

CITY OF SUTHERLIN
Regular City Council Meeting
Sutherlin Civic Auditorium
Monday, August 10, 2015 – 7:00pm

COUNCIL MEMBERS:

Tom Boggs, Frank Egbert, Wayne Luzier, Karen Meier, Forrest Stone, Wes Anderson

MAYOR: Todd McKnight

CITY STAFF: City Manager, Jerry Gillham
City Recorder/HR Manager, Debbie Hamilton
Deputy City Recorder, Diane Harris
Finance Director, Dan Wilson
Community Development Director, Vicki Luther
Chief of Police, Kirk Sanfilippo
Assistant Fire Chief, Troy Brevik
City Attorney, Chad Jacobs (via Skype)

Audience: Noreen Arnold, Jenise Bombulie, Tami Trowbridge, Floyd Van Sickle, Denny Cameron, Chris Boice, Pat & Bert Bales, Dale & Arlene Leonard, Justin Dillon, Mike Meier, Carole Kennerly, Jim Houseman, Willie Flora, Brian Burke Sr., Dana Foley

Meeting called to order by Mayor McKnight at 7:00pm.

Flag Salute:

Roll Call: Excused – Councilor Luzier

Introduction of Media: None present

PUBLIC COMMENT (agenda items only)

- Noreen Arnold – Would like to request Marijuana sales be allowed and added to Ordinance 1046.

CONSENT AGENDA

- **July 27, 2015 Minutes – Regular Meeting**
- **Approval of Pro-Tem Judges**

MOTION made by Councilor Stone to approve Consent Agenda as presented; second by Councilor Boggs.

Discussion: How do we use the Pro-Tem Judges? *They are used on rare occasions when Judge Johnson is unable to attend because of conflicting court dates, illness or is out of town. Pro-Tem Judges have been used for years, just not “officially” approved.*

How is their salary worked out? *Pro-Tem Judges fees are paid out of Judge Johnson’s salary.*

In Favor: Councilors Egbert, Boggs, Meier, Anderson, Stone, and Mayor McKnight

Opposed: None

Motion carried unanimously.

ACTION ITEMS/GENERAL BUSINESS

- **Ordinance No. 1046 – Marijuana Facilities (second reading & adoption)**

Deputy City Recorder, Diane Harris, provided second reading and adoption, title only, “Ordinance No. 1046 – An Ordinance adding a new chapter 8.18 to the Sutherlin Municipal Code prohibiting the establishment of Marijuana facilities within the city and declaring an emergency”.

Staff Report – City Attorney, Chad Jacobs, summarized reasons for ordinance and that it would not apply to Medical Marijuana grow sites, which HB3400 (House Bill 3400) does not permit prohibition. It is to reiterate the previous ban Council approved, taking away any State pre-emption arguments listed under that previous ordinance. If approved tonight it will be effective immediately.

MOTION made by Councilor Anderson to approve second reading and adoption of Ordinance No. 1046 – Marijuana Facilities as presented; second by Councilor Boggs.

Discussion: Councilor Stone – Why are we doing an emergency clause, we’ve had months for this to get brought to us? *Actually, this was just signed and put into law June 30th. The first reading was brought to Council July 27th. Once this ordinance is approved, it will be sent to the State, stopping any issuance of licenses until residents have a chance to vote at November 2016 election. If State were to issue a license before this takes effect, they could be grandfathered in.* But they aren’t issuing licenses until January. *Medical can still register through the state and go through that process; this would prohibit that during the interim time period.*

In Favor: Councilors Egbert, Boggs, Meier, Anderson, and Mayor McKnight

Opposed: Councilor Stone

Motion carried.

- **Liquor License Approval – Dollar General**

Staff Report – Chief of Police, Kirk Sanfilippo, summarized Dollar General’s request.

- How far is the store from school property, within 1,000ft? *Unsure without measuring but probably.*

MOTION made by Councilor Boggs to approve Liquor License for Dollar General as presented; second by Councilor Egbert.

Discussion: Would like clarification on the meaning of “off premises”. *That means it is bought in the store for off premises consumption.*

In Favor: Councilors Egbert, Boggs, Meier, and Mayor McKnight

Opposed: Councilors Anderson and Stone

Motion carried.

