

**September 20, 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**

Laverne Beasley, PO Box 1408, regarding alcohol in the park: Refer to attached handout that she read out loud.

Larry Phipps, 47744 Portal Dr, concerned about the sale of the Public Works building on Hwy 58: He wants to make sure that at the end of the deal the City will have the money for the Public Works project.

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

Gordon presented an item not on the agenda for the Girl Scouts. They would like to continue use the Community Building at Greenwaters Park just like last year and would like to fee to be waived. See Agenda Item 7.6.

## **4.0 CONSENT AGENDA**

4.1 Minutes of Regular Session of September 6, 2007.

Motion by C. Schorer 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), Mayor Hampton (Aye). Motion carries 7-0.

## **5.0 Public Hearing: Statement of Economic Opportunity Analysis**

5.1 The Staff Report was presented by Kevin Urban, Community Services Director. Planning Commissioner Pat Harmon stated that it was a general overview of the community as they saw it. This is a doable analysis right now.

### 5.1.2 Statements in favor

None.

### 5.1.3 Statements in opposition

None.

### 5.1.4 Statements in General

None.

Close Public Hearing at 7:10

### 5.1.5 Council Discussion

It was brought up that we would like to hope that there would be more than 291 new jobs by the year 2027 for the city. Mayor Hampton said this was just a judgment based on what they see right now and past history. Kevin Urban said one of the good things that it does is that it sets a baseline. In a couple of years when things change like we hope, they can go back and review the report. We can see the effects and changes.

## **6.0 Public Hearing: Sale of Public Property**

6.1 The Staff report was given by Gordon. The basic offer is \$300,000.00 with 10% down and a balloon payment in three years. The interest rate would be at 7% and the payment would be waived as long as the City continues to occupy the building.

### 6.1.2 Statements in favor

Jennifer Hood, PO Box 211 Westfir. She thinks this is a good idea to use the building for something other than Public Works. She would like something more solid to come in for the community. She is concerned about the money. Can it be used for other projects like the new library?

### 6.1.3 Statements in Opposition

Larry Phipps said it would be hard to make a statement of opposition when we don't really know how the deal is structured.

#### 6.1.4 Statements in General

Joy Kingsbury, Fairy Glenn Dr. Oakridge, was concerned with the assignability clause on page 18, item 23.

Ernie Baszler, 47861 W Commercial would like to know how many offers we have had on this.

Pat Harmon, PO Box 1037 Oakridge, if property is assessed at 371,200.00 and we sell for 300,000.00 that is 20% less than County assessed value; it is not good business sense.

Marion Beard, 76314 Beech St Oakridge, Why are we selling this property?

Public Hearing closed at 7:20

#### 6.5 Council Discussion

Gordon stated the council does not want non-tax producing property on the highway. We would like to attract a developer that would come in and produce property taxes and retail sales. The money that we get from the sale of this building will be used to build the new Public Works building. We had only one offer last month.

Councilor Dreiling asked how much we paid for the building. We paid \$199,000.00.

Councilor Rehwalt is concerned about selling the property for 20% less than the County determined real market value. Other properties in that vicinity have sold for more than the value and this is a concern as to why we are eager to sell for less. It seems foolish to rent a building that we already own. The new shop building will not be ready for a couple of years. There is concern about having hazardous materials on the property that we will have to remove. The buyer will let the city know what they want removed from the property. Before proceeding with an offer or counter offer, we need to determine what our cost would be of vacating the property in a manner acceptable to the buyer. We will need to know the net amount of money the city will receive from the sale and we need to know the cost to build a new shop building. He was ready to make a motion whenever Mayor Hampton is ready.

Mayor Hampton suggests that if the Council is not ready to take action on this just yet, he would feel more comfortable if they go into an Executive Session and discuss the details of what we would like to have and not have to do it publicly. No motion was made. They will go into Executive Session for further discussion on this issue.

## **7.0 ADMINISTRATIVE SERVICES**

### **7.1 DEQ Loan Repayment Discussion**

Gordon said the DEQ sent him an e-mail indicating that they will be willing to adjust the amount that we have to repay to the \$100,000.00 loan and the almost \$100,000 in personal services, if we promise to pay it back at \$20,000.00 a year for the next ten years. Mayor Hampton indicated that this would save the city \$145,000.00.

