

March 1, 2007
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

Council Present: Donald Hampton, Mayor
Carina Schorer
Dan Rehwalt
Rayetta Clark, Council President
Randy Dreiling
Amy Kordosky
Glenn Fortune

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

2.0 PUBLIC COMMENT

Dean Phillips, 47699 W 2nd Street, Oakridge: Mr. Phillips would like to respectfully suggest that the Council table the Highway 58 Refinement Plan at this time to allow everyone interested in the project to be seated and able to hear all comments. He also suggested that the meeting be held in a larger location with a better sound system.

Karla Hurst, 48228 Hwy 58, #52, Oakridge: Ms. Hurst brought an example of an award that she received from the President of the United States for her volunteer work. She also proceeded to read a letter of support from the President for her volunteer efforts. She has brought these to give the Council ideas for ways to recognize the local volunteers for their support. She feels that the volunteers are not recognized in our community for their efforts and she would like to see the Council do something.

Mayor Hampton asked Councilor Clark to review this request at the next Council Administrative Committee meeting.

Leslie Wilson, 46873 Winfrey Road, Oakridge: Ms. Wilson has a request for Greenwaters Park on the agenda and will address any concerns when that topic is discussed.

3.0 PUBLIC HEARING: HIGHWAY 58 REFINEMENT PLAN

Mayor Hampton asked if any of the Councilors needed to declare a conflict of interest, potential conflict of interest, or ex parte contacts before proceeding.

Councilor Rehwalt submitted a list of names to the recorder and noted that he had made several contacts with approximately seventeen people directly.

Mayor Hampton noted that he had spoken with Mr. Dean Phillips before the last Planning Commission meeting about the refinement plan.

3.1 Planning Commission Recommendation

Kevin Urban reported that the Planning Commission passed the following motion by a 6-1 vote. "Recommend to the City Council to accept the 5-lane 3-lane hybrid proposal (Crestview Business District Alternative) subject to the development of the access management plan. If ODOT's access management plan is not satisfactory, then the city will proceed no further with the project." He included in his report that this is also the recommendation of the staff.

3.2 Statements in Favor

None.

3.3 Statements in Opposition

Dean Phillips, 47699 W. 2nd Street, Oakridge: Mr. Phillips presented and read two paragraphs from a letter to the City of Oakridge dated February 20, 2007 from Mr. Ed Moore, Area 5 Region Planner with the Oregon Department of Transportation (ODOT). The letter covered some requirements that ODOT outlines for the support of a Highway Beautification Project. The first part of the letter said that the City needs to demonstrate that the plan has broad community support and should be more than just a simple majority. It continued to say that if this support is not shown, then the chances of a project are very slim. He then read a sentence from an e-mail that was addressed to Ruth Miles, Legislative Assistant to Bruce Hanna, from Joe Harwood, Public Information Officer with ODOT. Mr. Phillips read aloud the following from the e-mail, "ODOT thought this plan was dead but it has recently been resurrected. This process is being driven by the City and despite ODOT's resistance to this plan we would have to follow the rules." He continued to say, "I don't believe the Council (City) is driving the plan, I believe Staff is driving the plan. He continued to say that as far as general engineering is concerned, any roadway project would be designed to improve the safety, utility, and efficiency of the existing roadway. It should accommodate growth and promote economic and community development. He proposes that the safety has been degraded, the utility and efficiency has been reduced by at least 50%. He said, "Accommodation for growth cannot be achieved by reducing parking by at least 13 feet and maybe as much as 26 feet on the north side of the Highway from Jones Street to Salmon Creek." This is approximately one mile of roadway. He sees this as a lose-lose

project that apparently is so desperately needed. He said, "In conclusion, it is the responsibility of the Mayor and his Council to ultimately determine the outcome of the refinement project. Remember staff works for the Council, not vice versa and please don't let your judgment be tainted by a misguided staff trying to build a resume.

