



November 17, 2011
City Council Regular Session
Oakridge School District Board Room
47997 W. 1st Street
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
Dale Scobert, Deputy Police Chief
Ruthann Plumlee, City Recorder/Finance Director

Mayor Hampton called the meeting to order at 7:00 p.m. He made an announcement that there were no public restroom facilities at this meeting place. The Pledge of Allegiance was said.

2.0 PUBLIC COMMENT

Don Hadley – 47696 Beaver St. – said he sent an email 30 days ago to the Mayor and never received a response. The email concerned the ditch witch owned by Public Works and used by Ben Beamer. Mr. Hadley wondered if the City received any revenue from the rental of the piece of equipment. A copy of the email is in the file for the meeting.

LaVern Beasley – PO Box 1408 – handed out a letter to the Council concerning the new library and fund raising for the City's matching \$10,000 funds. A copy of the handout is in the meeting file.

Faithe Simington – 48240 Hills St. – handed out an information piece for the library. A copy of this handout is in the file for the meeting.

Karon Tiller – 42596 Riverview – asked for a waiver of fees for the use of the Community Building at Greenwaters Park on Christmas Day for a community dinner.

Terry Callahan – 76531 Bobbe Way – said last week a Councilor stated he spoke for 3,000 people. He wanted to take exception to that. He said when people spoke during comment times; they were

speaking for themselves, not for anyone else. He said when the Council votes they vote on behalf of citizenry whether it's right or wrong.

Marvin True – 76323 Jasper Dr. – thanked the ladies on behalf of the library. He appreciates the library. He asked the Council to reconsider Salmon Creek Park Project. He said he lives in that area and that is the number one used park in the community. It's used when it's raining and not raining and it's used for summer meals. He appreciates if park is kept in thoughts.

3.0 MAYOR AND COUNCIL COMMENTS

Mayor Hampton said if you don't like the response you get to your question, call and make an appointment to discuss it further. He said bring in your information and an answer can be given.

Mayor Hampton said as far as Mr. Hadley's question concerning the ditch witch. He said the ditch witch was purchased with grant money. He said the City has access to the equipment but it is used primarily by the G.O.A.T.S. people and when they loan it out, the money they make on the rental goes to the GOATS group. The City Administrator said no it goes to the City to the Parks Fund.

Councilor Shorey addressed Mrs. Beasley's comment. He said he feels he has been misled by the library. He said he supports the library but was told repeatedly that there were going to be no City funds needed for the grant. He said that has been and will be his objection to the library grant.

Councilor Barclay said when Mr. Callahan made his comment he heard agreement in the room. He said it was pointed out two weeks ago that some of the Council speaks more than the two or three minutes allowed for public comment. He said he misstated and apologizes to Mr. Callahan. He said his statement should have been that when he speaks his intention is to act and speak bearing the welfare of the entire community in mind. Councilor Barclay thanked everyone for showing up at the meeting. Involvement matters. He wanted to commend the Council for responding to questions and resembles a discussion. He said for those who have heard him ask, the 2008-2009 audit was received this evening.

Councilor Baszler said the City already has three parks. He asked where we were going to get the money. We are in debt and we need to wait on spending money on parks until the forensic audit is done. We can always come back to this issue.

Councilor Kordosky had questions on the expenditures in the check register. She asked how many times the water was tested. Gordon said every week. She asked how many cell phones the City had. The City Recorder said about eight or nine with EMS, Police, and Public Works. She asked about the land lines. Gordon said there are three or four lines in City Hall, lines for Police, Public Works, Wastewater, Fire, and WAC.

4.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA

Mayor Hampton added 6.3 Forensic Auditor to Administrative Services

City Administrator added 11.0 (h) Litigation to Executive Session

5.0 CONSENT AGENDA

Councilor Barclay said there were two typos. On page 5 of the Council packet, the last line, it should be and, not ands. He said also on page 10 of the Council packet, under 7.3, it should be said, not sad.

5.1 Minutes of Regular Council Meeting of November 3, 2011

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

6.0 ADMINISTRATIVE SERVICES

6.1 UBRA Tree Lighting Ceremony Street Closure Request

There were no changes to the staff report.

