

September 7, 2006
City Council Regular Session
City Council Room
48318 E. First Street, Oakridge OR 97463
7:00 p.m.



MINUTES



1.0 CALL MEETING TO ORDER

Mayor Sue Bond called the meeting to order at 7:03 p.m.

Council Present: Sue Bond, Mayor
Glenn Fortune
Carina Schorer
Don Hampton
Rayetta Clark
Criss Steiner
Amy Kordosky

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

2.0 CITIZEN INPUT ON NON-AGENDA ITEMS

Sally Shaw, 48254 Y Drive, Oakridge: Sally is concerned about the recent articles in the paper about alcohol in Greenwaters Park. She has researched the ordinance and would like to know how to start the process to rescind the ordinance if possible.

Mayor Bond said that it would ultimately be a Council decision and would have to go through the process of review by the Council Administrative Committee. This committee would submit a recommendation to the Council. The Council would then have two choices. It would either vote on the recommendation or start a public hearing process for citizen involvement. Mayor Bond said this is the first complaint of the ordinance that she has heard besides the articles in the paper that don't seem to be well informed.

Ms. Shaw said she understands that the articles were not well informed, however, there are individuals like herself that do not want alcohol in the park at all. The main concern is the children and families.

Mayor Bond said that if there is enough interest generated against this then she would have the Administrative Committee review the requests.

Ms. Shaw clarified that she would have to generate the interest. Mayor Bond confirmed.

Donna Maria Rice, Girl Scout Troop Leader, 76150 Hyland Lane, Oakridge: Donna asked the Council if it is possible to have the Greenwaters Community Building fees waived for the Girl Scout Troop meetings that will begin next week. The group includes Brownie Troop 227 and Junior Troop 228. She said that this is a newly-started troop that is just forming and is not financially stable enough at this time to afford the cost of the room for the weekly meetings on Thursday evenings.

Mayor Bond asked the Council how it would like to proceed.

City Administrator Gordon Zimmerman suggested to the Council that the Troop could also donate time to the building by cleaning it once a month or doing some other service project in exchange for the use of the building.

Councilor Clark said she fully supports this request and thinks it is a great idea for the girls.

Ms. Rice said there is another Girl Scout troop in town that is currently contemplating what to do for their Silver Projects. She said the girls could do some more major capacity type of work if needed.

Community Services Director Kevin Urban said if some event were to come up that needed the building, there is room at the Willamette Activity Center to have the troop move to temporarily.

Mayor Bond asked each Councilor how they felt about the request. All Councilors were in consensus to approve waiving the fees for the weekly meetings for the Girl Scouts.

Mayor Bond announced that the City has been approved for \$350,000 from the Oregon Community Development Grant Program to help with housing rehabilitation in the area.

3.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA

- 5.4 Approval of Property Purchase
- 5.5 Off Premises Liquor License for the Village Cafe
- 6.1 Mardi Gras in Oakridge

4.0 CONSENT AGENDA

- 4.1 Minutes of Regular Session of August 17, 2006
- 4.2 Resolution 19-2006 Oregon Department of Environmental Quality Grant Request

- 4.3 Approval of Oregon Economic Community Development Department Library Grant Contract
- 4.4 Approval of Oregon Parks Grant

Motion by G. Fortune and seconded by R. Clark to approve the consent agenda. G. Fortune (Aye), R. Clark (Aye), C. Schorer (Aye), C. Steiner (Aye), A. Kordosky (Aye), D. Hampton (Aye), and Mayor Bond (Aye). Motion carried 7-0.

5.0 ADMINISTRATIVE SERVICES

5.1 Lane County Public Safety Resolution Request

Gordon said he received an e-mail request from Jim Johnson asking if Lane County could come up and do a presentation for the Council to gain support for a County Income Tax proposal.

Mayor Bond read aloud a letter from Commissioner Faye Stewart that addressed the safety and security of all of Lane County and is asking for support of this proposal. Mayor Bond asked for Council comments on whether to have Lane County come up and give a presentation or not.

Councilor Clark said yes because she would like to have more information.

Councilor Hampton said no and he would explain later.

Councilor Kordosky said she agrees with Councilor Clark in that she needs more information.