Steven Weber, 48461 Jasper Drive, Oakridge: Mr. Weber presented a letter from his wife Penny Weber that addressed the concerns of the Oakridge Fire Department volunteers. She states that the volunteers, in many instances, use personal vehicles to respond to the scene of an incident and they do not have lights or sirens on their vehicles. She reminds the Council to consider this issue in their approval of any decrease of lanes as this could increase the response time of these volunteers. She also inquired about adding another traffic light at the Fire Department that would turn red for traffic during an emergency to allow ambulances and fire trucks quicker response times. Mr. Weber's own concerns include those of his wife and the fact that this could cause a bottleneck situation during emergencies.

Terry Walker, 47438 School Street, Oakridge: Mr. Walker does not see why this needs to be done at this time. He would rather see Highway 58 widened from Dexter to Oakridge, as well as further along Highway 58 past Oakridge. He thinks the City should look at this option before making changes within the City.

3.4 Statements in General

Larry Phipps, 47744 Portal Drive, Oakridge: Planning Commissioner Larry Phipps has come this evening to give the Council some history to the current recommendation. Sometime around 2001 the City approached ODOT to help beautify and define Highway 58 in a very simple and straightforward plan for sidewalks and curbs. Since that time, the City has had many town meetings and reviewed many different scenarios. The choice was to take one option or take none. Mr. Phipps made the motion that was made because that was how the Commission was informed. With the motion he wanted the Council to understand this. He said no matter what choice is made there are no winners. Whether there are 3 lanes, 10 lanes, or 5 lanes, there will still be several businesses that will be greatly affected in a negative way. Many of these businesses, such as the Sportsman and McGillicuddy's, will lose parking and egress. He said even with the Commission recommendation, this will be a very difficult decision for the Council. He explained that the ingress and egress would need to be addressed in the access management phase. He feels that it would be better to plan now rather than allow ODOT do what they decide when they decide to finally come. He said that if we do the access management and find that it is not going to be in the interest of the City to proceed, then we could tell ODOT that we do not want them to proceed with the project at all.

Ed Moore, Senior Regional Planner, ODOT, 644 A Street, Springfield: He wanted to clarify that this project was originally started because the City initiated it through a grant request. He said that ODOT does not currently have any plans for the highway in Oakridge, but could sometime in the future. He said at this point it would be considered

a local initiative. At this time the highway is functioning fine and in the future there would be an evaluation. He explained that ODOT would review it and if ODOT had no plan in place, then they would look to the City for their own plan. If the City has a local plan, then they try to work with that plan. If that plan does not exist, then ODOT uses a general plan that would be used on all highways. He said at this time the City only has a concept of what they want and not a detailed access plan, which will need to still be done. If the City chooses tonight to continue with the planning there are still several steps to be done. Locally, it will need more meetings and there would need to be a broad community support as well as the support of the freight industry and the Oregon Transportation Commission (OTC).

Dean Phillips said, "I believe the issue was bicycle lanes on Highway 58 that had been a back door move, which merely called for safety, reduced speed, and bicycle facilities – never bicycle lanes.

John Weddle, 76499 Poplar Street, Oakridge: Mr. Weddle has been in business in Oakridge for over forty years and currently has two businesses on Highway 58. He is getting ready to retire like many others and would hate to see his property values depreciated because of the loss of property in this design. He hopes that the Council takes this into consideration when making its decision.

Terry Walker wanted to speak to why some of the highway business owners are not here tonight. He said it is mostly because the people he has spoken with believes that the Council and Commission will do what they want to do no matter what the citizens have to say. He said there needs to be more information getting out to the public and to the media not only in Oakridge. He believes it is important to involve the other communities such as Eugene/Springfield.

Karla Hurst said she is not sure what this discussion is about but it sounds like they are talking about narrowing the highway. She suggested that parking spots be put along the entire highway.

3.5 Council Discussion

Councilor Rehwalt said that the State has said that we have to have firm support by the community and either that is not the case or just not apparent tonight. The State also says in the Oregon Revised Statute 366 that permanently reducing the vehicle carrying capacity on a freight route is extremely difficult, such as Highway 58. The information is public and was available to everybody, but it was not widely disseminated during the processes that lead to this hearing. He said it was there and meetings have been scheduled and people have had the opportunities to speak. He said the fact that people feel like they have not been heard and that nobody cared is a sad indictment on those that serve on decision-making groups. He hopes that everyone can learn from this and stop trying to blame others. We have the time and luxury to do this right as long as whatever we do has significant and firm community support. "How do we know we have support," he asked? He proposes that he will make a motion when the time comes to

go forward with the plan and assign an ad hoc committee that would be formed by people that are not directly affected by the highway and are willing to listen to all the comments and make decisions based on the support of everyone involved. There will be good audio, lecterns, seats, and generally be conducive to input.

