

CITY OF SUTHERLIN
Regular City Council Meeting
Sutherlin Civic Auditorium
Monday, April 12, 2021 – 7:00pm

COUNCIL MEMBERS:

Tom Boggs, Joe Groussman, Debbie Hamilton, Michelle Sumner, Seth Vincent and Larry Whitaker

MAYOR: Todd McKnight

CITY STAFF: City Manager, Jerry Gillham
Finance Director, Tami Trowbridge
City Recorder, Diane Harris
Deputy City Recorder, Melanie Masterfield
Public Works Director, Aaron Swan
Community Development Director, Brian Elliott
Community Development Supervisor, Kristi Gilbert
Police Chief, Troy Mills
Fire Chief, Mike Lane
City Attorney, Chad Jacobs (via Zoom)

Audience: Terry Brock

Via Zoom: Drew, Quinn & J.W. Millegan (Pegasus Project), Nancy Rodriguez, Jim Houseman, Chuck Brummel

Meeting called to order by Mayor McKnight at 7:00pm.

Flag Salute:

Roll Call: All present

Introduction of Media: None

PUBLIC COMMENT (agenda items only)

- None

PRESENTATIONS

- **Pegasus Project**

City Manager, Jerry Gillham, introduced the Millegan's who introduced the Pegasus Equestrian Project, a destination resort for equestrian competitors and spectators on an international level. Drew, his brother Quinn and father J.W. gave a virtual presentation describing the project plans. The location will be at Heaven's Gate Ranch, located off exit 142 at Metz Hill. The ranch is an estimated 3,000 acres and will be home to a multi-million dollar equestrian venue that will include indoor climate-controlled arenas, several outdoor grass and sand arenas, a combined driving course and cross-country course, four full size grass polo fields as well as a resort/spa. Construction is expected to begin in late 2022 with an estimated completion date of 2024-25. Drew emphasized that this facility was not a fairgrounds or training facility but could also be used for non-equestrian events. The Millegan's thanked the City of Sutherlin for their letter of support for this project.

- Gillham – If approved by Douglas County Planning Department on April 15th, do you have the funding to break ground this summer? *Drew – It would be too soon to start anything this year. There are additional planning processes to go through. J.W. – The appeal process doesn't end until August and then it's six months to a year working with planning.*

CONSENT AGENDA

- **March 8, 2021 Minutes – Regular Meeting**

MOTION made by Councilor Boggs to approve Consent Agenda as presented; second by Councilor Vincent.
Discussion: Councilor Hamilton questioned the statement made for Cignos Italian Restaurant, stating that it wasn't considered a new business because the previous establishment sold liquor and this was a change of ownership. **Deputy City Recorder, Melanie Masterfield, will contact OLCC for a specific description.**
In favor: Councilors Groussman, Sumner, Boggs, Vincent, Whitaker, Hamilton and Mayor McKnight.
Opposed: None
Motion carried unanimously.

COUNCIL BUSINESS

- **Ordinance No. 1083 – Repealing SMC Sections 9.20.010, 12.36.140, 12.36.160, & 12.36.310 – Prohibited Camping, Declaring an Emergency (first reading, title only)**

City Recorder, Diane Harris, read Ordinance No. 1083 by title only: *“An Ordinance of the City of Sutherlin amending Sutherlin Municipal code sections 9.20.010, 12.36.140, 12.36.160, and 12.36.310 regarding camping regulations and city parks exclusions and declaring an emergency.”*

Staff Report – Police Chief, Troy Mills, asked Council to repeal this Ordinance and declare an emergency to expedite the adoption. These code sections are outdated and out of compliance. The Federal Court's new ruling in July 2020 made specific distinctions between sleeping and camping. Furthermore, homeless people can take necessary minimal measures to keep themselves warm and dry while sleeping where there are no alternative forms of shelter available.

MOTION made by Councilor Boggs to approve Ordinance No. 1083 – Repealing SMC Sections 9.20.010, 12.36.140, 12.36.160, & 12.36.310 – Prohibited Camping, Declaring an Emergency (first reading, title only) as presented; second by Councilor Vincent.

