



June 16, 2011
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
Gerald Shorey, Council President
Daniel Barclay
Ernest Baszler
Rayetta Clark
Amy Kordosky
Glenn Fortune

Staff Present: Gordon Zimmerman, City Administrator
Tim Demers, Fire Chief
Louis Gomez, Police Chief
Kevin Urban, Community Services Director
Ruthann Plumlee, Finance Director/City Recorder

Mayor Hampton called the meeting to order at 7:00 p.m. The Pledge of Allegiance was said.

Mayor Hampton said he wanted to present the "If I Were the Mayor" contest winner, Carolyn Dodge, with her prizes. He said the contest was held locally with the winner's poster going to the League of Oregon Cities for the competition involving 30-40 other cities' entries. If she wins the State contest she will win a laptop computer. Mayor Hampton presented Carolyn with \$20 worth of gift certificates for A & W food, an A & W hat, a Papa, a Mama, and a Baby root beer mugs, and other goodies in the bag that he would let her look at later. Mayor Hampton and Carolyn Dodge posed for a picture with her winning poster for the "If I Were the Mayor" contest between them.

2.0 PUBLIC COMMENT –

Rustie Ackland - PO Box 233 - appeared on behalf of the Relay for Life team. Today is "Curbing Cancer" day and they have been on the corners of Oakridge asking for donations to help fight cancer. She wanted to thank the City for allowing them to stand at the intersection of Hwy 58 and Crestview again. She said people were more generous this year and they really appreciate it. The relay is being held July 29th and 30th at Willamette High School in Eugene. It is a 24-hour walk and she brought her bucket for any last minute donations. Mayor Hampton said it is a tradition for him to match the amount collected tonight. Rustie said the annual dinner donated by the Hamptons this year is called "A Taste of Italy" and the cost is \$10 per person with all money going towards cancer research.

James Roam - PO Box 809 - he said he had a concern about a campout this past weekend. James said that Councilor Baszler and Mr. Affa showed up at the campout and voiced concerns that Kevin Urban

used City funds to rent an outhouse and supply gravel for the private event. (Mr. Roam gave the City Administrator a copy of his receipt prior to the meeting.)

Mayor Hampton said they could take care of that now. He asked Kevin if he wanted to address the issue. Kevin said he didn't do it.

Karen Abbot - PO Box 809 - she said her comment was about the same issue just stated.

Doc Johnson - 76726 Simpson Dr. #21 - he said he was the one that held the campout and he is appalled that one of the City Councilors would come to a private event held outside the City limits and make accusations. He asked for Councilor Baszler's resignation.

Mary Urban - PO Box 75 - read two quotes for the Council to think about. One was from Simon Wiesenthal which states, "For evil to flourish, it only requires good men do nothing" and the other from Alexis de Tocqueville which states, "In a democracy, people get the government they deserve."

3.0 MAYOR AND COUNCIL COMMENTS –

Councilor Baszler said he was not snooping as he did not get out of the car at the event that was mentioned.

Councilor Fortune said he came across a letter posted at the Post Office with the Budget Committee Chair's name at the bottom which said he, as well as other Councilors, voted against 24-hour ambulance coverage at the budget meeting. He said he is shocked as he declared a conflict of interest and did not vote on anything at the budget meetings. He is surprised the author of the letter misrepresented things to the public.

Mayor Hampton said by the next meeting he should receive councilors' City Administrator evaluations so he could get started on the results for the second meeting in July.

Mayor Hampton said he loved living in a small town. He received a post card which was addressed "To the Mayor, Oakridge, Oregon 97463."

Councilor Barclay said he sees new faces in the audience and thanks them for attending the meeting.

