

October 6, 2005
City Council Regular Session
Oakridge City Hall Council Chambers
7:00 p.m.



MINUTES



CALL MEETING TO ORDER

Mayor Bond called the meeting to order at 7:00 p.m.

Council Present: Sue Bond, Mayor
Rayetta Clark
Carina Schorer
Glenn Fortune
Don Hampton
Dawn Shields

Council Absent: Leah Chapman

Staff Present: City Administrator Gordon Zimmerman
City Recorder Chantell Hayson
Community Services Director Kevin Urban
Police Chief Louis Gomez
Fire Chief Jerry Shorey

CITIZEN INPUT ON NON-AGENDA ITEMS

Dean Phillips, 47699 W. 2nd Street, Oakridge: Mr. Phillips started by mentioning the updates that were published in the latest Dead Mountain Echo. He wanted to point out that his recent water bill was \$136.86 and that the ad in the paper mentions the water project construction would not begin until the spring. He recommended to the Council that they should review again the fire flow charge and eliminate that charge from the base rate as he feels it never belonged there in the first place. He then mentioned the excerpts pertaining to the construction of Highway 58, the Access Management Plan, and the Highway 58 Pedestrian Crossing. He feels that all of these projects should be a part of the original Highway 58 project design. He then read a separate article that said that a meeting on June 2, 2005, would be finalized and presented on June 9, 2005, and he feels that this would not be enough time for him to make a decision and vote on any matter. The plan design recommendations include a 3-lane facility, crosswalks, and pedestrian crossings that should be provided at appropriate locations. He feels that the breakdown of our articles in the paper is confusing to citizens and should just be mentioned all together as one whole project rather than several small projects. Mr. Phillips then referred back to the newspaper article about the section of adopting a Dangerous Building Code. He asked the Council what does the sentence mean that states, "We do want to encourage building owners to maintain their properties to the

benefit of the City.” He wanted to know who exactly is the City because he did not understand that. He thanked the Council for not informing Roy Dahl that the funds for a program that he had applied for no longer had funds available. He felt someone should have contacted Roy to let him know this information.

Mayor Bond responded that it was a separate program that was applied for and she would speak with Dean after the meeting if he wanted more clarification.

In closing Dean reminded the Council of a particular word that he had attempted to remember in prior meetings and that word is “cultivate.”

CONSENT AGENDA

- 1.1 Minutes of Regular Session of September 15, 2005
- 1.2 Resolution 32-2005 Appropriating Unanticipated Revenue for Volunteer Fire Reserves
- 1.3 Resolution 33-2005 Appropriating Unanticipated Revenue for Park Fund

Councilor D. Hampton pulled the minutes from the consent agenda for some minor changes that were given to the City Recorder prior to the meeting and distributed to the Council for review.

Motion by G. Fortune and seconded by R. Clark to approve the consent agenda without the minutes of September 15, 2005. G. Fortune (Aye), R. Clark (Aye), C. Schorer (Aye), D. Shields (Aye), D. Hampton (Aye), and Mayor Bond (Aye). Motion carried 6-0.

Councilor D. Hampton wanted to talk about several reasons for pulling the minutes. He started by explaining to the Council that at the last meeting he had connected with the City Recorder and the City Administrator about being able to proof the minutes before they were published for the Council meeting. He then stated that he has done this for three previous recorders without a problem. He feels that it is important to help staff in as many ways as possible to eliminate additional work, and he feels that he can be helpful in this area because of his education and background. He does not feel that the minutes as presented meets a “Business English Standard.”

Councilor D. Hampton received an e-mail message from the Mayor about his request and wanted to share it with the Council. Before reading the e-mail he reminded the Council that any e-mail between themselves and staff is public information, he then proceeded to read the e-mail. The Mayor stated in the e-mail that she felt it is not appropriate to have an individual member proof before the rest of the Council. However, if minor changes were necessary, it is appropriate to contact the City Recorder with those changes before the meeting. She continued to state in her e-mail that it is appropriate for the Mayor or Council President to perform this function, of which they choose not to as it borders on the realm of micro-managing the staff. She feels that this is a staff function, not a Council function. In closing in the e-mail Mayor Bond had stated that “It is appropriate for Council to call about minor changes, spelling, or name changes for the meeting and the Recorder will make the Council aware of the correction. However, if it is a major change, then it should be pulled for correction during the meeting.” Councilor D. Hampton responded to this e-mail by stating that he and Mayor Bond have a different definition of micro-managing. He would define micro-

managing as directing city staff to perform functions that the City Administrator hasn't already requested that they do. If this is the case, then the Council would never be helping staff. That would be a poor situation.