Councilor Steiner said he is not interested.

Councilor Schorer said no because there is plenty of information in the papers and in the news.

Councilor Fortune said he is not interested.

Mayor Bond directed Gordon to respectfully decline the request at this time.

5.2 League of Oregon Cities Voting Delegate Request

Mayor Bond volunteered as voting delegate and Councilor Fortune was appointed as the alternate.

5.3 Region 2050 Presentation

Gordon explained that this program is winding down in October. The expectation of the program was that all jurisdictions involved would adopt the strategy that was developed

through the years from the input of all the cities. Springfield and Cottage Grove have withdrawn, while Eugene did not withdraw but rather chose not to endorse the strategy. He said the remaining cities could decide how they want to proceed. He said that the figures show that Oakridge would need to expand in the next several years. He explained the process that a city must undergo in able to expand the Urban Growth Boundary. He is expecting Oakridge to grow by nearly 30% over the next five years and an additional 30% in years six through ten. Gordon said the question now is whether the Council wants to endorse this draft strategy or not.

Mayor Bond asked Gordon if the figures could still be used as leverage for grants.

Gordon said yes, the numbers are there and they can be used for grant applications. He feels the Council should pay for the reporting process to get the documented figures.

Councilor Fortune agrees that this process has been taken out of our hands due to the withdrawal of others. He is not sure how he would proceed.

Councilor Hampton said he would like to endorse it as a thank you to all those that did put in their time and effort and to affirm that it is a valuable document that is appreciated. He disagrees with an article that he recently read about not having to plan for growth. A perfect example of this would be the redesign now being done on the Beltline and I-5 corridor exit. He said Oakridge is a beautiful place and growth is inevitable so it is better to plan for it than to waste tax dollars later on redesigns.

Kevin Urban agreed with Councilor Hampton and added that if we don't endorse it and use the figures anyway in grant applications, it could have a negative impact.

Motion by D. Hampton and seconded by R. Clark to endorse the Southern Willamette Valley Regional Growth Management Strategy for the City of Oakridge. R. Clark (Aye), C. Schorer (Aye), Mayor Bond (Aye), A. Kordosky (Aye), D. Hampton (Aye), G. Fortune (Aye), and C. Steiner (Aye). Motion carried 7-0.

5.4 Purchase of Property

Gordon said the Council discussed purchasing Mr. Bridges property at the corner of Sanford and High Leah and gave Gordon permission to negotiate a price. Mr. Bridges agreed to \$5,000 plus attorney and recording fees of about \$250. Mr. Bridges has not yet signed the contract but the City did send a \$100 check as earnest money. This property will be used for mitigation of storm water.

Motion by G. Fortune and seconded by C. Schorer to approve the contract for the purchase of the property located at the corner of High Leah and Sanford from Mr. Tom Bridges. D. Hampton (Aye), G. Fortune (Aye), R. Clark (Aye), Mayor Bond (Aye), C. Steiner (Aye), A. Kordosky (Aye), and C. Schorer (Aye). Motion carried 7-0.

5.5 Off-Premises Liquor License for the Village Cafe

Gordon explained that this is an additional extension to allow people to purchase beer to go. Council previously approved the liquor license submitted by the Village Café for general alcohol on-premises sales.

Mayor Bond explained to the audience the procedures for applying to the City for a liquor license.

Mr. Dahlberg, owner of the Village Café, reminded the Council that it had already approved him for a liquor license and that this is just an extension to sell off-premises.

Mayor Bond told Mr. Dahlberg that the Council understands that.

Motion by G. Fortune and seconded by C. Steiner to approve the extension of the license for off-premises liquor sales for the Village Café. Mayor Bond (Aye), A. Kordosky (Aye), C. Steiner (Aye), G. Fortune (Aye), R. Clark (Abstain), C. Schorer (Aye), and D. Hampton (Aye). Motion carried 6-0-1.

Gordon explained that Councilor Clark abstained because she is the property manager for the owner of the building.

