



May 20, 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
Linda Martin

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

2.0 PUBLIC COMMENT –

Vern Gibbons, 76396 Thatcher Lane, wanted to talk about the PUD going in at Thatcher Lane. He spent his own money putting in the road that was built for only six lots. There was only supposed to be six lots allowed down there. Now Matt Steele wants to add 15 more lots. He opposes this if he wants to use Thatcher Lane as an access for entry and exit.

Lynda Kammerer, 48175 E First Street, Oakridge/Westfir Together, wanted to discuss substance abuse prevention. They want to raise awareness about their organization. She handed out an information sheet and let them know they are in the process of recruiting new members.

Candice McMurtrie, 47465 Hwy 58, wanted to discuss the funding for the annual July 4th Fireworks. She is reporting back from the Fireworks Committee regarding room tax funds. They have an issue of time. They have to sign contracts early in the year. They have to sign the contract by March. If that contract is not met and they don't have the show, then they have to pay half. This year that would have been \$2,750. What the Committee is concerned about is that the applications don't go in until February. It looks like decisions aren't made until April. That puts a crunch on their time as far as allowing us to wait for payment. If she has letters of intent for at least half, then they will allow them to pay the bulk of it on July 10. They would like to see the city government share the cost.

Mayor Hampton asked Gordon to take a minute to tell us what's in that Community Projects line item right now.

Gordon said right now there is \$500 left in it this year. For the next fiscal budget year there is \$2,000 budgeted.

Mayor Hampton said in answer to the question about a letter of intent, this Council can't encumber a future council with a debt.

Gordon said in regards to the room tax money, there is nothing to say you cannot apply in spring in 2011 for the show in 2012.

Ms. McMurtrie said it is hard to look forward to that. They plan on having at least \$2,000, so they did have the deposit this year.

Gordon suggested they apply for the room tax and do it for 2012.

Candace said that is what she was going to ask. Then they would have been able to apply this year.

Mayor Hampton said all she has to do to request that money is to give them a receipt showing they paid their down payment for the fireworks. The Mayor directed the City Administrator to work with Ms. McMurtrie on funding and timing.

3.0 MAYOR AND COUNCIL COMMENTS –

Councilor Dreiling has a recommendation to take \$1500 out of the community projects fund and label that for fireworks if the money is available.

Mayor Hampton said we haven't passed the budget yet.

Mayor Hampton said someone could make a motion tonight to spend \$500 on fireworks because that is an approved line item budgeted amount.

Councilor Moe moved to approve \$500 to the Fireworks Committee. 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.

Mayor Hampton said on June 15, 2010, he and Judy are having a dinner for Relay for Life. This one is called A Taste of Belgium, France and Holland. The tickets cost \$10.00. You won't experience a meal like this in town because what they do is try to recreate the native food that they ate on their recent trip.

4.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA

6.5 Salmon Run Fee waiver

7.1 PUD

5.0 CONSENT AGENDA

5.1 Minutes of Regular Meeting of May 6, 2010
5.2 Food for Lane County Waiver of Park Fee Request

Motion: 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), Dreiling (Aye), Mayor Hampton (Aye). Motion carried 7-0.

6.0 ADMINISTRATIVE SERVICES

6.1 Approval of Water Tower Lease for Radio Signal

Gordon explained this is the water tower that is in the Industrial Park. The KAVE radio station broadcasts from that location.

Mayor Hampton asked who KRVM is.

Gordon said they are the ones who have the license here in Oakridge broadcasting as the KAVE 88.5 FM.

Mayor Hampton asked if they can broadcast both stations KAVE 88.5 FM and KVRM 91.9 FM.

Gordon will ask about that.

Motion: Councilor Clark moved to approve the Site Lease Agreement between the City of Oakridge and Lane County School District #4J DBA KVRM for a five year period. Seconded by Councilor Dreiling.

Councilor Moe asked if we are going to get that request in to the proposal before we vote or are we going to take it as it is and hope that they will do that.

Mayor Hampton said he is not sure if it is even technically possible to broadcast both stations.

Councilor Shorey asked how they happened to land on the water tower anyway.

Mayor Hampton said originally they wanted to put it somewhere else. Somehow they ended up either changing their mind or misidentifying where to put it.

