



September 20, 2018
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: Judy Rowland, Mayor
Gary Carl, Council President
Josh McMillin
Paul Forcum
Kathy Holston
Kevin Gobelman
James Affa

Staff Present: Louis Gomez, City Administrator
Mike Hansen, Fire Chief
Jackie Taylor, Assistant City Recorder/Assistant Planner
Susie LaDuke, Finance Director/City Recorder
Kevin Martin, Police Chief
Rick Zylstra, Community Services Coordinator

2.0 PUBLIC COMMENT

John Milandin 76750 High Prairie Road- He is here to introduce the revised edition of our visitors map. The map was done under contract with the Oakridge Chamber, all of the hot spots are on this map, thank you to Rick Zylstra for creating this.

Larry Sweet 76365 Jones Rd- Read a letter he wrote regarding allegations against Mayor Rowland.

Loren Hogue 48319 E 1st Street-Last week there was an article in the paper about water, what was editorialized, it sounds like everyone is running around yelling about the water in Oakridge. Oakridge meets and exceeds the State standards. In the article it references Flint, Michigan, in that case there was a deception to the public, the people in charge of the water lied and deceived, and some of those guys are going to prison, that is not applicable to Oakridge. In Salem the issue is surface water, and they had record temps, again, not applicable to Oakridge. Mr. Hogue noted there were a lot of scientific notations in the article. Mr. Hogue gave an explanation and better visualization regarding the scientific notations in the article. It was written, and yes, there is volatility, however, he has to say this straight out and with a straight face it does not have collective conscience. (Water) does not necessarily know the distance or the whereabouts of your basement or if it's for washing your car and out of the driveway, it doesn't quite work that way. There are wells in the Eugene rail yard that is true, but they are private wells, again, not applicable. The thing that puzzled him in the article was the mention of the 1300 feet distance of contaminated #7 to well #4, well it doesn't work in linear feet, this is underground, and in underground you have hydro status areas. He gave the example of two people drilling for water in to adjacent fields, one finds water, and one doesn't. He felt the article didn't give the citizens a proper perspective.

Mayor Rowland asked Mr. Hogue if he knew who wrote the article.

Stephan Ball said he is the one who wrote the article.

Mr. Hogue said yes, the man who raised his hand and identified himself.

3.0 MAYOR AND COUNCIL COMMENTS

Councilor Affa said in a conversation earlier in the week with the Mayor we had a discussion about if the City can own a business. He contacted the Attorney General and they sent him to the Secretary of State and he heard back that the City can own a business. He was pleased to hear that, that is a revenue source that is open to us.

4.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA

Louis wants to add 6.6 Performance Auditor discussion.

Louis noted we need two council representatives for outside committees, one for LRAPA and the other one for Lane Area Commission of Transportation.

Councilor Carl said he can do the Lane Act meetings and Councilor Holston said she can do LRAPA.

Louis will get them the information.

Councilor Affa said earlier this week a friend of his came to him and he proceeded to tell him in great detail about an Executive Session and what went on. Councilor Affa found this discouraging and shocking, it was like he recited the recording to him. He does not know how this happened, he can speculate, but all that does is make him upset. He is asking for help from the Council and Mayor, we can impose penalties and create an ordinance that has some teeth, this is something we need to discuss. This really upsets him and he doesn't understand how this can happen.

Councilor Holston said the Admin Committee would be a good place to start, we can do some research and see what the State of Oregon currently says and what our Charter currently says. The speaker and microphones are here, they are at the office, we just received them and we are going to get them installed.

Councilor Holston asked where the tape is of the Executive Session?

Susie said it is in the Executive Session audio folder and has been erased from the recorder.

Mayor Rowland stated that is a pretty egregious thing, someone had to have said something if they are talking about it at the Liquor Store.

5.0 CONSENT AGENDA

Motion: Councilor Holston moved to approve the consent agenda. Councilor Forcum seconded the motion.

Mayor Rowland (aye), G. Carl (aye), P. Forcum (aye), K. Holston (aye), K. Gobelman (aye), J. McMillin (aye), J. Affa (aye). Motion carried 7-0

6.0 ADMINISTRATIVE SERVICES

6.1 City Administrators Report-

Campground and Staging Area- We laid out an area about 75 ft by 300 ft, public works recently trimmed that area again. They are putting down plastic and river bottom dirt, the next step will be the gravel.

Councilor Holston asked what we have done to begin planning for signage on this space, what are we going to do in regards to notifying the public?

Louis said we haven't done much on signage yet, he will add that as a "to do".