Councilor Dreiling commented that the Council members each think for themselves and it saddens him to hear that some people believe the staff drives their decisions. He said there were comments made this evening that have impacted his thoughts on this plan. He reiterated that all of the Councilors are independent thinkers and are available to speak with anyone. He said each of them ran for office because they wanted to serve the City. He disagrees with Mr. Phillips that this project was started for bike lanes. He himself, who avidly rides bikes, would not ride a bike on Highway 58, even if there were bike lanes. It was brought about for safety and beautification purposes and not just for bike lanes. He also clarified that he has spoken with ODOT directly and has received conflicting answers from different ODOT representatives. He commented that the emergency vehicles would have room to pass in all of the design options that he has seen.

Councilor Clark said Councilor Rehwalt's idea for town hall meetings is a great idea. However, the problem is that no one ever comes. The Council and the City has tried this for years for many different reasons and there just never is enough community participation. People just don't come.

Councilor Schorer agrees with Councilor Clark on this. She has been to several herself. The turnout is very low even if it is well advertised. She said we have the media that we have and there are not a lot of media opportunities like in Eugene. She is always available for questions. The City website has information. Advertising is always done. And yet people still don't come. There are many ways to find out the information, but the people have to be interested in it.

Councilor Fortune said that Eugene has been mentioned several times tonight and so he would like to point out that they too are lucky to get 1% of their own population to attend public meetings. When you look at the percentages, you will see that Oakridge is no different than any other city, large or small. He disagrees with Mr. Phillips statement that this was started for bike lanes. He said it was started as a chance to beautify Oakridge and attract new businesses. He said we have heard from just a few people that are against it, but we have not heard from the community or those that support beautifying the highway.

Councilor Rehwalt said that he has been thinking about this concept of beautifying the highway and he suggests that people work on beautifying the businesses and properties along the highway rather than just paving the highway. He suggested the creation of a committee involving the Garden Club, key clubs, and others to do some painting and cleaning up. This is what would beautify the highway.

Mayor Hampton said he does not feel compelled to hurry through this and make a decision tonight. He believes there need to be more meetings for public comments. He would rather see the Council and Planning Commission join together to hear the public rather than assigning the task to another committee. He feels that if the Council is making this final decision then it is important enough to be involved on a more in-depth level. He wants to directly hear what the people have to say. He feels he needs more time to review all of the documentation and that others need that time as well. At this time, there does not seem to be a clear vision as to what the community wants. Mayor Hampton asked what the process is to continue this project.

Gordon Zimmerman said the Council could take as much time as it needs to have more meetings and review the documentation fully.

Councilor Kordosky commented that we could have as many meetings as we want, but that will not change anything if no one comes.

Mayor Hampton responded by saying that he is not competent to make a decision at this time. The meetings will continue and if people choose not to come, then that is how it goes. He said he thinks there are more avenues to post these meetings rather than just the legal way of posting on the reader board in front of City Hall.

4.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA

None.

5.0 CONSENT AGENDA

- 5.1 Minutes of Regular Session of February 1, 2007
- 5.2 Minutes of the Regular Session of February 15, 2007
- 5.3 Adoption of Budget Calendar

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

6.0 ADMINISTRATIVE SERVICES

- 6.1 Goal Priorities Discussion

Mayor Hampton explained to the Councilors that they have a two-page document of goals that needs to be prioritized and returned to the City Administrator for tallying.

- 6.2 Audit (If available)

Gordon Zimmerman said the audit is completed but has not been signed off by the firm partners'. We expect to have it available at the next meeting.

Councilor Rehwalt asked Mr. Zimmerman why we don't have a completed audit, if it is a problem, and what is being done. He has seen this on our agenda for a few meetings now and is curious as to the status.

