

**CITY COUNCIL  
REGULAR MEETING  
MINUTES**

**December 15, 2009**

**1) CALL TO ORDER / PLEDGE OF ALLEGIANCE**

Mayor Garrett called the meeting to order at 7:05 p.m., followed by the Pledge of Allegiance.

Present: Mayor Bruce Garrett, Councilors Chris Gilman, Paul Becker, Linda Meyers, Donna Schatz and Dan Winterburn.

Staff: Administrator Paul Wyntergreen, City Recorder Sandra Miller.

Absent: Councilor John Dodero.

**2) MINUTES / BILLS**

**Minutes:**

Councilor Gilman made a motion to approve the minutes for December 1, 2009. The motion was seconded by Councilor Meyers. Councilor Becker abstained. All others present voted aye. Motion approved.

**Bills:**

Councilor Gilman made a motion to approve the Bills against the City. The motion was seconded by Councilor Schatz. All others present voted aye through a roll-call vote. Motion approved.

**3) AUDIENCE / PUBLIC COMMENT**

Devin Hull, Interim Fire Chief: He introduced new volunteers to the city and stated that they have completed a six week academy and are now dedicated to serve the community.

Katie Haugse, 635 E. 'D' St.: She made comments regarding Title 18.26 of the Jacksonville Municipal Code regarding the maintenance of historic buildings and the unresolved health issue with regard to mold in the Orth building.

Gary Collins, 305 Pair-A-Dice Ranch Rd.: He stated the following questions:

1. With respect to HARC, within its traditional advisory capacity, what is the will of Council for HARC's future purview in range of authority?
2. Will Council continue to acknowledge HARC as an advisory body to Council as delineated in Title 18, section 18.010, paragraph "D", sub-paragraph "3", or will its purpose and practice be restricted exclusively to adjudication of applications under City Code Title 17 and 18?
3. Will HARC Commissioners have any future role as Trustees of Historic Preservation Funds, regardless of the source?

He further stated that HARC members are unpaid volunteers, not staff employees, and would like to understand Council's will with extent of HARC's purview, in order to conserve time and effort and to avoid future confusion among our membership and in our public meetings, especially with regard to future applications for funds available for preservation of Historic properties. He then formally requested a directive from Council to be placed on its agenda for deliberation at the earliest possible opportunity, publicly clarifying the role of the Historical Architecture Review Commission in management of Historic Preservation Funds and any other preservation activities beyond its role in adjudication of the City's development codes.

#### **4) ACTION / DISCUSSION ITEMS:**

##### **4a) HOLIDAY LIGHTS:**

Administrator Wyntergreen: He gave an overview of the existing Resolution 991 that regulates holiday decorative lighting and the staff recommendation memo submitted by the City Planner regarding permanent attachment of lighting in downtown Jacksonville.

Councilor Becker: He asked what is wrong with the current lighting in terms of the limitations.

Administrator Wyntergreen: He responded that some questions have been brought up regarding the idea of using the lights more frequently throughout the year, rather than just during the holiday season.

Councilor Meyers: She stated her concerns regarding the lighting being installed very quickly after the last meeting and that she had requested to wait a couple of weeks to see a written report from the Fire Chief stating whether it would be safe to put the lights up. She then stated that the issue now is to leave them up year-round and asked if a report is available at this time.

Devin Hull, Interim Fire Chief: He stated that the Fire Code addresses temporary wiring and power sources that are not to exceed ninety (90) days and "Holiday Lighting" is classified as a temporary lighting source. He then stated his concern regarding the article in the newspaper referencing "permanent" lighting so, he called the manufacturer and learned that the lights are "commercial coated", which gives their lifespan approximately two years if they are removed and stored appropriately, but are not for consistent exposure to the elements and that leaving the lights on the buildings permanently will take away from their lifespan. He also stated that the Fire Codes regarding safety issues address the "source" of electricity supplying the lights only when they are on and that upon investigation of the rooftops of a couple of the structures, he noticed that one extension cord is servicing lights for several buildings and those cords are not dedicated to their own circuit which can cause an overload. He further stated that the Fire Code states "not to exceed 200 lights per extension cord," and recommended that the lights be inspected yearly prior to re-installation and that new lights be installed with a dedicated circuit. He then passed around an example of a section of lights that were removed from the U. S. Hotel banister, to allow Council to see the effect the elements would have on permanent lighting and expressed his concerns with regard to the potential fire hazard of lights installed on wood structures year-round.

Arlis Duncan, 425 E. California St.: She stated that the example that came from the U.S. Hotel building are not commercial grade but, the lights that were purchased this year are commercial grade. She also stated that permanent lighting is still in the process of being installed and that corrections are being made regarding existing issues. She further stated that she had been informed that the lighting had been discussed with the Fire Department prior to the installation.

Councilor Becker: He asked whether the lights are safe now or not.

