



March 5, 2009  
City Council Regular Session  
City Council Room  
48318 E. First Street, Oakridge OR 97463  
7:00 p.m.



## MINUTES

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### 1.0 CALL MEETING TO ORDER

Council Present: Don Hampton, Mayor  
Amy Kordosky, Council President  
Glenn Fortune  
Randy Dreiling  
Gerald Shorey  
Rayetta Clark  
Robert Moe

Staff Present: Gordon Zimmerman, City Administrator  
Tim Demers, Fire Chief  
Kevin Urban, Community Services Director  
Linda Martin, Utility Billing Clerk

Mayor Hampton called the meeting at 7:00 P.M.

Oakridge History Moment: In 1850 the Upper Willamette was considered to be Lane, Linn and Benton Counties with a population of 1,808. The Cayuse war drew off able-bodied men, leaving women and children to plant grain and gardens, care for livestock and live in primitive conditions. Little grain was up and there were few stores and no consistent medium of exchange. The gold rush caused another major exodus of men. As minors began returning with gold to the Oregon Territory, they began building mills, stores, schools and churches. The Upper Willamette Valley was in need of more settlers. In 1852 road surveyors were sent out and discovered the route south of Diamond Peak which is on its western end and follows the Middle Fork of the Willamette from Eugene to the Free Immigrant Road east to its beginning at Fort Boise. Subscriptions were collected and a crew was hired to build the road in time for the 1853 immigration. In the late fall about 200 wagons with about 1000 people negotiated the Free Immigrant Road through our valley followed in 1854 by a similar size immigration.

### 2.0 PUBLIC COMMENT

Derrick Bell 76589 View Ct: He has been working with the City's Ditchwitch Trails Machine on the Bike Skills Track in Diamond View Park. He has made some holes and has some drainage issues. He needs to get this graded so it will drain better. In order

to do this he will need a larger piece of equipment. He is asking if the City can help him with the equipment. The Mayor directed that this issue be added to the agenda.

### **3.0 MAYOR AND COUNCIL COMMENTS**

Councilor Dreiling suggested that they see about having the Council meetings at 5:30 instead of 7:00. Some councilors have kids in sports and it is nice to get out earlier and be able to attend the sporting events.

Mayor Hampton talked about the Fuel Reduction Program from the Forest Service.

Mayor Hampton received a letter from the US Census people. They want to do it by mail again. The problem is that locator map is by street address. There are many people who use a post office box. In the last census the postmaster would not forward any mail without a post office box number on it. Because of that, he believes we suffered a severe under count. This brochure suggests that each individual municipality have a Complete Count Committee. It would make sure that each resident is counted. He has highlighted several things that we could easily do. The Census will start in March 2010.

The Mayor asked rhetorically: What are the benefits of a complete count? One thing is that it is used to distribute over \$300 billion in Federal funds and additional money in State funds. This is why it is so important to get an accurate count.

Mayor Hampton will not be at the next meeting. The Council President will be here to take his place.

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

- 7.6 Stormwater master plan update
- 7.7 Stimulus proposals

### **5.0 CONSENT AGENDA**

- 5.1 Minutes of Regular Session of February 19, 2009

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

### **6.0 ADMINISTRATIVE SERVICES**

- 6.1 Prioritization of Categorized 2009 Issues and Concerns

Gordon said he has not received all of them yet. This will be in the next meeting packet.

- 6.2 City Administrator PERS Repayment

Councilor Fortune moved to approve the Administration Committee's proposed settlement for the repayment of retirement funds for the City Administrator beginning in July of 2009 of 60 payments of \$154.22. Seconded by Councilor Kordosky.

Councilor Moe figured the math on this. He said it does not come out to \$14,236.07.

Gordon said that it should be \$9,253.45.

Councilor Moe asked if it was supposed to be the \$14,236.07.

Gordon said the City put in \$14,236.07 and Gordon put in just under \$15,000 for the combined total of just under \$29,000. It reached a high of over \$36,000. As of the end of year it is worth \$23,837.91, a loss of 35%. The Administration Committee felt it was appropriate to reduce the \$14,236.07 by the 35%. Otherwise the City Administrator would get penalized twice, by the stock market and the loss of the money that is not there. Since it took five years to accumulate the money, he should have five years to pay it back.

Councilor Moe asked how he could figure he was getting a 35% loss when that wasn't his money to begin with.

