

January 17, 2008  
City Council Regular Session  
City Council Room  
48318 E. First Street, Oakridge OR 97463  
7:00 p.m.



## MINUTES



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### Council Present

Mayor Hampton  
Councilor Rehwalt  
Councilor Fortune  
Councilor Dreiling  
Councilor Schorer  
Councilor Kordosky  
Councilor Clark

### Staff Present

Gordon Zimmerman  
Kevin Urban  
Louis Gomez  
Pam Hart

### **1.0 CALL MEETING TO ORDER**

Mayor Hampton called the meeting to order at 7:00

### **2.0 PUBLIC COMMENT**

Dustin Cox is concerned about traffic on 1<sup>st</sup> Street. He says there is too much speeding and dump trucks on this street. The dump trucks should be able to take a different route. He also had a comment about public transportation, specifically trains. Leavenworth, Washington, is getting money to build an Amtrak train stop. He praised Randy Dreiling for getting the process started. He praised the trail system. He wants wireless internet. He is not pleased that the money is in the budget but nothing is being done. He is not happy that no one has updated the city website. The only local school that is updating its web site is the elementary school.

Hedrena DeJonge is concerned about the noise at Greenwaters Park. She is not against the concerts. She is against the noise level. The Register-Guard had an article regarding noise decibels and the damage it does to children, not just the adults. She stated it disrupts her quality of life. She is also concerned about the Atherton project. She would like to know how many of the city councilors have asked for financial statements pertaining to all of the people connected to Atherton to find out if they are legitimate and if they have the money behind them to do what they are talking about..

Ronel Paddock, Cherry Street, Oakridge. Elected officials are the most important part of the community. We elected you and we expect you to be responsible to understand the

programs and procedures that are being developed. He is concerned about the Atherton sale. It is not right that the 200 page document is not available to the community. He is not against Atherton because he knows we need the economic development. He is concerned about Atherton's track record. Has it been held accountable in other communities, did it produce the jobs it claims it is going to produce? Does the council have any documentation telling them that? It is the responsibility of the Council to make sure they are asking the right questions for the citizens of Oakridge because they don't have the information to be able to ask the right questions. He is concerned about the 800,000 sq ft building and how it is going to be built. Does the Council know all of this or are they going to ask about this? If they do as they say and they have 545 employees will they need more property for parking? He is concerned about why Atherton drew up the papers for the sale and not the City. Usually the seller is the one to draw them up. He thinks that Atherton should have come here and contacted the Chamber or the Kiwanis Club and talk to them about what they would like to do. This has been secret from day one and he does not understand how the Council could allow this to go on without asking the needed questions and getting some well deserved answers. When I read the newspaper, it bothers me how little is known about the company coming in to the community.

Dean Phillips is concerned that it looks like we have a 2008 audience and a 1708 building. He is upset that some people have to stand at the meetings and that nothing has been done to remodel the Council chambers. He is upset that we spent money to close off the front of City Hall to keep citizens from doing what they need to do and not on the Council chambers. Concerning executive sessions, the Council should move this to the beginning of the meeting rather than at the end. That way citizens know how each of the councilors voted.

Marvin True is glad to see that there is strong interest in the sale of the property of Atherton and how the sale is being handled. The grounds are cleaned at the surface but what bothers me is below the surface. He said he has talked to over 100 people in the last 30 days about what has been dumped out there. The barrels are not buried with sealants. Corrosion comes out to the surface. Future cleanup could be a problem. Ailments can show up years down the road because of contaminants. He says he asked an individual to take him out and show him the property and was escorted off the property. He says he called a federal agency about what he had seen out there and what he did. We need a no trespassing sign for hazard cleanup areas. He wants the clean up to be ongoing. It is important to get new business in the community.

Vincent Larochell, 76563 Walker Street. He is concerned about how much is not known about this project. He is concerned about the mob being involved with this project and them coming to Oakridge.

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

No changes were made to the agenda.