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.

7.0 COMMUNITY SERVICES-

7.1 Public Hearing for Middle Fork Village Planned Unit Development

Opened at 7:20 p.m.

7.1.1 Staff Report: Kevin said the only change to the staff report is the motion on the partial last line after the comma, the Planning Commission wanted the CC&R's (covenants, conditions, and restrictions) reviewed by the City Attorney so they ask that you add that.

7.1.2 **Declaration of Conflict of Interest/ex Parte Contact:** None.

7.1.3 **Statements in Favor:** Matthew Steele, 60346 Arnold Market Road, Bend, Oregon. Mr. Steele is the developer of the Middle Fork Village Planned Unit Development. He read from the City code and gave a presentation to the Council. They want to preserve as much as they can by the river. It would be a real shame to have someone else come down there and property lines going right to the high water line on the river. To help reduce the public service cost of the roadways it will be a private drive. The homeowners association will be responsible for maintaining the roadway. They will have City water and sewer.

Mr. Steele gave a visual presentation to the council and showed them what it will look like. Mr. Steele and his son will design the homes. There will be a designated parked area and they will be very strict with that in the CC&R's. They will have retention and detention ponds in the PUD.

7.1.4 **Statements in Opposition**

Doug Fries, 76392 Thatcher Lane, is opposed to the use of Thatcher Lane being used. He owns the property right next to this development. He is not opposed the project. Thatcher Lane is built for six households. He recommends the council goes down and looks at this before they make a decision.

Vern Gibbons said Matt has done a great job on this but he opposes access to Thatcher Lane from the development. Mr. Gibbons is asking for a timetable for the "No Truck" signs. Construction could last between 10-20 years.

Kevin spoke to one of the residents, Jim McKee. He has the lot just north of the designated parking area. It shows a 6' fence along the property line. Mr. McKee wanted to make sure that the fence was going to go in.

7.1.5 **Statements in General:** None.

The Mayor closed public hearing at 7:50 p.m.

7.1.6 **Council Discussion/Action**

Councilor Fortune asked if there is a problem with not accessing Thatcher Lane from Middle Fork.

Kevin said Mr. Steele has some problems with it. The Fire and Police Chiefs would have more input concerning emergency access. What we talked about at the Planning Commission is that the trucks do a lot more damage than any car can do. There will be a sign down there that says no trucks. The problem with the street right now is that the crown is backward. Instead of being in the middle of the road it dives in and there is a crack down the middle. Kevin told them he would crack seal that this summer.

Councilor Fortune asked who controls the signage on the road if this is a private road.

Councilor Shorey asked if Thatcher is built to standard widths and if it is a city street.

Kevin said it is a city street and it is not built to standard widths. Its narrowest point is 19' 10 inches, twenty feet is the minimum you can have according to the Transportation Plan.

Councilor Shorey asked if there are any plans to do anything to this street.

Kevin said he will crack seal it this summer. We don't have to right of way to do anything more extensive.

Councilor Shorey is concerned with access for emergency equipment. You don't usually go with only one vehicle.

Mr. Steele said there is a turn around and it meets requirements.

Mayor Hampton asked about the structures being built on the flood plain.

Kevin said you can build on the flood plain, but what Mr. Steele is talking about is what they call the "flood way".

Mayor Hampton said the reason he brought it up is because Lane County is considering some adjustments to houses that are built on the flood plain. The Federal Government is tired of paying to rebuild time after time.

Gordon said our code already requires the living space on the first floor to be a foot above the flood level.

Mr. Steele said they did study the flood plain map very carefully and it's represented in his presentation.

Mayor Hampton surmised that when Mr. Gibbons developed his property and when people purchased their property on Thatcher Lane, he had one idea what the neighborhood was going to be like. Now we have this housing development that is going to change the character of his neighborhood. It seems that it is somewhat surprising to Mr. Gibbons that this could be allowed. Mayor Hampton will give Mr. Gibbons a chance to respond to this later.

Mayor Hampton asked Mr. Steele about the signs he is going to have with the name of the project and wanted to confirm that this was not going to be a gated community.

Mr. Steele said it is not going to be a gated community.

