



October 20, 2016
City Council Regular Session
Willamette Activity Center, Rm 8
47674 School Street
7:00 p.m.



MINUTES

1.0 CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE

Council Present: Jim Coey, Mayor
Judy Rowland
Gary Carl
Amy Buchmeier (absent)
James Affa
Bobbie Whitney
Kathy Holston

Staff Present: Louis Gomez, City Administrator
Mike Hansen, Fire Chief (absent)
Jackie Taylor, Assistant Planner
Susie LaDuke, Finance Director/City Recorder
Kevin Martin, Police Chief
Rick Zylstra, Assistant to the City Administrator

2.0 PUBLIC COMMENT

Dawn Kinyon 47709 School Street Unit 2 – She is here to encourage the Council to vote in favor of the applicants that want to get water/sewer hooked up on their property. She doesn't know them, but she does know as a person who has tried for the last ten years to get her property ready it was nice to put in a well and septic it made it easier to prep the land. The City would benefit from the monthly fees that they would receive.

Rick Zylstra 48420 Sunny Nook Drive- As someone who has lived in Oakridge his entire life, our aquafer and its proximity to tax lot 104 of the quarry is alarmingly close and another thing that is alarmingly close is the comment period that is still open to the Lane County Commissioners and he would urge that our hydrologist look into this.

Curran-McLeod has a hydrologist on staff.

Anything coming off of the north face of this, the quarry is a big solid piece of rock, water is not going to get around it. Water that will enter that will hit the solid rock and flow down the slope, we won't see it flow and it will flow very slowly, but it will flow. The proximity to tax lot 104 he found very alarming.

Dennis Patterson PO Box 190 – He feels the City Council has missed a chance to fulfill one of its duties, while the City Council is mainly concerned with the month to month running of the city, its members are also elected to be the face and voice of the collective citizens of Oakridge. Of all of the “Oakridgians” that spoke at the town hall meeting not one of them were in favor of the quarry and many spoke against it, therefore the City Council should put aside any personal feelings they have about the quarry and write a letter of opposition that would reflect the majority of the constituents that elected them into office.

3.0 MAYOR AND COUNCIL COMMENTS

Mayor Coey said in regards to the quarry we did respond, we hand delivered a response about the quarry that evening. As far as the water, our Engineer has said that is not an issue, but we don't know if that is from the hydrologist.

Mayor Coey has spoken with LRAPA about the dust from the quarry, this is not something they monitor.

Councilor Rowland said she knows everyone is against the quarry, but what about the quarry that is already in town? She lived probably 300 ft from it for seven years. She watched them take hundreds of truckloads a day when they were working on the tunnel. Why hasn't anyone said anything about that?

Councilor Affa asked Mr. Patterson why he didn't include Davidson Construction when he was speaking? They do the very same thing. The rock crushing is a new thing, the city was never noticed about that.

Councilor Holston thanked Rick for pointing out tax lot 104 being so close to the watershed. She thanked Dennis Patterson for his comments. Although she would love to say there were a lot of people there that said no and are against this, a lot of those people aren't in the city limits and although she doesn't represent them, she does represent them. There is more at stake here.

Councilor Carl said a few days ago on the front page of the Register Guard there was an announcement that Phil and Penny Knight gave 500 million dollars to the University of Oregon for the advancement of Scientific Research and another \$500,000 is coming behind it. It's exciting to him because some of those bright young people with wonderful ideas are going to be looking for an industrial park. He'd like us to be cognizant of that and not get all wound up in devoting too much of our land to marijuana development. He thinks there is a bright future for Oakridge and the industrial park.

4.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA

None

5.0 CONSENT AGENDA

Motion: Councilor Rowland moved to approve the consent agenda. Councilor Affa seconded the motion.

J. Rowland (Aye), K. Holston (Aye), J. Affa (Aye), Mayor Coey (Aye), B. Whitney (Aye), G. Carl (Aye). Motion carried 6-0

ADMINISTRATIVE SERVICES

6.1 City Administrators Report

Capital Projects in Process/Complete:

Million Gallon Reservoir-Well-Transmission Lines – The City Engineer has started on the preliminary plans for the Tank, Transmission lines and the Well.

