

**CITY OF SUTHERLIN**  
**Regular City Council Meeting**  
**Sutherlin Civic Auditorium**  
**Monday, February 8, 2016 – 7:00pm**

**COUNCIL MEMBERS:**

Wes Anderson, Wayne Luzier, Forrest Stone, Frank Egbert, Tom Boggs, Karen Meier,  
**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  
Police Chief, Kirk Sanfilippo  
Fire Chief, Charles Perdomo  
Code Enforcement Officer, John Hebard  
Police Office Supervisor, Gayla Holley  
City Attorney, Ashley Driscoll (via Skype)

**Audience:** Joe Groussman, Gordon Avery, Linda & Bill Lee, Richard & Ann Shorey, Lois Soulia, Gary Waugaman, Bertha Egbert, Beth & Jim Houseman, Pan & Denny Cameron, Larry Bangs, Michelle Sumner, Tami Trowbridge, Pat & Bert Bales, Avery Hazzard, Brian Burke Sr., Gabe Harrington, Willie Caldwell

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**

- **Douglas County Library District**

Save Our Libraries representative, Gary Waugaman – Council received a packet that included a presentation summary, link to a video, economic feasibility study, and draft resolution.

Presentation points:

- Proposed resolution allows cities to “opt-in” to the proposed Douglas County Library District.
- If a city chooses to do nothing, they will automatically not be included and unable to vote.
- After fiscal year 2018 the library system will no longer receive funding from Douglas County’s General Fund. If forming the district is unsuccessful, the library’s doors will close.
- The group “Save Our Libraries” is taking action to prevent this from happening and provide adequate annual revenue to support a county-wide library system.
- A measure to establish a library district is being proposed for the November 2016 ballot.
- Library District is asking to be supported by a proposed tax rate of .44 per \$1,000 assessed value.

Waugaman spoke of the wide range of services the library provides for the public.

Questions and concerns:

- Cities have the option of opting in or out, what about the rest of the residents in the county?  
***County will be included on the measure.***
- Are libraries keeping track of the attendance? ***The library tracks the usage system-wide, rather than specific to each branch.***

- Is there a timeframe the resolution needs to be adopted by? *Soon, there is a statutory time-frame. We are currently trying to get the County Commissioners to place this on the ballot.*
- How many employees work for the library system? *Feasibility study states 46.5 full time employees (FTE) but it is probably now around 24. The new district will incur expenses that were previously provided by the county.*
- Noticed each city will have the same tax rate, but will receive different levels of service, it doesn't seem equitable. *That is consistent with the way the system has operated, understand there are differences with large and small branches.*
- Concerned that many of our citizens do not support increased taxes.
- Where did the 3% annual increase come from? *That was based on the economic and feasibility statements for the library. Costs are anticipated to go up approximately 3% each year. I believe it stated income would increase by 3% and costs 5%.*
- City has a bond on the Sutherlin Library, which we own and are responsible for. *This does not change; the City will still be providing that service. This will continue additional money has not been budgeted to take over the costs each city has been incurring regarding their library.*

Mayor McKnight suggested adding the resolution to next meeting's agenda.

## **COUNCIL BUSINESS**

- **Committee / Commission Appointments**

Staff Report – City Recorder, Debbie Hamilton, referred to the staff report provided in the Council packet.

- **Library Board**

Mayor McKnight reported two Library Boards seats are vacant; City has received an application from David Wright. Term ends December 31, 2019.

**MOTION** made by Councilor Stone to appoint David Wright to Library Board, term ending December 31, 2019; seconded by Councilor Luzier.

Discussion: None

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

Opposed: None

Motion carried unanimously.

- **Planning Commission**

Mayor McKnight reported one Planning Commission seat is vacant; City has received an application from William Lee. Term ends December 31, 2018.

Mayor McKnight asked William Lee if he would like to come to the front and address Council. Lee stated he is willing to serve on the Planning Commission and will bring experience to the position. Mayor McKnight mentioned Lee has applied for both Budget Committee and Planning Commission and asked for confirmation that he is still interested in serving on both. Lee confirmed.

**MOTION** made by Councilor Luzier to appoint William Lee to Planning Commission, term ending December 31, 2018; seconded by Councilor Anderson.

Discussion: None

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

Opposed: None

Motion carried unanimously.

- **Budget Committee**

Mayor McKnight reported four seats are vacant on the Budget Committee; City has received four applications: Michelle Sumner, Rebecca Bright-Jones, William Lee and Dale Counts. One seat's term ends December 31, 2016, remaining three seats terms end December 31, 2018.

Mayor McKnight asked if there were any applicants in the audience who would like to approach Council.

Michelle Sumner stated she would like to continue on the Budget Committee for another term. She enjoyed the term she has already served and would like to give her time to the City.