Mayor Hampton asked if there was going to be a community center.

Mr. Steele said no, there won't.

Mayor Hampton asked about other covenants that they will have in that PUD. For example, do they have the fence restriction?

Mr. Steele said there is the fencing and parking restrictions. They want to keep clutter to a minimum. This is all in the CC&R's. There is nothing remarkable about them.

Mayor Hampton asked if there is a time frame on this decision or if they have time to take a couple of weeks and look at this property themselves.

Gordon said yes they can take the time necessary.

Councilor Fortune asked what are our rules regarding access to streets.

Kevin said he is not sure there are rules regarding access.

Councilor Fortune asked as a private person if he wanted to access 2nd street at any point he can do that.

Mayor Hampton said we will go look at this.

Gordon said Thatcher Lane is a public street.

There was discussion on parking on a private street. Mayor Hampton asked the developer if someone wanted to park on his street and walk to the river, can they park on that street or are they going too kicked off because they don't live on the street.

Mr. Steele said it is going to be a private common park. If you lived down there, you probably wouldn't want people walking around your backyard. This is something the homeowners association will have to enforce themselves. This will create a better, safer environment.

Chief Demers said if the property owners are parking on both sides of the street, it is going to be extremely tight going through there.

Mayor Hampton asked if they can require no parking on the streets.

Kevin said yes, that is the thing with a PUD, you can do that.

Mr. Steele does not have a problem with putting the parking on one side of the street only.

Councilor Dreiling suggested the signage on Thatcher Lane and Middle Fork Village. Signage would be a huge help.

Councilor Clark asked how wide most of our city streets are.

Kevin said they vary.

Councilor Clark said she doesn't know why we are being so hard on them. Our emergency vehicles make it on our city streets.

Councilor Kordosky asked with Mr. Steele being the developer and using Thatcher Lane, what is his responsibility for the road.

Gordon said we don't know the damage is done by the trucks.

Kevin said there were no restrictions on Thatcher Lane.

Councilor Kordosky asked if you would expect the developer to repair the road. Not just Mr. Steele, any developer.

Mayor Hampton said if someone does damage to one of our public streets, they should be responsible for repairing the damage.

Kevin said yes but they do it all the time. We have 18 wheelers that drive over curbs and break them off.

Councilor Shorey can we control the load limits on the streets.

Gordon said sometimes Councils get to live with the sins of the past while we make our own mistakes now. If Mr. Gibbons would have been held to subdivision standards when he subdivided his property, he would have been required to build the street to city standards. But the Planning Commission allowed him to do it at a substandard manner for some reason, probably because they were excited to have houses being built here. Mr. Gibbons was allowed to build a narrower street with less base and less asphalt. We are paying the price for that now.

Kevin asked Mr. Gibbons if he knows how much base is under the asphalt.

Mr. Gibbons said he could find out.

Gordon said the question is irrelevant because we are going forward here. This is a public street. The property does have access to Thatcher Lane. The Council can restrict trucks. You can't put a gate across it and restrict all traffic. It is a right of way going the right way.

Councilor Kordosky asked if this development is going to cause any additional cost to surrounding residents.

Gordon said if the street is on our plan to fix, then everybody that adjoins that street will be invited to join in an LID to repair it. But we aren't talking about that. We are going to crack seal it to keep the water out of the base. With the 15 units that are added at the end of Thatcher Lane, and with two entrances to the PUD, they have five and ten travel movements a day max on Thatcher. No one will notice. You will notice trucks.

Councilor Kordosky said that is what she is concerned about. She is not really concerned about the traffic after it is built.

Gordon stated Mr. Steele has already said the trucks during construction will use River Road, not Thatcher Lane.

Mr. Steele said at the Planning Commission meeting he agreed to no truck traffic on Thatcher Lane and to overlay River Road when he is done. It takes over 500 cars to have the impact of one heavy truck. ODOT and all these agencies that design our roads don't even worry about cars. They are worried about the trucks.

Councilor Kordosky said she doesn't think the residents of Thatcher Lane are worried about the cars as much as the trucks.

Mr. Steele said he has already agreed to put up a "No Trucks" sign on Thatcher Lane.

