



September 1, 2011  
City Council Regular Session  
Oakridge High School Auditorium  
7:00 pm



# MINUTES

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## 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  
Ruthann Plumlee, City Recorder/Finance Director

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

Mayor Hampton called the Oregon Department of Transportation representatives up to give an update on the Hwy 58 tunnel work. He said there was an open house at Greenwaters Park on Wednesday, August 31, that was for the interested public to get more information and ask questions about the project. Mayor Hampton said after their presentation the Council would be able to ask questions, and then he would allow some questions from the audience. He said if there wasn't enough time the representatives said they would be available for questions after the meeting.

Sonny Chickering , ODOT Area 5 Manager, said the repair work on Hwy 58 is critical. He said the tunnel is built on viaducts and one on the west side and three on the east side are in disrepair and in fact serious disrepair and they need to be replaced. Also the tunnel itself needs to be repaired also as evidenced by the amount of leakage and ice that forms on the roadway inside the tunnel during the winter. They are going to combine the repairs and the viaduct work will run concurrently.

ODOT understands the impact this repair work will have on the surrounding communities, Oakridge and Crescent Lake, and have held public meetings at both locations. He said in order to complete this work the work zone will be spread out over two seasons. That means Oakridge and Crescent Lake will be impacted over the summers of 2012 and 2013; 2012 will have the most serious impact with six, four-day full closures of the highway. This means that Monday through Thursday the highway will be closed with flaggers on the weekends directing one-lane traffic. He said the highway would remain closed at night during the construction. In 2013 the same schedule would apply with night closures of the highway.

He said ODOT is working with emergency services and the forestry department for access to the roadway for emergency vehicles, as ODOT is working during the fire season. He turned the microphone over to Rick Little, Public Information Officer for Oregon Department of Transportation.

Rick Little said the outreach started in March 2010 with email updates once they knew the project was close to fruition. They also started a website at the same time with an overview of the project and contact information for public outreach. The first open house was Monday, August 29, in Crescent Lake and had a very good turnout with a vocal group. The second open house was held in Oakridge at Greenwaters Park and also had a strong turnout. In all, he said nearly forty people attended the two open houses and asked questions, discussed, learned, and gave advice.

He said what's important to note is that all the people that attended the open houses understand the need for the project. Roughly 11% are in total support of the six four-day closures, 89% have very serious concerns about the construction schedule. The concerns that arose during both open houses were about the economic burden on business owners, loss of jobs and income during the closure periods, inability to manage bookings and manage events and potential loss of entire businesses. He turned the microphone back over to Sonny Chickering for questions.

Councilor Baszler asked what the hours were going to be for nighttime closures during the project. Sonny said the road would be closed from 8:00 p.m. until 6:00 a.m.

Gordon Zimmerman asked if there was potential to alter the schedule for the construction after the feedback from the two open houses. Sonny said the schedule was not set in stone but they are limited in their options for scheduling. He said they discussed closing the highway one time and doing the entire project during that time, but there were obvious problems with that. They discussed spreading the project out over three or four years, but there were concerns about the structures lasting the duration until replacement.

Councilor Barclay said obviously the highway is a lifeline for this community. He asked if they had an estimate on the size of the crew that would be working on the project, and will the contractors and workers be staying locally for the work or commuting from elsewhere?

Mr. Chickering said he won't know that until February or March of 2012 after bids are considered and a contractor chosen. He said he guesses about 15-20 workers on the project. He said also that asphalt, gravel, and other materials would be purchased from local businesses. Mr. Chickering also said that when they work on the west end of the tunnel he expects the crews to lodge in Oakridge and when the east side work is in progress they would lodge in Crescent Lake.

Mayor Hampton said he read both minutes from the meetings. He will try to summarize them. He said both sides would prefer work to be done in the shoulder seasons, meaning the middle of summer is not the perfect time. He said both sides would prefer a series of small closures to a long closure. Mayor Hampton also said since this is tourist related and has to do with bookings, ODOT should try to stick to the schedule that is set. He suggested the businesses in the community get together with the Chamber of Commerce and try to make destination events, which mean Oakridge is the destination and not the gateway, such as the Tree Planting Festival, and the Oakridge Hostel's Old Time Fiddler's and the Ukelele Festival. There is also the Aufderheide Drive, which connects Hwy 126 and Hwy 58.

