



August 6, 2015  
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: Jim Coey, Mayor  
Judy Rowland  
Gary Carl  
Rick Zylstra  
Amy Buchmeier  
Dwight Chitwood  
Dawn Kinyon

Staff Present: Louis Gomez, City Administrator  
Albert Alcalde, Fire Chief  
Jackie Taylor, Assistant Planner  
Susie LaDuke, Finance Director/City Recorder  
Kevin Martin, Police Chief

## 2.0 PUBLIC COMMENT

James Affa Garden Road, Oakridge – He doesn't think everyone knows how we got the term limits, it is because we had a City Administrator who over spent everything. This hasn't even been in effect a full term, this is a little premature to talk about this at this time.

Vincent LaRochelle 76563 Walker Street, Oakridge – Old Hazeldell Quarry, Mr. LaRochelle read a statement aloud.

Sandy Edds 1<sup>st</sup> Street, Oakridge – Term limits, in 2012 we had an election on term limits, 849 voted for the term limits, the town spoke loudly and clearly about this. She doesn't know why this is necessary to put back on the ballot. You are taking resources from city hall to do this.

Dan Barclay 47501 Hwy 58, Oakridge – Term limits, in 2012 71% of the voters elected for the term limits for council and mayor.

Gene Hilleman 47800 Short Street, Oakridge – The term limit thing really bothers him, two term limits is more than ample for anyone.

Sandra Ennis Oakridge - Water curtailment and the School District, Ms. Ennis read a letter aloud to the council. The School District shouldn't be allowed to water if we are having a water curtailment. She has grandsons who play football, baseball and basketball for the school. The school has reports to show injuries due to playing on dead grass. She is asking the council to reconsider the schools unreasonable request.

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

Mayor Coey said they decided to allow the school to water the football field, we cut their usage in half, and they get 45 minutes per station, per evening. They wanted to do the track, but we aren't allowing that. We continue to monitor our water and the situation with the school.

Ms. Ennis asked if she could water her lawn out of fairness.

Mayor Coey said no, she cannot.

Regarding the Quarry, Mayor Coey said the reason only some people got the letters is because this is county land, not city. They sent letters to residents who are affected by this. They have a long way to go before they get approval on this. This is between the county and the state and the residents around them.

Mayor Coey attended the Mayors Conference in Cottage Grove, we are in much better shape than most cities, even the bigger cities. He came away from the meeting very encouraged.

Through CIS he found a City Administrator review form, Louis and the Mayor will be reviewing it, it seems like a really good form for us to use on our City Administrator evaluation.

IMBA has made Oakridge a gold status today, they are one of six cities in the world that have achieved that status.

Mayor wanted to talk about the water situation, you have all seen the sign at the Methodist Church, they have a spring under their building that they have tried to get rid of for decades, now they are using it.

Mayor Coey said a complaint came in to City Hall that someone saw the Mayor watering his lawn, he does not have a lawn.

League of Oregon Cities is coming up in September, we have all agreed to go and the city will pay for that. It was very beneficial last time he attended.

Councilor Carl said the term limits was on his motion that the council voted unanimously to give back to the voters for a second look, the term limits were ill advised, it was passed when the city was in extreme turmoil and he doesn't think term limits are a good idea. Any person who is on council can be voted out when their term is up if the voters want to remove them. He looks forward to an open and full discussion and debate. It is up to the voters.

Council Kinyon said she thought the evaluations for Louis were supposed to happen in January.

Louis said it is supposed to happen in June, for new people coming in in January it was very unfair for new people to be doing an evaluation right on the spot the first month they are there.

Councilor Chitwood asked about the cost for the term limits to go on the ballot.

Louis said Susan will give a report on projected costs.

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

Strike 6.5 Ratification of Fire Union Contract

Add 9.3 Surplus of a vehicle by OFD

Executive session take off real property transactions and add ORS 192.660 (h) current litigation or litigation likely to be filed.

