

July 19, 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
Rayetta Clark, Council President
Dan Rehwalt
Amy Kordosky
Glenn Fortune
Carina Schorer
Randy Dreiling

Staff Present: Community Services Director Kevin Urban
City Recorder Chantell Steiner
Police Chief Louis Gomez
Fire Chief Tim Demers
Fire Marshall Jerry Shorey

Staff Excused: City Administrator Gordon Zimmerman

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

2.0 PUBLIC COMMENT

Fred Ulrich, 76435 River Road, Oakridge: He wanted to address the alcohol permits that are being requested for the park. He thought that all the parks were alcohol free and said that he feels it should be that way in all the parks. He noted that several others feel the same way.

Brian Jeanotte, 47684 Fairy Glen, Oakridge: He said he has come tonight to speak about the trails plan and would wait for the public hearing.

Bob Yoder, 47704 Beaver Street, Oakridge: He noted that he is the Pastor with the First Baptist Church and he also wants to reiterate that there should not be alcohol in the parks. His concerns are for the children, families that he has counseled for alcohol use, and the Oregon Liquor Control Commission (OLCC) rules. He said that he feels the parks are a place for families and that alcohol is not a positive value. He believes there is a place for adults to drink but the parks are not the right place. He hopes that the Council will look at the alcohol permit policy and consider removing the alcohol permits in the parks.

Mayor Hampton responded that this topic was discussed a few years ago and the process for a permit was created. He said the process requires that the applicant meet a list of requirements that addresses the issues of children, security, and insurance.

3.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA

Kevin Urban added 6.3 Update on Assets Infrastructure and 6.4 Letter of Intent.

4.0 SPECIAL PRESENTATION: LOC "IF I WERE MAYOR . . ." CONTEST

Mayor Hampton introduced Oakridge High School student Jacob Baines.

Jacob Baines proceeded to read his letter that he plans to submit to the League of Oregon Cities "If I were Mayor" contest.

Mayor Hampton and the Council congratulated Jacob for a well-written letter that detailed the changes that he would make in Oakridge if he were Mayor. He then presented him with several items including some Oakridge memorabilia and gift certificates.

5.0 CONSENT AGENDA

5.1 Minutes of Regular Session of June 21, 2007

5.2 Parks Performance Project Greenwaters Park Applications

Councilor Rehwalt pulled item 5.2 from the consent agenda.

Mayor Hampton noted a minor change to the minutes from the High School tennis courts to the Greenwaters Park tennis courts.

Councilor Rehwalt wanted to express his concern about the alcohol in parks. He said he has spoken with some citizens that would like to see the permits for alcohol removed. He believes the Council should review the process and see if the rules could be tightened. He motioned to refer this to the Council Administrative Committee for review and for them to report back to the Council on any recommendations. He noted that the current applications would be reviewed tonight but he would like to see the process reviewed for future applications.

Mayor Hampton asked for a second to the motion. No second was made. He noted that the Community Services Committee rather than the Administrative Committee should review this because the parks fall under Community Services.

Motion by R. Clark and seconded by C. Schorer to approve the consent agenda minus Item 5.2. C. Schorer (Aye), Mayor Hampton (Aye), D. Rehwalt (Aye), R. Dreiling (Aye), G. Fortune (Aye), R. Clark (Aye), and A. Kordosky (Aye). Motion carried 7-0.

Councilor Clark said she is concerned with the request on the alcohol permits for 10:00 a.m. to midnight. She said she would rather see the alcohol start at noon and end by the 10:00 p.m. noise ordinance rules.

Councilor Schorer agreed with Councilor Clark's recommendation.

Council continued to ask specific questions about the applications concerning the insurance, timing, and music. Mayor Hampton said that he would like to see the proof of insurance prior to their application submission. After discussing the OLCC requirement it was discovered that the applicant must first have the Council's approval to get the permit.

Councilor Rehwalt added his concern for the security measures. He said that he attended one of the events last year and there was not much control as far as the alcohol was concerned. He said the rules are the intention, but sometimes that is not what is done.

Mayor Hampton suggested to the Council that they motion to divide the permits to reflect the variance for midnight and the permit itself.

Police Chief Gomez recommended that the alcohol serving not begin until noon.

Motion by D. Rehwalt and seconded by R. Clark to divide the alcohol request into two separate motions. A. Kordosky (Aye), D. Rehwalt (Aye), R. Dreiling (Aye), R. Clark (Aye), C. Schorer (Aye), Mayor Hampton (Aye), and G. Fortune (Aye). Motion carried 7-0.

