



February 21, 2013
City Council Regular Session
City Hall Council Chambers
48318 E. 1st St.
7:00 p.m.



MINUTES

1.0 CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE

Council Present: Gerald Shorey, Mayor
Rayetta Clark, Council President
Glenn Fortune
Jim Coey
Ernest Baszler
Les Biggerstaff
Christine Slaven

Staff Present: Louis Gomez, City Administrator
Tim Demers, Fire Chief
Dale Scobert, Chief of Police
Jackie Taylor, Assistant Planner / Public Works Secretary
Susie LaDuke, Interim Finance Director/City Recorder

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

2.0 PUBLIC COMMENT

Nancy Kelly 48328 E 1st Street, Oakridge – Objects to the Keg and Cask Festival being held right in front of her home and does not like the extended hours. She has had property damage during the Festival in the past.

The City Council has put a lot of time into her issue with the HVAC Units; she does not believe that what the contractor did helped with the noise. She has six bedrooms and can't sleep in any of them.

Sandra Edds, Oakridge - Thanked the new council and she appreciates them.

3.0 MAYOR AND COUNCIL COMMENTS

Councilor Coey said he was involved in cleaning up the Keg and Cask Festival last year and if he's not mistaken, it ended a few minutes early.

As far as the HVAC units, the dampeners have been put in and there is not much more that they can do about that.

Councilor Clark suggested that Councilor Coey take over the position as head of the Amtrak Committee instead of herself, since this is more of a Community Service.

Mayor Shorey said he has no problem with that as long as Councilor Coey doesn't object.

4.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA

6.5 CPA Proposal Discussion

5.0 CONSENT AGENDA

5.1 Approve Minutes from the January 17, 2013 Council meeting

Motion: Councilor Clark moved to approve the Consent Agenda. Councilor Coey seconded the motion.

Mayor Shorey (Aye), E. Baszler (Aye), J. Coey (Aye), G. Fortune (Aye), R. Clark (Aye), L. Biggerstaff, C. Slaven (Aye). Motion carried 7-0

TRT/Chamber Discussion

Mayor Shorey said there are some folks here from the Chamber and we have that in old business, he'd like to move it up on the agenda so the people from out of town can head home.

Louis said what he brought to the Council this evening in regards to the TRT discussion is a couple of examples how other cities disburse funds to the Chamber. They are from the City of Albany, and also an exhibit from a contract with the City of Newport.

Mayor Shorey, Louis, Councilor Coey and members of the Chamber held a meeting a couple of weeks ago about issues that were brought up by audience members. There is a concern in the community about how the TRT money is being used. They wanted to see if there was any validity to that. There has been a lot of confusion as to what TRT is and RTMP, the terms have been intermixed and changed and they are not the same thing at all. The money that was going out to the Chamber was labeled RTMP and it should have been TRT. As a result of this we are looking for a different process and working with the Chamber on this. The Chamber is working on their own to get us a report and background on what the money has been spent on in the past.

Randy Dreiling said the reason there is a delay on getting us the information is because the Room Tax Funds were, until last year, handled by Lane County Parks. Now it has transferred to Lane County Economic Development; they have transferred folders but not most of the electronic files.

Randy explained to the Council some of the things that the Chamber does for the community. They apply for grants for local community events and they had the visitors guides made. It does list the Chamber members but the content is about the area itself.

Dating back to the eighties, long before Randy took over, the City had the Chamber focus on tourism. That is part of his job and represents Oakridge all over the State. He takes visitors guides all over Oregon, Washington and Vancouver BC.

He gets paid to work nine months a year on average, but he works the extra months unpaid because we can't just shut the Chamber down.

He apologized for not having all of the information together but he wants to have accurate figures for the Council.

Councilor Biggerstaff asked who Randy is referring to when he says "we" are funded by, who does he mean? The Chamber?

Randy said the Chamber or Community.

Councilor Biggerstaff said if writing grants is what he does then the City should hire him to write grants. He agrees that Randy should get paid for what he does, but we should not pay the Chamber of Commerce.

