



February 5, 2015
City Council Regular Session
Willamette Activity Center- Room 8
47674 School Street
7:00 p.m.



MINUTES

1.0 CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE

Council Present: Jim Coey, Mayor
Christine Slaven
Judy Rowland
Gary Carl
Rick Zylstra
Amy Buchmeier
Dawn Kinyon

Staff Present: Louis Gomez, City Administrator
Albert Alcalde, Fire Chief
Jackie Taylor, Assistant Planner / Public Works Secretary
Susie LaDuke, Finance Director/City Recorder
Kevin Martin, Acting Police Chief

Mayor Coey announced that we have an additional Council Vacancy. We will move 6.7 up next and then we will go to 6.3 to appoint new members. We will go to public comment after this.

Today we received a letter from Councilor Biggerstaff and he is resigning his position as Councilor due to location, he no longer lives in Oakridge.

We have two people that have applied for these positions.

1.1 6.7 Declare Council Vacancy

Motion: Councilor Carl moved to declare a council vacancy and appoint Ms. Amy Buchmeier to fill Councilor Biggerstaff's position for the remainder of his term. Councilor Kinyon seconded the motion.

Mayor Coey (Aye), D. Kinyon (Aye), G. Carl (Aye), C. Slaven (Aye), J. Rowland (Aye). Motion carried 5-0

1.2 6.3 Fill Council Vacancy

Motion: Councilor Rowland moved that we appoint Rick Zylstra to serve in the vacant council position until the next general election. Councilor Carl seconded the motion.

Mayor Coey (Aye), C. Slaven (Aye), G. Carl (Aye), J. Rowland (Aye), D. Kinyon (Aye). Motion carried 5-0

Susan swore in the new City Councilors Amy Buchmeier and Rick Zylstra

2.0 PUBLIC COMMENT

Herb Hilton 76368 River Rd – Thatcher Lane RV Park, he lives 200 yards from the river, every morning when he gets up this is what he sees from his living room. Several years ago when Mr. Steele bought this land he couldn't see past the gate, 50 yards from his house. He saw brush, blackberry bushes, you name it. Mr. Steele and his wife have maintained the property and eliminated a fire hazard, seven acres of a fire hazard. Mr. Steele and his wife drive from Bend three or four times a year to maintain this themselves, with no hired help and without the City having to tell them. He supports anything wholeheartedly, that Mr. Steele wants to do down there.

James Affa – Passed on his time until the subject comes up.

James McKee – Before he reads his statement he wanted to clear up the media buzz and social media buzz about the Council cutting him off the last time he was here, he knew he only had three minutes, what's fair is fair, that is kind of an oxymoron with his statement that he is fixing to read, he appreciated the five minutes that he got.

The first thing he has is for Councilor Slaven dealing with the comments she made at the last meeting. The paper said she wanted to take me to task, you will not find anything in the budget, good fraud is hidden in a line item, look all you want, throw your tizzy and wave your budgets in the air it's your choice, you are looking in the wrong place. There are not a bunch of people fooled here and it's not a great conspiracy. In his opinion he alleges two of the events happened over a nine month period, the other two over a longer period. A forensic audit hasn't even been done since these occurred and he is not the only one in the fire department that suspected these events. He will tell you that the investigators will get the information from him. The last thing, he stands by his statement, Gomez you have 60 days to reveal and fix it. Many members at the fire department including himself know the details of his allegations and they know that you know. They have a job to lose, he doesn't. The clock is still running.

The last thing is people ask him why he won't turn proof over to City Council? That is a question he hears a lot, that is a legitimate question. He doesn't trust a couple of the senior members of the Council. If something goes against their clicks, their groups, their little organizations or friends they have a history of not doing the right thing. Pretty strong statement by me. So let's test that statement.