**MOTION** made by Councilor Meier to appoint Dale Counts to Budget Committee, term ending December 31, 2016; seconded by Councilor Anderson.

Discussion: None

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

Opposed: None

Motion carried unanimously.

**MOTION** made by Councilor Egbert to appoint Rebecca Jones-Bright, Michelle Sumner, and William Lee to the Budget Committee, term ending December 31, 2018; seconded by Councilor Luzier.

Discussion: None

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

Opposed: None

Motion carried unanimously.

- **Nuisance Abatement Discussion**

City Manager, Jerry Gillham, explained two Staff Reports were included in Council's packet; one prepared by City Attorney, Chad Jacobs, the other by Police Department's Staff. Sutherlin Police Department's Code Enforcement Officer, John Hebard and Police Office Supervisor, Gayla Holley and City Attorney, Ashley Driscoll (via Skype) were introduced.

City Attorney, Ashley Driscoll, provided a brief summary of concerns brought up by Councilor Anderson at last meeting. Sutherlin Municipal Code does not address or provide a tool in order to clean up some of the properties of concern. Other cities' codes have been provided for sample code language.

Suggested ordinance language:

- Provide definition for "abandoned" or "dilapidated" houses/buildings.
- If a building is identified by City official as meeting the definition provided by the code, the owner has the opportunity to clean it up.
- If the owner does not address the issue, City to have an enforcement mechanism to levy a fine or make the necessary repairs and place a lien on that property.

Staff Report – Code Enforcement Officer, John Hebard – The biggest concern is more for the derelict rather than dangerous building. Roseburg's code defines a "derelict" building is simply any building vacant or unoccupied, boarded up or unsecured. Approximately 10 buildings within the city meet the criteria, 3 most meet the criteria. Details and history of some of the residences in question was provided.

Questions and concerns:

- Roseburg's code states a derelict building is *any structure* that is unoccupied or unsecured, outbuilding is a structure; would that include a wood shed? ***With most municipal codes, you've got to assume what is logical and what the spirit of the code was intended for. Logically feel this would apply to residential or commercial structures.***
- Should ordinance be specific on the type of structures?
- Needs to include any building that lends itself to being inhabited.
- These are complaint driven? ***Correct.***

***City Manager – City's analysis of a "derelict" building would help solve a number of problems. Would like Council to think about what they would like to see in the ordinance.***

- Need to set a standard on what is expected.
- Complaint driven: Suggest having a percentage of complaints before taking action.

Hebard explained the difficulties regarding bank owned properties. Banks are somewhat passive when dealing with those issues.

***Chief of Police, Kirk Sanfilippo – Recommendation is to request City Attorney draft ordinance for both dangerous and derelict buildings using best practices from other cities throughout the state. Suggest including language in the ordinance addressing actions for bank owned properties.***

**Driscoll – Agree with Hebard and Chief Sanfilippo, will refer to other code’s languages and identify criteria specific to Sutherlin.**

- Important to keep the code simple, something anyone can pick up read and understands.
- Concerned about monetary fines some cities impose, affecting those already impoverished.
- A lot of the time buildings are vacant because they are in foreclosure or owner lives elsewhere and doesn’t want to maintain it and refuses to sell the property. It is important to try and combat the issues that are problems. Make it uncomfortable for squatters to live in vacant buildings by keeping them secure.

**Driscoll – Attorney Paul Elsner has experience drafting nuisance code provisions for other cities in the state. We can ask him to put ordinance language together for Council to consider.**

Mayor McKnight – Makes sense for Staff to bring back an ordinance that will best fit Sutherlin at next meeting. Councilors agreed.

## **CONSENT AGENDA**

- **January 25, 2016 Minutes – Regular Meeting**

**MOTION** made by Councilor Meier 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**

- **Release of Easement**

Community Development Director, Vicki Luther – Larry Bangs has purchased adjacent property and plans to increase the size of Chantelle’s [Loving Touch Memory Care]. City has a 25-foot easement located at the east side of the property, which originated in the 1950’s. No utilities are located on the easement and there is no way to put a street through the property. Release of the easement requires Council approval. Bangs is present at tonight’s meeting if Council has any questions.

Questions:

- What was the easement for? ***Possibly for a street, because there is a 25-foot easement on adjacent property (Hong Kong Restaurant).***

**MOTION** made by Councilor Luzier to approve release of easement as presented; seconded by Councilor Meier.

Discussion: Would it be advantageous for City to also release the easement for the Hong Kong Restaurant at the same time? ***Hong Kong owns the property and house behind, Staff will take a closer look at that.***

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

Opposed: None

Motion carried unanimously.

- **Resolution 2016.03 – Designation of Transfer of Authority Funds**

Staff Report – Finance Director, Dan Wilson – At last Council meeting there was a request to set up specific reserve funds for upgrading Central Avenue and future street maintenance.