Mayor Shorey said the Chamber has roughly 75 members. The City doesn't care what the Chamber does; the Chamber is their own organization. We can say how the TRT is used, that is what we are trying to get a handle on right now. The TRT is a tax that comes back to the City. We are going to sit down with the Chamber to find out what their goals are and find out how much of that room tax we will give to meet those goals.

The RTMP funds are what we use for people to fund projects. What has happened is the Chamber was saddled with determining how those funds would be disbursed for those projects. In our meeting it came out that the Chamber would rather not do that, it puts a bull's eye on their back. People come in and yell at the Chamber members because they didn't get their project funded.

Indirectly the City pays Randy's salary but the City doesn't, the room tax does. It has been mislabeled in our City budget as RTMP when it should have been TRT. The City has been just as confused as everyone else.

Randy said both are room tax funds just different pots and they both have their own rules. RTMP will probably have \$10,000 - \$12,000 this year and the TRT is going to be close to \$19,000. It's not based on the Community itself, it's a formula. Lowell and Fern Ridge both get money and they don't have motels or anything that generates lodging.

Dave D'Avanzo said we are all familiar with grants in general and it is important to understand that if we apply for a grant and receive a grant for tourism, those funds need to be earmarked and used for tourism. The guidelines are pretty black and white.

Councilor Coey said it is his understanding that the City does not pay Randy's salary, we give the money to the Chamber of Commerce who then pays part of Randy's salary out of the money we give them. It seems that in the past the Council has directed the Chamber to do tourism, not economic development which should be a little more diffused, Randy does participate; he's been to OEDAC meetings and things like that. Our economic development focus does need to be more community wide than just the Industrial Park or just Tourism.

Councilor Slaven said she has the same concern as Councilor Biggerstaff as the Council/City has never taken a very active role in the past as far as tourism promotion, we've handed it to the Chamber of

Commerce. She feels like the Council may be ready to step up and have a more direct role or partnership in this. If we had something more formalized we would all feel better about how these funds are disbursed.

Mayor Shorey said what he is moving for is a formal agreement and a Council Policy on how to handle the TRT such as other cities have. Then we don't have to go through this every year. It won't be just for this Council, it will be for every Council. He would like to form an advisory board and that is part of the policy he is going to propose.

Randy asked to address that comment, the Mayor and City Administrator have always been on their board, the City has always had a say so and have been a good partner.

Councilor Fortune said hopefully they are all on the same page now as far as TRT funds. Oregon Statute 320 is basically is to fund tourism promotion or tourism related facilities. What he would like to see from the Chamber is, if he's giving you \$10,000, where are you spending that \$10,000. He wants to see a breakdown, how much is going to Economic Development and how much is going to tourism.

Councilor Coey said this is something he's seen prior to being elected and the reason they tabled this two weeks ago. The Council is being held to a new level of accountability; he would expect the same thing from people coming to us. If someone comes in and they just have a letter and not a plan and not anything real specific then they are going to get rejected.

Mayor Shorey asked when the people start applying for the RTMP money from the Chamber.

Randy said that usually happens in February or March and they let them know by April if they were approved.

Sandy Price announced that the Chamber is bringing the Circus to town again.

Louis wanted to make a point, we keep saying we want this committee and we want that committee, what you've got to remember is that you have a very thin and lean staff. He wears four or five hats as it is and a lot of this stuff comes back to him, he'll do it; just don't expect it to be fast.

6.0 ADMINISTRATIVE SERVICES

6.1 City Administrators Report

In regards to Atherton; Louis said the City Attorney asked him to get a hold of our agent of record to see if there is a way that we can insure the building. Councilor Fortune is our agent of record and he is checking on that.

In regards to the supplemental budget that we discussed at the last meeting, he has a call in to the Secretary of States Office, to Phil Hopkins to discuss the debt we are carrying in the General Fund and the EMS Fund to see what type of direction we can get. We are supposed to have a balanced budget.

Louis will have the budget calendar at the next meeting. He has the department heads working on their 2013-2014 budgets. Our first meeting will probably be the first week of April.

