

December 6, 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  
City Recorder Pamela S Hart  
Linda Martin  
Police Chief Louis Gomez  
Fire Chief Tim Demers  
Deputy Fire Chief Jerry Shorey

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

### 2.0 PUBLIC COMMENT

Dustin Cox, 48217 E 1<sup>st</sup> Street discussed several subjects. He wanted to discuss proposing WiFi. He can set this up but he needs a phone line. People pay for their on line service. They should be able to go elsewhere and have service at no charge. He says we should use the additional surplus on business water bills to pay for the phone line for WiFi. To maintain these lines we could use the high school computer club. Regarding transportation, he would like the buses to run on the weekends. He would like trains to stop here to pick up people, not just drop off the drunken people. He wants to put in a train depot with composting toilets and solar powered lighting. He is willing to install this. He is curious about Mayor Hampton. He says he never hears anything about him. He does not hear any public speaking, no town hall meetings. He gets the newsletters from Gordon but that is about it. Oakridge should be on the radio. He is not happy with the goals set. There are too many not getting finished. We should build a proper bus stop for the buses. We need to show the community that we are doing something to help. We need better signage to get to First Street. We need garbage cans along the street. He would like to see the police officers patrolling on foot without guns once in a while. He does not want to feel intimidated or have the fear of getting hit with a taser.

Bob Garr, 47889 Elgin Street, says he should be able to live on his own property in his 24-foot trailer. He is disabled and does not have the money to build a home. If he can't live in his trailer, he wants to use it for storage and live in his GI double-walled tent. He wants to call KEZI and have them come up and tell them that he owns the property and we won't let him live on his property. He says he will take the news crew around Oakridge and show them all the code violations for Oakridge. Mayor Hampton said they can't give him an answer tonight because it has to do with zoning and what is permitted.

Larry Phipps, 76587 Westoak Road, spoke regarding the proposed School District Construction Excise Tax. He went to the school board and expressed that this is an inappropriate time to institute the excise tax. He wanted the Council to know that he took that position.

Joy Decker, 48431 E 2<sup>nd</sup> Street, explained that on November 17<sup>th</sup> she rented the Greenwaters Park building. She called the night before to make sure there would be heat in the building. No one called her back until 8:00 am the next morning. He told her there would be heat in the building. She asked him what time the building would be open because she needed it at 1:00 pm. She was told it would be open at noon. She was down there at 12:45 and the building was locked and they could not find anyone at the house. She called the Police Department and it took 35 minutes for someone to unlock the building for them. Her concern is that what happens if someone from out of town rents the building and they don't know who to call. When they left at 3:30 pm, they still had not heard from the caretaker.

Mayor Hampton said they would discuss this at the next meeting on some solutions for this not happening again. We will discuss the reservations system.

Linda Martin explained our reservation system at the City Hall. They will be refunded all of their money that they paid.

Gary Carl, 76570 Walker Street, is troubled by the noise of the trains. He knows that the city is working on this and he would like to know if there is anything that he, as a private citizen, can do to help.

Councilor Dan Rehwalt stated that he was in touch with someone from the ODOT Rail Division that is working on this. They have taken a traffic count at Beech Street and they need to take one at Salmon Creek. Diamond Traffic will do this. The process after they get the counts can take up to six months. He asked for patience from the citizens of Oakridge.

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

3.1 None.

### **4.0 CONSENT AGENDA**

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

## **5.0 ADMINISTRATIVE SERVICES**

### **5.1 Removal of Agent of Record.**

Gordon Zimmerman stated that in 2001, the City established a relationship with Karolyn Carter to sell some surplus properties. Those properties have been sold. They are asking now that she is no longer able to be in the business that we end the relationship with Karolyn Carter as agent of record for the sale of the surplus property.

Councilor Clark moved to approve ending the relationship with Diamond Peak Realty as the City's agent of record for the sale of surplus property. Councilor Dreiling seconded the motion.

Mayor Hampton asked who would we use if we have the need for this kind of service in the future,

City Administrator Gordon Zimmerman stated that we would use our City Attorney.

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

### **5.2 School District Construction Excise Tax (CET)**

Gordon stated that the School District is considering adopting a resolution at the next board meeting that establishes an excise tax of \$1.00 per square foot for new construction and \$0.50 cents per square foot for commercial or industrial construction not to exceed \$25,000.00. Before this can be passed by the School District, it must have an IGA with the entity that handles the building permits in order to collect the funds. The City has been approached to do this for a 1% administrative fee. Gordon is asking the council to allow him when he attends the School Board Meeting on Monday, December 17, to enter into the IGA that will allow the city to collect the funds and pass it forward. The IGA would require payments to the School District to be made quarterly. What we do is collect the money at the issuance of the building permit, put the money in the Local Government Investment Pool (LGPI), collect the interest on it, and at the end of the quarter, the City would send the School District a check for the CET collected less the 1%.