- Did Staff come up with estimate for 20-year street maintenance costs? ***Gillham – Have hired an independent engineer to update street inventory, conditions of the streets, along with estimated repair and maintenance costs. This will be available hopefully at next meeting, if not will be following meeting.***
- Can approval be put off until next Council meeting, thought Council decided they wanted a separate fund for specific portion of the street City would be taking back? ***Wilson – Understood this was to be for future street maintenance not knowing which specific street it would be for.***
- Previously discussed including maintenance all the way to Bi-Mart or city limits.

**City Manager – Staff created two reserve funds that cannot be spent without Council approval. One is to finish the portion of Central Avenue identified in proposed Transfer of Authority (TOA) agreement,**

*the remainder is in a separate reserve fund for future street maintenance repair or whatever Council chooses, therefore providing flexibility.*

- It was stated that engineering will take a year and this would not happen until 2017. *The completion of it wouldn't be until 2017.* Define completion. *If Transfer of Authority is approved and City receives a check for \$1.9 million, can then begin engineering process the following month, then begin other processes associated with the project, therefore wouldn't be completed until 2017.*
- Will the engineering have any impact on the businesses and their driveways? *No, I don't believe it will. Will make sure Staff is forwarded this question to answer.* Concerned if we are going to vote on taking it over and then engineer it, what if the engineer says the driveways have to be removed? *It will be the City's street; the engineer does not have the final say. One of the reasons for doing this now is we are building next year's budget and would like to have this locked and loaded into the reserve fund.*
- Proposed TOA agreement states the City is responsible for the traffic signal, thought ODOT was paying for it. *That refers to light at Comstock and Central. The signals located at Calapooia/ State and Central are a three-party ownership between the City, County and State.*

*City Manager – Would like to encourage Council to email all questions regarding the TOA to me, will then prepare a Q & A for next meeting.*

- Where will the accrued interest go from the \$1.9 million? *It will be allocated to these funds.*
- Suggested contacting Umpqua Community College to involve their engineering students with the project. *That's a great idea.*
- Can City borrow against the reserve funds, is that legal? *Wilson – You can, but don't know why you would. It certainly wouldn't be my first choice.*
- Can we add to resolution “for street and sidewalk surfaces”? *Yes, we can add that.*
- It was mentioned at last meeting that ODOT has grants available for traffic light replacement, what kind of grants are they? *It is special funding just for lights and specialized intersections, called the Oregon Transportation Infrastructure Bank. When the time comes can look into that.*

**MOTION** by Councilor Stone to approve Resolution 2016.03 and add language to include “street and sidewalk surfaces”; second by Councilor Luzier.

Discussion: Driscoll – Is \$1.9 million the final figure? *Yes, for these purposes, they are still trying to come up with additional money, but it's not part of the TOA.* Would it make sense to take out the \$600,000 figure and just say \$1.3 million [Central Avenue Reserve Fund] and all remaining into the other fund, in case it is a different amount? *No, that's fine; ODOT asked it remain that way.*

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

Opposed: None

Motion carried unanimously.

- **Public Safety Fencing Project**

Staff Report – Chief of Police, Kirk Sanfilippo – Would like to revisit a request proposed to Council in 2014. Request the expending of funds for fence and two gates directly behind the Civic Auditorium. Gates would be located at the east and west side of the building, and marry up to City Hall building. Purpose is to secure the area, protecting all vehicles and officers and restricting access in the alley. A grant opportunity was brought to us by CIS (City County Insurance). Grant is for \$7,500, City's portion would be approximately \$22,500. Cost estimate for the fence/gates in 2014 was about \$30,000. A private donor would like to make a donation of \$2,500 to make up for what CIS requires as a match. Therefore, City's portion would be approximately \$20,000. This grant expires May 2016. Sanfilippo stated he feels strongly about the need for fencing, safety and security of the officers. Due to the fact the department was been short of officers this fiscal year, Wilson has confirmed there will be money left in the budget to cover this expense. Asking for Council consensus to move forward with the grant application and getting quotes.

- Will you lose 2 parking spaces? *May potentially lose one parking space after restriping.*
- Does insurance give City a break on premiums for doing this? *No, only the \$7,500 grant.*
- Can't we just light up the back of the building? *Have looked into that as additional infrastructure improvement.* Problem is Council hears spending complaints all the time, if we spend money on the gate, I'm sure we're going to hear about that one. Unaware there are

problems. *Would like to invite you to my office to show you a video tape of an incident that happened on January 31<sup>st</sup> of this year [behind Police Department].*

Consensus of Council is to move forward with the grant and quotes for the project.

## **REPORTS**

### **• Transfer of Authority Agreement**

City Manager – Council has been given a draft of proposed TOA agreement showing Jacobs suggested changes, which ODOT is reviewing. Would like Council to forward any questions to me, will then forward to appropriate Staff for answers.

