 2022 was projection but that at this time they needed to raise about \$12,000 per month. Ms. Heath said that they projected there would be growth and added that in year 5 or 6 the big projects would be done and then money would be needed for maintenance mode.

Ms. Heath projected the cost of bringing roads up to acceptable conditions was approximately \$3.5 million with industrial streets costing \$1.6 million, residential streets costing \$550,000, and collector streets costing \$1,350,000.

Ms. Heath explained that people travelled on collector streets to get to businesses and that businesses travelled on collector streets to get downtown, noting employees and residents going to lunch and to work. She proposed that residents pay for the residential streets and half of the collectors and that businesses pay for industrial streets and half of the collectors. She noted that the City had a responsibility to maintain the right of ways and they needed to budget funds for this maintenance. Ms. Heath concluded that the monthly split came down to \$4,000 for residential and \$8,000 for businesses.

Ms. Heath said the recommended fee schedule would be that single family residential houses paid \$7/month, with apartments, residential condominiums, mobile parks, and assisted living paying a little less. She added that non-residential businesses would pay the same base rate plus \$.27 per associated trip.

Ms. Heath shared a slide outlining the transportation SDC fee schedule determined by business codes. The average trip for a light industrial building was 8.84 trips per 1000 square feet. She explained that some types of businesses were scheduled differently such as gas stations which were counted as trips per gas pump.

Councilor Fox asked why apartments and condos were charged less than residential homes and Ms. Heath answered that this was based on the national trip standard.

Ms. Heath shared the decision-making process which involved giving out public information and inviting public input, which they continued to do. She added that the Council had a lot to consider not just financially but involving public safety, managing assets, and the sustainability of the streets. She said it was the City's responsibility to maintain the streets and to look ahead while addressing issues as they came up. She believed they have provided lots of good information to the public.

Ms. Heath outlined the important topics of the ordinance including the stated purpose, how the TUF will be charged, and who will be charged, noting that there would be an appeal process and low-income assistance as well as an option for vacant properties. She added that the charge would be on the utility billing and that there would be an annual review of the fee. There was also discussion in the ordinance regarding what triggers a reduction or increase in the fee.

Ms. Heath stressed that all future years and total costs of fixing streets were projections with a lot of influencing factors including gas sold, state shared revenues received, cost of construction, and development in the city or lack thereof.

Ms. Heath mentioned conversations with Mr. Gabbard regarding how to equitably charge businesses and Mr. Gabbard suggested dividing the \$7 fee by the number of businesses which came out to \$.44, but after running the numbers Ms. Heath concluded that the sweet spot was charging \$7 base fee to everyone and then \$.27 per trip. She emphasized the importance of sticking to the standardized trip schedule.

Mr. Gabbard explained that SDCs were a charge for the development of new capacity in the transportation system and a way was needed to charge each development in an equitable way. He said thought was put into what each land-use owed to the transportation system and noted that SDCs and utility fees were not exactly the same but that they were similar enough to use the same schedule. He thought that using the fee schedule for SDCs as a basis was a smart and practical thing to do.

Mayor Smith asked if anyone was registered to speak and Ms. Egbert introduced Joe Morneau with Coburg Grange.

Mr. Morneau greeted and thanked the Council for their dedication to the city. He wanted to address concerns of all non-profits being considered equal and explained that there were about three dozen types of non-profits created by congress and that Coburg had multiple within its community.

Mr. Morneau explained that the Coburg Community Grange was a fraternal organization with the objective of supporting the community of Coburg by partnering for events and providing many assets to the community such as tables and chairs, power boxes, sound systems, and storage. He explained that a fraternal organization was a social club which exists exclusively for the common business of its members and that they promoted activities which bring dollars to the community and businesses therein. He outlined donations to the community including park benches, bike racks, road signs, and various community events with the latest project underway to upgrade and landscape the planters and Dari Mart. He added that Grange also donated to and promoted the Coburg charter school, the fire district, police department, and public works. He explained that while some non-profits had a huge daily impact on the community because of their daily activities, The Grange had zero deliveries and an average monthly use of 8-9 days per month with about 10 people average per event. He said that some non-profits met their average monthly use daily or even hourly.