Motion by G. Fortune and seconded by R. Dreiling to approve the alcohol to begin at noon and end by 10:00 p.m. R. Clark (Aye), C. Schorer (Aye), Mayor Hampton (Aye), A. Kordosky (Aye), R. Dreiling (Aye), G. Fortune (Aye), and D. Rehwalt (Aye). Motion carried 7-0.

Motion by C. Schorer and seconded by R. Clark to approve the alcohol permit requests submitted by the Corner Bar and Grill. G. Fortune (Aye), R. Clark (Aye), C. Schorer (Aye), D. Rehwalt (Nay), A. Kordosky (Aye), R. Dreiling (Aye), and Mayor Hampton (Aye). Motion carried 6-1.

Motion by D. Rehwalt and seconded by A. Kordosky to end the event by 10:00 p.m. rather than midnight. A. Kordosky (Aye), R. Dreiling (Aye), G. Fortune (Aye), C. Schorer (Aye), Mayor Hampton (Aye), D. Rehwalt (Aye), and R. Clark (Aye). Motion carried 7-0.

Discussion continued on the noise ordinance and Councilor Clark asked Mr. Brown if the 10:00 p.m. requirement would cause issues for the music event.

Mr. Brown noted that it would not be an issue and clarified that they do have a copy of the insurance proof.

6.0 ADMINISTRATIVE SERVICES

6.1 Ordinance 888 Amending the OIP Sub-District Requirements Second Reading

Motion by G. Fortune and seconded by R. Clark to approve the second reading of Ordinance 888 by title only. 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.

Councilor Fortune proceeded to read Ordinance 888 by title only.

Motion by G. Fortune and seconded by R. Dreiling to adopt Ordinance 888. C. Schorer (Aye), Mayor Hampton (Aye), D. Rehwalt (Aye), R. Dreiling (Aye), G. Fortune (Aye), R. Clark (Aye), and A. Kordosky (Aye). Motion carried 7-0.

6.2 City Administrator Performance Evaluation

Mayor Hampton requested that the Council review the City Administrator using the performance evaluation and return to him by August 2nd for submission to the August 16th meeting.

6.3 Update on Assets Infrastructure

Chantell Steiner reported to the Council that American Appraisal has met with the City staff and was successful in getting the information needed to complete the GASB 34 requirements. She noted that Chuck Kurnick's knowledge of the City was extremely valuable and saved hours of information gathering.

6.4 Letter of Intent

Kevin Urban passed out a letter and said it ties in with the alcohol permit presented tonight for Mardi Gras in Oakridge. He said the committee would like to donate the proceeds of the event to the Habitat for Musicians in Louisiana. The letter of intent will allow the City to use the Habitat's name on all publications and will help show that the community still acknowledges the need for support of the Katrina victims. He asked that the Council allow the Mayor to sign the letter for submission.

Motion by R. Clark and seconded by R. Dreiling to allow Mayor Hampton to sign the letter of intent. R. Dreiling (Aye), G. Fortune (Aye), R. Clark (Aye), Mayor Hampton (Aye), D. Rehwalt (Aye), A. Kordosky (Aye), and C. Schorer. Motion carried 7-0.

7.0 COMMUNITY SERVICES

7.1 Community Trails Plan Public Hearing

7.1.1 Staff Report

Kevin noted that the plan is now in the second stage for public comments and was passed by the Planning Commission for approval to move forward.

7.1.2 Planning Commission Comments

Kevin said the Planning Commission recommended the addition of a small section regarding the maintenance of trails as well as being event neutral when referring to events rather than specifically naming an event. He provided a copy of some suggestions from Sue Abbott who is involved with the grant and noted that her changes would also be included.

7.1.3 Statements in Opposition

Brian Jeanotte asked the Council to consider an amendment to the plan. He asked that his street between Rainbow and Garden be removed entirely from the plan. He said that his neighbors were in agreement with him on this issue and that sixty people had signed a petition against a route through the area to the Trails Committee. He feels there is no reason to have his specific street in the plan when there is so much recreation area in Oakridge already. He noted that other streets such as School Street would be better suited for the plan. He asked the Council to recognize the interests of these residents by amending the plan to not include Fairy Glen, Riverview, and Perkins streets as possible trail routes.

