

WESTFIR CITY COUNCIL MEETING MINUTES

Monday, December 6, 2021

Audio/Video Teleconference, 5:30 p.m.

MINUTES

CALL TO ORDER:

Mayor Melody Cornelius called the meeting to order at 5:30 p.m. Councilors D'Lynn Williams, Nicole Davis, Edward Johnstone, and Kelly Packard were present.

MAYOR'S MINUTE:

Mayor Cornelius expressed thanks to the volunteers who put up holiday lights at Portal Park, and to Jackson Stone and Lane Electric for hanging the lights up in the bridge. She noted the disappointment in the community that the Bridge Lighting Festival was not held this year. She stated that the event was not held due to lack of a volunteer coordinator, and she encouraged anyone who was interested in serving in that capacity to contact the City.

Mayor Cornelius announced that tonight's meeting was solely for City Council business and that the Council would not be considering or taking comment on the development applications before the Planning Commission, although the two bodies are comprised of the same people. She stated that public comment on the development applications would be heard at the next Planning Commission hearing, and written comments could continue to be sent to City Hall and would be made public.

CITIZEN COMMENTS ON AGENDA ITEMS:

Noah Sunflower, co-owner of the Westfir Lodge, commented on the City room tax item. He reported that the Lodge pays 9.5% Transient Room Tax and wanted to understand why the Council felt the Lodge needed to pay more. He said that he would be available for comments or questions when the agenda item came up. Mayor Cornelius stated that the Council received the email he sent on the matter; that there was no proposal before the Council; and that it was just an issue that the Mayor wanted the Council to consider. She said that they would discuss the matter further during that part of the agenda.

COUNCILOR COMMENTS ON AGENDA ITEMS:

There were no Councilor comments.

CHAMBER OF COMMERCE REPORT:

Mayor Cornelius recognized Lynda Kamerrer, President of the Oakridge/Westfir Area Chamber of Commerce. Ms. Kamerrer reported that the board of directors would be changing at the beginning of the year, with herself, Jason Nehmer and Dee Sidwell stepping down. Joining the board would be Rita Doland, the school superintendent, Molly Juillerat, the Middle Fork Ranger, and Laura Abrahamson, owner of the Oakridge Pharmacy. Ms. Kamerrer stated that she had enjoyed attending the Westfir City Council meetings and looked forward to great things from Westfir in the coming year. Mayor Cornelius thanked Ms. Kamerrer for the years of work she put into developing the Chamber.

APPROVE MINUTES:

Councilor Williams made a motion to approve the minutes from November 1, 2021, and November 22, 2021. Councilor Johnstone seconded, and the motion carried, 5-0.

AYES: Cornelius, Williams, Davis, Johnstone, Packard **NAYS:** 0 **ABSTENTIONS:** 0

WATER / SEWER REPORT:

Before the report, outgoing City Operator Jackson Stone expressed his thanks to the City and stated that he would continue to be available in his capacity as Relief City Operator for any problems that arise. Mayor Cornelius in turn thanked Jackson for his many years of service to the City. Robert Archer, the new City Operator, presented the water and sewer report. Robert read the water report with no problems reported. Mayor Cornelius asked if the water plant gate was being kept locked, and Robert stated that the gate was being kept locked.

POLICE REPORT:

There were no Council comments on the police report.

SYSTEM DEVELOPMENT CHARGE (SDC) INCREASE FOR 2022:

Mayor Cornelius stated that Richard Nored of HGE engineers, who reviewed the development applications before the Planning Commission, said that the Council needed to update system development charges, so the updated charges would apply to the new developments if they were approved. She said that she wasn't very familiar with SDCs except to note that there was a fund left open in the budget for them. She asked City Recorder Nicole Tritten what more she had learned. Nicole reported that she found a draft of a Water System Master Plan Update from 2012 that she thought was the document Mr. Nored had referred to for his calculation of updated SDCs. Nicole noted, however, that she could not find a final version of the document or a resolution to indicate that the plan was adopted. She stated that there were resolutions from 2006 authorizing water SDCs and wastewater SDCs. Nicole explained that SDCs are charges levied on new development to support the cost to infrastructure of added demand to that infrastructure. She noted that every time there was new development in Westfir, such as new homes, a system development charge should have been collected. Nicole reported that it appeared that the City had not collected SDCs since 2010. She said that Richard Nored questioned whether the City could start charging SDCs again after not charging them for some period of years. Nicole said that LCOG advised her to take the question to the City's attorney. She asked the Council permission to seek legal advice on the matter. The Council agreed that Nicole should contact the City's attorney for guidance.