Gordon stated that it was his money.

Councilor Moe said he is confused, was he getting paid twice?

Gordon stated that yes, that is correct. When I was not placed in PERS Tier 1 when I started with the City, the Council decided to put that money into a savings plan as a deferred compensation that he would get when I retired. When the legislature, through no fault of my own, changed the law and put him back in PERS Tier 1, I did not ask for the retroactive nature of the change. The City had put in \$14,236.07 in my deferred compensation account, but that is only worth \$9,253.45 now.

Councilor Moe said he sees where he is going with now. The only other problem he has now is the payback. He said it looks like there were three options to paying this back?

Councilor Clark said, no, that is not correct. The Administration Committee figured out that they took it out in 60 months so he should have 60 months to pay it back. This was through no fault of Gordon's.

Councilor Moe asked if Gordon was willing to do that.

Councilor Clark said he was more than willing to do this.

Councilor Dreiling stated it was not Gordon's fault. It was the Legislature's.

Councilor Moe said that Gordon only has one more year in his contract.

Gordon said he has two years left.

Councilor Moe asked if he will have time to pay it back before the contract is up.

Councilor Clark said if you would read the whole recommendation, if he were to leave before the whole amount is paid, the remaining balance will be paid at the time he left. They will get the money back either way.

Councilor Shorey said he has had a hard time getting his mind around this because it does not add up. The City has been billed the \$ 14,236.07 and he is assuming they are not going to wait five years for this to be paid back, they will want a lump sum. The only figure that means anything is the \$29,041.35. The difference in all of this does not come to \$9,253.45. He is concerned that the City is putting out more money than intended. He thinks five years is a long time to pay this back and we don't have a contract that goes beyond five years.

Councilor Kordosky explained that it says that should he leave before the five years is up, it will be paid in full.

Councilor Shorey asked when these figures were frozen.

Gordon said that as of December 31, 2008.

Councilor Shorey asked if he continues to lose money on this account is the City going to have to pay it back.

Gordon stated that no, this is where the 35% loss was figured.

Gordon said if you want the whole \$14,000, he will pay that back.

Mayor Hampton said that this is the decision the Council has to make; the recommendation from the Administration Committee is to pay back the \$9,000. This did not come from Gordon. It came from the Administration Committee.

Councilor Moe would like to amend the motion if we are talking that he has borrowed \$14,000.

Councilor Clark said he didn't borrow anything.

Gordon explained again to Councilor Moe how this came about.

Councilor Shorey asked when they changed the law.

Gordon stated that this was changed in 2008.

Councilor Clark said that he was willing to take this money back out, but if he takes the money back out he is not only going to have to pay a penalty for removing the money, but he will also be hit with income tax again that he will have to pay.

Councilor Moe said it just sounds like to him that Mr. Zimmerman put himself into this position.

Councilor Clark said no, he didn't. The Legislature put him in this position.

Councilor Moe said he didn't know what was in his bank account?

Mayor Hampton said the legislature changed the rules and the way they defined employees.

Councilor Moe said he can't imagine how come he just left that money in there.

Gordon and the Council all stated that it was Deferred Compensation and he can't touch it until he retires.

R. Clark (Aye), G. Shorey (Nay), Mayor Hampton (Aye), A. Kordosky (Aye), R. Dreiling (Aye), G. Fortune (Aye), R. Moe (Nay) Motion carried 5-2.

### 6.3 LRAPA Discussion

Mayor Hampton said this all started when the Mayor of Cottage Grove emailed his City Administrator expressing his displeasure of the makeup of the LRAPA Board. There has been some discussion on this in other places, too. As it stands now, there is less and less happiness in the County on the makeup of the LRAPA Board. The makeup should be more diverse.

Gordon handed out emails regarding this.

There should be wider geographical representation.

Councilor Fortune said the Chairman and the Vice Chairman have a phone conference a week or so before the meeting to go over the agenda and you as a board member can present something that you want on the agenda. You can also bring it up as new business at the meetings.

Councilor Shorey said he does agree with the spirit of the proposal when there are nine representatives are from the metro area and very few from the rural area. He is glad to see the rural communities starting to band together.

Mayor Hampton said to keep in mind that you are represented by Representative Hanna and you can speak to him anytime.

