



February 21, 2019  
City Council Meeting  
Willamette Activity Center Room 8  
47674 School Street  
7:00 p.m.

## MINUTES

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### 1.0 CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE

Council Present: Kathy Holston, Mayor  
Christina Hollett, Council President  
Bobbie Whitney  
Stan Barenboim  
Paul Forcum  
Donald Hadley (absent)  
Trisha Maxfield

Staff Present: Phil Messina, Interim 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 PLEDGE OF ALLEGIANCE

3.0 ROLL CALL- Councilor Hadley was excused

4.0 CORRECTIONS, OR ADJUSTMENTS TO THE ADGENDA- None

5.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA – 30 MINUTES

Dawn Kinyon 76113 Fish Hatchery Road-She is concerned about the Fire Dept Budget. She said this is a good time for the council to ask for a fire Dept budget. She made a statement in regards to Councilor Hadley.

Renee Edmunds 48021 W 2<sup>nd</sup> Street- Read a formal complaint regarding PERS.

Dan Barclay 47501 Highway 58-Applauded the new council for stepping up and taking on the role of councilors.

## **6.0 MAYORS COMMENTS/ANNOUNCEMENTS/PROCLOMATIONS**

There are a lot of good things happening in the city and she is still excited to be here. We have some interest in the lots at the OIP. We will be beginning preparation for Cycle Oregon coming in September that will bring in people and money. The Oakridge Arts Council Board meeting is March 6 12- at Big Mtn Pizza and it is open to everyone. The last art walk was very successful and you will want to do that. Tree Planting plans are on the way, if you aren't involved in that you should be. They are moving forward with the Test Well, in effort to ensure that our community has a healthy adequate supply of drinking water. The Council is going to be getting into the process of hiring a city administrator in the next couple of weeks. With the assigning of committees to council and staff, she expects to hear reports shared with the community the next couple of months.

## **7.0 PUBLIC HEARINGS- None**

## **8.0 CONSENT AGENDA**

Phil made some clarifications to the minutes for the February 5<sup>th</sup> minutes and the January 17<sup>th</sup> minutes.

### **8.1 Approval of minutes from January 17 regular session, January 30 special session and February 5 special session.**

**Motion:** Councilor Whitney moved to approve the consent agenda and minutes from January 17 regular session, January 30 special session and February 5 special session. Councilor Forcum seconded the motion.

Mayor Holston (aye), P. Forcum (aye), B. Whitney (aye), S. Barenboim (aye), C. Hollett (aye). Motion carried 5-0

## **9.0 RESOLUTIONS & ORDINANCES- None**

## **10.0 BUSINESS FROM THE CITY COUNCIL**

### **10.1 Selection of Appointee for City Council seat and Swearing in of New Councilor**

Mayor Holston had the City Council applicants introduce themselves. Stephan Ball, Dawn Kinyon and Trisha Maxfield all introduced themselves to the councilors.

The Mayor and Councilors filled out ballots to use in appointing the next city councilor.

**Motion:** Councilor Hollett moved that we appoint Trisha Maxfield to serve on the Oakridge City Council for a term ending in December 2020. Councilor Forcum seconded the motion.

Mayor Holston (aye), P. Forcum (aye), B. Whitney (aye), S. Barenboim (aye), C. Hollett (aye), Motion Carried 5-0

Jackie Swore in Trisha Maxfield to the City Council.

Councilor Hollett said that in light of the executive session earlier this evening and the importance of the information which could or could not have an impact on future business of this council she would like to make a motion.

**Motion:** Councilor Hollett moved to authorize with the city administrator to meet with all of the councilors including the new councilor and Councilor Hadley to review the unredacted attorneys statements if they so choose to. Councilor Forcum seconded the motion.

C. Hollett (aye), S. Barenboim (aye), P. Forcum (aye), Mayor Holston (aye), B. Whitney (nay), T. Maxfield (aye). Motion carried 5-1

## **10.2 Filling vacant positions on Commissions, Boards and Committees**

### **a. Filling Administration Committee**

Mayor Holston said we have one applicant for the Administration Committee position.

**Motion:** Councilor Whitney moved that we appoint Dawn Kinyon to serve in the vacant Administration Committee. Councilor Hollett seconded the motion.

