



April 2, 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
Judy Rowland
Gary Carl
Rick Zylstra
Amy Buchmeier
Dawn Kinyon

Staff Present: Louis Gomez, City Administrator
Albert Alcalde, Fire Chief
Jackie Taylor, Assistant Planner (absent)
Susie LaDuke, Finance Director/City Recorder
Kevin Martin, Police Chief

The 2015 Oakridge Tree Planting Princess gave their speeches. This year's princesses are Chelsea Ball, Kristin Tangen, April Allen and Jaci Standley.

2.0 PUBLIC COMMENT

Melinda Harden – Asked the Council for approval to use the City logo to reproduce and put on merchandise.

Louis said this is not on the agenda, but it is on his update and he will address the process we have to follow to accommodate her.

Mayor Coey asked to look at the logo.

3.0 MAYOR AND COUNCIL COMMENTS

Mayor Coey announced that April is Child Abuse Awareness Month, the blue pinwheels around town are in support of this.

Mayor Coey received a postcard from Lane Electric congratulating us for three straight years of clean audit reports. The demonstration of fiscal discipline and financial integrity are foundational to Oakridge's bright future. Lane Electric will be there to help. Regards, Matt Michael General Manager for Lane Electric.

Mayor Coey reported that Randy Dreiling was recently at the BC Adventure Travel and Bike show in British Columbia. The show had over 15,000 people attend. McKenzie paid for most of this and Oregon Adventures paid for some of it and he is looking for some help. Mayor Coey will forward this on to the Council. Randy is asking for \$600 and he is taking our visitors guide to pass out.

Councilor Kinyon said we need to elect a new Council President.

Councilor Kinyon read a statement, Mayor Coey made an accusation against her to all of her peers on City Council and the City Staff via email. She would like to ask the Mayor if he personally witnessed the event he had accused her of, she believes if he had he would have immediately asked her to retrieve the document and if he did not witness it then someone else must have reported it to him which is hearsay. Did you even verify that there was an audit report missing and how many were ordered and who have they been distributed to and how many are left over. Going off hearsay why didn't you ask her if she took the document and dispersed it to someone in the hall. You chose to accept the accusation as truth. You might consider that whoever reported this to you might have made this up to hurt her character, but in doing so has also hurt yours for handling it the way you have. She wants it on the record that she did not remove an extra copy of the audit report from a box at that meeting and she did not give it to anyone in the hall. She feels he has defamed her character in front of her peers and the community and she wants an apology.

Mayor Coey said he was going to discuss this with her after the meeting, but since she brought it to the forefront he will discuss it now. He did see Councilor Kinyon approach the box that evening and walk out of the chambers and walk back in. He is the one who saw it, not someone else. We do have an audit report missing and he does not know where it went. He did see her approach the box and it looked like she took something out of the box and remove it and took it in the hallway. The reason he didn't make a comment before is because talking with Susie and finding out even though this is public record, as he mentioned in the email, for public records you have to go to city hall and fill out the public records request form and there is a charge for it. This is a report that is printed for each of the Councilors, Susie has a copy and there is a copy at the front desk. There should have been one extra copy which should have been Councilor Slaven's but she resigned the day before. He did not see her take it out of the box because she had her back to him. Did he see Councilor Kinyon actually walk out with it in front of her, no he did not, but he did see her approach the box and saw her walk out to the hallway and come right back in and we are missing a copy. He tried to do this amongst ourselves and now that you have made it public this is where we are.

Councilor Kinyon said he accused her in an email to the entire council. She did not take the report, she handed Elizabeth Barclay her phone because she signaled that she needed to use it and she came right back in.

Mayor Coey said well he doesn't know where the report went, there should have been three in the box and there is only two. If that is the case then he apologizes.

Councilor Rowland said at the last meeting Sandy Edds handed the Council letters that Robin Kever wrote to Mr. Zimmerman. She didn't have time to go over them at the last meeting, but she has since looked

them over and she would like a clarification of when Mr. Zimmerman left employment of the City of Oakridge.

Susan said his last paycheck was in December of 2011.

Councilor Rowland said she is looking at a letter dated February 2012 to Mr. Zimmerman, surely she knew he was gone by then and there is another one in August 2012 to Mr. Zimmerman. Why is she writing him a letter almost nine months after he left the City? It is right here, in her handwriting and the date. That is her question, why is she writing eight-nine months after he left.

