



September 10, 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 Rec/Assistant Planner
Susie LaDuke, Finance Director/City Recorder
Kevin Martin, Police Chief (absent)
Rick Zylstra, Community Services Coordinator

Adjourn Executive Session 6:05 P.M.

Executive Session ORS 190.660 (2) (f) to consider information or records that are exempt from disclosure by law including written advice by our attorney.

Meeting resumed 6:15 P.M.

2.0 PUBLIC COMMENT

Trudy Hammond PO Box 1084- Nebraska State Senator Ben Sasse spoke about Schoolhouse Rocks civics in a confirmation speech, pertaining to how laws are written. She thought of the Oakridge City Council giving up all power to one City Administrator is a vise versa scenario for us. How will City Council regain authority and when?

Stephan Ball 76482 Cedar Street- He presented a complaint on the first week of August on the City Administrator to city hall, if the city council hasn't seen the complaint it should concern you. He contacted DEQ regarding the water here and they are going to try to find the source of the contamination.

Leo Robb PO Box 156- Had to leave on a call.

Dawn Kinyon 76113 Fish Hatchery Road- She spoke about record keeping for policy and procedures that are established in our city. She asked for a policy book it appears it doesn't exist.

3.0 MAYOR AND COUNCIL COMMENTS

Motion: Councilor Holston said the council understands and accepts that we made a procedural error in the appointment of the mayor and takes responsibility for those actions, however, because the election in November is just two months away and to move forward with the business of the city, no action will be taken to step back and change the outcome of those actions. This motion is meant to acknowledge to the public our error, uphold the authority of the charter and move us forward with the important business the city needs to attend to. Councilor Carl seconded the motion.

K. Gobelman (aye), Mayor Rowland (aye), J. McMillin (aye), P. Forcum (aye), K. Holston (aye), G. Carl (aye).
Motion carried 6-0

Councilor Carl said in the minutes the recorder reflects that he said he would be in favor of incurring costs on behalf of the city for you to respond to your legal issues. He didn't mean you could call our lawyer and we are going to pay for it, he meant just the opposite. As a member of the council he would NOT be willing to incur costs on behalf of the city on your behalf.

Louis said the clarification has been made and is in the minutes.

Councilor Holston responded to Ms. Hammond and said she also heard the piece from Ben Sasse and was duly impressed with it as well and immediately made the connection as she did and a lot of people did. Regaining authority is an important part of our council and we have to do that.

Councilor Holston told Mr. Ball that she is going to direct him to Louis because there is a complaint process.

Mr. Ball said the complaint is on Louis and she should be concerned that you haven't seen it.

Councilor Holston told Dawn that this is something that can't happen before the election. This has to be done carefully and with a citizen's review and step by step she assures you that it is something that will be done.

Louis told Dawn that this (Ordinance book) is the closest that you will find to the policy manual, it was codified in 2005. We just started the process of bringing all of the bits and pieces in so that we can find a

vendor so that we can catch everything up. We are 13 years behind, we do agree with you that we have a lot of pieces that do need to be taken care of and put in one place.

4.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA

Add Executive Session

5.0 CONSENT AGENDA

Motion: Councilor Holston moved to approve the consent agenda as given with correction on page 2. Councilor Carl seconded the motion.

Councilor Holston would like the following correction, on page 2 change "interrupted" to Point of Order.

Mayor Rowland (aye), G. Carl (aye), P. Forcum (aye), K. Holston (aye), K. Gobelman (aye), J. McMillin (aye). Motion carried 6-0

6.0 ADMINISTRATIVE SERVICES

6.1 City Administrators Report- No report

6.2 City Recorder Finance Report- No Report

6.3 Filling of Vacant Council Seat

Motion: Councilor Carl moved to appoint James Affa to fill the vacant council seat vacated by Mayor Rowland. Councilor Forcum seconded the motion.