#### **4.0 MAYOR'S STATE OF THE CITY ADDRESS**

See attached speech

#### **5.0 CONSENT AGENDA**

##### 5.1 Minutes of Regular Session of January 3, 2008

Councilor Kordosky asked to strike the time of arrival after her name.

Councilor Schorer moved to accept the minutes as amended.. Seconded by Councilor Clark. 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.

#### **6.0 ADMINISTRATIVE SERVICES**

##### 6.1 DEQ OIP Update

The City recently received a letter from Ali Nikukar from DEQ out of Salem. He had three complaints about the Industrial Park.

1. Tires on the property
2. 10-12 55 gallon drums dumped on the property
3. Half a dozen used car batteries dumped at bottom of the hill

We are working diligently to remove the tires; there are approximately 2,000 of them some of them showed up over News Year's weekend which the city did not put there. We are working with Les Schwab to remove the tires. There are about 523 left to remove. 500 of them will be removed this week and the other 23 are the large excavator tires, and they will cost more to dispose of.

On the 55 gallon drums, 7 were empty, one was full of paint and the remaining had various levels of oil. We are working with Lane County Agricultural Toxic Waste Clean Up that will take place this summer. They will remove the items from the secured area to a Lane County collection point. Lane County will dispose of the barrels.

Regarding the used car batteries, the public works crews searched but could not find them. When Mr. Nikukar returns from his leave of absence, we will have him show us where the batteries are.

Mayor Hampton asked Gordon to explain the letter we received from the USDA. In the grant paperwork from the USDA for the purchase of the industrial park, it talks about a prorated return. We didn't know if the basis for the pro rated return was based on \$800,000 or \$2,050,000. The original grants were \$2,050,000 but \$1,000,000 of that went to build the Flexible Manufacturing Building and only \$800,000 went to purchase the actual 260 acres. So there is some question on how much of the pro rated grant is to be paid back. Gordon asked the USDA last April if we could we keep the money

from the sale of the property. As of yesterday, the USDA is approving the sale and allowing us to keep the money if we use it to improve the property. This is the fourth time they have allowed us to keep the money that we have received on sales from the Bald Knob purchase.

## 7.0 COMMUNITY SERVICES

### 7.1 Concerts in the Park 2008

The concerts in the park planned for this summer are:

June 28: There will be a food drive, a car cruise and a concert featuring the "Cheeseburgers" that will benefit the Food Box.

July 12: Johnny Limbo and the Lugnuts will be here for a benefit concert for the Relay for Life.

July 26: Nashville West and Shannon Reigns will be here for a fundraiser for the parks budget.

August 9: Mardi Gras with Kelly Thibodeaux and his band will play for Habitat for Humanity.

Mayor Hampton wanted to point out that three of the four concerts are from 3 p.m. until 7 p.m. They all end by 8:00 p.m. Only two of the four concerts will serve alcohol.

Councilor Fortune had a concern regarding serving alcohol until 9 p.m. when the concerts end at 8 p.m.

Gordon said it would not be a problem to stop serving alcohol at 8 p.m.

Mayor Hampton stated that it would be more logical to serve it before that after when everyone is leaving.

Councilor Rehwalt has concerns about the new rental agreement forms for the park. He is concerned because not all areas are being filled out. This is the reason they re-did the form and they are still not getting the information that is required.

Gordon stated that they are not asking for a noise variance and that is why it was corrected. The standard for the noise is stated on the back of the form.

Vivian Erickson is asking for the okay so that we can get the deposits and commitments. This is still in the preliminary stage.

Councilor Rehwalt is concerned about the security measures not being filled out on one of the forms.

Gordon stated that is addressed on the back of the form that the security must be trained individuals and easily identifiable personnel. We don't want to train them now if they are not sure that concert will be approved for the listed date.

Councilor Rehwalt suggested that we need to revise the forms again.

Gordon stated that this is a preliminary approval and then final approval when all the documentation is collected.

Mayor Hampton asked about proof of insurance and all of that.

Gordon said that will be handled at the final approval stage.

