

January 21, 2010
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: Don Hampton, Mayor

Amy Kordosky, Council President

Randy Dreiling Glenn Fortune Gerald Shorey Rayetta Clark Robert Moe

Staff Present: Gordon Zimmerman, City Administrator

Tim Demers, Fire Chief Louis Gomez, Police Chief

Kevin Urban, Community Services Director

Jackie Baker, Assistant Planner

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

Gordon read a correction of the press release that was sent to the Council and the newspaper concerning the security breach. "I regret that the employees impacted by the security breach were not immediately contacted with the information. For this I am deeply sorry. As required by Oregon Law the official notification must be in writing and contain the steps we are taking to mitigate the security risks. The contract for the credit monitoring was received today and is being reviewed by the City Attorney. To speed this process the security firm has already been given your contact information and will be sending you the enrollment information. I again regret any delay in contacting you."

2.0 PUBLIC COMMENT -

Sandra Edds; PO Box 520 Oakridge, is in favor of the new library. She doesn't think people realize the importance of a library. You can tell a lot about a town by looking at their library. You can learn to do anything and it can teach you anything. She said she looked into putting in a new library when she first moved here and if we can do it at this price, then do it. Build it and make it beautiful!

Don Hadley; 47696 Beaver Street, says he differs with Sandra. Thanked Gordon for sending out the response to the people opposed to the library. In his response he

states that he spent \$47,000, he doesn't have a problem with that because we had permission to do so. In doing the math when looking at the budget, it states the difference of approximately \$6,000. He would like to see the document on how Gordon spent this money and where it went.

Mr. Hadley has talked to a few people in the City regarding the restrooms at City Hall. He wants it put back like it used to be. People used to be able to go right through the office. At the last meeting he had people asking him how they are supposed to go to the bathroom. He told them to go across the street.

Mr. Hadley is not denying that the City needs a library, but he thinks we need to put the money into the WAC instead. If you look at the dates of the letters, these people come to him, he doesn't go looking for them. He is at his shop.

Skip Baker; 76326 Klohn Road, is in favor of the library. What he is against is spending "Obama Bucks". Just recently they raised the debt of the Federal Government to 9 trillion dollars. We are going to end up paying for that. The money doesn't exist. It is monopoly money. He is not against a new library, but he doesn't want to use Obama bucks to do it. He met with one of the council members and they talked about how things work around here. What he saw was that it is very difficult to come to the council meetings and express concerns and get it handled. A better way to do it would be to refer the problems to a subcommittee. They could then go the council with the issues. The subcommittee could be made up of a couple councilors and some citizens.

James Affa; 76340 Garden Road, wants to address the matter of the fees. He is concerned about the \$6.00 a month increase on the sewer rates. That is \$108,000 just in one fee that is sucked out of this community. He doesn't see a sunsetting of these fees, so is this projected shortfall going to be a continuous thing for next year and the next? He would like to see a timeline.

John Rich; PO Box 836, thinks the library is a good thing. He would like to know how late the library stays open. It doesn't stay open late enough for the kids who wander out at night, we need a YMCA or something for the kids.

Mr. Rich talked to a lady on Brock Road regarding the neighbors that have been terrorizing her. The police say they can't do anything about that. He wants to know why.

Mr. Rich was pulled over by a City Police Officer. He sat for 10 minutes before the Officer even came up to his car. He sat for 40 minutes waiting for his speeding ticket and the Officer followed him back to town with no lights.

Chief Gomez said he can file a complaint at the Police Department.

Mr. Rich stated that doesn't do any good. Chief Gomez doesn't listen to him.

Mr. Rich has figured out a way to build the library and fix the WAC and all of the streets. We need to get rid of about nine Police Officers. Then we can fix anything we need.

Dan Barclay; 47487 Hwy 58, feels that people think he just likes to complain about everything. He has been taught respect and decency for everybody and tries to keep his exchanges respectful. He respects each and every councilor as a person. He comes here out of concern for the city. He is concerned that since 2008-2009 that there has not been a motion from this council that has failed. It is ok to say no. He is against the storage containers/shipping containers. We can't enforce the codes that we have right now. If you do your research like he did, this was initiated by a business who cannot meet the criteria of concealment to the Planning Commission. It ended up here.