Mr. Morneau thought that calculating fees based on square footage alone rather than considering the use or type of use was unfair as some non-profits had a much greater daily impact than others and he hoped that the Council would reconsider the blanket proposal for non-profits.

Mayor Smith closed the public hearing at 7:47 P.M.

Mayor Smith responded to Mr. Morneau's concerns and explained that they tried to be considerate of the effects on non-profits with very little revenue and that they were trying to address this with the ordinance. He stressed the need to be very mindful of the impact on small fraternal organizations which do so much for the City and he thought that this ordinance would answer that, in part by implementing low income assistance.

Councilor Fox asked if there was a breakdown of various non-profits in the standardized schedule and Ms. Heath explained that their schedule had a community center which would cover most non-profits and offered to list fraternal organizations separately.

Councilor Bell asked what feedback was being received from business members and the fire district. Ms. Heath answered that she had met with some business owners and the Fire Chief who did not express concern over what would be charged. She had also reached out to the school and Serenity Lane but had not heard back from them. Ms. Heath explained that every business had received a letter and brochures and that it was the staff's intent to sit down with every business to hear feedback, but she admitted that it was very hard to get a meeting with businesses in Coburg.

Councilor Lehmann agreed with Mr. Morneau's position and suggested either addressing this in the schedule or simply using the appeal process to decide. Mayor Smith didn't want to get too specific with the ordinance and wished to refer to a trip schedule in addition to using the appeal process. Ms. Heath explained that fees were not in the ordinance as ordinance was revisited every year and they didn't want to have to update them every year. She added that the fee schedule is what would be updated by resolution annually.

Ms. Heath agreed that the best way to determine how a fraternal organization was charged was to put it on the fee schedule or rely on the appeal process. Mayor Smith asked if the national list included this and wished to minimize the appeal process and Ms. Heath said the rate could be based on trips per month or simply charge the base rate.

Councilor Fox asked if there were any example TUFs to reference and Ms. Heath suggested Hillsboro's fee schedule but noted that theirs was much more complicated.

Mayor Smith asked if a revenue basis could be added to the ordinance without facing problems, Ms. Heath explained that this used to be in the ordinance but had been removed by the Council.

Councilor Bell noted that the Hillsboro TUF had a discount for households without a motor vehicle and said it would be interesting to review their TUF further. Ms. Heath said that staff capacity had to be factored in. Councilor Bell praised the appeals process and agreed that the ordinance didn't have to be too specific.

Councilor Lehmann asked for the dollar amount that The Grange would be paying per year under the schedule and Ms. Heath calculated this to be \$7 base plus \$37.29 per month. Mr. Morneau thought this amount was exorbitant.

Councilor Alexander asked if deductions based on what an organization donated to the city could be added to the appeal process and base the fee off that. Mayor Smith thought this was a follow-up issue of staffing and wondered how this would affect the City's total income.

Councilor McConnell asked if organizations like The Grange which put all of its resources back into the community could be considered exempt through the appeal process.

Councilor Lehmann suggested the easiest way was to judge based on appeals rather than set a blanket precedent. Councilor Blain agreed but thought that that the hard part would be the impact on staff. He added that larger non-profits created traffic and had to pay their fair share. Councilor Fox agreed with depending on the appeal process and thought that unique organizations should be decided on a case-by-case basis. Mr. Morneau explained that The Grange was considered a non-profit and agreed that fees should be kept simple but wished that they were decided based on capacity and use. Mayor Smith reiterated the ease of using the appeal process while providing waivers for low-income organizations. Ms. Heath offered to consider whether this could be added to the ordinance or the fee schedule. Councilor Fox asked if annual budget could be considered and Mayor Smith agreed.

Mayor Smith asked what was needed from the Council to move forward and Ms. Heath answered that the Council gave input on the poll sent out and the ordinance was changed accordingly and reviewed by legal. She added that unless there were further suggestions it would come back for the second reading.

Councilor Lehmann asked for clarification on the chart presented and asked if year 6 was when new construction and major street renovation was expected to be completed, Ms. Smith said tentatively yes and noted that this financial scenario was liked best by the Council. Councilor Lehmann asked if the amount needed for maintenance was adjusted for inflation and Ms. Heath answered yes.

