



April 3, 2014  
City Council Regular Session  
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: Gerald Shorey, Mayor  
Rayetta Clark, Council President  
Glenn Fortune  
Jim Coey  
Ernest Baszler  
Les Biggerstaff  
Christine Slaven

Staff Present: Louis Gomez, City Administrator  
Dale Scobert, Chief of Police  
Albert Alcalde, Fire Chief  
Jackie Taylor, Assistant Planner / Public Works Secretary  
Susie LaDuke, Finance Director/City Recorder

### 2.0 PUBLIC COMMENT

Skip Baker Oakridge – He has mentioned in the past that he is a member of the Old Keepers. He was part of a delegation several weeks ago that went to the City Commissioners looking for them to do a resolution to the Federal Government protesting the National Defense Authorization act of 2012. Mr. Baker explained what that was.

Karon Tiller Riverview, Oakridge – April 5 at 10:00 A.M. volunteers will be planting flowers at the lot on Hwy 58 and River Road.

Matt Altemus W 2<sup>nd</sup> Street, Oakridge – Was born and raised in Oakridge. He is putting on a marathon on June 14, 2014, there will also be a half marathon and 5k walk. He will not be charging for catering or vendors. He is asking for a park fee waiver with the money being transferred from the TRT/RTMP funds. He will pay for the Amphitheater for one day.

Randy Dreiling Oakridge – Wanted to show his support for the UBRA Sign, Sign and Way Finding and the Ash Street project.

Louis asked the Council if Mr. Hodges and Casey Jones could speak during the public comment. They just wanted to make a quick presentation.

The Council agreed to let them speak during public comment.

Edward Hodges, our City Engineer spoke with the Council last week about the progress on the refurbishment on Well #6. The Council made it absolutely clear about their concerns about the state of that job. He doesn't want to rehash the whole subject but in light of the lack of communication that has occurred on this he wanted to bring in the contractor and specifically talk about the schedule so you can get it straight from them. Some of the concern was why was the pump missed, the fact that we actually have to replace it rather than repair it.

Casey Jones from Rainbow pump explained the work schedule for Well #6, he has kept in contact with Chuck and Robeart. They started the project the first week of December. They had three things that they had to do, they had to do a flow test for the Well with the existing pump, then they had to pull the pump out and put in a test pump and then test the Well again. They had to take the pump that they pulled out of the Well to the supplier and look at it for refurbishment, how wore down it was. December 18, 2013 is when they sent the City a quote for replacement or refurbishment. On the advice from the supplier, they had looked at the guts of the pump, the internals, the bearings and everything. ON their inspection everything looked good but was coated with tar, the tar is illegal to put in City wells now. When they started sandblasting and disassembled they saw a lot of wear and tear. That was not in the initial inspection. It's a horrible situation, if they had done the replace instead of the repair the City would be up and running with a new pump right now, but they decided to do the repair. On March 20-21<sup>st</sup> they purchased the pump, they should have them by April 10<sup>th</sup> or the 11<sup>th</sup>. The supplier has been working very hard for them. They should be able to have the pump installed on April 16<sup>th</sup>.

Councilor Coey asked when the completion date is.

Mr. Jones said he is thinking the 23<sup>rd</sup> would be a reasonable date.

Councilor Coey asked in their opinions, the coating that was on the pump is not the typical coating used.

John said he has never seen that on a pump before. Until you knock the mineral growth off the pump with the sandblaster you don't see the coating.

Councilor Biggerstaff asked if the other contractors that bid this job have the same things in their bid as Rainbow Pump?

Mr. Hodges said yes they did. Rainbow Pump is the only one that said they'd do it lump sum. The other two wouldn't do that.

There was discussion on how old the other pumps are.

Chuck said #2 was built in 1960 and #1 was as well, #1 has a new pump in it. The Wells they are working on now were drilled in 1982. Well #5 they don't use, because it has CO2 in it, Well #3 has CO2 also. Well #4 was started out as a temporary Well and it's been running ever since. The life of the Wells are all different, it depends on how it's used and how you run it.

Mayor Shorey said at the last meeting he asked if there was a contingency in this bid.

Casey said their job was pretty specific and there were not contingencies in the bid.

Mr. Hodges said no, there were not contingencies.

Mayor Shorey said this has been a learning experience for everyone, everyone shares the blame. There were no penalty clauses and contingencies.

Mr. Hodges said there were penalty clauses and liquidated damages.