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

5.0 CONSENT AGENDA

5.1 Minutes of Regular Meeting of June 16, 2011

5.2 Minutes of May 9, 2011 Budget Committee Meeting

5.3 Minutes of May 16, 2011 Budget Committee Meeting

5.4 Minutes of May 23, 2011 Budget Committee Meeting

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

6.0 ADMINISTRATIVE SERVICES

6.1 Commander Cole from the Civil Air Patrol

Commander Cole of the Civil Air Patrol will be at the Oakridge Airport Saturday, June 18th from 12:00 - 5:00 p.m., weather permitting. They will have a 2008 Cessna 182 for display. The Civil Air Patrol has a cadet program for kids 12-18 years of age. The patrol has three major functions. It helps with emergency services (search and rescue), which started before World War II; cadet programs that teach leadership, aerospace education, responsibility, community service; and also aerospace education which teaches people about aviation. He left information with the Mayor for Council discussion.

6.2 Public Hearing for Budget Adoption - opened 7:25 p.m.

6.2.1 Staff Report

The budget was approved by the Budget Committee of which a copy is in the Council packet.

6.2.2 Statements in Opposition - None

6.2.3 Statements in Favor - None

6.2.4 Statements in General - None

Mayor Hampton closed the public part of hearing.

Councilor Fortune declared a conflict of interest as a beneficiary of the budget as the City's Insurance Agent of Record.

6.3 Resolution 7-2011 Declaring the City's election to Receive State Revenues

Motion: Councilor Clark moved to approve Resolution 7-2011 declaring the City's election to receive State revenue. Councilor Kordosky seconded the motion. A. Kordosky (Aye), Mayor Hampton (Aye), D. Barclay (Aye), G. Shorey (Aye), E. Baszler (Aye), R. Clark (Aye). Motion carried 6-0.

6.4 Resolution 8-2011 Certifying City Services

Motion: Councilor Clark moved to approve Resolution 8-2011 certifying City services. Councilor Shorey seconded the motion. R. Clark (Aye), G. Shorey (Aye), A. Kordosky (Aye), D. Barclay (Aye), Mayor Hampton (Aye), E. Baszler (Aye). Motion carried 6-0.

6.5 Resolution 9-2011 Adopting the Budget, Making Appropriation, and Imposing and Categorizing Taxes

Motion: Councilor Kordosky moved to approve Resolution 9-2011 adopting the 2011-2012 budget, making appropriations, and imposing and categorizing taxes for the City of Oakridge. Councilor Clark seconded the motion.

Councilor Shorey said he would like to amend the budget.

Motion: Councilor Shorey moved to make an Ambulance Reserve Fund from the Agency Fund account 500-55-531300. Councilor Barclay seconded the motion.

Gordon said it really isn't a budget question. He said it would be a motion for the City Administrator to create an Ambulance Reserve Fund. The Council agreed as a friendly amendment.

R. Clark (Aye), G. Shorey (Aye), Mayor Hampton (Aye), A. Kordosky (Aye), D. Barclay (Aye), E. Baszler (aye). Motion carried 6-0.

Councilor Barclay asked during the budget process if the City was legally obliged to have the same percentage amount for all funds go to Administrative overhead. Gordon said they have to have a justifiable reason for removing funds from enterprise funds and other funds to the general fund that is objective and fair. Councilor Barclay suggests raising the administrative percentage for funds with more money and lowering the percentage for funds with less money to help out those funds by lowering their costs. Gordon said that would be difficult to justify.

Mayor Hampton recommended to the Council that if they agree with Councilor Barclay, vote no on the budget adoption so those adjustments can be made and if they disagree with Councilor Barclay to vote for the budget adoption. They were to vote on the amended budget.

Councilor Fortune asked for the question. Gordon said the budget has not been amended; a Council directive was given to create another reserve fund.

E. Baszler (Nay), D. Barclay (Nay), A. Kordosky (Aye), R. Clark (Aye), Mayor Hampton (Aye), G. Shorey (Nay). Motion tied 3-3.

Mayor Hampton said he believes that in the case of a tie, Councilor Fortune could be required to vote even though he declared a conflict of interest. Councilor Baszler said he would like to know how that worked. Mayor Hampton said he couldn't turn to a specific page and point it out so they would recess while research was done. Council recessed for five minutes at 7:55 p.m.

