

April 6, 2006  
City Council Regular Session  
Oakridge City Hall Council Chambers  
7:00 p.m.



## MINUTES



### CALL MEETING TO ORDER

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

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

Council Absent: Leah Chapman

Staff Present: City Administrator Gordon Zimmerman  
Community Services Director Kevin Urban  
City Recorder Chantell Hayson  
Sergeant Tommy Miller

### CITIZEN INPUT ON NON-AGENDA ITEMS

*John Cape, 47776 West 2<sup>nd</sup> Street, Oakridge:* John came for clarification from the Council on action being taken for his sewer line. John had come to the Council on March 16<sup>th</sup> requesting its assistance with Public Works. He was sent a letter from City Administrator Gordon Zimmerman stating that it is his responsibility to replace any lateral lines from his property to the main hook-up that is maintained by the City. After a lengthy conversation, John clarified with Mr. Zimmerman and the Council that he would hire a contractor to dig up the street on the north side of the street and replace his lateral line. At that same time City crews would inspect the main connection and replace if needed. Mr. Zimmerman asked John to give the City at least three weeks notice of construction so the City Crews could be available for inspection and assistance.

*Leslie Wilson, 46873 Winfrey Road, Westfir:* Leslie has come on behalf of the Tree Planting Committee to request that the food vendors and craftsmen be allowed to camp overnight with their booths. Council consented to allow overnight stays for this event.

*Diana Gerding, 76248 Gale Street, Oakridge:* Diana asked for clarification on the rule of no more than four dogs per dwelling. Diana continued to explain that she has reported multiple dog noise complaints on both neighbors and would like to know how many times she has to report before a citation is served. She was told that the officer would need to sit for up to forty minutes for continuous barking to be verified, which she feels is not a good use of our officer's time. She has also reported noise complaints for loud music and that have not been cited either. She is wondering if there are laws for noise and if they are enforced in Oakridge.

Sergeant Miller explained that for the ordinance, if an officer witnesses the violation, then it could be cited immediately by the officer. He is not aware of a 40-minute rule. He encouraged her to call again while it was happening.

A small discussion followed about the rule of either three or four dogs. Staff determined it is four dogs. Gordon Zimmerman continued to explain how voice level hearing from 500 feet away enforces the noise ordinance. Gordon also stated that he believes the rule for dog barking is continuous for more than ten minutes.

Sergeant Miller asked Diana to come to the Police Department to get a copy of the ordinances.

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

### **CONSENT AGENDA**

- 1.1 Minutes of Regular Session of March 16, 2006
- 1.2 The Child Center Sitting Permission
- 1.3 Resolution 3-2006 Funding For Fish Hatchery Road Contract
- 1.4 Resolution 4-2006 Supporting Parks Grant
- 1.5 Chamber of Commerce Award Approval
- 1.6 Greenwaters Alcohol Permit

Councilor Hampton pulled items 1.5 and 1.6.

Motion by D. Hampton and seconded by R. Clark to approve the consent agenda items 1.1 through 1.4. G. Fortune (Aye), R. Clark (Aye), C. Schorer (Aye), D. Shields (Aye), D. Hampton (Aye), and Mayor Bond (Aye). Motion carried 6-0.

Councilor Hampton first addressed item 1.5, the Chamber Award Approval. After reviewing the applicants he is concerned that the rule of the grant to generate overnight stays is not being met by some of the events. He feels some of the one-day events would probably not meet the requirement.

Gordon explained that in the application process the event coordinators had to indicate the number of overnight stays. This is an estimate and it is not expected of the Chamber to make them prove the statements. Gordon said some did have small

amounts of overnight stays, but it did not specify a minimum necessary. He said if more folks had requested funds they would have used this as part of the process for distributing the funds, but these people were the only people that applied.

Councilor Hampton asked if it was necessary to spend all the funds at once or some now and some later.