Mayor Smith recalled that the sewer fee was originally projected to increase by \$5 every year but explained that these estimates were only projections, and that annual review would be an important part of the process. Ms. Heath agreed and suggested using the same annual analysis done for water and sewer.

Councilor Blain asked if staff would seek more community input before the next reading and Ms. Heath explained that a mini newsletter was expected via utility bills, social media, and mailed letters. Mayor Smith noted that zoom meetings facilitated larger audiences but that little feedback had been received.

Councilor Lehmann asked about the loan schedule and the amount needed annually to repay the loan and Ms. Heath explained that a budget would be provided showing that capital projects were done in the first 5 years and that in the years after they would combine state shared revenue, gas tax, and others to show that maintenance and support for the debt could be provided at the same time. She added that general funds were not used for streets as they were not currently needed. Councilor Lehmann asked how the debt would be paid off in 10 years and Ms. Heath explained that grant funds, gas tax, and state shared revenues would be coming in during that time.

Mayor Smith announced that the second public hearing would be held on July 27th.

Ms. Heath asked Mr. Darnielle if the public hearing should be left open to received comment or closed and reopened again later. Mr. Darnielle said either or both options were viable and Ms. Egbert added that two public hearings were already being advertised.

7. Public Hearing

RESOLUTION 2021-08 A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES

Mayor Smith opened the public hearing at 8:23 P.M.

Mr. Gaines explained that this was a yearly housekeeping task and was just a choice to accept the state-shared revenues or not. He noted that they didn't have control over the rates as they were set by the state and that they did not include the City gas tax.

Mayor Smith closed the public hearing at 8:25 P.M.

MOTION: Councilor Blain moved, Councilor Alexander seconded a motion to adopt resolution **2021-08** a resolution declaring the City's election to receive state revenues. Motion passed unanimously.

8. RESOLUTION 2021-09 A RESOLUTION DECLARING THE CITY'S CERTIFICATION OF ELIGIBILITY FOR STATE-SHARED REVENUES

Mr. Gaines explained that this resolution declared eligibility based on state requirements to receive state-shared revenues.

MOTION: Councilor Alexander moved, Councilor McConnell seconded a motion to adopt resolution **2021-09** a resolution declaring the City's certification for eligibility for state-shared revenues. Motion passed unanimously.

9. RESOLUTION 2021-10 A RESOLUTION ADOPTING THE SALARY AND CLASSIFICATION SCHEDULE FOR FISCAL YEAR 2021-22

Mr. Gaines explained that this resolution was to adopt the salary schedule proposed by the Budget Committee and included a 2% cost of living for all staff. He said that salaries were compared with other cities and that a salary survey was being worked on.

Councilor Lehmann commented on the cost of reserve officers and asked about the numbers provided. Ms. Heath explained that occasionally specific work was needed which required a reserve officer and gave an example of hiring a reserve officer to help in the evidence room. She added that this was included in the police budget. Councilor Lehmann asked why this was on a salary schedule rather than a service contract and Ms. Heath answered that the pay scale was required by auditors.

MOTION: Councilor McConnell moved, Councilor Blain seconded a motion to adopt resolution **2021-10** a resolution adopting the salary and classification schedule for fiscal year 2021-22. Motion passed unanimously.

10. Public Hearing

RESOLUTION 2021-11 A RESOLUTION ADOPTING THE CITY'S BUDGET FOR FISCAL YEAR 2021-22 CREATING APPROPRIATIONS, SETTING THE TAX, AND IMPOSING THE TAX AND CATEGORIZING THE TAX

Mayor Smith opened the public hearing at 8:32 P.M.

Mr. Gaines explained that this resolution was to adopt the budget and to give authority to spend and receive money. He noted that there were two budget meetings this year and that there were no changes between the meetings but that staff had found and addressed two issues in the second meeting including \$1000 for IT expenses, a \$5,000 increase for the purchase of a new mower, and a \$63,500 adjustment to the transfer from the Urban Renewal Agency (URA).

Mayor Smith closed the public hearing at 8:34 P.M.