Councilor Shorey asked why they were timing the project for summer. Mr. Chickering said the weather is warmer for concrete to set and the trucks to make it up the highway. Councilor Shorey asked about the wet season as an option. Mr. Chickering said they are concerned about the freezing temperatures and ice on the roadway.

Mayor Hampton thanked Mr. Little and Mr. Chickering for their time and help.

Mayor Hampton asked the City Administrator to give a financial update of the City before the public comment portion of the meeting. (See attached.)

Mayor Hampton said we have twenty-two people signed up to speak so he will allow two minutes per person.

## **2.0 PUBLIC COMMENT**

Don Hadley - 47786 Hwy 58. - he wanted to say he is happy to see everyone here this evening. He said he has been attending the Budget and Council meetings for the last four years. He said it took him two years to get on the Budget Committee and wants everyone to understand that he didn't ask to get rid of the police. He asked at the Budget meeting to get rid of one officer to send that money towards an EMT. He believes in the police and ambulance.

James Affa - 76340 Garden Road - he is happy to see everyone here whether for or against the recall. He said the people for the recall don't dispute anything in the flyers. He said he has handed information to the Council since February papers about audits, fraud, waste, abuse, etc.

Teresa Freborg - 76773 Bugle Loop - not present.

Karen Abbott - 48162 E. 1<sup>st</sup> St. - she said Oakridge is a perfect place to live. She said it saddens her that such chaos has been created in the community. Not only is this costing taxpayers money they can't afford but the city has been dragged through a muddy media frenzy as well. She said nothing positive has been said about Oakridge in a long time, and it is a shame.

Kurt Andrews - 76138 Rigdon Drive - declined.

Sayre Custer - 48175 McFarland Rd. - she said Oakridge needs jobs but why would anyone want to move a business here and bring decent wage jobs with the current atmosphere. She said Oakridge is known country wide but not for the right reasons. She said to remember this is your city and if you have questions you can go to your Councilors and they will answer any questions you have.

John Ryon - 47735 W 2<sup>nd</sup> St. - he said Chief Gomez falsified a police report about him and when he told the Council they had a meeting and told him they didn't want to hear about his dogs anymore. He said Police Reserve Cooper gave him a ticket for not signaling at Union and 2<sup>nd</sup> St. He said Cooper was never in the area. He went to court and appeared before Judge Carl who told him when it comes to a defendant and an officer of the law; he has to take the officer's word. When he told the judge he was going to appeal the decision the judge told him not to waste his money because it's the same way in Eugene. He said Judge Carl was crooked and Chief Gomez was crooked, also.

Floyd Staley - 76854 High Prairie Road – he questions the motivations of the people against the recall. He said the Council is all here and the people are here so why can't they talk to the Councilors. He also said two minutes to speak was not right.

Gene Hilleman - 47800 Short St. - he has lived here since 1978. He wants to know why Chuck Kurnick is still working for the City when he is retired. He wants to know why Gordon Zimmerman is still drawing a salary when he needs to be on suspension. He said he is not sure about the finance director, either. Somebody needs to be held responsible.

Don Barrows - 47888 Elgin Ave. - he has heard innuendos by people for the recall. He wants to see a fair election without dirt throwing. The fact is Oakridge is not following state law by being behind in audits.

Faithe Simington - 48240 Hills St. - gave her time to Gary Carl.

Bob Garr - 47889 Elgin Ave. - He said the white t-shirts are really nice, (citizens were wearing No Recall t-shirts in the audience). He said the one thing on the shirt everyone will agree with is we love Oakridge. He said we have a mess and he doesn't know how it's going to get cleaned up. Someone needs to find out where the money went. He doesn't understand how a city can go three years without reconciling their checkbook.

Charlotte Rehwalt - 76470 High St. - she read a paper for Dan Rehwalt concerning the recall and financial situation.

