



February 2, 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.

2.0 PUBLIC COMMENT –

James Affa, 76340 Garden Rd., wanted to go over a letter that Gordon Zimmerman sent out in reply to a letter written by Don Hadley. The WAC is a multi-use building. By the wording of the grant we are stuck to a library that we can't hold a Boy Scout meeting or City Council meeting in. He showed some figures that he worked up and passed them out to the Council.

Don Kordosky, 48341 High Leah Dr., addressed the Mayor and Council about the skateboard park adjacent to Garden Road. After two years of debate through the school board and a lot of recommendations and thought, the School Board made the decision to transfer the property which has a value of approximately \$60,000. The reason to turn the property over to the City is to develop into something that is good for the kids. Over the last eight years, the sports park has attracted over 6,000 hours of volunteer time. What the district is looking for is cooperation in making it a better place for kids to play. The school district has put fencing up around the entire softball field and fenced in the concession stand. In the past they have not had enough people to maintain it on a regular basis. Dr. Kordosky has taken his own personal lawn mower

down there and cut the grass so it will look better for the kids. He has four things he would like from the city.

1. He would like to continue the cooperative agreement they have had with the City for the last ten years or so. They would like to continue to use the softball fields for the Warrior Softball.
2. They would like to see the softball field included in the City's Master Parks Plan.
3. They would like to see the WAC included in the Master Parks Plan.
4. They would like to see it maintained at a higher level than they were able to maintain. It looks like a slum. We don't want that for our kids.

3.0 MAYOR AND COUNCIL COMMENTS –

Councilor Moe asked Mr. Affa if what he is asking of the council is to put the library in the WAC.

Mr. Affa replied that “yes” he is.

Councilor Moe asked about the letter he handed out and if he received a letter from Mr. Zimmerman and how the grant could be used.

Mr. Affa said he did look at the grant online and Mr. Hadley disseminated the information per Gordon Zimmerman. He was just able to inquire briefly about it.

Councilor Moe said what he is saying is that Mr. Affa wants to kick the people (DMV and Justice Court) out of the WAC.

Mr. Affa said he does not want to kick anyone out.

Mayor Hampton said we will have the Library Board go over the letter and at some point in the future make a decision.

4.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA

5.0 CONSENT AGENDA

Councilor Moe wanted to pull 5.2 Projects in the Park from the consent agenda.

5.1 Minutes of Regular Meeting of January 21, 2010

Motion: Councilor Moe moved to approve Consent Agenda item 5.1. 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.

5.2 Approval of Park Projects Facilities Permits

Councilor Moe said the reason he wanted to pull 5.2 is because from his interpretation this application is being applied for under non-profit status. He is confused about non-profit status. The applicant doesn't look like it is from a non-profit.

Gordon said the City is the applicant, not Vivian Erickson. She is acting as the Projects in the Parks chairman, not as the Oakridge Motel.

Councilor Moe said then the second issue would be about the alcohol. According to our rental agreement, if it is approved for service by the City Council, then the applicant has to provide a certificate of insurance for one million dollars for a hold harmless agreement and the OLCC license. He doesn't see the insurance or hold harmless agreement.

Gordon stated that this has not been approved by the City Council yet. They are not required to get that until two weeks before the event.

Mayor Hampton said everything on the back of the permit is checked off by the staff to make sure everything gets done.

Councilor Moe asked why \$300.00 a day?

Gordon said the City is renting its own property. We aren't going to take money out of the Parks Fund to pay the Parks Fund. The City is a non-profit.

Councilor Moe checked in the Black's Law Dictionary for the legal definition of "corruption." He said where this is going is that if this is good for certain people, then it is good for everybody. What we are going to run into is a conflict of interest when somebody applies for the same thing.

Gordon stated that this is the City asking for use of a City facility with the beer gardens and the profits going to the City, the park or whatever the designated fund raiser is for. Other agencies do this all the time.

Councilor Moe asked if we have to rent the whole park.

Gordon explained that with Councilor Dreiling's events he rents the whole park to control the access to and from the facility. In this case we only rent the Amphitheater, and the beer garden is restricted so kids can't go into the beer garden. Beer does not leave the restricted area.

Mayor Hampton stated that we have family reunions that will be happening at the same time, so no one is shut out of the park.

