



April 15, 2010  
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 (Absent)  
Amy Kordosky, Council President  
Randy Dreiling (Absent)  
Glenn Fortune  
Gerald Shorey  
Rayetta Clark  
Robert Moe

Staff Present: Gordon Zimmerman, City Administrator (Absent)  
Tim Demers, Fire Chief  
Louis Gomez, Police Chief  
Kevin Urban, Community Services Director (Absent)  
Jackie Baker, Assistant Planner

Council President Kordosky called the meeting to order at 7:00 p.m.

### 2.0 PUBLIC COMMENT –

Nancy Kelly, 48328 E 1<sup>st</sup> Street: Her concerns are liability and the noise level with the Keg & Cask Festival. She lives on First Street where the festival will be held. By city code she is responsible for the upkeep of the sidewalk and any injuries that occur. She is concerned about someone getting injured on the sidewalk and her being accountable, especially since there will be alcohol served. She is requesting that the event not be held in front of her home and the sidewalk be closed to pedestrians during the event. Last year she was unable to be in her home during the entire event because of the noise level. She is requesting the music not be amplified at the event.

Ms. Kelly feels that this type of event is an enormous value to the City of Oakridge.

Candace McMurtrie, 47465 Hwy 58: She had concerns about the Fireworks' funding in 2011. There was some confusion this year about funding. She wanted to come here to clarify the confusion. They were told a couple of years ago that if they did not apply for the room tax, they would be eligible for \$2,000 from the Community Participation line in the budget. It was their understanding that they don't generate enough overnight room stays. She would like at some point, a verification of what they are supposed to do and where it is going to be funded. They have never been asked for an expense report or anything like that. The event costs a total of \$6,500. The City of Westfir gives them \$1,000 and the City of Oakridge gives them \$2,000. The rest they get from donations and sales. They have never had a problem doing this.

Gary Carl, 48175 E 1<sup>st</sup> Street: He is inquiring about the railroad quiet zone. This issue has been around for quite some time and he has been doing some work. He is going to provide the council with the results of his effort. He wants the Council to seriously consider the issue. We cannot seriously think we can invite people to come to this town and wake them up at 3:00 am, 4:00 am, with a train whistle coming through town. This is a serious issue. We need Oakridge to become a quiet zone.

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

Councilor Shorey asked Ms. Kelly what exactly her main issues are with the Keg and Cask Festival.

Ms. Kelly said her legal and financial responsibility and the noise. She would like it moved from Pine Street to Ash Street.

Councilor Shorey asked if she has talked to Ted Sobel about that.

She said she did last year at the last minute so none of her issues were addressed.

Councilor Clark addressed Ms. McMurtrie: They just got the reports back from the Chamber of Commerce and all the motels showed that the fireworks event does promote overnight stays. They are more than welcome to apply for the room tax funds.

Ms. McMurtrie said the committee has discussed this. Because it is not a set amount that comes from the room tax each year, they prefer to keep it as it has been in the past.

Councilor Clark said the only concern they have is the budget is very slim. They won't know what they can give until they get into the budget process.

Councilor Shorey addressed Mr. Carl about the quiet zone. Gordon has been researching this and it has been put back on the Council Goals. Westfir is doing the same thing.

Councilor Clark said they are in favor of the quiet zone and that Oakridge and Westfir should get together and form a subcommittee to work on this issue.

Mr. Carl would like to be on this committee.

Councilor Shorey said they know it will cost about a half a million dollars. We also know that there is stimulus money and other options that we have.

Councilor Clark thanked everyone who wished her well during her surgery. Thanks for the cards, phone calls, flowers and food.

Councilor Shorey thanks to everyone who applied for the Budget Committee.

### **4.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA- None**

### **5.0 CONSENT AGENDA**

#### **5.1 Minutes of Regular Meeting of April 1, 2010**

**Motion:** Councilor Clark moved to approve the minutes of the regular meeting of April 1, 2010. Councilor Shorey seconded the motion. G. Fortune (Aye), R. Clark (Aye), R. Moe (Aye), G. Shorey (Aye), A. Kordosky (Aye). Motion carried 5-0.