Councilor Holston asked if we have determined what the fee will be to park there?

Louis said no.

Councilor Holston asked if that is something assigned to a committee or is it all in your basket?

Louis said we could assign this to the community services committee to look at this.

Laskey Clifton- We are going to be going into a mediation session with Laskey Clifton, they are saying they weren't aware of the conditions when they started drilling. They are saying the cost over runs they had are our fault. So, probably towards the end of the month Louis, Rick and our City Engineer and only if they bring their attorney we will be bring our attorney.

Councilor Holston asked Louis to reiterate why we need this Million Gallon Reservoir, for the record and because the quarry thing is coming back up again and there are always the questions that surround this. And whether or not we have been approached by the quarry to purchase water.

Louis said we had a population study done a number of years ago to see how much water would be needed for water suppression and drinking water. With three million gallons of water the study stated that would be sufficient to sustain a population of approximately 5500 to 7500. Have we ever been approached by the quarry to purchase water? Yes, but that was when they first started and that was not the specific reason for the tank.

He is working very hard with OEDAC to get jobs, he hopes to get something to you soon with a prospective buyer/employer.

CMAQ Funds- Louis just recently got an email from ODOT stating that any projects that use Federal Funds must meet the requirements of the Buy America Clause for the iron and steel. They have frozen that project until the Federal Highways Administration goes back and reviews all of their policies to see how they are going to incorporate the Buy America Clause.

In regards to signage for the ponds, we had asked about putting up signage for the contaminates. DEQ is helping him incorporate the language, once he gets the language we will get the signs up, they will be in English and Spanish.

6.2 City Recorder Finance Report-

Susan gave the financial report to the council.

Motion: Councilor Holston moved to approve the City Recorders Financial Report as presented. Councilor Gobelman seconded the motion.

J. Affa (aye), J. McMillin (aye), K. Gobelman (aye), Mayor Rowland (aye), K. Holston (aye), G. Carl (aye), P. Forcum (aye). Motion carried 7-0

6.3 Ordinance No. 928, an Ordinance of the City of Oakridge Approving a Zone Map Amendment from Light Industrial District I-1 to Mixed Use District M-1 District on Tax Lot # 00300, 00600, 01400 of Tax Map 21-35-22-20, in Oakridge, Lane County, Oregon

Staff Report- Rick presented the staff report

Open Public Hearing- 7:42 P.M.

Statements in Favor-

Stephan Ball- He thinks that area would be ideal for a camping area.

Matt Altemus- He bought this property from the city a few years ago, he had a power point presentation, but there are so many people here and it would take a while to set it up and present.

Dawn Kinyon- She was part of the council when Mr. Altemus wanted to purchase the property and she agreed with it then and agrees with it now.

Trudy Hammond- Said it sounds like a great idea.

Statements in General- None

Statements in Opposition- None

Close Public Hearing- 7:46 P.M.

Council Discussion-

Councilor Carl said it sounds like a good idea, but at the time you bought the property, the council did not agree to sell it to you to put in a recreation park. Since it is a flood zone how do you intend to deal with that.

Mr. Altemus said the RV park part will not be a very big part of it. Most of it is tree houses, composting toilets and ecofriendly design for the attraction points. He has contacted the State and the Wetlands departments, they have requirements that he will have to do.

Councilor Affa asked if he is meeting all of the Riparian requirements.

Mr. Altemus said yes.

Councilor Holston thanked Mr. Altemus for having answers ready for them.

Motion: Councilor Holston moved that they read Ord 928 by Title only. Ordinance 928 an Ordinance of the City of Oakridge approving a Zone map Amendment from Light Industrial District I-1 to Mixed Use District MU District on Tax Lots #00300, 00600 and 01400 of Tax Map 21-35-22-22, in Oakridge, Lane County, Oregon. Councilor McMillin seconded the motion.

K. Gobelman (aye), G. Carl (aye), J. Affa (aye), J. McMillin (aye), K. Holston (aye), Mayor Rowland (aye), P. Forcum (aye). Motion carried 7-0

Motion: Councilor Holston moved that we adopt Ordinance 928 in a single meeting and that it be effective 30 days after its enactment. Councilor Forcum seconded the motion.

J. McMillin (aye), P. Forcum (aye), K. Holston (aye), K. Gobelman (aye), G. Carl (aye), Mayor Rowland (aye), J. Affa (aye). Motion carried 7-0

6.4 MOU with Inbound to Lease old Public Works Building

Louis read the issue. This is one of the legs of the PM 2.5 wood smoke mitigation air quality issues.