Highway 58 Crosswalk Project – They are setting dates to meet with the owners. ODOT and Louis sent out dates for November and we are trying to get a firm date to speak with the owners.

Community Center Project – Louis received an email from Stan Foster in regards to the final campaign plan, Stan said that we need to get our campaign funding committee before he can finalize the campaign fund strategy.

Mayor Coey asked why it has taken us so long to get here, we should have done this six months ago. We are just now hearing this from him that we need this to before he will give us the final plan.

Rick said this does seem counterproductive, he was under the impression that we would have final plans before we made our committee, so that is what we were waiting on.

That is what the council understood him to say also.

There will be a work session for the City Council on Thursday October 27th at 6:30 P.M. in the conference room at city hall. We need to get together a list of about 10-12 people and figure that we need 5 or 6.

Economic Development and Sustainment:

Economic Development Projects – John Milandin recently installed some signs for the businesses at the flexible manufacturing building. We are trying to make it look alive out there.

Realtor of Record – Louis will be sending out an RFP for this. He was at a City Managers meeting today where he got some additional information on other places to send the RFP to.

In Process/Pending Grants:

Reser Grant – The Mayor had asked if we have heard anything on the Reser Grant, we have not, but he sent them an email today.

Federal Lands Access program Grant – Louis feels really confident about this grant, between the Mayor, Rick and Louis this is one of the best grants we have written in a long time.

Pending/Ongoing Administrative Tasks:

Franchise Agreement – He will try to have these for initial review on the first meeting in November.

PM 2.5 – Rick is setting up dates for inspections, he sent out letters to people who received exemptions, currently we have 47 exemptions, the previous year we had 117. If anyone is burning improperly they will get fined.

Louis said we do have a diversion program for people who are fined the first time.

Internet Surveys/Emerald Broadband- Louis spoke with the City of Westfir, they approved a conditional use permit for Emerald Broadband to put up one new tower and refurbish another tower. They should be done November 15th, they are on schedule to meet that date.

Web Site Review – We will hopefully have all of our content cleaned up by December and we will talk to our current provider. Louis has heard that most people don't like our opening page, Aha has said they could do a new opening page for \$500 and make it easier to navigate.

Marijuana Facilities – As the Council knows there has been interest by different entities to bring in marijuana grow facilities, wholesalers, extractors and otherwise. The person wanting to open up a facility meets all criteria, if they meet all the criteria under our city code, our comprehensive plan and state law then it is legally difficult for us to deny a facility. A request to open a marijuana facility was denied by the Planning Commission, so more than likely that application will be coming to the City Council because they are the next step of the appeal process.

6.2 City Recorders Financial Report

Susan gave the financial report to the council.

Motion: Councilor Carl moved to accept the City Recorders Financial Report as presented. Councilor Rowland seconded the motion.

Mayor Coey (Aye), B. Whitney (Aye), J. Rowland (Aye), G. Carl (Aye), K. Holston (Aye), J. Affa (Aye). Motion carried 6-0

6.3 Ord. 920 Amending Ord. 914 Section 7 of the Oakridge Air Pollution Program

Louis said Ordinance 914 has to do with the Oakridge air pollution control program, most of us know that LRAPA is involved, if the city does not reach attainment by December 31, 2016 LRAPA and the EPA is asking that we revise a couple parts of our ordinance.

Councilor Carl said he'd like to hear the Mayor's opinion on this because he, more than any of us have been very involved with this process.

Mayor Coey has asked the EPA what the hammer is, what can they really do about this? They go off of a report that we have that is uninterpretable. There really isn't a lot they can do, they can withdraw federal funding from us, which we don't really receive anyway.

Motion: Councilor Carl moved that we read Ordinance No. 920 an Ordinance amending section 7 of Ordinance 914 and adopting new standards for the Oakridge Air Pollution Control program by title only. Councilor Affa seconded the motion.

J. Affa (Aye), J. Rowland (Aye), G. Carl (Aye), B. Whitney (Aye), Mayor Coey (Aye), K. Holston (Aye). Motion carried 6-0

Motion: Councilor Holston moved that we approve Ordinance 920 Amending Ordinance 914 section 7 contingency measures of the Oakridge Air Pollution Program in one meeting. Councilor Rowland seconded the motion.

