



February 5, 2019  
City Council Special Session  
Willamette Activity Center Room 8  
47674 School Street  
7:30 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

Staff Present: Phil Messina, Interim City Administrator (absent)  
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- Everyone was present

Mayor Holston said this meeting is called to order as a special session per the request of three councilors. The purpose of this meeting is to discuss the current situation at the fire department as it regards to the safety of the citizens of Oakridge. There will be an opportunity for public comment later on in the meeting.

Mayor Holston read a statement to the council and citizens.

**4.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE ADGENDA**

**5.0 BUSINESS FROM THE CITY COUNCIL**

**5.1 Discuss the current situation in the Fire Department in regards to the safety of the Citizens of Oakridge.**

Rick read the issue and the background.

Chief Hansen gave a report that outlined the requirements that began in 2016 and explained why current volunteers have been dismissed.

Paul Bjarnson asked Chief Hansen why leadership isn't on the list?

Chief Hansen said we are talking about training and response tonight. We have the whole list of items if you'd like a copy of that.

Stephen Ball said 10 out of the 12 fire department personnel that he interviewed for a report indicated that the problem down at the fire department is the interim chief.

Chief Hansen said some of the challenges that were brought up by the volunteers were training, proficiency and participation, accountability and follow through, or lack thereof. From that he presented a hybrid membership requirement, this was actually something that was developed at another organization that he worked for. When you are dealing with volunteers, or anyone for that matter, is that you've got some that, from what was heard, that people were showing up on scene that they hadn't seen for months so they weren't trained and then they had some individuals that all they would do is training and not show up on the scene.

Chief Hansen explained the difference between stipend shifts and crew shifts.

Stephan Ball said he doesn't see how you can force volunteers to do mandatory shifts and then fire them if they (inaudible)

Chief Hansen said they don't make volunteers do shifts.

Chief Hansen explained how the training was and the changes they made from the previous requirements.

Mayor Holston said so all of our other training requirements that we've had in place are not any greater than Oregon standards?

Chief Hansen said he will explain that when he gets to that slide.

Councilor Hollett said your hours for EMS, you are not including actual work hours when they are on a call, and one transport is three hours.

Chief Hansen said he is not, at this point, our calls for training does not count.

Aric Higdon read out loud a document regarding the Department and Volunteer Association regarding their membership and attendance policy that was proposed in early January 2016. Inactive members are a risk to our safety and pose a potential liability. We find ourselves unable to do our jobs adequately when we are doubting our partner's skills or knowledge. Having untrained members responding or participating in emergency operations is a lawsuit waiting to happen. The days of just having names on a roster are long gone.

Chief Hansen said in the next paragraph they address PPE, the concern there was if you have inactive members who have gear and you have new members coming in and the inactive member may have gear that is better than the active members gear.

Aric said we are in the process of changing our culture and setting the bar higher.

Councilor Hollett said, there is a portion of this that she was a part of developing, there was a group of people who wrote that and most of that is true, however she will say Mr. Hansen has provided us a packet of people that we had at the department at the time who had only been to two events in two years, people that they hadn't seen in an entire year. These people here are in no comparison to what you are talking about up there.

Chief Hansen said what he is trying to share is where the organization was, the philosophy of the organization which we all still believe in and where we are going. Of that report there were 19 members who were identified with an action plan and some of them, you are absolutely correct, when you start a new program and you're trying to change a culture there are a lot of just names on a list that need to be cleaned up. In that report there were nine recommendations for termination, he doesn't use the term termination, you dismiss volunteers, and it's not an employment issue. The committee planned to meet with seven members, which is similar with what he offered and the committee asked him to meet with three members which he did. This process is really no different than what we did back then, this was an excellent report.

Chief Hansen said people can come down to the station at any time and put on training.

Mayor Holston said it seems to her from the questions that are being asked from the fire department, she is getting the feeling that these questions weren't asked when this was implemented. There are questions about counting hours, do you have a regular opportunity to review these hours? She is seeing a disconnect.

Chief Hansen said they did reach out, when it got to where they had some folks who needed more training hours they did try and expand their training opportunities.

Councilor Hollett said they started this when he came in as interim fire chief in January of 2016. He came to her and other volunteers with his proposal and some of them were opposed to it and she was on the fence. They did want change, they wanted the inactive people...it wasn't working. They did his plan and it didn't work so they adjusted it and it still didn't work. When Cody Frank left in early 2017 the training requirements went by the wayside. Then suddenly in October 2018 they all got letters in the mail saying that they are on probation, it is not coincidental that these are the people who politically spoke out against Mr. Hansen. It is not a coincidence that is her opinion.

Chief Hansen continued his report.

Stephan Ball said as a former training officer the transport time should count as training, they are training and it should count as training hours.

Chief Hansen said he doesn't think the plan is wrong, regardless of our philosophy or if we need to train more or less or how we are getting the training. You have requirements and expectations when you are doing training.

