

CITY OF SUTHERLIN
Regular City Council Meeting
Sutherlin Civic Auditorium
Monday, April 27, 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 Supervisor, Dan Wilson
Community Development Director, Vicki Luther
Chief of Police, Kirk Sanfilippo
Interim Fire Chief, Rich LaBelle
Fire Training Coordinator, Gene Fisher
City Attorney, Chad Jacobs (via Skype)

Audience: Bertha Egbert, Denny & Pam Cameron, Paul Jackson, Ray Shouffler, Trudy Standley, Dennis Rogers, Ken Wolfer, Joe Groussman, Sierra Moon, Beth & Jim Houseman, Rick Murphy, Tadd & Juanita Held, Becky & Andrew Bright-Jones, Floyd Van Sickle, Richard Carter, Avery Hazzard, Travis Terry, Willie Caldwell, Rob Held, Chris Boice, Dana Foley, Rob Cross, Bill Cagle, Scott Ortman, Maryanne Anderson, Emily Blakely, Ed Coe, Anthony Harris, Brian Burk Sr., Amanda Friesen, Allison Green, Justin Peterman, Greg Marlar

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

Flag Salute:

Roll Call: All present

Introduction of Media: Mike Henneke, News-Review

PUBLIC COMMENT (agenda items only)

- Resident, Pam Cameron – Spoke in opposition of contracting with Douglas County Fire District #2. Concerned what City would be up against in three years after contract expires with district.
- Resident, Ed Coe – Much of what Cameron said is what he planned on saying. Feels anyone on Council who has family ties to the District should exclude themselves from voting due to a conflict of interest.

PRESENTATIONS/PROCLAMATIONS

- **Chamber of Commerce/Visitor Center**

Chamber report deferred to next meeting, 2015-16 FY budget will be presented to Council for review.

- **Douglas County Board of Commissioners**

County Commissioner, Chris Boice, provided visual aids for his presentation. A 10-year budget history, General Fund ending balance, reserve spending by Department, and General Fund expenditures over Revenue and Expended Property Taxes was explained. Boice invited audience and Council members to ask questions.

Questions:

- Dennis Rogers – Is it prudent to outlaw marijuana dispensaries that can provide revenue for cities and counties? ***Boice – Absolutely, it is prudent. It has been decided that taxes on cigarettes, alcohol and gambling would be allowed due to the revenue it would provide. Every one of those taxes imposed costs more money than collected; which is being spent on prevention, education and treatment. Is absolutely opposed to recreational marijuana and proud of the City of Sutherlin for taking a stand.***
- Councilor Boggs – Is one of the commissioners keeping an eye on State Representatives regarding timber revenue and Douglas County? ***Yes, Commissioner Freeman is the liaison for the timber industry and O & C (Oregon-California Railroad) and actively attending meeting.***

Commissioner Boise thanked the audience, explaining if anyone would like to have a presentation for their group or entity to please contact the Board of Commissioners.

PUBLIC COMMENT (agenda items only) continued....

- Resident, Rob Cross – Concerned with response time Volunteer Fire Department will provide. Spoke in favor of contracting with DCFD#2; “minutes matters when it comes to emergencies”.
- Nonpareil resident, Scott Ortman – Concerned with marijuana prohibition, denying a source of revenue due to fears of being uncomfortable with the issue does not make sense.
- Resident, Dana Foley – Spoke in favor of Volunteer Fire Department, concerned with DCFD#2 shutting the door on volunteer’s training, and having to go to another community to use their equipment.

COUNCIL BUSINESS

- None

CONSENT AGENDA

- **April 13, 2015 Minutes – Regular Meeting**
- **IGA – Douglas County Inmate Housing**
- **Amendment to Douglas County Communications IGA**

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

Discussion: None

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

Opposed: None

Motion carried unanimously.

ACTION ITEMS/GENERAL BUSINESS

- **Ordinance No. 1043 – Marijuana Dispensary Prohibition (second reading and adoption)**

Deputy City Recorder, Diane Harris, provided second reading, by title only of Ordinance No. 1043. “An ordinance adding a new Chapter 8.14 to the Sutherlin Municipal Code requiring compliance with the U.S. Controlled Substances Act, and declaring an emergency.”

Staff Report – City Attorney, Chad Jacobs, summarized Ordinance 1043, asking Council if they had any questions. No questions were asked.

MOTION made by Councilor Boggs to approve second reading and adoption of Ordinance No. 1043 - Marijuana Dispensary Prohibition; second by Councilor Meier.

Discussion: Councilor Stone – Does not believe we are the conscience of the state voters, it was voted in at state level, now Council is deciding to go against that vote.

Meier – But it is illegal federally. [Voters did not approve in Douglas County]

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

Opposed: Councilor Stone

Motion carried unanimously.

- **Fire Services**

Staff Report – City Manager, Jerry Gillham – Staff Report essentially explains the two options before Council tonight. If one option is chosen, other will be rejected. Will let Staff Report stand on its own, allowing Council to deliberate and ask questions.

MOTION made by Councilor Boggs to reject offer received from Douglas County Fire District #2’s requesting extension, and continue with volunteer program; second by Councilor Meier.

Discussion:

- *Councilor Boggs* – Have been heavily in favor for DCFD#2 for a long time, however felt they came late to the table (rather than at least 6 months ago) with an offer. People have dedicated time and effort, and City has paid a lot of money for the volunteer program, we owe it to them to give it a shot. Have had discussions with

the public whose biggest concern is the ambulance service. Once they understood it was a separate issue, most didn't care which way Council decided.