T. Maxfield (aye), C. Hollett (aye), S. Barenboim (aye), P. Forcum (aye), Mayor Holston (aye), B. Whitney (aye). Motion carried 6-0

### **b. Filling Budget Committee**

Mayor Holston asked if this was right that we only have three seats vacant?

Susan said we had one person resign recently.

Kevin Gobelman, Teresa Freborg and Dawn Kinyon were present.

**Motion:** Councilor Whitney moved that we appoint Kevin Gobelman, Teresa Freborg and Dawn Kinyon to serve in the vacant budget committee positions for a three year term. Councilor Forcum seconded the motion.

B. Whitney (aye), S. Barenboim (aye), C. Hollett (aye), P. Forcum (aye), Mayor Holston (aye), T. Maxfield (aye). Motion carried 6-0

### **c. Filling Oakridge Economic Development Advisory Committee**

**Motion:** Councilor Hollett moved that we appoint Gary Carl to serve in the vacant Oakridge Economic Advisory Committee position for a four year term. Councilor Forcum seconded the motion.

C. Hollett (aye), T. Maxfield (aye), P. Forcum (aye), B. Whitney (aye), S. Barenboim (aye), Mayor Holston (aye). Motion carried 6-0

#### **D. Filling Parks and Community Services Committee**

Mayor Holston said we have three seats available and we have five applicants.

Neal Weber was present, but he withdrew his application.

**Motion:** Councilor Whitney moved that we appoint James Clevenger to serve in the vacant Parks and Community Services Committee position for a four year term. Councilor Hollett seconded the motion.

B. Whitney (aye), Mayor Holston (aye), S. Barenboim (aye), P. Forcum (aye), T. Maxfield (aye), C. Hollett (aye). Motion carried 6-0

**Motion:** Councilor Hollett moved to appoint Lynda Kamerrer to serve in the vacant Parks & Community Services committee Position for a four year term. Councilor Barenboim seconded the motion.

S. Barenboim (aye), C. Hollett (aye), P. Forcum (aye), T. Maxfield (aye), Mayor Holston (aye), B. Whitney (aye). Motion carried 6-0

**Motion:** Councilor Whitney moved that we appoint Charles Nichols to serve in the vacant Parks & Community Services Committee position for a four year term. Councilor Hollett seconded the motion.

P. Forcum (aye), Mayor Holston (aye), T. Maxfield (aye), S. Barenboim (aye), B. Whitney (aye), C. Hollett (aye). Motion carried 6-0.

#### **e. Filling Planning Commission Vacancies**

Mayor Holston said the city has two Planning Commission vacancies, she asked if they were both applying for the four year seat?

Richard Wiemholt said he would apply for the two year seat.

**Motion:** Councilor Hollett moved that we appoint Gail Partain to serve in the vacant Planning Commission position for a four year term. Councilor Forcum seconded the motion.

S. Barenboim (aye), Mayor Holston (aye), P. Forcum (aye), T. Maxfield (aye), C. Hollett (aye), B. Whitney (aye). Motion carried 6-0

**Motion:** Councilor Whitney moved that we appoint Rick Wiemholt to serve in the vacant Planning Commission position for a two year term. Councilor Barenboim seconded the motion.

S. Barenboim (aye), Mayor Holston (aye), P. Forcum (aye), T. Maxfield (aye), C. Hollett (nay), B. Whitney (aye). Motion carried 5-1

### 10.3 Selection of Council Committee & Board Representatives

Administration Committee – Councilor Maxfield  
Parks and Community Services Committee-Councilor Barenboim  
Audit Committee- Mayor Holston  
Library Board- Councilor Whitney  
RTMP- Mayor Holston

Mayor Holston asked if RTMP was posted?

Susan said yes it was, but no one applied.

Gary Carl asked if he could apply tonight?

Mayor Holston said she doesn't know why he can't? She asked council for consensus for this, she needs to see heads nodding.

**Motion:** Councilor Forcum moved to appoint Gary Carl to the RTMP Committee. Councilor Hollett seconded the motion.

S. Barenboim (aye), Mayor Holston (aye), P. Forcum (aye), C. Hollett (aye), T. Maxfield (aye), B. Whitney (aye). Motion carried 6-0

### 10.4 Discussion of Audit Committee

Mayor Holston said there has been a question of the Audit Committee brought forth.