Councilor Meyers: She stated that she requested an amendment to the original motion, which was approved by Council, to include the conditions that were in the memo from the City Planner and George Kramer wherein it stated the following: "It is our understanding that the current proposal is for the lights to be turned on during Victorian Christmas only. If someday the proposal expands to include other events, we request that HARC be allowed to make an evaluation of appropriateness." She then stated that she would think that before they spend more money and put in the lights that they are planning, that they might want to get HARC's opinion first, rather than waiting until later, because it does have a completely different look than what we are accustomed to, that doesn't mean that it is

right or wrong, but HARC should at least be able to...(interruption from audience)...she ended her statement by saying: "That would be my other concern that HARC should review...(inaudible)...which is what we said in the original motion when we approved it.

Devin Hull, Interim Fire Chief: He added that the representative from the Chamber is correct with regard to the low voltage LED lighting drawing minimal amperage, but reiterated that his only concern is that if they were to remain permanent, that he still recommends having the lights and cords inspected yearly prior to illumination and he does concur with the fact that the Representative for the Chamber went to extremes to purchase and use commercial grade lights to minimize any potential safety hazards.

Administrator Wyntergreen: He requested that the Chief write up his recommendations to be presented to Council as well as the Chamber.

Gary Collins, 305 Pair-A-Dice Ranch Rd.: He stated that he is an architect, not a lighting expert, but that he has been around these kinds of issues for quite a long time. He also stated that there are some design problems in addition to the Chief's concerns of preferring that all of the lights be connected to dedicated circuits to handle additional voltage, his perspective as a designer is that this is not downtown "Disneyland" and those lights have a much too rigid appearance and are out of synch with traditional Christmas lights that have been applied seasonally. He further stated that they are the wrong color temperature and should be more of a yellow tint in keeping with the lighting that has been used in the past to have a soft, warmer appearance. He then suggested that when these kinds of projects are being considered that a professional should be consulted to give a full spectrum of issues before the work is done.

Katie Haugse, 635 E. 'D' St.: She stated that as a former business owner, she really loves the Christmas lights and that Jacksonville is absolutely dead by January 15<sup>th</sup> and when the lights are taken down, it looks like a ghost town. She further stated that the lights are beautiful and festive and it reminds her of the River rock in San Antonio and of a community that loves its town and then requested not to "nit-pick" everything.

Councilor Meyers: She stated that she wanted to make sure that approval from HARC will not be overlooked.

#### **4b) RECOMMENDATION FOR PLANNING BUILDING TECH:**

Administrator Wyntergreen: He gave an overview of the list of applicants for the open position and that staff recommends that Council select the list in order and that the position be offered to Mr. Colin May who previously served in a similar position with the City of Talent.

Councilor Meyers made a motion to approve the list of applicants for the open position and offer the position to Colin May, the first applicant, but should the first applicant reject the position, it will be offered to the next two applicants in the order listed. The motion was seconded by Councilor Schatz. All others present voted aye through a roll-call vote. Motion approved.

Councilor Becker: He requested to know the cost that will be incurred for this position and the future cost for pay increases per the Union contract over a three year period.

Administrator Wyntergreen: He responded that under the old contract the pay increase would be 2% annually, but whether that figure would remain in the new Union contract is a guess at this point.

Councilor Meyers: She stated that Council budgeted \$28,700.00.

Councilor Becker: He asked if this is a new position or an adjustment to an older position.

Administrator Wyntergreen: He explained that it is an adjustment to an older position which was half-time and is now full-time.

**4c) HARC COMMISSIONER APPOINTMENTS:**

Administrator Wyntergreen: He stated that the two open positions were advertised and the members who presently hold those positions submitted requests for re-appointment and that no other applications were submitted.

Mayor Garrett: He recommended approving the appointment of Ron Moore and Trish Murdoch, the present members who have requested re-appointment to the Commission.

Councilor Becker made a motion to re-appoint Ron Moore and Trish Murdoch. The motion was seconded by Councilor Meyers. All others present voted aye. Motion approved.

**4d) HARC CONSULTANT:**

Administrator Wyntergreen gives an overview stating that 3 applicants have been reviewed by council and HARC. Of the three, HARC has recommended George Kramer.

Gary Collins, 305 Pair-A-Dice Ranch Rd: States that after review the HARC believes that additional hours will be needed than the 13 that have been budgeted.

Ron Moore, HARC Chair – He agrees that more hours will be needed.

Councilor Becker – Questions if more hours than the 13 can be added as that is what was budgeted? (*Administrator Wyntergreen answers YES*).

Discussion continues as to whether additional hours are needed. Mr. Collins suggests that the funds be expended from the Historic Preservation Fund Pilot Projects line item. HARC Commissioner David Britt opposes the use of the HPF funds as these funds are part of the Linda Scovill Trust and that trust is specific as to the use of the donated funds.

Regarding appointment of Consultant -

Councilor Meyers makes a motion to accept the recommendation from HARC to retain the services of George Kramer as Historic Preservation Consultant. Councilor Winterburn seconds the motion, all others vote aye through roll-call vote. Motion Approved.

