

October 16, 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  
Glenn Fortune  
Randy Dreiling  
Barbara Leary  
Carina Schorer  
Amy Kordosky

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

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

### 2.0 PUBLIC COMMENT

Dan Barclay, Cascade Motel, wanted to comment on signage for a particular business. Endorsement or approval of that sign is preferential treatment. I expect a government to be fair and even handed. The council is the public voice. You seem critical. As public officials your opinions should be somewhat tempered by the duties of your office. As councilors you need to be consistent. When you voice your opinions, the public will scrutinize you. Out of 500-600 votes over the last few years, some councilors never voted against anything. The council has a responsibility to everyone in Oakridge, not just to the people and businesses you like. This is a business meeting. Leave your personality likes and dislikes at the door. The same goes for the citizens who attend the meeting also.

Henri DeJonge, Odle Lane: My one comment is about the Jon Vahala rezoning.

Mayor Hampton stated that when they get to that on the agenda she will have her chance to speak at that time.

### 3.0 MAYOR AND COUNCIL COMMENTS

Councilor Dreiling: Once again, the grant for the Ditch Witch machine was written for many people to use. He got it when he was head of the Trails Committee. The Community Garden uses it. Randy does not benefit from this. He makes his money off of Forest Service land. He does not run his tours inside City limits. He is not benefiting from the Ditch Witch and it has never been used on the trails that he uses.

Councilor Schorer: In response to Dan Barclay's comments: the Community Services Committee will be addressing the signage issues on Oct 22, 2008. There was some interaction between Dan and Councilor Schorer. Mayor Hampton stopped this discussion. Councilor Schorer thought this time was for public and council to comment on public comments.

Mayor Hampton stated that the public already had their chance to comment; now it is the council's chance. Do not interact with the audience unless you have a question.

Councilor Schorer stated that she thought it was time for them to comment on what the public commented on.

Mayor Hampton said it is, but he needs to keep the meeting in order. He does not want debate going on back and forth. He is going to plan another work session in December where they can talk back and forth, but in a regular business meeting the public comments and then the council comments.

Councilor Kordosky: I want to comment on leaving the personal issues at the door. This is city business. I think people waste a lot of time on character assassination. This is no place for personal vendettas and rumors.

Mayor Hampton: We talked with our legislators last night at the LOC City Hall Day meeting in Cottage Grove. Several of the Council members attended the LOC Conference in Salem last week.

Mayor Hampton described a drug collection program in the town of Winston, Oregon. They collect old prescription drugs to prevent them from being flushed into the sewer system. Traditionally people were told to flush unwanted or expired prescription drugs down the toilet. This is a water quality issue. The highest rate of increase of teen drug use is from prescription drugs. The Mayor would like to talk to the Chief of Police and the Oakridge/Westfir Together group about this. It would be good to get the Watershed Council involved. also. I am hoping to adopt this policy. He would like to see this happen in the whole watershed.

Mayor Hampton also explained about the City's decision on signs. The signs on the highway are because the State defines the brewery as a tourist attraction. The council in deciding about the sign at Crestview and First Street was making a decision about whether it was in the best interest of the City or not.

City Administrator Gordon Zimmerman showed the award that UPBEAT received at the Oregon Economic Development Conference for Rural Community Revitalization.

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

No changes.

#### **5.0 CONSENT AGENDA**

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

- 5.1 Minutes of Special Session of October 1, 2008
- 5.2 Request to Advertise for Library Board Member

#### **6.0 ADMINISTRATIVE SERVICES**

- 6.1 Res. 20-2008 Library Contract Exemption and Discussion

We believe that we can still get the library built for the funds available, but in order to do that, we have to seek an exemption from the public contracting laws. We would hire labor and utilize volunteers to construct the building. We have to advertise in the Daily Journal of Commerce for the next two weeks and hold a public hearing. Once we have the exemption we can go to the state.

Ben Beamer has drawn up a plan for us. We have priced that plan for framing and the roof through Miracle Truss. The total amount to buy the shell and use volunteer labor to put it together will be \$50,441. We would still have to buy siding, do the concrete slab and finish the interior, but we would have approximately \$356,000 available for that.