Councilor Fortune moved to approve the dates of the listed concerts and final approval to be made once the completed permits have been finalized in the time frame that we have established for that. Seconded by Councilor Clark. 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.

## **8.0 POLICE SERVICES**

### **8.1 Res. 2-2008 Adoption of Deadly Physical Force Plan**

Chief Gomez explained that this is the request and final adoption of the Deadly Physical Force Plan. This is a standardized way on how officers involved in shootings will be dealt with from the criminal investigation portion and the administrative investigation to include if we need to send them to a mental health facility.

This is the final copy that the county committee came up with. Lane County requires a resolution from at least 2/3 of the city governments.

Mayor Hampton finds this refreshing that there is a possibility that 2/3 or perhaps all of the agencies will approve the same plan.

Councilor Clark moved to approve Resolution 2-2008 adopting the Lane County Deadly Physical Force Plan. Councilor Dreiling seconded the motion. 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.

## **9.0 EMERGENCY SERVICES**

Nothing to report

## **10.0 REPORTS FROM BOARDS AND COMMITTEES**

Committee assignments for 2008 are identical as 2007.

LOGC reservations will be submitted tomorrow. The deadline to sign up for this appreciation dinner is today.

Mayor Hampton reported on the summary for the LCOG Board. Today they drafted a letter that will go to legislators asking for two things; support for Senior Services and support for the refunding of the Regional Investment Board. He is confident that this letter will be approved and sent on to the legislators.

Councilor Clark reported on the Housing Rehab Committee. They did meet and there will be a few changes in the contracting terminology. Some of the biggest problems that come up are finding contractors, keeping the contractors, and making sure they finish the job correctly. They will do the budget at the next meeting.

Mayor Hampton reported concerning the Watershed Council: the potluck was well attended. They are changing from a non identified organization to a 501(c)3. People who are on their Steering Committee were elected to director positions for the 501(c)3. Mayor Hampton is amongst those elected to a position.

Councilor Fortune reported about LRAPA, which met last Tuesday. They have a new person on the board--Andrea Ortiz from the Eugene City Council. Part of the discussion was that Oakridge is one of the two areas in Oregon that are declared non compliant. There is going to be continued work to bring Oakridge into compliance to meet the PM 2.5 area standard which is set 35 ppm at this time. He thought it was encouraging this morning as he was headed down the street to look in the usual area of a cloud of smoke on days when it is cold and the area was really clear. The Warm Homes Project has helped considerably in that area.

They are spending a good amount of time on strategic planning. All of the results were compiled at the last meeting. They identified about seven or eight areas that were in a quadrant of low cost to the agency. One of the things that is coming in right now is budget constrictions because of the federal funds that look like they are not coming in to Lane County. This could lead to staffing drops at LRAPA.

Every month they go through the list of people who were cited for open burning, asbestos abatement, etc. Usually there are about three or four of them on there. LRAPA has made a concerted effort to contact building departments within the city organizations to pass out information so when people come in to apply for permits for demolition or remodeling they have this information so they know what they need to do, rather than getting cited and having to do it then. The City of Eugene refused to pass out the information.

Councilor Dreiling reported that the Trails Committee's next meeting will be at 6 o'clock January 31, 2008.

Councilor Kordosky reported that the next Tree Planting meeting will be at 4:30 on the 21<sup>st</sup> at the Fire Hall. No report of past meeting.

Councilor Rehwalt reported on the Library board. He missed the last meeting. Gordon stated they are working with the City Attorney regarding policies and the potential for the library being built.

Councilor Fortune reported that OEDAC did not meet this month. They will meet on the 22<sup>nd</sup> at 6:30.

Mayor Hampton reported that the Upbeat Board met and had a good turnout. They talked about some more potential businesses getting started. Wednesday night we had a new business opening at the Chinese Restaurant that was very well attended. This is just another economic indicator that things are looking up.

Mayor Hampton also reported that Team Oakridge met at the new Chinese Restaurant. They had an expanded attendance.

Mayor Hampton reported that the Regional Fiber Consortium will meet a week from Friday.