Councilor Clark asked if this was something that they had to make a decision on tonight or can they read over the material first.

Gordon stated that this is simply administrative work. The City doesn't have an opportunity to tell the school district not to do this. This is the School Board's decision.

that was discussed at the last school board meeting.

Councilor Schorer asked what the urgency was for this to be in place right away.

Gordon stated that they wanted to get this in place before all of the building permits come in for the houses up on the hill.

Councilor Rehwalt is concerned with the urgency of this and that this should have been presented earlier. They should have the chance to review this.

Mayor Hampton said that we don't even know what action the School Board is going to take. He does not want to approve an intergovernmental agreement that he has never seen. That is what he is hearing from council. If they have to meet on December 31<sup>st</sup>, they could do that, rather than approve something that the Council has never seen.

Gordon asked if they would be willing to meet before the School Board meets on the 17<sup>th</sup>. Councilor Schorer is concerned with the urgency on this. Why is this just now popping up?

Councilor Dreiling asked about if other towns are doing this.

Gordon stated that it is being done right now all over the state.. The Senate Bill 1036 enables the school district to enact this effective January 1, 2008. Most school districts are racing to get this done.

Councilor Dreiling wanted to be clear that they are not voting on whether or not to pass the tax. That is for the School District. We are just agreeing to handle the money.

Gordon asked again if they would consider meeting again before the January 3<sup>rd</sup> meeting to discuss this.

The council agreed to have a special meeting before the school board meeting if it is called by the Mayor.

Councilor Schorer asked that if we decided not to pass this, what would happen.

Gordon stated that they would find another way to do this. They could levy the taxes without our approval. If we don't act tonight, then the school will have to delay the action.

Councilor Kordosky moved to authorize the City Administrator to sign the intergovernmental agreement with the Oakridge School District to collect the construction excise tax levied by the School District. Motion failed for lack of a second.

Councilor Rehwalt moved to authorize the City Administrator to sign the intergovernmental agreement with the Oakridge School District to collect the

construction excise tax levied by the School District with the provision that the council gets a chance to look at all of this before it is set in stone. Seconded by Councilor Kordosky.

Gordon read from Senate Bill 1036 Section 5 explaining that the School District must have an IGA in place before a resolution authorizing the CET can be passed.

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

### 5.3 WAC Fee Waiver for Lane County Health

Lane County Health & Human services contacted Gordon about them teaching energy-saving workshops at the WAC and would like the fees waived for the rent.

Councilor Rehwalt moved to approve the request of Lane County Health and Human services to waive the fee for the energy workshops. Seconded by Councilor Dreiling.

Mayor Hampton reported that income-qualifying attendees would receive a \$25.00 credit on their utility bills and a kit of energy conservation supplies.

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

## 6.0 COMMUNITY SERVICES

### 6.1 Adoption of the TMDL Plan

Kevin is ill today so they will wait on this.

### 6.2 BMX Track Location Discussion- Randy Dreiling

Randy stated that we have been discussing this for at least five years now and the Trails Committee has been offered a couple of locations. He just wants to know if the Council is comfortable with this so volunteers can start building the track. The locations are next to Salmon Creek Estates below the water tank in the industrial park and the other location is on the Dunning Road property. The Trails Committee would prefer using the land by Salmon Creek. There are plenty of volunteers to help get this going.

Councilor Rehwalt asked what the impact would be on the city staff time and money wise.

Councilor Dreiling said that everything is being donated and will be staffed by volunteers. No money will be needed from the City. It will be on City property and the same rules will apply as they do at City parks.

Mayor Hampton is concerned on what will happen if we start digging into more dirt with the asbestos situation that happened previously. He would like some verification from our insurance company that there is no more added risk for liability. He wants to see a plan, the statement from the insurance company, and then have the council approve the plan.

## **7.0 POLICE SERVICES**

Senate Bill 111 Discussion: Chief Gomez gave the Council the actual bill a couple of meetings ago and what they have no is the draft plan that the county planning committee put together. This is the county plan that they are proposing so that they comply with the directions of Senate Bill 111. It has to do with the use of Deadly Physical Force. The Legislature is mandating that each county have its own plan and that the plan be consistent for all the procedures that will be used if there is an officer involved shooting. By March 31, 2008, the Sheriff and the District Attorney have to have this plan approved by at least two thirds of the governing bodies in the county. If the council has some questions, get them to him. He will answer them when the plan is presented to the Public Safety Committee.

## **8.0 EMERGENCY SERVICES**

Hazeldell IGA

Gordon presented the proposed IGA from the Hazeldell Rural Fire District Board with the changes suggested.

Councilor Clark moved to approve the Hazeldell-Oakridge intergovernmental agreement. Seconded by Councilor Dreiling.

Gordon stated that there is one change on page 4 of 6 suggested by the City Attorney who has reviewed the document. The citation in paragraph 7b should be ORS Chapter 36.600 – 36.740.

