



# CITY OF EAGLE POINT

*"Gateway to the Lakes"*

OREGON

EAGLE POINT CITY COUNCIL  
17 BUCHANAN AVE. SOUTH, EAGLE POINT, OREGON

AUGUST 9, 2011

## REGULAR MEETING MINUTES

### 1. CALL TO ORDER – 7:00 P.M.

Mayor Russell called the regular meeting to order at 7:00 p.m.

Council members present: Bob Russell, Alan Curriston, Kathy Sell, Ruth Jenks, Jonathan Bilden and Bill Fierke.

Staff members present: David Hussell, City Administrator; Joe Kellerman, City Attorney; Vern Thompson, Chief of Police; Melissa Owens, Finance Officer; Robert Miller, Public Works Director; and Dena Roberts, City Recorder.

### 2. FLAG SALUTE AND INVOCATION.

Audience member Jerry Zieman led the flag salute and Council President Curriston led the invocation.

### 3. AUDIENCE QUESTIONS OR COMMENTS CONCERNING ITEMS NOT ON THE AGENDA.

### 4. PRESENTATIONS.

### 5. PUBLIC HEARINGS.

### 6. CONSENT CALENDAR.

#### 6.1 Presentation of regular meeting minutes of July 26, 2011.

Mayor Russell announced the consent calendar and asked for a motion. Council President Curriston moved that Council approve the Consent Calendar as presented. Councilor Bilden seconded the motion. There was no discussion. Roll call: Alan Curriston, yes; Bob Russell, yes; Bill Fierke, yes; Ruth Jenks, yes; Jonathan Bilden, yes; and Kathy Sell, yes. The motion passed unanimously.

### 7. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR.

8. PRESENTATION OF BILLS TO BE PAID.

Mayor Russell announced the bills to be paid and asked for a motion to approve the bills. Councilor Bilden moved that Council approve the bills as presented including the additional bill list. Councilor Jenks seconded the motion. There was no discussion. Roll call: Kathy Sell, yes; Jonathan Bilden, yes; Bill Fierke, yes; Bob Russell, yes; Ruth Jenks, yes; and Alan Curriston, yes. The motion passed unanimously.

9. OLD BUSINESS.

10. NEW BUSINESS.

- 10.1 **Resolution 2011-48.** A Resolution on behalf of the City of Eagle Point recommending Jackson County adoption of the Greater Bear Creek Valley Regional Problem Solving Plan as amended.

Mayor Russell announced **Resolution 2011-48** and asked for the staff report. Dave Hussell reported the Jackson County Planning Commission has reviewed the RPS plan and has proposed a number of changes. He stated, of the 29 proposed changes, only two impact Eagle Point and they are not as important as those affecting other cities. The Board of County Commissioners will be deliberating on the proposed changes and have asked the cities to comment. Mr. Hussell explained one of the issues affecting Eagle Point relates to density. They are proposing Eagle Point increase its density from 6.5 units per acre of average density for areas of urban reserve to 7.5 units per acre. This does not affect the existing corporate limits and urban growth area and will not be in effect for 25 years. Dave Hussell explained the Glenwood subdivision is an example of a density of 7.5 units per acre. He further advised Central Point's Twin Creeks development is another example. He explained the other issue was a statistical error and it added acreage to Eagle Point.

Mayor Russell asked whether the other cities have similar density numbers. Dave Hussell responded they do, but some areas have higher densities. Mr. Hussell explained Eagle Point can transfer the density to different areas of town, for example there could be tighter density downtown and other areas of the city less dense.

Attorney Kellerman asked whether the 7.5 figure would apply outside the urban growth boundary and how development in the core can mitigate it. Dave Hussell explained the RPS plan allows for the transfer of density that may occur in urban reserves to other parts of the city. It doesn't necessarily have to be the downtown core. Attorney Kellerman asked if he was correct that everything inside the current corporate limits, including the UGB would be grandfathered. Dave Hussell responded it would. Attorney Kellerman asked if infilling could alleviate higher density requirements for land outside it. Dave Hussell responded he was correct.

Councilor Fierke stated he was concerned that people move to Eagle Point because of the open spaces and the proposal seems incompatible. He further stated he doesn't feel there is anyone capable of making a 50 year plan. Typically long range planning is five years. He stated,

however, with regard to highways planning longer than five years might be appropriate. Councilor Fierke stated he had read in the *Medford Mail Tribune* that if the proposal is agreed to it will be impossible to change later. Councilor Fierke stated he couldn't agree to the density as it would impact everyone's children and grandchildren. Dave Hussell responded the plan requires review every ten years and adjustments and changes can be made five years out; the plan is intended to be revisited periodically to make sure it is working.