Gordon responded that this money is budgeted for a whole year and has been fully spent each time for the last few years. He said it could be done either way. He pointed out that there are some funds remaining this year and he has suggested that the Chamber hold onto it for future requests that could come in.

Councilor Hampton asked for Gordon's recommendation to him if he wanted to only fund a few of the events and not the entire list.

Gordon responded that since the Council gave the Chamber the responsibility of determining the process and criteria he would suggest either voting yes or no on the whole request.

Councilor Hampton said he would rather see the money be spent prudently than on some of the events that he does not think generate overnight stays.

Mayor Bond said to Councilor Hampton that the Council could change this procedure for the next year.

Gordon Zimmerman clarified that neither the Museum nor the Tree Planting Committee applied.

Council Hampton said he would address that issue at a later date also as he feels the advertising for the application process was not adequate.

Motion by D. Shields and seconded by R. Clark to approve the Transient Room Tax Grant Requests as outlined by the Oakridge/Westfir Area Chamber of Commerce Board. R. Clark (Aye), C. Schorer (Aye), Mayor Bond (Aye), D. Hampton (Nay), G. Fortune (Aye), and D. Shields (Aye). Motion carried 5-1.

Councilor Hampton moved on to Item 1.6 for an alcohol permit at Greenwaters. After reviewing the request he feels that this application does not meet the intent of the Council at the time that the Council created this policy.

Gordon Zimmerman asked for more clarification on the Council intent of the policy.

Councilor Fortune clarified that the policy was put in place for large public events such as concerts and possible small events such as a wedding toast. It was not intended for people to have private parties with alcohol that would be policed by family.

Councilor Hampton said a licensed server and appropriate security should be required. He is concerned about this application because it is not being controlled, secured, or insured.

Councilor Clark and Councilor Fortune also did not find the idea of family policing the invitees as appropriate.

Mayor Bond stated her concerns not only for the security, but also for the other children that would inevitably be on the premises because the Park would not be shut down during this event. She said that if a licensed server is hired, security and enforcement other than family is hired, and some liability insurance is obtained then they would reconsider the application.

Council took no action at this time for the request.

## **ADMINISTRATION**

### **2.1 Appoint Budget Committee Member**

Mayor Bond stated that only the one application was received. Barbara Leary has submitted a letter of interest.

Motion by D. Shields and seconded by R. Clark to appoint Barbara Leary to the Oakridge Budget Committee for a term of three years. D. Shields (Aye), D. Hampton (Aye), R. Clark (Aye), C. Schorer (Aye), Mayor Bond (Aye), and G. Fortune (Aye). Motion carried 6-0.

### **2.2 Misty River Upper Willamette Community Development Center (UWCDC) Concert Amphitheater Permit**

Gordon reported that the UWCDC is sponsoring a fund-raising concert featuring Misty River on August 13 and would like to request the normal \$300 fee be waived for the Siuslaw Bank Amphitheatre use.

Motion by G. Fortune and seconded by R. Clark to approve the waiver of the normal rental fee for the Siuslaw Bank Amphitheatre to support the UWCDC and the Misty River Concert on August 13, 2006. R. Clark (Aye), C. Schorer (Aye), Mayor Bond (Aye), D. Hampton (Aye), G. Fortune (Aye), and D. Shields (Aye). Motion carried 6-0.

Councilor Hampton said that he would be requesting a fee waiver for the Oakridge Kiwanis Club in the future.

Mayor Bond said he does not have to worry; the Council normally waives most of the requests for non-profit agencies to use facilities when it is for a good cause.