USE OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS:

Mayor Cornelius asked Nicole to remind the Council of the amount of the ARPA grant. Nicole reported the total grant amount as \$59,271, of which \$29,635 had been received by the City to date. Councilor Williams said that she would like to see mapping of the existing water and sewer lines if such mapping didn't exist already. In addition, she noted that Jackson had said in the past that some of the main lines along Westfir Road needed to be replaced, which she thought would be an allowed use of the funds. Mayor Cornelius noted that during the forest fires in the summer it came to the Council's attention that the City fire hydrants are not mapped, which could be included in the project. Robert Archer reported that he had a discussion with Jackson about existing blueprints of the water and wastewater systems; that Jackson believed some exist; and that they would track down any documentation. Mayor Cornelius proposed putting the use of ARPA funds at the top of the agenda of the next work session.

CITY ROOM TAX:

Mayor Cornelius stated that she brought the matter of a city room tax to Council in considering future development in the City. She explained that Transient Room Taxes are collected by the County and distributed among cities according to population. She reported that quite a few cities, especially in high-tourism areas, charge a city room tax on top of the county tax. She said that she wanted to see if the council was interested in exploring the idea, but that there was no plan on the table. Councilor Packard stated that he thought it was premature to consider a city room tax and the issue was best left until there was more growth in the city. Councilor Williams said that she liked some of the ideas put forward in the email from Noah and Tracy Sunflower, such as an increase in business license fees. Mayor

Cornelius agreed that the matter should be tabled for now. She thanked the Sunflowers for their feedback and their excellent work in the community.

CITY RECORDER REPORT:

Nicole Tritten presented the report and addressed these items:

- She reported that keys to the City’s administrative office were given to the new City Operator, and that outgoing City Operator Jackson Stone retained his keys, counter to existing policy. The usual policy was that only the City Recorder, Relief City Recorder and City Operator had office keys, but given Jackson’s continued role in training Robert, and his long history with the City, it was necessary for Jackson to retain his keys. [Mayor Cornelius asked the Council if there were any objections, and there were none.]
- Nicole asked the City Council whether they wanted her to write minutes for the Planning Commission hearing even though the recorded meeting would serve as minutes according to State law and the recording had been posted to the City website. [Mayor Cornelius asked if a general outline of the meeting progression could be written to help interested people navigate the recorded meeting. She suggested asking Relief City Recorder Arron Cobb to take on the task. Councilor Williams said that that she would be willing to work on it as well.]
- She reported that the last time she heard from Russ Dodge was November 5. Mr. Dodge is the Certified Water Rights Examiner the City is hiring to file the Extension of Beneficial Use. She said that he requested a copy of the existing OWRD Master Plan. Nicole stated that she emailed him the Water Management and Conservation Plan as the only document she could find that seemed close to his request, but that he had not responded. She said that she emailed Mr. Dodge again that day, and that she was also waiting to find out from Richard Nored whether the Water System Master Plan Update from 2012 had been adopted. [Mayor Cornelius asked when the deadline for filing was, and Nicole stated that it was October 1, 2022. The Mayor said it sounded like Mr. Dodge was pursuing the project and to keep the Council updated.]
- Nicole reported that offsite backups were still pending. [Mayor Cornelius asked how long before there were offsite backups. Nicole ventured perhaps six weeks. Councilor Williams asked how the courier service was working. Nicole reported that the first pickup had gone well but the backup component was pending.]
- Nicole updated the Council on the status of the hazard tree at the residence of Rob Tarr at 47363 1st Street. At the August 2 meeting Mr. Tarr was directed by the Council to contact the ODF in November to see if grant money was available to help with the cost. He submitted a copy of a grant application to ODF that would cover \$500 of the cost of the hazard tree removal as well as cleanup to create defensible space. Nicole stated that Mr. Tarr did not yet have a bid for the work but expected that the ODF grant would not cover the full cost and was asking whether the City could help. [Mayor Cornelius stated that she didn’t think the City could legally spend money for work on private property. She suggested that Mr. Tarr contact Sarah Altemus to see if any Firewise grants were available. Councilor Williams suggested that Mr. Tarr contact Inbound. Councilor Packard suggested contacting Jerry Skordahl who might be able to do the work on a payment plan.]

