



December 15, 2011
City Council Regular Session
Oakridge High School Auditorium
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 (absent)
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 said we have four people signed up to speak and he would allow three minutes each. He said Councilor Baszler would appreciate brevity tonight both from the Council and the audience as he is present under less than ideal physical circumstances and the Mayor said we want him to get through the meeting and don't want to prolong it more than we need to.

2.0 PUBLIC COMMENT

John Ryon - 47735 W 2nd St. - handed out papers to the Council. He said the list contains cities that have gotten rid of their police departments and are doing well. He said the City Administrator should be fired without any benefits. He said the Finance Director should pay for her own schooling as she makes enough money.

Gene Hilleman - 47800 Short St. - told Mayor Hampton there is a vehicle parked at Commercial and South Diamond with food all over it. He said he has called the police department but they seem like they don't care. He wants to know if the food can be removed to keep the rodents from moving into the area.

Larry Phipps - 76587 Westoak Road - said he is sorry Gordon is not here. He would like to have him hear what citizens have to say. He said he has left Oakridge in a financial situation which is reprehensible. He said the Council changed the Charter giving control to the City Manager. He feels the City should return to a Council-run City and send the Charter back to the ballot to give the Council control and oversight.

He said when the Council searches for a replacement City Manager they use an independent company to do background and reference check.

Sandra Edds - Oakridge - asked the Council when considering the problems we have had, the Forensic Accountant had said that the Finance Director also knew and was aware of this. She said no matter how well the person is liked or how well she is doing her job, there are laws in place. She said the Finance Director needs to go and if we are going to clean house let's clean it completely.

3.0 MAYOR AND COUNCIL COMMENTS

Councilor Baszler said he has been here 65 years and he thinks they have been let down. He said he respects Mr. Zimmerman but he should get out of here with no benefits at all. He said we should fire the man and move forward.

Councilor Barclay said this was the last meeting of the year and wants to wish everyone a Merry Christmas. He said we have a lot of problems to address and a lot of problems to fix, but it is Christmas. There are a lot of activities this weekend.

Councilor Barclay said he had seen Chief Gomez nodding his head when Mr. Hilleman was talking and he knows the car situation will be taken care of.

Councilor Barclay said as far as Mr. Phipps, he thinks the Charter has vague areas that need to be made more efficient or worded better. He said the Charter needs to be reviewed.

4.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA

Added 11.0 ORS 192.660 (2) (b) Discipline of Public Employee

Mayor Hampton said for the Labor Negotiations the press will be excused. He said they can return for the Discipline of Public Employee.

Councilor Shorey recommended they move Executive Session up on the agenda in deference to Councilor Baszler's injuries so he may participate.

Councilor Baszler said he was fine.

5.0 CONSENT AGENDA

5.1 Minutes of Regular Council Meeting of December 1, 2011

Councilor Fortune said there was a typo on page five in section 6.5 of the Council packet. The word "He" needs to be "She". (The City Recorder found, during the correction, that it should have been "The Mayor"). He said also there was a motion by Councilor Shorey with a second by Councilor Baszler, but there was no action taken. He asked if it was withdrawn.

Councilor Shorey said he withdrew the motion.

Mayor Hampton said that should be added to the minutes.

Motion: Councilor Clark moved to approve the Consent Agenda with the above corrections. Councilor Baszler 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 2008-2009 Audit

Mayor Hampton said the motion said to accept the report. The motion doesn't necessarily mean you are happy with it or that it's a perfect document. He said what you are saying is that you think under the circumstances the auditors did the best possible job they could.

Motion: Councilor Fortune moved to accept the audit from Pauly Rogers for Fiscal Year 2008-2009. Councilor Shorey seconded the motion.

Councilor Barclay said the problem with the audit is its age. He said there were a lot of indicators in this report that had we been aware of two years ago we could have taken action on to curb the current situation. He said at some point we need to use this to redesign the process we are using now, because it isn't working.

Mayor Hampton said our goal is to year after year to have an unqualified audit and have information we can actually use.

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 Construction Notice of Award

Mayor Hampton said we had ten companies bid on the Library Project. He said JP Prinz Company was the low bidder with a bid of \$433,000 and has an add-on of tongue and groove interior wood for a total cost of \$455,000.

Motion: Councilor Kordosky moved to approve the Notice of Award for the construction of the Oakridge Public Library to J.P. Prinz Company in the amount of \$455,500 including Alternative A1. Councilor Clark seconded the motion.

Councilor Barclay said the grant is for \$800,000 with a City match of \$10,000. The bid was \$455,500. He said shelving and books are already in storage. He asked what happens to the difference between \$455,000 and \$800,000.

Mayor Hampton said you use it or lose it. He said there was some redesign to add a meeting room. He said that might be more cost effective instead of refurbishing the Council Chambers. The money has to be spent on building, not internals.

Mayor Hampton asked Mrs. Beasley for a report on her fundraising for the match for the library.

Mrs. Beasley said the people in Oakridge have been wonderful and kind. She has had people contact her and donations are coming in.

Mayor Hampton asked her if she had an amount donated so far.