6.0 COMMUNITY SERVICES

6.1 Mardi Gras in Oakridge

Kevin said on the 16th of September we would be having Mardi Gras in Oakridge. Kelly Thibodeaux will perform the music entertainment. Cajun chicken, jambalaya, and corn on the cob will be served. A fruit drink named the Oakridge Tropical Depression is made out of wine rather than hard alcohol to comply with the park rules. He said it is normally called a Hurricane but that drink contains hard alcohol and this drink does not. Kevin added that on this event and future events he plans to reserve the entire park to ensure that folks are not having separate parties at the same time.

Councilor Steiner asked if the entire park is reserved would that mean that the park itself would be closed to the public.

Kevin said no, just the buildings, shelter, and amphitheater would not be for rent on those days.

Councilor Kordosky asked about security for this event.

Kevin responded that the Oakridge police will be monitoring the event.

Councilor Steiner has a concern that he feels is shared by many in the community about quarantining an area for alcohol. He personally would like to see the alcohol contained within a specific area.

Kevin said we can stake and ribbon off the amphitheater. He added that people that are over 21 would wear bracelets to help security identify underage drinkers.

Councilor Steiner said the whole amphitheater does not need to be sectioned off but perhaps just a third or a section of the area, much like a beer garden. He asked if Kevin thinks this would lower the turnout of the event at all because the overall goal is to have a prosperous event.

Kevin replied that it could have some effect if children are not allowed in the area. Some families that wanted to eat and drink together would not be able to, especially when young children are in attendance.

Councilor Schorer said she thought these types of events would have to be in a beer garden type setting. She said that is her impression of how the rules were established. At the last event she was concerned because people were walking all around with alcohol. She agrees with Councilor Steiner that alcohol should be contained in a beer garden. If we are going to keep this ordinance we need to require this.

Councilor Steiner said this is a concern of many and this issue is already a problem that needs to be addressed. He said everyone wants to see the events prosper but we must also keep the peace for all the citizens involved. An actual beer garden may not be necessary but at least a specific area should be roped off. He would like to see security enforcing the in-the-area rule. He said that he understands that some people may be breaking the rules by disguising their own alcohol in containers but to blatantly walk around everywhere in the park with alcohol is not acceptable. He thinks that if it is contained well then it may be better received by the public.

Kevin asked for clarification to allow children or not allow children in the roped off area.

Councilor Fortune said underage young adults should not be allowed in the area with the other adults. He said by allowing this it will just open up an opportunity to share the drinks with underage adults. He said this is exactly what will take place.

Councilor Schorer said that she thought that containment was in the original ordinance.

Councilor Clark agreed that that was the main intent when the Council agreed to allow alcohol in the park.

Mayor Bond asked if anyone knows if other beer gardens in other cities have problems. She would like to have the amphitheater sectioned off so that people are not drifting off into the rest of the park. She is not sure if it needs to be a very small cornered area. She said she has been to other amphitheaters where young children sit with their families while adults may drink a glass of wine and there were no problems. She wonders if we are making a big deal out of this when we don't need to be. She is in favor of sectioning off the amphitheater area entirely and containing the alcohol within it.

Councilor Steiner thinks it should go one step further. He thinks people should be able to come to the event with their children and be away from the alcohol if they so chose. He agrees that there should not be some small section that seems to “corner” the alcohol users as if they are the bad people, however, if someone does not want their children near alcohol then they should be able to stay away from it. He said perhaps just a third of the amphitheater area should be sectioned off. He also does not necessarily think that children need to be kept out of the area, although he sees Councilor Fortune’s point. He too has a small child and would like to be able to sit with him while enjoying a glass of wine if he chooses. He asked how the wine tasting event was handled recently as he was not able to attend.

Mayor Bond said it was open and free running but there was security. She said there were no problems nor did she see any underage drinking. It was a quiet, enjoyable, and relaxing evening with about 125 people in attendance.

Councilor Schorer said that after hearing from Sally Shaw tonight she is taking that as an indication of how the Council needs to be careful.

Mayor Bond said she does not want to make problems when there is nothing there nor does she want problems to occur and the Council ignores them.

Police Chief Louis Gomez said at the recent bike event he had staff there. He said he did not see people walking all around the park with alcohol and informed his staff to watch for such activity and stop it. He felt the beer garden set-up was large enough and to the side that people could still observe the stage and enjoy the show.