At the last meeting there was a statement made by Susie LaDuke, he copied that statement down word for word from a recording and he is going to read it. This is Susie talking. "At the last meeting there was an allegation of mail fraud (Mr. McKee said it wasn't mail fraud it was mail tampering), by Mr. McKee, I talked to Kevin about that and the State Police notified him that they did not find any fraud". Mr. McKee said he is going to repeat, he said they did not find any fraud. Mr. McKee said this is not true. This is absolutely not true. The State Police did not do an investigation, this is a Federal matter and it is ongoing. To make sure he had his bases covered because he knew some people would question it, he called Lt. Hinkle at the State Police, if you don't believe him call Lt. Hinkle yourself. Lt. Hinkle assured Mr. McKee that there was no investigation. So for her to say she was cleared of fraud, is not true. The question is and what he is interested in is, to the senior member and the rest of the Council, what are we going to do

about this? He also has a little note here that Jim said at the end he said “shocking “ like maybe typical or something. A lot of you don’t know that he and Jim Coey go back a long ways, he has known him longer than anyone in this room, is that safe to say? I take everything you say with a grain of salt.

Robin Keever – She is disappointed that she couldn’t speak after Mayor Coey spoke at the last meeting. This all comes down to jobs, not one person has asked her how many people she employs, and she employs nine people out at the nursery. You guys are automatically discriminating against the people that are already here because you are so busy pulling people out of a hat for the mill site. The only reason these big businesses are coming to Oakridge is to make money, they are not here to benefit Oakridge. She is putting out a service that will be lost due to this. If you took care of the people that are here then businesses would come, but if you don’t take care, who would want to come into a town where you don’t take care of your own people. Mayor Shorey and Mr. Biggerstaff are the only ones to come out to the nursery. She puts in a lot of blood, sweat and tears out at that nursery and they just shake it off like it’s nothing.

Kent Dockery – He is the Director of the warming center here in Oakridge and he wants to thank the City Council and give an update on what is going on. The City Council stepped up and lets them use the gym. St. Vincent DePaul, businesses and individual citizens have provided them with materials they need to operate. They are open any time the temperature gets 32 degrees or below. They put signs up around town to let the homeless know that they do have a place for them. They have only had one person show up so far this year. They are there and ready if anyone wants to show up. They stay open until about 10:00 P.M. He wanted to thank the volunteers and the City Council.

Dwight Chitwood 76415 Thatcher Lane – He has been a resident for 25 years, he signed up to speak about the need for zoning and code enforcement but, he also wants to address Herb’s comments he made earlier. Matt Steele has only had that property for five years, he does do a good job keeping it cleaned up. About the zoning, he knows the City Council and the City both will agree that you need to have restrictions. Some people aren’t good neighbors. Life is just easier with guidelines and the zoning that has been lined out with the city and the code enforcement, it just needs to keep on flowing.

Danna Gibbons Thatcher Lane –Wanted to address the situation with the R-1 Language and Text change. She appreciates everything that Herb said about Matt Steele, he is a gentleman, and he has taken wonderful care of that property. What she is talking about is zoning and text change that affects everybody that lives on a flood plain, those are all the people on Hills Street and Thatcher Lane. Banks would be reluctant to even consider a buyer if they didn’t know the property was still a residential low density property. This is an established neighborhood with residents that chose to live here. To change the wording on what low density residential is would be ridiculous. We will talk more about it when they are up at the next meeting.

Kent Bradstreet Thatcher Lane – Matt Steele is a very intelligent individual, but we all know when you move in to an area that you accept the restrictions that are already in place. You wouldn’t want to affect your neighbors with changes that are not normal.

3.0 MAYOR AND COUNCIL COMMENTS

Mayor Coey gave his State of the City Address – See attached

Councilor Carl is very encouraged and appreciates that so many citizens that are willing to come to the Council meetings and share their thoughts and opinions with the Council. He has been to Council meetings in the past where there might have been two or three people and to have a room full of people is significant. He may not agree with you, in fact many times he won't, or sometimes he won't, but at least they can have a conversation and dialogue and he appreciates that. He especially appreciates the new Council, look at the youth on the Council. He appreciates them.

Councilor Slaven said she just wants to point out that as far as she knows none of us have any idea what Mr. McKee's allegations are. Do you know Louis?

Louis said no, he has not been told.

Councilor Slaven said so they have 60 days to answer to something but, they don't know what it is.

Louis said that is correct.

Councilor Rowland wanted to say to the two new Councilors welcome aboard and they will all learn together.

4.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA

None

5.0 CONSENT AGENDA

Motion: Councilor Carl moved to approve the consent agenda. Councilor Rowland seconded the motion.