Councilor Moe said his confusion is then on condition No. 6 on the back of the facilities form.

Gordon said this is exactly what we have done for the last three years.

Councilor Shorey asked where the proceeds from the beer garden go.

Gordon said the sponsor of the beer garden gets some, and then usually they donate funds to whatever the event sponsor is at that time.

Councilor Dreiling said that each concert has a fundraising event, that whether it is a cancer concert or Habitat for Humanity part of the money goes to what the concert is in honor of.

Councilor Moe said because of this issue they can only have the events three times. And for clarity if there is alcohol involved they only can have three events per year.

Gordon asked where that restriction is.

Councilor Moe could not find where he saw this restriction. Anyway if that comes up, what do they do?

Mayor Hampton said is that we are not aware of such a restriction.

Gordon said he could read the ordinance but he doesn't recall ever putting a restriction on how many times you can rent the park. This has never come up before, and in each case these are separate events; they may be sponsored by the same entity, but they are separate events.

Councilor Moe said he will do his homework with the help of Gordon.

Motion: Councilor Clark moved to approve 5.2 approval of the Park Projects Facilities Permit. Councilor Kordosky seconded the motion.

Councilor Shorey asked if there was a "rush to judgment" here that they need to do this now.

Mayor Hampton said his advice is that if Councilor Shorey votes in the affirmative tonight he can move to reconsider at another time.

Gordon said if they would like he could take a minute to go read the ordinance.

It was the wish of the council that Gordon find the ordinance.

Five minute recess.

Mayor Hampton said they need to look at item No. 6. The word is “or.” It doesn’t say “and.”

Gordon said this is something they have never enforced. The City has always let other people do this. They can go back and double check the dates.

Mayor Hampton said if this is the wish of the council tonight, they can amend this to say “and” instead of “or.”

Councilor Shorey asked what the original intent was for this.

Gordon said the original intent was to allow more than one person to use the park. The intent was also to control the crowd if they charged admission to the event. The City does not charge admission to the events, however.

On a couple of the dates other parts of the park have been reserved; Vivian has contacted these people and let them know about the concerts and they are OK with this.

Mayor Hampton recommends the Council change that part of the permit to say “and.”

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

6.0 ADMINISTRATIVE SERVICES

6.1 Res. 5-2010 Skateboard Park Ownership Transfer

Gordon stated that we have heard from Superintendent Kordosky and the staff thinks it is a good idea. He is not sure about putting the WAC on the Parks plan though. The restriction is that because we did it under ORS 271.330, we have to maintain the ownership of this parcel for twenty years as public use.

Councilor Shorey asked if these conditions were presented as part of the transfer.

Superintendent Kordosky said “no.” These are just things that the board was concerned about. They realized there were no conditions that they can mandate.

There was discussion on having to keep the property for twenty years.

Gordon said if the City doesn’t want to keep the property for twenty years, then the Council shouldn’t accept the property.

Councilor Shorey said this seems a little open-ended. The School District has stated its reasons for wishing to transfer this to the city. There is a deed involved and there are

also right of ways involved. What happens if the city is unable to meet the conditions, what is the school districts feeling on that?

Gordon said this is the entire agreement. Those are the conditions. We don't have to keep it a skateboard park; we just have to keep it open for public purpose.

Councilor Fortune said Parks are a vital part of communities.

Motion: Councilor Shorey moved to approve Res. 5-2010 accepting the real property transfer from the Oakridge School District. Councilor Dreiling 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 Business Mentorship Program Fiscal Agent Request

Gordon stated that Jenifer Hood is looking at working with the USDA on a business enterprise grant in funding a management coaching project like UPBEAT, but county wide. Jenifer asked if we would be interested in being the fiscal agent if the grant is approved by all of the entities that want to participate and they have to indicate how much they are going to help financially with this process. We would be the ones to issue the checks and monitor the grant if it is your wish to do so. We would charge a fee.

Mayor Hampton asked if this is county wide, why isn't the county doing serving as the fiscal agent?

Gordon said the county might do this. LCOG has been approached, also. There is some concern the County's resources might not be able to be supportive of such an effort.

Mayor Hampton said the city acted as fiscal agent for the Watershed Council for years.

