

August 16, 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
Randy Dreiling
Carina Schorer

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

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

2.0 PUBLIC COMMENT

Karon Tiller, 47596 Riverview Street, Oakridge: Mrs. Tiller has come to ask that the Council find a way to get some more dirt put around the signs at the ends of town so she can plant some more beautiful flowers.

Ron Paddock, 76417 Cherry Street, Oakridge: Mr. Paddock expressed his concerns about the noise that has been coming from the amphitheater over the last few weeks. He explained that even at his home, which is nearly a half-mile away, the music is audible. He noted that he has contacted the City Administrator as well as the Mayor and he has yet to see any action taken. He reminded the Council of the rules of Ordinances and asked that they review them and update them appropriately or to comply with the ones that are in place pertaining to noise. He also asked that they review the process of the permits and conform them so they comply with the ordinances in place.

Hendrena DeJonge, Odle Lane, Oakridge: Mrs. DeJonge expressed her great concern with the noise that has been occurring at the amphitheater as well as the way the Police and City Administrator have treated her. She said she feels that the City has retaliated against her by having the concerts and will not do anything in regard to lowering the

sounds coming from it. She noted that the staff told her that she is a complainer and since she does not live in the City, her concerns are not the concerns of the City.

Peggy Schragl, Odle Lane, Oakridge: Mrs. Schragl voiced the same concerns about the noise at the amphitheater. She said she could no longer enjoy the peace and quiet on the weekends when the bands are playing during the summer. She also feels that this is affecting the value of her property in a negative manner. She would like to see the issue addressed.

Gordon Simpson, Odle Lane, Oakridge: Mr. Simpson noted his concerns are about the noise as well and said sometimes it is so loud it vibrates his windows. He said the music never seems to stop, although he understands that it is a goal to have events for the community. He said it is just too loud.

Ken Graves, 76190 Hyland Lane, Oakridge: Mr. Graves voiced his concerns at the noise as well. He said he has worked around an airport and he has never heard noise louder than that until now. He said he has called in and asked questions about the noise ordinance and has never been given a straight, honest answer. He was also told that he is a resident of Lane County and that he is not a City resident therefore, the City Ordinances do not pertain to him or his neighbors. He does not agree with this and would like to see the specific rules and regulations enforced. He noted that he does support economic growth but he also feels that the residents in his area have rights, too.

Mayor Hampton responded to all present that the Council Administrative Committee was recently assigned to review the noise ordinance as well as the permit processes for the park and the alcohol in the park. He said as soon as that committee has reviewed all of the information that it will be brought back to a future Council meeting for a recommendation of any changes to the Council. He welcomed everyone to stay abreast of the future meetings and attend to hear what those recommendations are.

3.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA

None.

4.0 CONSENT AGENDA

4.1 Minutes of Regular Session of August 2, 2007

Motion by G. Fortune and seconded by R. Clark to approve the consent agenda. 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.

5.0 ADMINISTRATIVE SERVICES

5.1 Public Hearing for Solid Waste Rate Increase

5.1.1 Staff Report

Gordon Zimmerman noted that there is no new information and asked if there were any questions. Council had no questions.

5.1.2 Statements in Favor

Ron Paddock said he has known Keith Flack for a long time and if anyone deserved this it is he and his family. They have always provided an excellent service to the community and he cannot recall when the last increase was made.

5.1.3 Statements in Opposition

None.

5.1.4 Statement in General

None.

5.1.5 Council Discussion

Councilor Dreiling said this request is not unrealistic and is a justified request.

5.2 Resolution 9-2007 Solid Waste Rate Increase

Motion by R. Clark and seconded by D. Rehwalt to approve the proposed rate increase from Oakridge Sani-Haul effective September first and to approve Resolution 9-2007. 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.

5.3 Department of Environmental Quality (DEQ) Loan Repayment Discussion

Gordon explained what was noted in the packet that the loan with DEQ is more than the City had anticipated. He said not only is there the \$100,000 from the original loan but an additional \$100,000 in personnel costs as well as nearly \$135,000 in interest that has compounded since 1995. The City has just begun to pay of the 1995 loan with a payment of \$10,000. The current total balance is at \$324,087.68. He apologized to the Council for not knowing the full ramifications of the loan, as it was done well before his time. He said he is meeting with DEQ next week to discuss the options of possible forgiveness for some of the interest and a payment schedule to pay off the loan. The current deadline is 2015 and he will ask for an extension of that as well. He noted that the DEQ has never sent a bill for this and that was why he was unaware of the full costs.

