



June 7, 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: Jim Coey, Mayor
Judy Rowland
Gary Carl, Council President
Josh McMillin (absent)
Paul Forcum
Kathy Holston
Kevin Gobelman

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

2.0 PUBLIC COMMENT

James Affa 76340 Garden Road- Mr. Affa wants to do something about annexing in Westfir.

Don Hadley 48203 Hwy 58- Mr. Hadley handed out documents to the Council. They were told at the last budget meeting that the city hasn't had any raises for the last six years, he feels they were fibbed to. He wants to reconvene the budget committee.

Dawn Kinyon 76113 Fish Hatchery Road- Dawn read a statement alleging that Louis was signing contracts inappropriately. She alleged that a private investigation was done, that resulted in a volunteers termination.

Dan Barclay 47501 Hwy 58- Discussed the Charter and leadership.

3.0 MAYOR AND COUNCIL COMMENTS

Mayor Coey went on a tour of St. Vincent Paul, they took him, Louis, Rick and Greg Chapman on a tour of their facility with Terry McDonald. Terry wants to move some of the operations to Oakridge and create jobs.

He was at the Lane County Courthouse with Commissioners discussing the Side by Sides.

Mayor Coey said as of this evening he is resigning as Mayor, he is done with the BS that he has had to put up with for the last two months, he is done with the lies and the threats and the harassment by George Custer, it's one thing to throw them at him, but when you throw them at other community members that are his friends, that's enough. The Council should consider misconduct charges in a hearing against Mr. Custer because he is your Planning Commissioner Chair and the Chair of the OEDAC Committee and he thinks he should be removed from that position, but that is up to you. The recall, it's ridiculous, there is six months left in this term, it's ridiculous that you want the city to pay \$7,000 for six months left when you have no facts to back up anything you are saying. Some people said there was a power grab when he tried to replace the City Administrator, why would he wait until there is seven months left in his term to do that that is ridiculous if he was going to do that he would have done it a year ago when it would have made a difference. And he doesn't want his job, he just wants him to do his job. And you all stood up and spoke about some of these issues, so I don't feel that I have the support of the council so he is backing out. He won't show up and do meetings or just sign checks. He has done a great job for this community and he's spent almost eight years volunteering for this community, volunteering, remember we don't get paid to do this work. And to be lied about and harassed it's ridiculous. This is why no one wants to come to Oakridge and open up industry. They are watching, instead of working on this amongst ourselves, we go to the media and throw out all of our dirty laundry, instead of dealing with the problem. Life is too short, he is 61 and life is too short, stress is not his friend. Good luck, he is out.

Councilor Carl took over the meeting. He asked what happens next?

Louis said Councilor Carl will act as Council President right now, there will be discussion with the council on how you wish to fill the vacancy and Louis will get all the particulars by Monday, he doesn't have them off the top of his head.

Councilor Rowland wanted to respond to Mr. Hadley's comment, Louis didn't say they hadn't had any raises for the last six years, he said there was a six year period where there were no raises.

Councilor Rowland asked Ms. Kinyon who Susan investigated for Mike?

Ms. Kinyon said she will discuss that outside of this.

Chrissy Hollett raised her hand and said it was her, it is no secret it was her.

Councilor Rowland asked Susan if she investigated Chrissy Hollett.

Susan said not as a PI or at Mike Hansen's request. She didn't have her PI license until October of last year, she has her license if you want to see it. What she is referring to was done prior to that and it was not done per the request of Michael Hansen. The only time any investigation of any employee of the City of Oakridge was done was when charges have been brought from another employee and that point the person who receives the allegation passes it on to HR. Susan and Mikal McPherson complete internal investigations together as a joint team, they both do the report and they both sign off on the report, this is City wide. Again, any internal investigations are initiated by a complaint being filed by another employee or volunteer and brought to HR and those investigations are joint investigations done by Mikal McPherson and herself.

Susan will also point out, Michael Hansen's name is not on her DPSST PI License.

Councilor Holsten thanked Dawn Kinyon for all of the work she has done, regardless of whether or not it is completely accurate or not you have put a lot of work into this and her personally as a councilor would like to ask the council to consider what she has given us as the beginning of an investigation, she does believe that her statements bare enough validity that they should be answered and they should be formally answered. She doesn't want to get into a back and forth here with everyone, that is not the way we do this. She has done this all privately and on your own time, she thinks it behooves the City to answer this and she does not know if she needs to ask this formally or how that happens.

Councilor Carl asked Councilor Holsten what it is that she is asking?

Councilor Holston said she is asking that the Council direct staff to investigate and answer the questions that have been brought up in Dawn's written statements.

Louis said he can respond to Mr. Barclay's statement and to Dawn in regards to the contracts very easily. He has an email from the City Attorney in his hands, so he can take care of this fairly quick.