**Motion:** Councilor Hollett moved to direct staff to post for the Audit Committee. Councilor Whitney seconded the motion.

P. Forcum (aye), B. Whitney (aye), T. Maxfield (aye), C. Hollett (aye), S. Barenboim (aye), Mayor Holston (aye). Motion carried 6-0

Councilor Hollett asked what the timeline is for that committee to start?

Mayor Holston said it should start pretty soon. She doesn't think there is anything that says we have to post it for 30 days, can we post this committee for 10 days instead of the normal 30 days and have it ready for the next meeting?

Susan asked if there was a reason that they have to shorten it from the normal 30 days?

Mayor Holston said because we have an audit to review.

**Motion:** Councilor Hollett moved to post the audit committee vacancy for a period of ten days. Councilor Forcum seconded the motion.

B. Whitney (aye), S. Barenboim (aye), C. Hollett (aye), P. Forcum (aye), Mayor Holston (aye), T. Maxfield (aye). Motion carried 6-0

### **10.5 Selection of Law Firm to provide legal services to the City of Oakridge**

Phil read the staff report. He asked council that if there is a change in attorneys tonight that we retain Local Government Law Group for the upcoming mediation with Laskey Clifton over the Water Project, it could be a bit expensive to get another law firm updated on that.

Councilor Hollett gave a presentation from her and Councilor Hadley's visits to law firms and doing walk throughs. She got some questions answered from other councilors. She gave everyone a copy of her findings and report.

Councilor Whitney said she has an opinion on Leahy Cox in looking at them they would do best for Oakridge with their experience in municipalities.

Mayor Holston said she questions whether or not a firm who has the attorney who lives here and is building a home, while that is convenient and everything. She is kind of wondering how that works. Given the current climate in Oakridge one would wonder how that would work.

**Motion:** Councilor Whitney moved to authorize the City Administrator to negotiate a contract for legal services with the Leahy Cox law firm. Councilor Forcum seconded the motion.

C. Hollett (aye), T. Maxfield (aye), B. Whitney (aye), S. Barenboim (aye), P. Forcum (aye), Mayor Holston (aye). Motion carried 6-0

### **11.0 BUSINESS FROM THE CITY ADMINISTRATOR**

#### **11.1 City Administrators report**

Phil said several meetings ago when discussing the recruitment of the new city administrator he passed out some homework to council and he has not received anything back. It's very simple, he just wants a list of the type of person you are looking for as we start the recruitment. This will get you thinking about the qualities you want in your next city administrator.

There has been a lot of activity at the Industrial Park, he has been in contact with Jim Bray who is the owner/CEO of Texas Pride Trailers, and you should start seeing some construction activity in March. He is sending a couple of gentleman up to be his project managers and construction managers, we are waiting on site plans and he has a couple of buildings that he currently has in engineering, so there should be some activity out there soon. Two of the gentlemen he is sending have requested some information about real estate so it sounds like they probably will be living here.

Phil read into the record a statement regarding accusations against Police Chief Kevin Martin.

Mayor Holston said as Mayor and she would like the record to reflect that she has the utmost confidence in Chief Martin and his department, he is a man of integrity and honesty. He is a police officer who places his community first and a leader who strives to be an example to the community and his staff. She

applauds his efforts and she thanks him for being here and she apologizes for any harm this may have caused him.

Councilor Whitney said she really does appreciate all that he does and she knows that you put in more hours than most people realize and she is sorry.

Councilor Hollett said she has always had an excellent experience with Chief Martin and she thanked him for everything he does.

Mayor Holston said she wanted to comment on what you said previously, the realtor of record that we are getting more interest and I believe they will be visiting with us at our next meeting.

Phil said they will be at our work session on March 7, 2019.

Mayor Holston said that will give the council an opportunity to meet them and talk to them and get a basic understanding on how they interact with the city, the city administrator and OEDAC.

Loren Hogue said that you said that there were two councilors, were these councilors instructed on ethics, ethics violations, you have a council manager, will you be dealing with this issue of reporting false information about the Police Chief in house?

Mayor Holston said yes.

#### **11.1.1 Review of Personal Services Contract between the City of Oakridge and MVHC, LLC**

Phil read the revised Agenda Bill.