Motion: Councilor Clark moved to approve UBRA's request for a temporary street closure of East First from Pine to Beech for the Tree Lighting Festival. Councilor Kordosky seconded the motion. A. Kordosky (Aye), G. Shorey (Aye), D. Barclay (Aye), R. Clark (Aye), E. Baszler (Aye), Mayor Hampton (Aye), G. Fortune (Aye). Motion carried 7-0.

6.2 Library Board Vacancy

There were no changes to the staff report.

Mayor Hampton asked why there were term limits on the Library Board. He said it would be easier to get rid of the term limit than make an exception to it.

Motion: Councilor Shorey moved to extend Janet Milandin's term on the Library Board for a third four-year term and review the current policy with the idea of removing the term limits. Councilor Clark seconded the motion.

Councilor Barclay said that when the term expires there will be a four-year term vacancy. Are there other vacancies on the Library Board? The City Administrator said not at this time. Councilor Barclay asked if there were other people interested in serving on the Board. He said to get rid of the term limit removes the opportunity for other people to serve.

Mayor Hampton asked why the City has not advertised the vacancy like they do for other vacancies.

Gordon said they noticed her term limit was up at the beginning of the year last month. He said the Librarian, Tine Rose, and Janet Milandin asked if she could continue to serve if the Council approved.

Councilor Barclay said for consistency all vacancies for volunteer positions with the City should be advertised the same way so people have a chance to apply.

Councilor Shorey withdrew his motion.

Mayor Hampton asked if it was the consensus of the Council to advertise for the Library Board vacancy. The Council agreed.

Councilor Barclay said as an aside Janet Milandin is certainly welcome to submit a volunteer package and be screened among the other applicants if any.

Mayor Hampton said she would not be eligible unless the term limit was changed during the review.

6.3 Forensic Auditor Report

Tiffany Couch, Acuity Group, handed out a packet to the Council. She said she had a conference call with Pauly Rogers and Jones and Roth, who are technically the City's accountants. She said she has been at City Hall a day and a half and is trying to keep it simple for everyone. She said one of the questions the Council had was how we got here. She looked at the bank statements and cancelled checks for the last two years. She said basically in a nutshell the City has spent a lot more money than they have had.

She had pages of information which is in the file for this meeting.

She said out of 28 months of data, 20 out of the 28 months the City has spent more money than it had coming in. She said only 8 of those months the revenues exceeded the expenditures.

She said the budget analysis looks at each fund to see where the money is going. She said for the most part all the funds are draining the bank account. She said she is concerned about the 2011-2012 budget revision. She said the revenue amount is more than the previous two years by about \$1.8 million more. She said the City needs to look at just what exactly the revenues are going to be. She said she does not see any plan to grow the reserve account to prevent this from happening again in the future.

Councilor Baszler asked Ms. Couch if she could tell where the money went when she is done with her job. Ms. Couch said she is already getting there. She said as far as where the money is being spent; it's being spent on payroll and bills. She does not see any evidence of misappropriation of money.

Councilor Barclay said when they contracted with Acuity Group he wondered what acuity meant. The definition of acuity is keenness of perception. He said a day and a half for her work, a year and a half for the audit for 2008-2009.

The City Recorder asked if the audience could keep down the mumbles and comments during the discussions as it makes it hard to hear when typing the minutes.

Mayor Hampton said next we may have more from Ms. Couch to look at and also the audit which they have not had time to review yet.

Ms. Couch asked if she could say something about the audit. She said she had talked to the auditors and Jones and Roth. She said the audits for the next two years are not going to be done by the end of the year. She said an extension could be gotten on the loan with the bank. She said they need to talk about the functions of Jones and Roth.

Councilor Barclay said they contracted with Jones and Roth to bring in Chris Hays, he asked if he would produce any answers through the normal audit process or the work Ms. Couch is doing.

Mayor Hampton said he told the City Administrator to put the other companies on hold for any further work.

Ms. Couch was wondering why the accounting firm was not down here at City Hall helping to get things straightened out. Ms. Couch said Jones and Roth is a great firm but there has been some miscommunication about what needs to be done.