Chief Hansen said currently we have five paid personnel; we have a fire chief, a designated training officer, we have three lieutenants, one on each shift, we have 11 active members and we have three new recruits. We have two members who are on leave of absence. One of the things that has helped us in our response and our delivery system are the five part time positions. Because of the increase in our part time it has allowed us to have dual role personnel and it has also allowed us to have two EMS or Fire calls at the same time. And having the designated Training Officer Monday through Friday has allowed us to expand the opportunity not only for our volunteer training, but for our paid staff training. One of our weak points we had before for our paid staff was that they were always the instructor.

Councilor Hadley said when he looks at the budget, now how many years have you been here?

Chief Hansen said he has been here for three and half years.

Councilor Hadley asked if he has saved us any money because when he looks at it every year when they put out a million dollars to the fire department, have you provided us with any savings?

Chief Hansen said this isn't a budget class but he would say yes he has, he could sit down with you and show you.

Mayor Holston said we are not here to talk about the budget tonight, she is well aware of the fact that this is very personal and she does not mean to insult anybody, but this is not the venue to air individual and personal grievances. She wants us all to understand, it is not easy to understand, you all live and breathe this, she does not.

Mayor Holston said she understands that you have a standard that you have agreed to and if you have members that don't meet those standards then they shouldn't be a part of that organization, she gets that, it is fair and justifiable. However what she doesn't understand is if you have a standard that is constantly being changed and revised in order to accommodate because it isn't quite working and you are massaging it, it makes it even more difficult to hold your members to that standard. That concerns her.

Councilor Whitney asked if the volunteers can go to outside agencies to receive credit?

Chief Hansen said they can now, that is one of the adjustments that they have made as they continue to grow. As a community, he thought that you would be concerned with a group that is trained at a minimum level.

David Gordon said he is an advanced EMT, the city paid for his training, he is also a school teacher and softball coach. He tries to get along with everybody, he tends to just watch, and it hurts him to see all of this. Mr. Gordon read a letter out loud.

Dave Crist said he needs some clarification, they are not getting credit for call times. That is wrong, that is entirely wrong.

Jerry Shorey said he was at the fire department for 17 years, he can speak to a lot things. The training doesn't change, training is training and you are required to do it, the State requires it. How you manipulate it is up to you. When he came on the department, on the ambulance they got paid by the hour and that changed because the IRS said you can't do that. There is going to be change, he believes that if the volunteers aren't showing up for training he would have said then you can't go on any calls until you get your training. He thinks maybe we have so much hostility here is because there has been so much change in so short a time. He retired in 2007 and since then they have had three different fire chiefs. What he would like to say to the people that are here is if you commit to a shift you are committed to that shift. If you don't show up that is your fault, don't blame the fire department, you had a chance to be there. As far as training on an ambulance, you don't train on an ambulance, you take care of the patients, you might call it a training, and if you are a driver you aren't training. The fact that we haven't hired a new fire chief is on the City Administrator, not the council.

Councilor Hadley said he understands what everyone is saying, he has Mr. Hansen's contract, he has our Charter and he has Messina's contract. He asked Chief Hansen who did he get consent from before he let all of these people go?

Chief Hansen said he talked to the city administrator.

Councilor Hadley said and that is who?

Chief Hansen said Phil.

Councilor Hadley said that's right, he gets paid by the hour, he is a pro tem. Before you did that you should have went to this body and asked what was going on.

Mayor Holston said he is a city administrator and he is considered the city administrator. The city council does not have the authority to hire, fire or dismiss by the Charter.

Dawn Kinyon would like the council to consider that there are three sides to this issue, there is the management side, the volunteer side and the legal side. She handed out some documents to the council. She explained to the council and audience what the documents were.

Don Crist said he has been here since 1952 and this is the worst he has ever seen it. You've got some issues you need to address and quickly take care of. One would be that if you hire someone they need to be a member of the community, they need to be here, we have so many teachers here that are gone in the evening, and they have no buy in.

Dan Barclay said all Messina is, you can call him interim, pro tem, acting, you can call it whatever you want. Bob DeLong was an interim city administrator, even though interim doesn't appear in the city charter that we know everybody has read. Pro tem, interim is the same thing if you read that, a pro tem administrator cannot hire, fire or anything else without council consent.

Dennis Patterson said he doesn't have a dog in this fight, as a mutual bystander he can see three outcomes to this, one that the five that were terminated are provided with a practical relevant and workable way

to be able to be reinstated, two after three and half years we say the experiments failed, we bid Mr. Hansen thank you for your services and adieu and hire a new interim fire chief or three shrug our shoulders and do nothing and realize that this is a logical first step to privatization.

Mayor Holston said she would like to leave the last 10 minutes for council to discuss.

Mayor Holston read a letter from Renee Edmunds.

Trudy Hammond asked Chief Hansen to resign.

Councilor Hollett said she has five or six letters that people have asked her to read much like Renee's and David's, unfortunately she doesn't think time will permit for them to be read and there are more fire department people here waiting to read theirs as well. She was wondering if council feels it would be appropriate to talk about the contract being violated.

Mayor Holston said she doesn't have any problem with the council discussing the contract, she thinks this has been very informative and she appreciates everyone who came and she appreciates Mr. Hansen giving us the presentation on what is going on and the why's and wherefores, but she thinks it's time for the council to talk about where do we go from here. She is saddened because she hoped that after having this we would at least be at a position to say, and she does not say this casually, while we are saddened that this has happened, we are all assured that everything is going well and we are just going to move on here and make the best of it. She can't in honesty say that.

