

April 3, 2008
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
Randy Dreiling
Carina Schorer
Amy Kordosky
Glenn Fortune arrived at 8 pm

Staff Present: City Administrator Gordon Zimmerman
Pamela Hart, Finance Director/City Recorder
Police Chief Louis Gomez
Fire Chief Tim Demers
Kevin Urban, Community Service Director

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

Mayor Hampton wanted to address some of the issues that were brought up at the work session on March 21, 2008.

The first issue was from Mr. Barclay regarding public speaking at Council meetings. Mayor Hampton wanted to let people know that there is no law that says we have to allow public comment at any meeting. They do this because they want to hear from the public not because the law requires them to do it.

Former Mayor Paddock brought up some historical stuff and talked about how they operated without a City Administrator in the past. It is more common than not for cities to have City Administrators these days and one reason is the State and Federal requirements are much more complex than they were at the time Mr. Paddock was the mayor. Mr. Paddock talked about his displeasure with the packets having pre worded motions written by the staff. Mayor Hampton responded that this last week they had a Mayors meeting and there were seven Mayors present and to a person they all said that they had pre written motions on all of their packets. Mayor Hampton said with his experience with the county that it was the same way there.

Mr. Paddock also talked about how involved the council was with the budget. Mayor Hampton can tell you that we do have on the agenda here a budget calendar that is coming up and each budget committee is composed of city councilors plus a citizen for each councilor. There are some vacancies for this. If anyone is interested in doing this he would suggest that you sign up.

Both Mr. Paddock and Mr. Phillips brought up the issue of the City Administrator signing the checks. Mayor Hampton said he will tell you that as it stands right now the City Recorder/Finance Director and himself are the ones signing the checks. He can't speak for the time that he was not on the council why it switched but in his previous term as Mayor he was signing the checks. In looking at the charter he believes that he should be signing the checks. This is a non issue now that he is signing the checks.

As far as the Industrial Park property and Atherton Company, the OEDAC still continue to assist the council in researching this and working out the details. The council did approve mutually created guidelines for the sale of city property. There is nothing on the agenda for this tonight because they are still working on this.

2.0 PUBLIC COMMENT

Kack Camerer from Westfir stated that she lives out of the city limits but consider the City of Oakridge my home. I have seen positive things happening in this community and I applaud this change. I applaud Gordon Zimmerman for all his effort given to the changes. She rode the roller coaster ride in the 90's where things were going to change and then they something happened and they didn't. It was a long ten years and she can't help but think if we had Gordon here things would have been different and it would have ended sooner. Take a good look at the community in the past twenty years and ask yourself if you don't want that to happen again. . We had working class families and a couple hundred more kids in the school district. We had many more businesses in town that were healthy and this will never happen again in this community unless you employ somebody. Thank you council and thank you Gordon Zimmerman. If you ever need someone on your side I am there.

Jake Sawyer 48329 E 1st Street Apt 1. I just moved to Oakridge within the past six months. Part of his decision to move to Oakridge from Eugene was in very large part due to the members of this community and how welcoming they have been to him. He was lucky to meet Ted Sobel and has known him for most of the time that he has been here. He is a tenant in the Brewers Union building. In regards to the right of way he is the resident most impacted by the request. He is literally above the front door and he is all for the request. Anything that can be done to improve the revitalization of downtown Oakridge is absolutely for the better.

Dean Phillips 47699 W 2nd Street. I think there is one important point in the check writing. Each of you on the council on the night you took office you swore to uphold the charter. It is important to any taxing agency that the money is taken care of by the rules of the charter. The charter is specific to who signs the checks. It is a job of the Mayor and the recorder to sign the checks, a backup is also specified by the charter. In the Mayor's absence the person whom is authorized to act in behalf of the Mayor should be the backup for signing checks. I respectfully request that the signature of the City Administrator be removed from the signature cards and that this be accomplished by the next scheduled meeting.

Don Kordosky 48341 High Leah Drive. He has lived here for five years. He is the Principal of the High school and the Junior High school and is the Superintendent of the schools. He is also the assistant principal at the schools. He volunteers about 40 hours per week for the City of Oakridge. He would like to invite everyone to the high school next Thursday for project night. The doors open at 4:00 and they will be putting out the students best work. They will have dinner at 5:00 where spaghetti will be served. It will be \$1.00 per plate and the band will be performing.

