



MINUTES

Coburg City Council

Regular Meeting

January 8, 2013 - 7:00 P.M.

Coburg City Hall

91069 North Willamette - Coburg

COUNCILORS PRESENT: Jae Pudewell, Mayor; Jerry Behney, Sharyl Brannon-Abbaspour, John Fox, Don Nelson, Brian Pech, Ray Smith, John Thiel

COUNCILORS ABSENT: None

STAFF PRESENT: Petra Schuetz, Bob Butler, Laura Comstock, Sammy Egbert, Jeanine Lavers, Milo Mecham, Larry Nelson, Rob Sutton, Ramona Sweere, Ron Walz, Kristen Zulyevic

RECORDED BY: Dan Lindstrom

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

Mayor Pudewell presented his 2012 "State of the City" address. He said Coburg "was moving in the right direction. He expressed gratitude to City staff, members of the City Council, and especially to the many volunteers committed to making the City better.

Mayor Pudewell said that the City was going in the right direction because it was "doing the right things": keeping a close watch on municipal finances and paying down existing debt; investing in City services and infrastructure, attracting and keeping good Operating Personnel; ensuring the quality of its water system; and improving its streets and I-5 access.

Mayor Pudewell said that the City was going in the right direction because it was "achieving the right outcomes": managing growth "Coburg style;" new businesses; and trusting its staff.

Mayor Pudewell said the growth and success of the City has been too fast for some and too slow for others, but progress was being made.

Led by Boy Scout Daegan Becker, Councilors joined in the Pledge of Allegiance. Minutes Recorder C. Daniel Lindstrom called the role, noted the absence of Councilor Brian Pech, and stated that a quorum was present.

Mayor Pudewell determined that there was no one present wishing to present Citizen Testimony and that there were no requests to add to or change the Agenda.

1. ELECTION AND APPOINTMENTS

Mayor Pudewell read the section of the Coburg Charter describing the role and responsibilities of the City Council President. He observed that there had been a custom to have the position filled by the member of the Council with the most years of service.

Councilor Jerry Behney moved, seconded by Councilor Don Nelson, to elect Councilor John Thiel Council President for 2013. The motion was adopted unanimously, 5:0.

Mayor Pudewell announced that he was appointing Councilor Ray Smith as Council Liaison to the Police Department, Councilor Sharyl Abbaspour as Council Liaison to the Planning Commission, and Councilor Behney as Co-Manager of the Wastewater Project and Council Liaison to the Lane County Area Commission on Transportation. He said he had not yet determined who would serve as Coburg representative on the Metropolitan Planning Organization/Metropolitan Planning Committee.

2. CITY ADMINISTRATION REPORT

Coburg City Administrator Petra Schuetz referred to Agenda support material entitled "City Administration Summary." She noted that Department head had been asked to prepare a report of operational highlights for 2012. She noted that the year's record of the "City of Coburg Inquiry Tracker" had been attached and recorded citizen inquiries and responses made to them.

Ms. Schuetz also noted that copies of a Power Point presentation regarding the Ford Institute Leadership Program and Economic Vitality had been distributed with the Agenda. She described the successful recruitment of 25 citizens to participate and suggested that they would become a valuable resource for City leadership in the future. She determined that Councilors had no questions about the material.

3. WASTEWATER PROJECT

Wastewater Project Engineer Ron Walz referred to the "Monthly Status Report" distributed with the Agenda. He reported that 40 persons representing various contractors attended a Pre-Bid Conference for construction of Phase 4 of the Wastewater Project held on January 7. He said Councilors should expect a report and recommendation about establishing a contract in February.

Mr. Walz said pre-construction work on Phase 4 continued according to schedule, Phase 2 legal issues would be included in Council Budget preparation work, and that work on the total Project was approximately \$90,000 over budget, without final calculations made.

Wastewater Project Construction Supervisor Rob Sutton described work on the Treatment Facility and reported that incidental mechanical, piping, and preparation for installation of the treatment membrane were on schedule. He explained that General Electric would deliver and install the sensitive membrane and conduct 6-8 weeks of testing on March 18.