Mr. Hodges said the thing he regrets the most is the issue of communication. He'd like to work with Louis and give a report to the Council every month as part of our packet, no charge. This might curtail things like this happening again.

### **3.0 MAYOR AND COUNCIL COMMENTS**

Councilor Coey wanted to respond to Matt Altemus, TRT and RTMP funds are not payable before the event. They are only payable after the event.

Councilor Coey said he heard earlier, he hasn't researched this yet, but he heard Matt received money last year and did not have the event.

Matt said he did have the event but it was very small.

Susie said the forms are on line now for the TRT/RTMP money.

### **4.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA**

#### **7.3 Community Festival Fireworks**

**Executive Session per ORS 192.660 (2) (d), "Union Negotiations," 192.660 (2) (f) to review records exempt from public inspection.**

### **5.0 CONSENT AGENDA**

**Motion:** Councilor Clark moved to approve the consent agenda. Councilor Biggerstaff seconded the motion.

L. Biggerstaff (Aye), E. Baszler (Aye), J. Coey (Aye), G. Fortune (Aye), R. Clark (Aye), Mayor Shorey (Aye), C. Slaven (Aye).

### **6.0 ADMINISTRATIVE SERVICES**

#### **6.1 City Administrators Report**

Louis sent Mr. Combis' Attorney an email telling him that we are willing to allow his client to come in and clean out some stuff. That was about 7-8 days ago and he hasn't received a response. Since this is

junk amnesty time we are going to clean the building out and we will keep the items that have value and throw out the rest.

The City Engineer put in a TGM pre application for us (The Transportation Growth Management Grant) and we put it in for an Access Management Plan and Louis spoke with a Planner from ODOT last week and she recommended that we not do an Access Management Plan because we do not have a project on the horizon at this time. She recommended that we go in and request a Transportations Systems Plan Update which is on our list of goals for the year at this time.

The crosswalk on Highway 58 seems to be flowing ok. He received the responses from Council on the location that they like the best. His next step is to write letters to the property owners along the Highway that may be affected by the crosswalk. ODOT is requiring a sidewalk on the Rock Rd side of the Highway.

The Pedestrian Study is going forward; they are looking at three or more additional crosswalks along Highway 58.

DEQ fish testing; John Milandin and Louis are working with DEQ to post "No Fishing" signs at the ponds. They are looking at signs like "Catch and Release Only". This may be our chance to work with ODFW and see about something they'd want to post. It's going to be pretty difficult to enforce people to not fish out there.

The next meeting in April Louis would really like to get back on the Strategic Plan.

Louis is going to draw up a draft for the stakeholders on the 16<sup>th</sup> for the Amtrak Station.

The Mayor signed the release for assignment to the bond agency.

The Planning Commission is still working on the Low Impact Development Study.

Louis is reviewing the Teller Road Construction Project with the City Engineer, he doesn't know if they are going to get it kicked off this Summer or if we are going to have to get money together for the Summer of 2015.

The Mayor, Louis and Councilor Coey will have a meeting with LTD on the 9<sup>th</sup> of April to discuss the Diamond Express and the other LTD programs. He will ask them about weekends.

Councilor Biggerstaff asked if we have to put a sidewalk on the North side of the Highway also?

Louis said he doesn't believe we will have to put a sidewalk there since there is concrete and curbs there already.

## **6.2 City Recorder Finance Report**

Susan gave the Financial Reports to the City Council.

Mayor Shorey asked Susan how much money is left in the Safer Grant Account.

Susan said there is \$125,000 in the account right now. We just received funds; the Safer Grant is a reimbursement grant.

Mayor Shorey asked when the grant is expected to run out?

Susan said we still have another year left.

**Motion:** Councilor Clark moved to accept the Financial Reports as presented. Councilor Slaven seconded the motion.

E. Baszler (Aye), Mayor Shorey (Aye), C. Slaven (Aye), G. Fortune (Aye), J. Coey (Aye), L. Biggerstaff (Aye), R. Clark (Aye). Motion carried 7-0

### **6.3 Appoint Budget Committee Members**

Louis said we have two applicants; Rustie Ackland and Chuck Roller.

**Motion:** Councilor Clark moved to appoint Rustie Ackland and Chuck Roller to serve on the Budget Committee positions for three year terms. Councilor Coey seconded the motion.

R. Clark (Aye), Mayor Shorey (Aye), J. Coey (Aye), E. Baszler (Aye), L. Biggerstaff (Aye), C. Slaven (Aye), G. Fortune (Aye). Motion carried 7-0.