7.1.4 Statements in Favor

Ryan Ojeiro, 2041 Union Street, Eugene, OR: Mr. Ojeiro said he has been involved in the Trails Plan since the beginning and has been a part of the development of the plan. He noted that he is a graduate student in Planning from the University of Oregon and is an active recreationalist of Oakridge. He agreed with Mr. Jeanotte about the community and sharing the recreational area. He said the plan was created as a vision and includes a menu of items to choose from. The menu of items or opportunities was never intended to force the community to choose. The implementation portion of the plan is critical and the input of the citizens is necessary, but if adopted it does not mean that the trails are set in stone. The plan itself is needed in order to start seeking funding through grants. The committee is currently looking at grants that will support the youth, parks, elderly, paths that are free of obstruction, wheelchairs, and others. He said it is important to understand that the plan is not geared for just tourists and bike trails but rather the whole community. He noted that this is just a plan and excluding a particular portion of the community could be insensitive to others.

Bob Wilson, 48926 McFarland Road, Oakridge: Mr. Wilson said he is a resident, volunteer, and active trail user. He is in favor of coordinating the trails system for everyone who chooses to take advantage of that form of entertainment.

Judge Gary Carl, Walker Street, Oakridge: Mr. Carl favors the trails plan because he believes it is good for all of Oakridge. He said it is economically good for the people who live here as well as those that just visit. He also feels that there has been a lot of involvement and hard work on this plan by many individuals and he would hate to see all of that be thrown away.

Benjamin Beamer, 76438 Maple Street, Oakridge: Mr. Beamer said he is one of the individuals that has been working on this plan and it has gone through many changes from recommendations. He said this plan would help to remove the barriers such as the roads and rivers that disconnect Oakridge from Westfir. He said this is an opportunity to look at each and every trail and what will be the best way to proceed with individual routes. He noted that many agencies have been involved including the cities of Oakridge and Westfir, the federal government, the Corps of Engineers, Fish and Wildlife, and some private property owners. He said the plan addresses the unique relationship of each of these entities.

Rod Wood, 48492 Highland Drive, Oakridge: Mr. Wood said he has attended many of the meetings and wants to second the comments that he has heard this evening in support of the plan. He noted that he travels often and enjoys the trail systems in other towns and looks forward to them being done in Oakridge.

Statements in General

Bob Dunning, Dunning Road, Oakridge: Mr. Dunning said his family has been in Oakridge since 1908. He said he found a trail being built and flagged just beside his property and he was not notified. After speaking with the Forest Service and finding out what was being done he was not very pleased. He is always generous to the bikers in Oakridge and allows them to access trails on and around his property. His concern is the amount of hunters that are going to be coming in as well. He noted that he already ran into a hunter that was excited to see this new trail and could not wait for hunting season. This concerns him because it gives the hunters one more access directly near his property and puts himself and the animals on his land in danger of being shot. He said he has spoken with Councilor Dreiling about the matter and explained his concerns. He said there are already trails on two sides of his property and he does not want to have them on three sides. He would appreciate it if there could be some investigation with the property owners about the area, the history, and especially the history of the Indians and the sacred burial grounds.

Ryan responded that there is always going to be hunters looking for trails but he is hopeful that a solution can be made to help reduce the risks.

7.1.5 Close Public Hearing

Mayor Hampton closed the public hearing.

7.1.6 Council Discussion/Motion to Adopt

Randy Dreiling noted that the changes presented by Ms. Abbott are text changes in general and he feels this should not be a reason to not pass the plan this evening.

Council discussed the inclusion of the text changes and adding the maintenance language.

Mr. Jeanotte addressed the exclusion of the streets that he lives on and asked that the Council specifically add language that would remove them from the plan entirely.

Kevin Urban noted that Mr. Jeanotte had submitted his requests and the committee had listened and removed what he and the petitioners had asked for. He then reminded Mr. Jeanotte that a change in the plan would require a public hearing and that the committee could not make random changes.

Councilor Dreiling noted that it would not be fair to do such exclusion because the city streets belong to everyone in the community not just the people that live on them. He also feels that the future residents of those streets may not want such exclusion.

Mayor Hampton reminded everyone that there needs to be collaboration on the plan and any major decisions will come before the City and will provide the citizens with a public comment period.

Motion by A. Kordosky and seconded by R. Dreiling to accept the Trails Plan with the suggested amendments from the Planning Commission. 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.

Councilor Fortune recognized and thanked all the members of the Trails Committee for all of their hard work.