REPORTS

- **Fire Service Update**

Staff Report – Sanfilippo – This update is a result of request by Councilor Meier through an email. Along with Fire Chief, Perdomo, and Assistant Fire Chief, Brevik, we have put into place a means of being able to conduct public assist calls, specifically lift assists. Public Assists, as noted on the stats sheet, pertain to such things as broken water lines, electrical issues, and include lift assists. Since August 1st through August 9th, there were six public assist calls; all qualify as lift assists. Fire Chief, Assistant Fire Chief, Police Chief or two Police Sergeants will be on call and available for lift assists. Will respond after hours, however, if not available will contact next station to help with the lift assists. Delays may occur on occasion.

- Who makes the determination that differentiates public assists and lift assists? *Dispatch makes that call or when we arrive on scene we will determine if an ambulance is needed. Also working with CIS and City Attorney to craft a waiver form releasing City from liability. In comparing stats from last month, we ran 29 calls total. This month, in only 10 days we have run 14 calls, six of which were lift assists.*
- How many of those lift assists was an ambulance called for? *To date, out of the six calls, an ambulance has been called twice.*
- You mentioned a possible 20 to 30 minute delay for response. *During day-time hours we have experienced two to four minute response times. After hours could be longer depending on who’s able to respond. However, if it’s an emergency, that will be different.* A lot of these people are not self-evaluators, wait time could be critical. *And we’re not first responder certified either, will go there with basic CPR and do our best to make the right call.*
- What are the “after-hours” times? *After 5:00pm and before 8:00am Monday through Friday and all day Saturdays and Sundays.*
- How many of those six lift assists were “after-hours”? *Brevik – At least 50%. Sanfilippo – the response time was very good. Brevik drives a brush truck to and from work every day to be able to respond with an emergency vehicle. CIS is looking into additional lift training to avoid possible back injuries to persons initially responding on scene. Transition boards have been ordered and additional aids may need to be considered, as well.*

- When Fire District #2 responded, did they send a Fire Truck and Ambulance? *Yes, when an ambulance was available. Have talked at length with Fire District #2 Chief, Greg Marlar, regarding this issue. Agree with his concerns about tying up an ambulance for lift assists, which makes them unavailable for critical calls.*
- Sounds like volunteers can be trained for EMS. *They can, if they want to be. Initial recruitment of volunteers was for fire services only. A short, intermediate, and long-term plan is in place, after which, will discuss whether or not to recruit EMS volunteers only and put first responder training together.*
- Suggest tracking where most calls are located. *Have already started working on that, where there are multiple calls will try to offer prevention education. Will also call on the care facilities, talk to them about extending what resources they have for their own lift assists.*
- It was by Council consensus to ask Medcom if they wanted to give up their ASA (Ambulance Service Area), did that ever happen? *Gillham – Contacted President of Medcom, who replied saying he would get back to me, however hasn't. Have only heard second-hand the answer was no. For the future would like to have written requests and responses; so we have a record. Will send a copy of the email sent, which will include his initial response. Oh, so you did send them a written request? That is correct.*
- Have researched other communities regarding their lift assists. Some have a separate entity that does the lift assists and charge for that service. *May be approaching Council with some sort of third party service which will have a fee associated. Currently concentrating on department priorities right now. Appreciate the work you are doing to fill the gap. Thank you; it is a team effort between the Fire Chief and Assistant Fire Chief.*
- Would like to confirm City has insurance to cover the service. *Yes, volunteers are also covered by Workman's Comp since they are "agents" of the City.*

County Commissioner, Chris Boice, shared his appreciation for working on the lift assist issue and wanted to make sure where 911 calls need to be sent, Police or Fire Department? *The Fire Department; have been working with Douglas County 911 Operations Manager, Lori Jackson; have put a plan in place. It has worked very well since then.*

CITY MANAGER UPDATE

- Received a call from Blackberry Festival Committee Chair, Duane Waller, who requested City Manager express his gratitude to City Staff and crews for working in great partnership with the Blackberry Committee; especially Public Works Operations Superintendent, Aaron Swan.