Councilor Carl said he would like to preface this by saying that he appreciates what you are doing with this program and he doesn't want to diminish this program. As an elected official of the city I represent the citizens and he feels he needs to raise some questions about the proposal that your lawyer drafted or you drafted, who wrote it?

Dillon Sanders said Louis wrote it or the Good Company.

Louis said he didn't write it, they did go back and forth.

Councilor Carl said he had some questions that he'd like answered and you can answer them that way everyone has both sides of the story. The agreement presently proposed should not be approved by the city. While the concept of a public/private partnership is appealing Inbound is receiving the raw materials (the wood) for free and the facilities for free. Rather than donating premium Highway frontage property the city should lease property and structures already available at the industrial park. The industrial park would be a better location for the following reasons: Ingress/Egress for wood deliveries and pickup, noise abatement would be an issue for the current proposed location and the current proposed location is prime highway frontage, this would not be the best use for this property. Local wood cutters should be given priority from Inbound. Inbound must provide insurance for this project, evidence of insurance and name the city as the insured before this agreement can be signed and or any work can begin. Is it necessary or in the city's best interest to give Inbound the right of first refusal to purchase this building, this provision should be struck from the agreement, and the city is giving Inbound too much. This provision sets up an argument for a later time as to the fair market value of the property and the value of the improvements. Furthermore the city is agreeing to give inbound too much credit for improvements made by the city. He thinks this is totally unacceptable. In conclusion for the aforementioned MOA, it is unbalanced and heavily weighted in favor of Inbound, the proposed location is not the best use of the property and the wood cutting site should be located in the industrial park or another suitable location. The terms of the proposed agreement are not fair to the city and should be reviewed and revised to reflect a more equitable outcome.

Dillon Sanders said the last two of the last three years they have done the firewood program, it has been a collaborative, the city takes their dump trucks and their people and they go and pick up firewood donated by people and private land owners like Seneca. Dillon provides the labor, the city has been collecting the money. Since they've been doing this the air quality has improved and we got off of the EPA hit list. He was asked to do this, the first year they did about 70 cords, the second year we did 48 cords and third year we didn't do any. This is the fourth year, what is stopping us from doing more? The private companies want to donate the wood, we have the labor and the city has limited resources to provide to us to help, there is no money in this. He found your (Councilor Carl) letter to be inflammatory and rude to be honest with you. You could have called me and he could have answered a lot of your questions, but he is here today and he wished he wouldn't have said that he disagreed with the proposal before he even heard him speak, he felt that was putting the cart before the horse, so he will answer some of your questions, he is not married to this location, there have been buses and much heavier equipment at this location that what he is going to bring in. He will follow the laws on the noise abatement. He doesn't disagree about this being prime highway frontage that is one of the reasons he likes it is because people will know where to get their wood. He wants to make sure that only dry wood gets into the community. There is no money to be made here, \$7000 is no windfall to him, and he is self-taxing himself. He grew up poor and he feels like he could contribute to the community, what can Inbound do? He was approached by this collaborative and he has done his part, he is sorry if you think he is going to make a windfall off of this, that part he found rude. The requirement of giving preference to local workers, absolutely they will hire locally. We will take anyone if you are a good worker, they are already doing that. Insurance, you could have just called me, the city is already an additional insured, they have been for ten years, and we have an existing ongoing million dollar policy, anything we do on your property you are covered. Is it necessary or in the city's best interest to give Inbound the right of first refusal to purchase the building, well if he is going to get in there and put all of his stuff in there and load it up and then you are going to sell it out from under him three months later at least let him protect his investment. That came up at the meeting and he didn't disagree. The City is not giving it to him, they are giving him the right of first refusal, and if someone wants to pay a million dollars for that building Dillon do you want to match it? No he does not, that's his right of first refusal, that's all you gave him.

They are going to sell the wood for \$150 a cord, it is going for \$200 a cord. They want to help those in the community who only have wood heat or are poor or are on the exemption list with Lane County or the City.

He thinks the MOU is balanced, it is weighted in favor to protect Inbound because he is going to be putting his money and people out there. The city has a piece of property that has been underutilized, it's been rented for years and right now it is vacant.

Councilor Affa asked Mr. Sanders what it is exactly that he needs?

Mr. Sanders said mostly space, 2 acres would be good for now. He needs a covered space, the space they have currently at the OIP is not covered, the building they currently have assigned has no sides on it, and the wood is not curing.

Councilor Affa asked if Mr. Sanders was looking to purchase this building.