#### 6.4 Area Commission on Transportation (ACT) Discussion

Mayor Hampton said the problem from the Lane County Mayors group is that not having an ACT leaves us out of the line of communication. With the stimulus money coming these are ACT groups are the way the State wants to deal with this and if you don't have one you're left out of the line of communication. This guarantees the City of Oakridge representation on this. Right now we don't have any representation, so there are actually two advantages if Lane County would form an Area Commission for Transportation. There were seven mayors at the last meeting and all but one was in favor.

Gordon said the ACT's would be formed by order of the Board County Commissioners. Commissioner Stewart indicated that at the Mayors' meeting he would have to have the majority of the Board of Commissioners in favor.

Councilor Shorey asked how this is financed.

Mayor Hampton said it would be extra money from another branch of government that you have to pay for through ODOT.

### **7.0 COMMUNITY SERVICES**

#### 7.1 Lane County Striping Contract

Councilor Dreiling moved to authorize the Mayor to enter into an agreement with Lane County Public Works for street striping. Seconded by Councilor Shorey

Mayor Hampton said to look on page 36 it says the City Administrator signs this.

Kevin stated that was his mistake. Kevin will let them know that on the next contract we want the Mayor to sign the contract.

Councilor Clark asked about the amount.

Kevin said it is usually a couple thousand dollars per year.

Councilor Shorey asked where they will stripe; all he has seen is First Street.

Kevin said that anything that is going a distance we don't do. They do the bike lanes on Rainbow Rd. They also do School Street, Second Street and Ash Street. This is something they have always done.

Mayor Hampton said if we are ever unhappy with this we can terminate the contract.

A. Kordosky (Aye), R. Dreiling (Aye), G. Fortune (Aye), G. Shorey (Aye), Mayor Hampton (Aye), R. Moe (Aye), R. Clark (Aye) Motion carried 7-0.

## 7.2 Parks, Trails and Tree Board Mission Statement

Kevin stated there are no changes to the staff report.

Councilor Dreiling moved to authorize the purchase of 2005 Bobcat T-250 for \$19,367 using option 1. Seconded by Councilor Clark.

Mayor Hampton asked if we could get 100% of the rental instead of 70%.

Kevin said he can try but they have purchased things like this before and this is standard.

Councilor Moe said he understands that, but what he hears Mayor Hampton saying is that to go back to the table and say there are other companies out there now that are willing to give us something for the same amount that you are giving it to us.

Mayor Hampton said he is not unhappy with this contract, but if Kevin went to them and said how about 100% they might come back and say what about 80%.

Kevin said that may very well happen, but we won't get the same deal with the rental money. Kevin said we didn't even plan to have it for this long and projects keep coming up to where we need it. It would be in the best interest of the City to just purchase it.

G. Shorey (Aye), Mayor Hampton (Aye), R. Moe (Aye), R. Dreiling (Aye), G. Fortune (Aye), R. Clark (Aye), A. Kordosky (Aye). Motion carried 7-0.

## 7.3 Planning Commissioner to Serve as Liaison to Park, Trails, and Tree Board

Kevin stated that there are no changes.

Councilor Dreiling asked where this is coming from.

Larry Phipps said that the Chairman of the Planning Commission Jack Stillwell figured that since the trails thing is developing pretty rapidly, that if the Planning Commission had an ex officio person there, then they will be aware of any issues that might come up and they will be there to help facilitate.

Councilor Moe asked if the facilitation will cost them anything.

Larry said no. It would just be someone from the Planning Commission attending the meetings and reporting back to the Planning Commission.

Councilor Fortune moved to allow the Planning Commission to select an ex officio member to the Park, Trails and Tree board. Seconded by Councilor Shorey. R. Dreiling (Aye), G. Fortune (Aye), R. Clark (Aye), Mayor Hampton (Aye), R. Moe (Aye), A. Kordosky (Aye), G. Shorey (Aye) Motion carried 7-0.

#### 7.4 Res. 2-2009 TGM Grant Application

Kevin stated that there are no changes.

Mayor Hampton said this is just a motion to submit the grant.

Councilor Fortune moved to approve the submission of a grant to the Oregon Department of Transportation for an Access Management grant and adopt Resolution number 2-2009. Seconded by Councilor Clark.

Councilor Shorey wanted to verify this is just to submit the application.

Mayor Hampton (Aye), A. Kordosky (Aye), R. Dreiling (Aye), G. Fortune (Aye), R. Clark (Aye), G. Shorey (Aye), R. Moe (Aye). Motion carried 7-0.