Mayor Hampton said the Council can do one of two things. If someone is ready to make a motion tonight, make the motion. If he doesn't hear a motion, he will put it on the next meeting's agenda. If anyone wants to talk to us, our names are in the phone book.

Motion: Councilor Fortune: "After reviewing the Planning Commission findings, I move to approve the Planned Unit Development request for Matt Steele with the stipulations from the Planning Commission and contingent upon review of the CC&R's by the City Attorney. Councilor Clark seconded the Motion.

Councilor Dreiling said he feels the people have had their concerns addressed. He would like to say that he wishes everyone were as civil as these people.

Mayor Hampton said he has not seen or heard enough and he will not be voting for this tonight. He wants to go look at this.

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

Mayor Hampton wants to put this on the agenda for June 3, 2010. The council is not against this. They would like to look for themselves.

8.0 POLICE SERVICES- None

9.0 EMERGENCY SERVICES –

Chief Demers reported that they are in Week 6 of the reduced staffing level. We have still been successful with the screening of the calls from dispatch. They had a BLS call today that left a paramedic in town with no back up. The BLS transport went as planned. They have a meeting with the Union about how they are going to staff.

9.1 Approval of FireMed Contract with Springfield

Motion: Councilor Dreiling moved to approve the proposed contract for FireMed marketing services as proposed by the FireMed division of Springfield Fire and Life Safety. Seconded by Councilor Moe.

Councilor Shorey wanted clarification that we are going to make \$2,000 this first year. What if we don't, do they eat the cost?

Chief Demers said they do. They will eat the cost every year.

Councilor Fortune asked if this is concurrent every year.

Gordon said it is \$2,000 every year above last year's revenue level and then everything above the \$2,000 after the \$9,000 they are going to spend, we will split it two-thirds one-third.

Gordon said they are guaranteeing \$24,000 for five years over last year's revenue level.

Chief Demers said we can opt out at anytime. By the end of three years we are going to find out they are doing it appropriately for us and increasing our membership.

Councilor Moe said he read the whole contract and he doesn't see how we could lose.

Councilor Clark said it sounded like a good deal.

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.

10.0 REPORTS FROM BOARDS AND COMMITTEES

Public Safety - The upgrade on the dispatch center has been done. They will make their proposal at the next meeting for the funding and operating equipment for the Fire Department.

Administration - Meets on Monday.

Community Services - They wanted to put in the newsletter about the proposed rate increase for the Inflow and Infiltration Project next month. We are required to do this project by DEQ. They want public comment on this.

Lane Regional Housing Committee - Meets next month

Chamber of Commerce - They had a good meeting at the Forest Service. They had two speakers, a speaker from Womenspace and Brian McGinnley from the Forest Service discussed the closing of some of the roads. Sometime in June the USFS will be putting out a map of the roads that are closed.

Watershed Council - Met last night

LRAPA - They had a meeting and they passed on the budget to the board of directors.

Tree Planting - They had a wrap up meeting Monday night. The total cost of the Festival was put on for about \$200 above the revenue. This was a pretty good year. They had an enthusiastic bunch of people and all followed through on their tasks.

OEDAC - Meets next Tuesday

Team Oakridge - They did have a meeting. It was all City people and John Milandin from the Hazeldell Fire District.

Regional Fiber - Met today with the cities of Creswell, Veneta, Florence, Lowell and later Cottage Grove. They are working with the Lane Council of Governments to do a FTTU (Fiber to the User) study. A feasibility study will be done.

Parks, Trails and Trees - Waiting for the U of O students to finish projects. They will be coming here for an open house.

Area Commission of Transportation - By-laws have been approved as delivered. The County Commissioners wanted three concerns addressed. The Mayor explained the concerns and no one on the Council objected to the slight revisions.

Census - There were 4,000 homes that they said would receive a visit from a census worker. That seems to be everyone. People who have responded are still getting home visits. Gordon spent 15 minutes on a phone audit with the Census Bureau going over his form.

ADJOURNMENT: The Council adjourned at 8:58.

Respectfully submitted before the City Council June 3, 2010.

Signed: _____
Donald E. Hampton, Mayor

Signed: _____
Jackie Baker, Assistant City Recorder