



MINUTES

Coburg City Council

Regular Session

September 16, 2008 - 7:05 P.M.

Coburg City Hall

91069 North Willamette - Coburg

COUNCILORS PRESENT: Mayor Judy Volta; Jerry Behney, John Fox, Bill Judd, Brian Pech, John Thiel

COUNCILORS ABSENT: Mike Watson

STAFF PRESENT: Don Schuessler, Jack Detweiler, Sammy Egbert, Craig Gibons, Jack Harris, Milo Mecham, Petra Schuetz

RECORDED BY: Dan Lindstrom

I. CALL TO ORDER

Mayor Judy Volta called the meeting of the Coburg City Council to order at 7:05 p.m.

Councilors joined in the Pledge of Allegiance.

Minutes Recorder Dan Lindstrom called the roll, noted the absence of President Mike Watson, and stated that a quorum was present.

II. CITIZEN TESTIMONY

Dick Doyle, 2541 Coburg Bottom Loop, stated that he lived northwest of the location of the wells supplying water to the City of Coburg. He said he had attended a meeting in February at which problems of reduced groundwater resources were discussed. He reported that three wells in the area had had to be replaced since the meeting.

Mr. Doyle referred to the *Coburg Municipal Water Plan* in which concern for City neighbors was a stated principle. He said he questioned whether it was being followed because the water-level in wells on his property had dropped precipitously in the thirty years he had lived on it. He suggested that lack of response to charges made previously by other citizens also showed lack of concern.

Mr. Doyle said he had been informed that the City wasted 25 percent of the water it drew from its wells and proposed that the same amount be returned to replenish the aquifer used by other wells in the area. He said he held the City responsible for the lack of water in his well, hoped there would be a response to his concern, and that he believed it was

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unfair that the City had its entire budget to fund its water system, whereas he had only his own individual resources to support his effort.

Dixie Retton, 32515 Coburg Road, stated that she no longer was able to produce enough water from wells located on property she had purchased in 1970 to provide for its care. She said she did not know what was happening. She said she would like the following speaker to be able to use the remainder of her allotted time.

Bill Ledford, 32443 Bottom Loop Road, stated that he had received a letter from the City Attorney dated August 27. He said the letter referred to a City application for a Lane County permit which Mr. Ledford termed "fraudulent" and purported to have a forged authenticating signature. He said "high authorities" were considering his claims and that he was doing everything he could to "sabotage" City efforts to seek funding for its water upgrade project.

Mr. Ledford stated that he had been informed that the City wasted 25 percent of the water it took from its wells. He said City provision of water to the Pioneer Valley Estate residential development outside the City limits was illegal. He said the water use rights of the earliest users were guaranteed. He said the expansion of the well field of the City would be fought with everything he had. He said that the testimony to be given later in the meeting by the representative of the State Water Master would be false and that the document he had distributed regarding water table levels in the Coburg area could have been "written by any sixth grader." He said he would like a response from the Council regarding his comments.

Herman Logan, 32533 Coburg Bottom Loop Road, stated that he had lost the ability to draw water from the well at his home on July 28. He said that, as far as he was aware, it was the first such instance since its initial use in 1928. He reported the static water level, which appeared to be intended to show that it was lower than normal.

III. AGENDA CHANGES

City Administrator Don Schuessler requested that several changes be made to the published Agenda:

- The Police Department report be considered first in the Department Reports
- Action on the DARE Fund recommendation be postponed
- Consideration of a recommendation regarding reconfiguration of the Police Department be added
- City Hall burglary incident information be considered under Police report
- Consideration of a request for additional hours for the Court administration clerk be added
- Approval of 9/16/08 Accounts Payable be added to Consent Calendar
- Acceptance of Minutes of 8/5/08 Work Session and 8/12/08 Executive Session be added to Consent Calendar

Noting that there were no other requests and that there were no objections, Mayor Volta determined that the Agenda was changed.

IV. MAYOR COMMENTS

Mayor Volta reported that a successful Wastewater Reclamation System Project ground breaking ceremony had been held. She expressed appreciation for those who had participated and planned the event.

Mayor Volta noted that copies of the 2009 League of Oregon Cities Legislative Priorities had been distributed. She expressed hope that, despite possible presbyopiatic impairments, Councilors would read and evaluate its suggestions.