Mayor Shorey asked when we are going to advertise for the budget vacancies.

Louis said we will do that immediately and we already have some applications in.

Louis, John Milandin and Larry Phipps will be meeting on Monday and they will have the City Engineer at the March 7, 2013 meeting to talk to the Council.

The last of the responses for the bond have been forwarded to Gordon Zimmerman for his response.

If anyone wants to go to State Capitol day on February 27th get a hold of Louis.

The LCOG appreciation dinner is February 28th, the Mayor and Councilor Fortune will be attending.

6.2 City Recorder-Finance Report

Susan handed out her current financial report to the Council. The LGIP account did not change at all.

We continue to work on finding things that are hitting wrong in our system. Now that we have almost everything hitting right when it is wrong it really jumps out.

There were some comments made at other meetings regarding Susan reporting that the audits were going well. They were going well, we had good communication with the auditors, they were happy with the material we were giving them and they were happy that we could back up all of the financial stuff that we were having them audit. As far as the numbers in the audit those really couldn't be presented to the Council until we had a final audit, it would have been really inappropriate for her to talk about those figures. They weren't approved or finalized yet.

6.3 Public Hearing for The Building Department Fee Changes

Staff Presentation

Louis said The Building Department has been working with us for a number of years. They have not raised their fees since 2007; they have done well for the City.

Open Public Hearing 7:55

Statements in Favor

Dave Mortier said he is here to answer any questions.

Gary Carl said several years ago they were doing extensive remodeling and at one time he had several permits open, The Building Department did a fine job. If there was a problem he would talk to them and explain what needed to be done.

Sandra Edds and Joy Kingsbury said they have both had good experiences working with Dave and The Building Department.

Steve Saxon said his experiences reflect everyone else's, good communication and a good history with Dave.

Statements in Opposition

Joy Kingsbury said she is not in opposition, but would like to know how much revenue this generates for the City.

Louis said the City gets 25%, he hasn't done an analysis. Last year we got about \$30,000, it depends on supply and demand.

Statements in General

None

Close Public Hearing 8:09

Council Discussion

Councilor Slaven asked why the comparison cities were not similar to Oakridge.

Dave said it's hard to compare apples to apples; so many cities have so many other different fees. For instance we won't see Lane County on there, it's hard to take a single family dwelling and be able to break it down this way.

Councilor Coey said this is within reason, this is just part of business in America and nobody likes not having a raise for six years. He would be in favor of the increase, it's not an unreasonable increase and it's also another source of income for the City.

Motion: Councilor Fortune moved to approve the fee increases proposed by the Building Department. Councilor Coey seconded the motion.

L. Biggerstaff (Aye), Mayor Shorey (Aye), C. Slaven (Aye), G. Fortune (Aye), J. Coey (Aye), E. Baszler (Aye), R. Clark (Aye). Motion carried 7-0

6.4 OLCC Liquor Application Corner Bar and Grill

Any time there is a change of hands in a business the new owner is required to request a new liquor license. Doug Brown has sold his business to Vincent Maxwell. There have not been any liquor violations there. Louis recommends the approval of the license.

Motion: Councilor Clark moved that we approve the OLCC Liquor License for the Corner Bar and Grill. Councilor Slaven seconded the motion.

R. Clark (Aye), Mayor Shorey (Aye), J. Coey (Aye), E. Baszler (Aye), L. Biggerstaff (Aye), C. Slaven (Aye), G. Fortune (Aye). Motion carried 7-0

6.5 CPA Discussion

Louis reported that the email is a summary of what Summer Sears has done for us from July 1, 2013 through the early part of February. When you look at the breakdown in regards to the hours she put in, she put in 222 hours to prep for the audit. He does not foresee that happening again. She gave us the new customer discount; we got a lot for our money. She facilitated a clean audit and it was issued on time. Summer would like to continue to work with us.

Louis and the Mayor did have a discussion about this document prior to the meeting and the consensus we came to was to go back to Summer and see if she would do this hourly instead of having a fixed estimate. We will probably have to budget about \$24,000 for the budget next year. The key issue here is keeping separation.