Add 6.6 MBO park fee extension

#### **5.0 CONSENT AGENDA**

**Motion:** Councilor Carl moved to approve the consent agenda as amended. Councilor Rowland seconded the motion.

J. Rowland (Aye), A. Buchmeier (Aye), G. Carl (Aye), D. Chitwood (Aye), D. Kinyon (Aye), Mayor Coey (Aye), R. Zylstra (Aye). Motion carried 7-0

#### **6.0 ADMINISTRATIVE SERVICES**

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

Back in June we did turn in a grant for the Transportation Plan update, we haven't heard anything yet, we should hear in about two weeks whether we got the grant or not.

Crosswalk – He did have a conversation with one of the last owners, he is putting some paperwork together before he goes to see her again. The City Engineer is getting to refer the 80% plans to ODOT. We are hoping to put the crosswalk in this fiscal year, preferably this calendar year.

Economic Development – We received a quote from Focus Construction

Amtrak Station – This is ongoing. Mayor Coey has a meeting on the 10<sup>th</sup> with Senator Wyden's Aide and this is one of the topics of conversation.

Million Gallon Tank and Well – The City Engineer completed the feasibility study and turned in the final documents and we should be getting documents from IFA in regards to any loan documents and costs so the council will have firm numbers to work with prior to going back to the citizens.

Way Finding – Ben Beamer reported on this for Louis, a little over a year ago they completed a Signage and Way Finding plan. This is funded primarily by Cycle Oregon, Travel Oregon and some TRT money. This was the first meeting, the pool of stake holders is very long, City of Oakridge, ODOT, County, Forest Service and a wide variety of groups. They will have a couple more meetings and we should have the engineering part done this fall and then on to the next phase.

Councilor Carl said from his recollection this is a three step process and asked Ben to outline the three steps and the cost estimates attached.

Ben said step one we have completed which is a planning session and they completed that, the cost for that was about \$13,000 with zero cost to the City of Oakridge. Phase two is not to exceed \$22,800 dollars and that will get us shovel ready documents. Phase three estimates are under \$200,000, they are not really ready to talk about this phase yet.

Teller Road Construction Project – Louis will check out what Mr. Hilleman asked about, the bottom line is this, if a bid comes in that is exorbitant then we won't do it, we don't have the money to do a \$350,000 street. We may have to skim some things to bring the cost down and meet our budget.

LTD Meeting and Discussion – They had put in a grant for the Diamond Express to try to expand it, but the grant was denied. They are going to connect with Amtrak, primarily on the weekdays, which is something they are working on that is a positive. The expansion of the trips on the weekends and during week is not going to happen right now.

ODOT Grant – Louis asked Ben to go over the ODOT, Ride Center Project. This was Federal Funding coming through transportation of federal highways, down that chain and went to ODOT. ODOT was running the project and was interested in having the city pass some of the responsibility about the time the city went broke, so they took over the project and ran it the ODOT way. The lowest bid was about twice the engineer's estimates.

Mini LID – The excavators have been up on North Ash Street, hopefully they should be done on August 14, 2015.

Enterprise Zone – He should have documents to council either in September or the middle of October to get reinstated.

FEMA – Still working on that, he was working on it before he came here tonight. He is trying to get the paperwork done so we can get some land use issues done.

When it comes to land use the council needs to be careful with what they say to people, there can be Exparte communications or conflicts, all of those things can come up just as if you were a Planning Commissioner.

Louis will be looking for an Interim Fire Chief, Chief Alcalde will be leaving at the end of the month.

Councilor Zylstra asked about Lot 3 and what we are waiting on? We could have nine holes out there right now.

Louis said we are waiting on the Parks, Trails and Trees Board so we can get together with the Community services to solidify something.

The Chairman of the Parks, Trails and Trees Board is resigning, he is moving out of the area so we will be looking for a chairman.

Louis said he and Councilor Zylstra have talked about having the Community services/Parks Committee since the PT & T Board filters through the Community Services Committee anyway before going to Council. Louis needs to check into this more.

## **6.2 City Recorders Financial Report**

Susan gave the financial report.