Councilor Kinyon forgot to mention that there are some documents that she would like to request and she needs Council approval and then they would all get them. The first one is the supplemental budget from October 2014.

Susan said it is on the website.

Councilor Kinyon said it wasn't when she made her request. She would like a report of checks written by the City for calendar year 2014 for TRT and RTMP reimbursements and she wants the Council approval reports from July 2014 – December 2014.

Mayor Coey said as he mentioned in an email earlier, this is public record. You go to City Hall, apply for it in person, you pay your fee and then you will get your records. There are certain things that the Council is entitled to, but there are certain things for example, there was a request for the audit extension, that is a working document and that will not be given out until it becomes public. In this situation someone from the Council has to make a motion and there has to be a majority vote and then whatever records that were requested will be distributed to the Council.

Councilor Rowland asked Councilor Kinyon why she wants these documents, these are done and there is nothing you can do to change them.

Councilor Kinyon said to be an informed Councilor it would help her understand to make decisions like budgeting and things like that.

Councilor Carl said we need to have a motion and a second to the motion to discuss the matter, it is not appropriate to discuss this without a motion.

Mayor Coey said you are correct.

Motion: Councilor Kinyon made a motion to be provided with the report of checks written for calendar year 2014 for RTMP and TRT reimbursements and Council Approval reports from July 2014 through December 2014. Councilor Buchmeier seconded the motion.

Councilor Carl asked the staff what is the anticipated burden in terms of staff time and/or expense to provide the requested documentation.

Susan said it would take a while to pull up the council approval reports, those are reports that are generated and given to the Mayor. They are then scanned and emailed to the Council members once a month. It would take quite a while to go back and find them all.

Councilor Carl asked if these reports are auditable, have they been audited?

Susan said not the current year reports, these are something that the auditors go through in the past, we had a clean audit so everything they have asked for we produced for them.

Councilor Carl said the documentation that Councilor Kinyon is asking for, has it been audited?

Susan said we have not been audited for the current fiscal year.

Mayor Coey asked if she has a guess at the amount of time it will take to get this information together.

Susan said it won't be happening for a couple of weeks because she is going to be gone next week and we are coming in to budget season and she will be having to catch up on quarterly reports. It's going to take quite a while to pull all of this together. The council approval reports are something that was distributed each month to prior council or Mayor.

Councilor Kinyon said the council approval reports are reports that, as long as she has been a Councilor, are emailed to them so, she was under the assumption that this would have been available to the prior council via email so, she assumed it would only take a couple of minutes to review them and forward them.

Susan said she doesn't have them saved like that, this is something that is scanned and then emailed. The emails are saved, but she doesn't categorize her sent email. They weren't always emailed out because we had several Councilors that didn't have email.

Mayor Coey said Councilor Baszler did not have email so everybody always got a copy.

Susan said the information that is in there is in the monthly statement of revenues that you already got.

Mayor Coey (Nay), G. Carl (Nay), D. Kinyon (Aye), J. Rowland (Nay), R. Zylstra (Nay), A. Buchmeier (Nay).
Motion failed 1-5

4.0 ADDITIONS, CORRECTIONS, OR ADJUSTMENTS TO THE AGENDA

None

5.0 CONSENT AGENDA

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

J. Rowland (Aye), G. Carl (Aye), A. Buchmeier (Aye), D. Kinyon (Aye), Mayor Coey (Aye), R. Zylstra (Aye).
Motion carried 6-0

6.0 ADMINISTRATIVE SERVICES

6.1 City Administrators Report

In regards to the City logo, about 7-8 years ago it was put out to all business owners and the School District so they could use it along with their logo and they could use it for non-profit or for profit events. The issue at hand is when Ms. Harden approached him he thought we had a policy in place, when he looked around he discovered we don't have a policy. Louis got a hold of the City Attorney to review a logo agreement and she asked him where the policy is. What he is proposing for the Council retreat is he will have some language for a logo policy. This is a young entrepreneur trying to get her business going and we need to try and help these folks the best we can.

Councilor Rowland said Ms. Harden came to the Tree Planting Committee and they made a deal with her to use their logo.