He was very disturbed by the attacks on the city council in the last Dead Mtn. Echo. He respects the council and Gordon. Gordon has done amazing things since he has been here. The Mayor is a man of integrity. In 1998 we had 961 kids in the school district currently we have 620. We have lost 40% of the student population in ten years. During the five years that he has been here we have lost 120 kids. He is losing three positions this year and the reason is because we don't have the growth or the vitality in this community that we need to have to bring people in to bring people to the schools. When that happens we don't just hurt the people who work in the schools, our neighbors, our friends. We are the biggest employer in the City of Oakridge. We don't just hurt those people, we hurt the kids that are still here. They have closed a school since he has been here and a lot of people lost their jobs. We have to ask the Booster club to fund our athletics because we can't afford it anymore. The kids that are still here are having their services cut. We have been recognized the Us News and world report as having one of the best schools in the entire country. We are asking our people and kids to more with less. This is just going to continue it is not going to get better. We have a student this year who was accepted to Brown University and we had a student accepted into Clarks. Our students out perform almost every other High School in the state. That is going to change, if we don't bring in some change and some vitality and some life to the business aspect of this community we will be in big trouble education wise.

Don stated that he has complete faith in Gordon Zimmerman. He has dealt with him many times and he has always been honest with him and he has always kept what he shared in confidence to himself. As far as his dealings with the board it has always been on the up and up and he has known Mayor Hampton

for a long time and he is a man of integrity. When they are chosen to lead let them lead and support them. If they are asked to hold something in confidence respect that. He is as curious as anyone else about what is going on.

Vince LaRochelle 76563 Walker. He is here to support the Brewers Union right of way. He said the guys are doing a good job.

3.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA

Mayor Hampton wants to move the council vacancy 5.3 up before they adopt a budget calendar.

4.0 CONSENT AGENDA

4.1 Minutes of Regular Session of March 6, 2008.

Councilor Clark moved to approve the consent agenda. Seconded by Councilor Schorer.

C. Schorer (Aye), Mayor Hampton (Aye), R. Dreiling (Aye), R. Clark (Aye) A. Kordosky (Aye). Motion carried.

5.0 ADMINISTRATIVE SERVICES

5.1 Council Vacancy.

Councilor Kordosky moved to appoint Barbara Leary to the vacant council position for the remainder of the term. Councilor Clark seconded the motion.

Councilor Clark stated that Barbara has been very active in the community and she has been on the budget committee for several years. She has applied for several positions and she thinks she would very good in this position.

R. Clark (Aye), C. Schorer (Aye), Mayor Hampton (Aye), A. Kordosky (Aye), R. Dreiling (Aye). Motion carried.

Barbara was sworn in by the City Recorder Pam Hart.

5.2 Adoption of Budget Calendar

Oregon law requires a balanced budget before July 1, 2008. Hopefully adopting a budget before the end of June.

Councilor Schorer moved to adopt the proposed budget 2008-2009 budget calendar. Seconded by Councilor Dreiling.

Mayor Hampton stated that as far as involvement of the council that would mean that on May 12th and on May 19th there might be two budget meetings or there might be more than that. There might be less than that.

R. Clark (Aye), C. Schorer (Aye), Mayor Hampton (Aye), A. Kordosky (Aye), R. Dreiling (Aye), B. Leary (Aye). Motion carried.

5.3 Approve advertising for New Budget Committee Members

Councilor Dreiling moved to advertise for new budget committee members while inviting the old members to also reapply. Seconded by Councilor Clark.

Councilor Clark invited anyone who applied for the councilor position to apply for this position. It is a good way to get started.

A. Kordosky (Aye), C. Schorer (Aye), Mayor Hampton (Aye), B. Leary (Aye), R. Dreiling (Aye), R. Clark (Aye). Motion carried.

5.4 Res. 7-2008 Enterprise Zone Application

Councilor Schorer moved to approve Resolution 7-2008 redesignation of the Oakridge Westfir Enterprise Zone. Seconded by Councilor Dreiling.