○ *Councilor Egbert* – Years ago, previous City Manager moved outside City limits. When asked if he felt less secure because City's public safety was not available to him, he stated he didn't feel it was a problem and was aware of possible delayed responses from Volunteer Fire District and Sheriff's Department.

○ *Mayor McKnight* – Cannot control what goes on in social media or how people address Council, and certainly cannot control how he is addressed, can only control his response. He fought for this to go out to a vote; some members, who are no longer on the Council voted no. The vote was asking an additional \$3.16 per \$1,000 of assessed value and was voted down. Now have an opportunity for the same level of service, but no additional tax. Have the utmost respect for volunteer firefighters and if that is the route chosen, will support it. If Council disagrees on a subject, that's okay its politics, that's why there are seven up here. Whatever is decided, as a community, let's come together and support it and not treat each other as enemies. Cannot put a price on family members and people in the community.

○ *Councilor Stone* – Change is hard, more than happy with DCFD#2; they have done a great job. At the time of the public vote, it was about the money. What will happen in three years when proposed contract expires, would we be able to start up another Fire Department? Equipment would be worn; we will not be left with many choices.

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

Opposed: Mayor McKnight

Motion carried.

- **IAFF – Letter of Agreement**

Staff Report – City Manager – This is the settlement agreement with the IAFF union, essentially will be settling all matters between City and IAFF for a flat fee of \$80,000.

Jacobs – Negotiations Attorney, Ashley Boyle has forwarded the agreement to Council members, the only issue left is IAFF is working on language that would resolve issues regarding federal taxes. This does not change the substance of the agreement in any way. Suggest Council approve motion tonight, granting City Manager to sign contract as is, with exception to changes in paragraph #1, City Manager's authority would be subject to City Attorney's approval of any changes made.

Councilor Stone – What is the decision for the firefighters? *It is not up to the City; DCFD#2 will decide if some or all of the firefighters will be retained by the district. If transferred back to the City they will be laid off.* If the district keeps those employees they will still get \$80,000? *That is correct.*

MOTION made by Councilor Luzier to approve IAFF Agreement and give authorization to City Manager to approve agreement per City Attorney's Counsel; second by Councilor Meier.

Discussion: None

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

Opposed: None

Motion carried unanimously.

REPORTS

- None

CITY MANAGER UPDATE

Gillham – Called on Finance Supervisor, Dan Wilson, to update Council on DEQ financing status.

Wilson – Met with DEQ Bond Counsel last week to discuss financing process status. Entire packet is at EPA (Environmental Protection Agency). Unfortunately EPA will not provide a timeframe for completion, unknown if it will take days, weeks or months. City is doing everything to push this through. DEQ stated they will contact EPA regarding the timeframe, however have not been successful in the past.

Councilor Egbert – Have you come up with a methodology regarding the rates? *Yes, very close to re-convening with Rate Equity Group, wanted to meet with bond counsel first for advice on best way to proceed.*

CITY COUNCIL COMMENTS

Councilor Anderson –

- Talked to Chief Sanfilippo prior to tonight’s meeting regarding tour of Police Department, Councilors are more than welcome to join the tour.

Jacobs – *If Councilors would like to join in the tour, need to be aware there may procedural issues if there is a quorum.* Several Councilors responded stating they would not be taking part in the tour, however Councilor Meier planned to attend the tour.

Commissioner Boice updated Council regarding Spec Building project that was approved by the Industrial Development Board. Plans are to develop the site near the old airport; a prime piece of property, but not yet “shovel ready”. Industrial Board is currently working on proposal to present to the State called “Spec Building Project”. The proposal includes construction of a spec building, wetland mitigation process, investment in site development and bringing utilities to that site.

Councilor Stone – Why have some industries not locating to this area such as Facebook and Google. Boice shared reasons Douglas County has lost potential industry and missed opportunities. A host of reasons are present, one being lack of adequate infrastructure in some locations. Boice reported he has looked at available industrial lands in Douglas County that are most “shovel ready”, the Sutherlin site was his number one pick.

One of the issues with wetland mitigation is inability to apply for the mitigation unless you have a project. Every year that goes by and nothing is done with wetland issue pieces it will be harder to develop due to expanse of the wetland over time and growing regulations.

Councilor Luzier –

- None

Councilor Stone –

- Received call from person stating they have 50% of water rights from the wastewater plant. ***This is not in an arena we should be discussing at this time; it is a litigious issue and requires attorney involvement.*** Why wasn’t the Council informed four years ago? ***Nobody knew four years ago, City Manager was not here either. During the Value Analysis process we found there were multiple conflicting water rights. We, and our attorney, do not believe this is going to be an issue whatsoever.***

Councilor Egbert –

- None

Councilor Boggs –

- None

Councilor Meier –

- None

Mayor McKnight –

- None

PUBLIC COMMENT –

- Resident, Joe Groussman – Understands issues and history involved with DCFD#2 and Volunteer Fire Department. Would like to know who is going to be responsible for the Volunteer Department regarding standards, who will they answer to? ***The Fire Chief and City Manager.***

ADJOURNMENT –

With no further business meeting adjourned at 8:43pm.

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 MAY 11, 2015