



May 7, 2020
City Council Meeting (Via Zoom)
Willamette Activity Center Room 8
47674 School Street
7:00 p.m.

MINUTES

1.0 CALL MEETING TO ORDER

Council Present: Mayor Kathy Holston, Councilors, Trisha Maxfield, Christina Hollett, John McClelland, Bobbie Whitney, Paul Forcum and Dawn Kinyon

Staff Present: City Administrator Bryan Cutchen, Finance Director Bill Jones, City Recorder Jackie Sims, Community Services Director Rick Zylstra and Police Chief Kevin Martin

2.0 Pledge of Allegiance

3.0 Roll Call – All present

4.0 Additions, Corrections or Adjustments to the Agenda

5.0 Public Comment

Loren Hogue 48319 E 1st Street-

6.0 Mayor Comments / Announcements / Proclamations

Mayor Holsten-today was the National Day of Prayer, it was held outside of city hall, and she thanked city staff for allowing them to pray there.

May is National Mental Health Month, Mayor Holston read the proclamation.

Mayor Holston -if you haven't seen it yet, there is a *your speed is sign* around town, Dillon from Inbound fixed that for the City, if you see him around town give him a pat on the back and thank him.

7.0 Council Comments / Announcements

Councilor Kinyon- is curious about the status on the annual reviews for the Municipal Judge and the City Administrator and also what the status on the Municipal Judge is.

Bryan- we have actually canceled the Municipal court for April and May and it still to be determined for June. Judge Segarra has still not returned and he hasn't been able to get a hold of him regarding his status.

Mayor Holston- we haven't really moved on the annual reviews, but we should probably get that back on the burner.

Councilor Whitney- have we gotten much further with the Realtor of Record and she would like to know to if Chrissy has an update on the painting the water tower. She would also like to know if there is an update on the charging for non-transport and if our attorney researched Resolution 873 to include drug penalties or other pertinent citations. We have talked about short term rentals and that hasn't really come back around. She talked to Georgie and we have about 600 people who have library cards in the city limits and we don't charge a fee, but we do charge people outside of city limits a small fee, she wonders if anyone would agree to an agenda bill regarding charging a fee for all library users.

Mayor Holston- she would like an update on neighborhood watch also.

Councilor Hollett- after the last meeting she sent an email to George and let him know what they discussed, she asked if he would be interested in painting it a blank slate color and then opening it up to talent in our community. He was concerned about the timing in council getting back to him because he is getting the paint at a discounted price.

Bryan- George has decided that he is not going to take on the project, he thinks it is a city project. If this does become a city project he is more than happy to volunteer. We could use TRT funds and use public works labor.

Mayor Holston-asked the council if this is something we want to pursue?

The council agreed that they are comfortable with using the TRT funds for this project.

Motion: Councilor Whitney moved to allow the city administrator to use TRT funds up to \$1500 to paint the water tower a blank slate with the intent to later solicit local artists to paint the tower. Councilor Hollett seconded the motion.

C. Hollett (aye), P. Forcum (aye), B. Whitney (aye), J. McClelland (aye), Mayor Holston (aye), T. Maxfield (aye), D. Kinyon (aye). Motion carried.

Mayor Holston- have we got any responses for our Realtor of Record RFP?

Bryan-there were zero packages turned in for the Realtor of Record, he is going to come to council with a plan with our local realtors.

Mayor Holston-we can bring back the short term rentals and library fees at a later meeting, Chrissy and Bobbie will work on the library fees.

8.0 Consent Agenda

8.1 Approval of minutes from April 2, 2020

Motion: Councilor Whitney moved to approve the consent agenda. Councilor Hollett seconded the motion.

D. Kinyon (aye), P. Forcum (aye), T. Maxfield (aye), C. Hollett (aye), B. Whitney (aye), Mayor Holston (aye), J. McClelland (aye). Motion carried 7-0

9.0 Business from City Council

9.1 Censure Motion Hearing

Bryan- read the issue

9...1.1 Reading of Charges by initiating Councilmember

Councilor Kinyon- read the notice of a motion to censure.