Councilor Bilden stated he wanted to know what prompted the Jackson County Planning Commission to bring the issue up given all the prior work that went into the RPS plan. Dave Hussell responded he did not know and that no one knows whether the Board of County Commissioners will adopt what has been proposed by the planning commission.

Councilor Jenks asked what would happen if the Eagle Point Council voted against it. Dave Hussell stated there would have to be justification to vote against it but that it could be taken to the Board of County Commissioners. He further advised it could potentially limit Eagle Point's growth if council doesn't agree to the changes.

Councilor Fierke expressed his frustration that the 7.5 units per acre figure had not been justified. He stated he wanted to hear the Jackson County Planning Commission's justification for increasing the density to 7.5. Council President Curriston stated he agreed but that Eagle Point is not an entity unto itself. There are rules that have to be played by and if Eagle Point expects to grow at all it will have to play. He further stated 7.5 is likely the most conservative number that will be seen.

Councilor Bilden stated he wanted to know why they changed the number so late in the process.

Councilor Jenks asked if the examples provided (Glenwood and Poppy Village) are PUDs with CC&Rs and other architectural guidelines. She further asked whether there were any other developments in Eagle Point with a density of 7.5 for single family homes. Dave Hussell responded there are but he wasn't able to access the photos. He stated the best example is Twin Creeks in Central Point.

Mayor Russell asked if not approving it would extend the process several more years. Dave Hussell explained if any one city doesn't agree to the plan it does not move forward. He further stated if there is a concern it needs to be highlighted to the Board of County Commissioners because they are the last approval body before it goes to the state for review. Mr. Hussell stated he would ask the Jackson County Planning Commission how they arrived at the 7.5 figure and would bring it back to council in late August or September.

Councilor Bilden stated Medford is likely to object to their whole plan. He suggested approaching the county commissioners with regard to having Eagle Point go back to the 6.5 figure.

Council President Curriston asked what could be expected at the state level. Dave Hussell responded the 1,000 Friends of Oregon is most concerned with density and farmland. He further stated the more that can be worked out prior to the plan going to the state the more

likely it will be to get it through Land Conservation and Development. Council President Curriston suggested council compromise at this level in order to increase the changes of it going through the process better at the state level.

The council asked Dave Hussell to contact the Jackson County Planning Commission and find out the rationale of their 7.5 units per acre figure and bring it back to council.

Council President Curriston moved that Council table **Resolution 2011-48** until more information could be gathered from the Jackson County Planning Commissioner. Councilor Bilden seconded the motion. There was no further discussion. Roll call: Ruth Jenks, yes; Alan Curriston, yes; Jonathan Bilden, yes; Bob Russell, yes; Kathy Sell, yes; and Bill Fierke, yes. The motion passed unanimously.

10.2 **Resolution 2011-55.** A Resolution appointing a representative to fill a City Council vacancy.

Mayor Russell announced **Resolution 2011-55** and asked for the staff report. Dave Hussell advised the open position had been advertised and there were two applicants, Aaron Prunty and Wayne Brown. Mayor Russell then asked Aaron Prunty to step to the podium and tell the council about himself and why he wanted to serve on the city council.

Aaron Prunty stated he had been a resident of Eagle Point for approximately eight years and felt vested in the city. He has a strong desire for the city to prosper and grow but maintain its small town environment. He stated serving on council would be a good way for him to be an active participant. He explained he grew up in a small town and is currently raising his own family and wants his children to grow up in a safe environment, having the same advantages he had as a child.

Councilor Fierke asked him to explain his vision of growth. Mr. Prunty stated he likes the town center and Centennial Plaza as they bring people to the center of town making it a community. He stated he could appreciate businesses moving to Highway 62 but would rather have them move to the downtown area. He sees Eagle Point as a meeting place with economic growth in the downtown. He explained he was a stay at home dad for a time and took his children to the school to play; it was much of a micro community. He stated he sees the whole of Eagle Point as a tight knit community, which is very important to him. Mr. Prunty stated he wants people to feel connected and would be searching for ways to achieve that. He concluded by stating he is currently serving on the Parks & Recreation Commission and is also very interested in that area.