Discussion:

- Councilor Sumner asked for an explanation of this ordinance. *Mills – This is based on legislation; the verbiage was updated in accordance with the Supreme Court. What is changed? A homeless person cannot be sited for sleeping. If we don't want homeless people sleeping in the parks, we have to provide them a place to sleep with accessible food, restrooms, showers (city center). The ordinance stipulates certain hours they cannot sleep in city parks. The previous ordinance defined camping, now it's defining sleeping because it's their fundamental right.*
- Councilor Boggs – Do we have an area identified for the homeless to go? *Yes.*
- Councilor Sumner – Where's the area located? *At the corner of Sixth Ave. and State St. (a triangle). It's the only piece of city owned property we have that would qualify. Has it ever been full? It's never been used.*
- Councilor Hamilton thought someone was staying at the triangle.
- Councilor Sumner – Can we direct anyone that needs a place to sleep to that location and tell them they can't sleep in the parks? *No, they can still sleep in the parks because sleeping isn't illegal. If the person is sleeping in any city park during closed hours, they will be moved to the triangle on Sixth Ave. If the triangle is full, they are allowed to sleep in the parks unless they want to go to Roseburg.*

Further discussion ensued.

In Favor: Councilors Groussman, Sumner, Boggs, Vincent, Whitaker, Hamilton and Mayor McKnight.

Opposed: None

Motion carried unanimously.

- **Ordinance – Repealing Chapter 1.08 – Initiatives and Referendums (first reading, title only)**

Harris read Ordinance by title only: *“An Ordinance of the city of Sutherlin repealing and replacing chapter 1.08 of the Sutherlin Municipal Code to update code provisions related to the initiative and referendum process.”*

Staff Report – Harris, asked Council to consider repealing and replacing Sutherlin Municipal Code chapter 1.08. This code was last updated in 1967 and therefore, language and processes are outdated and inconsistent with current practices and policies following the State of Oregon's guidelines.

MOTION made by Councilor Boggs to approve Ordinance – Repealing Chapter 1.08 – Initiatives and Referendums (first reading, title only) as presented; second by Councilor Sumner.

Discussion: Councilors Groussman asked for an explanation of what repealing an ordinance means. *Harris explained.*

In Favor: Councilors Groussman, Sumner, Boggs, Vincent, Whitaker, Hamilton and Mayor McKnight.

Opposed: None

Motion carried unanimously.

- **Liquor License Application – Cancun Mexican Restaurant**

Staff Report – Mills, asked Council to approve a liquor license application for a new retail business, Cancun Mexican Restaurant, in Sutherlin city limits. The application is for a full on-premises, commercial license. The Police Department has found no disqualifying information according to OLCC.

MOTION made by Councilor Boggs to approve Liquor License Application – Cancun Mexican Restaurant as presented; second by Councilor Groussman.

Discussion: Councilor Whitaker – Is it possible to limit the number of Mexican restaurants in town? *Mayor – No, we don't have any restrictions for what types of restaurants come in.*

In Favor: Councilors Groussman, Sumner, Boggs, Vincent, Whitaker, Hamilton and Mayor McKnight.

Opposed: None

Motion carried unanimously.

- **Revised Budget Calendar Approval**

Staff Report – Finance Director, Tami Trowbridge, presented an updated budget calendar to Council for approval. In years past, the budget meetings were done in April. Staff is proposing moving budget meetings to May to better accommodate accuracy and staff transition.

MOTION made by Councilor Whitaker to approve Revised Budget Calendar as presented; second by Councilor Vincent.

Discussion: Councilor Boggs – Is it possible to get both the Urban Renewal Budget and the City Budget done in one night? *Trowbridge – Yes, Urban Renewal will start at 6:30 p.m. and the City Budget will start at 7:00 p.m. The budget presentations will be on May 10th prior to the regular Council meeting and the actual budget meetings will start on May 17th.*

In Favor: Councilors Groussman, Sumner, Boggs, Vincent, Whitaker, Hamilton and Mayor McKnight

Opposed: None

Motion carried unanimously.