9.1.2 Charging Councilmember Presentation of Witnesses

Councilor Hollett- Councilor Kinyon came to her and sked her if she knew what the amendment was. She said Mayor Holston called her and asked her if we needed to have a council meeting regarding the signature and approval of the amendment. In that discussion Mayor Holston acknowledged that we needed council approval for that before the signature.

9.1.3 Charged Councilmember Rebuttal

Mayor Holston- the council all received her written rebuttal. In response to Councilor Hollett, that was in regards to the 1st amendment, not the 2nd amendment. Some of the material backing up what she said and what the legal opinion said indicating that this was an amendment that did not change the number or value, it changed the name of our city administrator and to correct the amount that ODOT received. She read her rebuttal out loud. She talked to Councilor Kinyon and told her she feels that is personal and that she is being targeted and she gave her the opportunity to explain why this was so important and she didn't take the opportunity, she was silent on that matter. She also asked her if this really wasn't about the unclear language of the charter. The attorney's opinion is not public record, she would ask the council to take a moment and consider that into public record.

Motion: Councilor Forcum moved to make the attorneys legal opinion public record. Councilor Kinyon seconded the motion.

J. McClelland (aye), Mayor Holston (aye), P. Forcum (aye), D. Kinyon (aye), T. Maxfield (aye), B. Whitney (aye), C. Hollett (aye). Motion carried 7-0

Mayor Holston- read the city attorney's legal opinion. Their opinion was that no, Mayor Holston did not violate section 19 of the Oakridge city charter.

9.1.4 Public Comment in Favor or Opposed

Loren Hogue 48319 E 1st – thanked the Mayor for the clarity on this issue. Charters are pretty much an open book, his interpretation is different from someone else. He recommends that you do not censure the mayor.

Dan Barclay – the issue at hand is not the fiscal impact. Section 19 says that the mayor shall sign all contracts for the city. He doesn't see where that is unclear.

9.1.5 Remaining Councilmembers comments on the charges

Councilor Whitney- this whole thing is very upsetting to her, she feels like Kathy is right, she feels like this is personal and this sort of thing prevents us from moving forward. She feels that she was ok signing that contract. We have had so many discussions about moving forward and she does feel like this was a personal attack and this slows us down and she feels that this very disappointing and very saddening. If we have a councilor who wants it like this then you have to live by what you say. She was at one point on the Admin Committee and once she became a councilor she was removed from that committee, we've had all of our meetings about our council rules and procedures and we have had a councilor who sat on the Admin committee without council approval. If you are going to do this, then you have to live the standard that you are trying to set, that is why she believes that this is a personal

attack. We have great people on our Council and we can do great things, but when we behave this way we stop from moving forward.

Councilor Forcum- he agrees with Councilor Whitney, this is not the first time, this is the second time, and he doesn't like the idea of this.

Councilor Maxfield- first off with Admin Committee, now that the rules of procedure are actually enacted Councilor Kinyon is no longer on the Admin Committee as a citizen. She shares the same sentiment as Councilor Whitney, this is a difficult conversation and she does understand where a lot of the distrust comes from. It stems and roots from something in our past and she does see both sides.

Councilor Hollett- she agrees with Councilor Maxfield, she does see both sides of this, and she does strongly believe we need to uphold the charter and her personal opinion is that the charter says the Mayor cannot sign contracts without the Council approval. It is really important that we do what the citizens are expecting us to do to uphold the charter. The attorney's opinion does hold a lot of weight and she does not believe the Mayor was trying to do anything malicious, as a council we do need to discuss this, even amendments need to come before council because there are things that are caught in the contracts and having more sets of eyes will catch. This is a tough one for her, this shows that really need to work on our charter.

