



January 30, 2019
City Council Special Session
City Hall Conference Room
48318 E 1st Street
5:00 p.m.

MINUTES

1.0 CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE

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

Staff Present: Phil Messina, Interim City Administrator
Mike Hansen, Fire Chief
Jackie Taylor, Assistant City Recorder/Assistant Planner
Susie LaDuke, Finance Director/City Recorder (absent)
Kevin Martin, Police Chief (absent)
Rick Zylstra, Community Services Coordinator

2.0 PLEDGE OF ALLEGIANCE

3.0 ROLL CALL- Mayor Holston absent

4.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE ADGENDA

Councilor Hollett said Councilor Hadley has handed her his request to read aloud for him add to the agenda. **Motion:** A request for attorney's statements to be unredacted beginning with January 1, 2018 ending December 31, 2018. Councilor Forcum seconded the motion.

D. Hadley (aye), C. Hollett (aye), P. Forcum (aye), S. Barenboim (aye), B. Whitney (nay). Motion carried 4-1

5.0 BUSINESS FROM THE CITY ADMINISTRATOR

5.1 Appointing Chief Kevin Martin as Administrator Pro Tem for the period of January 31-February 12

Councilor Hollett said Councilor Hadley has a motion that she will read for him, I move to appoint Rick Zylstra as City of Oakridge Administrator Pro Tem from January 31, 2019 through February 11, 2019. In the absence of Mr. Messina. Councilor Forcum seconded the motion.

Councilor Whitney said she will abstain.

S. Barenboim (aye), C. Hollett (aye), P. Forcum (aye), D. Hadley (aye). Motion carried 4-0

Councilor Whitney said we didn't have Council discussion.

Councilor Hollett said you abstained so...

Councilor Whitney said just wanted to know why the change?

Councilor Hollett said she thought because Councilor Whitney abstained from the vote she is abstained from discussion.

Councilor Whitney said no, not always. She is not talking about who was appointed, she is talking about why we changed, we had an agenda asking to appoint Kevin Martin and she wants to know why that has changed.

Councilor Hadley said you might want to ask the City Administrator, something has come to our attention that is pretty important, it probably should be talked about in executive session.

Councilor Hollett said she has no preference either way.

Councilor Whitney said if we are making decisions in that capacity and it's being made as a group, why is that information not being shared with all of the council?

Phil said it appears that there is a question that could end up being a personnel issue and a personnel investigation and beyond that he can't say anything else.

Councilor Whitney asked how did this come about? It is your motion (Councilor Hadley).

Councilor Hadley said if you really want to know, we can't discuss all of this, and if it can be discussed in executive session we can discuss this. You are asking, this has already been voted on and passed. He doesn't know why Rick can't fall in his place, who decided on Chief Martin?

Councilor Whitney said she would assume it was the City Administrator that chose him, so she is confused as to why there was a change like this, and why everyone was given the same information to make that

decision, she abstained, but there was no discussion on the issue, she abstained because of a conflict of interest, she didn't abstain because she disagrees with Kevin Martin and she doesn't have the same information that you guys have.

Councilor Hollett said she doesn't have that information, she met with Messina earlier today and he just mentioned that a councilor came in and spoke to him about Chief Martin and he told her exactly what he just said and she said she has no preference over Chief Martin or Rick she has respect for both and she no problem with either one.

Councilor Hadley said as a Police Chief maybe he should do his police work and maybe we should have Rick who is always in the office and we all know him and we can go forward.

Councilor Whitney said she personally she would trust the person that is the City Administrator in charge of making those decisions.

Councilor Hadley said we were elected to what?

Councilor Whitney said you know what we were elected for and so do I, but her question is why the change and why wasn't she given the same information that you guys clearly based your decision on?

Councilor Hadley said that is up to the city administrator.

Councilor Whitney said this came to council.

Councilor Hollett said she wasn't given any information on this.

Councilor Hadley said I don't believe Stan was.

Councilor Barenboim said no.

Councilor Whitney said so who has the information?