Councilor Hampton does not care to section off the whole amphitheater or having a separate thing. He is in favor of closing the entire park and not allowing anyone that is not a concert attendee. He feels this way because at the Misty River Concert and another event that people were sitting just outside the area enjoying the concert for free. They were confronted and told that it was a benefit concert and that they should pay to watch. These folks politely declined to pay because they were seated just outside the ropes.

Mayor Bond said we could eliminate that by charging people at the park gates.

Councilor Hampton continued to address the recent articles in the paper about the alcohol permits. He asked Joy Kingsbury to comment on this in her next article about the Council meetings and to take special note of the second page of the alcohol permit form. The alcohol applications were denied because of one or more of the ten requirements on the form were not met. Either there was no security or no insurance. He said it was not a matter of, “We are the City and we can do anything we want and you guys can’t do it because you’re not the City.” He said the City uses the same form that everyone else uses; the others just did not meet the requirements.

Mayor Bond said that the individuals that were denied were given the opportunity to meet the requirements and come back to the Council but chose not to.

Jessica Faught, Oakridge Student: Jessica does not think there is a problem with parents mingling with their own kids in an alcohol-designated area. Another student asked what the difference is whether they are at the park or at their home drinking in front of their children.

Jerry Gerard, 47762 W. 2nd, Oakridge: Jerry does not agree with the students comments because a twenty-one year-old that is dating a younger person would try to share his/her alcohol.

Motion by C. Steiner and seconded by C. Schorer to approve the alcohol permit for Mardi Gras in Oakridge at the Siuslaw Bank Amphitheater on September 16th, 2006 with the exception that an area be cornered off for the alcohol that does not cover the entire amphitheater to allow people a non-alcoholic environment as well. C. Schorer (Aye), Mayor Bond (Aye), C. Steiner (Aye), D. Hampton (Aye), G. Fortune (Aye), R. Clark (Aye), and A. Kordosky (Aye). Motion carried 7-0.

Kevin Urban asked for clarification on whether wristbands should be used and if children are or are not allowed in the alcohol section.

Councilor Steiner said that the wristbands are required and that the motion does not say to keep the children out of the alcohol area just that there be an area for alcohol and an area for no alcohol.

7.0 POLICE SERVICES

7.1 Animal Ordinance Discussion

Mayor Bond said the Council is discussing this tonight because there has been some abuse cases reported lately that she is not pleased to hear about. She also has a problem with the ordinance not having a set amount of animals that you can have at one's premises. A recent case involved fourteen pit bulls and that makes her very nervous, especially with a daycare just across the street. She would like to tighten up the ordinance if need be for clarifying such things as locking dogs in cars during excessive heat. She is asking the Council to review the ordinance for changes.

Police Chief Gomez pointed out that we are also able to use state statutes for our use. He had a discussion with Judge Gary Carl and Councilor Fortune today about the ordinance and the statutes. He said the problem is not necessarily with these documents. He said the issue is when an officer goes to check on an abuse case he may not be trained to know the exact signs of abuse and it is only an objective view. For instance, is the animal listless or without water, etc. He said there needs to be some guidelines so the officers know what to look for to determine abuse. He feels this is more important at this point than the ordinance being updated. The officers need to

know what they are looking for. Judge Carl has said that the ordinance is fine as is because state statutes can also be enforced.

Councilor Clark said she could probably get Chief Gomez something on this.

Mayor Bond thinks this should be assigned to the Council Administrative Committee. She directed Councilor Clark to set up this meeting and invite Judge Carl.

Councilor Hampton asked if officers in general or just the code enforcement officer is required to pick up dogs that are seen randomly walking without an owner.

Chief Gomez said they are all told to respond unless they are in route to a higher priority call.

Councilor Hampton noted that he has heard that they sometimes just drive by and don't stop to pick up the stray.

Chief Gomez said that sometimes there is miscommunication with who's on duty and who is responsible at any given time but they are all directed to pick up a stray if they are not on a call.

A citizen asked what is being done about owners that do not pick up their dogs' waste. She said she walks her dog everyday and always cleans up after her; however, she sees a lot of other folks that don't clean it up, or even worse, they hide it with leaves.

