



March 27, 2018  
City Council Special Meeting  
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, Council President  
Josh McMillin  
Paul Forcum  
Kathy Holston  
Kevin Gobelman

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

### 2.0 PUBLIC COMMENT

Don Reesman 47738 Fairy Glen- He is here to represent and help enlighten you on our City Administrator. A long time ago we were in the hole, we are not now, and to do that job in less than 15 years like they say it usually takes, he thinks we should keep him around. He is one of the most honest people he has known and he has known him for over 30 years. If we let him go we are going to go backwards, he thinks we should keep him around.

John Milandin 75750 High Prairie Rd- He has lived here since 1997, since he has been here he has served on many boards. He has worked with Louis Gomez since Louis was the Police Chief and now that he is the City Manager. Louis is a man of integrity, honesty, he knows the law and he has kept things on an even keel. He works very hard and we have company out at the OIP that employs 20 people. As for the Mayor,

he has known him for many years and he is a good representative of the city, he makes speeches and represents the city at biking events and other things like that. He looks to all of you as a team that is going to help Oakridge proceed in a way that is legal, honest and with integrity and that is what it is going to take with each and every one of you whether you are a paid employee or a volunteer. We have a good city now, don't mess it up. By all means there is an expression that was used when he worked as a ship builder many years ago, they often said the devil is in the details, that is not the only part of that quote, and so is salvation.

Bob Newland 3895 Vine Maple Street, Eugene- This meeting pertains to following the rules and leadership. He had a business arrangement with who he thought was a licensed contractor and it wasn't carried out to completion, he stepped away from it, the contractor, Jim Coey, and he speaks to this as an unsatisfactory business relationship. He owns the 6 ½ acres that used to have 57 houses on mixed use land in Westfir, he owns the grocery store, post office and the log scale shack across the covered bridge, he has owned that for 25 years. He has put on any event that the city has asked him to do on his property. It is a special area up here and one of the things that is challenging is following the rules and he just wanted this as an example.

Debi Steers 76416 K's Drive- Debi read a letter of support for Louis from Gene and Celia Hilleman. (See attached)

Leah Brewer 48434 Jasper Drive- She is here to support her boss. Louis is a great leader and has brought the different departments of the city together such as the Fire Department, Police Department, Public Works and the office staff to all work together as a team. Louis also listens to the citizens of Oakridge and their wants, not what he wants. He has become a great voice for the citizens of Oakridge.

Dan Barclay 47487 Hwy 58-The last time he accepted an invitation to one of these meetings, which is what the notices are, he was treated kind of badly along with other people and he promised himself that night, never again. As far as he knows he's the only one in the room that voted to hire Louis, not because he was the most experienced out of 58-59 candidates, but for a lot of different reasons he was the best candidate. We don't always agree, but when we do it's always respectful. If I send him an email I always get a response back, if I leave a message I always get a call back, if we meet it starts and finishes with a handshake between men. He's a good man, has always been a standup guy. Your job and your sworn duty is to conduct yourselves in a way that is legal as required by law, but also ethically and morally, which only requires the courage to stand up and say no when it's wrong. Judy you and I disagree almost always, I thank you for having that courage and I hope at least three other councilors have that same courage. Louis has always been responsive to him. The first email he sent to council was misrepresented at your third meeting in February of 2015 and the last one he sent, well the response he got the next day, there was an email that was sent to every business organization between the city council, Senator Wyden's office, Travel Lane, Travel Oregon, UBRA, I'm sure I'm missing someone, but I didn't send it to any of these people, I sent it to council only, and the response I got from then Councilor Coey was "You're right, I don't usually respond to your emails, I find them a waste of my time". When you took that oath you have a responsibility to me and everybody in this room, all citizens. When it comes times to vote I hope four of you have the courage to say this is not politics, this is not a power struggle, and it is a power grab by somebody who will never have enough.