MOTION: Councilor Blain moved, Councilor Alexander seconded a motion to adopt RESOLUTION **2021-11** A RESOLUTION ADOPTING THE CITY'S BUDGET FOR FISCAL YEAR 2021-22 CREATING APPROPRIATIONS, SETTING THE TAX, AND IMPOSING THE TAX AND CATEGORIZING THE TAX. Motion passed unanimously.

Mayor Smith thanked Councilors and staff for their hard work.

Councilor Lehmann asked the staff for a list of the top ten budget increases and Ms. Heath said she would make sure this was sent out.

11. RESOLUTION 2021-13 A RESOLUTION AUTHORIZING THE CITY TO SEEK STATE TRANSPORTATION FUNDS THROUGH THE 2021 SMALL CITY ALLOTMENT GRANT PROGRAM

Mr. Harmon explained that this grant paid for streets like Mill St. and Roberts Rd. and said this was requesting funds to help upgrade E McKinsey St. from Willamette to Harrison.

MOTION: Councilor Alexander moved, Councilor McConnell seconded a motion to adopt RESOLUTION **2021-13** A RESOLUTION AUTHORIZING THE CITY TO SEEK STATE TRANSPORTATION FUNDS THROUGH THE 2021 SMALL CITY ALLOTMENT GRANT PROGRAM. Motion passed unanimously.

COUNCIL ACTION ITEMS

12. Alley Encroachment and Vacation

Mr. Hearley shared that the alley survey was completed. He explained that several structures encroached up to 8.5' into the alley in addition to two fences. He had conferred with Mr. Darnielle who formed a legal opinion that the alley was an easement which was dedicated to the public in 1902 and that Oregon courts had assumed that unless otherwise explicitly stated, dedication to the public was an easement. Mr. Hearley explained that this was important because if it were an easement and not city owned then the adjacent property owners did not have to pay for the land if vacated.

Mr. Hearley outlined the considerations to discuss; did the city want to initiate the vacation process or tell the property owners to petition the city for vacation? He added that an issue that would arise if the property were vacated would be trespassing, as some properties protruded past the midpoint of the alley and would technically encroach into the adjacent property. He said after consulting with Mr. Harmon that they were fairly certain there were no underground utilities, but that Public Works would be making sure. He reiterated that the City could either vacate the property or the property owners could be instructed to petition the city for a land-use application to vacate the alley.

Councilor Blain asked if access for fire or police was a concern. Mr. Hearley said this was not a concern he had heard as fire did not have any issues and he added that public works did not want to maintain the property any longer.

Councilor Fox thought that the owners should petition the vacation as they would be gaining property and asked if their tax liability would go up. Mr. Hearley added that all properties would benefit from vacation by gaining square footage. Councilor Fox noted that the property owners would have to pay for a property assessment for the size adjustment and Mr. Hearley suggested the City could help negotiate between the property owners but that it was not the City's responsibility.

Councilor Alexander asked if this decision would set precedence for any similar alleys in the City and Mr. Hearley was unaware of any similar alleys but said that they would have to go through the same process.

Councilor Alexander asked what would happen if one property owner did not want to pay or be involved? Mr. Hearley said he wasn't sure but according to state law all adjacent property

owners would have to consent to vacate and suggested that maybe one property owner could take the lead.

Councilor Lehmann agreed that all property owners needed to petition to vacate so that the city did not have a partial alley to maintain. He recalled the possibility of vacating the alley but still maintaining an easement and Mr. Darnielle answered that once the vacation happens property ownership changed and the City would not have any property rights left. Councilor Lehmann wanted to verify that property owners on both sides would gain land and Mr. Hearley said each side would get 6'.

Mayor Smith asked what would happen if the upper property owner did not want to participate and the lower property owner wanted all of the property but Mr. Darnielle did not think this could be legally done. Councilor Blain added that once vacated it was the property owners' responsibility to adjust their property lines accordingly.

Councilor McConnell asked about two of the properties which encroached more than halfway into the alley and Mr. Darnielle explained that the property owner being trespassed against could sue the other in circuit court. Councilor McConnell noted if the property wasn't vacated then there would be no issue and Mr. Hearley agreed.

Councilor Lehmann noted that the structures were currently trespassing on City property and action could be taken to remove them. Mr. Darnielle said that was correct and explained that the easement was in trust with the City which implied the ability to manage it and keep it clear of obstructions but explained the downside being that the City had an unknown amount of liability and the best situation would be to let the property owners deal with the issues. Councilor Alexander asked if this had to be unanimous and Mr. Darnielle answered yes.