Mayor Bond said this would be complaint driven.

Gordon said that if you know the person or where they live and note the time of day, then you could file a complaint and sign a citation that you witnessed the occurrence. Then charges could be brought against him/her.

Chief Gomez said this is definitely a complaint-driven issue, but the Police Department has no problem stopping and informing citizens if the Council chooses. He would rather see warnings first and then citations if continued.

Mayor Bond said in Portland it is a \$300 fine with no warning at all.

Chief Gomez said in Oakridge it is a Class C violation with a fine of \$250.

Chief Gomez asked if the Council wanted to talk about the four-dog limit now or at the Administration Committee Meeting.

Councilor Clark asked if they are required to get a kennel license if someone has more than four dogs anyway.

Chief Gomez and Mayor Bond said that the current ordinance does not state a limit anymore.

Mayor Bond said it would be discussed further in the Administration Committee Meeting.

Chief Gomez said another discussion with Judge Carl concerning the contempt of court issues that were talked about at the last meeting. One of the things that came up was about the fairness of the citizens in the City getting, so to speak, punished worse than those people who are cited into court by County or State Police. There was a fairness issue for the folks who live within the city that are cited and punished through the City rules versus the same rules that the County and State have, some people thought that that might not be fair. Speaking with the Judge, Gomez learned that there are inequities all throughout the criminal justice system. Another issue that will need to be addressed is finding the funds to pay for this enforcement. He does not know what the success of the Public Safety Task Force will have. He said if it passes great, but if not, he wants something in place to give our Judge the ability to hold people accountable. He can sentence people to our jail for community service.

Mayor Bond asked if it has to be in an ordinance or would it be the Judge's discretion.

Gordon said the violation of the ordinance would need to be a contempt of court ordinance that is adopted and with a fine attached. The Judge would then have the ability to raise, lower, or waive the fine.

Mayor Bond asked if someone is cited and does not comply, would the decision then be up to the City to enforce or the Judge.

Chief Gomez said if someone does not follow the Judge's original directives, then the Judge could then site for contempt of court.

Mayor Bond is confused as to why we are discussing this if the Judge already has the ability he needs.

Chief Gomez said we are discussing this because the City will need a lawyer or prosecutor and we did not budget for this.

Mayor Bond then asked Chief Gomez what exactly he was saying.

Chief Gomez said he wants to know if it is okay with the Council to start looking for the funds to allow the Judge to have ability to do this by hiring a lawyer. He said he has been quoted for about \$1,000 that would prosecute about eight to ten violators per month. He feels it is our responsibility to take care of the City rules.

Mayor Bond asked what types of cases would be prosecuted.

Chief Gomez said trespassing, thefts, and other things that the District Attorney is not prosecuting.

Council Steiner asked if we have the ability to do something now and if not what happens.

Chief Gomez said if someone chooses not to pay then it just goes to collections and they do not have any other consequences.

Mayor Bond asked if this would also cover serious ordinance violations.

Chief Gomez said yes.

Council was in consensus of Chief Gomez's request to seek a funding source.

Councilor Clark said she was asked by another 2nd Street homeowner, who read the article about Mr. Moe taking license plate numbers, if there is a suggestion to read those numbers when cars are going by so fast. Councilor Clark has even tried and cannot.

Chief Gomez said he practices.

Gordon said if the complainant knows the time, the description of the car, or who it is then that would be helpful in reporting to the police.

Chief Gomez said yes, they can take just make and models and go from there.

8.0 EMERGENCY SERVICES

Fire Chief Jerry Shorey said there is not much to report except the recent suspicious fires that they are keeping a close eye on.

Mayor Bond asked how the department did on the Fill The Boot campaign.

Chief Shorey reported that they brought in \$800 more than last year with a total of \$3,400. Across the nation they brought in about \$22 million.

9.0 REPORTS FROM BOARDS AND COMMITTEES

Councilor Hampton went to a Fiber Consortium meeting today. It is trying to redefine the vision and objectives of the consortium. One consortium is in debt to the BPA and has no money to pay, while the other has the money to pay it. Members are trying to figure out how to make payments rather than just deplete every dollar that the consortia have. They have decided to do some marketing to offer the services to interested businesses that may not know they exist.