### 2.3 Resolution 5-2006 Implementing National Incident Management System (NIMS) 700

Gordon reported that he and Chief Gomez attended a training today put on by the Department of Homeland Security in Executive Level Training for Weapons of Mass Destruction and Terrorism Incident Preparedness. He learned that a certain amount of City and Council staff must be trained for the NIMS 700 course if the City expects assistance from Federal Emergency Management Assistance (FEMA) in case of a natural disaster or terrorism attack. The first step in qualifying for assistance is to pass this resolution and then proceed with in-house training. Gordon was amazed to learn about all of the different types of disasters that could occur in Oakridge. He said Eugene and Springfield has many good resources in law enforcement, fire safety, and emergency management. They have pledged to help Oakridge if a disaster was to occur until FEMA could arrive. He continued to explain that Oakridge does have an Emergency Management Plan that was done in 1984 but is now being updated by Fire Chief Shorey. Some examples of immediate threats in Oakridge include forest fires, flooding, earthquakes, and hazardous or toxic waste being transported on trains and/or trucks.

Councilor Fortune asked how this pertained to what happened in Louisiana.

Gordon said that lack of proper communication was part of it. He said that in Louisiana the Mayor and the Governor were not in agreement to the situation. This would not happen in his opinion in Oakridge, as the City would be responsible for the incident no matter what it was for at least the first 72 hours. The other issue with Louisiana is that it was started in September 2005, one month after Hurricane Katrina.

Motion by R. Clark and seconded by D. Shields to approve Resolution 5-2006 Adopting the National Incident Management System for the City of Oakridge. D. Hampton (Aye), G. Fortune (Aye), C. Schorer (Aye), Mayor Bond (Aye), D. Shields (Aye), and R. Clark (Aye). Motion carried 6-0.

Councilor Hampton stated for the public's knowledge that the contract states that this is an unfunded mandate for which a significant amount of resources would be required to be compliant. He continued to say that he feels that if this is such an important issue then the Federal Government should be providing funding to help cities become compliant.

Gordon responded that there is some help. For instance, the training he attended today was free. He also noted that the largest 35 cities in the nation are being funded. He will contact the individuals that must take the test for compliance.

## **COMMUNITY SERVICES**

### 3.1 Second Reading and Adoption of Ordinance 885 Fences, Hedges, Walls and Other Structures

Councilor Hampton has a point of order for this item. What if he wanted to read the ordinance tonight but not adopt the ordinance tonight? As the motion is phrased he could not do that so he would like the motion divided.

Mayor Bond responded that a Council member could change the recommended motion on the agenda.

Motion by D. Hampton and seconded by C. Schorer to approve the second reading of ordinance 885 and read it by title only. G. Fortune (Aye), R. Clark (Aye), C. Schorer (Aye), D. Shields (Aye), D. Hampton (Aye), and Mayor Bond (Aye). Motion carried 6-0.

Councilor Hampton proceeded to read Ordinance 885 by title only.

Motion by G. Fortune and seconded by R. Clark to adopt Ordinance 885. D. Hampton (Aye), G. Fortune (Aye), C. Schorer (Nay), Mayor Bond (Aye), D. Shields (Aye), and R. Clark (Aye). Motion carried 5-1.

Councilor Hampton clarified with staff that the wording has not changed from the first reading. The strike outs and bolded language were to show the Council the changes in the ordinance.

### 3.2 Purchase of Lawn Tractor Backhoe Attachment

Kevin reported that we purchased a John Deere Mower Tractor last year. This request is an attachment that would go on the tractor creating a way to dig and move items. This would give Public Works another tool to do multiple projects at once. He pointed out that the money is in the budget to purchase a new large backhoe. The smaller backhoe that is in use is also wearing out and this attachment purchase would help reduce the use of the smaller backhoe and further extend its useful life.

Councilor Clark asked for clarification on the final price.

Kevin said \$7,963 was the lowest bid received.

Councilor Schorer asked for clarification that this attachment and a large backhoe would be purchased.

Kevin responded that yes, this is the request. This attachment would extend the life of the small backhoe not the large backhoe that is going to be replaced. If we do not have a way to do the small jobs, the crews will continue to use the smaller backhoe until it needs replacement. That cost is much more than this attachment. He said the new larger backhoe would be around \$80,000.

Motion by G. Fortune and seconded by D. Shields to authorize the purchase of a backhoe attachment from Ramsey Waite Company. D. Shields (Aye), D. Hampton