Susan found a couple minor Scribner's errors in the budget, this will be coming to the council because we have to do a resolution.

The auditors were here, they were very happy with our information. They were supposed to be here for four days, but only needed two days. The auditors will be back in October.

**Motion:** Councilor Rowland moved to approve the Finance Directors financial report as presented. Councilor Carl seconded the motion.

R. Zylstra (Aye), Mayor Coey (Aye), D. Chitwood (Aye), D. Kinyon (Aye), G. Carl (Aye), J. Rowland (Aye), A. Buchmeier (Aye). Motion carried 7-0

## **6.3 Resolution 15-2015 Calling an election on 11-3-15 referring to voters a measure to amend Sections 1, 7, 37 of the Oakridge Charter to repeal Term Limits.**

Louis reported that in 2012 a resolution to amend the city charter was presented to the citizens of Oakridge to place term limits of eight years on city councilors, they would have to take a four year break prior to running for city council again. The City of Oakridge was going through some difficult times when this occurred, the council would like to take the question of term limits back to the citizens of Oakridge. It is difficult to find people willing to give themselves and serve the city in an elected position.

**Motion:** Councilor Carl moved that we adopt Resolution 15-2015 a resolution calling an election on November 3, 2015, for the purpose of referring to the voters of the City of Oakridge, Oregon a measure amending sections 1, 7 and 37 of the Oakridge City Charter to repeal term limits for the Mayor and City Councilors. Councilor Zylstra seconded the motion.

Councilor Buchmeier asked what the cost is to do this?

Susan said she talked to Cheryl at the elections office, as others have, and the costs to do this for the November election will be anywhere from \$1500 to \$2700, the reason is because this year, the November election is a special election. There would be no cost in a general election, this can be pushed forward and recommended for the May election at no cost.

Councilor Buchmeier asked how much work is this for staff, for staff time?

Susan said it is a matter of making sure things are done, there time lines when certain things need to be done, if it goes on the November election it needs to be decided tonight because she has to have all of her documentation in before the third, there is a time frame here.

Councilor Buchmeier said are talking hours of her time?

Susan said that there aren't that many hours, it's more of a tracking mechanism so she can make sure she gets documents posted like she is supposed to. It is the same as any election. When this was done in 2012 it was more of a hassle then because she hadn't been here very long and it was done the same way as this, it was the council who put it on there, it wasn't a bunch of people signing a petition to get it on.

Councilor Kinyon asked if it would take more time than it would take to forward some documentation that she had requested in the past because that was going to take up a lot of your time?

Susan asked what documentation is she talking about?

Councilor Kinyon said some emails that she requested in the past and the council questioned if that would take a lot of her time and she said it would take a lot of her time.

Susan said to go back and dig through emails does take time and she would need to know what documents she is talking about. This is pretty straight forward.

Mayor Coey said we should postpone this until the spring, since that way there won't be any cost. This is a wise thing to do. Maybe we should just put off until May.

Susan said it wouldn't be postponing if we just at this point make the motion to put it on the election for May.

Councilor Carl asked if there is a disadvantage to putting it off until the general election?

Susan said there is not a disadvantage, the only difference is the cost.

Councilor Kinyon asked why it is important at this time if it is not going to matter to any of the seats that are currently in place until 2020, why not wait until 2020.

Councilor Carl said that is not accurate to say that it is not going to matter until 2020, we have a Mayor whose term will end in two years and at the end of his term in 2017 he is no longer eligible to be Mayor.

Councilor Kinyon asked why?

Councilor Carl said because he can't run again. Do you want to be the Mayor?

Councilor Kinyon said how do we know someone else won't want to be Mayor?

Councilor Zylstra said we definitely have a problem with people stepping up.

Susan said the last time this went to the voters last time it was recommended by our city attorney that we don't put it on the ballot. His reasoning is because it is hard to find people that will step up and run, we found that out in the last election, we had X amount of positions and we had one that was vacant and it was done by a write in campaign because it is hard to find people to step up and run so that you can have a debate. It has also been proven in the city is that if there is anyone on council that they don't want they vote them out. Term limits are kind of irreverent to that point because if you aren't doing the job then people will vote for somebody else.