Mr. Barclay wants to council to understand that when they vote on something and make a decision, they need to remember that the taxpayers can be held accountable for it. There should be a third review so errors can be caught before it is too late. When you cast your votes, use your conscience, what you think is right. I can't find for the last two years that a motion has failed in this room.

3.0 MAYOR AND COUNCIL COMMENTS -

Councilor Dreiling would like to talk about the fireworks. There was a misunderstanding that the City wasn't going to fund them. That is simply not true. He would like to suggest that the Council approve the \$2,000 that we have in the past for the fireworks. It is the most well attended community event that we have in town.

Councilor Dreiling addressed the letter that was written anonymously to the councilors. It was interesting and full of grammatical and spelling errors as well as offensive language and funny. Some of the facts were not true. In regards to the bike stuff that came up, it was not about Randy getting money. It was about Randy paying the City \$3,600 to use the park. The writer can have fun and if people want to call him El Diablo that is fine, but please don't go into his wife's place of employment and complain and verbally abuse a family member. That is crossing a line. It also crosses a line when citizens are trying to eat in a restaurant and there is someone there handing out information to everyone, talking about the councilors and bashing them. Don't disrespect the citizens of this town or the staff that are trying to eat dinner in the restaurant. This has happened more than once and he has had citizens come to him about this.

In regards to the library, he knows some of you met with one of the councilors and he explained everything about the library. This process started in 2005. This is not a new project. He would like to thank the City for sending out the letter to everyone who signed the petition against the library, explaining the process. Randy talked to one citizen who thought they were signing a letter in support of the library. They were very upset and feel they were misled. They are very offended and felt like they got used.

Councilor Moe responded to the letter that was sent out. In Vietnam they could determine who the enemy was on certain occasions because they flew their colors. He would like to have this individual fly their colors and come out, identify themselves and share their deepest thoughts with the council.

City Administrator Gordon Zimmerman responded to Don Hadley and question of the \$6,000. The difference in what we were reimbursed from the state and what was spent was the City match. It wasn't a 100% grant. We had to pay about 11%.

Councilor Clark asked about the police issue with Mr. Rich on Brock Road, that would be State Police and/or County Sheriff, not City Police.

Councilor Kordosky wanted to address the issue about kids being out late at night. That is an issue, but it is more of a parent issue than a police issue. It is the parent's responsibility to make sure they know where their kids are.

Mayor Hampton wanted to add that we do have a city curfew. If they are out during a school night after 10:00 p.m., call the police and let them know because they are in violation of the city ordinance.

Councilor Kordosky addressed Dan Barclay's issue with the shipping/storage containers, she agrees with Dan. We have spent so much time and money trying to clean up the highway. For some businesses it would be good but some would abuse it.

Mayor Hampton wanted to address the petitions being handed out from Mr. Eldon Hopper. It was a petition to tell the City to quit paying dues to an organization called ICLEI. On the back of this it shows the towns that are part of this organization. Our town is not listed as a member. The City does not pay for a membership in that organization. He would like the citizens to do a little bit of homework before they tell us to quit doing this or that when we aren't doing it in the first place.

Mayor Hampton read his State of the City Address. See Attached.

4.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA

Addition: Item 6.5 Fireworks and Item 6.6 Charter Review

5.0 CONSENT AGENDA

- 5.1 Minutes of Regular Meeting of December 17, 2009
- **5.2** RTMP Funds for 2010
- 5.3 Adoption of Internal Control Program
- 5.4 Parks Master Plan Contract
- 5.5 MBO Park Facilities Permit

Councilor Fortune moved to approve the Consent Agenda. Councilor Clark seconded the motion. G. Fortune (Aye), R. Clark (Aye), R. Moe (Aye), G. Shorey (Aye), A. Kordosky (Aye), R. Dreiling (Aye), Mayor Hampton (Aye). Motion carried 7-0.