Gordon explained the process and timeline of the audit process. At this time we are waiting for final signatures only. This is the first year with this auditor and the previous auditor of twenty years was taking nearly the same amount of time to complete the documents. We anticipate the process being completed sooner in future audits.

6.3 Resolution 2-2007 Receipt of Emergency Services Department Funds

Motion by R. Clark and seconded by G. Fortune to approve Resolution 2-2007 adopting grant revenues and appropriating the funds. Mayor Hampton (Aye), A. Kordosky (Aye), R. Dreiling (Aye), G. Fortune (Aye), R. Clark (Aye), C. Schorer (Aye), and D. Rehwalt (Aye). Motion carried 7-0.

6.4 Resolution 3-2007 Adjustment of Park Funds

Motion by G. Fortune and seconded by C. Schorer to approve Resolution 3-2007 Transferring Funds from the General Fund to the Parks Fund. G. Fortune (Aye), R. Clark (Aye), C. Schorer (Aye), R. Dreiling (Aye), A. Kordosky (Aye), D. Rehwalt (Aye), and Mayor Hampton (Aye). Motion carried 7-0.

Mayor Hampton asked for a clarification as to what this resolution pertains to.

Gordon explained that this is requested based on the process that moved the Park Fund from the General Fund into its own fund. Two fiscal years ago when the Park was part of the General Fund a levy grant was completed and revenues were due back to the fund after the year closed. In the next year we moved the Park into its own fund, but did not transfer the money that was still due to that portion of the General Fund. It now needs to be put into the program from where the money was spent.

6.5 Annual Statement of Economic Interest

Mayor Hampton reminded the Council that each year a statement of economic interest must be filed with the State by April 15, 2007.

Gordon said he believes it will be mailed to them by April 15th.

Mayor Hampton recommended to the newer members of the Council to seek help from someone that has done this before. He stressed the importance of the definitions section of the form and reporting everything that is necessary. He said the intent of this document is to make sure that you declare any conflict of interest that may deal with issues that the Council addresses in its meetings.

7.0 COMMUNITY SERVICES

7.1 Greenwaters Park Camping Request: Leslie Wilson and Tracey Krueger

Mayor Hampton asked Ms. Wilson if she would like to address the request for camping in Greenwaters Park.

Ms. Wilson explained that each year the Council has approved the vendors be allowed to camp at Greenwaters during the Tree Planting Festival. She is here tonight to request that they allow this again this year. She asked for permission to camp from May 2nd to May 7th.

Motion by C. Schorer and seconded by R. Dreiling to approve the request of Leslie Wilson and Tracey Krueger to allow vendors exhibiting at the Treeplanting Festival to camp in the park between May 2 and May 7 without cost. G. Fortune (Aye), R. Clark (Aye), C. Schorer (Aye), D. Rehwalt (Aye), A. Kordosky (Aye), R. Dreiling (Aye), and Mayor Hampton (Aye). Motion carried 7-0.

Councilor Rehwalt asked if Ms. Wilson knew about how many would be attending.

Ms. Wilson said about twenty-five (25) maximum.

8.0 POLICE SERVICES

None.

9.0 EMERGENCY SERVICES

Gordon noted that Chief Shorey is out this evening on a call.

10.0 REPORTS FROM BOARDS AND COMMITTEES

Councilor Kordosky noted that the Public Safety Committee met and discussed the word changes for the animal neglect portion of the ordinance.

Police Chief Gomez and Councilor Kordosky said they are reviewing the number of animals allowed per home and will also talk about commercial and non-commercial licenses for breeders. The language of Springfield's ordinance will be reviewed and possibly used to update our ordinance. They also discussed turning over the noxious weed enforcement to the Fire Department. This will help alleviate the load on the officers. In turn, the Chief intends to assign code violations to all of his officers rather than just the code enforcement officer. He anticipates the officers being able to review about sixteen more complaint driven and non-complaint driven cases per month.

Mayor Hampton noted that compliance with the code enforcement was a lot of the problem. Chief Gomez agreed.