Councilor Carl said we have several people that are qualified to take this seat, he doesn't mean to diminish the qualifications of any of you. The reason he is moving forward with Mr. Affa is that he has years of experience with this council and years of participating with the council. He believes Mr. Affa will help us move forward quickly and efficiently.

J. McMillin (nay), Mayor Rowland (aye), P. Forcum (aye), G. Carl (aye), K. Gobelman (aye), K. Holston (aye). Motion carried 5-1

Susan swore in James Affa to the council.

6.4 Request for Qualifications for a new City Attorney

Louis said the council directed that we go out for a city attorney, the normal process is 30 days you go out for RFQ's, RFP's and then they apply, the council can put a committee together to go through the applications and use a scoring process. Whoever the top score is is who we will present to the council a recommendation for the city attorney.

Louis needs to know some basics when putting this together, he would like to see a firm with diversity, for example if they have a labor person, a land person... We have a number of different templates for that.

Councilor Gobelman said it is important to him that whatever firm we have has diversity and to add to the list litigation, whether they use in house litigators or they contract them.

Louis said we can do an RFQ/RFP process so we are asking for qualifications of the attorneys and the proposal side would be more for cost.

Councilor Carl said lawyers and law firms are rated, it is called an AV rating, we should ask what their AV rating is.

Councilor Holston said we will do the RFQ/RFP and once you get that written you will present it to us and then it will get sent out, is that what happens or do you just go ahead do it?

Louis said he could go ahead and just do it, get it sent out.

Councilor Holston said so it would have to wait until the next council meeting for approval? She is just curious about the process. When do they put together a citizen/council review committee? Do we post that?

Louis said we don't normally for city attorney's bring in citizens for that, that is usually council and staff because that is who is going to work with them and use them. What he can do is if the council is willing to make a motion for him to prepare this and have a couple of the councilors look at it and if you say in your motion upon approval of the team of the council he can ship it out and that knocks off ten days instead of waiting for the meeting.

Mayor Rowland asked if we can have about a week to bring things to him that they would like him to look at to put on there?

Louis said yes or we can put it on the next meeting and have it ready to go and ship it out after the meeting.

Councilor Carl said he doesn't think we need 10 days to do that, we can probably do it in 48-72 hours. I guess we are not allowed to discuss it among ourselves because of public meetings laws, but each of us can think about that and maybe talk with one other person about that. These firms are out there and it is going to take time for them to review it.

Louis asked Susan if the council makes a motion to select two or three people to approve the draft that he puts together and I think that mitigates the ten days.

Mayor Rowland, Councilor Affa and Councilor Carl will meet on the 12th at city hall at 10:00 A.M.

Louis said he will have some electronic copies so we can put it together, we should be able to do it one sitting.

Louis said the other thing is so that we have the authority to send it, We will need a motion to allow the committee to bless it and ship it.

Councilor Gobelman said we could just make the original motion longer and just add it in with that motion.

Motion: Councilor Gobelman moved that we direct the City Administrator to draft a Request for Qualifications for a new City Attorney and that the three council members have the authority to approve the draft for sending it out. Councilor McMillin seconded the motion.

Councilor Holston said she is glad we are doing this, as far as discussion goes she also thinks that one of the next steps that they do as a council is to make sure they put in place a policy that governs how we contact our attorney, who contacts our attorney and how those contacts are recorded. She believes we should document that so that it becomes a part of our policies so that successive councils will know how we use our attorney, who uses our attorney and where the documentation is of the times we have used our attorney.

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

Councilor Holston asked about the microphones.

Louis said Rick is working with him and hopefully by the next meeting we will have them.

Councilor Holston said thank you.

7.0 COMMUNITY SERVICES

None

8.0 POLICE SERVICES

None

9.0 EMERGENCY SERVICES


None

10.0 REPORTS FROM BOARDS AND COMMITTEES

None

Meeting Adjourned 7:00 P.M.

Signed: 
Judy Rowland, Mayor

Signed: 
Susan LaDuke, City Recorder