6.0 ADMINISTRATIVE SERVICES

6.1 Res. 2-2010 OIP Unanticipated Revenue

This is for the rail study that was referred to earlier. Gordon has a copy if anyone would like to see it. Basically what it says is the ability to refurbish the rail into the industrial park is feasible. The rail refurbishment would cost just under a million dollars and the reinforcing of the bridge is about \$560,000. It is a total of \$1,560,000 to do the rail study. With this information we will be approaching the Economic Development Agency for funding. We don't have a time frame. One great thing that this identifies is that Union Pacific is willing to switch the rail spur if they have a minimum of 20 car movements per year. They have never agreed to anything like this before.

Councilor Dreiling moved to approve Resolution 2-2010 for the receipt of unanticipated revenue for the Oakridge Industrial Park. Councilor Kordosky seconded the motion. A. Kordosky (Aye), G Shorey (Aye), R. Dreiling (Aye), R. Clark (Aye), R. Moe (Aye), Mayor Hampton (Aye), G. Fortune (Aye). Motion carried 7-0.

6.2 Res. 3-2010 Adjusting City Fees

Gordon stated that he made one adjustment to this resolution taking off the \$6.00 sewer fee increase from this resolution and asked that you take this to the Community Services Subcommittee for discussion and refinement and bring back a recommendation. To address Mr. Affa's concern, the total amount \$108,000 that would be raised by the \$6.00 fee increase is to pay for the approximate \$3 million that is required by DEQ for us to spend to reduce the inflow and infiltration into the sewer plant.

Councilor Moe thought we had some clarity on this earlier stating the reason that we have to do what DEQ is requiring or we will get penalized.

Gordon said the penalty has not been indicated, but yes we are required to do it. But by not doing it, doesn't mean we cannot come back and do the increase at another time with a separate motion. Councilor Shorey indicated that he wanted to know if the plan that we submitted to the State has been accepted and what the engineering costs are. We will have this discussion at the Community Services Committee. We are looking at about \$2.85 million total, \$1.5 million to repair all of the sewer laterals in the City and \$1.0 million to repair all the sewer main lines, and \$365,000 to retire the current bond debt for the sewer plant and extend it to new bonded debt. We have a proposal from Rural Utilities Services from the US Department of Agriculture that will loan us the money at 2% interest rate over 40 years. So that \$2.85 million over 40 years is about

\$108,000 a year to pay that bond back, but we would have a completely refurbished sewer system when we are done.

Community Services Director Kevin Urban stated that he found out today from the Engineer who did the I&I study from DEQ that they accepted the plan that he put together.

Councilor Dreiling moved to approve Res. 3-2010 adjusting City Fees. Councilor Shorey seconded the motion.

Councilor Dreiling stated he is glad that we took out the \$6.00 sewer fee so they could talk about it at the Community Services Committee Meeting. Most of the fees deal with things like copies, dogs at large, impounded cars, and planning permit fees. Once again he would like to stress that we don't charge a system development charge which many other towns do charge. We are making reasonable adjustments and a lot these fees haven't been raised for years.

Dan Barclay addressed the ambulance fees. When submitted to insurance companies, they will look at how much the service is worth. His point is that if we bill \$1,800 for ambulance service, it does not mean we will get \$1,800.

City Administrator Gordon Zimmerman said Mr. Barclay is correct on that point. We wish we could get that insurance repayment because then we wouldn't be in the hole.

Mayor Hampton said we are also anticipating a decrease in mileage reimbursement rates since the Federal Government wants to define us as "urban."

Councilor Shorey has a problem with the disconnect, the disconnect being a shortfall in the budget versus increase in fees. The two don't seem to relate. "What I am getting at is, are the fee increases to make us whole or are we doing this to make money to fluff up the budget? For example the library board suggested a rate increase to mail their book mailing fees in the summer time. They were taking a loss on this. If this is the case on some of these fees, then that is valid." If not, then he does not support this. There are some things on here that he supports and some things on here that he does not.

Mayor Hampton said he can vote against the resolution or amend it in some way if he cares to.

City Administrator Gordon Zimmerman stated that this is not an effort to close the budget gap. This is just for staff time to do the tasks. We would have to increase fees tenfold to close the budget gap and that is not the intent.