Councilor Jenks asked if he had been to a Parks & Recreation meeting and whether it was what he expected. Mr. Prunty responded there had been one meeting thus far. He further stated serving on city council would be an education; seeing what affects and impacts the city. He further stated he did learn from the Parks & Recreation Commission meeting. Mr. Prunty explained he was a political science major in college and had attended city council meetings. He noted he became excited at the Parks & Recreation meeting and also gets excited while sitting in the audience of the city council meetings. He stated it was a great meeting and he went home thinking about what occurred during the meeting and how he could attend the next

meeting and feel a part of a group that can make a difference. Councilor Jenks asked the ages of his children. Mr. Prunty responded he has a son 8 and daughter 6 and they attend Eagle Rock Elementary.

Council President Curriston stated he liked what Mr. Prunty had to say and is also interested in livability, but that the city council faces much harder issues such as increasing taxes and fees to pay for livability. He asked Mr. Prunty his thoughts of whether the citizens of Eagle Point pay enough in taxes or whether he feels there is room for further taxing; where does he draw the line. Mr. Prunty responded he is a fiscally conservative person who wants to see where his dollar goes. He also stated he wants to know why his taxes go up. He explained he didn't have enough information to adequately answer the question, but that anything that impacts the community and how the city spends money is very important to him.

Councilor Sell asked whether Mr. Prunty thought taxes should be raised to maintain the parks. Mr. Prunty stated if the city makes something people want it is easier for them to pay for it. He stated he felt surveying the community would be very important in determining what the citizens want. And, if it is something they want they will be willing to pay for it.

Mayor Russell next invited Wayne Brown to the podium asking him to tell the council about himself and why he wanted to serve on city council.

Mr. Brown stated he is a long time resident of Eagle Point and used to own the city hall building. He stated he and a group of citizens worked years ago to try to develop the downtown; there are buildings but they haven't been put together. He stated he feels the need to develop the downtown so that people will want to come to Eagle Point such as they do in Jacksonville. The challenge has been quick growth. He stated his vision is to keep Eagle Point livable, with breathing room. People don't do well when crammed together. He explained the town has great history and a lot of hard working people have helped build the community, build the schools, etc. The great thing about a small town is coming together. Mr. Brown explained three months after he opened his grocery store in Eagle Point the school closed. The community came together and built it back. There needs to be a good relationship with the schools and others to work to build the community.

Councilor Fierke asked how long he had lived in Eagle Point. Mr. Brown responded 30+ years. He and his wife raised 4 boys and, in addition, raised three additional boys who were not their own; they call him Dad to this day.

Council President Curriston asked his biggest concern and one thing that he feels the best about. Mr. Brown responded the current challenge is the lost economic growth factor and, therefore, money going to be tight. It will be prudent to find ways to communicate to the citizens the necessity of raising taxes and money. Communication is the biggest challenge; things can't be hidden from the citizens. Mr. Brown stated he met with his entire staff once a month to determine how everything was going when he owned the grocery store; communication is the key.

Councilor Jenks asked what advice he could give in interviewing for a new city administrator. Mr. Brown responded he felt someone should go to the potential candidate's home town to

investigate him/her. He explained it is easy for a candidate to look good when they interview but going to their home town and talking to people who know them is extremely valuable.

Councilor Sell asked what challenges Mr. Brown saw for the current council that weren't challenges when he was a previously a councilor. Mr. Brown stated the key is to be able to work with everyone and learn to negotiate.

Mayor Russell asked each council member to comment. Councilor Fierke stated they were both excellent candidates, but felt Wayne Brown's experience of previously serving on city council years ago would be valuable. Councilor Bilden thanked both candidates, stating both candidates are very strong, but experience would be helpful to the current council. Councilor Jenks agreed with both Councilors Fierke and Bilden, adding that each candidate had a lot of different talents. She stated she could appreciate the new as well as the comfort factor of the experience. She stated she was keeping in mind, however, that with the last election the community voted for new faces. Council President Curriston stated he hoped whoever was not appointed would run for office at the next election. He further stated it was hard not to vote for the person with experience because he knows the lingo and process. Councilor Sell stated because all of the council is new, except Council President Curriston, experience becomes extremely important. Mayor Russell stated it was a difficult decision but that he saw Aaron Prunty taking a very active role on the Parks & Recreation Commission, making him a stronger candidate to run for city council. He further stated he thought experience very important.