C. Slaven (Aye), J. Rowland (Aye), G. Carl (Aye), A. Buchmeier (Aye), D. Kinyon (Aye), Mayor Coey (Aye), R. Zylstra (Aye). Motion carried 7-0

6.0 ADMINISTRATIVE SERVICES

6.1 City Administrators Report

Normally Louis gives a project update at this time but, he has been pretty buried so he is going to brief off of what he has.

Enterprise Zone – He has been working quite a bit on our Enterprise Zone redesignation and yes it does tie in to jobs and what that does is it can give exemptions to certain kinds of businesses that would want to come to the City of Oakridge. Our Enterprise Zone expired on 12/31/2014 and so in order for us to be able to offer these things to them we do need to get redesignated, so he has been spending a lot of time on that.

Mayor Coey said we have been told we had until 12/31/2014, we signed a letter of intent with a company before 12/31/2014 but that didn't stop the clock from ticking. So we are having to reapply.

Louis said the company that we did sign will get the benefit of the Enterprise Zone but, the zone still expired because they were not in fact, in operation on that date.

Louis is working on annexations, there are some people that want to annex from the County into the City. You will be seeing a lot of that in the next 60 days or so.

We are still in discussion with some other companies.

Salt Creek Canal – Louis will try to send something out early next week so that all the new councilors can have his update. A couple of years ago we used to have water come into the Industrial Park from the Salt Creek Canal and that is what we used to fill our suppression pond. Due to a lot of water leaking onto the Highway by MP 38 ODOT and Forest Service said we need to shut it down. This conversation peeked a couple days ago at a meeting with the Ranger with Louis and the Mayor. We are coming up on where we need to mitigate the Salt Creek Canal. In a nutshell we need to go in and knock the canal down into its natural form. Originally they wanted the City to use contractors and that would have been \$100,000 to \$200,000 but, they have agreed to let us use our own people with oversight from one of theirs, that knocks down the cost quite a bit to maybe \$25,000-\$30,000.

TGM Grant – We are getting ready to put in for our Transportation Growth Management Grant, we put in for it last year to update our Transportation Systems Plan and to update our Highway 58 Refinement Plan. We didn't get it last year so we will try again. We want to try to get approximately \$125,000 to get those things done. The last time we did anything on our Transportation Plan was in 2000 so, it's time to update.

Empty lot on Hwy 58 and Rock Rd – Louis met with the Regional Solutions Team in regards to that today and they do have some interest and gave Louis some ideas on where to get funding for that. He is looking to do some sort of a visitor's center and clean that lot up. They want people to stop in town, part of economic sustainment.

Strategic Plan – As the Mayor mentioned we will discuss that on the 21st at the Council Retreat. Councilors Buchmeier and Zylstra if you haven't looked at it it is on line.

Amtrak – The Mayor has asked him to set up a meeting with about ten or so people to include the County Commissioner and a Representative with Congressman DeFazio's Office. They want to line out what it is they are going to require of us to actually build, if anything, to try and get an Amtrak stop.

Marijuana Dispensary and Recreational Marijuana – This is another item the Council will be seeing within the next 60 days or so. We will have text for regulating medical marijuana and recreational marijuana in the City of Oakridge. This will be a good discussion, he will get the new Councilors the language that we are looking at.

Log Bicycle Racks – The District Ranger doesn't see an issue with getting them 20 logs or so to use for the bike racks.

Councilor Kinyon asked if the City owns the property on Hwy 58 and Rock Road?

Louis said no we do not.

Councilor Kinyon asked if the Comprehensive Plan is on the website.

Louis said no it is not, we have a hard copy at City Hall.

Councilor Kinyon asked if the Comprehensive Plan is specific to Oakridge or is it statewide?

Louis said it is specific to Oakridge, each entity has its own Comprehensive Plan. We are required to update it, the cost to update a Comp Plan is anywhere from \$35,000 - \$55,000. Once we get the Transportation Plan done we will go for a grant to get this done.