Councilor Chitwood asked how many communities have term limits?

Susan said most small cities don't for this very reason.

Mayor Coey said he spoke to quite a few over the weekend and most hadn't even heard of such of thing.

Councilor Buchmeier said she doesn't see any harm in asking the voters again, she would like to do it for free though on the May ballot.

Louis said for clarification Councilor Zylstra, Councilor Buchmeier and Councilor Chitwood all three would have to run in the November 2016 election if they wish.

**Amended Motion:** Councilor Carl moved to have the election on the May 2016 ballot for the reason that it will not cost the city any money. Councilor Zylstra seconded the motion.

Mayor Coey (Aye), D. Kinyon (Nay), D. Chitwood (Aye), J. Rowland (Aye), G. Carl (Aye), A. Buchmeier (Aye), R. Zylstra (Aye). Motion carried 6-1

#### **6.4 Applying of Contract for Consultant CPA**

Susan reported that Summer took a job with another city so she is no longer available to be our outside CPA. Susan talked to Summer about putting out an RFP and she suggested she use the States Municipal Roster as a starting point. We also posted on the League of Oregon Cities website. We received back two formal proposals and only one was listed as a municipal auditor which is one of the requirements that we wanted in a CPA. The response she got back was from someone that she knows, Brenda Bartlett from SGA, when we were going through some issues last October she provided a lot of insight and expertise and helped with some questions that she needed answered. She did that without charging the city. They also do work for small cities.

**Motion:** Councilor Buchmeier moved that we approve the appointment of SGA CPA's and Consultants for monthly support and audit preparation series not to exceed \$32,000. Councilor Rowland seconded the motion.

Councilor Buchmeier asked Susan how many places she sent this out to?

Susan said she posted it on the League of Oregon website, the OMFA, she sent our probably 60-65 RFP's to the municipal roster.

Councilor Buchmeier asked how much time they had to respond?

Susan said they extended it out to about a month.

Councilor Buchmeier asked if we have different rates for each one, does Brenda cost the same as LeeAnn?

Susan said we won't have to pay extra to have two of them at our disposal.

Councilor Buchmeier asked if we have contacted the City of LaPine to see how they like them?

Susan said yes, she did contact the City of LaPine.

Councilor Carl asked if there is a CPA Board that takes complaints like there is for attorneys?

Susan said yes and she contacted them and she didn't find any complaints.

Mayor Coey (Aye), J. Rowland (Aye), G. Carl (Aye), D. Chitwood (Aye), A. Buchmeier (Aye), D. Kinyon (Aye), R. Zylstra (Aye). Motion carried 7-0

## **6.5 Ratification of Fire Union Contract**

**This was taken off the agenda**

## **6.6 MBO Fee Extension**

Mayor Coey said Mr. Dreiling came to him yesterday and asked that due to some personal issues he is experiencing financially if we would extend his fee payment that is due at 4:50 P.M. tomorrow until September 15, 2015. It is up to the council if we add a fee onto that.

Councilor Kinyon asked if he is talking about the fee that he is charged to rent the park?

Mayor Coey said yes.

**Motion:** Councilor Carl moved that we grant Mr. Dreiling an extension until September 15, 2015 to pay the fee that was previously assessed, however as part of that extension we want a promissory note for the full amount signed by Mr. Dreiling in which he promises to pay the full amount, cashier's check or cash on September 15, 2015 and if he fails to do so there will be a penalty of 25% of the total amount and that will be due within 72 hours of September 15, 2015 by 4:00 P.M. and if he fails to pay the penalty within 72 hours an additional 25% penalty will be assessed within 72 hours, at the end of the second 72 hour period if the fee is still not paid the promissory note will be sent for collection and Mr. Dreiling will not be allowed to rent the park in the future. If the note is turned over for collection all attorney's fees will be charged to Mr. Dreiling including collection of any judgement, upon review of the city attorney. Councilor Zylstra seconded the motion.