#### 7.5 Grading at Diamond Park

Derrick Bell had a request during the public comment portion of the Council meeting for piece of equipment and the use of an employee.

Kevin said he is surprised he didn't just come in and ask him. They could work it out with the water and all of that.

Mayor Hampton said at the Trails Committee he said that this is really a policy decision. He said what we do is we direct the City Administrator, we don't direct you (Kevin), so if they direct the City Administrator to say yes, we want some heavy equipment and a person to help at Diamond Park.

Kevin said his assumption would be that if they would have come to him and asked for this was that the City Council has given in the past approval for the City to assist in the construction of a City park. They have used the dump truck before and he didn't think the City Council would be opposed to this.

Mr. Bell said he has made calls about this.

Kevin said they will still need to schedule this in.

Council, by consensus, directed the City Administrator to work with Mr. Bell on the construction of the Bike skills area of Diamond View Park.



## 7.6 Stormwater Master Plan

Kevin wanted to give an update on the Master Plan that was approved at the last council meeting.

Kevin did get the price reduced by \$2,000 and added more engineering to the scope. So they are getting more done for less.

## 7.7 Stimulus Proposal

Kevin stated that the way that they have come in is just incredible. They got notification on Tuesday and the applications are due in Monday. We have to put in what we want as far as money goes. This will be a fast turnaround. He would like to resubmit the grant for First Street.

Mayor Hampton asked why they have such short time frames. It is obvious that a lot of places won't be able to get them in in time, so it cuts down the number of applications. He feels it favors metro areas because they have someone on staff to just sit down and do it and that is all they work on.

Gordon said that the ODOT projects are in and ready to go.

## 8.0 POLICE SERVICES

Chief Gomez said he turned in the building permits for the cattery.

## 8.0 EMERGENCY SERVICES

None

## 9.0 REPORTS FROM BOARDS AND COMMITTEES

**LCOG:** Mayor Hampton reported that the main purpose of the meeting was to decide what informational presentations would occur in the five meetings this year. The focus was about the economy or communications on the stimulus programs.

**Watershed Council:** Mayor Hampton said the Watershed Council will meet on Wednesday, the 18<sup>th</sup>, at Oakridge High School. They will have someone from the Oregon Department of Forestry to talk about the Forest Reduction Program.

**Trails Committee:** Councilor Dreiling talked about the IMBA Ride Center. They had a meeting with IMBA. Randy and Ben Beamer will be going to Washington, DC, to talk about this Ride Center and creating jobs.

**Library Board:** Councilor Shorey said they will meet on Monday.

Mayor Hampton said last Monday they had the Read Across America event, celebrating Dr. Seuss' birthday, and he appreciates Coral Zimmerman for doing so much work on this. There are several agencies that do help, but she did a little more than usual this

year.

**Tree Planting:** Councilor Kordosky indicated that the parade is coming along well. They are talking about buying their own machine to make the buttons. They have received a couple of good sized donations this year. The princesses are going to raise their own money and so far they have raised \$267.

Councilor Dreiling suggested the parade going one more block further east this year.

Chief Gomez said the parade permit will come to him and he will approve the additional length.

**OEDAC:** Councilor Moe was a little confused about some of the financial things going on. Gordon said they are still in negotiations with the current recruitment process.

**UPBEAT Board:** Mayor Hampton indicated that they have two more clients. This meeting was very well attended.

**Team Oakridge:** Mayor Hampton reported that the next meeting is Wednesday at 4:00 at the School District Office.

**Parks, Trails and Tree committee:** Councilor Dreiling was out of town.

**Public Safety:** Councilor Shorey indicated that they talked about the cattery and the Building Department has the permit. They are trying to keep the costs down.

We will be losing about \$25,000 next year. We are looking for some COPS funding through the stimulus plan, not to hire another police officer but to retain their last person.

The Forest Service has submitted the required paperwork so they can break ground on the Dead Mountain Radio Project in late April or early May.

Mayor Hampton asked about the social host ordinance.

Chief Gomez said he has been working with Michelle Lowery from Lane County and she presented some other options to him. He will be presenting them to the Public Safety Committee.

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

After a short break at 7:45, the Council convened into the Executive Session.

**ADJOURNMENT:** After the Executive Session, the Council met in regular session and adjourned the meeting at 8:15 P.M.

Respectfully submitted before the City Council March 19, 2009.

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

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