CITY FINANCIAL REVIEW:

Nicole Tritten submitted the bank statement, cash deposits, and expenditure sheet, and addressed these items:

- She reported that she submitted the first batch of documents to the new auditor, Accuity, for the 2020–21 audit. She stated that she didn't think it was feasible for the audit to be completed by the December 31 deadline. She said that she would like to ask the auditor to file for an extension and that the City's crime coverage would not be affected if the audit was filed by the end of February. [The Council agreed to her request to ask for an extension of the audit filing deadline.]
- Nicole stated that the Council had previously discussed doing a supplemental budget in December, but she thought January was more realistic given her workload and the complexity of the supplemental budget. She said that her immediate concern was paying for the bike hubs because they were not included in the current year budget. [Mayor Cornelius said she thought that the bike hub could be absorbed by the budget until a supplemental budget was passed, but she recommended that Nicole contact Oregon Department of Revenue. The Council agreed to a supplementary budget in January to be on the agenda for the February meeting.]

Mayor Cornelius made a motion to approve expenditures for December 2021 in the amount of \$70,536.72. Councilor Williams seconded, and the motion carried, 5–0.

AYES: Cornelius, Williams, Davis, Johnstone, Packard **NAYS:** 0 **ABSTENTIONS:** 0

CITIZEN CONCERNS NOT ON AGENDA:

Resident Bob Bishop stated that he and his wife filed a complaint with the City regarding alterations to the Log Scale house at 47419 Westoak Road that turned it into a commercial café. He said that in their complaint they noted that such a conversion would require a building permit but that none was on file with the County or in progress. He said four months had passed since their complaint, but the City had not taken any action. He respectfully requested that the City of Westfir staff follow through on their complaint. Councilor Williams agreed that the City should contact the County to be sure that Trans Cascadia had done their permits properly for their use of the building. The Mayor said that the City staff would follow up with the County.

Resident Katherine Bishop expressed disapproval that the City of Westfir allowed camping on the Newland property (lot adjacent to 47419 Westoak Rd) over the past three years with no procedures or restrictions in place. She wanted to know why that was the case when she and her husband were not allowed to live in their RV while they were remodeling their house in late 2015, which caused them great inconvenience and expense. She said that Trans Cascadia quietly started allowing camping in tents, trailers, and vans on the empty lot in 2019, and they should have been required to go through the planning process before overnight camping was allowed by the City. She said that Trans Cascadia was given special treatment by being allowed camping unquestioned by the City while she and her husband had followed the rules and been denied permission, specifically by Melody when she was City Recorder. She stated that government rules must be applied in a firm, fair, and consistent manner and that anything less was abuse. Mayor Cornelius apologized if the information she gave back in 2015 was incorrect or misconstrued. Councilor Williams apologized for the problems the Bishop's experienced.

Nicole asked if the City could ban further camping on the Trans Cascadia site, but the Mayor said camping on private property was allowed for up to two weeks regardless of the Mixed-Use designation. Nicole asked if the situation was different if money was being charged for the camping, and Councilor D'Lynn stated that the ordinance did not address the issue. Mayor Cornelius reviewed Ordinance #138, providing for the abatement of nuisances, and determined that Trans Cascadia was not in violation of the ordinance unless someone camped for longer than 14 consecutive calendar days in a three-month period.