Councilor Shorey asked how we arrived at these fee increases.

Gordon said the staff sat down and said this is what the current fee is. What do you think the fee should go to? That is what we did.

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

6.3 Goal Planning Work Session

It was agreed to meet on February 1st at 6:30 p.m. Mayor Hampton would like to have a finishing time. It was agreed to meet until 9:00 p.m.

Mayor Hampton wanted to talk about process. For example, Councilor Shorey said 13 goals is ridiculous. We need fewer goals and monitor them in a more effective way. We need to reach a consensus on the process that we are going to use. He recommended that years back, they had goal sheets that they used. He can email these to the councilors. They had several things for each goal. For example, who is responsible for that, what the fiscal impact is on this, and they had a deadline. They can report on their goals at each meeting rather than waiting three months or so.

Councilor Shorey believes goals have to have objectives. Attached to the objectives you have to have benchmarks. We need to set timelines for when we want to accomplish. He believes we should only have about five goals and when we reach that five, take another five, but don't take anymore. Occasionally things come up that weren't anticipated and it would be appropriate to address them at that time.

Mayor Hampton said if it is all right with the council, he will bring the forms to the meeting and if they don't like them, they can create their own. It is just a better way of tracking things.

6.4 Rural Tourism Studio Discussion

City Administrator Gordon Zimmerman reported that the conclusion that came out of these four months of work is that we need to have a tourism steering committee that will coordinate the efforts for tourism. There were four basic activities that were identified: a Beautification Committee (how to clean up properties and how to get Hwy 58 going); a Cycling Committee that would focus on bringing all kinds of biking to the area; a Geo-Tourism Committee; and a Concierge Committee to help tourists when they come to town. The question that we need to address is that while it is great to have a committee, there is no staff to run the minutes and do the little things that it takes to keep it running. As he looks at all the partners and the restrictions they have; most of the responsibility will fall to the city. IMBA has been a great partner; they went to congress and got Congressman DeFazio, Senator Wyden and Senator Merkley to support the \$400,000 that we are getting for the trails, kiosks and bathrooms in Greenwaters Park and Diamond View Park.

Gordon is looking to the council to see if the City could act as an convener. Are they supportive of this structure? Should the city convene this group? Is the City Council willing to direct staff and resources to this committee?

Councilor Shorey asked how many people they planned on putting in the Committees.

Gordon said he does not know that there is a number assigned to the Committees. It's going to be all volunteer.

Mayor Hampton said that by giving the Council support on moving forward on this is does not necessarily mean they will be supportive of everything listed here, for example City wide WI-FI.

Gordon said the Council will be involved every step of the way.

Mayor Hampton said he thinks this is worth trying. Not every group that you create will be successful, but since tourism is one of our focuses, we should give it a shot.

The City will convene the initial meeting. We will send out invitations for the Steering Committee meeting and ask that they send their representatives. We will see who shows up.

Councilor Clark asked if the people that were there are going to be a part of the Committee.

Gordon said they could. It depends on who comes up and volunteers.

Councilor Fortune asked where we are going to pull staff time away from their existing duties to do this.

Councilor Dreiling said the volunteers will do most of the work and the staff might be asked to help with making copies. If they have questions or research that needs to be done once in a while, the staff can do that.

Councilor Fortune asked if the Committees will maintain and publish their own minutes.

Councilor Dreiling said yes.

Mayor Hampton said the way the motion is stated is to direct the staff to support and convene, it doesn't necessarily commit us to staff time.

Councilor Dreiling moved to direct staff to support the convening of the Tourism Steering Committee. Councilor Clark seconded the motion.

Councilor Fortune asked why we have to direct the staff to do this. Why isn't the City Council doing this?

Mayor Hampton said that what this is saying is that the staff will take the lead and say we are going to have a meeting on the Tourism Steering Committee. We are seeking a time and place, so there is a start to this.

Gordon said at the first meeting they will decide who is going to do all of this, but somebody has to start it.

From the audience Gary Carl asked what role Travel Oregon will play in the continuation of the tourism studio.