Mr. Sanders said he didn't know if he could invest in a building just for that, he is in the wildland firefighting business.

Councilor Affa said by your own admission you aren't making any money and it doesn't sound like you are going to.

Mr. Sanders said that is right, he never will

Councilor Affa said while he appreciates his efforts it just doesn't make dollars and cents.

Mr Sanders said it doesn't make dollars and cents, he grew up poor with only wood heat and no electricity so he is sympathetic to those people who are in that situation. He wants to help people until they can get a brand new heat pump someday.

Councilor Holston said something for council to keep in mind is that if our city was a little bit bigger, more robust and had a bigger public works department we could help provide this for our community members ourselves, but we can't. We also need to remember that by providing dry wood to the people who are burning wood we are helping to reduce the particulates in our air and helping out our community meet the standards that we need to meet to grow. This is something that is really important. Mr. Sanders is indeed doing this out of the goodness of his heart because he doesn't make a lot of money on this. She can attest having worked with the collaborative and helping supply this, how grateful, especially the elderly, who he goes above and beyond for them, he not only delivers it he stacks it and covers it for them. She understands that this piece of property can be a prime piece of property, but right now it is unused. From what she sees in this Memorandum of Understanding that Mr. Sanders understands that if we have a better use for this or if someone wants to buy it he is more than willing to jump on that bandwagon and buy it himself or can you help me find another location. He is not going into business selling wood, he is going into business to help our air quality. We need to think about this as we deliberate it.

Councilor Carl said he is sorry that Mr. Sanders didn't like him doing this this way, but he couldn't do that, it has to be a discussion with the council, not between you and me, it has to be this group. He tried to do everything to be open, honest and fair, even as far as providing you with my remarks ahead of time.

Mr. Sanders asked why he couldn't call him.

Councilor Carl said he could call him, but he knew this conversation had to take place with the council. Not between you and me.

Mr. Sanders said he was just trying to save time like with the insurance thing.

Mayor Rowland asked Mr. Sanders if they had any dry wood right now?

Mr. Sanders said he has about ten cords right now.

Mayor Rowland said you are selling them to the low income for approximately \$150 a cord?

Mr. Sanders said that is what they are talking about.

Councilor Affa said it sounds to him like Mr. Sanders is wanting to move is to be able to have four walls. Wouldn't it be easier to just put up some walls where he is right now?

Mr. Sanders said he needs at least two walls. It's the money, if we have to start spending money then we will never be able to get out from being upside down.

Councilor Gobelman asked how many cords of wood does he think they can fit inside the old public works building.

Mr. Sanders said he hasn't actually looked inside there, just from the outside, but he is hoping to get about 50-100 cords in there.

James Coey said he strongly endorses this program and has been a strong proponent of this, as the former Mayor having helped put this all together. He does not agree with the location, he thinks there are other locations as the OIP that would be far more beneficial. The program itself is something that is moving forward and is one of the main components that have got us out of trouble with the EPA.

Motion: Councilor Holston moved that the City Administrator sign the Memorandum of Understanding with Inbound LLC to rent the Old Public Works Shop to manage the Oakridge Community Firewood Program. Councilor McMillin seconded the motion.

Councilor Carl said he would like to see this tweaked just a little bit, like the location is different that is mutually acceptable to Dillon and the City. He likes the program too and he is not against it, he is just against how it is proposed here.

Louis said Councilor Carl read his mind, are there some minor tweaks that you might want in that before you vote on it.

Councilor Holston asked what kind of a timeline are we looking at?

Mr. Sanders said they are going to start delivering wood on October 1st.

Councilor Holston said with council permission she would like to withdraw her motion.

There was more discussion among the council about a different location. There is really no other location that is fully covered right now.

Councilor Carl said part of the reason he'd like to see someplace else is the noise, chainsaws will be running all day long. Dillon did say he would comply with the noise issues.

Councilor McMillin said we could use that building until we can get something else going for him.

Mr. Sanders said he'd rather not have to move in and then move right out, but maybe they could do one season and make it a one year agreement.

Councilor McMillin said helping the community is what it is all about.

Motion: Councilor McMillin moved that the City Administrator sign the Memorandum of Understanding with Inbound LLC to rent the old public works shop to manage the Oakridge Community Firewood Program for an allotted amount of time one year starting October 1, 2018 until October 1, 2019. Councilor Affa seconded the motion.