V. DEPARTMENT REPORTS

A. Police

Mr. Schuessler read a letter of resignation from Police Chief John Bosley, effective October 1, 2008, in which he recounted the heavy personal and profession toll the responsibilities of being chief had extracted from him. In the letter, he stated his intention of gaining further education and engaging in a legal career and advised care and extensive investigation in seeking his replacement, or considering providing Coburg public safety services through contract with an outside agency.

Councilor Bill Judd moved, seconded by Councilor John Fox, to recommend that the City Administrator accept the resignation of John Bosley as Coburg Police Chief.

Councilor Judd stated that Chief Bosley had taken his position at a very difficult time in the history of the department, there being instability within and threats from without. He said Chief Bosley had regained the trust of citizens, the respect of the State Legislature, and helped the Council painfully reorganize the department to meet fiscal constraints. He said he personally accepted the development with sorrow and thanks.

Councilor Fox said he agreed with the sentiments of Councilor Judd and that he believed Chief Bosley was a good man. He expressed appreciation for the years of service he had given to the City of Coburg.

Mayor Volta said she also agreed with the positive comments made about Chief Bosley and would personally miss him as a City employee.

The motion was adopted unanimously, 5:0.

Mr. Schuessler stated that, with the resignation of Chief Bosley, the decision of the Council at its August meeting to reduce the Police Department to two officers had been implemented. He said Officer Sean Gilhousen was the senior member of the force and would be the acting chief. He suggested that topics of the next steps the City should take regarding its Police Department be considered at the Council Work Session scheduled for September 30.

Councilor Judd requested that the current police officers and representatives of the Municipal Court be invited to participate in the September Work Session.

Mayor Volta suggested that the Work Session be held in the Coburg Grange and that it be planned to enable participation of Coburg citizens.

Mr. Schuessler reported that a burglary had occurred at City Hall in which several items of police communication equipment and some recovered stolen gold pieces had been taken. He said the incident was being investigated by the Oregon State Police and that it was not an issue involved in the resignation of Chief Bosley or was any other City employee being investigated as a suspect.

B. Planning

Mayor Volta noted that a written Planning Department report had been submitted and that Planning Director Petra Schuetz was present to answer any questions of Councilors.

C. City Recorder

Mayor Volta noted that City Recorder Sammy Egbert was present, but had not submitted a written report.

D. Public Works

Michael Mattick stated that he was the Oregon Water Resources Board District Two Water Master. He explained his responsibilities for water rights in Linn and Lane Counties. He described permitted and certificated water rights of the City of Coburg. He reported investigations undertaken in response to citizen concerns about loss of water accessibility because of City water usage. He reviewed the findings of a study of water table levels in the Coburg area.

Mr. Mattick and City staff discussed with Councilors the current status of seasonal water table levels, the ten percent level of unaccounted for water drawn from City wells, the future replenishment of the water table by irrigation water produced by the Wastewater Reclamation System Project, the influence of the construction of nearby flood control reservoirs, and the priorities of water rights.

Wastewater Project Manager Craig Gibbons reviewed the September Water System Upgrade Project Report and the information it contained about the Well Head 1 Project, Water Reservoir Recoating, Permanent Well Head Easement Acquisition, Booster Pump Station Upgrades, and planning for Well 3.

Mr. Gibbons reviewed Agenda support material entitled "Well 1 / Telemetry Contract Change Order #2" and reviewed changes proposed to be made in response to concerns of neighbors regarding the well-level communication system and motor installation, costing \$16,475. He noted that combined with previously adopted Change Order #1 the net change from the original contract was an increase of two percent.

Councilors discussed the proposed Change Order.

Councilor Brian Pech moved, seconded by Councilor Jerry Behney, to authorize the City Administrator to sign Change Order #2 for the Mountain State Construction contract for the Well Head 1 and Telemetry Improvements project. The motion was adopted unanimously, 5:0.

Mr. Gibons reviewed Agenda support material entitled "Booster Pump Contract Change Order." He explained that the information was provided by the City Engineer in response to the request of Council at its August meeting.

Councilors expressed appreciation for the explanation for the request and noted that the cost was included in another section of the original estimate for the project.