Gordon stated that the Westfir City council approved this last night. Councilor Dreiling thinks this is a good idea.

Mayor Hampton stated that there are more applications than there are spots available.

A. Kordosky (Aye), R. Dreiling (Aye), B. Leary (Aye), C. Schorer (Aye), Mayor Hampton (Aye), R. Clark (Aye). Motion carried.

5.5 Ord. 894 Library Exclusion Ordinance

Councilor Clark moved to approve the first reading of Ordinance 894 to be read by title only. Seconded by Councilor Kordosky.

C. Schorer (Aye), Mayor Hampton (Aye), R. Clark (Aye), R. Dreiling (Aye), B. Leary (Aye), A. Kordosky (Aye). Motion carried.

Councilor Clark moved to approve the first reading of Ordinance 894 establishing a Library Exclusions Policy read by title only. Seconded by Councilor Leary.

Mayor Hampton wanted to recommend a change on page 62 because this is in the right of appeal part. As it is written it says the appeal shall be heard and decided by the City Administrator. Mayor Hampton would like to recommend that the council be the final decision maker because they will have not heard any of the details that have gone on and he thinks they will be more impartial. He understands that the City personnel grievance process stops with the City Administrator and he thinks this is logical because he is the personnel officer. Mayor Hampton has no problem with this going from the volunteer or librarian to the City Administrator to the council. He would have no problem with that. If there was an appeal of some kind it should stop with the council.

Councilor Dreiling asked if during the appeal time would the library patron still be allowed in the library. The person is not allowed in the library until the appeal is heard. The time

frame is fourteen days, you could ban up to 90 days. The reasons for exclusion are listed on 60 and 61.

R. Dreiling (Aye), B. Leary (Aye), A. Kordosky (Aye), Mayor Hampton (Aye), R. Clark (Aye), C. Schorer (Aye). Motion carried.

5.6 Ord. 896 Establishing Measure 49 Procedures

Councilor Clark moved to approve the first reading of Ordinance 896 to be read by title only. Seconded by Councilor Schorer.

R. Clark (Aye), C. Schorer (Aye), Mayor Hamton (Aye), A. Kordosky (Aye), R. Dreiling (Aye), B. Leary (Aye). Motion carried.

Councilor Clark read City of Oakridge ordinance 896 an ordinance establishing a procedure for submitting and processing claims arising under the provisions of ORS 195.305 and 195.310 to 195.336. As amended by ballot measure 49 affective December 6, 2007 repealing ordinance 875 establishing procedures under ballot measure 37.

Councilor Clark moved to approve the first reading of Ordinance 896 establishing a procedure to handle Ballot Measure 49 claims against the City read by title only. Seconded by Councilor Schorer.

Councilor Drieling stated that he believes that the Planning Commission handles this. I would like to see a three step process going to the Planning commission first.

A. Kordosky (Aye), R. Dreiling (Aye), B. Leary (Aye), C. Schorer (Aye), Mayor Hampton (Aye), R. Clark (Aye). Motion carried.

6.0 COMMUNITY SERVICES

6.1 Brewer's Union Right of Way Request

Councilor Dreiling moved to approve the plan for outdoor seating locatd at 48329 East 1st Street, and direct the City Administrator to grant a right-of-way license to E. Theodore Sobel for 78328 East 1st Street. Seconded by councilor Clark.

Mayor Hampton (Aye), A. Kordosky (Aye), R. Dreiling (Aye), B. Leary (Aye), R. Clark (Aye), C. Schorer (Aye). Motion carried.

6.2 Public Works Building Discussion

Kevin introduced Ed Hodges from Pace Engineers. He is the lead engineer on the project and he is going to go over the bids that came in. The bids were expected to be less than what was received.

Ed Hodges stated that he was from Pace Engineers and for the past 31/2 years he has acted in the capacity as a design engineer and engineer of record for the cities ongoing water project. Late last fall he was approached about putting together contractual and front end documents about a proposed design build project which involved the city shop.

His firm specializes in this type of work and he was more than happy to oblige. They were given by the City some elevation and plan views of a proposed city shop facility included in the documents.