Councilor Carl said he doesn't know about the Tree Planting logo, but the logo he saw was incorrect, it said The Center of Recreation, Oakridge is the Mountain Bike Capitol of the Northwest. The logo was changed many years ago.

Ms. Harden said there are several versions, she thought this was the correct one.

Louis said that was copyrighted, the other versions have emerged off of our copyrighted logo. That is the issue, that is where the policy comes in to play.

Pedestrian Study – This is still on hold, ODOT was doing that, they had a personnel transition.

Dangerous Tree – Louis called a company called Blue Sky Tree Service and Preservation. They will be taking the tree down later on this spring. They are doing it for \$5,450, which is a lot better than the \$10,000.

Councilor Carl said as a general procedure, when you enter into a contract such as this do you normally check with the State Contractors Board to see their reputation or liability of the contractor.

Louis said normally not, but he can do that.

Councilor Buchmeier asked if this included both trees.

Louis said yes it does include both trees.

Empty Lot on Hwy 58 – George Custer did a sketch for him, he hasn't got it out to everyone yet.

Teller Road Construction Project – Public Works has dug up the lines, they put in new water and sewer lines and some storm.

LTD – They want to come back to the Council and give an update.

Marijuana Dispensary – Now that the Council adopted the ordinance, the next step is that everyone who testified at the Planning Commission and Council meetings, we now have to send them notices in regards to what rights they have if they want to appeal.

Councilor Buchmeier asked what the time line is for the appeal process.

Louis will get back to her with the exact date.

Log Bike Racks – Councilor Carl and some other folks went and got the logs and they are storing them for now.

Franchise Agreements – The one that is pending right now is with Charter Communications, the VP from Charter was not happy when he told him it was not in the City's best interest to do an extension. If you do an extension on a franchise agreement it just goes on and on until you actually do another agreement or ordinance so he sent him a draft ordinance and told him no, we want an ordinance.

North Ash Street LID – This is Louis' first LID, he is glad it is a small one, this has been a good test and training for us. If we ever do a big one we will be ok.

Pending Sale on Building at the OIP - We are waiting on completion of a phase 1 environmental assessment, he spoke with the person who did the assessment and he seems to be ok with it, but we need documents from DEQ and they moved so that puts us out to the 13th-14th of April.

Enterprise Zone – He forwarded the Enterprise Zone application to Business Oregon today, the probability of getting the zone is pretty good. If we don't get it through the competitive process it appears that the legislature is changing the laws to if any city wants to be an enterprise zone, they can be. Right now, he believes there are only 36 in the state. What an Enterprise Zone is, is you are allowed to give exemptions to new businesses and the state will also assist in infrastructure such as sewer and water.

RV Park Language, Parks Recreation and Open Space Language – That is still on hold, it will probably be another 6-8 weeks. The person from the Department of Land Conservation and Development is working with him to put together the language for the flood zone area, the FEMA language that is required. Once we get that done then you will get to deal with the RV Park language and Parks Recreation and Open Space.

Councilor Buchmeier asked that since Louis sent his Enterprise Zone application in that she can assume that Westfir and Lane County did their process.

Louis said he is the zone manager for Oakridge, Westfir and property in Lane County. This application is for all of these areas, that covers 10.5 square miles.

The person that accepts the applications said it looks fantastic, let's see where we land.

Mayor Coey said Louis wears more than one hat, he is more than the City Administrator, he is also the Public Works Director and the Economic Development Director. Just understand that there is a lot going on in that office and he is very under staffed.

Councilor Carl said he has also seen him in a Police Uniform. He fills in on weekends when we are short officers.

Louis wanted to commend the PD. He has heard a lot of yelling about them lately, the Chief is going to report later about some of the issues being discussed lately.

6.2 City Recorders Financial Report

Susan gave the financial report.

Motion: Councilor Rowland moved to approve the financial report as presented. Councilor Carl seconded the motion.

R. Zylstra (Aye), Mayor Coey (Aye), D. Kinyon (Aye), G. Carl (Aye), J. Rowland (Aye), A. Buchmeier (Aye).
Motion carried 6-0

6.3 Appoint Budget Committee Member

Motion: Councilor Buchmeier moved that we appoint Terry Walker to serve in the vacant Budget Committee position for a term of three years. Councilor Rowland seconded the motion.