Teresa Freborg Bugle Loop- George Custer read a letter from Teresa Freborg in support of Louis. (See Attached)

George Custer 48195 McFarland- As to tonights agenda, item 6.3 the non-renewal of City Administrators contract this special session and agenda item was as I understand it requested by Mayor Coey. This idea comes from the person who when previously asked about his performing contracting work in Oakridge said he worked under a friends license, as a licensed contractor I know this to be highly illegal as he would know if he were ever a contractor. This also comes from the person who said he doesn't need to get a business license for the work that he does do because he doesn't do \$5,000 worth of work yet he has done numerous jobs inside the city that should have easily put him above that threshold. Shouldn't the Mayor set an example for the business community? Lastly this comes from the person who, as we know travels extensively for the city, yet said that if the city bought a car for his travels, he would not do any traveling. So has he been traveling for the people of Oakridge or to live off of the city's travel expense account which he said that he does. Thank you.

Susan read a letter from Dwight Chitwood in support of Louis (See attached)

Susan read a letter from Dan Tanner, Tannerite Sports LLC in support of Louis (See attached)

### **3.0 MAYOR AND COUNCIL COMMENTS**

Councilor Rowland passed out correspondence between herself and the Mayor, she asked him to send her any correspondence that he has between himself and the city attorney. The Mayor sent her back correspondence from November 3, 2017 about Louis draft employment contract. She wrote him back asking if he or Gary had anything in writing from Ross, the attorney about the meeting on March 27, 2018 and the Mayor wrote back and said this is all I have. So today I called the attorney and I can't tell you what the attorney said, but there was correspondence. So number one, on March 20<sup>th</sup> the attorney sent the Mayor information and he didn't pass it on so she asked the attorney for a copy and he sent it out to all of the councilors. She hopes you have all had a chance to look it over and realize that the Mayor point blank lied to her. She does not like being lied to.

Mayor Coey said he apologizes for that that was the only one he found, he went through what he had and that was all he found or else he would have sent it out.

Councilor McMillin read a letter – I, Councilor McMillin have read and I believe i understand the employment contract between Louis Gomez, the City Administrator and the City of Oakridge. He understands the right of the city to terminate employment at will. He participated in Louis annual performance review less than one year ago, at which time his performance was collectively declared satisfactory with the only area as suggested improvement being to reduce time for project completion. From his perspective Louis was instrumental in recovering Oakridge from its previously negative financial and social despair and he has personally seen no indication that Mr. Gomez failed to meet the expectations set forth for the City of Oakridge. As a new councilor he has found Mr. Gomez and his staff to be paramount in his success as a councilor thus far. He has been supportive and engaging and has provided additional training as needed. He is diligent, resourceful, uses direct approach, appearing to him being completely qualified to lead our city in regaining the trust of our citizens and helping the council to better serve the public in a way that is open, honest and ethical.

### **4.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA**

None

## **5.0 CONSENT AGENDA**

None

## **6.0 ADMINISTRATIVE SERVICES**

### **6.1 City Administrators Report**

Louis said since it is his contract on the agenda he would like an opportunity to speak as if it was a staff report or otherwise.

Louis wanted to lay out some events for everyone. On March 19, 2018 he had a meeting with Mayor Coey and Councilor Carl. This meeting culminated from an executive session that the Mayor called on March 15<sup>th</sup>. On that executive session he stated he had some issues that he wanted to discuss with Louis and the Council about his evaluation. That sounded odd to him since he just got his evaluation in August. At that time he told the Mayor no I don't think so, but if you want to have a meeting with him and the council president he is more than glad to do that which we did. The first thing out of the council presidents mouth, which is Mr. Carl, was, Louis, myself, the Mayor and Kathy had a meeting the past weekend and we have decided that you need to resign. Louis did not get that on the recording, but he got the rest of the meeting on the recording. There may not have been a quorum, but the probability of it being an illegal meeting is pretty strong and should have never happened. He does not recall that they had consent of the rest of the council to come in and tell him that. That is a big issue. We need to follow rules and follow processes that was totally out of line and should have never happened. Thank you Councilor McMillin, you covered the piece about evaluations for him.