Councilor Dreiling said they will continue to help us with this. They are not dropping out.

Gordon said that the biggest thing Travel Oregon will do for us is keeping the Ride Oregon Ride website up. That directs a lot of people to Oakridge.

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.

6.5 Fireworks

Mayor Hampton read a letter from Tamara Meske who is taking over the chairmanship of the fireworks committee, at least for this year. She explained the deficit funding that they currently have and asked the City of Oakridge to pledge whatever they can. Councilor Dreiling had indicated that he would like to continue the \$2,000 that we have done in the past. This will be in the next budget.

Councilor Dreiling moved to give \$2,000 to the fireworks from the Community Projects line item as we have done in the past. Councilor Clark seconded the motion.

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.

6.6 Review Charter – Update

Councilor Shorey said he has been struggling since he has been elected to the Council. He has found flaws in the City Charter. Most of the time, it required an amendment from the Council or a reading from the Attorney. The discrepancies should have been found earlier. He believes it is time to do a review and update of the City Charter and find all of these various discrepancies. He could make a motion tonight or put it to the Administrative Committee. He does not want this delayed beyond the next election because he wants it on the next election.

Mayor Hampton asked for the timeline on this. He would like to take the time and do this right.

There is an election in May and there is one in November.

Gordon said that in his experience, this has always been a council/citizen committee, a special committee and not one standing one. It is a lot of people and you get a lot of opinions.

Councilor Shorey said it is hard to know what the changes are because the amendments are not attached.

Gordon said he could get those amendments for him, if he wanted.

The discussion was referred to the Goal Planning work session as a possible goal.

7.0 COMMUNITY SERVICES

7.1 Second reading Ord. 899 Amending Zoning Ordinance Regarding Storage Containers.

Mayor Hampton pointed out that if they read this the second time the second reading constitutes the adoption. If you don't want this ordinance adopted tonight, you should vote against it.

Councilor Fortune moved to approve the second reading of Ord. 899 Amending the zoning ordinance concerning storage containers, read by title only. Councilor Dreiling seconded the motion.

Councilor Fortune read this by title only.

Councilor Shorey read through all of the minutes from the Planning Commission and he knows they put a lot of work into this. He didn't get what the urgency is for this to be passed right now. He does support the drop boxes for people who are moving and if someone is able to put the containers where they can't be seen, there are not a lot of places around that they won't be seen.

Councilor Dreiling said that each request would have to go before the Planning Commission and that he was not aware that any of the Commissioners were not in favor of this Ordinance. He supports this because he has faith in the Planning Commission.

Councilor Fortune said he has faith in the Planning Commission as well.

Community Services Director Kevin Urban stated that he knows Commissioner Phipps is lukewarm on this idea and he is as well. He understands Mr. Barclay's concerns that they can get ugly. He is fine with them staying only in the I-2 zone (Heavy Industrial). His concern is that without some kind of regulation, someone at some point is just going to put one in. Then it will become a code enforcement issue.

Gordon asked Kevin if they passed this, does this give us the ability to enforce the ordinance unless in some cases they are grandfathered in.

Kevin said yes, it would. The reason he likes this is because it clarifies what you can and can't do. We will have to remain diligent on this code so it does not get out of hand.

Councilor Kordosky is concerned because we have codes out there that are already not being enforced. This could get out of hand as well.

Mayor Hampton explained why he is against this and has a couple of examples here in town. One has to do with car junk yards and people who made promises that they would provide site obscuring fences and they have failed to do that. It takes us forever to get them to comply. He would like to see stricter enforcement on the ordinance that says a car has to be licensed and in operating condition if it is visible from the street. Right now there are three cars sitting down at what used to be Gombert's and he knows at least one of them is not drivable. We are just opening up for ourselves up for another headache.

Councilor Dreiling said that if we don't have an ordinance people think they have a green light to go ahead and put them up. At least the Ordinance might stop some people from doing it.