Councilor Barclay said the forensic auditor was retained by the Council and the function of the Council, including the Gordon and Ruthann, was to do the grunt work and provide whatever assistance she needs to do her job. He said her direction comes from the Council. She was retained by the Council; she is not an employee of the City. Ms. Couch said the seven Council members were her boss.

7.0 COMMUNITY SERVICES

7.1 Approval of Salmon Creek Park Expansion Contract

Motion: Councilor Baszler moved to postpone the Salmon Creek Park Expansion Contract until June 2012. There was no second.

Motion: Councilor Kordosky moved to postpone the Salmon Creek Expansion Contract until January 2012. Councilor Clark seconded the motion.

Councilor Kordosky said she knows they don't have the funds but she didn't want to miss the opportunity. She thinks it's a great opportunity for the community and she thinks if they keep sending the grants back they are going to lose a lot of their credibility in getting grants.

Councilor Fortune said he is in favor of postponing until January when they may have a better picture and recommendations coming in.

Mayor Hampton said he is not hearing philosophical opposition to this motion. He is hearing economic uncertainty. He would like the staff to provide a report that shows anticipated expenses and the money to work with and decide which projects to fund from there. He said the same could be true of the library. He said at this point nobody can say how much cash is going to be needed. He said we need to make a priority decision based on the money we have to work with.

Councilor Barclay said his concern with this is we live in a community that has to make some hard choices to subsidize Emergency Services, second out ambulances, and water systems and so on and so forth. He said when this was presented this was a \$25,000 match expenditure and now it's a \$50,000 match expenditure. He said we have some serious over spending that has resulted in a cash flow problem. He said it would be unfortunate to lose this grant but he heard someone say something about credibility. He said the covenants on the Tax Anticipation Note required audits to be completed by the end of the year. He said that won't happen so what's going to happen next year when we need another loan?

Councilor Shorey said he would vote against the contract. He said delaying is not going to make us any more money. He said we need to prioritize our spending and parks are not high on the list. He said he will not support any grant that has any kind of match which means he does not support this grant.

Councilor Kordosky recognized LaVerne Beasley.

Mrs. Beasley said when it comes to the Library Grant match the money will be available. The City will not have to spend any of their money for the Library Grant match. She is getting donations for the complete \$10,000.

Mayor Hampton asked if this money was for the Library Grant and the Park Grant.

Mrs. Beasley said it was for the library.

Mayor Hampton said they were discussing the Salmon Creek Park contract and the City does not have the money to put in for that grant.

Councilor Clark called for the question.

Mayor Hampton (Aye), R. Clark (Aye), G. Shorey (Nay), E. Baszler (Nay), A. Kordosky (Aye), D. Barclay (Nay), G. Fortune (Aye). Motion carried 4-3.

7.2 Garden Road Contract Approval

Mayor Hampton said the difference in this contract and the Salmon Creek contract was this one was out of the Street Fund and has to be spent on streets.

Motion: Councilor Fortune moved to award the Garden Road Street Contract to M.L. Houck Construction for \$61,195. Councilor Clark seconded the motion.

Councilor Baszler asked if we were putting \$25,000 match on this contract.

The City Administrator said this project builds a curb alongside the WAC and divert the storm water where it needs to go. He said if you want the cost down to \$50,000 they could take out the curb and gutter. He said so far this year they have received \$175,981 in the Street Fund and have spent \$64,800 which leaves \$111,108.

Mayor Hampton said if we spent this amount we would have about \$50,000 left.

The City Administrator said that was year to date. He said we anticipate the revenues in the Street Fund to be \$374,000.

Councilor Baszler asked how much money we were putting in this project.

Mayor Hampton said \$36,195.

Councilor Baszler asked where we were going to get the money.

Mayor Hampton said from the Street Fund. He said that's why this was different than the park project. He said the street money was there.

Councilor Fortune said the list from Ms. Couch has the Street Fund being the only fund in the black.

Councilor Barclay asked if this grant was before he was on the Council.

The City Administrator said yes.

Councilor Barclay said Garden Street needed help and would like to see the square patch on School Street done. He said looking at the bids, M.L. Houck is the lowest bid. He said to him it's not the lowest bid it's the lowest responsible bid. He said we are basically engaging a contractor. He said he is not seeing the scope of work in the packet.