- Did not understand Comment No. [A] 7 in proposed agreement. *Driscoll – There are two different types of signage; Street signs and traffic signals that City is going to become responsible for. The added language is for the other “travel information” signage regarding who takes care of those signs, and is dictated by statute. Jacobs added language as it appears in the ORS 377. Basically saying City will abide by law regarding that responsibility.*

## **CITY MANAGER UPDATE**

- Staff has been working on issues regarding ability to open documents on the iPads.

Councilor Boggs – Still have an issue with it but did go to City Hall to talk Wilson and IT Consultant, Matt Chappel. If an attachment will not open, press and hold down for a few seconds, drop down box will appear to open in the desired format.

## **CITY COUNCIL COMMENTS**

**Councilor Anderson –**

- None

**Councilor Luzier –**

- None

**Councilor Stone –**

- What’s happening with the Ridgeview property; has any of it sold? *Gillham – Have three people looking at it and an inquiry from the bank wanting to know if City would be willing to work with interested parties. The bank is motivated to sell the house. City is also willing to negotiate in order to be released of the liability.*
- Have reviewed reports involving Oregon Only project, and City Staff’s involvement, how does City keep track of costs being spent? *An initial Memorandum of Agreement (MOA) was developed to include all of the projects for U of O. Oregon Only, Bruce Brunette, was going to underwrite those costs and City was going to create a reimbursement back to him from grants or a revenue stream. U of O doesn’t really want to do a “private sector” project; they want to do just all city projects. Now moving back to Staff taking on the UGB (Urban Growth Boundary) land swap, mixed use zoning, etc. Staff is keeping track of all time as part of the contribution to the project, therefore will only have a small amount City would owe Brunette in exchange for underwriting those costs. Will they still have to go to the Planning Department, and if so is City waiving fees? *Waiving of fees requires Council approval.**
- Does City own Taylor Street? *Yes.* How far is City’s jurisdiction, thought County owned part of it? *Not exactly sure, will find out.*
- City initiated a \$15 water hike. *Wilson – That is for the late fee.* If someone forgets to pay their water bill for the first time do they have to pay that? *If they are in good standing we will do a one-time fee waiver.*

**Councilor Egbert –**

- None

**Councilor Boggs –**

- None

**Councilor Meier –**

- The Fire Stats listed “medical calls”, are those lift assists or medical calls? *Those are calls to help assist the ambulance service.* What is lift assists listed under? *Sanfilippo – We are not doing the lift assists any longer. Bay Cities is responding to those calls. Wilson – To date have paid Bay Cities for 6 lift assists.*

Councilor Egbert – Have the officers used the difibulators? *Yes, in fact at recent Council meeting, Officer Johnson was awarded for his use of the difibulator, therefore saving a person’s life.*

- Is there a way we can put a stop sign, both ways on Waite Street, to protect people when going from one part of the path [Red Rock Trail] to the other? *Need to have Staff look at that to make sure it wouldn’t create a greater hazard by adding the signs. Will get back to you on that.*

**Mayor McKnight –**

- Would like to discuss with members of Council an idea regarding street maintenance costs. It is great to have a maintenance list, however unless the finances are there it’s hard to realistically deal with those costs. When updated information is completed, suggest Finance Committee meet with the Finance Director and discuss funding options for maintenance. Can then bring it to Council for discussion. Council members agreed with the proposed process.

*Gillham – This was a very timely idea due to the funds that will be coming in from the TOA agreement.*

Councilor Meier – Recall previous Finance Director discussed charging a utility fee. Know from working with the budget there is no way to get caught up with the needed repairs without some type of fee, no one likes additional fees or taxes, but without them street infrastructure will continue to deteriorate.

Mayor McKnight – Our thought is to have the Finance Committee come up with ideas for funding.

*Gillham – Can hold a workshop to look at inventory, numbers, compare priorities, task list and amount of funding available.*

Councilors agreed with Mayor McKnight’s suggestion.

**PUBLIC COMMENT –**

- Douglas County resident, Lois Soulia – It’s a pleasure to see good government in action. Moved to the area in 1959 to work at the County Library. 2013-2014 monthly statistic show’s 5,203 borrowers checked out 46,231 books. Sutherlin would benefit from being part of the library network. If the measure passes Sutherlin would not be supporting the library by themselves. Would still have access to all libraries, if assessed property is \$100,000 it would cost an additional \$4 per year. Soulia spoke of the benefits to schools and individuals throughout the County.

**ADJOURNMENT –**

With no further business meeting adjourned at 8:41pm.

*Jerry Gillham*

Approved:

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Jerry Gillham, City Manager

Respectfully submitted by,

*Diane Harris*

*Todd McKnight*

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Diane Harris, Deputy City Recorder

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Todd McKnight, Mayor

***APPROVED BY CITY COUNCIL FEBRUARY 22, 2016***