Councilor Rehwalt said he is concerned that no one was aware of this and he hopes that there will not be any other contracts of this kind that come up again in the future.

Gordon said he is not aware of any other debts that are not already presented in the City's budget repayment schedules. He reiterated that he was only aware of the \$100,000 that the City has been budgeting for and only until they called and clarified recently the full amount was able to find the documentation in the files and see that it was true. He noted that Wes Hare was the original signer of the contract, and when he asked Wes about the situation, he was told that the City would not have to pay back the additional funds until the Industrial Park was making a profit. The Industrial Park is still not making a profit, so he was certain that the money was not due and was unaware of the interest that was compounding until he heard from DEQ last week.

Mayor Hampton said that Mr. Zimmerman is not at fault and seems to be on the right course to work with the DEQ to come to a mutual agreement.

6.0 COMMUNITY SERVICES

6.1 Purchase of New Service Truck

Mr. Urban noted that there are no new changes to what was presented in the packet.

Councilor Schorer motioned to approve the purchase of a new service truck and was seconded by Councilor Dreiling.

Council and staff continued to discuss the options of replacing the surplus vehicles that are next on the agenda as well as the costs of the newer vehicle purchase.

Councilor Rehwalt felt that this decision should be put off for the time being to allow for more research into the purchase and/or repair of the older vehicles. After discussion, he chose to vote on the motion rather than postpone the decision.

Gordon Zimmerman noted that the funds to purchase this vehicle are already in the budget and this is not an additional cost to the City that was not already expected.

Council continued to discuss the quote on the current truck that is needed for the public works crews.

Motion by C. Schorer and seconded by R. Dreiling to authorize the purchase of a 2008 Ford F-350 for \$28,456.28 through State Procurement, and allow up to \$8,000 for a new service body. 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.

6.2 Declaration of Surplus Property

Gordon noted as indicated in the packet that we have two older vehicles that could be surplus. He said it is the Council's decision to also surplus the current Public Works Building which is scheduled to be replaced by a building at the Oakridge Industrial Park.

Motion by G. Fortune and seconded by R. Dreiling to surplus a 1977 Ford 350 4x4 truck, a 1987 GMC ¾ ton truck, and the City Public Works shop, Assessor Parcel 21-35-17-14, Lot 06402. 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.

Councilor Dreiling noted that he feels this is a good decision because the OIP is more suited for the shop and putting the current property back on the property tax roll.

6.3 Kinyon Property Discussion

Kevin explained that the City sold Mr. Kinyon a piece of property and that there is an additional .11 acres that has no value that is part of the right of way. He said we could either grant him an easement or just sell the property for one dollar and have him pay the costs of the property transfer.

Motion by D. Rehwalt and seconded by R. Clark to surplus Parcel 21-35-15-00, Lot 00606, and sell said parcel to Mike Kinyon for the consideration of one dollar. All costs related to the transfer of the property will be borne by the buyer. 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.

6.4 Water Project Notice to Proceed

Gordon explained that the recommended costs by the Engineer were higher than what was opened at the bids. He said this extra savings will allow the City to continue with the planned additional well that was hoped for.

Motion by R. Clark and seconded by C. Schorer to authorize the notice to proceed on the Oakridge Water Project once Pace Engineers has determined the lowest bidder has all the proper bonds and required paperwork. 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 asked if the costs could increase at a later date because the bidders underbid the project.

Kevin noted that there is always the chance that a change order would be necessary but it is unlikely on this project. He said the engineer does not foresee this as an issue. He did assure the Council that if a change order is requested that it would be brought forth to the Council and the staff before the contractors would proceed with the additional costs. He added that the winning bidder, formerly Eugene Sand and Gravel, has rarely asked for change orders on all the projects they have done with this engineer. He said the project would begin as soon as possible and could be within the next month. He anticipates a completion of this phase by next spring. Kevin noted that

the Oakridge public works crew should be acknowledged for the amount of work that they have done, which has also contributed to the lower bid. He said that most public works crews cannot do what the Oakridge crew has done on this project and it has been a tremendous savings of nearly a quarter million dollars.

6.5 Cycle Oregon Street Closure and Noise Permit Requests

Gordon said he has received the requests from Cycle Oregon for a street closure and a noise permit.