## **6.0 ADMINISTRATIVE SERVICES**

### **6.1 Appoint Budget Committee Vacancies**

**Motion:** Councilor Fortune moved to appoint Sue Bond to a three-year term and Wayne Baker to a two-year term for the City of Oakridge Budget Committee. Seconded by Councilor Clark. A. Kordosky (Aye), G. Shorey (Aye), R. Clark (Aye), R. Moe (Aye), G. Fortune (Aye). Motion carried 5-0.

The Councilors agreed to rank the remaining applicants one to four to fill the remaining positions. They will all write them down and compare with each other the top four.

There was discussion on the applicants and what terms they should serve.

Councilor Moe said he thought Mr. Hadley would be good on the board.

Councilor Clark stated that she has issues with Mr. Hadley. They are not personal issues, but Mr. Hadley is very disruptive. He comes to meetings acting very antagonistically. This is a process where we need to sit down and discuss things. We do not want to have people show up and glare at us while we are trying to discuss the budget. It would not be a comfortable process.

It is an open meeting, he can attend the meetings.

**Motion:** Councilor Clark moved to appoint Jeff Smith and James Affa to the three-year term, Mike Flippin to the two year term and Billie Wheeler to the one year term on the City of Oakridge Budget Committee. Seconded by Councilor Kordosky. G. Fortune (Aye), R. Clark (Aye), R. Moe (Aye), A. Kordosky (Aye), G. Shorey (Aye). Motion carried 5-0.

Councilor Moe wanted it noted that Mr. Hadley is welcome to attend the meetings.

### **6.2 Keg and Cask Permit Approval**

**Motion:** Councilor Clark moved to approve the Alcohol and Street Closure Permit for the Keg and Cask Festival on August 28, 2010, from 2:00 to 8:00 pm. Councilor Fortune seconded the motion.

Councilor Shorey asked why they need to have it in front of the Pub; he would like to see it modified to reflect moving it down the street.

Doug Bates he hopes the council will approve the permit and he is sorry it is creating anxiety for Ms. Kelly. He is not sure what they can do to help her anxiety. It is a good event; it only goes until 8:00 pm not 10:00 pm. As far as moving it, he would hate to say anything because of the Brew Pub is an integral part of the festival and its location last year not only helped promote First Street but it also helped promote the Pub. He would urge that they try it at this location at least one more year.

Councilor Fortune's concern about moving it down the street is your moving towards the Corner Bar and Grill; what is their opinion on this?

Chief Deputy Scobert reported that there were no incidents last year. The crowd that came was very eclectic--your arts and wine people. The music was folk music. The reserves that were assigned to this event were bored to tears because it was such a mellow group of people. The discussion about moving it down to the Bar and Grill--these are two different types of people; it just fits better at the Pub.

Councilor Clark pointed out that half of the money they make on this event goes to our local food box to help people in our community.

Councilor Fortune addressed Ms. Kelly. She faces that exposure regarding her sidewalk everyday--any one can come along. Her responsibility is to keep it in good repair; as long as she does that she is not negligent. This is not a fear she should have on her shoulders.

Councilor Kordosky asked Ms. Kelly if she has that issue with the parade during Tree Planting.

Ms. Kelly said the parade and other issues are only 20 minutes. What has really come out in the discussion here is that this event is only for one single business. Other businesses should be encouraged to be a part of this. This is a mixed commercial area and she doesn't think she should have to bear the financial responsibility for this. She believes that unless the sidewalk is barricaded off this will increase her liability. Last year, she had no where to go in her entire house. She thinks this is a great event; it just needs to be tweaked a little bit.

Councilor Moe asked if it would make her happier if they did barricade her sidewalk.

Ms. Kelly said the best possible solution would be to move it to the end of Ted's property; that way people wouldn't be right out there.

Councilor Shorey asked where the end of Ted's property is.

Ms, Kelly said it is at the end of his building and where the old Fire station used to be, right up against her house.