He has discussed other issues with the Mayor in the past and one of them was a release of confidential information back in October which is unlawful and he was counseled by our city attorney in regards to that release. When something has occurred in error then we take that as a learning opportunity and we learn from it, but when it is something done intentionally, he does not know that to be a learning opportunity at that point. That is an issue. In February there was an email meeting that was unlawful and again we are supposed to post meetings like Mr. Barclay had said, the invite was out there, he was able to come to this meeting. Again the majority of the council in that unlawful meeting in February took it to heart and it was a learning opportunity. However, when he made contact with the Mayor and I said did you see my email about stopping this unlawful meeting he said yes, I saw it, why are you making such a big deal about this, I still want you to find me the money. Louis said no, he is not going to act on an unlawful action. If the city attorney says it's a lawful meeting then he will take action, well the city attorney stated that it was not a lawful meeting. These are the kind of issues we need to fix, we can't be doing things like this.

Louis received information from Councilor Rowland that someone had made a statement to the effect that Louis and George are too old, too old fashioned and they need to go. We are laughing, but that is also unlawful, so that is not a lawful thing that we can say especially if it is his employer that is the one who said that.

There have been a couple of times over the past year that he has had to talk to the Mayor in regards to travel reimbursement, back in September he went to the League of Oregon Cities, he went to Bend and then he was supposed to go to Portland. Well, he came back because he forgot his wallet, but when he turned in his reimbursement form he added the additional 98 miles, not ok. Louis told him no, he is not

going to pay that, he got a little upset and he told him again that he is not paying it and he told him if he wanted it paid he would have to go in front of the council. Shortly thereafter another one, about 30 miles over, again he asked him for a business necessity to please put it on the form and the Mayor basically threw the form on his desk and said pay it. All of these things tie in as a daisy chain, there is an issue here and we have to fix it and he believes he can do that, we've got to do it together. The point is he would not state something that he can't substantiate, he can substantiate everything he's stated. The key point is that he wants to continue in your employment. He's believes that the community wants him to continue in your employment. So, at this point those are the only things he wanted to touch on, but again it still ties back to mileage reimbursement, so are we going to these meeting for our self or are we going for the benefit of the city and yes, the Mayor has made statements in open work sessions that this is his check, this is how I get paid. Is that good or bad? Not necessarily, the bottom line is when we take an elected office or an appointed office we swear to uphold the ordinances, the statutes federal or state.

## **6.2 City Recorder Finance Report**

None

## **6.3 Non-Renewal of City Administrator Contract- Resignation of City Administrator**

Mayor Coey said as advised by our attorney we will be postponing this for now. There will be an evaluation coming up and we will be doing our yearly evaluation soon. He will be sending that out to the council in the next week. He hopes to have it by the meeting of the 19<sup>th</sup> of April. At that point they will have an executive session based on the evaluation process as stated by the city attorney and ordinance.

Councilor Rowland wanted to call for the question right now. Councilor McMillin seconded that.

Louis said she called for the question, it would take four of you to call for the question and then it would be whatever motion after that.

Councilor Rowland said she would like to vote on whether or not to renew his contract.

Mayor Coey said we can give a 90 day notice, which is before March 30<sup>th</sup> because his contract expires on June 30<sup>th</sup> and if we give a 90 day notice we can do it without cause.

**Motion:** Councilor Rowland moved to approve the City Administrators, Louis Gomez's, contract for the next year. Councilor McMillin seconded the motion.

Councilor Gobelman said as the youngest councilor, not necessarily in age, that you folks (citizens) accepted him into your town and based on that faith he sits here tonight, Mr. Gomez you were a principal in getting him involved. They have always had open and honest discussion and part of his integrity you saw in this city. He knows his limitations and he is willing to work at making himself better, it would be foolish to let him go.

Councilor Holston said there have been many times when she has said to the few people that are here (inaudible), be sure to tell everybody to come, to participate in the audience and in the council, to talk to the council. Facebook doesn't help us make decisions, but reaching out to your councilors does and she really appreciates each and every one of you coming out here. For her tonight is about looking at the future of Oakridge and in her opinion she would like to see us operate in a different way, that doesn't mean how we are operating is bad, it doesn't mean that how we are currently operating is wrong, but she

would like to see change. She will say however that we had the opportunity a while back to vote on the side by sides and she had someone come to her individually and say they really want to talk to her about another facet of the side by sides and that is motorcycles, they presented their case and she changed her mind. She is not sure she has changed her mind tonight, she is really impressed that so many of you have come out tonight to speak in favor, what she is not impressed about is how much of this has degraded into a little bit of a character assassination which she doesn't think is necessary. She truly, truly likes Louis as a person, but we aren't talking about as a person, she appreciates what he's done, she appreciates his ability to lead and she appreciates how he's helped her become a councilor and learn the process which is not easy. She just wants to thank all of you for coming out and for being willing to stand up for what it is that you believe to be right because that is how our process works.