Mrs. Beasley said she would prefer not to say as a lot of people want to remain anonymous. She said the figures are good.

Councilor Fortune said at the last Administrative Committee meeting there was discussion regarding the bid price and amount of award, about increasing the size of the library so we could create a larger area for meetings. He said they don't know the cost but it would certainly be kept within the \$800,000.

Mayor Hampton recognized Donald Hadley.

Mr. Hadley said when you have a \$38,000 budget on a library already and with the cutting that is going to have to happen in this town, he doesn't know if we can even afford to keep the library we have now. He said it would be great to have a new library, but the residents of Oakridge are the only ones that can use the new library.

Mayor Hampton said that was a condition of the grant. He said outside residents can use the library in exchange for volunteering some of their time for the first five years. After that time anyone can use it normally.

R. Clark (Aye), Mayor Hampton (Aye), G. Fortune (Aye), A. Kordosky (Aye), D. Barclay (Nay), G. Shorey (Aye), E. Baszler (Nay). Motion carried 5-2.

7.0 COMMUNITY SERVICES

7.1 Resolution 18-2011 Adjusting Water Rates

Mayor Hampton said the Charter gives him the authority to decide what is going to be on the agenda and when we are going to act on it. He said he is going to remove the Adjusting Water Rates from the agenda. He said we have two different sets of information which confuses us even more. He is going to charge the Community Services Committee to do a little bird-dogging and find out just exactly what the status of our water fund is, so we know if we have to consider raising water rates or if we don't. He said we have two points of view and he doesn't know at this point which the accurate one is. He said it will be on the January 5, 2012, meeting agenda.

8.0 POLICE SERVICES

Chief Gomez said they are working on the rash of thefts locally. He said they should be able to clear about 10 - 30 theft/burglary cases from a burglary in progress call they received. He said for those of you that have not reported stolen items to the police department, please do so. This way you might be able to recover those items.

Chief Gomez said they are not ignoring code enforcement calls. Due to the reduction in personnel, the code enforcement may take a little longer to take care of, but they will get to the calls.

9.0 EMERGENCY SERVICES

Chief Demers said the light parade is Friday, December 16th and starts at 5:30 p.m. The route is on flyers available at City Hall and local businesses. They will be collecting food for the Food Box and toys for Toys for Tots. He said Toys for Tots will be Saturday and Saturday evening at the Fire Station.

Mayor Hampton asked if they will be accepting cash.

Chief Demers said certainly, they will always accept cash.

Councilor Baszler thanked the Oakridge Fire Department for their aid to him and his wife when they had their accident. Chief Demers said they were very welcome.

10.0 REPORTS FROM BOARDS AND COMMITTEES

Mayor Hampton said he would like to skip the reports from Boards and Committees unless someone has something timely, so they can go right to the Executive Session.

Mayor Hampton said they will take a five minute recess. He said they will do Labor Negotiations first and only the Council and Fire Chief will be present for that. He said he will call the press in for Discipline of Public Employee. They will then reconvene into Regular Session.

The Council recessed at 7:34 p.m. before going into Executive Session under ORS 192.660 (2) (d) Labor Negotiations and (2) (b) Discipline of Public Employee.

The Council reconvened under Regular Meeting at 8:22 p.m.

Motion: Councilor Shorey moved to terminate Gordon Zimmerman for failure to follow his requirements in the City Charter and his employment contract. He further moved that these charges and sanctions be put in writing as soon as possible. Councilor Barclay seconded the motion.

Councilor Barclay said they have two options. He said a resignation in his opinion would be gracious. He said this job is hard decisions and sometimes the hardest part is separating the person from the job. He said personally he has empathy for Mr. Zimmerman and his family, but the job is, we are the employer and any job situation where the employee is not doing the job, which obviously did not happen, that puts the employer in a corner. He said that is why he is voting to terminate.

Councilor Fortune asked Councilor Shorey to read the conditions of termination from the employment contract.

Councilor Shorey read Section 5: Discipline and Termination in the employment contract.

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

Motion: Councilor Kordosky moved to accept Gordon Zimmerman's letter of resignation and separation agreement. Councilor Fortune seconded the motion.

Councilor Clark said her reason for feeling this way is accepting the resignation is the least costly option for the City at this point.

The audience asked for the letter to be read aloud.

Mayor Hampton read the letter of resignation and separation agreement aloud. A copy is attached to these minutes.

Councilor Baszler said we are still in the ball game for bankruptcy. Where are we going to get the money from? Are we going to borrow it again from the state?

Councilor Shorey said action has been taken and has been approved. He said whether we agree with it or not we move on from here. He said we have a lot of things to do and we have to do it as a community. We will continue to work with the forensic accountant because we have a lot of unanswered questions. He said the decision has been made by the Council, and we need to move on and put it behind us. He said it's going to take all of us coming together to determine how we are going to move the City from here on.

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

ADJOURNMENT: The Council adjourned at 8:31 p.m.

Respectfully submitted before the City Council January 5, 2012.

Signed: _____
Donald E. Hampton, Mayor

Signed: _____
Ruthann Plumlee, City Recorder