She understands that it is just one day, but with the Brew Pub and some of the issues that have gone on and she was not informed. No one told her last year about the permit process so she could come and speak. She talked to someone last year five days before the event and that person absolutely had no intention of changing anything.

Mr. Bates would like to communicate better with Ms. Kelly this year. They would like to help her out with the insurance she is going to have to purchase for this event.

Councilor Clark said she doesn't think she needs that extra insurance.

Mr. Bates agreed but he would like to give her peace of mind.

Kaye Collins said they will notify everyone within 500 feet of this event before it happens.

Councilor Shorey said if we have these issues now, we are going to have the same issues next year unless we resolve them now.

Councilor Clark recommended that Ms. Kelly attend their meetings.

Councilor Fortune said their insurance should name the City and Ms. Kelly as additional insured.

Ms. Kelly said she would still prefer that the event is not held in front of her house.

Chief Gomez wanted to recognize that it was a very calm event like Deputy Chief Scobert said and as stated it is a one-time-a-year event. He understands the inconvenience for Ms. Kelly but again, it's once a year. We do need to have the ability to tweak this thing. His recommendation is to go with what is requested and with the additional insured piece.

Councilor Moe asked if we could table this.

**Motion:** Councilor Moe moved to table this discussion. No second.

**Motion:** Councilor Fortune moved to postpone the approval of the Alcohol and Street Closure permit for the Keg and Cask festival on August 28, 2010 from 2:00 to 8:00 pm until the next meeting. Councilor Moe seconded the motion. G. Fortune (Aye), R. Clark (Aye), G. Shorey (Aye), A. Kordosky (Aye), R. Moe (Aye). Motion carried 5-0.

### **6.3 Appoint OEDAC Vacancy**

**Motion:** Councilor Fortune moved to appoint Brian Farrally to the Oakridge Economic Development Advisory Committee. Councilor Clark seconded the motion. A. Kordosky (Aye), G. Fortune (Aye), G. Shorey (Aye), R. Moe (Aye), R. Clark (Aye). Motion carried 5-0.

## **7.0 COMMUNITY SERVICES**

### **7.1 Public Hearing for Rezoning of Rigdon Drive**

Opened public hearing at 8:08 p.m.

- 7.1.1 Staff Report – No changes
- 7.1.2 Ex Parte Contacts/Conflict of Interest Statements-None
- 7.1.3 Statements in Favor-None
- 7.1.4 Statements in Opposition-None
- 7.1.5 Statements in General-None

Closed public hearing at 8:09 p.m.

- 7.1.6 Council Discussion
- 7.1.7 Council Motion

**Motion:** Councilor Fortune: After reviewing the Planning Commission finding of fact, I move to approve the zone change request from Al Peterson from I-1 to R-2 for Assessors map 21-35-21-11 tax lot 0500. Councilor Moe seconded the motion. Motion carried 5-0.

**8.0 POLICE SERVICES-**

April 11-17<sup>th</sup> is Public Safety Telecommunications week in Oakridge.

Council President Kordosky read the proclamation.

Chief Gomez reported that last week’s Public Safety Night went well.

**9.0 EMERGENCY SERVICES –**

Chief Demers reported that they were on day three of the three-person rotation schedule, and so far it is going well. The dispatchers are prioritizing calls.

**10.0 REPORTS FROM BOARDS AND COMMITTEES**

Library Board- Councilor Shorey reported that they had a short meeting. Gordon presented the proposed application for the library. They are possibly changing engineers for the project and going with the City Engineer.

Public Safety Meeting- Chief Demers and Councilor Shorey were present. They are close to a proposal for the Council. Next meeting is on the 28<sup>th</sup>.

LRAPA- They elected Mayor Hampton as their Chair of the Budget Committee.

Administration- Will meet on the 26<sup>th</sup> of this month.

**ADJOURNMENT:** The Council adjourned at 8:20 p.m.

Respectfully submitted before the City Council May 6, 2010.

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

Signed: \_\_\_\_\_  
Jackie Baker, Assistant City Recorder