Councilor Fortune said the committee also discussed the cattery and it looks like that project will get going soon. Some guidelines for the program were discussed and created.

Chief Gomez reminded the Council of the prospect of getting a local prosecutor for contempt of court cases. The staff believes the City has the funds to do a three-month test period to see if it will work. He said there would only be about six to eight cases per month, but we will then have an idea of how the program will work, cost, and if it will produce positive results. With the budget cuts that are expected for Lane County, we need to really look hard at taking care of ourselves as much as we can.

Councilor Fortune asked if all cases from city, state, and county would be prosecuted on a particular individual.

Chief Gomez said that it was discussed but was not feasible at this time. This process would only prosecute municipal local court cases.

Councilor Dreiling reported on the progress of the Trails Committee. He said the draft plan would be available for public view throughout April and the first week of May. In May they will rewrite the plan and have a final approval in June.

Councilor Fortune said the Council had inquired about the averaging of the PM (particulate matter) 2.5 that is recorded for the air pollution. Under the EPA (Environmental Protection Agency) guidelines it states that consideration of network monitoring requires using PM 2.5. He said averaging could be used for annual comparisons but not for daily readings. The site selected has to be in the worst area of the community.

Gordon responded and said that he too had been told that we could average on an annual but not a daily basis. The City is currently in compliance for the annual average but on occasion does not comply on the daily requirement levels.

Mayor Hampton asked specifically where the monitors are required to be placed.

Gordon responded that it must be placed in a location where the air quality is the worst. We are still out of compliance but the community is making changes through the Warm Homes Project by replacing approximately 80 outdated and inefficient woodstoves.

10.1 Community Service Committee Report – Keene Request

Councilor Schorer reported that the meeting was properly reposted and the committee met with Mrs. Keene. Mrs. Keene thanked the committee for the meeting and asked for a letter of support from the City for the current uses of the property. The letter was written and there has been no further contact from Mrs. Keene.

Councilor Kordosky reported on the Tree Planting event. Katrina Davis will be taking over the Salmon Run part of the event and the insurance situation has been settled. She said that the street fair would be happening, although there will not be a carnival this year.

Councilor Dreiling noted that the carnival is not occurring because the Tree Planting Committee chose to have the event the weekend that the carnival was not able to attend. He said the Tree Planting Committee was well aware of when the carnival was and was not available.

Councilor Kordosky continued to say that the tickets would go on sale April 1st. The Kiwanis will be in charge of the dinner and they are looking into getting the Oakridge Community Orchestra to play. She noted that the vendors would need electricity for the amphitheatre. Gene and Audrey Tomlin were asked to be the Grand Marshall's for the parade.

Councilor Rehwalt attended his first Chamber meeting and found it to be very informative and entertaining. He looks forward to attending another meeting.

Councilor Clark had an Administrative Committee meeting with Councilor Rehwalt to review the Council rules. She noted that there are current rules in the Code of Ordinances book under chapter 30. They will be updating the section where the Mayor's right to vote is incorrect. Under the new Charter the Mayor is allowed to vote on all motions rather than just as a tiebreaker. The Committee has decided to continue to meet, whether there is an agenda of items or not, on the fourth Monday of every month at 10:30 a.m. at City Hall. She proceeded to challenge the other Council committees to do the same.

Mayor Hampton mentioned that it would be nice if all Councilors were informed of these meetings so they may attend to observe but not necessarily participate.

Mayor Hampton reported that the Middle Fork Willamette Watershed Council met but he was not able to attend. He noted that he was appointed to its Steering Committee.

Mayor Hampton did attend the Lane Council of Governments meeting and was asked to sit on the executive committee, which creates the agendas for the meetings.

Mayor Hampton reported on the Oakridge/Westfir Together meeting. As a result of that meeting, and his attendance at the National Conference, an ordinance on social hosts may be considered. This will have definitions for police officers to address someone that is hosting an alcohol party with underage drinkers.

11.0 MAYOR AND COUNCIL COMMENTS

11.1 Mayoral Proclamation on the Importance of Supporting Small Business Formation and Growth

Mayor Hampton noted that this proclamation was recommended to him by the Oakridge Enterprise Facilitator, Jenifer Hood. This will be submitted during the one-year celebration of the Oakridge UPBEAT program in May.