Mayor Hampton said he would rather write an ordinance saying this is not a permitted use so there won't be any guessing. It would be easier on the code enforcement officer. Code enforcement officers and police officers should know what the codes are and should be able to stop for five minutes to talk to someone instead of putting it on their list of things to do. There is a car across the street from a police officer's home that is jacked up, and as far as he knows, the police officer never made contact with this individual. It only takes a few minutes to let someone know that they are in violation.

Councilor Dreiling asked how they can be in violation if we don't have an ordinance against it.

Kevin said we do have an ordinance and it states that you can have storage containers in I-2 only.

G. Shorey (Nay), Mayor Hampton (Nay), R. Moe (Nay), R. Dreiling (Aye), G. Fortune (Nay), R. Clark (Nay), A. Kordosky (Nay). Motion defeated 6-1.

7.2 Res. 4-2010 Parks Unanticipated Revenue

Councilor Fortune moved to approve Res. 4-2010 accepting unanticipated revenue from donations to the Park Projects concerts. Councilor Shorey seconded the motion.

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.

8.0 POLICE SERVICES

8.1 Crime Statistics for 2009

Chief Gomez reported that he miscalculated the Juvenile Activity increase. It was supposed to be closer to an 84% increase. Most of those cases go into the Peer Court. That has been a good thing because we don't see most of the kids a second time. There was a small increase in overall crime. He heard at the last meeting that we don't clear our burglaries. We actually have a 47-48% clearance on burglaries.

They will be having a cattery work party on Saturday, January 23, 2010 at 9:00 a.m.

9.0 EMERGENCY SERVICES

Invitations for the Volunteer Awards Banquet will be sent out soon. It is tentatively set for March 13, 2010.

Gordon wanted thank to Judge Carl for being very creative in his sentencing and using our holding cells that we have down here. He believes that this has to do with the less than average rise in our statistics. People are calling us up and asking how we do this.

From the audience Judge Carl indicated that he tries to be very careful about using his authority. It has really affected compliance. Just yesterday he had five people that he sentenced to jail time because they had not paid their fines that miraculously paid the fines. So this is working. It is definitely a deterrent.

10.0 REPORTS FROM BOARDS AND COMMITTEES

Administration Committee: Meets on Monday January 25, 2010 at 10:30.

Community Services: Will meet next week

LCOG: Awards dinner January 28, 2010, 6:00 for social hour, 7:00 for dinner at LCC.

Lane Regional Housing Authority: Councilor Clark was not able to attend the meeting. She did contact Celia Walker. They are working on the problems they are having with the contractors not doing adequate work. They don't pay the contractors until the job is finished and a lot of contractors don't have the money to put forward. They are working on guidelines to help the contractors.

Chamber of Commerce: They had a meeting yesterday. Randy presented them with a National Geographic Map. They are trying to set a date for the Chamber of Commerce Dinner.

Watershed Council: Mayor Hampton was re-elected to the board.

LRAPA: They met and they failed to elect an at large member.

Tree Planting Committee: They are preparing an operating budget and finalizing when events are going to take place.

OEDAC: Will meet at the end of the month.

Team Oakridge: Did meet. They had three City people and the school superintendent.

Regional Fiber Consortium: We are still in the running for the grant money to install fiber in Oakridge. Who knows when we will know?

Parks, Trees and Trails Committee: Meeting cancelled

Census Complete Count Committee: We have a problem with the census materials being mailed to street addresses, but they aren't going to have names on them. The Post Master cannot forward them to post office boxes because he does not have the names.

Kevin or Jackie will check RLID to see if it shows PO Boxes and Street addresses.

The next meeting we will assign committee assignments for 2010. Councilors can indicate committees they would like to attend. We will add the Tourism Steering Committee to our list.

At 9:15, we had a five minute recess and reconvened for Executive Session.

Executive Session: ORS 192.660 (2) e Property Transactions (2) h Potential Litigation

ADJOURNMENT: The Council reconvened into regular session and adjourned at 9:30.

Next meeting is Tuesday, February 2, 2010 at 7:00 p.m. (Thursday, Feb 4 Meeting is cancelled.)

Respectfully submitted before the City Council January 21, 2010.

Signed:	
	Donald E. Hampton, Mayor
Signed:	
	Jackie Raker Assistant City Recorder