Councilor D. Hampton feels the minutes are important because they are the history of our town. They are the most accurate and only records of our town. Second, they are a legal document that is used for many purposes. Third and most important, they represent our image. He thinks that we should represent ourselves with a professional written image as well as we expect our City Administrator to represent us with a professional image. Since the minutes are being posted on the Internet, he feels that they must be as professional looking as they possibly can be. He stated that with the procedure recommended by the Mayor in her e-mail, it would be a waste of staff time rather than reducing staff time because the Recorder would then have to print and post on paper and the Internet twice rather than once.

Councilor D. Hampton feels the Council has two choices to get the minutes to what he feels is standard business English quality. Either it is done the way the Mayor recommended, or the way that he feels would be the easiest by proofing before they are presented in the meeting. He does not approve of how the minutes have been done in the past and he will take as much time as needed to get them as perfect as possible. He stated that later in her e-mail, the Mayor mentioned that he could call her, or meet with her, or the administration. Councilor D. Hampton feels the council should have a work session on Council/staff relations.

Mayor Bond asked Councilor D. Hampton to continue the discussion pertaining to a work session later in the meeting, as this time is a discussion about the minutes, not a Council work session. Mayor Bond then asked for a motion from the Council to accept the minutes with the recommended changes. Mayor Bond asked if there was any other discussion on this.

City Administrator Gordon Zimmerman made a few minor changes to Councilor D. Hampton's changes to be clear and precise.

Motion by D. Hampton and seconded by G. Fortune to approve the September 15, 2005 minutes with the recommended changes. R. Clark (Aye), C. Schorer (Aye), Mayor Bond (Aye), D. Hampton (Aye), G. Fortune (Aye), and D. Shields (Aye). Motion carried 6-0.

ADMINISTRATION

2.1 Boy Scout Fundraising Proposal

Mr. Dave Ackland, representative and Unit Commissioner for the Oakridge Scouting Program, submitted a proposal to the City Council requesting to use City property for storage of wood that will be removed from the train tunnels by Drill Tech. The wood will be collected and delivered to the Industrial Park. A payment of \$50 per dump truck load will be received and submitted to the city for storage costs. The Boy Scouts would then offer the wood in truckloads to local citizens for only \$20 per load. Mr. Ackland stated that the Boy Scouts program would cover any insurance needs.

Mayor Bond asked when this would begin and Mr. Ackland replied that it could be as soon as the end of the month. Mayor Bond then asked if they were thinking of ways to help the senior citizens by delivering the truckloads to homes. Mr. Ackland replied that they would definitely look into that as well.

Councilor Fortune asked if there would be limits on individuals. He would not want someone to purchase a load for \$20 and then go sell it elsewhere for a profit. Mr. Ackland replied that he has not thought of all of the details, but will keep this in mind as they move forward.

Councilor Fortune then asked if the wood was natural timber or treated. Mr. Ackland replied that it is not treated.

Councilor Clark asked Gordon Zimmerman if the City has this room available to which he replied, "Yes."

Councilor Schorer wanted to know how long this project would last. Mr. Ackland replied that it could be between two and three years total.

Councilor Hampton mentioned that the Council had approved something like this in the past for the Kiwanis. It is important to note in the contract that at any time the City could ask for the items to be removed from the property.

Gordon informed the Council that this is a great idea and that city staff is more than happy to work with the Boy Scouts to approve this. The Council in consensus authorized Gordon to draw up a contract to move forward.

Motion by R. Clark and seconded by D. Hampton to allow the Boy Scouts to store the wood at the Oakridge Industrial Park per a city-drawn contract. D. Shields (Aye), D. Hampton (Aye), R. Clark (Aye), C. Schorer (Aye), Mayor Bond (Aye), and G. Fortune (Aye). Motion carried 6-0.