Councilor Fox asked who would be liable if someone were injured in the alley and Mr. Darnielle was unsure but suggested that the City could alert the individuals that they were trespassing and ask them to clean up the problem.

Councilor Fox asked if the property could be condemned if no decision were reached and Mr. Darnielle said it wouldn't be a condemnation action but trespassing could be pursued. Mr. Darnielle thought the property could be vacated as long as a majority of the property owners agreed to it.

Councilor Lehmann suggested that a letter be formally sent to all property owners identifying the issues and asking if they wished for the City to vacate the Property. Mayor Smith did not want to send that letter unless the City was going to vacate but Councilor Lehmann thought that this would give input as to the owners' intentions. Councilor Blain added that the letter could explain that the City wanted to vacate and instruct the owners to go through the application process. Councilor Fox noted that some owners may not want to vacate as it would incur new financial liability. Mayor Smith thought that the letter would be a good way to go and added that it also needed to be stated that the trespass issues would have to be dealt with.

Councilor McConnell said her biggest concern was the south property with two buildings and asked if they would have to be taken down if there was a dispute. Mayor Smith said the buildings would at least have to be taken back to their property line. Councilor Lehmann recalled that one property owner offered to move the property at their own expense. Councilor Fox noted that any informal agreements between property owners would change once the property changed owners. Councilor Lehmann wanted to include in the letter that all property owners had to agree to move forward.

Councilor Bell asked if there was a financial impact if the City chose to vacate or if the property owners put forth the request and Mr. Hearley answered that this would only require staff time. Councilor Bell stressed the need to be careful with the wording of the letter sent out.

Councilor Blain asked if the City could simply sell the property and Mr. Hearley said no because it was an easement and the City did not own the land fee.

Mayor Smith offered to entertain a motion.

MOTION: Councilor Lehmann moved, Councilor Blain seconded a motion to inform the property owners of the City's intent to vacate and request input from the property owners to indicate their willingness to petition the City to vacate the property.

Mr. Harmon mentioned that a shed on the southeast corner of N Miller had been removed and asked if the access of the easement or activity done there could be dictated?

MOTION: Councilor Lehmann withdrew the previous motion to facilitate further discussion.

Mr. Darnielle explained that as the trustee of the easement the City could manage it, including preserving its purpose of access and fining or suing people who encroach. Mr. Harmon wanted to make sure property owners could still access a new developed lot even if someone else were encroaching. Mayor Smith added that trespass was already being declared on the encroaching structures and that vacation would already solve this. Councilor Blain agreed and said that the property owners needed to take it from there.

Councilor McConnell raised concerns about property owners being able to access their property after the alley was vacated and property lines were renegotiated. Mayor Smith said it would be difficult to appease every property owner individually and suggested that simply vacating would be the best option.

MOTION: Councilor Lehmann moved, Councilor Blain seconded a motion to notify the property owners of this alley of the City's intent to vacate and seek property owners' response if they are willing to accept the property and fulfill their obligations in acquiring the property.

Motion passed 5:0 with 1 abstention. Councilor McConnell abstained due to concerns about considering the implications.

13. Budget Committee Appointment

Ms. Egbert explained that the Budget Committee recommended that the Council recommend the Mayor appoint Linda Kroeger to another three year term expiring in June 2024.

MOTION: Councilor Bell moved, Councilor Fox seconded a motion to recommend that the Mayor appoint Linda Kroeger to the Budget Committee for a three year term expiring June 30, 2024. Motion passed unanimously.

Mayor Smith said it was his honor to appoint Linda Kroeger to serve another term on the Budget Committee as recommended by the City Council and thanked Chair Kroeger for her service.

14. Intergovernmental Agreement with Lane Council of Governments to Information Systems Management

Ms. Heath explained that this agreement was for LCOG to provide IT services in house one day every two weeks to provide computer and network support. She said the technician was active in helping develop cyber security programs. Ms. Heath shared that the annual cost to the City was \$15,525, which was in the budget.