Mayor Hampton asked for a motion to be made to have the City Attorney be directed to clarify the loan documents and the options available to the city and upon completion of that clarification a DEQ representative be invited to a meeting with the council for discussion of possible action.

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

### **7.2 Sale of Public Works Building**

Referred to Executive Session.

### **7.3 Ord. 889 Amending Ord. 864 Air Quality Standards**

Gordon stated the Federal Government has raised the standards on the air quality in the City and we need to adjust our ordinance to match the Federal Standards.

R. Clark motioned to approve the first reading of Ordinance 889 establishing new air quality limits. Read by title only. Seconded by G. Fortune. C. Schorer (Aye), Mayor Hampton (Aye), D. Rehwalt (Aye), R. Dreiling (Aye), G. Fortune (Aye), R. Clark (Aye), A. Kordosky (Aye). Motion Carries 7-0.

Councilor Clark read the ordinance 889 by title only. Mayor Hampton said that we had been given some suggestions to get into compliance and we did what they had suggested and that we had met the standards. Now the Federal Government has changed the law again. Now we are in a three-year phase to try to meet the new standards. It will be tough for us to do this and if we don't meet these standards, then LRAPA will be back here to offer advice on what we can do to meet these standards.

### **7.4 LRAPA notice of civil penalty**

Mayor Hampton read from the letter from LRAPA giving us our three options on how to respond to the violation. Dan Rehwalt wanted to ask for a reduction in the civil penalty and agree to conduct a supplemental environmental project, which he stated would be in our benefit, which is what option three was.

Motion by D. Rehwalt seconded by C. Schorer. I move that the City Administrator be directed to seek a reduction in the Civil Penalty from LRAPA and agree to conduct a Supplemental Environmental Project approved by the Council. G. Fortune (Aye), R. Clark (Aye), C. Schorer (Aye), R. Dreiling (Aye), A. Kordosky (Aye), D. Rahwalt (Aye), Mayor Hampton (Aye). Motion Carries 7-0.

#### 7.5 OSU Research Proposal

About a month ago Gordon was interviewed by two OSU students. They were traveling around the state to rural communities to take a pulse of those communities. We have been chosen as one of four communities for further study.

Motion by D. Rehwalt and seconded by R. Clark to accept the invitation to participate in the research project as outlined by Professor Brent Steel. G. Fortune (Aye), R. Clark (Aye), C. Schorer (Aye), D. Rehwalt (Aye), A. Kordosky (Aye), R. Dreiling (Aye), Mayor Hampton (Aye). Motion carries 7-0.

#### 7.6 Girl scouts Use of the Community Building

The Girl Scouts requested the continued use our Community Building once a week for their Troop meetings..

Motion by G. Fortune and seconded by C. Schorer to approve of the Girl Scouts use of the Community Building at the Park. A. Kordosky (Aye), D. Rehwalt (Aye), R. Dreiling (Aye), R. Clark (Aye), C. Schorer (Aye), Mayor Hampton (Aye), G. Fortune (Aye). Motion carries 7-0.

### **8.0 COMMUNITY SERVICES**

#### 8.1 Economic Opportunity Analysis

None.

#### 8.2 Res. 10-2007 Receipt of Park Funds

The winner of the 2007 Where's Waldo 100K Run wanted to donate the prize money to the implementation of the Community Trails Plan.

Motion by R. Clark and seconded by R. Dreiling. I move to accept the donation of \$100.00 dedicated to the implementation of the Community Trails Plan. Mayor Hampton (Aye), A.Kordosky (Aye), R. Dreiling (Aye), G.Fortune (Aye), R. Clark (Aye), C. Schorer (Aye), D. Rehwalt (Aye). Motion carries 7-0.

Mayor Hampton will send out a Thank you note to the donor.

## **9.0 POLICE SERVICES**

None.

## **10.0 EMERGENCY SERVICES**

None.

## **11.0 REPORTS FROM BOARDS AND COMMITTEES**

### **11.1 Cattery Policy Draft**

Councilor Fortune recommended that they all read through the final draft of the Policy and Rules for the Cattery. The Council can discuss this policy at the next meeting.