Council asked for a staff report at the next meeting to address where the monies would be best spent within the city budget.

2.2 League of Oregon Cities Voting Delegates

Gordon Zimmerman asked the Council to please register with Chantell the days that they can attend the League of Oregon Cities (LOC) annual conference in Eugene this year. He then asked the Council to nominate a voting delegate for the LOC Business meeting.

Motion by G. Fortune and seconded by C. Schorer to appoint D. Hampton and Gordon Zimmerman for back-up as the voting delegate for the LOC conference. D. Hampton (Aye), G. Fortune (Aye), C. Schorer (Aye), Mayor Bond (Aye), D. Shields (Aye), and R. Clark (Aye). Motion carried 6-0.

2.3 Minutes of September 15, 2005

Mayor Bond explained that there are two options. Either the Council leaves the process as it is with the City Administrator reviewing the City Recorder's minutes and then making any changes within the Council meeting, or allowing one Council member (D. Hampton) to review the minutes prior to the Council meeting for changes.

Gordon Zimmerman stated his concerns that he does not want to show favoritism by only sending the minutes to one member before the others have access to them. However, if he did send the minutes to all the members before approval, then it automatically becomes public information whether it is complete or not. They would have to be posted and printed.

Councilor Schorer agrees with Councilor Hampton in that she feels it is important to have the minutes as perfect as they can be.

Councilor Fortune also concurs that this is important and since Councilor Hampton is volunteering he feels it should be fine to allow him to review them before the rest of the Council.

Councilor Shields agreed that it was fine with her to allow Councilor Hampton to review them.

Councilor Clark did not care either way but that she feels this request and the minor changes are picky and unnecessary.

Mayor Bond agreed with Councilor Clark that the staff is doing a fine job and it is not necessary to change minor little words. She pointed out that the minutes have improved greatly with the new staff versus the former staff.

Councilor Hampton replied that he felt his assistance would help staff by minimizing the number of times that the minutes had to be reproduced.

Gordon Zimmerman reiterated that he was hearing a consensus of the Council to allow Councilor Hampton to review the minutes prior to the meetings and the Council concurred.

2.4 New Library Hours

Gordon Zimmerman informed the Council of new hours that the library would be open. The new hours are from 9:00-12:00 on Tuesday and Thursday mornings only and from 1:00-5:00 Monday through Friday afternoons, instead of just Monday, Wednesday, and Friday. The city is able to do this because we now have a good core of volunteers as well as a new "employee" from the Lane Workforce Network for 25 hours a week at no additional cost to the city.

COMMUNITY SERVICES

3.1 Middle Fork Willamette Watershed Council/Jim's Creek Management

Gordon Zimmerman mentioned that former Councilor Mike Beitz requested to stay on the Middle Fork Willamette Watershed Council (MFWWC) as well as having Councilor

Hampton be a representative for the City of Oakridge. The MFWWC is putting in a proposal to manage the Jim's Creek demonstration project to clean up the area and take down trees as needed. This is a pilot project that covers approximately 200 acres.

3.2 E-mail from Anne Kennedy, Middle Fork Ranger District

Gordon Zimmerman read e-mail from Anne Kennedy of the Middle Fork Ranger District of the United States Forest Service. It reads that based on a recent court ruling the Chief of the Forest Service issued direction on September 23rd, that any forest project using a categorical exclusion must now have formal public notice. The exclusion must be available for public comment for 30 days and appeal within 135 days. This direction applies to all decisions nationwide after July 6, 2005. The rule applies to firewood cutting, mushroom picking, outfitter guide activities, and removal of hazard trees for fuel reduction. Gordon explained that this means you must apply for a permit, wait for at least 30 days if there are no appeals, or 135 days if there are appeals. Then you may be approved. This order is for commercial and personal use. Gordon read the e-mail aloud. Items not applied to this order include Christmas tree cutting and wood cutting permits for personal use.

Councilor R. Clark pointed out to the Council a nice article that Chantell Hayson had put in the Dead Mountain Echo about attending a Council meeting or viewing the minutes and agendas on the web.