Councilor Kinyon- would like to make a comment.

Bryan- called point of order, the parties to this action have had their chance to comment and there will be no more comments from them.

Councilor McClelland- he kind of gets a hint of what you all experienced in the past and it seems to reflect here. He puts a lot of weight on the attorneys' opinion in the fact that the original document was approved by council, there was no fiscal impact, and there was no extension and the fact that when the 2nd amendment came and that was changing the terms did bring that to council. The city attorney and the past city attorneys have given the same ruling, he gives that a lot of weight.

9.1.6 Motion for Censure – No Motion was made.

10.0 Business City Administrator

10.1 City Administrator

10.1.1 COVID update

Bryan- Lane County has asked the Governor to consider to start opening as phase one on May 15th. Yesterday the Governor put out some very specific guidance for different types of businesses, he put the links on Facebook. He asked public works to reopen the east side of Greenwaters Park tomorrow, they will open up the gates and the restrooms. It is still strongly encouraged that you distance and wear masks out in public.

Mayor Holston- one of the pieces of phase one is that if you can't social distance they strongly encourage you to wear masks. She would like for public works to put up signs on Greewnaters Parks doors that say to please wear masks. As Councilors we should abide by the rules and be good examples for the community.

10.1.2 National League of Cities Warranty Program

Bryan- read the issue.

Amended Motion: Councilor Whitney moved to authorize the Utility Service Partners to offer the Royalty NLC Service Line Warranty Program to the City of Oakridge citizens. Councilor Forcum seconded the motion.

Councilor Maxfield- we need to choose between royalty or no royalty programs?

Mayor Holston- we will get a fee that is sent to us and we will have to determine where this goes.

Councilor Maxfield- would like to make a friendly amendment to the motion. She would recommend doing the royalty program. Councilor Whitney and Councilor Forcum accepted the friendly amendment.

C. Hollett (aye), B. Whitney (aye), D. Kinyon (aye), T. Maxfield (aye), P. Forcum (aye), J. McClelland (aye), Mayor Holston (aye). Motion carried 7-0

10.1.3 Franklin Blvd Opportunity Zone Corridor BUILD application support

Bryan- we received a letter from Eugene/Springfield for support of a grant that they are seeking to do upgrades to Franklin Boulevard. The Mayor would be signing on behalf of the city, not as the Mayor.

Motion: Councilor Maxfield moved we authorize the Mayor to sign the letter on behalf of the City of Oakridge supporting the Franklin Boulevard opportunities of corridor build application. Councilor Whitney seconded the motion.

Mayor Holston- this has come up in some of her Mayor's meetings, Springfield has a really large master plan to bring conference hotel to the area, what that does for us is to give us the opportunity to do events in outlining areas and people will be able to travel back to Oakridge.

J. McClelland (aye), T. Maxfield (aye), P. Forcum (aye), D. Kinyon (aye), Mayor Holston (aye), B. Whitney (aye), C. Hollett (aye). Motion carried.

10.2 Police Department

10.2.1 Measures to Reduce Speeding

Councilor Maxfield- does that sign actually input data that the police can see?

Chief Martin- that sign is just for visual awareness, we got this free and a local citizen fixed it for us.

10.2.2 Department Move to OIP

Chief Martin -regarding his department moving out to OIP he would recommend we wait until after November and see how things play out. He doesn't know where the funds would come from because he doesn't know if the USDA will let them use OIP funds to refurbish that, he doesn't know where else the funds would come from.

Chief Martin- wanted to speak to Ordinance 873, he has a little bit of draft language, but he hasn't been able to get with the Judge or City Prosecutor because of the COVID 19 thing.

Chief Martin- he wasn't involved in the last neighborhood watch meeting that was Councilor Hollett, Mikal McPherson and Councilor Kinyon, things kind of slowed down after that meeting.

Councilor Kinyon- at the last meeting they were planning to hold a community outreach kick off meeting and then all of the COVID 19 stuff came up.