Helaine Truthstone of 47490 Westoak Rd addressed the Council to comment on the Trans Cascadia development. Mayor Cornelius interrupted Ms. Truthstone to remind her that those comments should be addressed to the Planning Commission and not the City Council. Ms. Truthstone asked if there was going to be an open forum for discussion and not just the narrow Planning Commission hearings. She said that the public was not being involved in the process and many people in the community did not know about the developments. Mayor Cornelius stated that there were specific notification requirements in the law, which the City had met. Katherine Bishop agreed with Ms. Truthstone, saying that many community members, particularly seniors, didn't have the technology to join an online meeting and that the City should do more to include those people.

Request for Variance to Ordinance #138, Occupied RVs:

Mayor Cornelius described a letter from resident Evelyn Hendrickson requesting a variance of six months to allow her grandson to live in an RV on her property to care for her while her husband was recovering from a stroke in a rehabilitation facility. Nicole Tritten reported that the issue arose due to a complaint from a neighbor about an occupied RV on the property. Councilor Williams stated that she had to recuse herself because of a family connection. Mayor Cornelius said that she was inclined to allow a variance, but the rules set out in Ordinance 138, Section 19 needed to be followed and the Council had to establish an endpoint for the variance. Robert Archer pointed out the necessity of access for emergency vehicles, and that it was currently a tight fit for his truck to pass the RV on the way to the sewer plant. Councilor Davis expressed reservations about a variance because of the neighbor's complaint, but said that she also didn't feel comfortable with an elderly woman alone with no one to help her. Mayor Cornelius stated that an inspection should be performed by the City Operator to evaluate the following requirements of Ordinance #138 for RVs: road readiness; current tags and registration; and wheels and tongue attached. In addition, the inspection would evaluate impingement on emergency vehicle access and dictate that waste from the RV be disposed of at an RV dump and not to the City sewer. The Council decided to give Ms. Hendrickson until December 17 at 2 p.m. for an inspection of the RV by the City Operator and submission of a development application for a variance signed by the property owner and RV residents. If the inspection was completed and the application submitted by the deadline, a special session of the Council would be held on Monday, December 20 at 3 p.m. to decide on whether to allow a variance.

COUNCILOR CONCERNS NOT ON AGENDA:

Councilor Johnstone reported that his neighbor passed away, and he was concerned that the neighbor's brother told him that emergency services never arrived. Councilor Johnstone said he was going to follow up and find out exactly what happened. Councilor Williams stated that the fire department was short of volunteers and may not have been covered for multiple incidents.

Mayor Cornelius reported that Jason Nehmer of the Oakridge Disc Golf Club received permission from the owners of the mill site to install a disc golf course on the mill site. She said that Mr. Nehmer would like to install two holes on the Portal property and was asking for Council permission. The Council asked that Mr. Nehmer present his proposal to council at the next regular meeting.

Mayor Cornelius reported that she had been in contact with Grace Kaplowitz about the signage and wayfinding grant for Oakridge and Westfir. The Mayor said that installation of a sign at the Portal was proceeding, but the contractor wanted to place the sign in a different location than originally planned, much further away from the entrance to the park. The Council preferred the original location to the one proposed by the contractor, which the Mayor said she would report back to Ms. Kaplowitz.

Mayor Cornelius asked the Council what amount should be budgeted for a retirement gift for Jackson Stone. The Council decided on an amount of not over \$100.

The Mayor reported to the Council that the City needed to purchase an additional security camera for coverage of the new bike hub wash and repair station at the Portal Park. In addition, she reported a major leak in the skylight in the men’s bathroom at the Portal and a small leak in the skylight in the women’s bathroom. The Mayor asked Nicole to have the Relief Recorder Arron Cobb call around to get estimates for repair or replacement of the skylights.

ADJOURN MEETING:

Mayor Cornelius moved to adjourn the meeting. Councilor Johnstone seconded, and the meeting was adjourned at 9:00 p.m.

AYES: Cornelius, Williams, Davis, Johnstone, Packard **NAYS:** 0 **ABSTENTIONS:** 0

Respectfully submitted,

Melody Cornelius, Mayor

ATTEST:
Nicole Tritten, City Recorder

DATE