Councilor Fortune reported that the Public Safety Committee will meet on the 23<sup>rd</sup>. They will discuss parallel parking along First Street and the use of tasers.

Councilor Schorer reported that the Community Service Committee will be meeting in the next couple weeks regarding lighting issues and some guidelines for policies.

Councilor Clark reported that the Administrative Committee moved its meeting from 4<sup>th</sup> Monday to Tuesday Jan 22<sup>nd</sup>. They will be discussing what it will cost to do a bond for the library and how to create a survey on how to finance the library.

Councilor Fortune would like the Administrative Committee to consider revising grammatical errors on the charter.

## 10.0 **MAYOR AND COUNCIL COMMENTS**

Councilor Dreiling stated that the website updates will be taken care of.

Councilor Dreiling reported on DEQ and the sale of the OIP property. This is not being taken lightly and we are not going in there blind. We are asking the right questions. The DEQ is involved in the process like they are required to be.

Councilor Dreiling stated that there are no trespassing signs where the fences are. The tires and barrels have been around for 10 – 15 years; this is not a new problem.

Councilor Dreiling wanted to read a portion of a statement that he wrote. “It is very great that the City gets to keep the money from the sale of the property. There is a lot of talk going on regarding this sale. We have done this in a legal manner. DEQ is involved and we are asking the right questions. This is something that happens all over the United States all the time. This is not a conspiracy. He thought more people would be excited about Oakridge offering more family-wage jobs and being able to work closer to home. The company is not trying to hide anything from us. They are just not sure which 16 companies are going to come and they don’t want anyone getting their hopes up. He would like for everyone to move past this and be excited about the new opportunities.”

Councilor Schorer wanted to reiterate what councilor Dreiling said. “This is a positive move for the community. Progress is being made and we should embrace it. The secrecy issue is not unusual business practice.”

Councilor Clark stated that several of the councilors have asked questions. The citizens elected them to ask the right questions and we need to trust them and to know that they are doing what is right for the community.

Mayor Hampton stated that members of the UPBEAT Board sign confidentiality statements all the time that they are not going to blab all over the community the information that we are presented and discuss in the meetings. That once again is a protection that we give the people that are considering starting a business. This is a protection for consideration of privacy. Atherton is no different.

Gordon wanted to comment on the DEQ situation about the hazardous waste. Over the past twelve years the Industrial Park has been subjected to a Phase 1 Environmental Assessment and a Phase 2 Environmental Assessment. DEQ has written out all of the work plans that we need to do to complete the cleanup of the hazardous waste that is out there. We are almost finished with that. All of the property that is for sale has received "no further action required letters" from DEQ, which means they are clean. We still have some fish to test, so if you are fishing out of the ponds, you might want to hold off on that until we get the results back to see if there is PCB's in the fish. We have two holding pond areas that we have to clean up, and when that is done, then the whole Industrial Park and the property that was purchased will be environmentally clean according to DEQ. The lots that Atherton has proposed to buy are lots 10, 11 and 12 which are now lots 34 and 35, We have what is called an easement and equitable servitude filing (E&ES) on the three lots. They are not allowed to drill and use any of the water under those three lots. Those are some of the areas that DEQ was concerned about.

### **11.0 Executive Session ORS 192.660 (2) (e) Property Negotiations**

Five minute recess.

After moving from the Executive Session back into the regular session, Councilor Kordosky moved to accept the real estate agreement for the sale of the city shop property to Home Finders Real Estate Group as is for \$300,000.00. Seconded by Councilor Dreiling. G. Fortune (Aye), R. Clark (Aye), C. Schorer (Aye), D. Rehwalt (Aye), A. Kordosky (Aye), R. Dreiling (Aye), Mayor Hampton (Aye). Motion carried 7-0.

### **ADJOURN**

Mayor Hampton adjourned the meeting at 8:54 p.m.

Respectfully submitted before the City Council February 7, 2008.

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

Signed: \_\_\_\_\_  
Pamela S Hart, City Recorder Date