Councilor Coey said he would recommend continuing to retain her, the work she did last week with the work session it would be ridiculous to hire to someone else.

Councilor Clark agreed and said she obviously has a great working relationship with Susan and the Auditors.

Mayor Shorey asked if Summer is currently on contract.

Susan said her contract just ended.

Summer works remotely from her home also, that saves us money in travel pay.

Dawn Kinyon asked if the City has considered using Summer at her wages to do the things that require a CPA and hire a part time staff person to do the reconciliation stuff at a lower wage.

Mayor Shorey said we would be hiring two people to do the same thing.

Louis said at this time we can't hire someone else, it all comes back to we are going to have to have a CPA review everything anyway.

Susan explained the need for a CPA and reconciliation process, we need an outside set of eyes. That is one thing we got dinged on from the auditors because it was just staff that was looking at this. They have run this by the auditors and they thought it was a great way to exceed the expectations and for us right now trying to work out all of the problems, we are going to need a CPA. We still have a lot of things coming up from the past that need to be worked through and taken care of. It's good to have someone from the outside point of view which is important right now.

Councilor Coey said even though we may hire a part time employee at \$10-\$15 an hour they will have PERS and benefits.

Mayor Shorey said he wants to see what it is that he is voting on before he votes.

Councilor Clark asked what happens if we go with the flat monthly fee and Summer goes over her hours, would there be any more expense?

Louis said he will ask Summer.

Mayor Shorey said his recommendation is that Louis gets a hold of Summer and iron out all of these questions and bring it back to the next meeting.

Councilor Coey said Summer has a service contract and this is what she wants for that service, then that's what she gets for that service regardless of how many hours she works.

Mayor Shorey asked if we are willing to pay \$24,000 for a year?

Councilor Coey said at this point yes because we need to finish this process that we've begun.

Councilor Coey asked Susan what she thinks.

Susan said she thinks as time goes on she will require less hours, but right now we are still tackling a lot of messes from the prior year on top of the day to day load. Both Summer and Tiffany have said the load in that office is rather heavy for one person to cover especially with the mess.

Motion: Councilor Coey moved to approve the CPA contract through the end of the fiscal year and retain services for what she has proposed at \$8,000. Councilor Fortune seconded the motion.

J. Coey (Aye), G. Fortune (Aye), R. Clark (Aye), Mayor Shorey (Aye), E. Baszler (Aye), C. Slaven (Aye), L. Biggerstaff (Nay). Motion carried 6-1

7.0 COMMUNITY SERVICES

7.1 Keg and Cask Road Closure and Alcohol Permit Request

This is the fourth year for the Keg and Cask Festival; they have not had any disruptions or issues from attendees. They are asking for a road closure and alcohol permit. They are asking for some time considerations as well.

Louis would suggest that any tear down after 10:00 would have to be done quietly, quiet time is 10:00 p.m. until 7:00 a.m.

Steve Saxon said they are asking for the extended time because there are three other events going on in the City the same day. They are trying to capitalize on the amount of people and be able to conclude around 10:00 p.m. when it gets dark. A portion of the funds goes to the Food Box.

Councilor Clark said on the permit it says the UWCDC as the event sponsor but no one from the UWCDC signed the permit. She would feel better if they put down who they are representing.

Rusty Ackland said she used to fill out the permits and the reason they put the UWCDC is because they fall under their insurance and they use their tax id number.

Councilor Clark asked if there was any reason why they can't cut the time back to 9:00 so they are out by 10:00.

Gary Carl asked if the Keg and Cask Festival has offered that to Miss Kelly.

Rusty Ackland said they have offered that in the past.

Gary Carl asked if they would offer that again would she consider that now?

Nancy Kelly said with the property damage and the alcohol use she can't leave her property. She thinks that is a poor way to try to alleviate this situation. If they moved the event, that would solve a lot of the issues.

Councilor Coey said they should consider not going until 10:00 because of the noise ordinance; he helped clean up last year and it does get pretty noisy, he would love for it to go to 10:00 or even to midnight.