Dawn Kinyon - 47709 School St. - she asked what the City's preferred process is for investigating issues from the citizens. She asked if someone has a concern where is the best place to go to get an answer. She also said she would like to offer her free time to volunteer for the city to help make up for the losses in the budget. She wants to help with cleaning parks, catching dogs, etc. How can she go about doing this?

Doug Bates - 76703 Bugle Loop - he thanked all the people in the white t-shirts for showing up. He said there are more t-shirts and signs available. He told the media that the Oakridge they are seeing now is not the real Oakridge. He said he supports what Sayre Custer and Karen Abbott said and the recall is a misuse of the recall and it is bad for Oakridge, bad for the economy, and bad for the social fabric.

Jess Henrys - Portal Drive - not present.

Billie Wheeler - 48581 E. 1<sup>st</sup> St. - she said she can like you and still not like your politics. She said people lost faith in the Council's ability to lead, their ability to keep the records straight, their ability to serve the public. She said it is great to see everyone here and taking an interest in what is going on. She said she and her husband are leaving Oakridge due to the mine that will be put in in a couple of years and would not be good for her husband's COPD.

Gary Carl - 48175 E. 1<sup>st</sup> St. - read a letter. (In 9/1/2011 minute file)

Rebecca Chamberlain - 47564 Union St. - she said she came here tonight to see an unruly mob. She has seen instead people that care about their community, what happens in it, and love where they live. She said they can get through the hard times. She said they need to work together.

Sherry Klosterman - 48134 Hills St. - she said she has enjoyed everyone's enthusiasm, questions, and comments. She said you don't have to be from Oakridge to enjoy Oakridge. She asked the Council when they voted on certain issues about City issues, why it turns out to be a 4-3 vote.

Benjamin Beamer - Maple St. - he said he is against the recall because he believes in the Council. He came back to Oakridge and stayed in Oakridge because he believes in Oakridge. He enjoys the parks, libraries, services offered, rivers and lakes, and the people. He believes the people of Oakridge can come together and find common ground.

Jim Coey - E. 1<sup>st</sup> St. - he said firing a bunch of people is not the answer to the problem and said if they are going to fire one they might as well fire all of them. He said there are issues that are more than budget issues and money shortfalls. He said they should be focusing on making Oakridge a better place and bringing in business and bringing in jobs. He said the focus should be on supporting the decreasing school district. He said the recall is wrong.

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

Councilor Barclay said he appreciates everyone that has come and would like to see more people and participation. He said Oakridge was on the verge of being the only city in Oregon since 1859 to file for bankruptcy. He is still asking how this could happen. He is still waiting on answers. He said what makes things divisive is by personalizing the issue and name calling. He said the agenda has the topic financial update but yet at the last three meetings the last paragraph has been about the recall. He said these are separate issues that will be decided by separate people.

Councilor Shorey thanked the high school for putting up with them for these last months. He said they have extended themselves beyond the call of duty. Concerning the recall, he said ballots go out tomorrow, September 2<sup>nd</sup>, and the election deadline is September 20<sup>th</sup>. He verified this with the Lane County Elections Department. He got a question from a citizen that wanted to know how many people were still on the payroll for the city. Gordon said 20 and a half. The half is a part-time person.

Councilor Shorey said during the last Council meeting he asked for an asset list, asset management plan, and a plan for how they were going to deal with their assets; primarily real estate. The City Administrator provided a list of assets and by next meeting they will have a plan. He said he is happy to see everyone here. He said he is concerned about the audit and wants to recommend a discussion on that issue on the agenda. He is concerned the current process isn't going to get us where we want to be. He is going to recommend hiring a forensic auditor, not to find criminals, but to go into greater detail to find out what went wrong.

Councilor Shorey said we have spent too much on auditing and accounting over the last two years and we need to get a handle on things. He said we don't have a complete picture and doesn't think we will have one by December.