Councilor Carl said he is not sure of the process, but he would also like to thank Dawn for doing a lot of work to gather this information for us and he would like to see, rather than asking the staff to look in to this, he'd like to ask the council how they feel about having a meeting immediately after they've had the chance to review and digest the information.

Louis said because these are allegations, to him and to staff, if they are going to do anything it would have to be in executive session, but yes, it can be discussed, but not yet, this is raw material, you just got it, but there can be a discussion. If there is any investigation they would have to be separate, one would be for Louis and one would be staff if there is going to be one, but he thinks he can clarify a lot of what these folks just stated with an email that he wants to read.

Councilor Carl said his thought is that citizens, both Mr. Hadley and Dawn Kinyon have done a lot of work to put together a lot of information and he is not going to look at it right now, but he is going to look at it and he would hope the rest of the council is going to look at and have time to digest it then we can have an executive session to discuss it.

Louis said Monday he would like to sit down with Councilor Carl and another Councilor so we can at least get some dialogue, possibly Judy that gives us a balance of the council.

Dawn Kinyon wanted to point out that she sincerely hopes that they don't request their own staff to investigate these issues. She thinks if you are going to have anyone investigate it should be yourselves and/or an outside source.

Councilor Carl said until he looks at this and digest this, then they will take the next logical step with this.

Louis said there are a number of rules on how we have to do an investigation. The Mr. Hadley and Dawn Kinyon will not be brought in to this any time right away, they turned their stuff in, you all will have to digest it and then Louis will need an opportunity to speak with two of you and see what the next steps will be and he will give you those options on independent investigations and those things.

Councilor Carl said that seems to be reasonable way to proceed, does anyone on council object to that?

Councilor Holston said she doesn't object, but she does have a question as to whether or not that it is as appropriate as going to our City Attorney and asking him for a ruling, or is that just part of it?

Louis said yes, absolutely.

Councilor Holston also wanted to speak towards what James Affa suggested as far as looking at a Westfir Annexation, a few meetings ago we directed Louis as a council to look into staffing the joint committee that is part of our agreement with Westfir, that would be a first step and that would then lead to hopefully further conversations.

Councilor Carl said there is no way that he will have the time to devote that Mr. Coey did. He has a business to run, he is hoping some of the Councilors can pick up the slack.

4.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA

On 7.1 Concerts in the Fee waiver, we need to add the Alcohol permits to that.

5.0 CONSENT AGENDA

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

J. Rowland (aye), G. Carl (aye), K. Gobelman (aye), K. Holston (aye), P. Forcum (aye). Motion carried 5-0

6.0 ADMINISTRATIVE SERVICES

6.1 City Administrators Report

Louis read an email from our City Attorney dated June 5, 2018. Louis had heard that these questions were out there, so he sent them to our attorney. (Letter attached) The first question concerns section 19 and whether this section requires that the Mayor signs all contracts for the City. Upon the approval of the Council the Mayor shall endorse all bonds of City Officers and all Bonds for licenses, contracts and proposals and counter sign all orders of the treasury, and again, this is from the City Attorney, I believe that section 19 does not require the Mayor to sign all contracts, I interpret section 19 to refer to three

categories of documents, the first category is bonds for city officers, the second category is bonds for licenses, contracts and proposals, he is talking about general obligation bonds and the third category is orders of the treasury. The Mayor's authority to sign documents only comes about once the council approves a matter, this is not an authority that rests independently with the mayor. In a nutshell, the signature section 19 applies signature of the mayor to bonds, specifically. The mayor does not sign all contracts. The second question; what authority does the City Administrator have over the appointment of city personnel? The provisions of section 21 (6) provide that the City Administrator shall appoint, discipline and remove appointed personnel except appointees of mayor or council. Supervise and control the administrator's appointees and their service to the city. 21 (6) subsections (e) and (f) to provide that the City Administrator is the one city official in charge of appointing city personnel except as may otherwise be provided in the Charter or as by State Law such as members of the city's budget committee. The authority provided by section 21 (6) is not limited by the manner in which the personnel appointment is made.

Councilor Holston said while she appreciates him reading that, she appreciates what the attorney said, but (interruption)

Louis said I don't think we need (interrupted)

Councilor Holston said no! You brought this up, you brought it up and wanted to read your email so I get to respond to your email! We originally said we were going to do this in executive session and you read the email.

Louis said he was responding to his comment.

Councilor Holston said there is a difference between a personal service contract and a contract between a company. We approve the contract between the company of our City Engineer and of any other company we hire.

Louis said they are not his appointees.

Councilor Holston said she would push that there is a difference. She wants the ability to talk about this in executive session.

Million Gallon Reservoir-Well-Transmission Lines- That project is moving along well. DEQ did visit the site this week, we are hoping to get the report back so we can get it to everybody. The City Engineer is still working on the filtration system as far as cost and the cost as far as digging a well.