Councilor Fortune asked Miss Kelly if she filed a claim against the organizers for her property damage?

Nancy Kelly said a lot of the damage was small that she took care of herself and some of it was trespassing and animal excreta and people being intoxicated.

Councilor Fortune said and you lumped that all under property damage.

Nancy Kelly said the property damage was very minor.

Councilor Fortune said he would believe if she had any extensive property damage she would file a claim against the organizers of the event through their insurance policy.

Rusty Ackland said when they set the event up there is fencing put around the street on the inside of the sidewalk.

Motion: Councilor Clark moved that we approve the street closure/alcohol permit for the Keg and Cask Festival with the time amended to shut down no later than 9:00 p.m. and cleaned up by 10:00 p.m. Seconded by Councilor Baszler.

E. Baszler (Nay), C. Slaven (Aye), L. Biggerstaff (Aye), R. Clark (Aye), J. Coey (Aye), G. Fortune (Aye), Mayor Shorey (Nay). Motion carried 5-2

*****Old Business**

Chapter 30 Revisions

Louis is presenting Ordinance 904 to clarify the Mayor being able to vote as a member of the Council.

Motion: Councilor Coey moved the approve Ordinance 904 and declare an Emergency. Councilor Clark seconded the motion.

Mayor Shorey (Aye), J. Coey (Aye), R. Clark (Aye), L. Biggerstaff (Aye), G. Fortune (Aye), E. Baszler (Nay), C. Slaven (Aye). Motion carried 6-1

Junk Amnesty

Louis is in contact with Lane County Waste Management and in the process of asking for \$1500 fee waiver. Junk Amnesty is here to try and get the City cleaned up before Tree Planting.

Councilor Clark asked when Junk Amnesty would start.

Louis said pick up would start April 8th and run through the 19th. We will do a news release so people will know to come and sign up.

Councilor Coey asked how much this actually cost us to do?

Louis said with the fee waiver about \$3500. We do have the funds available for this; part of it comes out of Streets.

Mayor Shorey asked how much we get back from recycling?

Louis said we usually get back anywhere from \$1200-\$1500.

Councilor Coey asked if there was a real benefit to doing this. He doesn't see a lot of trash out and about.

Louis said the Forest Service Officers have been abating trash and furniture.

We will put this on the agenda for the next meeting and vote at that time.

Councilor Fortune said he wants to back up here; it has to do with the Charter and adopting of Ordinances. If we go by our Charter which he thinks that we ought to, there are certain procedures when adopting an ordinance at a single meeting that we didn't do.

Louis said Councilor Fortune is correct; we should have read it by title only and then passed it. We can go back and do that.

Councilor Fortune said the Council may enact an Ordinance at a single meeting by a unanimous vote of all Councilors provided the Ordinance is read first in full and then by title.

Louis said it has to be unanimous and it was not; so we can read it by title only and then bring it back.

Motion: Councilor Fortune moved to reconsider the adoption of Ordinance 904. Seconded by Councilor Slaven.

L. Biggerstaff (Aye), R. Clark (Aye), C. Slaven (Aye), J. Coey (Aye), G. Fortune (Aye), Mayor Shorey (Aye), E. Baszler (Aye). Motion carried 7-0

Motion: Councilor Fortune moved to read Ordinance 904 by title only. Councilor Clark seconded the motion.

Councilor Fortune read Ordinance 904 by title only.

G. Fortune (Aye), R. Clark (Aye), Mayor Shorey (Aye), J. Coey (Aye), L. Biggerstaff (Aye), E. Baszler (Aye), C. Slaven (Aye). Motion carried 7-0

Yellow Bicycle Program

Mayor Shorey said the Yellow Bicycle Program is something he came up with when he determined they had a surplus of bicycles. We have a lot of people that walk around town. We could use some of those bikes to do a program that is similar to other cities where you can borrow a bike. We can place bike racks around town for them to be placed in.

We have a local vendor who said he would fix the bikes and we can find someone to paint them.

Councilor Biggerstaff asked about liability if someone got injured while riding a bike.

Louis said we haven't really checked the liability yet.