Councilor Carl said he was at that meeting and he has a tape, he made a tape and Louis made a tape, and the first thing he said to Louis was not you have to resign, the first thing he said was he appreciates what he's done for this City and he does.

Louis said yes, you did say that also.

Councilor Carl said when Louis came on we were in a corner and Louis and his staff got us out of that spot, so he was really conflicted when he talked to Louis and said I think you ought to resign and I did say that and he explained why he was conflicted because he likes Louis he is a good person just like all of you have attested to, he's not bad and he's not unethical. So why would he think that somebody else could do as good or a better job than Louis? The fact is he's not sure, but there are things that have transpired that he is not going to get into right now, that he wish were different. So he came to the conclusion that he felt like he had a fiduciary duty to the citizens of Oakridge, representing the citizens of Oakridge, to ask Louis to step aside, maybe I was wrong, so maybe I was wrong, if I made a mistake I can admit that. I think because all of you are here and all you obviously want us to renew the contract for another year, I don't think that is reason enough for us to do it, so he's not going to vote for that, that doesn't mean he won't vote to renew the contract, but he won't vote for that tonight. He wants to take a moment to look things over, consider things, we have another evaluation coming up.

Mr. Barclay said tonight we are having a Special Session and the only action item on the agenda is to entertain the motion and vote on something that the council already has the legal authorization to do as far as renew or not renew the contract, does that seem curious to anybody? A special session to approve something you are already entitled to do.

Councilor Carl said what he wanted to do today is talk about it and we can't do that, according to the open meetings law the only way we can discuss things is if we call a meeting and get together. We can't three of us get together and two of us get together and discuss it. His vision of this was that we would have a discussion.

Councilor Rowland said it seems to her that Councilor Carl, Councilor Holston and the Mayor have already discussed this and have already made up your minds.

Councilor Holston said then you must have not listened to what I just said.

Councilor Rowland said she knows that you had an illegal meeting.

Councilor Holston said she has listened to what people have said and she is willing, but she is also not willing to, as a council, to be pushed into voting until we have had adequate time to review. We wanted to have a civil discussion about this and yes complying with Oregon's Public Meeting Law is absolutely necessary and absolutely difficult at the same time and anyone who has had to do that will tell you that. We have people who have expressed their views on Facebook, have called out people, have been rude and she thinks as a council they need to talk about this as to how it effects Oakridge, not as a power play, there is no power play here, there is just a review of a contract and a contract that can be renegotiated every year, that's what you do with contracts and she would like to look at it and determine if this is what we want and what is best. If we determine as a council that it is best then great.

Donald Hadley said what bothers him is he has seen this go on for a long time, when he sees what's happening with this community here. There have been several different times that the city has been sued, that man, I may not like Louis, but he has done a pretty good job. I've known him from the day he came here, and you know what, that individual is going to sue the city, that is what he is scared of. Can we really afford that? He has been really quiet, but you know what, this town is really important to him, he lives here and he has owned a business here for twenty something years and he has seen this town get sued many times and that individual has the right to sue you from what he is hearing.

Mayor Coey (Nay), J. Rowland (Aye), P. Forcum (Aye), J. McMillin (Aye), K. Gobelman (Aye), K. Holston (Nay), G. Carl (Nay). Motion carried 4-3

**7.0 COMMUNITY SERVICES**

None

**8.0 POLICE SERVICES**

None

**9.0 EMERGENCY SERVICES**

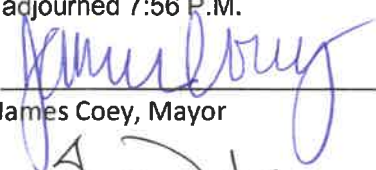
None

**10.0 REPORTS FROM BOARDS AND COMMITTEE**


None

Meeting adjourned 7:56 P.M.

Signed: \_\_\_\_\_

  
James Coey, Mayor

Signed: \_\_\_\_\_

  
Susan LaDuke, City Recorder