Council reconvened at 8:00 p.m. Mayor Hampton asked Gordon what the City Attorney had to say about the issue. Gordon said the City Attorney told him the "Rule of Necessity" which always an abstention to vote on an issue before the whole body in order to pass legislation before that body. However, in a budget situation where there is an actual conflict of interest, the Rule of Necessity does not overrule the conflict of interest. The attorney asked Gordon to remind the Council that if they do not pass the budget before June 30th, the City will shut down and any monies expended after that date will be the personal liability of the Council.

Mayor Hampton said he would look at the 3-3 vote as a failing of the motion. He said a Councilor that had voted nay would have to reconsider their vote or set another meeting to discuss the budget some more.

Councilor Barclay said he would like to see another meeting to discuss the issue.

Councilor Clark said it would be a waste of time to have another meeting as the committee has already discussed the budget and made its recommendations and none of us like the fact that we don't have enough money in this budget, but we have to work with what we have.

Mayor Hampton asked Councilor Shorey what he would like to have happen. Shorey said he would like to see the administrative overhead looked at find some way to adjust it for the funds.

Councilor Baszler said he would not change his vote.

Councilor Shorey asked they still have \$47,000 for an ambulance. Gordon said that is correct. Councilor Shorey asked if that money could be put into the new Ambulance Reserve Fund as seed money that cannot be touched at all. He said if that happened he would be willing to change his vote.

Mayor Hampton said he thinks there are some people that are not happy, which happens when you don't have the money to do the things you want to do, and there are some proposals to do various things. He said starting July 1st, if you think the administrative overhead can be different; it's time to do research on that subject for the next budget process. If there is anyone that thinks some things can be changed in the budget, now is the time to start your research and make the suggestions at the next budget meeting.

Motion: Councilor Shorey moved to reconsider the vote to approve the budget with the Resolution to create the Ambulance Reserve Fund and adopt the budget as presented. Councilor Barclay seconded the motion. E. Baszler (Nay), R. Clark (Aye), A. Kordosky (Aye), Mayor Hampton (Aye), G. Shorey (Aye), D. Barclay (Aye). Motion carried 5-1.

Councilor Barclay said he was looking at the League of Oregon Cities' budget calendar and he was wondering if the City could start the budget process sooner' leaving more time for discussion and work sessions. Mayor Hampton said they could direct the City Administrator to start sooner. Gordon said if you start earlier you run the risk of having inaccurate information and balances.

Councilor Shorey said he would like to see the City initiate a purchase order system. Mayor Hampton said the administrative committee should research that and present a recommendation.

6.6 Resolution 10-2011 to Adopt Section 3 Plan for 24 CFR, Part 135

Motion: Councilor Clark moved to approve Resolution 10-2011 adopting Section 3 Plan to comply with 24 CFR, Part 135. Councilor Shorey seconded the motion.

Mayor Hampton said this was for the Library Grant to comply with the federal regulations when awarding contracts for projects paid for with federal monies.

G. Shorey (aye), Mayor Hampton (Aye), R. Clark (aye), A. Kordosky (Aye), G. Fortune (Aye), E. Baszler (Aye), D. Barclay (Aye). Motion carried 7-0.

6.7 Waiver of WAC Rom Fee for Cancer Fundraiser

Motion: Councilor Fortune moved to approve the fee waiver request from the American Cancer Society Windwalkers Team for the use of the Senior Lounge in the WAC on June 13, 2011. Councilor Baszler seconded the motion. D. Barclay (Aye), G. Fortune (Aye), R. Clark (Aye), G. Shorey (Aye), E. Baszler (Aye), A. Kordosky (Aye), Mayor Hampton (Aye). Motion carried 7-0.

6.8 Appointment of Library Board Member

Motion: Councilor Kordosky moved to appoint Georgeanne Samuelson to fill the vacant position on the Oakridge Library Board. Councilor Clark seconded the motion. Mayor Hampton (Aye), A. Kordosky (Aye), D. Barclay (Aye), E. Baszler (Aye), R. Clark (Aye), G. Shorey (Aye), G. Fortune (Aye). Motion carried 7-0.