City Attorney and Co-Manager of the Wastewater Project Milo Mecham reported that he was continuing to wait for approval from the U.S. Department of Agriculture regarding possible advantageous loan refinancing opportunities.

Mr. Mecham reported that a cooling channel eliminated from the Project in value engineering efforts would be combined with development of storage areas for recycled water, and likely become eligible for extremely low loan rates from the Oregon Department of Environmental Quality. He said the issue would be considered by the Council in its deliberations on wetlands improvement in February.

Mayor Pudewell noted that agenda and meeting summaries for the most recent meetings of the Wastewater Project Management Team had been distributed as Agenda support material.

4. DEPARTMENT ACTIONS AND UPDATES

A. Public Works

Public Works Department Director Bob Butler referred to Agenda support material entitled "Parks/Tree Citizen Advisory Committee Bylaws" and reviewed why they were presented to the Council for approval. He said the most significant changes were including a definition of the purpose of the Committee and description of the roles of members. He said members had requested that fund raising and the use of funds raised also be included.

Councilor Behney expressed a concern that quorum requirements could lead to decisions being made by a minority of members.

Councilor Behney moved, seconded by Councilor Abbaspour, to approve the Bylaws on the Parks/Tree Citizen Advisory Committee, as presented. The motion was adopted unanimously, 5:0.

Mr. Butler referred to Agenda support material entitled "Parks/Tree Citizen Advisory Committee Appointments."

Mr. Mecham raised a concern regarding the recommended appointment of John Bosley. He said as a City employee working in the Public Works Department, it was possible that his duties might create a conflict of interest in decisions made by the Committee. He said City staff were not barred from serving on City committees, but that the potential of conflicts of interest should be recognized.

Members discussed the concern. Ms. Schuetz pointed out that the newly adopted Bylaws of the Committee had provision for the appointment of non-voting *Ex Officio* members and said that such a position would eliminate any potential of conflict of interest.

Councilor Thiel moved, seconded by Councilor Behney, to appoint Karen Coury, Nancy Johnson, Coleen Marshall, Joe Morneau, and Clair Smith as Voting Members of the Coburg Parks/Tree Citizen Advisory Committee for 2013, and to recommend to the City Administrator that John Bosley be appointed non-voting ex office member of the Committee for 2013. The motion was adopted unanimously, 5:0.

B. Finance

Finance Director Ramona Sweere referred to Agenda support material entitled "RESOLUTION 2013-01: A RESOLUTION APPROVING A BUDGET TRANSFER IN THE GENERAL FUND CONTINGENCY TO PROFESSIONAL SERVICES IN ADMINISTRATION SIDEWALK REPAIR COST." She explained the purpose and background for the Resolution.

Councilors discussed the Resolution, including the possibility of adopting another Resolution at a later date to transfer unused funds from Professional Services fund in Administration back into the General Fund Contingency category.

Councilor Thiel moved, seconded by Councilor Behney to adopt Resolution 2013-01. The motion was adopted, 4:1, with Councilor Nelson voting no.

Councilor Brian Pech joined the meeting at 8:35 p.m.

Ms. Sweere referred to Agenda support material entitled "Resolution 2013-02 SDC Annual Inflation Factor." She explained the purpose and background for the Resolution, A RESOLUTION OF THE COUNCIL OF THE CITY OF COBURG APPLYING AN ANNUAL CONSTRUCTION COST INFLATION FACTOR TO EXISTING SYSTEM DEVELOPMENT CHARGES.

Councilor Thiel moved, seconded by Councilor Ray Smith, to adopt Resolution 2012-02. The motion was adopted unanimously, 6:0.

Ms. Sweere referred to Agenda support material entitled "City of Coburg Budget Calendar." She pointed out how the schedule was based on that of FY 2012-13 and suggested that the work of the Budget Committee could be finished in three meetings.

There was no objection to the calendar.