### **6.4 Marijuana Dispensary Ordinance**

Louis said this has been a less than contentious issue; one of the reasons we are presenting the moratorium for a marijuana dispensary is that it allows us at the City to explore different things such as zoning and those kinds of things.

We will do a public hearing at the next meeting and also declare an emergency for passage. The reason for that is in accordance with our charter if we do this under a normal pace from the day we pass it it is not enacted for 30 more days and that will go past May 1<sup>st</sup>.

What the Police Chief will bring up is that we had Lane Council of Government try and find our 1,000 foot diameter around our schools for our community.

There was discussion about the property that used to be Gomberts. It's being used as residential and it is in a commercial zone.

### **6.5 Signage and Way Finding Project**

Louis said they are trying to bring this along in phases; these are examples of the signs they saw a couple of meetings ago. They want to work towards their next phase which is the design and engineering phase and they are asking the individual Cities that these would affect if they would be willing to accept and adopt the Oakridge/Westfir Way finding Plan.

**Motion:** Councilor Coey moved that the Council accept and adopt the Oakridge Westfir Way Finding Plan. Councilor Biggerstaff seconded the motion.

Mayor Shorey (Aye), J. Coey (Aye), R. Clark (Aye), L. Biggerstaff (Aye), G. Fortune (Aye), E. Baszler (Aye), C. Slaven (Aye). Motion carried 7-0

## **7.0 COMMUNITY SERVICES**

### **7.1 UBRA Sign Request and City Sponsorship**

Louis said UBRA is asking to build a billboard next to Robin David's shop on Highway 58. Oakridge Sand & Gravel owns the property. UBRA is asking the City, for certification for exemptions, to sign a Governmental Unit so they don't have to pay \$750 a year. This is where a Memorandum of Understanding would come in to play; they are still working on one that is why you don't have one. The Memorandum of Understanding would basically say that it is the City's sign but, UBRA would maintain it. The other piece is that they are asking the City to pay the electricity on it. Louis recommends saying no to that, he believes in collaboration and cooperation; with the savings of \$750 a year that UBRA would be getting, their \$3,000 investment would be covered in about four years. We need to insure that whoever has the lease with the property owner has a lease with Sand & Gravel because it is not our property and they are ok with us having the sign on their property.

**Motion:** Councilor Coey moved that the City Administrator complete the sign exemption for a Governmental Unit and enter into a Memorandum of Understanding for Upkeep and Maintenance of the sign with UBRA. Councilor Fortune seconded the motion.

Councilor Biggerstaff asked how much will the electricity cost?

Louis said about \$5-\$16 a month.

Councilor Coey said his understanding from the Community Services Meeting was that they were also asking for a \$750 donation from the City.

Louis said it would be in the best interest for UBRA to request that through the TRT/RTMP Funds.

Mayor Shorey said we need to get some verification on who owns the property.

Louis said we are going to get verification on that and also on the zoning. Louis said the only question that wasn't answered for him is regarding the electricity.

Councilor Clark said up keep and maintenance should cover the cost of the electricity. The rest of the Council agreed.

J. Coey (Aye), G. Fortune (Aye), R. Clark (Aye), Mayor Shorey (Nay), E. Baszler (Aye), C. Slaven (Aye), L. Biggerstaff (Aye). Motion carried 6-1

### **7.2 North Ash Street Discussion**

**Motion:** Councilor Fortune moved that the City Administrator move forward with the LID process with the two property owners on the North end of Ash Street and retain the Street easement. Councilor Clark seconded the motion.

Mayor Shorey said we have a letter from Steve Saxon, one of the property owners.

Councilor Coey said they reviewed this in the Community Services Meeting last week and there were three options presented to them. One was abandoning the Street altogether, another was for the City to cover the cost completely or split the cost with the owners. By us going in there and split the cost it allows us to retain that water and divert it properly which is part of our Stormwater Mitigation issue.

Steve Saxon said he has lived there for over 22 years, it is a City Street that has deteriorated, he has seen a lot of people slip and fall, and it's in poor condition.

Louis spoke with the engineer and the estimate is around \$16,000.

Councilor Slaven let everyone know that Steve and Renee Saxon are her Aunt and Uncle but, this does not represent a conflict of interest according to the State Ethics.

L. Biggerstaff (Aye), R. Clark (Aye), C. Slaven (Aye), J. Coey (Aye), G. Fortune (Aye), Mayor Shorey (Aye), E. Baszler (Aye). Motion carried 7-0

### **7.3 Community Festival Fireworks**

Sandy Edds with the Community Fireworks, they are asking for a lease on lot 36 at the Oakridge Industrial Park. Sandy gave her presentation and proposal for a lawn mower racing track to the Council.