6.2 City Recorders Financial Report

Susan asked the Mayor for the council's indulgence to allow her to respond to Mr. McKee's allegations against her. The Mayor gave permission. Susan stated Mr. McKee has accused her of making false statements, and given the position she holds with the City that is very serious. What she stated at the last meeting was she had talked to our Police Chief, and he told her he had been told that the State Police would not pursue any of this. That is a true statement, because that is what she asked the Police Chief and that is what she was told, she didn't know about the allegations that Mr. McKee had made. The Police Chief can answer for himself where he came about that information but, this is what he told her and that is what she presented. A couple of days ago she received a call from a federal Agent with the United States Postal Service and he told her about the claim that Mr. McKee had made. He asked her a lot of questions. What this arose out of was a check that was delivered to the City of Oakridge, when a check comes in they are handled first by the person who picks the mail up and then all of the mail is divided up to where it belongs and there are a lot of places that it can go. When checks come in to be receipted in it goes to the front counter. When there is piece of mail that the staff does not know where it goes it goes in her box. Her box is cleaned out once a week, maybe once every couple of weeks. Most of what goes in there is not high priority, the items that are high priority go on her chair or on her desk so she sees it. What goes in her box is odds and ends mail that they don't know where it goes, receipts that she has to keep in her files, reports that are generated on a daily basis basically, reports for her to compile for the auditors.

Last spring there were checks being delivered to the City addressed to Mr. McKee doing business as State CPR. That was odd to her, and when she checked on the State website she found that that business had not been renewed. The State requires that you register a DBA and as of a week ago it still had not been renewed. That concerned her that the City was receiving mail for a business that was not in compliance with City and State requirements. She told Al to please have Mr. McKee not have any more mail delivered to us. Our policy states that we not conduct personal business during our business hours. Obviously receiving mail for a privately held, for profit business is taking care of personal business. We continued to receive these checks and we forwarded them to the fire department. There was a check that was delivered to the City sometime in December, she knows it was not in her possession as of December 10, 2014 because we were short staffed and she was out at the front counter, she receipted in all the checks that were sitting there and went through her mail. During the lunch hour when short staffed, she doesn't see when people come in sometimes, so she will sit out at the front counter. She can verify that mail is sometimes late getting to us because we had a water utility customer who had his bank send us a check to pay his November 20th water bill and we did not get it in our office until approximately December 20th, so what happens at the Post Office, she can't tell you.

When Al told her that Mr. McKee had been asking about this check, she looked in her stack that was on her desk and she found it and gave it to Al and he delivered it. There was a check about a week later, she gave it to Al and said to let Mr. McKee know. About a week ago she received another piece of mail and it was sitting on the counter, she sent Al a text message to let Mr. McKee know it was here. We have not

been holding mail, we have not tried to keep him from getting his mail. He has never called City Hall to ask if he has mail and apparently he has never told the people that he does business with that this is not his address. He is using our PO Box. The allegation is that she did something that was mail tampering, she did not. She talked to the Federal Agent and explained the situation, he asked her how often she looks at that box and she said it varies, we are shorthanded, we are still a full time person and a half time person short from when she started with the City. Priority stuff gets taken care of and we try to catch up on the rest of it as we can. Anyone that has been in her office knows there are a lot of papers that need filing. When we have people out sick those things don't happen and in the month of December we had a lot of people out sick. She takes the accusations that Mr. McKee has made against her rather seriously, he has made them in open session, on the record that she has done something that she shouldn't have and she has not. The Federal Agent is finishing up his paper work from the conversations she had with him. She let him know about the events from a year ago, when McKee was told not to have his mail sent here. He agrees with her because our policy manual states you cannot have personal mail delivered here. As far as doing anything to not deliver his mail, it was delivered. She was accused of not getting his mail to him on a timely basis, but again, if he had changed his address as we requested this would have never happened in the first place.

Susan gave the Financial Report. She went over the different reports with the Councilors.

Motion: Councilor Rowland moved to accept the Financial Reports as presented. Councilor Slaven seconded the motion.

A. Buchmeier (Aye), Mayor Coey (Aye), C. Slaven (Aye), D. Kinyon (Aye), G. Carl (Aye), J. Rowland (Aye), R. Zylstra (Aye). Motion carried 7-0

6.3 Fill Council Vacancy

Moved this to the beginning of the meeting 1.2

6.4 Fill Planning Commission Vacancy

No action. Applicant didn't attend meeting. We will notice out the Planning Commission Vacancy in the newspaper and put up notices to the usual places.

