

CITY OF SUTHERLIN
Regular City Council Meeting
Sutherlin Civic Auditorium
Monday, August 24, 2015 – 7:00pm

COUNCIL MEMBERS:

MAYOR: Tom Boggs, Frank Egbert, Wayne Luzier, Karen Meier, Forrest Stone, Wes Anderson
Todd McKnight

CITY STAFF: City Manager, Jerry Gillham
Deputy City Recorder, Diane Harris
Finance Director, Dan Wilson
CD Director, Vicki Luther
Public Works Operations Superintendent, Aaron Swan
Public Works Utilities Superintendent, Brian Elliott
Chief of Police, Kirk Sanfilippo
Interim Fire Chief, Rich LaBelle
City Attorney, Chad Jacobs (via Skype)

Audience: Joe Groussman, Gene Green, Robert Woldt, Patricia Klassen, Donna Pagel, Robin Gentry, Bertha Egbert, Pam & Denny Cameron, Tami & Jack Trowbridge, Mike Meier, Duke Leonard, Pat & Bert Bales, Pamela Semas, Jim Houseman, Carole Kennerly, Justin Peterman, Taryn Murphy, Dan W. Clark, Floyd Van Sickle

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

Flag Salute

Roll Call: Excused – Councilor Anderson

Introduction of Media: None present

PUBLIC COMMENT (agenda items only)

- None

PRESENTATIONS/PROCLAMATIONS

- **Show of Appreciation to Interim Fire Chief, Rich La Belle**

On behalf of City Council, Staff and Citizens of Sutherlin, Mayor McKnight, presented a plaque of appreciation to Interim Fire Chief, Rich La Belle, commending his leadership and organization in the start-up of a new Sutherlin Fire Department and its volunteers. All present extended a round of applause.

- **Chamber of Commerce/Visitor Center**

Chamber of Commerce President, Tami Trowbridge, presented budget report ending July 31, 2015.

Updates:

- Currently getting ready for the “Hot Rod Fun Run” to be held in September [12th].
- Sign at Exit 135 is now in place.
- Tentatively planning a fall festival/carnival.

Councilor Stone – Council recently held a Workshop regarding City’s Sign Ordinance, has Chamber Board reviewed the ordinance? ***No, that has not been discussed.*** There are restrictions regarding the placement of signs on right-of-ways that commercial businesses need to be aware of. ***Planning to have a discussion regarding code enforcement issues; will plan to include sign ordinance as well.***

- **S. Comstock Review**

Staff Report – Community Development Director, Vicki Luther, provided a history regarding the jurisdictional transfer of S. Comstock. This was originally planned as one large project to include both S. and N. Comstock. Unfortunately, money was not available for the entire project; therefore, it was broken

into two phases. S. Comstock became Phase I, which has been completed. County is asking City to take over jurisdiction from Central to Page Avenue through a Resolution. Would like direction from Council and will answer any questions concerning the request.

Discussion:

- If City takes over jurisdiction now, will County possibly drag their feet on N. Comstock project? Would it be an incentive for them to move forward to complete entire project? **City Manager, Gillham – Feels it would make it worse to prolong taking over that portion. City should show that we are taking it over in good faith, therefore, creating a more willingness for them to work with the City. This is an important County agenda item for City to take over S. Comstock.**
- Wasn't that already part of the original agreement for City to take over jurisdiction? **Luther – Yes, but that was for the entire project, this is for Phase I jurisdiction.**
- Are there any issues City would be responsible for? **Public Works Operations Superintendent, Aaron Swan – City would need to fix Koleno Street, which is too narrow and has a straight, jutting curb. Residents and businesses on Koleno are not happy with the results. Current City Staff agrees it was poorly designed, which became apparent after it was poured and in place. Unfortunately for the City, it was a previous Supervisor on City's Staff who changed the plan from the originally proposed curb radius and width. Therefore, falling on the City to correct the problem. I thought City didn't have any say in the County's project. At the 30% plan level City was able to have some say in the project, therefore that change was made. Realize now this was not a good design change. What will City need to do, take out the curb? The current design makes it difficult for large trucks to maneuver around the curb. After City takes over the jurisdiction, this problem can be addressed. Cost would be approximately \$4,200 per side.**
- A problem also exists in front of RRR Trucking. Trucks are driving over the curb and sidewalks on both sides of the driveway. **That is correct; do not see a good solution to that.** Could make a curb-cut, driveway doesn't line up with the street. **This concern was discussed with the County. However, long trailers are being pulled out of that location, not sure if a curb-cut is really going to solve that issue.** Concerned that City will need to fix that problem in the near future, land owners are responsible for those sidewalks. **Yes, may have to address that issue 7 or 8 years from now, it is a small piece, City could choose to flatten it out. Staff has discussed the issue.**

City Manager – In summary feel there are two positive reasons City should take over jurisdiction now.

1. **City would be in control, therefore, able to be proactive in fixing these problems without having to go through the County.**
2. **Any future funding for N. Comstock improvement could be affected unless City stands by the agreement to take over S. Comstock.**

Mayor McKnight confirmed Staff would be bringing a resolution to Council at next meeting for approval.

Luther – Yes, that is correct.

