

CITY OF COTTAGE GROVE
CITY COUNCIL
AGENDA SESSION MINUTES
September 9, 2022

The meeting was called to order by Mayor Gowing at 8:30 am.

Those in attendance virtually and in person: Mayor Gowing, Councilors Solesbee, Savage, Fleck, Ervin and Roberts.

Staff present virtually and in person: City Manager Richard Meyers, Assistant to the City Manager Jake Boone, City Recorder Mindy Roberts, Public Works & Development Director Faye Stewart and Finance Director Roberta Likens.

Items to Be Added to the Agenda

None

Public Hearing

None

Consent Agenda

- (a) Approval of August 15, 2022 City Council Special Meeting Minutes
- (b) Approval of August 19, 2022 Agenda Session Minutes
- (c) Approval of August 22, 2022 City Council Minutes

Resolutions and Ordinances

- (a) An Ordinance Amending Title 5, Business Licenses and Regulations, Chapter 5.32, Transient Room Tax

Finance Director Roberta Likens informed Council of a change in the process for the collection of the Local Transient Room Tax. She said that the City of Eugene is no longer collecting the tax for various jurisdictions and they are transitioning to the Oregon Department of Revenue to collect the taxes. She outlined how the change will affect the City of Cottage Grove and presented a proposed amendment to the ordinance. She added that the term Transient Room Tax is being updated to Transient Lodging Tax.

Councilor Fleck asked what the changes are to the code.

Finance Director replied that the City would be repealing what is in place and replacing it with what is attached to the memorandum. She added that the City followed the model ordinance that was proposed from the League of Oregon Cities and the City Attorneys.

City Manager said that it was crafted specifically to protect the City's grandfathered transient room tax so that we do not have the restrictions of the use of the funds. He added that it does not change the rates or what it would be collected on.

Councilor Roberts asked if the amount of our tax is competitive with what other Cities are charging and if Council has the ability to raise it.

City Manager replied that Council does have the ability to raise the tax. He said if the tax is raised, it would then be under the new rules with requirements as to what it can be spent on. City Manager explained that the City has a 4% room tax and 1% is passed on to the Chamber of Commerce. He informed Council that there is also a State room tax of 1% and County room tax of 5%. He said if we raise the tax the City would be higher than other Cities near us.

City Manager explained that revenue from the Transient Room tax was received monthly and in turn the Chamber was paid monthly. He said the Chamber of Commerce is concerned that it is going to be difficult for them since the payments will now be received quarterly. He said the City is going to pay the Chamber the minimum amount on a monthly basis until the first quarterly payment in April and then transition them to a quarterly payment.

Councilor Ervin pointed out a typing error in the second paragraph in the Background information.

Finance Director Roberta Likens said that she will make the correction.

(b) First Vote on an Ordinance Amending Title 10 Vehicles and Traffic

City Manager Richard Meyers presented to Council an ordinance that would enact the restrictions on camping in the right of way. He said Staff also went through the Vehicles and Traffic Title to clarify that everything complied if this section were to be added. He said Staff identified that in the Vehicles and Traffic section the reference to 10.30 was missing in the enforcement portion and also corrected some of the definitions. He indicated that the major part of the amendment is in section six of the ordinance and deals with camping in the right of way.

Councilor Ervin asked if the structures at Trailhead Park are considered in the right of way.

City Manager replied no.

Councilor Ervin asked what designates a right of way.

City Manager explained that a right of way would be streets and roads.

Councilor Fleck said he was hoping to have the entire package and be able to look at time, place and manner. He said he would rather look at the totality in one ordinance and would like to see this come together when the discussion includes parks and the other things that are being done.

He added that he would like to see what other Cities are doing and look at all the options around vehicles.

Business from City Council

(a) Designation of Voting Delegate for League of Oregon Cities Annual Membership Meeting

Mayor Gowing informed Council about the need to designate voting delegates for the meeting next month in Bend.

(b) Concerns from Council

Councilor Savage said a constituent asked if the City tests for forever chemicals at the Wastewater Treatment plant or Water Treatment plant.

Public Works and Development Director said he would need clarification as to what is being referred to as forever chemicals. He said monthly tests are done on approximately twenty different items and a couple times a year tests are done on approximately 97 different items. He said he can provide a list of all the items that are being tested for and added that since DEQ is in the process of renewing the City's discharge permit there are even additional tests being performed.

City Manager suggested that the constituent refer to the Water Quality Report on the City's website and added that there are links included from the DEQ and Safe Drinking Water website.

Councilor Savage asked for more information regarding the downtown revitalization.

City Manager replied that it will not be the full revitalization plan; it includes the basics streets, sidewalks, broadband, ADA and some utility work.

Councilor Savage asked if street lights were included.