Mayor Coey (Aye), G. Carl (Aye), J. Rowland (Aye), A. Buchmeier (Aye), D. Kinyon (Aye), R. Zylstra (Aye).
Motion carried 6-0

6.4 Appoint Parks, Trails and Tree Board Member

Councilor Kinyon said this is off topic, but the RTMP vacancy position isn't posted.

Louis said it is posted.

Motion: Councilor Zylstra moved that we appoint Charles Nichols to serve in the vacant Oakridge Parks, Trails and Trees Board seat. Councilor Kinyon seconded the motion.

J. Rowland (Aye), A. Buchmeier (Aye), D. Kinyon (Aye), G. Carl (Aye), R. Zylstra (Aye), Mayor Coey (Aye).
Motion carried 6-0

6.5 Ratification of Cities Facilities permit

Louis said what he have here is the provision of the City of Oakridge Facilities and alcohol permit. He does know he needs to fix the spelling of Salmon Creek.

Motion: Councilor Buchmeier moved that we accept and approve the revised City of Oakridge Facilities permit. Councilor Zylstra seconded the motion.

Louis said there were some concerns on the back page.

Councilor Carl said he would like to add as conditions #1 you will be civilly liable for any damage or injuries that may occur during your event.

Susan said on #1 shouldn't it read "that are attributed to you or your event"

Councilor Carl said ok.

Councilor Carl said on #5 it says if good order is not maintained at your event it may be shut down by the Oakridge Police Department for violation of your facilities permit. Who decides that, the police?

Louis said yes, it is at their discretion.

There was more discussion on changes to make and discussion about the fees.

Amended Motion: Councilor Buchmeier moved that we accept and approve the revised City of Oakridge facilities permit with the following amendments, Change the spelling of Salmon Creek to be spelled correctly, add other OIP lots negotiated as needed regarding parking, #1 add injuries that may occur during your event that are attributable to you or your events, #2 you will be responsible for any cleanup of the facility and for any clean up attributable to your events, #10 we will add that you will be held financially responsible for any and all medical and safety expense incurred above those that you provide. Councilor Kinyon seconded the motion.

D. Kinyon (Aye), Mayor Coey (Aye), G. Carl (Aye), A. Buchmeier (Aye), R. Zylstra (Aye), J. Rowland (Aye). Motion carried 6-0

6.6 Review of Code of Conduct for Council and Staff

Louis brought to the Council the Personnel Code of Conduct/ethics for the City of Oakridge Oregon Mayor, Council, Boards, Commissions and Committees.

These are some basic guidelines for ethical behavior and integrity. It's difficult for the citizens to have any trust in us if we are not acting professionally or ethically.

Louis read the issue to the Council.

7.0 COMMUNITY SERVICES

7.1 Review and Acceptance of bid for North Ash Street LID

Louis read the issue to the Council. There were a few items that Louis didn't include in the beginning process, there have not been any legal costs, he did not get the assessed values of the properties and he didn't calculate administrative cost.

Ed Hodges, the City Engineer said there may be some questions about the bid, he is open for questions.

Councilor Buchmeier asked about the dates on the bids, they both say March 18, 2014, but his estimate is dated October 2014, are these current bids.

Mr. Hodges said the date is wrong, it should have been March 2015, and the bids are current.

Councilor Buchmeier asked if the culvert was included in the bids?

Mr. Hodges said no, it was not included.

Councilor Buchmeier said that Emmanuel Site Works has no estimate for pond and swale vegetation or erosion control where the other bid does and the estimate does. Are they going to do that?

Mr. Hodges said he talked to Mr. Vahala and he felt it wasn't going to be a significant cost, which may or may not be true.

Councilor Buchmeier said that is 124% above what the estimate was, which is concerning as well as excavation of swale, Mr. Hodges estimate is a nice \$260 and everyone else is higher, the lowest one is \$1,500.

Mr. Hodges said he has been engineering for over 20 years, even on larger bids you will see a huge variation. He rarely puts a bid out when the contractors numbers are radically different than what they estimate. Mr. Hodges gave some examples to the council.