MOTION: Councilor McConnell Moved, Councilor Fox seconded a motion to approve the intergovernmental agreement with Lane Council of Governments for information systems management services for fiscal year 2022 program for the amount of \$15,525. Motion passed unanimously.

15. Intergovernmental Agreement with Lane County Sheriff for Dispatch

Chief Larson explained that this was a renewal of the dispatch contract which managed the dispatch center at all times, dispatched 911 calls, monitored radio traffic, gave returns on traffic stops, and monitored warrants. He explained the financial impact was a 3% increase to cost of living built into the contract which was consistent with the previous year. He added that 96 hours of radio communications with their network coordinator was included which was a great benefit.

Councilor Lehmann asked to clarify who was called and who responded when an alarm service was triggered. Chief Larson answered that alarm companies would call the county 911 center which would dispatch the Coburg Police Department.

Councilor Bell asked if these statistics came from the Lane County Sherriff's Department and if they were getting the service they needed. Chief Larson answered that they were getting the service they needed and that calls to the Sherriff's department were being documented electronically.

MOTION: Councilor Lehmann moved, Councilor Alexander seconded to approve the intergovernmental agreement with Lane County Sherriff's Department to provide dispatching and related services for the Coburg Police Department. Motion passed unanimously.

ADMINISTRATIVE INFORMATION REPORTS

16. Administration Monthly Report

Mayor Smith explained that draft Committee minutes were now included at the end of the monthly administration report and added that the report was included in all Committee packets which allowed committees the opportunity to see what other committees were working on. He shared that he received comment from three Committee members who were glad to see the administration report in their reports.

COUNCIL COMMENTS

Mayor Smith thought that work needed to be done on responding to citizen input and wished to work with Ms. Heath to figure out how to avoid staff capacity issues and possibly setting policy to help with this.

Councilor Fox noted how infrequently the low-income adjustment was used and wanted to make sure it was more readily available to the public. He added that advertising to English as a second language speakers would be beneficial.

Councilor Bell thanked the staff and Public Works for their work in tree trimming and keeping intersections clear. She commended Mr. Harmon for his work in the parks and also thanked Councilors Fox and McConnell for serving on the Code Review Committee.

Councilor Lehmann wished to return to in-person meetings and to schedule a visit to the sewer plant to see the grounds where the new shop would be built. He also wondered what the issue was with the flat rate TUF for water and sewer service. Mayor Smith answered that this was a long-discussed issue and that a decision was finally made. Councilor Lehmann asked if there was an appeal process and Mayor Smith answered there was for council actions but not on the bill itself. Mr. Morneau added that The Grange did not use much water but they were paying the same price as other businesses. Councilor Lehmann wished to entertain future council discussion to address the fairness of charging nonprofits such as The Grange and the Oddfellows Hall.

Councilor McConnell commended Main Street for the beautiful flower baskets throughout the City and the City as a whole for its community.

Councilor Alexander noted how the crime rate had gone down over the last three months and commended the Police Department for their work.

Councilor Blain appreciated the staff for their hard work and opinions and looked forward to the future.

Mayor Smith said one of the most rewarding things to him was Committee communication and enthusiasm.

Councilor Fox asked when they would meet in-person and Mayor Smith was unsure but noted that Zoom meetings brought more viewers in and wished to continue this even while meeting in-person. He noted that the upcoming joint session would be a challenge to fit all members and staff into the meeting.

ADJOURNMENT

Mayor Smith adjourned the meeting at 9:42 P.M.

UPCOMING AGENDA ITEMS

Ordinance A-252 Transportation Utility Fee
Ordinance A-163 Criminal Code

FUTURE MEETINGS

June 9 Heritage Committee
June 15 Park Tree Committee
June 16 Planning Commission
June 17 Code Review Ad-Hoc
July 1 Code Review Ad-Hoc
July 5 City Hall Closed Independence Day
July 14 Heritage Committee
July 15 Code Review Ad-Hoc
July 20 Park Tree Committee
July 21 Planning Commission
July 27 City Council & Planning Commission Work Session
July 27 City Council

APPROVED by the Coburg City Council on this 27 day of July 2021.

Ray Smith, Mayor of Coburg

ATTEST:

Sammy L. Egbert, City Recorder

DRAFT