- **Resolution No. 2021.04 – Oregon Parks and Recreation – Ford's Pond Community Park Authorization Approval**

Staff Report – Community Development Director, Brian Elliott, announced that the City was successful in receiving grant funding from Oregon Parks and Recreation Department – Local Government Grant Program in the amount of \$517,814 with a match of \$362,850. This will fund project 2A and 2B of Ford's Pond Community Park improvements which consists of:

- ADA accessible restrooms
- 600 feet of connectivity sidewalk
- 2 inclusive natural children's play areas
- 3 shaded picnic pavilions
- Site furnishings
- Security cameras

MOTION made by Councilor Sumner to approve Resolution No. 2021.04 – Oregon Parks and Recreation – Ford's Pond Community Park Authorization as presented; second by Councilor Hamilton.

Discussion:

- Councilor Boggs – Where is the match funding coming from? *Elliott – 50% of it is coming from the Land Acquisition from the purchase of Ford’s Pond - \$256,750 along with cash matches from the Friends of Ford’s Pond (FOFP) - \$60,000 and some in-kind labor from City Staff and FOFP.*
- Councilor Groussman – Who receives the construction bids? *The City.*

In Favor: Councilors Groussman, Sumner, Boggs, Vincent, Whitaker, Hamilton and Mayor McKnight

Opposed: None

Motion carried unanimously.

WORKSHOP

- **Review of Development Code**

Staff Report – Community Development Supervisor, Kristi Gilbert, discussed the proposed 2021 legislative amendments. Periodic legislative amendments are a proactive action in the administration of the City’s code to help keep it streamlined and up-to-date. The proposed amendments will help to improve efficiency and effectiveness, and better serve the citizens process applications under the code. *(The draft code amendment can be viewed on the City’s website in the Council packet.)*

CITY MANAGER REPORT

- **COVID Business Relief**

Staff Report – Gillham, and Trowbridge, gave a status report on a plan to offer assistance to COVID-impacted businesses. Multiple business support programs are available to help businesses including: The State of Oregon, Douglas County, and Coos Curry Douglas Economic Development. After thorough research, staff concluded two options based on the best and fairest mechanism to provide utility relief.

- **Option #1** Without the City of Sutherlin creating the definition of a small business, the best approach was to simply total the number of businesses connected to our commercial utility system, calculate their average bill and offer a one-month credit to all businesses. Based on meter size, credits ranged from \$90 for smaller business to \$630 for larger businesses with a combined total of \$32,709.
- **Option #2** A letter will be sent to all businesses with commercial accounts, offering a credit. A form will be attached to indicate how they were negatively impacted. Given the statewide mandates, approximately 50 business should qualify for a credit. A two-month credit of water/sewer base fees will be initiated based on their meter size. Total combined cost is \$15,000.

- Councilor Hamilton – My intent was for only the businesses required to be shut down by the Governor, receive a credit. Is it open to everyone? *Trowbridge – To not discriminate, a letter will be sent to all businesses, but each business will have to certify that they were impacted.*

CITY COUNCIL COMMENT

Councilor Groussman

- None

Councilor Sumner

- Cars have been parking on Red Rock Rd. by the trail. *Swan – There are signs that state “no motorized vehicles” but there is police access. We’ll look into it.*

Councilor Boggs

- Ft. McKay has some big pot holes developing. *Swan – Ft. McKay is a county road, we’ll contact them.*

Councilor Vincent

- Thanked Public Works for marking all the spots on Central Ave. that need fixed.
- Exciting to see Ford’s Pond coming together.
- Thanked City staff for all their hard work.

Councilor Whitaker

- None

Councilor Hamilton

- Sixth Ave. RR crossing has brush blocking the view. *Swan – We’ll check it out.*
- RR crossing on Central Ave. is really rough. *Elliott – An engineer is looking into it.*
- City limit population sign needs updated.

Mayor McKnight

- None

PUBLIC COMMENT (Off Agenda Items)

- None

ADJOURNMENT

With no further business, meeting adjourned at 8:28 p.m.

Mayor McKnight announced that Council will take a 5-minute break before meeting in Executive Session – ORS 192.660(2) (d) – Labor Negotiation Consultations, to conduct deliberations with persons designated by the governing body to carry on labor negotiations.

Executive Session called to order at 8:33 p.m.

Executive Session adjourned at 8:58 p.m.

Approved: *Jerry Gillham*
Jerry Gillham, City Manager

Respectfully submitted by,

Melanie Masterfield
Melanie Masterfield, Deputy City Recorder

Todd McKnight
Todd McKnight, Mayor

APPROVED BY COUNCIL ON MAY 10, 2021