Regarding number of hours -

Councilor Gilman makes a motion to approve 10 hours per month, not to exceed 13 hours. If more hours are necessary, City Council approval will be required. Councilor Becker seconded the motion. All others vote aye through roll-call vote. Motion Approved.

Regarding Scope of Services -

Additional discussion ensues regarding ex-parte issues with the consultant and the legalities of a contract with consultant. It is recommended that the contract be reviewed by the City Attorney prior to signing.

Decision on Scope of Services is tabled to the January 5, 2010 Council meeting.

**4e) REPLACEMENT VEHICLE – FIRE DEPARTMENT:**

Devin Hull, Interim Fire Chief: He gave an overview of the Fire Department's request to replace the staff vehicle, a 1999 Yukon at 125,000 miles, that was originally purchased used and has had to be towed twice in two weeks, at a cost of over \$1,000.00. He also stated that he realizes that such an expense is inconvenient at this time, due to budget constraints, but that purchase of an Emergency Service vehicle through the Oregon State Purchasing Bid Process, rather than a local dealer, would offer a more reasonable price of \$28,000.00 and would save additional funds by giving the ability to transfer the Emergency Communications equipment, Emergency lighting, and consoles from the 1999 Yukon to the new vehicle. He further stated that a new vehicle would have a service life of 10-15 years including a 5 year complete service warranty and a 100,000 mile warranty on the drive train and that the sale of the 1999 Yukon, for a minimum of \$2,500.00, would go back into the Public Safety Reserve fund that the new vehicle would be purchased from.

Councilor Gilman made a motion to approve the purchase of a replacement Emergency vehicle from Public Safety Reserve funds. The motion was seconded by Councilor Becker. All others present voted aye through a roll-call vote. Motion approved.

**4f) STATE FIRE MARSHAL INCIDENT MANAGEMENT TEAM – FIRE CHIEF:**

Devin Hull, Interim Fire Chief: He gave an overview of his request for membership to the State Fire Marshal's Incident Management Team, (IMT), program and the importance of learning incident management in logistics, finance, planning, public information operations, safety and community issues. He also stated that IMT's enhance effective coordination among responding agencies during fires, floods, earthquakes, structural collapse, tsunami, spilling of hazardous materials and other natural or human-caused incidents. He further stated that all activations as a team member are paid for by the State of Oregon, but the two annual meetings he must attend that are held in the Salem area must be paid by the City of Jacksonville and therefore he is requesting Council approval for this expense.

Councilor Gilman made a motion to approve the request. The motion was seconded by Councilor Becker. All others present voted aye through a roll-call vote. Motion approved.

**4g) AGREEMENT TO LOAN FUNDS FROM HISTORIC PRESERVATION FUND FOR PROPERTY PURCHASE:**

This item was tabled to the January 5, 2009 City Council meeting.

**5a) RES1032 – A RESOLUTION AUTHORIZING THE REDESIGNATION OF FUNDS WITHIN THE HISTORIC PRESERVATION FUND AS DEBT FUND.**

This item was tabled to the January 5, 2009 City Council meeting.

**5b) RES1033 – A RESOLUTION AUTHORIZING REQUEST FOR RECREATIONAL TRAILS GRANT.**

Administrator Wyntergreen: He gave an overview of the proposed Resolution request authorizing application for a Recreational Trails Grant from the Oregon Parks and Recreation Department to implement the first phase of the Britt Gardens Park Plan and delegating authority to the City Administrator to sign the application.

Councilor Becker made a motion to approve Resolution 1033. The motion was seconded by Councilor Schatz. All others present voted aye. Motion approved.

**6) COUNCIL DISCUSSION**

**6a) MAYOR AND COUNCIL COMMITTEE REPORTS:**

Administrator Wyntergreen: He stated that there will be a Council Special Study Session meeting regarding Fire Department staff at 4:00 p.m. at the Fire Hall on December 17<sup>th</sup>, 2009.

Councilor Becker: He suggested drafting a Proclamation in recognition of Clara Wendt and her contribution to the City of Jacksonville.

Councilor Meyers: She stated that the Planning Commission discussed the Galpin property regarding Village Crest, concluding that the original seven units proposed will now be only three units.

Councilor Winterburn: He stated that he is keeping tabs on the Public Safety and Fire Departments and helping them build better communications.

Councilor Schatz: She had nothing to report.

Councilor Gilman: He stated that the topic of the Jacksonville Outdoor Gallery has been tabled to the January 5<sup>th</sup> Council meeting to discuss the possibility of a two year extension to the program that is presently in progress.

City Recorder Miller: She had nothing to report.

Mayor Garrett: He stated that he will be talking to Council individually about Committee assignments for next year so, he will give you a call or meet for coffee or whichever they prefer.

**8) ADJOURN.**

Mayor Garrett adjourned the meeting at 8:46 p.m.

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Bruce W. Garrett, Mayor

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City Recorder or Designee

Date approved: \_\_\_\_\_

Transcribed by A. White

**\*\*THE JACKSONVILLE URBAN RENEWAL AGENCY MEETING WAS TABLED TO JANUARY 5, 2010.**