PUBLIC SAFETY

4.1 Lane County Public Safety District Discussion

Mayor Bond explained to the Council that we need to either write a letter in support of the Lane County Public Safety District proposal or not. This can be done either by a letter or a resolution. The proposal will create a separate County fund for the Sheriff's Department, District Attorney's office, and Parole and Probation for a total budget of \$63 million dollars. Currently the County receives \$27 million in property taxes that supports these departments and activities.

Gordon Zimmerman explained that Faye Stewart's proposal would fund these units separate from the County General Fund through one of two mechanisms. One mechanism being considered is a sales tax of 1% on retail sales of disposable items in Lane County. Under Commissioner Stewart's proposal, the sales tax measure would include lowering the County property tax rate by \$1/thousand. The other is a gross sales receipt tax on businesses that gross more than \$250,000 a year. At the last meeting there were nine cities in favor of the 1% sales tax and property tax reduction and seven in favor of the gross receipts tax.

Mayor Bond stated that she is in favor of the sales tax. She feels it would be more widespread over all citizens and visitors to the County, rather than the current model of just property owners.

Kevin Urban asked how much would a person save per year on their property taxes. It was determined for a \$100,000 home you would save about \$100. With a sales tax of even 1%, you will spend more than \$100 a year in sales tax. So no matter how one

would look at this, there will be an increase for out-of-pocket expense to every citizen. Kevin asked if this new 1% sales tax would affect gas prices.

Gordon Zimmerman responded that it would; he stated there are a few exempt items that include in-home food, prescription drugs, services, medical sales, and a few others.

Councilor Shields believes that a sales tax could help Oregon but it is not going to be the solution for Lane County.

Councilor Hampton stated that he would not support this proposal until an in-depth audit of the Sheriff's Department is done. He commented that there has not been a formal audit of the Sheriff's Department to verify ways to reduce costs and until that is done he cannot support any more monies for them. He would like to see the County conduct an internal audit; they have done audits for other sectors of the County departments but not the Sheriff's.

Mayor Bond moved on to item #5 of Faye Stewart's proposal that is recommending the voters give the County three years to prove results. Then this issue can be voted in as permanent in November of 2008.

Councilor Schorer does not believe that this would happen appropriately. She clarified that the County would ask voters after three years to approve it again then.

Mayor Bond responded that yes that is the intention.

Councilor Hampton stated that part of the problem is that there never has been any accountability and he feels that there will not be any accountability in the future if this proposal moves forward.

Mayor Bond stated that part of the problem with accountability is that public officials are coming and going so much that it's hard to keep track.

Councilor Hampton asked Mayor Bond if they discussed or showed any accountability in the Task Force meetings. He wanted to know if these monies will be spent on more patrol or assisting the District Attorney with caseloads and treatment for alcohol and drugs.

Gordon Zimmerman responded that after reading the minutes he believes they tried to do the balancing for the \$24 million because the original proposal was for \$36 million. They cut here and there to try to establish the balance and came down to the \$24 million.

Councilor Hampton stated that the trouble is that it was not balanced in the first place.

Gordon responded that he thinks they were attempting to correct these errors in the current proposal.

Mayor Bond responded that in the last few weeks they have opened another 34 or 37 beds by juggling funds.

Councilor Hampton stated that he does not believe it was by juggling funds but it was by internal management, which leads him to believe that two years ago they could have opened those beds. This is why he feels an audit is so important.

Councilor Clark stated that they do use a different motor pool than the rest of the departments.

Mayor Bond responded that this is being looked into already.

Louis Gomez informed the Council that a long-standing fight for annexation between Eugene and Santa Clara could have a large effect on funds for the Sheriff. If and when Santa Clara is annexed or incorporated, the Sheriff's Department would lose nearly 50,000 residents to patrol and respond to.

Mayor Bond responded that they are not asking for this money for more patrols but rather for beds, treatment, and such items as prosecution.

Councilor Fortune has heard this number of times over the last twenty years and he is not sure it will be done as it is being presented. He has looked at the breakdown of the proposal and he sees in this particular budget that the funds are going more for enforcement teams rather than into prosecution. That is the problem. He stated that we have too many people getting arrested and not enough prosecution to handle the load. Yet they want us to give the Sheriff's Department more money for patrol.