The council agreed to be the Fiscal Agent for the Business Mentorship Program.

6.3 Councilor Dreiling Request

Councilor Dreiling made a request for \$400.00 from the City for airfare for him to fly to Washington DC. Councilor Dreiling has a copy of the letter for anyone who would like to see it. He has been talking to Senator Wyden and Congressman DeFazio about this. He is going to go early and schedule a meeting to talk to key staff people to talk to them about Oakridge and our needs. He wants to talk to them about the WAC and the issue with rural vs. urban funding for our ambulance reimbursements, more funding for summer youth programs, the library, emergency services, public safety funding and anything else anyone else would like him to bring up when he is there. He is asking for up to \$400.00 for this plane ticket--the money will not go to Randy. Travel Oregon will invoice the City for the cost of the plane ticket. Travel Oregon is paying for his lodging.

IMBA is paying for the Summit registration fee. GOATS has agreed to pay for food and taxi. He is just asking for Council approval for the plane ticket.

Mayor Hampton confirmed that this is what we did last year.

Councilor Dreiling said last year's trip was instrumental in getting \$400,000 for the ride center.

Mayor Hampton said that since Councilor Dreiling will personally benefit from this because this saves him his own money for the air fare, he should declare a conflict of interest.

Councilor Dreiling declared an actual conflict of interest.

Motion: Councilor Clark moved to approve up to \$400.00 for a plane ticket for Councilor Dreiling to go to Washington DC. Councilor Kordosky seconded the motion.

Councilor Shorey said that what he hears Randy saying is that part of the stuff that he is going to be doing is to approach them about other issues for the City--namely ambulance reimbursements. Right now the congressional delegation doesn't have a way to track that. If there is an avenue to get us visibility, to present the problems that we are having with EMS and all of the other issues, it is well worth the \$400.00.

G. Shorey (Aye), Mayor Hampton (Aye), R. Moe (Aye), G. Fortune (Aye), R. Clark (Aye), A. Kordosky (Aye). Motion carried 6-0.

7.0 COMMUNITY SERVICES - None

8.0 POLICE SERVICES - None

9.0 EMERGENCY SERVICES - None

10.0 REPORTS FROM BOARDS AND COMMITTEES

Lane Council of Governments: They had their Awards Dinner. It was well attended and with above-average food.

LRAPA will meet Tuesday February 9, 2010.

Chamber of Commerce will meet on February 16, 2010 this month. The 15th is a holiday.

Tree Planting Committee: There will be significant changes to the street fair this year.

Regional Fiber Consortium: Is still waiting for the Feds to tell us if we get the grant money or not. It is Mayor Hampton's understanding that our application is sitting on the desk of the final person to look at it for approval.

Census: The Mayor reported that we have bad news. He spoke to the Oakridge postmaster and the postmaster made a call to his supervisor. Unless there is a name of a person on the mail, it can't be forwarded to a post office box. We have Sayre Custer working on getting as many forms as possible, going to a variety of places to educate people, and getting as many forms as possible filled out. He would like Randy, on his trip back to DC. to explain to our congressmen how the post office and the census people are not in sync with each other. The whole purpose of the census is to find out how many people are living here. If they already know, why would they be sending it? If you don't have a post office box, census material will be delivered to your home address. If you don't return it, then someone will come to your physical address to visit you. If that fails, you will get a phone call and if that fails they will talk to your neighbor. I do not think this is effective. If a census worker comes to your home during the day, chances are that you are at work. If you are someone who has a cell phone only, then they won't have your phone number. In today's world you are lucky if you have a neighbor who knows who you are or where you are at any given time.

Councilor Fortune asked if they want to know who is living there or just if there is a body living there. He is under the impression that they just want to know how many people are living there, no names or anything like that.

Mayor Hampton said it is best to count every head in this community because we receive State and Federal money for every person counted. We were hoping to have the Post Master General authorize every post master to forward this material. That directive never came.

ADJOURNMENT: The Council adjourned at 7:55 p.m.

Next meeting is Tuesday, February 18, 2010 at 7:00 p.m.

Respectfully submitted before the City Council February 18, 2010.

Signed: _____
Donald E. Hampton, Mayor

Signed: _____
Jackie Baker, Assistant City Recorder