Chief Gomez referred to a Register Guard story on this subject. He indicated that we will be complying with the recommendations in the article when we adopt this policy..

### **11.2 Senate Bill 111.**

Chief Gomez went over the handout on the use of deadly force. Statutorily in Senate Bill 111 now in each county there has to be a formation of a Planning Authority, which is co-chaired by the District Attorney and the County Sheriff. There are members from within the county to include, a Police Chief in the County, a Union Member, and a citizen. They may have other members also, but they must have those four. Part of this policy is to enact the statutory requirements that are coming into law. For example, if an Officer is involved in a shooting, he will be given time off for three to four days. In some jurisdictions this was not happening. The Officer was back to work the next day. Chief would like everyone to read this because eventually the Planning Authority is going to come in front of this council for approval of this plan. Each governing body within the County must give its stamp of approval on whatever plan they put together. Gordon stated that this is not substantially different from what we already do.

### **11.3 Walk ins at the Fire Department**

Councilor Fortune reported that Chief Tim Demers from the Fire Department had stated that since the closing of the Oakridge Medical Clinic the numbers of walk-ins at the Fire Hall has increased four fold. This is putting a hurt on the Ambulance Service Department because of the walk-ins that have to be transported. We do not get any money for this. This is something that we really need to be concerned about. Somewhere along the line the Medicare system is not right. If you look at what is being paid across the country versus what we get here on the West Coast for the same type of service it is way out of line. Tim will get a list of what the charges are. We don't know if there is anything that we can do about this, but we can certainly go to our Legislature and let them know that there is an inequity and it needs to be corrected.

#### 11.4 Community Services Committee

Councilor Schorer went over the minutes from the last meeting on September 10, 2007. They discussed alcohol-related arrests resulting from alcohol being served at Greenwaters Park. There have been no arrests. This is the second year that alcohol has been served out there for community events. There have not been any driving arrests, no drunk-in-public arrests or disorderly conduct arrests. The committee increased the permit use application time from a 30 day notice to 45 day notice.

They discussed closing the park and putting out a sign on event days that says "Park Closed Except for Event Attendees," which means that citizens are welcome to attend the event regardless if you wish to consume alcohol, such as the Theater in the Park when they have the wine tasting. They also changed to the permit to say "Hours of Alcohol Beverage Service" from "Hours of Beer Garden Operation".

Mayor Hampton asked if the Council was in favor of this. Would this be a policy that they would vote on or is this an ordinance change? Gordon said they are working on the Administration Committee's noise ordinance changes. Along with that is a new permit that would include that kind of information.

Councilor Rehwalt suggested that we have a public hearing on this subject. This is very important to a lot of people in town. He stated that Councilor Schorer has made some good points as to what she thinks we should be doing. He is not arguing with her case. He just thinks that before this is set in stone, we should ask the public to participate in a hearing process.

Mayor Hampton asked the council if there was a consensus for that point of view or not?

Councilor Fortune stated that he thought an open discussion would be a good idea because with the Amphitheater in that location, it has changed his position on regarding alcoholic beverages in the park.

Mayor Hampton asked Kevin how many events we had in the park where alcohol was not served. Kevin said that there were two that he could think of: the Battle of the Bands that was for younger kids and the Relay for Life event.

Mayor Hampton suggested that there should be some sort of balance when planning events, make sure that some events occur without alcohol and some do.

Gordon asked about if we closing the whole park during alcohol-related events; are we also closing it during non-alcohol events?

Mayor Hampton suggested that if there was an admission charge then, yes, close the park. If it is a free event, then it does not make any difference. The Mayor asked the Administration Committee to deal with the alcohol in the park issue.

## 11.5 Library Board Report

Councilor Rehwalt reported to the Council that the Library Board discussed the Summer Reading Program and situation with the library project..

Rayetta Clark announced the next Administration meeting will be Monday at 10:30 at City Hall.

## 11.6 Bureau of Land Management

Mayor Hampton attended the Watershed meeting and reported that the BLM is proposing a revision of Resource Management Plans of the Western Oregon Bureau of Land Management Districts. They will be changing the way they manage the forest. Mayor Hampton brought up that in the Lost Creek area, we have BLM land that abuts Forest Service Land. When that would occur, if one of these alternative proposals is approved, you would have the Forest Service managing their side of the property one way and the BLM managing the adjacent property in a different way. It would be in the same Watershed. There have been a series of hearings and there could be some kind of legal challenge to some of this so it will probably drag on for a while.