6.5 Fee Waiver for Kiwanis Easter Egg Hunt

Motion: Councilor Rowland moved that we approve the fee waiver for the use of the Greenwaters Park Community Building by the Oakridge Kiwanis and transfer from the TRT funds for building maintenance. Councilor Carl seconded the motion.

D. Kinyon (Aye), Mayor Coey (Aye), G. Carl (Aye), A. Buchmeier (Aye), C. Slaven (Aye), R. Zylstra (Aye), J. Rowland (Aye). Motion carried 7-0

6.6 New RTMP Application and program guidelines

Mayor Coey said RTMP stands for Rural Tourism Marketing Program, it is another one of the Transient Room Tax programs. Taxes come in that are collected by the County for hotel room stays and we receive a certain percentage of that back. It is in two different funds, one is very specific which is the RTMP fund

and the other is a little less nonspecific. There are several criteria and one that we have always used is, does it create room stays?

Staff has reworked the documents to request RTMP funds, further, staff recommends that the request be scored by the staff using the set criteria set by Lane County and the formula that was introduced by Councilor Slaven last fiscal year. This is a fair process and assists in eliminating any perceptions or bias. The applications are scored to establish criteria and either meet or do not meet the criteria. It should not matter if they are a new event or an old event.

Susan said there is one more page to this, it is the page that they will sign stating that if they have problems at the event that they hold the City harmless, it is the legal jargon, she sent it to the City Attorney for him to ratify and make sure we have everything we need.

Part of the reason for her doing this is because over the three years she has been the Finance Director she has had a lot of complaints about their RTMP process. Last year was extravagant as far as the numbers, it was mind boggling. They had requests for funding that were not accepted that should have been because they met the criteria, we had people making allegations that it wasn't done fairly. In order to alleviate that and bring us back within the guidelines she proposes to do it this way.

Susan will go through the applications and note whether or not they meet the criteria based on what they provide. After she has scored them she will pass them on to Louis and he will look at what Susan has done and make his recommendations on whether or not they meet the criteria. At that point she will take all of their amounts they are asking for and put them in Councilor Slaven's formula for dividing up the monies and provide a sheet to review, along with the applications and a scoring sheet, if you find everything was scored correctly and it was divided with the formula that Councilor Slaven came up with then it will be approved. This scoring sheet will create transparency and it is fair for everybody.

Mayor Coey said between the two funds it is usually around \$33,000, the TRT is usually around \$18,000-\$20,000 and the RTMP is around \$13,000. We had \$50,000 worth of requests for that amount of money. We keep some of the TRT for doing things like the Easter Egg Hunt and stuff like that, so we really only have about \$28,000 to pass out with about \$47,000 in requests.

Susan said it was also at the work session, that is was consensus that the TRT funds remain in the general budget and only RTMP funds be given out this year.

Councilor Carl has concerns about this process, he was the Chair last year on the committee that made the recommendations as to how these funds were allocated and they spent hours working on this and yet when it came to the Council Councilor Slaven imposed her own criteria and upset the hours of work they put into it. What makes you think that the Council isn't going to upset anything you do? To come up with a plan for this we should look at the history from over the years and going back in time you may wonder how Oakridge became the Mountain Biking Capitol of the Northwest, in days gone by the Chamber of Commerce directed the funds and they all went to one entity and that entity developed Mountain Bike Oregon and put Oakridge Oregon on the map. At that time there was resentment to that and so a different approach was taken. And now we are going another way. The Council needs to talk about this and figure out if A) we want to allocate these tourist funds to every rinky dink event or B) conserve the money like Westfir did with their beautiful park that they got with tourism dollars. We can do that same thing instead of having little nothings that don't amount to anything. That would be a decision for the whole Council to make, in all respect to Councilor Slaven, it not be her decision to make.

Mayor Coey said at the last work session they discussed this and you will see on this document it says draft. There was discussion on keeping the TRT within the City so we can start doing things like Hwy 58 Beautification. There was also discussion of a line item being added for abatement, we just tore down two buildings and had to take it out of the budget to do this. If we had a line item we could take it from there.

Councilor Kinyon said in her opinion staff should not be handling this.

Mayor Coey said we will discuss this at the work session and come up with a consensus of the council as to which way we want to go with this. What we have right now is not working.

Louis said in regards to what Councilor Kinyon said, it is our job to create documents and different items to present to Council. You can say you like it or you don't like it or you can send us back to the drawing board but, primarily that is our function to bring you ideas.