Councilor Carl asked Mr. Hodges if he checked these contractors out with the contractor's board?

Mr. Hodges said yes he has they have to be able to get bonding and there are no complaints against these contractors.

Louis said they have to present their bonds to us. We sent out five bids and only got two back.

Louis said we have templates already to take care of the contracts with the homeowners.

Councilor Carl moved that we accept the bid of \$35,000 from Emmanuel Site Works, to complete the construction of the North Ash Street Local Improvement District (LID) and complete the LID process. Councilor Rowland seconded the motion.

Mayor Coey (Aye), D. Kinyon (Aye), G. Carl (Aye), R. Zylstra (Aye), J. Rowland (Aye), A. Buchmeier (Aye).
Motion carried 6-0

7.2 City Engineer Present Water Feasibility Study to Council

Mr. Hodges wanted to give a brief overview of this project, it is pretty large and involved.

Mr. Hodges said going back almost ten years, the City of Oakridge had some significant issues with our water system. Back in 2007-2008 they did a multi-million dollar project to deal with these problems. At that time we were losing for every gallon pumped, a half a gallon. We also had contamination from one of the wells, we had no storage at that time. There were a number of other issues.

We have an aging system of wells down at the well field where we get our drinking water, two are not functional, and the other four interfere with each other when pumped. In the summer there will come a time where the pumps are running continuously and the system can no longer keep up with the needs of the City. This has been known for a long time, but we just couldn't address it with the first project.

The second issue we have is, even though we did put in new storage it really helped out, in fact we brought an old storage tank back on line, but we just did not have the funds to provide the storage at the OIP. We don't have adequate fire protection at the OIP, especially if we get a commercial industry in there. He got

a grant about a year ago and started working on it last summer and he learned some interesting things about water rights. He will briefly go over some of the major things, in your council packet.

Mayor Coey asked the Council if they are ok with going past 9:00 p.m.

They are ok with moving on.

Mr. Hodges said he tried to summarize some of the issues that he described. The City of Oakridge sits on a great water source. The problem is you have a number of issues to get to the water. The State believes that because the wells are so close to the river, you are impacting the river, that in turn means they feel that they can curtail your water rights and that is an issue that is new to him. On the storage side the reality is you need to be able to provide adequate fire storage, you need about 500,000 gallons of water to supply the OIP. You also need to have about 500,000 in storage in case you have an emergency. That storage should be located up above the OIP, the City owns property up there.

When you can, you need to put in a new well. We had an incident last year where we thought it would cost \$20,000 to fix a well and it actually cost about \$35,000. It was a well that hadn't been opened in 30-40 years. The other ones will be a lot more. The City needs to look at places to put a new well, we have a lot of property to put a new well in. The same for the storage tank, we have the property, we need to look at ways to do that.

The price tag to do this, if we do it tomorrow is 2.6 million dollars, give or take a few. That sounds like a huge number, but he has looked at different funding sources and this isn't something we need to make a decision about right now. He looked at four different funding options, one was a Community Development Block Grant, unfortunately the City is not eligible for that anymore, the other was a Water/Wastewater Grant, the two sources that were the best were a Rural Development and the other was called a State Revolving Drinking water Loan Fund, this one turned out to be the best. They would give the City \$500,000 right off and then finance the rest for 1% per year for 30 years.

Mayor Coey asked if the West storage field is on line now?

Mr. Hodges said yes, the West tank was put in in 1962 and then about three months later the hillside just dropped away. It sat until about 2007 and we ended up pressure routing and jacking up the hill underneath it and brought it back on line.

Mayor Coey he said he sees they are picking out well sites, how would they get water up to the East side on well site B when they are on the other side of the Hwy and by the river?

Mr. Hodges said he worked with a hydro geologist that specializes in doing this. He asked him to find the best areas in the City. That is where he picked. Site B is actually a better site than you would think, because what you would do is go across the bridge on Hwy 58 and hook right into it, there is an 8" line.

Motion: Councilor Carl moved that we accept the Infrastructure finance authority (IFA) water feasibility study as presented by Edward Hodges, City Engineer. Seconded by Councilor Buchmeier.