They have met with the person who designed the Estacada track, that track has closed down due to houses going in.

This will all be non profit, all the proceeds will go to the Community Fireworks Fund; the race itself really does not bring in that much money, they charge \$20 for the racers. What they do bring in is a lot of money to the community for gas, groceries, over night stays etc...

Councilor Fortune asked what the admission will be for spectators to watch the race?

Sandy said it will probably be about \$3 and \$10 for a pit pass.

Noise will not be an issue; the trains are louder than the lawn mowers.

They will be setting up a local chapter. This is a family orientated sport; the youngest age you can be to race is 10 years old.

Louis said if we do a lease we definitely have liability on the taxes. Realistically we will have about \$1070 - \$1500 a year on that lot. Louis recommends to the Council that we charge in that ball park for the lease.

Sandy said she is looking at \$1 per acre for the first two years to let them get going.

Councilor Coey said he'd be ok with the \$9 per month for two years and then re-evaluate. The money we will get in from room tax will make up for the \$1,000. We are doing something that will help get things going and will probably be a lot of fun.

Louis said he agrees with that, but we still have the liability.

Troy Allen asked if there will be room for RV's.

Louis said that is something they will work out with Sandy in terms with the lease.

**Motion:** Councilor Fortune moved that the City lease lot 36, to the Community Festival Association Fireworks Committee for a Lawn Mower Racing Track for \$10 a month based on a two year lease. Councilor Coey seconded the motion.

G. Fortune (Aye), R. Clark (Aye), Mayor Shorey (Aye), J. Coey (Aye), L. Biggerstaff (Aye), E. Baszler (Aye), C. Slaven (Aye). Motion carried 7-0

Mayor Shorey said it is one minute until 9:00, what is the wish of the Council.

The Council agreed to extend the meeting.

**\*\* TGM Grant Pre-Application Hwy 58**

**\*\* Orchid Health Sub Ordination Agreement**

Louis said at the last meeting the Council agreed to take second position and so Louis met with the young men. They came in to Louis office with a document that was really broad. He spoke to them in his office and they spoke to their attorney and then they came back with another document. Louis missed a couple of lines up top where it said if they bring in other investors, we will get pushed down the line lower.

Councilor Coey said he is against this, he wants the health group here, but we are jumping way ahead of ourselves by agreeing to this, \$11,000 is a lot of money to us.

Councilor Slaven said we have given them the money and we have agreed to second position, those two things are done. What we have to look at now is if this agreement is something we want to fight.

Susie read aloud how the agreement is stated. They are saying if they do any more promissory notes we will keep moving down the line. We were very specific about being number two in line. This whole thing has struck her wrong. Right now we are number two, but if they keep signing investors we will keep moving down the line.

Mayor Shorey said we need to nullify the agreement and make a new one based on what is in the minutes from the meeting.

Councilor Clark said we need to talk to them and see if this is in fact their intent that we keep moving down the line.



Our Attorney said we are going down the line.

Councilor Biggerstaff said this is a risk we took when we originally agreed to help Orchid out, it would cost more to collect on the collateral than the loan is worth.

Gary Carl said what do you think the stuff in the clinic is going to be worth if they fold? It doesn't really matter what place we are in because the guys that are in first are going to take it all anyway. That is what the lawyer is saying.

Councilor Biggerstaff said he wishes we would have just given them the money in the first place and then we wouldn't be having this conversation.

Louis asked what the wish of the Council is?

Councilor Fortune said we need to get clarification from them.

**8.0 POLICE SERVICES**

**9.0 EMERGENCY SERVICES**

**End Regular session at 9:15 P.M.**

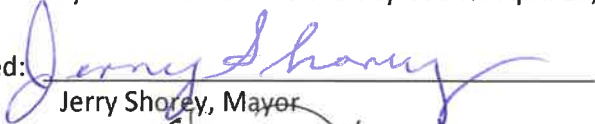
**Executive session opens at 9:17 P.M.**


**Executive Session per ORS 192.660 (2) (d), "Union Negotiations," 192.660 (2) (f) to review records exempt from public inspection.**

**Executive Session closed at 9:45 P.M.**

**ADJOURNMENT:** The Council adjourned at 9:46 p.m.

Respectfully submitted before the City Council April 17, 2014

Signed:   
Jerry Shorey, Mayor

Signed:   
Susan LaDuke, City Recorder