Councilor Clark: We held a library board meeting and they all agreed that this was a good idea.

Mayor Hampton asked if it was because of cost that we were not considering any green construction.

Gordon stated that yes, that is the reason. But it will have plenty of natural lighting.

Councilor Schorer stated that she is not comfortable with the Library being built by City Hall. Since we are second thinking this whole thing, it seems the uptown is not a suitable place and it might be best suited somewhere more mainstream.

Gordon pointed out that to change the location would change the nature of the grant and could jeopardize the use of the funds already committed.

## 6.2 Financial Policies for Credit Cards

Gordon stated that now that we accept debit/credit cards, we need to have new policies in place so that people understand what happens when we take their payment. Each member of the council had a copy of each of the policies.

Mayor Hampton asked if there was any charge to us for accepting debit/credit payments.

Gordon stated that yes, we are charged for this. But there is no cost to adopt the policy. The cost is incurred in accepting payments via credit/debit cards. We do get a reduced rate because we are a government.

Pam Hart, Finance Director, stated that the fiscal impact will end up being zero because of the offset for the cost we incur will be saved from not having to mail out the statements because our customers will be able to get their statements on line.

Mayor Hampton stated that the policy needs to state the fee that we are charged for using the cards.

Gordon said that this is a fee that we cannot build into our rates or pass on.

Councilor Fortune commented on the fact that the cost is offset. We should state that there is finance charge, but we are offsetting it with cost savings.

Councilor Dreiling moved to adopt the e-bill privacy policy, terms and conditions and refund policies. Seconded by Councilor Kordosky.

Councilor Schorer asked if there should be some explanation to the fiscal impact being none.

Councilor Clark asked about the people paying online. Won't they still get a paper bill?

Pam stated that no, the bill will be sent out electronically.

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

## 6.3 Identity Theft Prevention Policy

The councilors have in their packets the first version of the Identity Theft Policy. The City Attorney wanted more specifics and we have complied. The new copy available to the Council includes the comments by the City Attorney. This is required by statute that was passed in 2003 and it has to be adopted by November 1.

Councilor Clark moved to adopt the City of Oakridge Identity theft Prevention Policy. Seconded by Councilor Schorer. C. Schorer (Aye), Mayor Hampton (Aye), B. Leary (Aye), R. Dreiling (Aye), G. Fortune (Aye), R. Clark (Aye), A. Kordosky (Aye). Motion carried 7-0.

## **COMMUNITY SERVICES**

### 7.1 Public Hearing: Jon Vahala Rezone to R2 Request

#### 7.1.1 Ex Parte Contacts and Conflict of Interest Statements

None

#### 7.1.2 Staff Report

No change to the staff report

#### 7.1.3 Statements in Favor

None

#### 7.1.4 Statements in Opposition

Henri Dejonge from Odle Lane: The road has never been paved to the highway. He should not be asking to do more with out finishing what he started before. She wants to know who is responsible for that access to the highway. She believes Mr. Vahala is not bonded. There is a sink hole at the access to the highway and it is getting bigger. The other access is at the top through the Industrial Park. There is a curve that comes down from the Industrial Park and that is where he wants to add the subdivision. You can hardly get two vehicles through that road let alone a fire truck and ambulance. This is a safety issue that needs to be addressed before he is allowed to go any further with this subdivision.

#### 7.1.5 Statements in General

None

#### 7.1.6 Council Discussion and Vote

Councilor Schorer said she has not been up there in a while and she would like to go see what Henri is talking about. This sounds like a valid concern.

Mayor Hampton asked the staff what the explanation was for the entrance on Highway 58.

Gordon stated that the entrance would have been paved to the Highway but a citizen complained that Jon Vahala did not have his access permit. Jon does have an access permit and he will be competing this as his schedule allows. This is connected to the County road and the State Highway; so we have no jurisdiction over that. As far as the turn is concerned, both the top and bottom are designed with engineering standards and there is no parking allowed. There is adequate access for emergency vehicles.

Councilor Dreiling said that he has been out there numerous times and the street size is no different than other street sizes.