Councilor Hadley wanted to make a motion to terminate...

Susan called point of order, the Charter prevents that to happen.

Mayor Holston said to state your point of order.

Susan said the point of order is that the Charter states that anything that is not brought forth on the agenda cannot go forward. The Charter code is chapter 30 B states no item shall be placed on the agenda unless it is ready for council action and all consideration and also A the order of business on the agenda may be proposed by the city administrator and may be adjusted by the mayor at the mayor's discretion and C at each regular meeting of the council the mayor and each councilor may bring up items not on the agenda. This is not an item that was put on the agenda, therefore it is against the Charter to bring forth the motion. The reason for that is at special sessions you stay to your agenda because otherwise it has not been properly noticed so that anybody that wanted to show up and comment on it or be a participant on that particular agenda item does not know it is on there.

Councilor Hollett asked if we can add it to the agenda for Thursday? We asked for a regular meeting after the work session.

Mayor Holston said we can add a regular session to our work session and we can have that as part of the agenda. So what is it that you want to direct the city administrator to add to a standard working agenda before Thursday?

Councilor Hadley said to terminate the contract with MVHC LLC and put an RFP out for....

Mayor Holston said to wait, you can only do one.

Councilor Hollett asked if she could make a friendly amendment?

Mayor Holston said yes please.

Mayor Holston told the council they need to remember that the staff needs the opportunity to look into what the repercussions are and be able to give a report. This isn't something that can happen quickly and as a council you will want to know what financial effect this will have and what our next steps are, so keep that in mind as you move forward.

Rick said by Thursday is a very short time for an adequate staff report, he highly recommends that the staff report be done by somebody with more experience.

Mayor Holston said she would agree with that and would ask council to consider that. We have a normal meeting on February 21<sup>st</sup>.

Councilor Whitney said the 21<sup>st</sup> would be ample time, we want as much detail and information as possible.

Mayor Holston said so you want a staff report on the 21<sup>st</sup> considering how we deal with canceling or terminating the contract and then moving forward.

Councilor Hollett asked what happens in the meantime with the people that were terminated?

Mayor Holston said we will have to talk to the city administrator about it. We do need to have the advice of the city administrator.

Councilor Hollett said she talked to Messina immediately before the work session that we had and he told her "he would not allow them to be terminated at this point. He actually said that he had an interview with a large group of volunteers and he was very upset at the things he heard and he said he is going to bring it to the council to speak to us in executive session, in fact he told her he didn't have the capability" (was interrupted)

***(Correction: At the February 21, 2019 City Council Meeting Phil Messina had it entered into the minutes he did not make (the above) statement and he regrets any misunderstanding)***

Mayor Holston said we will take this under advisement. We have a work session scheduled on the 13<sup>th</sup> with our city engineer to talk to us about the water project, we can add this as a discussion at that time.

Councilor Hollett wanted to make sure council knows that in the meantime all of these people will not be responding to emergencies so if you have an emergency or anybody does we are this less short...

Mayor Holston said we also need to recognize that we have been responding to emergencies and that is kind of an alarmist view however...

Councilor Hollett said Paul and Melissa are some of the top responders.

Mayor Holston said she understands that, but that is an alarmist view.

Councilor Hollett said no it's not.

Mayor Holston said she will make a suggestion, we are kind of in a quandary here because she doesn't know how to reinstate these people because she can't and she can't direct the fire chief to do that. She is asking for patience from the council for her to talk to the fire chief tomorrow and also talk to the attorney to figure out how to reinstate them or just stop it.

Councilor Hollett said so our goal is that they can respond on calls tomorrow or the next day?

Mayor Holston said no, first she needs to hear an opinion on how she can do this.

There was consensus for the mayor to do this.

Mayor Holston thanked everyone.

Rick confirmed what he needs to put on the agenda for the 13<sup>th</sup>.

Councilor Hollett said this doesn't make sense, you made a motion to terminate Louis Gomez, it wasn't on the agenda to terminate Louis Gomez, and she sat here and watched that.

Mayor Holston said that was done at a regular meeting, not a special meeting.

Councilor Hollett said is that the reason, because it's a special meeting?

Susan said it was done improperly when it happened, the charter states that they...

Councilor Hollett said it was done improperly the way they terminated Louis? Were you advised that? She is not buying this.

Mayor Holston said at a special session you have to stick to what is on the agenda.

There was concern from a citizen that we won't have enough fire department coverage.

Mayor Holston said we do have coverage, that isn't going away and we will have professionals responding to you the way they should be, it's not that the fire department has closed its doors it has not. We are still a valuable and experienced volunteer and professional fire department.

Mayor Holston said the question here is specific to how the volunteer organization has been run and whether or not it has been run fairly and without bias and how we want to proceed from that.

**6.0 ADJOURN- 9:40 P.M.**

Signed:   
Kathy Holston, Mayor

Signed:   
Susan LaDuke, City Recorder