



March 1, 2012
City Council Regular Session
City Hall Council Chambers
48318 E. 1st St.
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 (Absent)

Staff Present: Robert DeLong, Interim 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.

2.0 PUBLIC COMMENT

James Affa - 76340 Garden Rd. - handed out some papers to the Council. He said that knowing the Oregon statutes 297 and 405-555 that have to do with audits is important. He handed out documents from the Oregon Secretary of State's Office saying Oakridge was two years behind in audits at that time. He said he had handed out this information before.

Sherry Klosterman - 48314 Hills St. - said to Mr. DeLong that his piece in the *Dead Mountain Echo* was wrong. She said the Council and Mayor work with you to replace the City Administrator.

Mr. DeLong said he understands the selection process for the Administrator is the Council's decision and theirs alone. He will be developing a proposed profile that describes the community for prospective candidates. He said the Council would approve that before it was published.

Larry Phipps - 76587 Westoak Rd. - said the OIP funds are to stay in the Oakridge Industrial Park Fund. Those funds cannot be used anywhere else. He said to the community that the financial issues are the top priority for the City right now. He said other issues should wait.

Dawn Kinyon - 47709 School St. - asked if a public hearing had been scheduled for the water rate discussion.

Mayor Hampton said that was answered at a previous meeting. He said municipalities are not required to have a public hearing prior to water rate increases. That would be for a water district.

Mr. DeLong said at the last Council meeting they had an additional opportunity for public comment on the water rate discussion.

Mayor Hampton said they had two or three meetings where people were allowed to comment on the water rate issue.

Dustin Cox - 42217 E. 1st - asked the Council to contact Amtrak for the chance to have them stop in Oakridge for reasons other than to drop off problem passengers. He said also that he would like to see the meetings posted on the City website as an audio MIDI file.

John Milandin - 76750 High Prairie Rd. - said that he wanted to leave the 1996 purchase papers of the Oakridge Industrial Park that includes a map of the industrial park.

3.0 MAYOR AND COUNCIL COMMENTS

Mayor Hampton said they have tried Amtrak before. They wanted Oakridge to build a depot and then maybe they would stop. He said perhaps it was time to revisit that issue again. He said as far as recording the Council meetings on cassettes, he said that met the law requirement.

Councilor Shorey said the map in Mr. Milandin's OIP papers is a utility map.

Mr. Milandin said it's a mapping of the park that duplicates a mapping of the park for utilities that are on it. He said the other map is more comprehensive.

Councilor Shorey said according to the map, the Keever property is not in the industrial park. He wants to make sure they don't sell property outside the industrial park and put the money into the OIP Fund.

Councilor Barclay said the statutes cited in another meeting apply to water districts. The Council decided to allow public comment for community members to voice their opinions.

4.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA

Add 9.1 Hiring a Firefighter/EMT to Replace Injured Firefighter/EMT.

5.0 CONSENT AGENDA

5.1 Minutes of Regular Council Meeting of February 16, 2012

Councilor Clark said there was a correction needed on page six under 6.4. She said the "b" should be "by."

Councilor Shorey said there is another correction needed. He said the first sentence should be fixed.

Motion: Councilor Clark moved to approve the Consent Agenda with the corrections. Councilor Baszler seconded the motion. G. Shorey (Aye), E. Baszler (Aye), Mayor Hampton (Aye), R. Clark (Aye), D. Barclay (Aye), A. Kordosky (Aye). Motion carried 6-0.

6.0 ADMINISTRATIVE SERVICES

Tiffany Couch of Acuity Group gave her report. She said we are on the USDA's radar concerning the Sewer Bond. In a letter dated January 6th they stated they had issues with the 2008/2009 audit and some information being left out.

Ms. Couch said she has a clearer picture on how the City got to this point. She said it was a cascade of things happening at once. She said the budget provided false numbers. It allowed for the City to spend 100% of its available funds. She said the Council agreed to that. She said in short, in 2009/2010 the budget called for spending every last penny. When the 2010/2011 budget was prepared, incorrect fund balances were used giving the City more resources to spend--resulting in the City being out of money at the end of 2010/2011. She said that's basically how the City got here. She said the budget prepared by the former City Administrator and the Council approved took 100% of the City's resources and budgeted to expend 100% of them. She said on top of that was the City being behind in the audits. She said this was the biggest mess she has ever seen in her 15 years of practice.

Ms. Couch said she is done with 2009/2010. It took the full two weeks she was here. She had planned on doing 2009/2010 the first week and 2010/2011 the second week. That didn't work. She is done with 2009/2010 and needs to send the journal entries to the Finance Director on Monday so the Trial Balance can be sent to the auditors.

Councilor Shorey said we had a large contingency fund at one time. He asked at what point the contingency fund disappeared.

Ms. Couch said that contingency was a line item in every fund. She said in older budgets the total fund balance was not used. She said over time the contingency line items got smaller which means your cushion was getting smaller. She said the reserve funds were getting money transferred on a regular basis. She said at the end of this year the reserve funds will be depleted.