Council discussed the options of not closing the streets and determined that it would not be possible for the amount of people that are anticipated to attend. It was noted that by having these guests in our town that it would be good for many of the small businesses.

Gordon said there is a need for many volunteers for the 13th and 14th and if anyone wants to help to please contact him.

Councilor Rehwalt reiterated his concerns with the application being done so close to the event.

Councilor Rehwalt recognized Ron Paddock from the audience to speak.

Ron Paddock quoted the ordinance to say that no event shall impede vehicular traffic, although alternate routes are allowed. He reiterated that the Council needs to work on the content of the current ordinances.

Mayor Hampton reminded the audience that the ordinances are in review with Council Committees and it will be resolved. He noted that the events have been new to the community and the Council will address them appropriately.

Motion by R. Dreiling and seconded by G. Fortune to approve the Cycle Oregon street closure and noise permit requests during the Cycle Oregon celebration on September 13th. 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.

6.6 Resolution 10-2007 Oregon State Parks Grant

Gordon explained that we have received a grant that will help assist the Community Trails Plan to purchase equipment for trail building.

Motion by C. Schorer and seconded by R. Dreiling to approve Resolution 10-2007 appropriating unanticipated revenue to the Street 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.

7.0 POLICE SERVICES

7.1 Ten Year Service Award – Susan Parks

Mayor Hampton presented Dispatcher Susan Parks with a certificate and ten-year pin for her time with the City.

Chief Gomez had nothing to report.

8.0 EMERGENCY SERVICES

None.

9.0 REPORTS FROM BOARDS AND COMMITTEES

Councilor Dreiling noted that the new hiker/biker guide has been completed.

Mayor Hampton invited everyone to volunteer at the bike event this weekend at Greenwaters Park.

Councilor Schorer said she has reviewed the street lighting on Second Street at night and her committee will now move forward with determining a recommendation for changes.

Mayor Hampton reminded the Community Services Committee to review the lighting as well as the alcohol permit process. He noted that the Administrative Committee would review the noise ordinance.

Mayor Hampton reported that the Middle Fork Willamette Watershed Council is now very close to not needing the City as its fiscal agent. It has met with the City to decide the appropriate time to pull out its funds.

Mayor Hampton took a moment to address the comments that were made about him at the last Council meeting by Mr. Dean Phillips and Mr. Phillips' recommendation for the Mayor to resign. He said he was attending the Oregon Mayors' Association Conference in Salem, representing the City of Oakridge. And if he could have been at the City's meeting in person, he would have been. He did note that he took the time out of the conference to call in on his personal cell phone and spent the hour, unreimbursed, assisting the Council in conducting the business of Oakridge. He continued to say that he does his best to save money for the City at every conference or meeting that he attends and will not purchase the outrageously priced meals. He challenged all the Council and staff members to do the same when they represent our City. He said he was perturbed to find out later, as he had not heard Mr. Phillips comments, that he would be criticized for doing his job as Mayor for the City of Oakridge. He continued to share some of the good events that he attended and the knowledge that he learned at the conference.

Councilor Clark said the next Council Administrative Committee meeting would be Monday, August 27th at 10:30 a.m.

Mayor Hampton noted that this meeting is open to the public; however, it is up to the committee to allow members of the community to provide input.

10.0 MAYOR AND COUNCIL COMMENTS

Councilor Schorer commented that it seems a shame that we have built such a beautiful structure with the amphitheater in hopes of bringing people to our community, as well as providing a great revenue source for the community and entertainment for the citizens. She is surprised to hear about complaints pertaining to noise, as she herself welcomes the activities, even if it is not her type of music, especially with the constant noise and traffic on the weekends from Highway 58 anyway. It saddens her to see that some people are shooting down the concept of community events being presented before they have even been around long enough to be enjoyed by those who do attend. She is sure, though, that a compromise will be reached as long as everyone works together and is patient in the Council's efforts to respond.

11.0 EXECUTIVE SESSION: ORS 192.660 (2) (i) City Administrator Performance Evaluation

The Council convened into executive session under ORS 192.660 (2) (i) City Administrator Performance Evaluation at 8:30 p.m.

Executive session ended and Council reconvened in open session at 9:10 p.m.

ADJOURN

Mayor Don Hampton adjourned the meeting at 9:10 p.m.

Respectfully submitted before the City Council September 6, 2007.

Signed: _____
Donald E. Hampton, Mayor Date

Attest: _____
Linda Martin, Interim City Recorder Date