Councilor Coey said we should put a disclaimer saying they can be charged with a DUII while riding the bikes intoxicated.

Councilor Fortune will check in to liability.

Gary Carl said this was his idea initially. The liability issue has to be worked out; other cities do it so presumably there is a way.

8.0 POLICE SERVICES

Chief Scobert handed out the Quarterly Review of Calls for Service to the Council and Staff.

He reported that the police are staying busy.

Councilor Fortune asked if there is reason that the misdemeanors are down.

Chief Scobert said there is no rationale reason, but expects them to start going up with Spring coming up.

They have been fairly active on ordinance violations; Troy Allen is doing a really good job for us.

9.0 EMERGENCY SERVICES

Chief Demers reported that our Paramedic that is out on medical leave has been cleared by his doctor to come back on February 24th, 2013.

This is Chief Demers last meeting.

10.0 REPORTS FROM BOARDS AND COMMITTEES

Community Services – They discussed the Community Garden and creating rules and regulations. It has become a little unworkable at this time. They discussed other locations to spread it out around the community.

They discussed the traffic issue at 1st and Oak Streets; it's hard to see traffic when pulling out onto First Street because of the cars parked along the street.

Councilor Coey invited anyone who is interested to join the Committee; Rusty Ackland and Lynda Kamerer are going to join the Committee.

The next meeting will be at 8:00 a.m. on March 8th at City Hall.

Faithe Simington has a table she would like to donate along with a grow light.

GOATS - Councilor Coey encouraged anyone to attend these meetings and see what these people are about. Erika Coyer facilitated a Strategic Plan for them; they are getting ready to increase in their size and dollar amounts with the Ride Center this year and for instance they had a work party a month ago at Goodman Creek and they had 80 people show up on Saturday and Sunday.

Lane Regional Air Protection Agency - They elected Bill Brommelsiek as Chair and Mike Fleck from Cottage Grove as Vice Chair and also elected them as At-Large Members. There was a unanimous decision by the Board that they change the State Statutes under 468A.120 regarding Board of Directors; paragraph D of that to change the wording to such that both Cottage Grove and Oakridge as dues paying members have positions on the Board. The LRAPA Board agreed to that unanimously and the Lane County Board of Commissioners agreed on a 4-1 vote. It will be presented to the cities of Eugene and Springfield stakeholders; we really don't think there will be an objection to that.

Motion: Councilor Fortune moved to support any legislation being presented to the Oregon State Legislature to change ORS 468A.120 paragraph D as it's being presented to the legislature. Councilor Biggerstaff seconded the motion.

R. Clark (Aye), Mayor Shorey (Aye), J. Coey (Aye), G. Fortune (Aye), L. Biggerstaff (Aye), C. Slaven (Aye), E. Baszler (Aye). Motion carried 7-0

Tree Planting Committee – Will meet Monday at the Pub; they have hats for sale at Siuslaw Valley Bank and First Tech Credit Union.

Library Board – They should be working on a timeline and proposal for the Mark Sundin Memorial and working with the Planning Commission for assistance.

OEDAC - Didn't have a meeting yet. Councilor Biggerstaff said the OEDAC Board should give reports on the OIP when someone declines offers from businesses. We need to know why they didn't accept an offer or rent from the OIP.

Councilor Clark agreed that it would be nice to know the reason a business didn't come to Oakridge.

Area Commission on Transportation – Mayor Shorey attended the meeting on the 13th; there are about 30 different entities on that committee. They recommended 30 million dollars worth of projects to be funded ranging from bicycle paths and most of them were safety issues.

Parks, Trees and Trails Board – Councilor Coey couldn't attend the meeting but he did discuss it with a couple of the Board Members; John talked to Chuck and Robeart from Public Works about projects that we can have volunteers do. They are still working out the parameters of a volunteer coordinator and what the position would entail.

ADJOURNMENT: The Council adjourned at 9:45 p.m.

Respectfully submitted before the City Council March 7, 2013

Signed: _____
Jerry Shorey, Mayor

Signed: _____
Susan LaDuke, City Recorder