Councilor Barclay recognized Mr. Affa.

Mr. Affa asked if the previous administrator did this on purpose.

Ms. Couch said you would have to ask him.

Mr. Affa asked if it was a fair statement to say he created false financial documents for the Council to work off of.

Ms. Couch said it appears so.

Councilor Barclay said when you voluntarily assume a position, be it Council or Budget Committee, it is easy to paint targets on individuals. He said the Budget Committee is 14 voting members and includes non-voting staff for a total of about 20 people. He said you have to pay attention when assuming these positions, as you are doing a job for a lot of people.

Councilor Shorey said when you hire an administrator or elect a Council there is an implied trust in those positions. He said failure to follow in those trusts is called fiduciary irresponsibility. He said when figures are presented to the Council and Budget Committee, it is assumed they are correct.

Ms. Couch said there was a letter drafted to go to Jones & Roth to request a refund of money paid to them, as they did not perform the duties they were hired to do. She said she is on track to have the financial statement for 2009/2010 to the auditors on Monday. She is going to box up her work papers and deliver them to the auditor next week. The auditors will be here the week of March 12th to do their transaction testing. She said 2010/2011 is still hanging open and needs to be gone through the same as 2009/2010, but it should be easier. She said it will be another ten days to two weeks.

Councilor Barclay asked about the engagement letters for the auditors. He wants to rescind the vote to approve the engagement letter for 2011/2012 until after the beginning of the next fiscal year, as it's not due until December 31st of this year. He asked about getting an extension for 2010/2011 audit.

The City Recorder said the auditors need the letters of engagement to set their schedules for the year, as Oakridge is not the only City or business they audit.

Councilor Barclay said he appreciates that, but it is three months before the new fiscal year starts and nine months before the audit is due.

Ms. Couch said they start their transaction testing as early as July or August. She said they need the engagement letters in advance so they can set their schedules. She said there is so much work that needs to be done for 2010/2011 and 2011/2012, they will need some work so there can be valid numbers for the budget process.

6.2 Proposed Fiscal Year 2012-2013 Budget Preparation and Adoption Calendar

Motion: Councilor Shorey moved to approve the Budget Calendar for budget year 2012-2013. Councilor Clark seconded the motion. A. Kordosky (Aye), Mayor Hampton (Aye), D. Barclay (Aye), G. Shorey (Aye), G. Fortune (Absent), E. Baszler (Aye), R. Clark (Aye). Motion carried 6-0.

7.0 COMMUNITY SERVICES

7.1 Resolution 4-2012 A Resolution Adjusting the Fee for Water Charges

Interim Administrator Robert DeLong said after reviewing all the information with Chuck, Finance, and Tiffany Couch, he recommends raising the base rate 50 cents and the per 1,000 gallon unit usage to \$3.00 per unit used for residential rate. The commercial rate would be raised to the original amount of \$3.58 per 1,000 gallons unit used. He also recommends amending the after-hour service calls from \$25 to \$35 to better reflect the actual cost of the overtime rate for Public Works employees.

Councilor Barclay said the resolution in part is a change in policy. He said on page 15, paragraph 5, of the Water and Sewer Policies and Procedures Manual, the charge for restoration of service after disconnect is \$25. It doesn't have a charge for a first time or second time.

Councilor Shorey said there is a yearly increase using the Portland Consumer Price Index and asked Mr. DeLong if he factored that into his rate increase.

Mr. DeLong said he did not factor that in. That is something separate.

Councilor Clark said she added the cost of the average water bill considering the increase proposed for the water rate. She said it would raise the average water bill using 8,000 gallons about \$6.96. The total base bill, which includes the first 1,000 gallons, sewer, and storm water, would be \$54.38.

Motion: Councilor Kordosky moved to adopt Resolution 4-2012 A Resolution Adjusting the Fee for Water Charges. Councilor Shorey seconded the motion.

Councilor Baszler asked if the rate for the 1,000 gallon usage after the first 1,000 gallons would be \$3.00 per 1,000 used. Mayor Hampton said yes.

Councilor Shorey said he didn't want to cost citizens more money, but he doesn't want to see the City default on being able to provide services either.

Councilor Baszler asked why we go by the Portland CPI?

Ms. Couch said it's done by metropolitan cities and Portland is the only one for Oregon.

R.. Clark (Aye), G. Shorey (Aye), G. Fortune (Absent), A. Kordosky (Aye), D. Barclay (Nay), Mayor Hampton (Aye), E. Baszler (Nay). Motion carried 4-2.

7.2 Greenwaters Park Fee Waiver Request - Kids Mountain Bike Day

Mayor Hampton said they are requesting these days because the adult race will be on Saturday and the kid's event on Sunday. He said it will create overnight stays.

Councilor Barclay asked if the adult race was the Fat 55. Mayor Hampton said yes.

Motion: Councilor Clark moved to waive the fees for Greenwaters Park use by G.O.A.T.S. for Kids Mountain Bike Oakridge Days on June 10 and September 23, 2012. Councilor Kordosky seconded the motion.

