

**CITY OF SUTHERLIN**  
**Regular City Council Meeting**  
**Sutherlin Civic Auditorium**  
**Monday, July 13, 2015 – 7:00pm**

**COUNCIL MEMBERS:**

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

**CITY STAFF:** (Acting City Manager) City Recorder/HR Manager, Debbie Hamilton  
Deputy City Recorder, Diane Harris  
Finance Director, Dan Wilson  
Community Development Director, Vicki Luther  
PW Operations Superintendent, Aaron Swan  
Chief of Police, Kirk Sanfilippo  
Fire Chief, Charles Perdomo  
Interim Fire Chief, Rich LaBelle  
City Attorney, Chad Jacobs (via Skype)  
Labor Negotiations Attorney, Ashley Boyle (via Skype)

**Audience:** Gary Hall, Floyd Van Sickle, Bertha Egbert, Mike Meier, Denny & Pam Cameron, Jim & Beth Houseman, Taryn Murphy, Brian Burke Sr., Linda Pinsent

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

**Flag Salute:**

**Roll Call:** All present

**Introduction of Media:** None present

**PUBLIC COMMENT** (agenda items only)

- None

**PRESENTATIONS/PROCLAMATIONS**

- None

**CONSENT AGENDA**

- **June 22, 2015 Minutes – Regular Meeting**
- **June 22, 2015 Minutes – Workshop**

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

Discussion: None

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

Opposed: None

Motion carried unanimously.

**ACTION ITEMS/GENERAL BUSINESS**

- **Resolution No. 2015.11 – Fee Schedule**

Staff Report – Finance Director, Dan Wilson, summarized fee schedule changes outlined in Staff Report and Resolution. Proposed utility fee increase is concurrent with CPI (Consumer Pricing Index) of 1.3%.

Questions/Concerns:

- Is the CPI increase projected to continue in the coming years? *Yes, to keep up with cost of maintaining water and sewer systems.*

- Budget shows a 14.9% increase in the wastewater rate. ***That is correct.*** And this increase does not reflect that? ***No, this increase is by CPI, and has been included in the budget the past two years. Waiting to impose wastewater increase, wetland delineation is still at Division of State Lands (DSL).*** What does that have to do with setting the sewer rates? ***Waiting until the loan is finalized.***
- Is revenue from CPI increase set aside for repaying that loan? ***It is held in a fund in case costs increase or for improvements and/or equipment replacement.***
- Staff suggested removing the provision that states, “one dollar from each sewer account is recorded as revenue in the Sewer Construction Fund”. Why change it? ***Have been handling that during the budget process, not sure why this is in place, seems arbitrary.***
- That provision has been in place for at least 20-years, initially planned to run the sewer out Highway 99 S. However, that never happened, not sure if it was set aside for other specific purposes afterwards. What happens at the budget level, does it carry over into the next year? ***Yes, it does. Council can choose to increase or decrease it through the budget process.***
- Like seeing that money set aside for the improvements.
- Council decided to have one rate increase per year. This would be an additional increase put upon residents. Would rather wait for rate equity study to be completed before increasing rates.
- What is the projected amount of revenue received from the 1.3% increase? ***Cannot guess at that amount right now, but will provide that information when calculated.***
- What is the projected date the rate equity schedule is to be presented to Council? ***Will meet with Wastewater Rate Equity Group (WREG) within the next three weeks. Depending on how that meeting goes, will possibly bring to Council in September.***
- What are the reasons for the proposed Planning Development fee increases? ***Other cities are charging for these services at a higher rate than our proposed rates, a lot of Staff time is spent pushing papers.*** Have a problem with raising these fees; do not see a benefit to the community.
- Concerned these increases are all on one resolution; therefore, cannot vote on them separately. Would like to see the comparable between previous and proposed fees for the Planning services.
- Planning Worksheet Application is a new fee of \$25? ***Yes, application for new construction, as well as others that require completion of the worksheet would cost \$25.***
- Suggest tabling this until after WREG meeting. Would also like to discuss proposed planning fees with Community Development Department.
- Would be more beneficial to customers to enact CPI percentage increase now, rather than after rate equity is implemented, costing them more.

**MOTION** made by Councilor Luzier to table Resolution 2015.11 – Fee Schedule until further review; second by Councilor Boggs.

Discussion:

- Councilor Boggs asked Councilor Stone if Planning Department’s proposed increase is a direct conflict of interest for him in relation to his business.
- Councilor Stone – No, was going to vote yes for the increase. Staff spends a lot of time on the worksheets.
- Would like to see proposed rate increases in a dollar amount rather than by percentage, which costs more money for high usage customers. ***Percentage increase is based on City Charter.***
- Would like to see proposed fees (planning and utility rates) on separate resolutions and brought back next Council meeting. ***Water & Sewer Rate increases will not be brought back to Council until at least September.***

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

Opposed: None

Motion carried unanimously.