Mayor Holston said this was brought to us for discussion, we asked to have information about the fire department, we asked about the fiscal impact. It is important to realize that we have had a struggle, that it's been a difficult time here, as a council we are charged with the safety of our community and what we think are the best steps. We are not charged with however, directing the hiring, firing, termination or dismissal of employees or volunteers.

Councilor Hollett said that saying these are disgruntled volunteers is really offensive, these are people that love this community, they raise their kids here and some of them were born here. These people have been dealing with this for three years, it doesn't matter which side of the fire department they are on, they are all great and we need a fire chief to bring these people together on both sides of whatever the issues are. They need unity and that is not happening here.

Mayor Holston reminded Councilor Hollett that you are addressing council, you are not addressing staff.

Councilor Hollett said she is addressing the letter.

Mayor Holston said that letter was put together by staff for a basis of discussion.

Mayor Holston said when she was on council they were presented with a plan to reorganize the fire department, it was a good reorganization and it did relieve some of the stress on the employees there. Is it time for a new fire chief? She does believe it is time we get a fire chief of our own. Now our question

is how we go about doing that in a way that is best both budget wise and best for our community. This isn't a conversation about whether or not volunteers are trained appropriately or have been dismissed, we know they have been and we know they are members of our community, this is a discussion about where we go now. Her personal opinion and she will be blunt, our volunteers who chose not to continue with the department made their choice, they had the opportunity to come in and reorganize their time and discuss it and that wasn't done. She is sad about that because she doesn't know many people who have those kind of skills. She would like to suggest that the contract that we have currently be allowed to expire at this point and we direct staff to give us options on what we do come June as far as can we afford to hire a full time chief, what do those numbers look like and where does that place us. She believes that it is important that we have a new chief that it is someone who doesn't have any skin in here, we are very divided in our volunteers and she doesn't want to lean one way or another.

Councilor Maxfield said she might be missing a page here, but is there a way we could hire a different interim in the meantime, if we were to dismiss Chief Hansen.

Mayor Holston asked to let the contract expire or to dismiss now?

Councilor Maxfield said to dismiss now, what would that look like?

Mayor Holston said we would need to look at those options, but they are options.

Councilor Maxfield said in her mind it is a leadership question. However, as a city councilor it is in our best interest to do what is best for the city as well financially. She would be curious as to what our options are for hiring.

Councilor Hollett said she absolutely agrees with Trisha.

Councilor Forcum would like to get information from staff first and see what happens and see how this works out with the budget.

Councilor Hollett said the PERS issue is a serious thing we need to look at, Renee's complaint makes the city council look irresponsible for not looking into it. She has heard previous councilors and the previous Mayor were very worried about this, she has had a couple conversations with Mr. Messina about it, she does not think we are following PERS the way we should be and she does worry about the part timers as well.

Councilor Whitney said that for some reason her memory is telling her that this has been researched and the answer is out there.

Mayor Holston said she believes Councilor Whitney is right, this question was posed to PERS by our staff and an answer was given, she believes it is in writing that we are not violating anything so it would behoove council to see that statement and read it for ourselves to see what question was asked and see where we stand. It does flavor our next step.

Councilor Hollett said she thinks this should be something to bring to our new attorney.

Mayor Holston said we can go a couple different ways here, we can make a motion, and we can have consensus and direct staff to provide more information so that you can make a motion at a later date.



She would ask that we get information about the PERS question as soon as possible and have staff provide that to us.

Councilor Forcum said he heard something about that too. He would like to see the information so we can get this in writing.

Councilor Maxfield said she would like information on hiring a different interim.

Mayor Holston said we all need to recognize that all of this is going to take time, there is more to it than just this discussion. We are also trying to hire a new city administrator, we are trying to get our feet on the ground and get moving forward. We are making some progress, we need to keep in sight where we need to be going. We do need to get on hiring a city administrator and it is important as council that we are cognizant of the fact that when we ask staff to do something it takes significant time for them to do that.

Susan said we have already spent money to have the attorney's look at this and give an opinion, are you wanting to spend money again on another attorney to give an opinion on the same thing, and is that what you are looking to do?

Mayor Holston said to the council that we do have an opinion, she would suggest that that is something that you would want to look at.

Councilor Whitney said that is perfectly fine, the new attorneys will be coming on board and that gives them an opportunity to see what is going on with some of our issues and it will help build some trust for this council.