A spokesman for Eugene Cathcart, who was out of town, said that Mr. Cathcart is the event organizer and is responsible for the Fat 55 Bike Race. He said they follow up that race with the kid's day. He said last year they had 40 kids, and they are expecting more this year so they are holding two events. They provide a shuttle for the children, food and drinks, and they provide the bikes, also. A Eugene organization is donating the use of the bikes. He said volunteers are needed, and they can inquire at Willamette Mountain Mercantile.

Mayor Hampton said the Kiwanis also gave out helmets last year.

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

8.0 POLICE SERVICES

Chief Gomez said the transfer to Lane County Sheriff's Office has not gone smoothly. He said there is a glitch that should be taken care of tomorrow. He said he keeps hearing people say that police are not available after 5:00 p.m. He said the office closes at 5:00 p.m. You still dial the same numbers and you still have police coverage for 22 - 24 hours a day.

He said for people with cell phones there is an additional step for dialing 911. When they dial 911 from a cell phone they will hear a prompt telling them if this is an emergency press any button on your phone. This will reduce the calls made by "butt-dialing."

9.0 EMERGENCY SERVICES

Chief Demers said they had a very successful awards dinner. He thanked Joy Kingsbury for the front page of the newspaper. They had some deserving winners and a great dinner.

9.1 Hiring a Temporary Firefighter/EMT to Replace an Injured Firefighter/EMT

Chief Demers said have a firefighter with a severely torn ligament in his knee that needs to be repaired. He goes for surgery on the 16th of March. He said they have three options. The first one is to not cover the shift. The second one is pay overtime on an existing employee. The third is to hire a temporary part-time employee without benefits for ten weeks.

Mayor Hampton asked if he was recommending the last option. Chief Demers said yes.

Councilor Barclay asked what the cost difference would be.

Chief Demers said it's about \$680 - \$720 per shift for a regular employee at overtime. A part time employee is about \$440 per shift. He would not get any benefits.

Motion: Councilor Baszler moved to hire a part time firefighter/EMT for two and a half months. Councilor Shorey seconded the motion.

Mayor Hampton said for the benefit of the audience that the injury did not occur during work hours.

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

10.0 REPORTS FROM BOARDS AND COMMITTEES

Administration - met February 21st. Discussed OEDAC Committee which needs members. Discussed the new City Administrator that needs to be hired. Discussed the audits.

Community Service - will meet Monday, March 5th at City Hall at 11:00 a.m.

Public Safety - met February 29th. Discussed the Community Garden with community members Sherry Klosterman, Sherry Lowe, and Greg Rector to provide input. They presented concerns as well as solutions. There needs to be a restroom, trash receptacles, parking restrictions, and gravel road maintenance. They are working on the cattery. They had a leak and need to replace drywall. The state radio project is still in process. They reviewed the Municipal Court. It is supporting itself.

LCOG - the City of Eugene is proposing cutting the LCOG membership dues. LCOG is preparing a report showing the impact of that decision. They prepared an eight-minute video that shows what LCOG does.

Chamber - have a volunteer for treasurer. The emergency disaster planning is underway. They had a presentation.

Watershed - the retreat is planned for May 18th & 19th in Oakridge. The Oakridge Fire Department is having the Hazardous Household Waste Roundup at the fire station on March 17th from 9:00 a.m. to 2:00 p.m.

LRAPA Advisory Committee - no report.

GOATS - meet 2nd Monday, March 12th, at Greenwaters Park.

Tree Planting - things are going along. They have three princesses this year.

Library - meeting on March 6th.

ODEAC - they were left out of the Fiber Consortium loop. They would like quarterly meetings with the Council. They asked where the proceeds from the Hogrievie property sale and the TV Butte sale went. The website recruitment project is almost completed.

Parks, Trails, & Trees - no report.

ACT - will meet soon.

LEC - report from Glenda Poling of Lane County Economic Development Department.

UBRA - no report.

HUB - asked when the snowflakes would come down and how much the City was charged for electricity for them.

Mayor Hampton said they do not get charged for the snowflakes. They are plugged into the street lights and that is a flat fee every month. He said they get taken down at spring break.

The Council recessed at 9:20 p.m. before going into Executive Session under ORS 192.660 (2) (e) Deliberations with Persons Designated to Negotiate Real Property Transactions.

The Council reconvened in Regular Session at 9:45 p.m.

Motion: Councilor Kordosky moved to direct the City Administrator go back with a counter-offer on said property. Councilor Shorey seconded the motion. D. Barclay (Aye), G. Fortune (Absent), R. Clark (Aye), G. Shorey (Aye), E. Baszler (Aye), A. Kordosky (Aye), Mayor Hampton (Aye). Motion carried 6-0.

ADJOURNMENT: The Council adjourned at 9:46 p.m.

Respectfully submitted before the City Council March 15, 2012.

Signed: _____
Donald E. Hampton, Mayor

Signed: _____
Ruthann Plumlee, City Recorder