CITY COUNCIL COMMENTS

Councilor Anderson –

- Will not be able to attend August 24th Council meeting, will be out of town.
- Would like to get Council's feedback regarding the conditions of Sunny Lane. There is an access ramp, but no sidewalks making it difficult for people to cross E. Central Avenue, there is also no crosswalk present. May want to look into or budget this improvement for next year. *Good idea; especially since Dollar General is there, now have retail businesses on both sides of the street.*

Councilor Stone –

- How far is City's jurisdiction on Dovetail Lane? Have been questioned about needed street sweeping. *Luther – Will confirm the location.*

Councilor Egbert –

- Concerned with all of the items that have been taken off the agenda. Seems like we put things on and we get ready for it and it's taken off. *Gillham – What items are you talking about? We took the sign ordinance review off previous agenda and rescheduled it for this meeting. There was to be a discussion at next Council meeting on Fire Services, however we provided a report tonight. Those are the only two changes I'm aware of. It's just as things come up, like your compensation was on the agenda then it was taken off, Fire things got on and then taken off. And put back on.*
- I'm not getting minutes or other correspondences that other Councilors are getting. *They use their email and the website; all documents are routinely sent to you along with rest of Council. We*

did provide you documents tonight that was emailed to entire Council earlier today. Can also provide a mailbox at City Hall, you are welcome to come in each morning and pick up items.

Mayor McKnight – Can you meet them half-way and go to City Hall to pick up the items?

Councilor Egbert – They could put them in my packet. *We also fax items to you frequently.* Yes and I do get those.

Gillham – Don't think there are that many you're missing out on, possibly an email sent to the entire Council to give updates, for example changes on the agenda. We can do our best to remember every time we create an email that is sent to everyone to also print a separate copy for you.

Sanfilippo addressed Councilor Egbert's concerns, stating that twice the proposed "no smoking in City Parks" resolution was pulled from the agenda, as he has not had time to research or prepare that resolution.

Councilor Egbert – Did not receive invite [emailed] from the Chief of Police for a BBQ during Blackberry Festival or a letter that was recently sent [emailed] by the City Manager. Would like these items put in packet that is delivered to me rather than a mail box at City Hall. *Harris – Your packet is delivered the Wednesday before each meeting, however, anything after that date will not be included in the packet.* Then bring it to the meeting, I'm just losing faith in Staff.

Councilor Boggs – Personally think this is more than your fault. You're not willing to learn[access emails].

Solution – Include items in delivered packet, any additional items will be provided at Council meetings.

Councilor Boggs –

- None

Councilor Meier –

- Thought we had an agreement that when sending a question to Staff, then staff would send that question to the entire Council. *Gillham - My understanding is the Councilor will send Staff the question, if they [Councilor] want to copy to entire Council on that question they're welcome to do so because they are the one typing and sending the email. Then Staff answers the question and copies the whole Council.*
- When you're on vacation or leave, information needs to go to the acting City Manager. If it involves a safety department, then it should also go to the head of that safety department.

Mayor McKnight – Will be able to discuss protocol during a Workshop at next meeting.

Was told in an email from Jacobs, this could be taken care of during Council Comments.

A discussion continued regarding emails between Council and Staff and the correct procedures to follow.

Jacobs – If follow up questions to the email starts, Staff will need to make the determination to respond at that time or wait until next meeting for discussion. The key is don't hit "reply all" to any of these communications due to implications of deliberating.

Mayor McKnight –

- None

PUBLIC COMMENT –

- None

ADJOURNMENT –

With no further business meeting adjourned at 7:40pm.

Mayor McKnight announced a 5-minute break before going into Workshop – Sign Ordinance Review.

[Following the Workshop, Council will go into Executive Session. ORS 192.660(2) (e) – Real Property Transactions, to deliberate with persons designated by the governing body to negotiate real property transactions and ORS 192.660(2) (f) Exempt Public Records, to consider information of records exempt by law from public inspection.]

Jerry Gillham

Approved:

Jerry Gillham, City Manager

Respectfully submitted,

Diane Harris

Todd McKnight

Diane Harris, Deputy City Recorder

Todd McKnight, Mayor

APPROVED BY CITY COUNCIL AUGUST 24, 2015