- **Release of SDDI (Sutherlin Downtown Development Inc.) Funds**

Staff Report – City Recorder, Debbie Hamilton, referred to Staff report and attachment, summarizing reasons for the requested funds; total amount available \$13,158.26.

Questions and concerns:

- Feel SDDI’s statement that City is holding their funds is because SDDI didn’t have a bank account is misleading; SDDI has always had a bank account.

- Council requested that SDDI present what is planned for the funds. Initially gave them the money as a match to join the Main Street Program. Suggest holding the money until specific reasons with amounts requested, rather than releasing entire funds.
- They are not government, these are citizen funds, it was clear SDDI could request the funds but would have to tell Council how they were going to spend it. ***It is stated they intend to: “Grow the downtown beautification projects, which includes replacing plum trees and painting more buildings. Funds would also serve as matching funds when applying for grant money”.***
- Can SDDI apply for grants with their current status and City holding their funds? ***Councilor Luzier responded stating they have to have the money in their own fund. This will hinder them from applying for larger grants.***
- Can they request the amount needed for the grant? ***Yes, they could do that.***
- SDDI has been active for almost 3-years; have yet to get minutes from them. ***Have minutes been requested?*** Yes, have asked for minutes from Planning Commission Meetings and SDDI, many times and have received nothing. ***SDDI is not a Council Committee.*** But they are using City money. ***All other minutes are available on the City’s website.*** Would like to have all minutes included in my [Councilor Egbert] packet.

**MOTION** made by Councilor Meier that SDDI present a more specific request to Council before releasing funds; second by Councilor Egbert.

Discussion: Mayor McKnight – Would like SDDI to be contacted and request a presentation at next Council meeting. Understand the concerns but do not want to hinder them from moving forward. ***A committee member may be able to make the presentation.*** [Mayor] will contact them and explain issues.

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

Opposed: Councilor Boggs

Motion carried unanimously.

## **REPORTS**

- **Community Center Driveway Wrap-Around**

Staff Report – Public Works Operations Superintendent, Aaron Swan – Council requested an estimate for adding a “wrap-around” driveway around the Community Center. Estimated cost of \$14,000; issues involved were explained. A 6” water main, estimated to be at least 40 to 50-years old (asbestos-concrete) is located under the proposed slab. The water main would span under the entire 105-feet of the slab. If City Staff does the excavation for the project, it could potentially provide savings of about \$3,000. Discussion continued regarding the concerns of the main and three laterals that come off of that main, all in the area of the proposed driveway. Many issues are involved with the project, cannot just add a slab. Solution is to replace the water main during this current fiscal year. Money is not available in Parks Fund in current budget; therefore, project will need to be added to the 2016-2017 fiscal year budget.

## **CITY MANAGER UPDATE**

- Acting City Manager, Debbie Hamilton, spoke of the previous evening’s fire at Murphy Plywood. Sutherlin Fire Department’s Chief and volunteers were on scene in less than 3-minutes.

Sutherlin Fire Chief, Charles Perdomo – Department had their first “trial by fire” yesterday. All went well, had a very good turn-out of volunteers, a great group of people showing excellent dedication. Department was dispatched, arrived in less than 3-minutes, 7 department personnel were on scene. There were no injuries; everything was coordinated. From standpoint of our department, everything was performed top-notch. Oakland Fire District responded to the scene, as well.

- Did the fire start in the dryers, and don’t they have overhead sprinklers? ***Yes, three sprinkler heads were activated, in addition to a deluge water system inside the dryer. The plant’s personnel were actively trying to fight the fire, with an on-line fire hose, which was ineffective.***

The entire facility was heavily charged with smoke, protruding all openings. The fire was from a mechanical failure, causing an active fuel leak from pumps that supply the dryer. There was definitely potential for catastrophic damage. We were able to contain and extinguish it.

- Do you train with the other Fire Departments or Districts in the area? *Not yet, primary focus is to build the department from within. Currently dealing with formalities, strategy, and procedures.*
- Did Fire Department get equipment back [from DC Fire District #2] in decent working condition? *The inventory list, created in 2010, is very limited. The equipment I received is some-what substandard.* So new hoses need to be purchased? *Absolutely.* Contract states equipment is to be returned in same condition when they received it. *Trying to make the best with what we have, and move forward. Would like to not re-hash the past or dwell on negativity.*
- Is the equipment adequate? *It's very challenging to move forward and do what we need to do with what we have based on available budget. Priority list is continually changing.*

Would like to see the priority list you have created. *Will definitely be able to provide that.*