C. City Attorney

Mr. Mecham referred to Agenda support material, consisting of a Lane County Circuit Court filing by Gene Manley against the City of Coburg alleging Breach of Contract. He reported that he had identified several issues with the filing that were being corrected in a replacement filing. He pointed out to Councilors that the complaint stated only the contentions of Mr. Manley and that he was confident they would be disproved in a Court Hearing. He suggested that the City might be well advised to seek an attorney who was familiar with litigation to serve as counsel when the issue went to Court. He noted that Lane Council of Governments attorney Gary Darnielle was in the process of retiring and that his replacement might be suited to the task.

Mayor Pudewell suggested that further discussion of the matter might be best continued in an Executive Session scheduled, as required, in the near future.

Mr. Mecham stated that he believed that he had previously been given authority to move forward with the case, filing motions as needed. He said he would keep Council-

lors fully informed of all relevant developments. There were no Councilor comments to the contrary.

5. MAJOR PROJECT UPDATES

A. Transportation System Plan

Ms. Schuetz referred to Agenda support material entitled "Transportation System Plan Progress Report" and said that she had nothing to add to the information that was in the document.

Mayor Pudewell asked why Coburg was engaged in developing a Transportation System Plan when doing so was not required of cities with less than 25,000 population. Ms. Schuetz replied that the Plan was an "input" to the development of Service Development Charges. She pointed out that it included development of a street system plan including a conceptual street network for undeveloped areas within the Coburg Urban Growth Boundary that required coordination with other cities in the Metropolitan Planning Organization.

B. Coburg Loop Multi-Use Path

Ms. Schuetz referred to Agenda support material entitled "Coburg Loop Multi-Use Path (Segments 1, 2, and 3)." She encouraged participation and/or email communication with the Lane Area Committee on Transportation in a public hearing that was scheduled for January 9 that would consider ranking of applications for funding of transportation project such as the Multi-Use Path of Coburg.

C. Economic Development Strategy/Historic Preservation

Resource Assistance for Rural Environment (RARE) AmeriCorps worker Laura Comstock referred to Agenda support material entitled "Economic Development Strategy and Historic Preservation Program Progress Report" and reported on the positive response she had been receiving from her interviews with area businesses. She said there was excitement about working together in an economic development strategy.

Ms. Comstock noted that requirements and benefits of becoming a Certified Local Government allowing participation in and support from the Oregon State Historic Preservation Office (SHPO) was attached to her report. She said that she had scheduled a discussion about the participation of Coburg with Kuri Gill, the statewide coordinator of Certified Local Government program. She said she intended to propose that the Planning Commission or a subgroup of it serve as the required historic preservation commission.

Mayor Pudewell noted that there was no Continued Business for consideration by the Council.

6. CONSENT AGENDA

Mayor Pudewell noted that the Consent Agenda included approval of the Bills for Approval, and acceptance of the minutes of the December 11 and 19 meetings of the Council.

Councilor Behney moved, seconded by Councilor Pech, to approve the Consent Agenda as presented. The motion was adopted, 5:0:1, with Councilor Smith abstaining from voting because he had not been present at the meeting for which the minutes were written.

Mayor Pudewell reviewed the list of "Future Meetings/Dates to Remember" listed on the Agenda.

Mr. Mecham stated that a Special Executive Session meeting of the Council was required to consider a settlement offer proposed for the Wastewater Project Change Order request submitted by Canby Construction. There appeared to be agreement that the meeting would be held at 6:30 p.m. on January 14. Councilor Thiel stated that he would be unable to attend.

The meeting adjourned at 8:50 p.m.

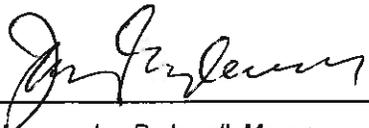
ACCEPTANCE

Approved: February 12, 2013

Yes: 4

No: 0

Abstained: None

Attest:  Date: 2/15/2013
Jae Pudewell, Mayor

 Date: 2/15/13
Sammy L. Egbert, City Recorder