Gillham – Would Council like to have a County representative at next Council meeting to answer questions? Yes, concerned with taking this over, could also discuss any issues regarding the funding and timeline for N. Comstock. **It would be beneficial in light of Council's reservations to have them present at the meeting. City taking over this jurisdiction would also bring addition gas tax revenue.**

COUNCIL BUSINESS

- None

CONSENT AGENDA

- **August 10, 2015 Minutes – Regular Meeting**
- **August 10, 2015 Minutes – Workshop**

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

Discussion: None

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

Opposed: None

Motion carried unanimously.

ACTION ITEMS/GENERAL BUSINESS

- None

REPORTS

- None

CITY MANAGER UPDATE

- Would like to update Council on status of DEQ Financing. Received confirmation today that Environmental Review for DEQ is complete and notice of intent has been filed. The 30-day notice is expected to begin tomorrow.

CITY COUNCIL COMMENTS

Councilor Luzier –

- None

Councilor Stone –

- Would like to know if Staff found out how far City's jurisdiction extends on Scardi Blvd. *Does not go to the end, only up to the piece where extra right-of-way was added.*
- Is Staff planning to apply for a grant to add a traffic Signal at Comstock and Central? *That is not City road or part of the N. Comstock Phase II. However, could try and make it part of the project. Would possibly need to be a joint application with County.*
- ODOT owns about 750 feet of Central Avenue from Comstock to underneath the I-5 overpass. Who is in charge and what is the schedule for paving that section? *Need to discuss this with ODOT, Staff will make contact and set up a meeting to discuss these concerns.*
- Ford's Pond has been deemed a "Recreational Reserve", how does that affect the land west of the pond? *Recreation reserve is just a title given to it. The parcel is almost 100 acres; the designation has no effect on what is done with that portion. There are options available regarding the proposed UGB (Urban Growth Boundary) swap, will continue to have dialogue with the County during that process.*
- Would like clarification regarding an article in League of Oregon Cities magazine. By City enacting our 10% tax on marijuana initiative, the State is now saying it can't go over 3%, and has to go to the vote of the people. *Jacobs – Memo sent to Council a couple of weeks ago explains in more detail regarding state requirements. State has said if a tax is imposed, it can only be up to 3%. The law, recently amended by the legislature, states if a tax is imposed it has to be presented to the voters at the next statewide general election which would be November 2016. Because the City has banned the Marijuana facilities, there wouldn't be a facility to impose a tax upon; it is a mute issue at this point. Unless it's passed by the voters. Correct.*

Councilor Egbert –

- Concerned Sutherlin Fire Department is having problems regarding equipment received back from Fire District #2 (FD#2) in substandard condition. Is Staff dealing with FD#2 concerning that problem? *No, unless Council would like Staff to direct City Attorney to take action. Have not gone after FD#2 regarding the issue. Seems like we should, part of the agreement was to take care of the equipment, the department is getting vehicles back that are unsafe to drive. Concerned that expenditure of legal fees, in terms of going after them, would not be beneficial to the City.*

Mayor McKnight – Have you discussed this with FD#2 or made a list to discuss with them? *No, not yet.*

Councilor Luzier – It was my understanding Chief Sanfilippo and Chief Perdomo were making a list and would be presenting it to Council.

Sanfilippo – We are making a list and keeping track of the expenses. It was decided to make needed repairs and then update Council. It would be up to Council to decide to get our Attorney involved after findings are explained to FD#2. Right now focus is on getting the repairs done.

Mayor McKnight – But you will sit down with FD#2 first? *Sanfilippo – Yes, once we have a list and get some details, will see what the outcome is. Still looking at the maintenance records, Fire Department is currently using a company, who is certified, to inspect equipment, apparatus, pumps and hoses.*

- Are there sufficient funds in the budget to take care of this? *Gillham – Will not have a total for a budget estimate for another month; will then see what the budget impact will be. This may require a budget allocation.*

Councilor Boggs –

- None

Councilor Meier –

- None

Mayor McKnight –

- Would like to acknowledge Chief Sanfilippo and those involved with the Police Department’s barbecue during Blackberry Festival. The festival, cruise and all other events at the park were very nice, would like to acknowledge all those involved, as well.

PUBLIC COMMENT –

- Resident, Robert Woldt – Is in support of Council regarding Marijuana ban. Woldt shared an incident that occurred while working as a Railroad Engineer involving two previous co-workers who while at work, became under the influence of marijuana, resulting in a fatal accident. This brought on a strict change in policy regarding the use of drugs and alcohol on the job, resulting in a drug and alcohol free workplace.
- Resident, Bertha Egbert – Would like to acknowledge Sutherlin Fire Department. It was reported approximately 50 calls have been received since July 1st. The average response “time out” from dispatch to in-route is 2.49 minutes, average response time from dispatch to arrival is 7.29 minutes. A fire occurred this afternoon in Sutherlin, within 3-minutes the Fire crews arrived. They have done a phenomenal job; feel we have a great Fire Department.
- Resident, Mike Meier – Would like to hold thoughts until later.

ADJOURNMENT –

With no further business meeting adjourned at 7:39pm.

Mayor McKnight announced Council will take a 5-minute break before beginning the Workshop – Council Team Building.

Executive Session, ORS# 192.660(2) (f) – Exempt Public Records will follow the Workshop.

Approved: *Jerry Gillham*
Jerry Gillham, City Manager

Respectfully submitted,
Diane Harris
Diane Harris, Deputy City Recorder

Todd McKnight
Todd McKnight, Mayor

APPROVED BY CITY COUNCIL SEPTEMBER 14, 2015