## CITY COUNCIL COMMENTS

### **Councilor Anderson –**

- Have noticed peddlers along the road in front of Shop Smart. Peddlers have been offered jobs for pay, however they have refused. Does City have an ordinance regarding this issue? *Sanfilippo - Do not believe there is an ordinance that is for City streets/sidewalks. If they are on Shop Smart's property and they want to charge with trespassing, can take care of that. If they are on public right-of-way, do not believe there is much we can do, however, will confirm that.*
- There was an article July 1<sup>st</sup> in the New-Review about the 27-foot Marijuana joint on top of Magic Mushroom. It mentioned free “joints” were being thrown off of the roof to the crowd below, was anything done to confirm if any of these people were minors? *It is legal if they are adults, and are giving it away. Selling it is not legal. Officers were not present to card those individual, it is also unknown if it was marijuana.* If they are underage is that legal? *No, it is not.*
- Does City have a sign ordinance that would address the issue of the 27-foot joint? *Luther – Community Development Department is looking into the matter. Sanfilippo – Currently have many signs that are in violation of current Sign Ordinance, want to treat everyone the same. If the “joint” fits the definition of a sign, and is going to be enforced, Council would need to be willing to enforce all of the other violations, as well.*

It was by consensus that Council review sign ordinance for possible revisions at future meeting.

### **Councilor Luzier –**

- None

### **Councilor Stone –**

- Would like to thank Patricia Klassen (not present at meeting) for all of her hard work making the city look nice.

Councilor Meier – This year's flowers look the best since this has started, she is doing a really good job.

### **Councilor Egbert –**

- Would like to see better communication, a lot of things have happened in the realm of the City. Volunteer Firefighters were sworn in, Council was not informed. In the past Chief brought an issue to Council requesting an “over-hire” position in Police Department and did not explain an officer was on administrative leave. *A lot of that is personnel issues, which is not normally discussed with Council.* Don't need the details, just need to be noticed that it is happening.

Councilor Luzier – In disagreement; when Chief Sanfilippo approached Council regarding the need for the over-hire, he gave a very detailed report regarding reasons and concerns.

Mayor McKnight referred discussion to City Attorney, Chad Jacobs, for response.

*Jacobs – Hamilton is correct; details of personnel issues cannot be reported to Council. It appears Councilor Egbert is asking for general information. Depending on the situation may be able to provide information without violating rules. Staff will need to figure out how to provide that in a confidential manner; it is not information that is to be disclosed publicly. Important to keep it confidential, especially while the process is going on.*

### **Councilor Boggs –**

- There was a nice turnout for Friday's Street Fair and Drag (Push) Race. A lot of cars, and vendors and heard good comments from the public for the first time event.

**Councilor Meier –**

- Thought Council was to be invited to swearing in of safety officers. *Police Department has invited Council to the swearing in of officers.*
- Heard a rumor that person who purchased (Crouch) property has 50% water rights from Wastewater Treatment Plant, can anyone clarify this? *Public Work Utilities Superintendent was not available at meeting for comment.*
- Heard there was a problem with Red Rock Trail project and bridges. Neighbors in the area of the project said the contractor suggested that size of new bridges is a problem. There is limited access for the equipment needed to put both bridges in place. *Not aware of that issue.* The contractor is indicating the plan and surveyed property are not the same. *Contacted Shon Heern, he confirmed that contractor has the correct plan for bridge placement. Have also provided contact information to property owner who is questioning the placement.*

Councilor Anderson – Isn't this happening after Blackberry Festival? *Yes, that is true.*

Councilor Stone – Can Waite Street Bridge handle construction equipment? *Do not remember the capacity at this time but do know it will handle the equipment.*

**Mayor McKnight –**

- Sutherlin Street Fair and Drag (Push) Race was a success. Heard from many of the residents who stated they like the idea of the blocked off streets which allowed them to walk around the event.
- Lion's Club 4<sup>th</sup> of July Picnic at Central Park was another fun and positive community event. So many enjoyed the activities. Would like to thank those who volunteered their time.

Councilor Egbert – Would also like to thank Mayor for his assistance in putting up flags and taking them down on the 4<sup>th</sup> of July.

Mayor McKnight – It was an honor.

**PUBLIC COMMENT –**

- Gary Hall – Speaking on behalf of (Crouch) property owner, Bob Banducci, who could not attend tonight's meeting. Would like to present the Water-Right documents to Council members so they can be apprised of the issues regarding the rights and what Banducci is entitled to.

**ADJOURNMENT –**

With no further business meeting adjourned at 8:09pm.

**Announcement –**

Mayor McKnight announced a 5-minute break before going into Executive Session. ORS 192.660(2) (b) – Discipline of Public Officers and Employees. To consider the dismissal or disciplining of a public officer, employee, staff member or individual agent, or hear complaints or charges brought against such a person and ORS 192.660(2) (f) Exempt Public Records. To consider information of records exempt by law from public inspection

Executive Session called to order at 8:12pm.

Executive Session – ORS #192.660(2) (b) – Discipline of Public Officers and Employees and ORS #192.660(2) (f) Exempt Public Records.

Executive Session adjourned at 8:40pm

*Debra L. Hamilton*

Approved:

Debra L. Hamilton, Acting City Manager

Respectfully submitted,

*Diane Harris*

*Todd McKnight*

Diane Harris, Deputy City Recorder

Todd McKnight, Mayor