B. Whitney (Aye), Mayor Coey (Aye), J. Affa (Aye), G. Carl (Aye), K. Holston (Aye), J. Rowland (Aye). Motion carried 6-0

6.4 Library Fee Waiver for Youth outside Oakridge

Motion: Councilor Carl moved that we approve the waiver of yearly library membership fees area (out of city limits) youth ages 18 years and younger. Councilor Rowland seconded the motion.

Councilor Carl (Aye), Mayor Coey (Nay), J. Rowland (Aye), J. Affa (Aye), B. Whitney (Aye), K. Holston (Aye). Motion carried 5-1

6.5 Discussion on amending Ordinance 907 Land Use Regulations

Louis said Councilor Buchmeier asked if we would provide a map showing where all of the facilities are located.

Rick explained the map to the councilors.

Mayor Coey said he has been hearing from people wanting to know when enough is enough? The people he is hearing from are not against marijuana, but how much do we really need? We know we can't do anything at the industrial park, he brought up to Louis about revisiting this. The initial proposal from the planning commission was 500 ft from preschools, schools, libraries etc..... The council changed it to the state law which is 1000 ft from schools.

Councilor Whitney asked about the parks?

Mayor Coey said we passed this over a year ago with the thought that we could always come back and revisit it so that is what we are doing.

Councilor Carl said he thinks we should revisit it and look at it now before someone else comes in here and applies who meets all of the criteria and we cannot say no. He would like to see it restricted from libraries, preschools and city parks.

Councilor Rowland asked where all of the city parks are on the map?

Mayor Coey pointed out where the parks are located on the map.

Councilor Carl said he does not want to see us have dispensaries every two hundred feet like Springfield, but he thinks our current ordinance and restrictions cover that and of the five identified on this map there is only one that any of us know about, the others are so obscure as to essentially not even being there.

Louis said that the current code says that two OHA facilities cannot be within 1000 ft of each other. Would you want a code that says there won't be any type of marijuana facilities, be it OHA or be it OLCC within 1000 ft of each other. OHA is right out of the state law that they have to be 1000 ft from each other.

Councilor Rowland asked if we know whether or not we can put a moratorium on them?

Louis said he hasn't got that answer yet.

Councilor Affa said there was some figures of marijuana sales in the paper, does anyone remember what the figure was?

Mayor Coey said \$42 million, from January to August 31, 2016.

Councilor Affa said that's a 3% sales tax, which is nothing to sneeze at from a town that needs the money.

Louis said the 3% only applies to recreational retail facilities.

By consensus of the council Louis will come back with something to change our ordinance.

Louis does not believe we need to include the parks because of where they sit, the only one that is close is Osprey and these facilities can only be in a commercial zone anyway.

The council wants to include preschools, parks, libraries and all facilities regardless if they are OHA or OLCC within 1000 ft of each other.

7.0 COMMUNITY SERVICES

7.1 2016 Internet Service Provider Survey Results

It was decided to skip this since we have wireless coming in.

7.2 Greenwaters Park Fee Waiver for Junior High Cross Country Meet

Motion: Councilor Rowland moved that we approve the Park Fee Waiver for the Junior High Cross Country team on October 26, 2016 and transfer appropriate TRT Funds. Councilor Carl seconded the motion.

K. Holston (Aye), J. Affa (Aye), Mayor Coey (Aye), J. Rowland (Aye), B. Whitney (Aye), G. Carl (Aye). Motion carried 6-0

7.3 Greenwaters Park Fee Waiver for OHS Halloween Event

Motion: Councilor Affa moved that we approve the park fee waiver for the Oakridge School District on October 30, 2016 and transfer appropriate TRT Funds. Councilor Rowland seconded the motion.

G. Carl (Aye), J. Rowland (Aye), J. Affa (Aye), Mayor Coey (Aye), B. Whitney (Aye), K. Holston (Aye). Motion carried 6-0

7.4 Water and Sewer Services Exception Request

Motion: Councilor Carl moved that we modify our current practices and allow water and sewer connection for the applicants. Councilor Affa seconded the motion.

Councilor Holston asked Mr. Boyd and Ms. Kaleta where their permanent residence is now?

Mr. Boyd said they have a winter home in Borrego Springs.

Mayor Coey asked if someone establishes a site plan and buys a permit could it be revised if they choose to relocate on the property.