Councilor Rehwalt complimented Chief Gomez and the Police Department for responding in a timely manner to some junk cars that needed to be removed on a street. A citizen had complained to Councilor Rehwalt about the junk cars.

Councilor Clark wanted to respond to the comment made earlier about volunteer recognition. She said the volunteers are recognized in this community. She knows the volunteers with the Senior Meals Program and Fire Department are giving banquets and honorary awards. She is not sure about what occurs at the Food Box, but it does happen in Oakridge across many organizations. She herself has volunteered for years and always feels very appreciated for her time and efforts.

Mayor Hampton agreed that there has been volunteer recognition in the past and that it does occur for many programs still. He noted that the Council would work on finding ways to do more recognition in the future.

Councilor Dreiling agreed with Councilor Clark that volunteers are recognized in many of the projects/events.

Mayor Hampton reminded everyone that Monday night at 6:00 p.m. is the Relay for Life International Dinner. Tickets are \$10 per person and all of the money raised goes to the American Cancer Society. Courses served will include German, Hungarian, and Austrian foods.

Mayor Hampton confirmed with the Councilors that the Planning Commission applicants would be invited to the March 15th Council meeting for individual interviews before making appointments.

Mayor Hampton attended the Mayors' Day at the Capitol yesterday. He said there was a set time to meet with the representatives, but later he found out that they were not available during the time that they were supposed to be available. He said he did have an appointment with Representative Hanna, but that was also cancelled by Representative Hanna's office. He did however get to talk with Senator Prozanski and Representative Holvey for about ten minutes each. He noted that Representative Hanna is planning to visit Oakridge soon.

Gordon said Rep. Hanna does plan to have a town hall meeting in Oakridge soon.

Mayor Hampton discussed Senate Bill 400 and said that the driving force behind this bill is Senator Prozanski. He said if there are difficulties with this bill in Oakridge, he will not hesitate to contact the Senator.

Gordon explained that this bill would allow the unions to dictate how many people are required to run a department, such as police or fire. This could be devastating to the budgets if the cities lose this control.

Mayor Hampton continued to say that if the Rainy Day Fund does not go through the legislature, then that law could be brought to the voters for changing in the future. He said that the federal government does not support economic development very often, and since the state ended up with more money than expected, he hopes they will disperse that excess to the cities. Overall, he felt the Mayors' Day event was worth his time and the networking with the other mayors was great.

Mayor Hampton said he is wearing his Dr. Seuss shirt today because tomorrow is Dr. Seuss's birthday. The Read Across America event is planned for tomorrow at Oakridge Elementary school. He expects this year to be greatly improved over prior years. He encourages all to attend and volunteer to read if they can.

Mayor Hampton said he asked Gordon to work on a library grant to buy children's books for rural libraries. He said this is a two-to-one cash match grant and we would need to raise \$350 to get the additional \$700 in grant funds. He asked that the Council and others consider donating what they can to this request.

Mayor Hampton called for a short break before starting the executive session.

12.0 Executive Session: ORS 192.660 (2) (e) Property Negotiations

The Council convened into executive session under ORS 192.660 (2) (e) Property Negotiations at 8:58 p.m.

Executive session ended and Council reconvened in open session at 9:00 p.m.

Mayor Hampton said that he was somewhat disappointed at the goals list because nearly everything he had suggested was noted as not an issue. He said he would like to open up the process of how the City spends the citizens' money. He said most of the goals that were put in the short-term and long-term goals are mainly infrastructure items. He feels that investments in people rather than infrastructure are more important and that is why he had goals related to customer service for the staff and a renter's bill of rights. He feels those are goals for the people. He clarified with Gordon that even though requests like his may not be on the goals list, they can still be pursued by the Councilors if they choose to.

Councilor Dreiling said he felt that Mayor Hampton's goal for needing spending guidelines implies that the City is mismanaging money when that is not the case. That is why he voted for it as "not an issue."

Mayor Hampton said he did not intend for that to be the reason, but rather to make things more transparent for community members.