Mayor Holston - would you recommend we just put this on hold until we can hold the community meeting or do you want to try to pursue this in some other way.

Councilor Kinyon- personally she'd like to get some information from Carrie Carver from Eugene because she already has literature that we can put out to encourage people on their own to form neighborhood watch groups.

Mikal- feels that they will have more success when they can have face to face contact, she'd like to have a table at National Night Out which will be held on August 4th this year.

11.0 Reports of Boards, Commissions and Committees

11.1 Administration Advisory Committee

Councilor Maxfield- Bran sent out the Community Recruitment Strategy, they looked at Resolutions which is going to open up a bunch of different seats for residents. Councilors Hollett and Kinyon helped her fill this out. The recommendation would be that we hold recruitment events twice a year for citizens to attend and be able to talk to committee members and ask questions. Councilor Maxfield went over the new Community Recruitment Strategy form they are working on in the Admin committee. She will need all of the councilors to check in with their committees and find out what seats are going to be available so when we do implement those resolutions we will know how many seats are available.

Mayor Holston- we have been at this for a while, she would love for Councilor Maxfield to make the changes and then bring it back to council.

11.2 Audit Committee- has not met

10.3 Budget Committee- Just finished, the hearing is on May 21st at 6:00 P.M.

10.4 Community Services Committee- no report

10.5 Library Board-no report

10.6 Oakridge Economic Development Advisory Committee- No report

10.7 Planning Commission- has not met

10.8 Public Safety Advisory Committee- has not met

10.9 RTMP Committee- has not met

12.0 Items Removed from the Consent Agenda- None

13.0 Public Hearings- None

14.0 Ordinances, Resolutions and Public Comments

14.1 Ordinance Amending the Procedures for Public Contracting

Bryan- read the issue

Councilor Kinyon-she found that document and it was a resolution not an ordinance, so you can find it by Resolution 04-2011 in your history.

Bryan-that is great, I will look that up.

Motion: Councilor Whitney moved we approve the reading of the proposed Ordinance by title only. Councilor Forcum seconded the motion.

T. Maxfield (aye), D. Kinyon (aye), P. Forcum (aye), Mayor Holston (aye), C. Holston (aye), C. Hollett (aye), B. Whitney (aye), J. McClelland (aye). Motion carried 7-0

15.0 Appointments- None

16.0 Public Comments

Loren Hogue 48319 E 1st Street- he feels for the council, administration and staff, sometimes someone writes stuff with whatever they have going on in their and brain tries to make a reality of it and it's nothing more than a careless attempt at antics and he feels for you guys. Even though the appointee has no conscience on this maybe you can talk to the appointee and say you are only appointed lady you have no guarantees here at all.

Matt Dahlstrom- wanted to echo what Bryan said, if any of you have any questions or go through any portions of the policy, he is here just let him know.

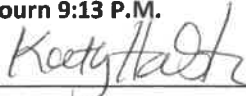
Councilor Kinyon- asked if Bryan could send out Ordinance 837 as well as Resolution 04-2011.

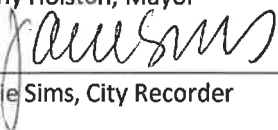
Councilor Whitney- she appreciates that Councilors Hollett and Maxfield were very well spoken during the censure hearing, she was having a hard time putting her thoughts into words. She also appreciates that Councilor Kinyon had the courage to bring this out, she wants all of us to be able to come forward if we need to.

Councilor Maxfield- she doesn't want Councilor Kinyon to feel bad about that this and she can't blame her for wanting to see and read everything for herself.

Mayor Holston- she agrees, but we should do it with respect and it's also important that we all have various opinions and give each other the grace to interpret things in our own manner. That is what council is all about.

17.0 Adjourn 9:13 P.M.

Signed: 
Kathy Holston, Mayor

Signed: 
Jackie Sims, City Recorder