Councilor Kinyon asked if Mr. Dreiling has paid any money on the property that he purchased?

Louis said the title company received the \$5,000 from Mr. Dreiling yesterday.

Councilor Buchmeier asked how Mr. Dreiling paid in the past?

Susan said last year we had to go after him. He ignored several emails from Jackie, the history was they let him pay late. Susan wasn't aware of this until Jackie brought it to her attention and it still took several times to get the money. Susan has issues with this, because it took time to get the money before, from a financial standpoint, he has money to buy the property, all of the people pay in advance.

Councilor Kinyon asked Ben Beamer if Randy has paid GOATS the money he owes them from the work they did last year at the event?



Ben said GOATS has received money, but he still owes some. Because of that GOATS elected not to partner with him for this MBO.

Councilor Buchmeier said she doesn't like or feel comfortable making judgements on Mr. Dreiling's financial stability and accounting methods. Councilor Buchmeier asked Mayor Coey why he is bringing this to the table and not Mr. Dreiling?

Mayor Coey said Mr. Dreiling had some personal issues to take care of tonight and he asked him to bring it to the table. Mr. Dreiling asked Louis and it was decided between the Mayor and Louis to not put this on the agenda, he is bringing it before council.

Mayor Coey said Mr. Dreiling has been allowed in the past, there was never any requirements of Mr. Dreiling by the city to pay his fees up front. We more than doubled his fees this year, he is bringing this to the council to let them decide, he is not sure how he is going to vote. He likes Councilor Carl's motion.

Councilor Carl said he wants to respect the work the city had to do to collect last year's money. Councilor Carl does not want this to go forward unless the City attorney says yes, you can do this.

Councilor Zylstra said the event is in one week, if we say no to this and if he does not get his event where is the blame going to be placed? All these people are going to hate Oakridge because he really doubts that Mr. Dreiling is going to say this is his fault. We need to make this the very last time. It will have bad repercussions if the event has to be cancelled.

D. Kinyon (Nay), Mayor Coey (Aye), G. Carl (Aye), J. Rowland (Aye), R. Zylstra (Aye), A. Buchmeier (Nay).  
Motion carried 5-2

## **7.0 COMMUNITY SERVICES**

### **7.1 Sidewalk Closure for Brewers Union and Goats**

Mayor Coey said that GOATS is asking that the sidewalk be closed in front of the Brewers Union for a fundraising event for GOATS. There will be monitors on the Brewers Union portion of the patio to make sure no one leaves the OLCC permitted area which is the patio. They have done this before, but were under the impression that this was included in the Planning Commission minutes when this was approved in 2008. Upon reviewing those minutes they did not see any information that included the sidewalk closure. There have not been any ordinance violations for disruptions in the past.

Ben Beamer said they are using the sidewalk, they are not closing the sidewalk. They have had issues in the past where non patrons have become abusive to their customers, Brewers Union staff and GOATS volunteers. There is about four feet passage through there, probably closer to six feet.

Mayor Coey said he attended the last event, you have a minimum of a four foot easement through there, this is primarily because of certain neighbors that were a disruption and this gives them a little more artillery to be able to protect themselves.

Councilor Buchmeier asked about the number of participants, he has 99 expected which is one below the threshold needed to have security.

Mr. Beamer said you aren't going to fit 99 people on the sidewalk.

**Motion:** Councilor Buchmeier moved that we approve the sidewalk closure for the GOATS fund raising event from August 13<sup>th</sup> to August 16, 2015. Councilor Kinyon seconded the motion.

D. Kinyon (Aye), Mayor Coey (Aye), G. Carl (Aye), A. Buchmeier (Aye), J. Rowland (Aye), R. Zylstra (Aye), D. Chitwood (Aye). Motion carried 7-0

Mayor Coey said it is 9:05 P.M., do we have a consensus to go forth with the meeting?

We had a consensus to continue the meeting.

## **8.0 POLICE SERVICES**

### **8.1 Lowell Police Services IGA**

Chief Martin reviewed the contract and the changes with the council. He recommends that we approve the contract.