Mayor Hampton asked what the street size is up there.

Gordon said it is 26 feet. These issues were addressed by the Planning Commission when they approved the subdivision. What we are considering tonight is the rezone. There is no legal basis to hold up the rezone on an engineering question that has already been approved by the Planning Commission.

Councilor Fortune stated that we are here to consider whether we want to change to the zone, not to decide if the existing road that has already been approved is adequate or not.

Councilor Leary asked if once the zoning is changed, it's changed. That's it.

Mayor Hampton said you can change it back again. That does not happen very often, though. It probably wouldn't be very appropriate to change the zoning after someone built a house up there.

Councilor Fortune said that as far as he is concerned the property really does not have any other use as far as being industrial where it is located.

Mayor Hampton said that it stated in the report that one of the advantages to the City is the increased property taxes.

Councilor Fortune; after completing the finding of fact, and reviewing the Planning Commission recommendation to the City Council, I move for a district change from I-2 to R-2 for Tax Parcel 21-35-15-00 Tax Lot 2001. Seconded by Councilor Dreiling. R. Dreiling (Aye), G. Fortune (Aye), R. Clark (Aye), Mayor Hampton (Aye), B. Leary (Nay), A. Kordosky (Aye), C. Schorer (Nay). Motion carried 5-2.

## 7.2 Public Works Building Power Generation Discussion

Kevin Urban was ill today. Gordon stated as far as he knows, there were no changes to the staff report. They are asking permission to increase the size of the generator for the public works building.

Mayor Hampton wants to know how this price fits in with other companies'. The council would like to get some other quotes from other companies. Council directed staff to get more quotes.

### 7.3 Stormwater Request for Proposal

Gordon stated they we have been saving our pennies for a Master Storm Water Plan and now is the time to go out and request a proposal and do the master plan for stormwater.

Mayor Hampton explained to the students in the audience that for some time we have been collecting an extra charge on the water bills for this request.

Gordon stated that yes; the \$1.53 that has been collected each month has been put into a stormwater fund.

Councilor Fortune asked if the proposals cost money.

Gordon said the proposals do not, but the publishing and sending them out does. When we get the proposals back they will be reviewed. They will pick the one they like the best. Dollars are not supposed to be factor. You're supposed to pick this based on the qualifications of the bidder.

Councilor Fortune asked if somewhere down the line we will form a committee to review this.

Gordon said it will be the Community Services Committee and they will bring a recommendation back.

Councilor Kordosky moved to approve the request for proposals for a stormwater master plan. Seconded by Councilor Fortune.

Councilor Schorer asked how this would figure on top of all of the other water stuff that we have been talking about.

Gordon said that this is stormwater run off, not moving water to homes or storage of water. This is for when the water runs off the hill, it can be collected and there will be less debris that will settle out before it goes into the river.

Councilor Schorer asked about getting an estimate but we don't have to have this.

Gordon said we have to have a stormwater master plan. What this is requesting is to send out to engineering firms to see if they are interested in bidding on a stormwater master plan for the City. The master plan comes back and says we need to address this runoff here or we need to put a storm drain here. That is where the money goes.



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

## **7.0 POLICE SERVICES**

Police Chief Gomez said we are coming into smoke season. Over the years we have gone through the education and the warnings in regard to people who are burning wood stoves with wet wood or dampered down flues. My question to you as the Council is on the enforcement piece. We are into year five now. Do we start issuing citations now or continue with the warnings?

Mayor Hampton said this should be like anything else; you try to get compliance first and if they won't comply then give out the citations.

Councilor Dreiling said we should make the public aware of the new levels that some people may have not been at the level before but now they are.

Chief Gomez said he believes they are working on a newsletter to send out.

Councilor Schorer asked about conducting an educational forum to explain the law.

Gordon wanted to clarify that the federal EPA standards are for the community as a whole. The standards for burning have not changed in five years. You cannot burn and put particulates in the air. The rule is if you can see the smoke coming out of your chimney, you are in violation. We have been doing the education process for four years. They will knock on your door once to warn you, but after that because it is a violation of a City statute. The fine is \$500 a day for every day the occurrence continues.