Monday Mayor Hampton will be going to a meeting with of the Regional Investment Board. Legislature cut off 80% of the funds that the Regional Investment Board has to distribute and they want them to come up a new strategy for the way they want them to operate.

## **12.0 MAYOR AND COUNCIL COMMENTS**

### 12.1 Cycle Oregon

Randy Dreiling wanted to thank the Community for its patience during Cycle Oregon. They didn't get out of here when they were supposed to. But a lot of businesses made money. There was \$15,000.00 given to community groups.

Mayor Hampton asked Randy if he could produce some type of document describing the economic impact on the community, examining the groups that will receive the money and an estimate of the impact on the businesses. If it is published in some way, more than the thirty people that are here will have some idea of what went on here.

Councilor Fortune helped serve breakfast the next morning and was amazed at the organization of Cycle Oregon.

Thank you to Diamond Traffic Products for setting out the counters on Beech St. free of charge.



Mayor Hampton spent 14 hours the first day in the information booth and there were a lot of people visiting that booth. He thought that they were very generous. They commented that t-shirts were very nice. They said there were some places where the shirts looked like they were designed by kids, but they bought them anyway to support the communities. Mayor Hampton gave out over 400 visitor maps and took the time to tell them what the next leg of their trip would be like and what to look for next time they came through. There were some snafus though. For instance, the shower trucks initially hooked up to our storm drains instead of the sewer drains. The problem did get corrected promptly. A lot of people wanted to know where our laundromat was and we did not have one for them, but the next time they come through we will have one. There were many positive comments about how beautiful this place is. The people driving the supply truck for the first refreshment station were late and he asked how they were going to set up and their answer was "We don't know. We have not been here before." So it took a little while to set up and then it was our job to help unload the truck and get the refreshments ready because there were over two thousand people stopping there for refreshments. We found out that the main refreshment was bread--bread with humus, peanut butter, or cream cheese. Then we found out that the bread was not sliced, so we had to slice 120 loaves of bread and keep up with all of people arriving. They were very courteous and understanding and having a great time.

Mayor Hampton wanted to know what the Council wants to do about Holiday Lights. Last year we had a committee of citizens, and he would like someone from the Council representing the City. Mayor Hampton would like a volunteer for this. Councilor Clark volunteered if Councilor Kordosky would help. She also agreed.

Councilor Clark commented on how wonderful the Cycle Oregon people were. She never heard any negative comments out of anyone. We don't always get that even from our own people. She agrees that the Council should not be up there making moral issues up there. It is a great idea to have public hearings on some of these issues. She would like to have the public come in and give their view points; the problem is that we usually only get the nay sayers. So if we have a public hearing, we need to go out there and get the pro's and con's-talk people into coming to the meetings. We want to get both sides, not just all the no votes. We need to come up with ideas on how to get the community more involved.

#### **FIVE MINUTE RECESS 8:40**

#### **13.0 EXECUTIVE SESSION: ORS 192.660 PROPERTY NEGOTIATIONS**

The council convened into executive session under ORS 192.660 (2) (e) Property Negotiations at 8:40 p.m.

Executive session ended and Council reconvened in open session at 9:30 p.m.

Mayor Hampton asked the Council what direction do we want to give Kevin about the City Shops Engineering and Bid process. The consensus was to go forward with this.

Mayor Hampton wanted to announce that on Saturday, the City is hosting the Lane Council of Governments Board of Directors at Greenwaters Park. There will be an hour of social time beginning at 9:00 a.m. The Mayor would like City Officials there to greet people. At noon the local Kiwanis will serve a BBQ lunch.

Councilor Clark may not be at the next meeting on October 4, 2007.

**ADJOURN**

Mayor Hampton adjourned the meeting at 7:50 p.m.

Respectfully submitted before the City Council October 4, 2007.

Signed: \_\_\_\_\_  
Donald E. Hampton, Mayor                      Date

Signed: \_\_\_\_\_  
Linda Martin, Interim City Recorder      Date