Mayor Hampton said in regard to Ms. Kinyon's question about volunteering. He said to call City Hall and someone can tell you what the volunteer opportunities are. He said without volunteers in a number of places in the community he doesn't think the community could continue to exist. He said anyone else that wants to volunteer can call City Hall. He said as far as Council voting goes, it takes four votes to pass anything. Most of the time everyone agrees to the item and is satisfied and you have a seven to zero

vote. He said sometimes they don't agree and the vote shows accordingly. He hoped that answered the voting question asked by Ms. Klosterman.

Ms. Klosterman asked why there were always 4-3 votes and she is concerned that too many things are passed without thought.

Mayor Hampton said with a quick review of the minutes it shows that everything is not a 4-3 vote. He said minutes are not controversial and pass. He said Councilors vote their conscience and each person votes to that.

Councilor Barclay said when he asked who loved Oakridge that was a 7-0 vote. If he were to ask for a vote on people for and against the recall it would be a 4-3 vote. He said there are seven people here and he believes all seven want what is best for the city. The thing is on some cases they are going to disagree and will be a 4-3 vote.

Councilor Baszler told Mr. Coey, in answer to his question, that he has asked about the audit every Council meeting and always got the same answer; it was in progress. He said he has lived here for over 60 years and has never seen anything this bad. He said people in other towns and states are asking about this. He said it's embarrassing. He said Mr. Zimmerman is the guy to blame as it's right there in the charter. He said there's something going on and someone has to answer to it. He said we can't go on this way, as there is too much anger.

Mayor Hampton said the Council had asked the City to send them copies of what is sent to the auditors and also the auditor to send us communications sent to the City. He said the last things that were sent concerned the 2009-2010 audit.

Councilor Barclay asked if a Disclaimer of Opinion is the same as a Qualified Audit. He said the Council voted 7-0 for a Qualified Audit. Gordon said that is what he told the auditors after that Council meeting.

#### **4.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA**

Adjustment: Gordon said there will not be an Executive Session.

Addition: Councilor Shorey requested a discussion concerning a forensic auditor. Mayor Hampton assigned this item as 6.2.

#### **5.0 CONSENT AGENDA**

##### **5.1 Minutes of Regular Council Meeting of August 18, 2011**

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

#### **6.0 ADMINISTRATIVE SERVICES**

##### **6.1 ODOT Highway 58 Tunnel Reconstruction Presentation**

Mayor Hampton said that was done already and we will move on to item 6.2.

## **6.2 Forensic Audit**

**Motion:** Councilor Shorey moved to hire a forensic auditor. Councilor Baszler seconded the motion.

Councilor Clark asked how much it would cost.

Mayor Hampton said if it were on the next meeting's agenda with some of the information like that, I would be more apt to vote in favor of it. Without knowing what it is going to cost and how it's different than what the outside accountant we hired is doing, that is the kind of information he wants to see. He said he's not against it; he just needs more information.

Councilor Shorey withdrew the motion until next meeting when more information is available.

Councilor Barclay wanted to know what impact, if any, this would have on the engagement letter they just signed with Jones and Roth for the non-forensic audit.

Mayor Hampton said it is an accountant going through the books to see where the error occurred. The auditor is doing the official report and Jones and Roth is going through our books to see where the accounting errors took place.

Councilor Shorey said it is his understanding in the last two years the City has spent several thousand dollars to Jones and Roth for an accountant. His assumption is they did that because it is required that they have an accountant because they don't have an accountant on board of our staff. Given the fact we are now using the same firm, does that requirement go away or is it still continuing?

Gordon said if Chris Hays, of Jones and Roth, is performing the functions to determine what happened to the money, is that sufficient for your forensic accountant position? He is a forensic accountant, although we have asked him to give the accounting program a look. He said let's try to answer definitions and what you want to do and come back in and answer all the questions you have about accounting, auditing forensic accountant, costs, what they do, and proposals in the next couple of weeks.

Councilor Shorey said he would prefer to have that at the next Council meeting as they are still waiting on the audit. He said he thinks they should take action at the next Council meeting.

Gordon said it would be in the staff report in the Council packets for the next meeting.

**7.0 COMMUNITY SERVICES** No report.

**8.0 POLICE SERVICES:**

Mayor Hampton asked Chief Gomez when the Council could expect a recommendation from him and the City Administrator on dispatch services.