7.2 Annexation Public Hearing

7.2.1 Staff Report

Kevin reported that the property owned by Edwin Davis is a little over two acres and already has been stubbed to connect to the City water and sewer systems. He proceeded to read the motion that was passed by the Planning Commission in favor of the annexation.

7.2.2 Planning Commission Comments

None.

7.2.3 Statements in Opposition

None.

7.2.4 Statements in Favor

None.

Statement in General

None.

7.2.5 Close Public Hearing

Mayor Hampton closed the public hearing.

7.2.6 Council Discussion/Motion to Adopt

Council discussed the property, which is located on the hill above the high school track. Questions were asked about the geological tests that should be done on this type of property. It was determined that the concern of the Council is to just annex in the property and then it would be the building departments position to review any requirements for building a home on a slope.

Motion by C. Schorer and seconded by R. Clark after reviewing the Planning Commission finding of fact, the City Council of Oakridge: 1) Authorizes the Mayor to sign the consent to annex for Tax parcel 21-35-17-14, Lot 900; 2) Directs staff to file the annexation with the Lane County Boundary Commission, and 3) Adopt Resolution 08-2007. The property will be zoned R-1 effective upon approval of the Lane County Boundary Commission. 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.

8.0 POLICE SERVICES

Chief Gomez reported that Officer Ball returned to work today and that all state testing had been completed for an officer involved shooting.

Mayor Hampton made the suggestion for the Council Public Safety Committee to review and policies and procedures so they are aware of them in the future.

9.0 EMERGENCY SERVICES

9.1 Introduction of Fire Chief Tim Demers

Former Interim Fire Chief Jerry Shorey thanked the Council, Fire Department, City Staff, and the Community for allowing him to fill the temporary position of Fire Chief for the last two years. He said it has been a privilege and his pleasure to serve in the capacity of Chief. He then introduced the new Fire Chief Tim Demers.

Fire Chief Tim Demers thanked the Council and the Staff for the opportunity and looks forward to working with the community.

10.0 REPORTS FROM BOARDS AND COMMITTEES

Councilors Clark and Rehwalt announced that they would be canceling the Administrative Committee meeting that is scheduled for the following week.

Mayor Hampton informed everyone that the Garden Committee was successful in receiving the \$500 grant that they had applied for.

Councilor Clark attended the Lane Council of Governments meeting and said that the Mayors have agreed upon meeting once a month. They will meet to discuss what is happening around the cities and look to each other for communication and advice. She noted that the Executive Director had received a very nice evaluation and that the next meeting would be held in Oakridge on September 22nd.

11.0 MAYOR AND COUNCIL COMMENTS

Mayor Hampton noted that he gave each Councilor a handout on future meetings with the County Commissioners and encouraged them to attend if possible.

Chantell Steiner reminded the Council that the League of Oregon Cities registration would be coming soon and asked them to return the pre-conference events to her if they planned on attending.

Councilor Rehwalt noted that he had reviewed the results of a 360 review done by the Council and some staff. He said there were a lot of areas that could use some review and improvement on his part and he would work on that in the future. He was saddened by how much was said that needed improvement and was not aware that this was how they had felt.

Councilor Clark welcomed Councilor Rehwalt back from his recent absence and said that she had missed his presence on the Council.

Mayor Hampton asked the Council if they wanted to review the Alcohol Permit process that had been discussed earlier that evening.

Councilor Rehwalt was in favor of reviewing the process through committee work, however the other Councilors were not.

Councilor Schorer suggested that the requirements be reviewed and that a deadline for submission be added to the permit process. She suggested at least a 30-day pre-event submission deadline. She noted that having the process and allowing for the alcohol during certain events does enhance the functions that occur and she would not be in favor of banning the process.

Mayor Hampton asked the Community Services Committee to review the application process and bring any suggestions to the Council.

Councilor Fortune suggested that the noise ordinance also be reviewed and compared to other city ordinances. He believes the Oakridge ordinance is too vague and should be more specific pertaining to decibel volumes.

The Administrative Committee will review the noise ordinance with the assistance of Chief Gomez.

Councilor Kordosky suggested to the Community Services Committee to also review the starting time of an alcohol permit because she is not comfortable with it beginning at noon.

Kevin Urban made a suggestion that when an alcohol event is being requested that it might be in the best interest to require the rental of the entire park. This could help to eliminate the discernment that occurs for families that do not want to have their children around alcohol.

Mayor Hampton reminded the Community Services Committee that they should focus on the lighting issues on Second Street. He reminded the Public Safety Committee to review and recommend a social host ordinance.

ADJOURN