**Motion:** Councilor Kinyon moved to authorize the City of Oakridge to enter into an Inter-Governmental Agreement with the City of Lowell for law enforcement services. Councilor Carl seconded the motion.

Councilor Buchmeier asked if the \$50 hourly rate covers our employees including PERS and benefits and such?

Chief Martin said pretty much, sometimes the reserves do this and there is no cost but when the Chief does it there will be a cost.

Councilor Carl asked if the \$50 per hour represents an increase from last year.

Chief Martin said yes, it is going up from \$48.39 per hour.

Mayor Coey (Aye), D. Kinyon (Aye), G. Carl (Aye), D. Chitwood (Aye), R. Zylstra (Aye), J. Rowland (Aye), A. Buchmeier (Aye). Motion carried 7-0

### **8.2 Westfir Police Services IGA**

**Motion:** Councilor Kinyon moved to authorize the City of Oakridge to enter into an Inter-Governmental agreement with the City of Westfir for law enforcement services. Councilor Chitwood seconded the motion.

Mayor Coey asked if we are making money or breaking even?

Chief Martin said we are doing better on the Westfir contract, the nature of the contract is different.

A. Buchmeier (Aye), R. Zylstra (Aye), D. Chitwood (Aye), Mayor Coey (Aye), J. Rowland (Aye), G. Carl (Aye), D. Kinyon (Aye). Motion carried 7-0

## 9.0 EMERGENCY SERVICES

### 9.1 Westfir Fire Services IGA

Chief Alcalde said it has been a while since we have done a contract with them. There is an increase from \$7200 to \$8000.

**Motion:** Councilor Kinyon moved that the Mayor sign the IGA with the City of Westfir to provide fire protection services. Councilor Buchmeier seconded the motion.

R. Zylstra (Aye), D. Kinyon (Aye), Mayor Coey (Aye), J. Rowland (Aye), G. Carl (Aye), D. Chitwood (Aye), A. Buchmeier (Aye). Motion carried 7-0

### 9.2 Hazeldell Rural Fire Protection District IGA

Chief Alcalde said the fiscal impact is \$57,000 that is an increase of \$7000 from last year. They also have specialized equipment that we get to use.

**Motion:** Councilor Rowland moved that the Mayor sign the IGA with the Hazeldell Rural Fire Protection District to provide fire protection services. Councilor Zylstra seconded the motion.

D. Chitwood (Aye), G. Carl (Aye), R. Zylstra (Aye), J. Rowland (Aye), A. Buchmeier (Aye), D. Kinyon (Aye), Mayor Coey (Aye). Motion carried 7-0

### 9.3 Surplus of a 1998 4 door Volvo Vehicle

**Motion:** Councilor Carl moved that we surplus the 1998 4 door Volvo Vehicle. Councilor Rowland seconded the motion.

A. Buchmeier (Aye), R. Zylstra (Aye), J. Rowland (Aye), G. Carl (Aye), Mayor Coey (Aye), D. Kinyon (Aye), D. Chitwood (Aye). Motion carried 7-0

## 10.0 REPORTS FROM BOARDS AND COMMITTEES

LRAPA – At the next meeting they have coming up DEQ, EPA and the Regional Solutions Team will all be showing up. The Deputy Director did not realize we were the only city that did not reach attainment.

Library – Book sale Saturday at the Keg and Cask Festival

Celia Hilleman said she is really impressed with the whole council, they are asking a lot of question and she likes to see that.

**Executive Session: ORS 192.660 (2) (d) to conduct labor negotiations on behalf of the government body and ORS 192.660 (2) (h) litigation or likely litigation.**

Adjourn for Executive Session 9:15 P.M.

Executive session 9:25 P.M.

Executive session over at 9:36 P.M.

Regular session 9:36 P.M.

Adjourn Meeting 9:36 P.M.

Respectfully submitted before the City Council August 20, 2015

Signed: \_\_\_\_\_  
James Coey, Mayor

Signed: \_\_\_\_\_  
Susan LaDuke, City Recorder