Louis said yes.

Councilor Carl asked why don't they just get a site plan and buy a permit and they can revise it later.

Mr. Boyd said he would be happy to have a site plan and get a planner to do that, he just can't get a building permit for a house that he doesn't know what it will look like yet.

Louis said they have to have full plans.

Councilor Carl asked why we turned them down?

Louis said the reason we turned them down is it is not our practice and never has been and Ms. Kaleta did say she wanted the water for her flowers, that is correct. If a person owns an RV they would more than likely want to stay on the property and that goes in conflict with our code except for an exception has been once they pull a building permit they are allowed to stay in the RV as they build their home.

Mr. Boyd said he completely supports and understands where some people could abuse bringing in some means of transportation that they use to live in, but in this case they are asking for an exception because they have spent a lot of money and time because they want to be here.

Councilor Affa said he understands Mr. Boyd wants to put in some out buildings first?

Mr. Boyd said that is correct, he wants to get a tractor that he can work on the property with and he doesn't want to leave it out in the rain.

Mayor Coey said something we need to look at is that we have 15 building permits out right now, we have to look at the fact that Oakridge is growing and people are moving in. Do we want to start establishing a precedence now after all these years or do we want to stay to the code that we have that is a fair code and deny the request?

Councilor Rowland asked if they said they would be willing to buy the permits?

Mr. Boyd said sure, they are going to do everything... (Inaudible)

Councilor Affa said they bought this property for a substantial amount, a variance is a variance, Dawn is sitting on a variance herself so it's not like this is a new thing.

Louis said that is incorrect, Dawn does not have city water or sewer, the reason is because she is more than 200 feet from our services. That is allowed on any property that is like that.

Susie said the rules have been enforced for a long time and we do have permits out there for people who have come in and they submitted their plans and paid their fees. If you turn in blue prints for a house you can still change them. We are a small office and we are limited staff and we constantly have people who say "well, make an exception for us". We have worked really hard over the last five years to make sure our processes are followed for everybody every time. It's really hard to explain to someone why this person got to do this but they can't. We have to have transparency and stick to our procedures.

Ms. Kaleta said she has a garden and an orchard but is unable to water them. They are just asking for something pretty simple.

Mayor Coey said he understands that, but we have our rules and once we give in to one person we have to give in to others. It has been a nightmare in the past.

B. Whitney (Nay), G. Carl (Nay), J. Rowland (Nay), K. Holston (Nay), J. Affa (Aye), Mayor Coey (Nay). Motion failed 1-5

8.0 POLICE SERVICES

8.1 Surplus Police Dept. Seized Vehicles

Chief Martin is asking to surplus old cars that the PD has on their storage/evidence lot. The vehicles are old and full of mildew.

Motion: Councilor Rowland moved that the vehicles in the Oakridge Police department storage lot be surplus and proceeds of the sale be returned to the new equipment line of the police budget. Councilor Affa seconded the motion.

Mayor Coey (Aye), B. Whitney (Aye), J. Rowland (Aye), K. Holston (Aye), J. Affa (Aye), G. Carl (Aye). Motion carried 6-0

The Fall Fun Night is on October 31, 2016 from 6:00 P.M until 8:00 P.M. And before that the Fire Department is having a hayride in the Uptown area to take the kids trick or treating and then will take the kids to the Fall Fun Night.

They received a grant to replace some bullet proof vests, the grant is for just under \$2,000 from the Department of Justice, it is a matching grant.

They did some maintenance to the generators at Dead Mountain and at City Hall so both will be up and running this winter if we have bad weather.

9.0 EMERGENCY SERVICES

Louis said as you know when we did the budget in June we were hoping for a Safer Grant, we didn't get the grant. The Public Safety Chair and Administration Committee Chair, the Chief and Susan will have a meeting next week to discuss their budget. Their budget is in dire straits now.

Councilor Carl has been pushing really hard to get a Crater Lake sign on I-5 so we can try to steer people on Hwy 58 instead of through Roseburg.

10.0 REPORTS FROM BOARDS AND COMMITTEE

No reports

Adjourn meeting 8:58 P.M.

Respectfully submitted before the City Council November 3, 2016

Signed: 
James Coey, Mayor

Signed: 
Susan LaDuke, City Recorder