City Manager said he did not think street lights were included but some electric utilities in the right of way are included.

Councilor Fleck said he was contacted by a constituent concerned about the intersection of Ostrander and North Douglas. He mentioned that LRAPA will be giving presentations at all jurisdictions. And he added that he does not support the portion of the downtown refinement plan that calls for narrowing of the streets and he wants to be able to review it.

City Manager said survey work and utility identification has started, engineers are looking at what is feasible and it will be coming back to council.

Public Works and Development Director Faye Stewart said that there are a couple items including sidewalk width and street width for Council to give guidance on. He said the rest of

the items were applied for in the grant and if they are taken out or adjusted it could be problematic to the grant.

Mayor Gowing questioned the statistics that were included in the letters from Senator Merkley and Wyden.

Councilor Solesbee said she was unaware and frustrated that she did not know about the homeless presentation from the League of Oregon Cities at the Armory until she received an invitation.

City Manager said it is a presentation from the League of Oregon Cities and not the City.

Councilor Solesbee stated, but the City is hosting it.

City Manager replied that the City is not hosting the meeting. He said the League of Oregon Cities picked communities around the State for regional meetings and we did not know what the topic was until it came out.

Councilor Solesbee clarified that the City did not know the topic until the invitation was received.

City Manager replied yes.

Councilor Solesbee asked the Assistant to the City Manager if he was doing the presentation.

Assistant to the City Manager Jake Boone replied no, it will be League Staff.

City Manager replied it is all League.

Councilor Solesbee said she is looking forward to it.

Councilor Solesbee said constituents are coming up to her daily asking her about the Police situation and asked what she is supposed to tell them.

City Manager Richard Meyers replied that she can tell them what was presented to Council at the very beginning.

Councilor Solesbee said, so basically nothing.

City Manager replied yes.

Assistant to the City Manager Jake Boone replied that they can be referred to him.

City Manager said it is being expedited as much as it can, but it must be done thoroughly and correctly.

Councilor Solesbee asked if there was a time estimation.

City Manager replied no.

Business from City Manager

(a) Report from City Manager

City Manager Richard Meyers reminded Council about the email they received regarding the Public Records Requests involving the homeless shelter on Hwy 99. He asked Council to read the memo and emphasized that any emails, notes and text messages on anything associated with homelessness should be sent. He added that they can be sent digitally or printed and brought to the office. He said even if the document is something that was sent to them by the City, it should be copied and sent back.

Mayor Gowing clarified that if it was an email that they were included on it should be forwarded.

City Manager replied yes.

Councilor Fleck asked if it is referring to the Council email.

City Manager replied that it included the Council email and personal email.

Councilor Fleck said he has deleted all of his emails and does not keep emails that he has gone through.

City Manager asked if he was referring to his Council email.

Councilor Fleck said yes.

City Manager replied that we will have IT go through his Council email.

City Manager emphasized that Council needs to go through all of their personal texts and emails even if it is just a mention of the homeless shelter on Hwy 99 it needs to be included. He added as an example, that City crew is including all correspondence, even if it may be out of context. He stated that this is an extensive, very broad and very expensive project for Staff to do. He explained that if one person includes documents that you were a part of and you do not include it, you could be subject and liable for the responsibility associated with that. He added that you need to include everything that you have received or sent.

Councilor Solesbee asked who the request is from.

City Manager Richard Meyers said it is interesting that she asked. He replied that the requesters asked that their names not be disclosed, but Public Records Request are public records. He added that there is no exemption in State Law allowing for people who file Public Records Request to

exempt their name from being disclosed. He added that one request was filed from Mr. Cartwright and a second request from Mr. Solonsky.

Councilor Solesbee said she does not know the second name.

City Manager replied that Mr. Solonsky is an attorney with the SEC in Maryland and also an investor with Wade Stevens.

Public Works and Development Director Faye Stewart said it is his understanding that two brothers, Kevin and Alan Solonsky are essential property owners in the Industrial Park.

City Manager reminded Council of upcoming conferences and the registration deadlines.

Assistant to the City Manager Jake Boone informed Council that power companies may be shutting off power this weekend due to fire danger and that a number of customers may be without power.

Councilor Roberts indicated that they also made the announcement on KNND.

City Manager Richard Meyers said that all customers surrounding Cottage Grove on Lane Electric will probably be off today at 5:00 pm and will not be back on until most likely Sunday. He added that EPUD is encouraging people to be prepared.

Further discussion was held regarding possible power outages and the locations involved.

Business from the City Attorney

None

Items Removed from the Consent Agenda

None

Mayor Gowing adjourned the meeting at 8:58 am.

Mindy Roberts, City Recorder

Jeffrey D. Gowing, Mayor