Councilor Hampton said he will not be able to attend the Middle Fork Willamette Watershed Council meeting this month in Lowell and asked if someone was interested in taking his place. He will be attending several upcoming events on the Coast. In an attempt to advertise the Watershed Council, it hosted a lunch for the Lowell School District employees. The Council will also be hiring an Education Coordinator soon. He believes for the first time ever last year, outdoor school was not just Oakridge School District kids here but also Lowell and Pleasant Hill. It is kind of expanding but Lowell is so conveniently located near the Watershed Council office. Elijah Bristow Park is one of the restoration centers and there are a couple other spots in the area. So the Council is just trying to get the Lowell School District staff more familiar with what the Watershed Council is. A thick packet of educational plans for outdoor education may be used in the school by the teachers.

Gordon reported that several of the Council and staff attended an Oakridge UPBEAT (Unique Program for Business Enhancement and Advancement Together) last night. In the first three months the Board has made 128 introductions of the Enterprise Facilitator, Jenifer Hood. There are currently 33 active clients and one inactive client that are pursuing a new business or expanding a business. An open house is being planned for a business that has already opened and the committee is working on that.

10.0 MAYOR AND COUNCIL COMMENTS

Councilor Kordosky asked if the curb in front of the tennis courts could be painted for parents dropping off children.

Kevin clarified that it would be on First Street and he would take care of it.

Jessica Faught is concerned about this because there is a lot of traffic that is blocking the parking entrance in that area.

Gordon explained that he understands but this is a school district issue and she needs to take that up with them.

Mayor Bond directed Kevin to work with the Superintendent on the safety issues.

Councilor Hampton reminded the Council that all e-mails between Councilors and staff are subject to open meeting laws. He proceeded to read an e-mail from the Mayor pertaining to the recent New York article about Oakridge. In that e-mail Mayor Bond asked Councilor Hampton what it was that he was thinking. He would like to explain that now. He said that a person from Eugene had contacted him to let him know that this writer was coming up here to do an article. His first thought was that most the people in New York don't even know Oakridge exists so any publicity is better than no publicity. The second thing he thought was "Is this guy going to do the story regardless of whether we talk to him or not?" His conclusion was yes he would, so if we wanted any kind of input on this story at all then some time should be devoted to his visit. Councilor Hampton and Gordon Zimmerman met with him. The reporter was doing a

story on a town that had suffered from some sort of economic change and wanted to know where to go to find affected people. Councilor Hampton and Gordon suggested visiting the Food Bank, the Family Resource Center, and the reporter mentioned trailer parks, so Gordon and Hampton showed him where these three places were. They provided him with the CD of Oakridge and a visitor map so he could take a look at them while he was here. Councilor Hampton believes there is a much larger picture of the town than the reporter included in his story. He thought that from a couple comments that he heard from people that they would like to deny that we have any kind of a problem with poverty. He does not think this does any good because you can find poverty in every town, city, state, or country. He feels that if nothing else, somebody coming especially, from a place that doesn't even recognize us, their thoughts would be somewhat valuable. He said a lady who visited the Hamptons a few summers ago from New Jersey had cut out the article and mailed it to Councilor Hampton. After reading the article, Councilor Hampton reread for inaccuracies and could not really find any. He found positive and negative comments in the article. Overall he thought it was better to talk with the reporter rather than not because he would have written the article regardless. He thinks this article is now good evidence to send to our congressional representatives in asking for assistance in the future.

Mayor Bond thanked Councilor Hampton for his comments. She also noted that maybe it was possible that the City received some of the grant monies for housing rehabilitation because of this article.

Councilor Steiner noted that he was in upstate New York at the time of the published article and now many people in New York know exactly where Oakridge, Oregon is. He said this is how he found out about the article.

Council continued to discuss a few other contacts that had called about the article that even included one person from overseas.

ADJOURN

Mayor Bond adjourned the meeting at 8:42 p.m.

Respectfully submitted before the City Council September 21, 2006.

Signed: _____
S. Sue Bond, Mayor Date

Attest: _____
Chantell R. Steiner, City Recorder Date