Chief Gomez said he believes Councilor Shorey will present that in the Safety Committee report.

**9.0 EMERGENCY SERVICES:** No report.

## **10.0 REPORTS FROM BOARDS AND COMMITTEES**

Community Services - they normally have the meeting the first Monday of the month but that is Labor Day. Change the meeting to the second Monday, September 12<sup>th</sup>, at 10:30 a.m.

Public Safety – met August 31<sup>st</sup>. Discussed dispatch services. He said they have lost another person in dispatch. Police Department being disassembled to lower level of service. Talked about outsourcing dispatch with another entity. As most everyone knows the City is in dire straits regarding the fire department because of the number of personnel responding to calls. The number of paid staff responding to calls had to be cut. In dispatch one has retired and one has left, which has left us low. They don't have a proposal or IGA yet but the costs look good. The issue will be coming back next Council meeting with a firm proposal for the Council to discuss and vote on.

Chief Gomez said this is being brought to the Council for direction in regards to dispatch.

Councilor Shorey said the recommendation from the Safety Committee is to proceed with this.

Councilor Kordosky asked if the contracted place will know where the streets are.

Chief Gomez said the 911 calls go into Central Lane 911 in Eugene and whichever entity Oakridge uses for dispatch will get a computerized call to dispatch. Chief Gomez has asked whichever entity doing the dispatching has a dedicated line for Oakridge. He said all the dispatching entities have maps of Oakridge in their computers. The people calling in will have to know addresses and not say "there's an accident by the old post office" as another entity will not know the area that well.

Councilor Baszler asked what the approximate savings will be.

Chief Gomez said at this time they don't have that information yet. He estimates between \$70,000 - \$120,000 between the two entities already contacted, with a third RFP recommended. He said this is a Council goal to have a second-out ambulance and this is one option the City can do and still have police services and emergency services.

Councilor Barclay asked if this would take effect the first of November. He said there has to be time for Council action and they discussed ways to maintain a contingency in case it doesn't work. He said the dispatch contractor would be reviewed in one year to evaluate how it is working.

Councilor Shorey said the Safety Committee felt the City should establish a reserve fund in the event the City should decide to bring dispatch back.

LCOG - received a letter this week that the Executive Director is retiring as of December 2011 but will stay under a Personal Services Contract until June 2012 so they have time to hire a replacement.

Chamber of Commerce – Rustie Ackland wanted to clarify there are no board positions available as reported at the last meeting. Mayor Hampton said he talked to a person he thought had resigned and told him an email had been sent but not forwarded to the Chamber President.

Watershed Council - no report.



LRAPA – will have second advisory meeting on September 6<sup>th</sup> at the Willamette Activity Center in Room 10 at 7:00 p.m.

Councilor Shorey asked if the Warm Homes Program had any money left. Gordon said yes they do but it has to be spent by the end of November. Mayor Hampton said it is limited to ductless heating systems only. Shorey said there are tax credits with the ductless heat systems. Mayor Hampton said they have to share that money with Cottage Grove and Eugene but that Oakridge is top priority.

Trails - no report.

OEDAC - had meeting. They discussed the TV Butte Sale with the funds going into the Industrial Park Fund to make the yearly payment. The sale will close by the end of September. Water rights on Salt Creek were discussed and the Office Building at the Industrial Park. The flex building has two empty rooms. They meet again the fourth Tuesday in September.

Parks, Trails, & Trees - meet next week. Will discuss closure and rules signs for all City parks.

ACT - no report.

UBRA – no report.

HUB - no report.

Library - will meet next week, September 13<sup>th</sup> at 5:00 p.m. at City Hall.

Councilor Baszler asked about Osprey Park lights. Gordon said the new lights and baffles have all been installed.

Councilor Baszler said in response to Jim Coey’s question that he asked to be recalled, also. He had said if you recall one, recall all.

**ADJOURNMENT:** The Council adjourned at 8:50 p.m.

Respectfully submitted before the City Council September 15, 2011.

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

Signed: \_\_\_\_\_  
Ruthann Plumlee, City Recorder