Councilor Pech moved, seconded by Councilor Fox, to authorize the City Administrator to increase the Booster Pump Station Contract by \$3,030 to include a site survey. The motion was adopted unanimously, 5:0.

Mr. Gibons reviewed Agenda support material entitled "Well #3 Site Selection Contract." He noted that a memo from Water Project Engineer proposing research and testing of several alternative sites for the location of the third City well was attached.

Councilors discussed the proposal.

Councilor Pech moved, seconded by Councilor Judd, to authorize the City Administrator to enter into a contract with the City Engineer for the purpose of assessing alternatives to the existing well field on the Green property for a cost of \$28,517. The motion was adopted unanimously, 5:0.

Mayor Volta noted that a written report of the response of the Public Works Department to a water leak at the Monaco Medical Center had been received.

E. Wastewater Project

Wastewater Project Manager Craig Gibons referred to the Monthly Update and reviewed information it contained regarding Sewer System Development Charges, Financial Plan, Collection System Construction, Membrane Treatment System, LCOG Consulting Contract, Project Engineering, Funding, and Environmental Permitting.

Wastewater Project Engineer Jack Detweiler reported that construction had begun on September 8 and would continue on time, depending on weather. He described progress and explained that some future work would be done at night to avoid complications of the traffic of employers in the area. He said groundwater and the unexpected location of some utilities had required slight rerouting of pipelines and that a request for an additional connection to an area business had required a slight redesign and additional paving.

Mr. Detweiler described efforts to deal with concerns being raised in the National Pollutant Discharge Elimination System Permit application process: (1) the use of STEP sewers overcoming concerns about sewer over flow. (2) temperature effects on endangered chub fish possibly being met by environmental improvements being planned at the treatment plant. He said it might be several months before the issues would even be investigated by the federal environmental authorities.

Mr. Charles Wright stated that he was an employee of Kennedy-Jenks responsible for preparing a Request for Qualifications/Request for Proposals for the Membrane Treatment System. He described processes through which the City could go to choose design services, fabricate and deliver equipment, and receive long term testing.

Councilors discussed the proposal.

Councilor Pech moved, seconded by Councilor Judd, to authorize the City Administrator to initiate a solicitation process for a Membrane Treatment System. The motion was adopted unanimously, 5:0.

Mr. Gibons introduces Deb Galardi of Galardi Consulting. She reviewed information she had distributed in a document entitled "Wastewater SDCs: Preliminary Findings," including project costs and funding, cost allocations, and preliminary Service Development Charge Proposals (SDC).

In discussion with Councilors, Ms. Galardi noted that the suggested Wastewater SDC of \$6,164 per dwelling unit was not unexpectedly high for a small town in Oregon. She said some larger areas were lower, but some close-by towns were higher. Councilors discussed the report at length. Ms. Galardi explained that Oregon required a 90-day notice for a public hearing to consider the creation of SDCs.

Mayor Volta declared a five-minute recess.

Councilor Fox left the meeting at 9:10 p.m.

Councilor Pech moved, seconded by Councilor Judd to schedule a public hearing to consider the proposed Wastewater Service Development Charges at the regular January 2009 meeting of the City Council. The motion was adopted unanimously, 4:0, with Councilor Fox having left the meeting.

Mr. Gibons referred to Agenda support material related to Resolution 2008-19. He explained that the Oregon Department of Environmental Quality had agreed to increase a previously approved loan by \$4,075,436 and that the Resolution authorized acceptance of it.

Councilor Pech moved, seconded by Councilor Thiel, to adopt Resolution 2008-19, A RESOLUTION AUTHORIZING THE CITY OF COBURG TO ACCEPT AN AMENDMENT TO AN EXISTING LOAN, THE PROCEEDS OF WHICH WILL BE

USED TO FINANCE THE DESIGN AND CONSTRUCTION OF A WASTEWATER TREATMENT SYSTEM. The motion was adopted unanimously, 4:0.

F. Finance

Finance Director Craig Gibbons referred to the August Finance Report and reviewed information it contained about operating funds revenue, expenses, cash-in-the-bank, and cash flow.

Mr. Gibbons referred to Agenda support material entitled "Administrative Procedures" and reviewed proposed new administrative procedures for contract and grant management.