A. Buchmeier (Aye), R. Zylstra (Aye), Mayor Coey (Aye), J. Rowland (Aye), G. Carl (Aye), D. Kinyon (Aye).
Motion carried 6-0

7.3 City Engineer present 30% Plans for Highway 58 Crosswalk

Mr. Hodges said about a year and a half ago Louis and the Mayor did a lot of the leg work on this with ODOT. We received a grant to put in a pedestrian crosswalk on Hwy 58, this is due to pedestrian safety. This is the method that was chosen by ODOT. You will have four rapid flashing beacons, by State law you are required to stop when flashing. There would be a concrete island for protection if they need it.

Motion: Councilor Buchmeier moved that we accept the 30% plans for the Highway 58 Crosswalk project as presented by Edward Hodges, City Engineer. Councilor Carl seconded the motion.

R. Zylstra (Aye), D. Kinyon (Aye), Mayor Coey (Aye), J. Rowland (Aye), G. Carl (Aye), A. Buchmeier (Aye).
Motion carried 6-0

7.4 Request Street Closure and Alcohol Permit for Keg and Cask

Louis said what you have in front of you is the alcohol permit and street closure permit for the UWCDC and other groups for the Keg and Cask Festival on August 8, 2015.

Motion: Councilor Carl moved that we approve the alcohol permit and street closure for the Keg and Cask Festival on August 8, 2015. Councilor Rowland seconded the motion.

G. Carl (Aye), R. Zylstra (Aye), J. Rowland (Aye), A. Buchmeier (Aye), D. Kinyon (Aye), Mayor Coey (Aye).
Motion carried 6-0

7.5 Approval of funds for OIP Fire Suppression

Louis said we have talked about this before, at that time it was \$120,000, that was a bit much. The City Engineer, Chuck Kurnick and Louis have been talking about this and as it was stated earlier we have no real fire suppression out there. This would help us put the 100,000 tank on line that we have at the OIP right now. With the pending business we need to have this online.

Motion: Councilor Carl moved that we approve and allocate up to \$15,000 for OIP 100,000 gallon tank fire suppression project. Councilor Rowland seconded the motion.

Mayor Coey asked how we went from \$120,000 to \$15,000?

Mr. Hodges said originally the idea was to have a pump station, they were going to make the stand pipe part of the potable water system and to do that you had to have a pump station and a new transmission main, which is very expensive. This will be a standalone fire system. Chuck has an old pump that will hook in to the water system that is near the tank, but there will be a double check valve so there won't be cross contamination.

Mayor Coey (Aye), D. Kinyon (Aye), J. Rowland (Aye), G. Carl (Aye), A. Buchmeier (Aye), R. Zylstra (Aye).
Motion carried 6-0

8.0 POLICE SERVICES

Chief Martin reported on some of the incidents we have been having, they have arrested four juveniles, all but one are out. Amongst that they solved several burglaries, tagging and they have one suspect for the tire slashing. With that they are going to work on no tolerance for truancy and curfew violations. Curfew violations are on school nights 10:00 P.M. until 4:00 A.M. and 12:00 A.M. to 4:00 A.M. on non-school nights. The parents can be fined \$500 to \$1,000 so we are going to start fining the parents. That is the biggest problem, all of the kids running around late at night.

Mayor Coey said he and Louis received a request from Commissioner Stewart, one of our community members wrote a letter to Jay bozievich which is the head of the County Commissioners, complaining about the lack of police force in our community, specifically meth houses and dealers and street drags on School Street. As Louis mentioned to the Commissioner that if the DA would prosecute meth houses then we would arrest them. If they aren't going to prosecute then why spend our time pursuing something that is just going to get turned over.

The other side of this is we are doing the best we can with what he have to work with.

9.0 EMERGENCY SERVICES

Will wait until next meeting

10.0 REPORTS FROM BOARDS AND COMMITTEES

See attached

Waiting on Executive Session will wait until next meeting since it was so late.

Executive Session: ORS 192.690 (2) (e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions. 192.690 (2) (h) to consult with counsel regarding legal right of public body regard to current litigation or litigation likely to be filed. 192.690 (2) (d) to conduct labor negotiations on behalf of the government body

Adjourn 9:27 P.M.

Respectfully submitted before the City Council April 16, 2015

Signed: _____
James Coey, Mayor

Signed: _____
Susan LaDuke, City Recorder