7.0 COMMUNITY SERVICES - None

8.0 POLICE SERVICES

Motion: Councilor Clark moved to authorize the Mayor to enter into an Inter Governmental Agreement with the City of Westfir for Animal Control Services and Law Enforcement Services and to enter into an Intergovernmental Agreement with the City of Lowell for Law Enforcement Services. Councilor Fortune seconded the motion.

Councilor Shorey asked if there were any differences in the amount of money being charged or changes to the amount of hours billed. Chief Gomez said there were no changes to hours but there is a 3% increase in contract price.

Councilor Barclay asked where the revenue was showing in the budget. Gordon said the Law Enforcement Services for Westfir and Lowell goes into the general fund and the animal control money goes into miscellaneous revenue, as they are not called out there that often.

Councilor Baszler asked if the police were patrolling in Lowell only when they had to go to Eugene on business. Chief Gomez said no, they go other times also, but they try to capitalize on the times their officers have to go to Eugene for court or a transport so that they are not making two trips out of Oakridge.

Mayor Hampton (Aye), R. Clark (Aye), G. Shorey (Aye), E. Baszler (Aye), G. Fortune (Aye), D. Barclay (Aye), A. Kordosky (Aye). Motion carried 7-0.

9.0 EMERGENCY SERVICES

Chief Demers said Emergency Services would like to extend their best wishes to Kevin Urban in his new endeavors in the City of Coquille.

10.0 REPORTS FROM BOARDS AND COMMITTEES

Administration – no report. Mayor Hampton gave them the assignment for looking into policy for naming City property after individuals in memorial or any other way and he thinks they need to have a policy in place for that.

Community Services – met and discussed ongoing business. Discussed the dental clinic. Kevin said they are willing to set up at the Industrial Park.

Public Safety – will meet June 29th.

LCOG – will meet June 23rd or 24th. The work plan for internal/external communication is complete.

Chamber of Commerce – will meet June 21st. The annual BBQ will be at the Fish Hatchery at 5:30 p.m.

Watershed Council – will meet at the end of the month.

LRAPA – no report. Glenn Fortune thanked Kevin for his service to the City.

Trails - (GOATS) Working on plan to clear trails. They are working to coordinate with other agencies.

Tree Planting - had wrap up meeting. The financial report is ready except for the quilters' portion.

Library - they are done for the summer. Monday, June 24th at 10:00 a.m. is the start of the Summer Reading Program. They will hold it every Friday until the end of July.

OEDAC – will meet the 28th at Noon at Manning's or A & W.

Regional Fiber – no report.

Parks, Trails and Trees – will meet Tuesday, June 21st from 6:00-7:00 p.m.

ACT - will meet Wednesday, June 22nd.

Lane Economic Committee - will meet June 20th and the City of Lowell will be giving an economic report.

HUB - they now have 8 hanging flower baskets along the highway. ODOT has been out cleaning the highway, restriping and scraping weeds from the sidewalks. Elizabeth Barclay gets the credit for getting this stuff done, as she doesn't give up when she starts a project.

UBRA - They are going to hang banners. They have raised \$900 for brackets and banners. Brackets should be put up this summer.

Councilor Fortune said they have an Administrative Committee meeting at the end of this month and wanted to ask if the committee wanted to reschedule. Mayor Hampton said they could work that out later.

Councilor Baszler said at the last Council meeting he made a motion to extend the advertising for the Municipal Court Judge by 30 days and he cannot understand how they could hire for that when they didn't know if the budget was going to pass or not.

Mayor Hampton said the budget is a plan, it doesn't mean you have to spend the money. He said they are guessing how much revenue and expenditures are going to be received and spent, and it would not be the first time the City was wrong about the cost of something.

ADJOURNMENT: The Council adjourned at 8:43 p.m.

Respectfully submitted before the City Council July 7, 2011.

Signed: _____
Donald E. Hampton, Mayor

Signed: _____
Ruthann Plumlee, City Recorder