Community Events Center- When we started down this road about a year and a half ago it went pretty narrow, one of the options that he suggests to the council is that we go out with a broader message to the community for interest, so we can see how much interest is there.

I and I- He just checked with the City Engineer and he thought he had the application turned in, but not quite, he is almost there.

The Repair of the Amphitheater and Gazebo Population- the Gazebo at the Rest Area is coming along, people are posting things.

New Phone System- We got a quote of about \$13,500 so we should be within the \$15,000 that we were projecting, our phone system hasn't been upgraded since 2001.

Burn Forest Products, LLC- Louis just got off the phone with them today, we are going to work on getting the electricity hooked up and get that going.

AMTRAK Station-He got a hold of LCOG and they steered him to a group called Community Transportation Association of America who works with rural municipalities and tribes. Louis has asked them to do a feasibility study for the expansion of the Diamond Express and the placement of the Train stop.

Transportation Systems Plan- ODOT had to negotiate with the consultant, it looks like we got to a place where they will take the \$145,000 grant that we received for the transportation systems plan, and it will take approximately two years to finish that. ODOT is going to ask for an addition \$5,000 because it came out to about \$149,500.

AHA- AHA and City Staff are working on the new website.

I-5 Signage- Louis will be getting with Dan Hurley the new public works director and they will look at that again.

Emerald Broadband- It looks like we will be able to get internet down here for about \$35 a month.

6.2 City Recorder Finance Report

No report

6.3 Resolution 4-2018, Resolution Certifying that the City of Oakridge provides four or more of the required Municipal services for State funding.

Louis said the reason they are bringing the Resolutions today is to minimize the number that we will be doing during the adoption of the budget. We have to provide at least four municipal services.

Motion: Councilor Rowland moved for the adoption of Resolution 4-2018 certifying that the City of Oakridge provides four or more of required municipal services for State Funding. Councilor Gobelman seconded the motion.

K. Gobelman (aye), P. Forcum (aye), G. Carl (aye), K. Holston (aye), J. Rowland (aye). Motion carried 5-0

6.4 Resolution 5-2018, a Resolution declaring the City's Election to Receive State Revenues

Public Hearing- 8:01 P.M.

Staff Report- Louis read the staff report

Statements in Favor - none

Statements in General- James Affa said he thinks we should accept it, we need the money.

Statements in Opposition- none
Close Public Hearing- 8:03 P.M.
Council Discussion

Motion: Councilor Forcum moved for the adoption of Resolution 5-2018 declaring the City's election to receive State revenues. Councilor Rowland seconded the motion.

J. Rowland (aye), P. Forcum (aye), G. Carl (aye), K. Gobelman (aye), K. Holston (aye). Motion carried 5-0

7.0 COMMUNITY SERVICES

7.1 Concerts in the Park

Motion: Councilor Rowland moved to approve the fee waivers and alcohol permits for the Concerts in the Parks on July 7, 2018, July 21, 2018, August 4 & 5 2018 and August 21, 2018 and transfer \$1500 from the TRT Fund. Councilor Forcum seconded the motion.

Councilor Holston said although she likes Concerts in the Park how many years have we been paying for that?

Louis said Concerts in the Park was a city function for about three or four years and then this group came in and helped us out and took it from our hands.

J. Rowland (aye), K. Gobelman (aye), P. Forcum (aye), G. Carl (aye), K. Holston (aye). Motion carried 5-0

7.2 Filling Library Board Vacancy

Motion: Councilor Holston moved to appoint Loren Hogue to fill the Library Board vacancy. Motion failed due to no second.

Motion: Councilor Holston moved to appoint Mary Miglioretto to fill the Library Board vacancy. Councilor Rowland seconded the motion.

P. Forcum (aye), J. Rowland (aye), K. Gobelman (aye), G. Carl (aye), K. Holston (aye). Motion carried 5-0

8.0 POLICE SERVICES

Chief Martin gave his report to the council.

They got a new Lidar unit which is a radar unit that shoots out a laser which is near impossible to fight in court. The officers will all have training for this.

We will be back to 24 hour coverage starting July 1, 2018.

9.0 EMERGENCY SERVICES

Chief Hansen handed out his report

There was a structure fire Tuesday morning about 1:00 am. The crew did a good job and were able to contain it to just that structure and save the neighbors houses.


10.0 REPORTS FROM BOARDS AND COMMITTEES

None

Executive Session: ORS 192.660 (2) (h) to consult with concerning the legal rights and duties of a public office with regards to current litigation or litigation likely to be filed.

Meeting adjourned for Executive Session at 8:19 P.M.

Signed: _____  Mayor
James Coey, Mayor

Signed: _____ 
Susan LaDuke, City Recorder