Ed discussed the bid results. The low bid was from Essex General Construction for \$468,000.00. The high bid was \$587,000.00. There was a \$120,000.00 difference in the four bids. Through his experience the wide range of bids is typical of design and bid projects.

When he compiled this design build he came up with an estimate of approximately \$290,000.00 for this project. His estimate was completely wrong. He missed some of the variables that were involved with this project. He wanted to point out that the city staff thought this would come in at approximately \$300,000.00. Some of the reasons for the high cost are the significant increases in materials and labor. There is also a very large backlog of commercial work.

The problem is the Cities cash on hand is approximately \$300,000.00. So what do we do to bridge this gap? He sat down and looked at some of the alternatives and came up with some.

The first obvious approach is to make the building smaller. They should look at a more basic building.

The next option would be to delay and rebid. He has never seen a rebid come in lower if we re-bid. The costs are going to stay the same or increase.

Option number three would be to partition out a portion of work to the city. For instance foundation prep and some fencing that was included. There would be some savings in that.

The last alternative is proceeding ahead with the project as bid. He has never seen a public infrastructure project as well capitalized as this project is. The majority of the towns he works with the locals share or the capitalization of these projects range from 0-5%. We have 65%. Although our bids came in high he still sees us ahead of the game on this project. He recommends that we look into financing methods for the remainder of the costs and proceed with the project.

Mayor Hampton asked if we can borrow from the water and sewer.

Kevin stated that the \$140,000.00 or the \$170,000.00 we could probably do but we are going to have to borrow the whole thing up front until we move out and actually make the sale of the shop anyway.

Gordon reminded the council that they are vacating that property and for instance if they put 10 million dollars worth of retail development on those four acres that gives us \$70,000.00 a year in property taxes hopefully very short order in three or five years. If we finance this project over five years or ten years and make the minimum payments and as we get the sale of the public works building to pay it off and then with the balance of it we could pay it off within two years.

Mayor Hampton asked if they were looking to the council for the next step and what to do now.

Kevin said yes that is what they are asking.

Gordon is concerned about missing the construction season.

John from Essex Construction stated that he took the low bid to try and get us the lowest bid possible. He just wanted us to know that since he is a citizen of Oakridge he did his best to get the lowest bid.

Councilor Clark moved to accept the bid from Essex Construction and get the project started. Seconded by A. Kordosky.

Kevin wanted to make sure that everyone knew that we would not use any money from the water project.

R. Dreiling (Aye), R. Clark (Aye), Mayor Hampton (Aye), A. Kordosky (Aye), C. Schorer (Aye). Motion carried.

Motion carries

6.3 Ord. 895 Creation of Parks, Trail, and Tree Board

Councilor Schorer moved to approve the first reading of Ordinance 895 to be read by title only. Seconded by Councilor Fortune.

G. Fortune (Aye), R. Clark (Aye), C. Schorer (Aye), R. Dreiling (Aye), A. Kordosky (Aye), B. Leary (Aye), Mayor Hampton (Aye). Motion carried.

Councilor Shorer read the Ordinance 895 by title only.

Councilor Schorer moved to approve the first reading of Ordinance 895 establishing a Parks, Trails, and Tree Board read by title only. Seconded by Councilor Clark.

G. Fortune (Aye), R. Clark (Aye), C. Schorer (Aye), Mayor Hampton (Aye), A. Kordosky (Aye), R. Dreiling (Aye), B. Leary (Aye). Motion carried.

7.0 POLICE SERVICES

7.1 Res. 8-2008 Unexpended Grant Funds

Councilor Dreiling moved to approve resolution 8-2008 to receive unexpended grant moneys to improve radio interoperability. Seconded by Councilor Fortune.

A. Kordosky (Aye), C. Schorer (Aye), Mayor Hampton (Aye), R. Clark (Aye), R. Dreiling (Aye), G. Fortune (Aye), B. Leary (Aye). Motion carried.

8.0 EMERGENCY SERVICES

Nothing

9.0 REPORTS FROM BOARDS AND COMMITTEES

Administration Committee had a short meeting and they are still working on the traffic counter. We have a meeting the fourth Monday of every month at 10:30.

Community Service committee had a meeting last Wednesday and they are discussing the lighting issues.