Councilor Rehwalt asked Fire Chief Tim Demers, who also serves as the Hazeldell RFD Fire Chief, if this was to his liking and if this is something that will work.

Chief Demers stated that yes it is and this is what the Hazeldell board came up with.

Councilor Fortune asked that if Hazeldell decided to hire some employees would they be City employees.

Gordon stated that yes that is correct. They will not be the union members. The Hazeldell Fire Fighters are reserves from the City of Oakridge and we will pay them, which is what they have been doing for many years. The only employee that the Hazeldell board can hire is the Fire Chief and they did that in conjunction with the city.

All of the other Hazeldell “employees” are volunteer reserves for the city. If they start adding costs to the City, they will have to get Gordon and the Council’s approval.

Mayor Hampton stated that there is a procedure on page 16 in the packet for rescinding the agreement if for some reason they decide it is not working.

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

## **REPORTS FROM BOARDS AND COMMITTEES**

8.1 Councilor Dreiling stated that the Trails Committee had a good meeting. They will be making the changes that the Planning Commission wanted to make. There is some discussion on who would house the committee and they are still discussing this.

8.2 Councilor Kordosky reported on the Tree Planting Committee. This year’s Tree Planting Princesses are Allie Roberts, Mandy Shields, Sierra Schorer-Noll and Alicia Aguilar.

The committee might change the Salmon Run to the week before the Tree Planting weekend because scheduling of the Eugene Marathon. This way we would attract more runners.

Mayor Hampton asked if the Timber Carnival would affect our insurance coverage. He asked about the locations of the events. They are looking at the high school football field for the Timber Carnival. They are looking at moving the street fair to the Oakridge Elementary School gym. They would like to have the vendors along the parade route. There will not be a carnival this year due to fuel costs and conflicting schedules.

The committee has not decided on a theme yet this year. It will be choosing that at the next meeting on January 7, 2008.

8.3 Councilor Clark reported on the Administrative meeting. They discussed the railroad quiet zone.

Councilor Rehwalt stated that they also discussed putting the councilor seats at the same level as the people attending the meetings.

8.4 Mayor Hampton stated that he has attended a couple more Regional Investment Board meetings. Our City along with all of the rest of the cities in the four counties submitted their proposals to the Regional Investment Board. The RIB was supposed to forward what it felt were the ten most vital projects. They ended up with thirteen proposals instead of ten. The RIB discussed having a “Plan B” in case OECD says we can only have ten. If that happens, they will have to have another meeting to trim down the list.

There was further discussion about the other projects that the Regional Investment Board has financially supported since this began. We need to let our Legislators know the importance to our communities of this economic development money. That way in February when the Legislature is considering whether or not to fund this program or not, representatives will have more information on the importance of this program. Our city has profited from two of those projects (possibly three).

8.5 Mayor Hampton reported that he went to a meeting that was arranged by Senator Wyden's office. It had HUD people, a State housing person and the Forest Service there. He was most interested in the Forest Service presentation to find out what its plan is for the disposal of its surplus property. USFS officials think that the property on Highway 58 in Oakridge will be ready for sale in March of 2008. The USFS plans to divide the property into two pieces, a warehouse piece and a residential piece. Mayor Hampton suggested that they could make more money if they divide the residences into separate pieces to be sold individually. The USFS is not interested in that idea. It is gifting the houses in Lowell to the City of Lowell. It is unclear why they are not gifting us the Rigdon Property. Officials did say that the houses in Lowell are in much poorer shape than the houses up here. These properties have sat empty for ten years and have been deteriorating for that time.

8.6 Mayor Hampton reported on the Watershed Council. It is moving toward becoming a 501(c)3 organization, which means that very soon the City will not be its fiscal agent. MFWWC will hire an Operations Manager that will be the bookkeeper for the organization. The budget of that Watershed Council has grown in the last ten years from \$100,000 to \$1.1 million. This is a much more active Watershed Council and it has the money to do more. It is working on an education project, which will involve 6<sup>th</sup> graders from Oakridge Elementary School.

## **MAYOR AND COUNCIL COMMENTS**

Councilor Fortune wanted to tell Dean Phillips that it was good to see him out and about. Dean said, "Thank you."

Gordon introduced Pam Hart, the City's new Finance Director.

Councilor Dreiling wanted to address Mr. Cox's comments. He wanted to add to some of the things that he said. Regarding the WiFi, we do have a company looking at this right now. The reason Amtrak does not stop here is because they don't sell enough tickets. That is what he has been told personally. As far as the plastic seats for the bus, that is a Lane Transit issue and he would like to see them fix that. As for the highway signage, that is an ODOT issue. We would all like to have more signage here.

Councilor Schorer said that the holiday lights look good with all of the decorations.

Councilor Dreiling wanted to address the issue on the houses in Lowell. He thought they were donated for low-income housing.