Councilor Hadley said the City Administrator has to do a little something and it's up to him.

Councilor Whitney asked who has the information?

Councilor Hadley said your insurance company.

Loren Hogue asked Councilor Hadley who brought the information to the city administrator?

Councilor Hadley said your insurance company.

Councilor Hollett said ok the vote has already passed is there any more discussion?

5.2 A request for attorney's statements to be unredacted beginning with January 1, 2018 ending December 31, 2018.

Councilor Hadley said he asked Mr. Messina for the unredacted paperwork and he told him he needed to go to the council and we had a meeting and we are all here and so in fairness we should all look at that paperwork.

Councilor Whitney said so you are talking about going backwards and looking at all of those attorney bills that we already looked at, unredacted copies is that what you are looking for?

Councilor Hadley said yes the same thing.

Councilor Whitney said I thought we already discussed this and decided to move on and move forward.

Councilor Hadley asked if you know what any of that billing was about?

Councilor Whitney said that is not what she is asking, we discussed this and decided to move forward. She looked at the billing just as well as you.

Councilor Hadley said right and it was redacted.

Councilor Whitney said yes, and that is common.

Councilor Forcum said as a body of the council we have the right to have the unredacted copies.

Councilor Hollett said they did agree to move forward and to have our new attorney look in to this.

Motion: Councilor Hadley said he makes a motion that we get the unredacted paperwork from the statements from the attorney from January 1, 2018 to December 31, 2018. Councilor Hollett seconded the motion.

Councilor Whitney asked what is your intent of looking at them again?

Councilor Hadley said to see where the billing went and who spent what. At the next meeting he is going to ask for more stuff.

Councilor Whitney said that doesn't answer her question. Are you asking for everything that is redacted because there are some things that have to be redacted?

Councilor Hadley said tell me what has to be redacted?

Councilor Whitney said confidential information in regards to staff.

Audy Spliethof said to do your best you need all of the information and he doesn't believe that all of the information is on the table. There has been a lot of things that happened in the past that need to be corrected.

Loren Hogue said Mr. Hadley indicated that we want to find this out and then it's going to lead to this point so they have a lot to do. What is his final desire of information he will collect supposedly with his ability to understand leading to? Where will this information go and when will it end? Is it going to be revenge and vengeance? What will it be?

Skip Baker McFarland Road-

Loren Hogue asked if he could have an answer.

Skip Baker said he can answer that for him.

Loren said he asked him (Councilor Hadley)

Audy Spliethof said he doesn't have to answer.

Loren said then he is hiding something, hiding an agenda and that is too bad for him.

Skip Baker said the city is in the process of hiring an attorney the attorney we have had in the past is also applying, it is appropriate to look at what work they have done unredacted so we can make a proper decision.

Stephan Ball said our last city administrator left with some problems, some existing DOJ investigation, he thinks it's important for us to look at the lawyers and make sure there is no connection to that since there has been an ethics complaint.

Councilor Whitney said what concerns with going back is that we are going to pay an attorney to get the redacted copy and then we will look at it and if we see issues then we will possibly pay another attorney to look at it and who pays for this? We do.


Councilor Hadley said we have the unredacted copies here, so that won't cost us anything. If he was the one doing the redaction he would understand, maybe he does have stuff on there, he doesn't know. We as a councilor we as a body should be able to look at documents like the attorney said you heard the individual say what she said, there should be no redaction, if anything the attorney would do it, not the staff.

Councilor Whitney said she did hear what the attorney said at the presentation, but it is important to remember those attorney's that were presenting to us were presenting in a general format, they weren't presenting to specifics that we have given them asking for information.

Councilor Hadley said he asked the League of Oregon Cities three times and they said the same thing, you need to go to the attorney.

S. Barenboim (aye), P. Forcum (aye), C. Hollett (aye), D. Hadley (aye), B. Whitney (nay). Motion carried 4-1.

6.0 ADJOURN- 5:18 P.M.

Signed: 
Kathy Holston, Mayor

Signed: 
Susan LaDuke, City Recorder