Mayor Bond tried to explain to the Council that there has been a lot of compromising between the metropolitan cities that have the large jails. She gave an example of one compromise. She stated that these are the kinds of things that go on and is part of the reality. She stated that she went into the meetings with a negative attitude, stating that there was no way she would support this project. But after countless meetings and learning, she now believes that we need to start somewhere. This is the start that the group has come up with. She told the Council that twelve cities in the region are going to support this whether we do or not. She does not know where else to start. She supposes that they could start the process all over again. She stated that every city had a representative at every single meeting with one exception.

Kevin Urban asked if the District Attorney's (DA) money is separate from this fund.

Mayor Bond responded that the DA is paid by the state, but his overhead is part of this budget.

Kevin asked if we could request certain amounts to certain departments.

Gordon Zimmerman and Mayor Bond responded that they are way past that in the process.

Councilor Clark stated that the reality is that we would like to think we don't need the Sheriff's Department in Oakridge because we have a fine police force, but we do because we need the jail, beds, and prosecution.

Chief Gomez added that our neighbors outside the city are also very crucial.

Mayor Bond stated that if we don't vote or support this, it would probably happen anyway because all of the other cities are supporting it. She continued to say that if nobody supported it, then we would be heading down the path that we are on now. That is a path to destruction because there is no plan. There is no way to salvage it. At least this is a start. She does not agree with everything in the proposal. She does agree that there should be an internal audit, but she is not sure that we need to put that in our resolution.

Councilor Clark stated that she thinks it should be in the resolution, and then asked if that is allowed.

Councilor Hampton said one could make any kind of resolution that they wanted to.

Councilor Shields said that she does not think we should support it just because the other cities are supporting it.

Mayor Bond responded that is not what she is trying to say. But we need to start somewhere. She is just saying that she supports it now, unlike she felt in the beginning of the task force meetings. She sees this as a first step, even though it is far from perfect. She is the one that did want the interagency drug team, but not how it has worked out. It appears to her that it will include only Eugene and Springfield. She does not like that. The fact is that we need a drug team and we need somebody to break up the meth labs. Without this drug team, we will continue to have nobody dedicated to eradication of the meth labs.

Councilor Hampton stated that he thinks they could prioritize that and make it a priority within their existing budget. But they have just chosen not to. That is why he thinks an audit is so important. He said we need to find out what it is that they are spending one's money on. Then if the citizen's are dissatisfied with that, then fix that first. Then he would be more willing to pour more money in after that thing is fixed. But right now he said we are just dumping money into something that is broken.

Mayor Bond agreed that there are many problems but it will not just be fixed by an internal audit.

Councilor Hampton replied that this proposal is not the way to start.

Councilor Schorer asked what the timeline for this proposal is.

Mayor Bond responded that it would be around into 2006 and possibly around July 1, 2006.

Councilor Schorer asked again how the other cities were supporting or not.

Gordon Zimmerman said that with an e-mail from Florence received today, ten cities voted for the sales tax.

Mayor Bond said that some of those also voted for the gross receipts tax. Everyone is supporting the proposal except Westfir, Veneta, and Oakridge who voted against the whole package. Twelve cities attended at the last meeting. Mayor Bond said that she

needs a motion to support or not support the package. She said the Council could put in a funding mechanism if it chooses.

Gordon Zimmerman read to the Council a sample resolution that he had received from Jim Johnson and clarified what items the Council wanted him to include in it. After clarifying several points, Gordon asked if he understood what the Council wanted him to prepare.

Councilor Hampton stated that he would not support this resolution no matter what because he does not have confidence that that will make any difference. He does not want to rubber stamp what he thinks is a runaway train.

Gordon responded that he understands him, but that he wanted to make sure he has gotten all of the suggestions correct.

Councilor Fortune stated that he is with Councilor Hampton on this because he feels he cannot support giving them more money after years of not being successful. He continued to say that three years from now, where will we be unless they can come up with some way to show accountability. He can't support this.

Mayor Bond said that we are asking for accountability and an internal audit.

Councilor Schorer asked, "Aren't we the only ones asking for this though?" She then asked if we could put a stipulation in the resolution pertaining to this.