There was discussion about more education and exemptions.

Mayor Hampton explained that the Federal Government is going to want to know what we are doing to reduce the particulates in the City.

Fall Fun Night: The Fall Fun Night will be on October 31<sup>st</sup> from 5:30 to 7:30 P.M. We will be doing set up on October 28<sup>th</sup> at 6:00 P.M at the WAC for anyone who would like to volunteer.

## **9.0 EMERGENCY SERVICES**

On Saturday Jerry Shorey, our Fire Marshall, kicked off our smoke detector program.

Deputy Chief/Fire Marshall Gerald Shorey explained the program, how we wrote the grant, and how we received \$250 for detectors. Last Saturday we did Salmon Creek Mobile Home Park and we will then move to Arbor Inn. The new smoke alarms have 10 year batteries. He has applied to Lane Electric and Jerry's for funds to buy new smoke alarms. They are sealed smoke alarms so you cannot take the batteries out. There are



about 1,400 houses in the community including 313 trailer spaces. This does not include Hazeldell Rural Fire area, Deception Creek, or Casey's RV Park.

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

Public Safety: Will be meeting October 29<sup>th</sup> at 6:00 P.M. and we will be reporting on the cattery. On Tuesday, October 21, 2008, at 5:00 pm we will be going to look at the building for the cattery. The cattery is located at Commercial and Beech Streets in the old yellow building. There will also be discussion on educating the public on wood burning.

Chamber of Commerce: Meeting Monday, Candidates Forum Tuesday at the High School Auditorium at 7:00.

Rural Housing Rehabilitation Committee: Very good conference per Councilor Clark. They had some wonderful ideas to take back to the Rehab Board. They are also working hard on wood stove replacement programs. There was discussion about mobile home parks and how people are trying to get rid of them.

UPBEAT: The next meeting will be in December with a holiday potluck on the first Tuesday of the month. The November meeting is cancelled.

Tree Planting: There will be a meeting next Monday at 5:30.

Administration: No meeting last month. It will meet on October 27<sup>th</sup> at 10:30 A.M. at City Hall.

Community Service: Will meet October 22<sup>nd</sup> at 10:00 A.M. meeting in Council Chambers.

LRAPA: Council Fortune said they met last Tuesday.

Trails Committee: They will meet Monday at 6:30 P.M. at Greenwaters Park. Mayor Hampton commented that a discussion was held regarding the Board becoming its own committee, in order to not be a City committee. Mayor Hampton said members need to be informed about the advantages and disadvantages of such a change.

Councilor Dreiling said that this is a board decision.

Mayor Hampton hoped that Kevin would be back by then and be able to write something up.

Gordon said they are fully aware of the pros and cons. He would like for the council to designate a member of the City council to the Parks, Trails and Trees board and the Parks, Trails and Tree board have a member of that board be a member of the Trails Committee so we get information.

Council Leary was appointed to the committee.

OEDAC will meet the last Tuesday of the month.

Councilor Schorer suggested putting in a donation bucket for the Smoke Alarms at the Fall Fun Night. The Council was in agreement that this was a good idea.

Sarah Altemus reported on the Parks, Trees and Trails Board. We want to become a Tree City USA member. We have three out of the four requirements to do so. This will help with grants. We are going to update the parks survey and have it sent out with the December bills.

8:20 p.m. recessed to Executive Session.

#### 11.0 EXECUTIVE SESSION UNDER ORS 192.660 (2) (e) Property Negotiations

8:30 p.m. Closed Executive Session and reconvened into Open Session.

Mayor Hampton moved to accept the addendum to the Real Estate Sales Agreement 2008-03 with Mr. Mark Nored of HomeFinders for the purchase of the Public Works Building to delay the closing to October 1<sup>st</sup> 2009 or sooner. Seconded by Councilor Dreiling. G. Fortune (Aye), R. Clark (Aye), C. Schorer (Aye), B. Leary (Aye), A. Kordosky (Aye), R. Dreiling (Aye), Mayor Hampton (Aye). Motion carried 7-0

Meeting adjourned at 8:32 p.m.

Respectfully submitted before the City Council November 6, 2008.

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

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