Mayor Holston said so we want the staff to provide the past opinion from our city attorney for the PERS question asked and as soon as a contract is completed we would like the new attorney's opinion on the PERS question also.

**Motion:** Councilor Whitney moved to direct staff, subsequent to the hiring of Leahy Cox, to review the MVHC contract and determine if it is in violation of PERS Laws. Councilor Barenboim seconded the motion.

Mayor Holston (aye), B. Whitney (aye), S. Barenboim (aye), P. Forcum (nay), C. Hollett (aye), T. Maxfield (aye). Motion carried 5-1

Mayor Holston said she believes that there is also consensus from council to direct the staff to provide council the past opinion from the attorneys on the PERS laws.

All councilors nodded in favor.

**Motion:** Councilor Maxfield moved to have staff look into and report back on the viability of hiring an interim fire chief. Councilor Hollett seconded the motion.

Councilor Whitney just wanted to say that it is good that we are looking at all of our options.

P. Forcum (aye), Mayor Holston (aye), T. Maxfield (aye), S. Barenboim (aye), B. Whitney (aye), C. Hollett (aye). Motion carried 6-0

## **11.2 Community Services Report**

### **11.2.2 Selection of bid for sewer TV Inspection for I & I study and Berry Street Sewer Assessment**

Rick read the issue.

**Motion:** Councilor Whitney moved that we accept the low bid of \$10,462 from Pacific Int-R-Tek and direct staff to award the TV Inspection to said company. Councilor Forcum seconded the motion.

Mayor Holston (aye), P. Forcum (aye), C. Hollett (aye), S. Barenboim (aye), B. Whitney (aye), T. Maxfield (aye). Motion carried 6-0.

## **11.3 City Record Finance Report**

Susan presented the Financial Report.

Susan passed out the audits to the council.

Mayor Holston said she is sure you will have questions, look at it and she encourages you to take your questions directly to the City Administrator. Don't just look at it and say its ok, if you don't understand it, and it is your job to understand it, take the time to look at it and ask the appropriate questions.

## **11.4 Emergency Service Report**

Chief Hansen gave his January Fire Dept report.

## **11.5 Police Service Report**

Chief Martin gave his January Police Dept report.

## **12.0 Items Removed from the Consent Agenda- None**

## **13.0 Upcoming Meetings and Events- None**

## **14.0 Public Comment**

Dawn Kinyon- Wanted to point out to Mayor Holston that she violated the public meetings law by not allowing someone to comment when they signed up for comment. You allowed them to vote and make a motion to vote even though you told Dan that you would call on him later.

Mayor Holston said thank you for pointing that out, I do not think you are correct.

Trudy Hammond 47752 Berry Street- Thanked Chief Martin for his service. Read a letter concerning the termination and dismissal of the volunteers.


Herb Wick McFarland Road- read a letter of support for Chief Hansen.

Larry Sweet 76361 Jones Road- He is concerned that we need to bring the fire volunteers together rather than divide and conquer, that comes from management. All of the volunteers love the community, the ones who are working and the ones who aren't, this can be resolved.

Kathy Pokorny 48153 Dunning Road- She does not live in the city limits and does not have the right to vote on city matters. Oakridge is still their community and they look to the city for services and are involved in events happening in the city. She has two concerns tonight, first, when the council voted to have staff check in to the PERS laws that is like letting the fox into the hen house. She has already stated that no we don't need to do that it's already done, you don't listen, that is the problem, you are letting the same people do it again, and the council should contact PERS themselves. They are very concerned that the ambulance service and fire department are not being operated in the best interest of the citizens of this community.

Leo Robb PO Box 156 – He pointed out four people in that back of the room that are in uniform and Patricia and himself, they have been carrying a lot of the load at the fire department and they have been doing great. He appreciates our fire chief and our police chief, please new council people, do not listen to Facebook, make an appointment with the chief or talk to volunteers. He had to go out to the Middle Fork District and the lady says, I didn't know we had a fire department. He explained to her, do not listen to Facebook, there is so much on there that is not true. We can't compete with these people on Facebook, but please come in the fire department and talk to chief or call him, he is around all of the time. He has 41 years as a volunteer, 38 years here, don't listen to Facebook, and talk to us please.

**15.0 Adjourn 9:23 P.M.**

Signed:   
Kathy Holston, Mayor

Signed:   
Susan LaDuke, City Recorder