Mayor Bond said yes and we could highlight it as well. She told the Council that it would be even better if they would come in person to testify. She thinks it would be a good idea if this Council went down there and voiced its concern. She stated that she would be going. The meeting will be at 9:00 a.m. on October 19, 2005 at the Lane County Courthouse.

Mayor Bond motioned and seconded by R. Clark to adopt resolution 34-2005 as amended. C. Schorer (Nay), Mayor Bond (Aye), D. Shields (Nay), D. Hampton (Nay), G. Fortune (Nay), R. Clark (Nay). Motion failed 5-1.

Chief Gomez reported that the City has returned to a 24-hour patrol. It appears that the City has a few groups of thieves running at night on different ends of town robbing homes and property. He wanted to inform the Council that they are working on these and have several leads for some of the cases. He presented the Council with a beat map to help them see the worse sections that are being hit to help them be informed and aware.

Councilor Schorer asked the difference of a burglary versus a theft.

Chief Gomez explained that if the criminal enters a building, house, or shed that it is a burglary. A theft occurs when they do not enter a premise. He reiterated to the Council that they are working hard on it and investigating everything.

REPORTS FROM BOARDS AND COMMITTEES

Councilor Hampton attended the Lane Council of Governments meeting. He stated that we have all heard Jim Johnson's executive summary of the executive summary of the law enforcement and probably the only thing that the Council would need to decide is that they are looking for hosts for the future meetings. Councilor Hampton gave Mayor Bond a list of dates that were still available for hosting if we were interested. He supposed the most relevant news is that in the senior and disabled services will have to cut another 9 ½ positions in their department based on state funding.

Mayor Bond attended the Public Safety meeting as well as the Lane Regional Housing Rehabilitation Consortium meeting last Thursday. Basically they talked mostly about Florence because they were the only city that received funds. They received the entire \$400,000. She mentioned several reasons why they received the money. The other issue that is important is to invite a County Commissioner to attend because you have to have money put into the consortium to utilize it. The next budget committee meeting is Thursday the 13th at 10:00 am at the Lane County Courthouse.

MAYOR AND COUNCIL COMMENTS

Councilor Fortune would like to follow-up on Councilor Hampton's request for an administrative workshop. The Council then discussed different dates to schedule this for. The meeting was set for Wednesday, November 2, 2005 from 6:30-8:30 p.m. in the Council Chambers. The topic will be Council / Staff relations. Councilor Hampton clarified that the Council needs to identify what the levels of authority are and are not. Suggestions for other topics or ideas should be forward to Gordon Zimmerman.

Citizen Dean Phillips commented about the nice ads that were in the paper but that he would like to see a mailed version of a city newsletter. He likes that the minutes are available at City Hall but for those that can't make it, he believes we should be mailing this out as well, and not just in the newspaper.

Mayor Bond responded that the Council would discuss this further in their discussions.

Kevin Urban wanted to point out that putting out large mailings costs the City thousands of dollars that it cannot afford.

EXECUTIVE SESSION UNDER ORS 192.660 (2) (d) Labor Negotiations and (2) (e) Property Negotiations

The Councilor convened into executive session under ORS 192.660 (2) (d) Labor Negotiations and (2) (e) Property Negotiations at 8:47 p.m.

Executive session ended and Council reconvened at 9:08: p.m.

Motion by R. Clark and seconded by C. Schorer to add the Dunning Road property as surplus property and to advertise the availability. D. Hampton (Aye), G. Fortune (Aye), R. Clark (Aye), Mayor Bond (Aye), D. Shields (Aye), and C. Schorer (Aye). Motion carried 6-0.

Councilor Hampton stated that he would not be present at the next two meetings and would like staff to prepare a speaker phone conference for him. Chantell Hayson responded that the staff is prepared for this.

Mayor Bond invited all present to accompany her and the staff Monday morning at 11:00 a.m. to meet at the top of Brice Creek Road to perform a ribbon cutting ceremony.

ADJOURN

Mayor Bond adjourned the meeting at 9:13 p.m.

Respectfully submitted before the City Council October 20, 2005.

Signed: _____
S. Sue Bond, Mayor Date

Attest: _____
Chantell R. Hayson, City Recorder Date