6.7 Declare Council Vacancy

Moved this to the beginning of the meeting 1.1

7.0 COMMUNITY SERVICES

They had a meeting tonight at 5:30, they made a few more changes to the park facility rental application. As soon as it is updated and agreed upon they will present it to Council.

8.0 POLICE SERVICES

The police had 346 calls for service, 48 case reports, 38 citations and 19 traffic warnings.

Chief Martin has had ongoing meetings with LRAPA, it's more of a plan to start the next home fire season. We want to have more community education on what you can and can't do and they talked about enforcement when people don't comply.

Chief Martin attended the Quarterly Lane County Police Chief meeting, they discussed body cameras for the Officers.

He talked to the District Attorney's Office about prosecuting a few more cases for us which is going to be even harder because they had more budget cuts.

Regarding Mr. McKee's complaint, Chief Martin requested the Oregon State Police take the investigation from them, he doesn't feel it's appropriate for them to investigate fellow staff members. Criminal Investigations Sergeant Andy Kenyon said at this time he was not going to make a case but to have Chief Martin look into policy violations. The only policy violation Chief Marin could find is on Mr. McKee's part for having personal mail sent to the City.

9.0 EMERGENCY SERVICES

Chief Alcalde took us through the process for calls, depending on the location it can take anywhere from 3 minutes to 30 minutes to respond to a call. They can respond all the way to the top of the pass.

When they get to the scene they assess the patient, obtain history, take vital signs and diagnostic tests to determine if the patient should go to the hospital or not. When they make the decision to transport they have to take them from their home or wherever they are located and get them into the ambulance. In many cases that takes three to four people to do that. The next step is to transport to the hospital, once they get there they report to ER staff. When they return to the station they have to complete an extensive EMS report, it has to be able to hold up in court. Once that is done they have to put the unit back in service, clean, fuel and replace supplies. They saw 60 patients in the month of January and nearly 80% were transports. It is becoming increasingly difficult for our department to handle these patients.

Eugene/Springfield just contracted with a private provider to help them. They are a much larger agency but, they have the same problems as we do, we may be looking at doing that too to see if there is a provider out there that can assist us. All we are talking about here is ambulance, we are a fire department and we do other things as well.

Chief Alcalde is working with Lane County dispatch, they are new to Fire calls, and Chief Alcalde is helping them streamline the process.

10.0 REPORTS FROM BOARDS AND COMMITTEES

Mayor Coey said for Committee reports, you can send an outline of what was discussed to Susan and that will help facilitate our meetings and get them into public record.

Tourism Alliance – They just recently applied for two different grants, one for \$5,000 that would be split between two different projects, the We Speak and Signage and Way Finding project. We should have that info in soon. We received another grant from Cycle Oregon for \$15,000 which will bring us up to \$22,800 from Travel Oregon, Cycle Oregon and the Oakridge TRT funds to pay for the 2nd round of the Signage and Way Finding plan, this is where we would go in and actually make the signs.

They are moving forward with the Flee the Fog program, Lane Electric is going to donate a few hundred dollars to purchase weather station cameras to have installed by the radio tower back behind the old library. It will show weather reports to show how beautiful our area is to get people here.

They have \$2,500 coming in to hopefully reboot the We Speak Program.

The next meeting is the first Wednesday in March. They will have the Lawn Mower Racing people there to speak. They will be inviting guests to speak at their meetings to see if they can help them with their events.

GOATS – Received a grant that Erica Coyer wrote from the Ford Family Foundation for \$4,000 to help GOATS figure out a plan for them to be more involved with the City, outreach to children, trail work, just prioritizing projects they want to see and how to make them happen.

ADJOURNMENT: Meeting adjourned 8:32 P.M. Five minute recess for Executive Session

Executive Session 8:42 P.M.

Executive Session: ORS 192.690 (2) (e) to conduct deliberations with person designated by the governing body to negotiate real property transactions and ORS 192.690 (d) labor negotiations.

Executive Session adjourned 9:30 P.M.

Meeting adjourned 9:31 P.M.

Respectfully submitted before the City Council February 19, 2015

Signed: _____
James Coey, Mayor

Signed: _____
Susan LaDuke, City Recorder