K. Holston (aye), P. Forcum (aye), G. Carl (aye), J. McMillin (aye), K. Gobelman (aye), Mayor Rowland (aye), J. Affa (aye). Motion carried 7-0

6.5 Resolution 10-2018, Youth Advisory Council

Louis said as a number of you know Councilor McMillin and his wife have been working with staff the last year or so trying to create a youth advisory council. We would have students from the high school that would participate in local government. We are using a model from Cottage Grove, they have been doing this for a couple of years.

Motion: Councilor Holston moved that we approve Res 10-2018 a Resolution establishing a program for student representation on the City Council and establishing criteria for selection of a student representative. Councilor Carl seconded the motion.

K. Gobelman (aye), Mayor Rowland (aye), J. McMillin (aye), J. Affa (aye), K. Holston (aye), G. Carl (aye), P. Forcum (aye). Motion carried 7-0

6.6 Performance Auditing

Louis said he has found five different consultants that do Performance Auditing. What they do is depending on what we want. Are we looking at policy and procedure, are we looking at staffing, are we looking at effectiveness of your departments. He spoke with one person who has been the performance auditor for Lane County for the last three years and has about 12-13 years with performance auditing. Before most performance auditors go in to start digging deep into fixes, they do a risk assessment of each department before they do a full audit.

Councilor Holston asked if LCOG gave him any names of contacts?

Louis said yes, he got a couple of names from them.

Councilor Holston said never having done one of these before she'd like to have some material saying this is what one looks like, this is what we've done for someone else.

Louis said it sounds to him like we'd like to get RFP's for this.

Councilor Gobelman asked if Louis can provide the council with the menu of services that they have so they can review them.

Louis said yes they have menus, we usually get them when we do the RFP, but he will ask a couple places for one. The goal will be to have something for you at the next meeting.

7.0 COMMUNITY SERVICES

Rick said before we move into 7.1 he needs a participant from the city council to be on the Project Advisory Committee for the Transportation System Plan update.

Councilor Gobelman said he will do that.

7.1 Managing Oregon Resources Efficiently IGA

Rick said this is an IGA that would allow us and partnering agencies to borrow and loan equipment to certified operators. We have some very talented operators in our public works and this would essentially put more tools in their hands.

Motion: Councilor Carl moved that we enter into the Managing Oregon Resources Efficiently Intergovernmental Agreement giving the City a greater opportunity to self-perform more tasks. Councilor McMillin seconded the motion.

J. McMillin (aye), P. Forcum (aye), G. Carl (aye), J. Affa (aye), Mayor Rowland (aye), K. Gobelman (aye), K. Holston (aye). Motion carried 7-0

7.2 Inbound Conditional Use Permit Fee Waiver

Rick said what Mr. Sanders is wanting to do in the old public works shop requires a conditional use permit.

Motion: Councilor McMillin moved that we approve the fee waiver for Inbound LLC and forgo the customary \$275.00 fee for the Conditional Use Permit to operate and manage the Community Fire Wood Program. Councilor Gobelman seconded the motion.

P. Forcum (aye), K. Holston (aye), J. McMillin (aye), Mayor Rowland (aye), K. Gobelman (aye), J. Affa (nay), G. Carl (aye). Motion carried 6-1

8.0 POLICE SERVICES

Chief Martin handed out his report to the council.

We have three new Reserve Officer Applicants.

The 24 hour schedule is working well, we have some holes when officers are sick and the OT is higher.

9.0 EMERGENCY SERVICES

Chief Hansen passed out his report.

Chief Hansen reported that response times with this new program have went from 10 minutes and 48 seconds to as of this report they were at 3 minutes and 21 seconds, that is huge. The crews have been working really hard around the station, they painted the training room and this weekend they will paint the striping outside.

We had a vandalism last week, someone threw a rock through one of our windows.

If you look at the back of your report we have added some information on personnel and training. Chief Hansen explained what that information was.

Chief Hansen introduced our Training Officer, Captain Aric Higdon. By having a training officer position during the day we are able to train our paid personnel, they were usually the instructor, so this has been a good thing.

Louis reminded the council that Lane Council of Governments is next week.

On September 27 at 6:00 P.M. at Greenwaters Park they are having ta community outreach to get input on the new Community Events Center.

Louis said the first meeting is to launch this and get some community involvement and then we will do another one with the council involved.

Councilor Holston asked what we are presenting in order to get input.

Rick said it will be a meet and greet and looking for ideas.

10.0 REPORTS FROM BOARDS AND COMMITTEES

None

Meeting Adjourned 9:09 P.M.

Signed: _____


Judy Rowland, Mayor

Signed: _____


Susan LaDuke, City Recorder