The City Administrator said the City Engineer would normally have that to us but his father is dying and he has not had time.

Mayor Hampton said the only way they can reject the lowest bid is to say M.L. Houck cannot do the job satisfactorily or do not have the right equipment. The City cannot just say it would rather have this other company do the project.

Councilor Barclay asked if this could be postponed until the next meeting so the paperwork was available as to the details of the work.

The City Administrator said we cannot delay this any longer. It needs to be done this fall.

Ms. Couch said this was the one budget that was reasonable.

Councilor Shorey asked for a description of the project since the paperwork was not available.

The City Administrator said they were going to grind the street down from School Street to back to where the curb starts now. They will put gutters between WAC and the street. They will re-profile the street to channel the water away from the WAC driveway.

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

7.3 OHS Waiver of WAC Fee

Motion: Councilor Fortune moved to approve the waiver request from the Oakridge High School Student Council for the use of the WAC for a holiday event on December 17th from 6:00 p.m. to 9:00 p.m. Councilor Barclay seconded the motion. D. Barclay (Aye), G. Fortune (Aye), R. Clark (Aye), Mayor Hampton (Aye), E. Baszler (Aye), A. Kordosky (Aye), G. Shorey (Aye). Motion carried 7-0.

8.0 POLICE SERVICES

No report.

9.0 EMERGENCY SERVICES

Chief Demers said a medic unit is out of service right now due to heater issues. He said they hope to have it back by the weekend.

10.0 REPORTS FROM BOARDS AND COMMITTEES

Administration - no meeting. Meet next Monday, November 21st.

Community Services - met and discussed Salmon Creek project. Councilor Clark said we have volunteers in all aspects of the City. Is there a way for volunteers to help out in Public Works running the chipper? She said Gordon was going to ask insurance about it.

Gordon said he talked with our Risk Manager and he said no. He said they could rake leaves but not run any power equipment, which includes the chipper.

Mayor Hampton said a City employee could run the chipper and have a volunteer helper.

Gordon said the City insurance will not allow volunteers around the power equipment.

Councilor Fortune said there was only one person on the chipper before.

Gordon said we don't have the manpower now and don't have a chipper worth a darn to do any chipping. The difficulty is in scheduling and training.

Councilor Fortune asked if Community Services Committee would research the options for replacing the chipper and also do a survey and see if citizens would be willing to pay for the chipper service.

Public Safety – no meeting. Will meet November 30th.

LCOG - no meeting.

Chamber of Commerce – meet Monday, November 21st, at Casey's RV Park. They will have a general meeting.

Watershed Council - seeking people to serve on the Watershed Board.

LRAPA – advisory committee meets November 18th and again on December 13th.

G.O.A.T.S. – no report.

Tree Planting - working on chair people for events. Mini Olympics may be covered by Forest Service. They need a parade chairperson. Discussed a permanent logo rather than change it each year. Mood was to have a permanent logo. Will buy 3 more banners with goal to have all along Hwy. 58 and Uptown.

Library - will meet December 6th at 1:00 p.m.

OEDAC - meet November 27th at Mannings' Café.

Team Oakridge O.W.L. - the Community Calendar is up. A "How To" instruction sheet was emailed out to about 141 people that were identified as volunteers. The City Administrator said if someone wants their event on the Community Calendar to contact him and he will get the instruction sheet sent out.

Regional Fiber - no report.

Parks, Trails, & Trees - canceled for Budget Meeting.

ACT - meets November 23rd. They were going to discuss access management. That topic was moved to the December meeting.

LEC - meets Monday, November 21st. Will look at Junction City.

UBRA – no report.

HUB - meeting November 16th in the morning. Will go to the access management meeting. Cascade Christmas Santa at Cascade Motel.

Mayor Hampton recessed the regular meeting at 8:40 p.m. to go into Executive Session under ORS 192.660 (2) (e) Property Negotiations, (f) Labor Negotiations, and (h) Litigation.

The Council reconvened under Regular Meeting at 9:25 p.m.

ADJOURNMENT: The Council adjourned at 9:25 p.m.

Respectfully submitted before the City Council December 1, 2011.

Signed: _____
Donald E. Hampton, Mayor

Signed: _____
Ruthann Plumlee, City Recorder