Kevin stated they are looking into lighting in the subdivisions. The issue they have is that they don't know what type of lights they are going to put in. They could use the decorative lights and they will be the city's responsibility or the Lane Electric poles and they will be responsible for them.

The Mayor would like to see a recommendation from the committee.

We would like to make a recommendation to buy the equipment and maintain the decorative lights.

Mayor Hampton announced that Barbara Leary will be on the Administrative committee.

Lane Council of Governments Board are still debating the population forecast. Mayor Hampton will be recommending that they adopt the plan.

The Public Safety committee will start meeting regularly on the last Wednesday of every month. They are still working on a couple of issues, tasers and social hosts. Chief Gomez is almost finished with the drafts for these issues.

The watershed council has a grant to help eradicate an evasive grass. Mayor Hampton went to a meeting at the Dexter Fire Hall for an informational meeting where they presented a program on this issue. The general meeting took place at Willamalane Sport complex. This was a two part meeting.

They had a board meeting dealing primarily with financial issues. One of the decisions the Watershed council has to make is how many employees it will have and how many independent contractors it will have.

LRAPA met and had a very lively meeting in the fact that they have been in the process of rewriting the rules regarding open burning. Mayor Hampton asked how this applies to Oakridge. Councilor Fortune said it doesn't. It is more about Eugene and Springfield.

Trails committee will be meeting on April 14th at 3:30 in the council chambers. They will have a guest speaker from IMBA. They will be talking about making this a ride center for mountain bikes.

Tree Planting committee will meet on April 7th and everything is on schedule.

OEDAC met and they discussed several improvements going on at the Industrial Park. They have all of their seats filled now.

UPBEAT met on Tuesday. It was a well attended meeting. They are getting ready for the celebration on May 2nd. There will be a treasure hunt for UPBEAT businesses and

they can find buried treasures.

The Uptown task force committee met. They are still in the growing stages and anyone who would like to become a part of this they could definitely use you to help generate uptown. The next meeting will be on the 7th at Crystals Boutique.

They had the Snowflake lighting committee meeting. The snowflakes are down for the rest of the year. Thank you to the City crew and Lane Electric for taking them down and storing them. They will start working on next years snowflakes right now.

They will meet again on the 28th at 7:00 in the council chambers.

11.0 MAYOR AND COUNCIL COMMENTS

Councilor Dreiling wanted to answer some citizen comments. Mr. Paddock brought up how many towns have City Administrators. Councilor Dreiling called the Oregon League of Cities and they said the only two towns that don't have a City Administrator are Portland and Beaverton and that is because they have well paid Mayors and Councilors who are paid staff. The majority of councils have suggested motions in their packets, that was asked at the public hearing.

Barbara Leary wanted to thank the Mayor and the Council for electing her and she will do the best that she can.

Mayor Hampton stated that Councilor Leary will have to fill out an annual verified statement of economic interest. This will be due on April 15th along with taxes.

Councilors should have gotten in their emails from the League of Oregon cities a one page description of the difference between this years statement of economic interest and last years. No one received this email so Mayor Hampton will be forwarding this to the councilors. There has been some resistance to this. The entire planning commission of Elgin resigned because they objected to filling this out. It had to do with number four on the statement. Mayor Hampton told the council to be sure to read the definitions. It is better to give to much information than not enough. This is in response to the public's interest in disclosure from public officials. It does go beyond what he would consider to be in general interest of the public.

Councilor Schorer wanted to thank the public for coming out in support of the council. It is nice to hear people supporting them.

Mayor Hampton announced they will have a town hall meeting between the City of Oakridge, the City of Westfir and the School district. It will be a town hall meeting and safety night on April 15th. This will be held at the High School. They will be giving out free bike helmets and have a bike rodeo. Refreshments will be sold.

Councilor Kordosky announced they will be having Donkey Basketball at the high school on April 13th.

12.0 Executive Session ORS 192.660 (2) (e) Property Negotiations

ADJOURNED at 8:40

Accommodation For Physical Impairments: *In order to accommodate persons with physical impairments, please notify the City of any special physical or language accommodations you may require as far in advance of the meeting as possible. To make arrangements, Contact: Pam Hart at 782-2258. For the hearing impaired, the City's TTD Number is 782-4232.*