Councilor Judd suggested that inquiries be made as to whether any grant applications had been recently made on behalf of the Police Department.

In response to a question from Councilor Behney, Mr. Gibbons explained that the threatened loss of a \$25,000 State transportation award previously received by the City had been the stimulus for the policy development and that the award had been reinstated, its expiration date extended by two years, and that plans were being made for its use.

G. City Administrator

Mr. Schuessler referred to Agenda support material regarding a proposal to allow part-time employees to participate voluntarily in the group benefits program of the City. He explained that policies renewed on October 1 and that a decision should be made before that time. He noted that an employee had submitted an alternate proposal to accomplish the same goal and that he was inclined to favor it over his own.

Councilors discussed the proposals, but were unable to reach any consensus because of the confusion of their fiscal impacts.

Mayor Volta determined there was agreement to schedule a Special Meeting of the City Council in conjunction with its September 30 Work Session during which details of various alternatives to provide group benefits to part-time employees would be considered and motions allowed.

Mr. Schuessler referred to Agenda support material regarding a proposal to change the employee Leave Donation Program. He said it would allow additional employees the opportunity to participate in the program.

Councilor Pech moved, seconded by Councilor Thiel, to reduce the minimum required accrued hours if vacation and sick time for employees to donate to the LEAVE DONATION PROGRAM from 96 to 60 hours. The motion was adopted unanimously, 4:0.

Mr. Schuessler reported that recent water damage suffered at the City Hall cost \$12,000 to repair which was covered entirely by insurance, except for a \$500 deductible.

Mr. Schuessler reported that Citizen Inquiries had required two letters of reply during the month of August, one regarding the use and storage of chlorine used in the treatment of City water.

Mr. Schuessler referred to information distributed regarding the cost of reinstating the ten hours per month of the time of the Court Clerk cut at the August Council meeting. He noted that it was approximately equal to the amount of time spent each month on posting accounts to the Collection Agency.

Councilor Judd moved, seconded by Councilor Thiel, to add ten hours a month to the position of Administrative Assistant of the Municipal Court. The motion was adopted unanimously, 4:0.

VI. COUNCIL COMMENTS

None.

VII. CITY ATTORNEY

City Attorney Milo Mecham referred to material FAXed to City Hal at 4:24 p.m. on September 16 regarding the leasing of 50 acres of City property and an easement for access to it. He reviewed the reasons for the proposed agreement.

Councilor Thiel moved, seconded by Councilor Pech, to authorize the amendment to the easement agreement between the Briggs Family Limited Partnership and the City of Coburg. The Motion was adopted unanimously, 4:0.

Mr. Mecham referred to his September 16 memorandum reporting that action on a well easement with the property owner would not be possible because she had engaged a new attorney and that he was requesting additional time to review details of the matter.

VIII. CONSENT CALENDAR

Councilor Pech requested that items on the Consent Calendar be consider *ad seriatim*.

Councilor Pech moved, seconded by Councilor Thiel, to accept the minutes of the August 5, 2008, Council Work Session. The motion was adopted unanimously, 4:0.

Councilor Judd moved, seconded by Councilor Thiel, to accept the minutes of the August 12, 2008, Executive Session, and Regular Meeting of the City Council. The

motion was adopted unanimously, 3:0:1, with Councilor Pech abstaining from voting because he had not attended the meetings.

Councilor Judd moved, seconded by Councilor Thiel to approve the Accounts Payable dated September 11 and 16, 2008. The motion was adopted unanimously, 4:0.

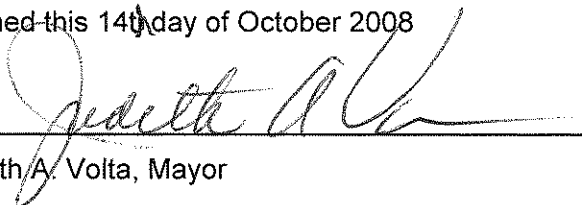
Mayor Volta reviewed Future meetings identified on the Agenda.

The meeting adjourned at 9:55 p.m.

ACCEPTANCE

Yes: 5
No: X
Abstained: Mike Watson not present at meeting
Passed: X Rejected: _____

Signed this 14th day of October 2008


Judith A. Volta, Mayor

Attest:


Sammy L. Egbert, City Recorder

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