Council President Curriston moved that Council approve **Resolution 2011-55** appointing Wayne Brown to fill the vacant position on city council. Councilor Fierke seconded the motion. There was no further discussion. Roll call: Ruth Jenks, yes; Kathy Sell, yes; Bob Russell, yes; Alan Curriston, yes; Bill Fierke, yes; and Jonathan Bilden, yes. The motion passed unanimously.

The council thanked both and asked Aaron Prunty to apply for the opening on the Budget Committee.

10.3 **Resolution 2011-56.** A Resolution approving a new job description for the position of City Administrator.

Mayor Russell announced **Resolution 2011-56** and asked for the staff report. Dave Hussell reported at the last council meeting an outline of a job description for the new city administrator position was given to council. In addition, selection criteria had been finalized. Councilor Fierke distributed the new selection criteria. Mr. Hussell stated if council approved the job description and selection criteria, staff would move forward in developing a brochure for the position. Councilor Fierke noted that at the last meeting it was suggested that if any council member had changes to the job description that they were to contact Mr. Hussell. No one did so the job description is the same as what was presented at the last meeting. Councilor Jenks asked if the education requirement was typical throughout the state. Dave Hussell responded it was. Council gave approval for the selection criteria presented to be utilized.

Councilor Fierke moved that Council approve **Resolution 2011-56**. Councilor Jenks seconded the motion. There was no further discussion. Roll call: Jonathan Bilden, yes; Kathy Sell, yes;

Alan Curriston, yes; Bill Fierke, yes; Bob Russell, yes; and Ruth Jenks, yes. The motion passed unanimously.

#### 11. REPORTS FROM CITY COUNCIL AND CITY COMMITTEE REPRESENTATIVES.

Councilor Fierke stated he did not have a report as the school board would be meeting tomorrow.

Councilor Bilden reported he attended a SOREDI board meeting at which they discussed the difficult times, lack of job creation and growth.

Councilor Jenks reported she attended the meeting at City Hall with the Japanese exchange students from Showa. She further stated the students were charming and Dave Hussell and staff presented the city well. Councilor Jenks then complimented the flyer that was included with the city's utility bills. Dave Hussell advised Councilor Sell developed the flyer.

Council President Curriston reported the Economic Development Commission met but decided to defer discussion of the SWOT analysis until the September meeting when Dave Hussell can be present.

Councilor Sell reported the Parks & Recreation Commission meeting went very well and there are many new members. She further advised they discussed resurveying citizens as the last survey was in 2005 and much has changed since then. Councilor Sell stated she looked at the previous 1-3 year plan and visited most of the parks and was pleased to find out that most all planned projects have been completed. She further reported the commission discussed Lucas Park and making it a main focus. They also discussed the importance of the access property and decided to wait to see what will happen with it before making any plans for the park. Councilor Sell next reported on the upcoming event "Dancing in the Streets," stating the city has been contacted by 5-6 artists and they will be doing acrylic, water color, pen and ink and rattle can.

Mayor Russell reported he had dinner with the Showa delegation. He advised the students work for a full year competing for the right to travel to Eagle Point so it is quite an honor for them. He further reported he attended the Oregon Mayors Association summer conference in Madras. There were 65 mayors in attendance and it was a very worthwhile event. Mayor Russell advised he was able to spend a few hours with the Madras City Manager and staff discussing their recent accomplishments; they were able to recruit a business away from Redmond. He stated he thought the work of their economic development team is something Eagle Point can learn from. They are making their town attractive to businesses. He further reported the mayor of Aumsville talked about their recent tornado; the mayor of Sisters talked about their fires; and the mayor of Brookings talked about their tsunami. He noted he would be talking to Dave Hussell and Chief Thompson about Eagle Point's disaster plan. Mayor Russell advised he met with the mayor of Portland at which he found out that they have a large human trafficking problem as well as gang problem. Mayor Russell then encouraged all council members to attend the League of Oregon Cities annual conference in September.

## 12. STAFF REPORTS

Melissa Owens reported finance is working on several items regarding new legislation relating to the hiring process and how veteran's preference is dealt with. It does not affect the positions the city is currently hiring but will come into play with the search for a new city administrator and some of the other positions that will become vacant due to retirements. There is also a new bill that became effective July 1 regarding court fines and the powers of the municipal court judge. Staff is currently working through that process. Ms. Owens advised staff is working on the website which will go live on August 19. She asked for a council member to write the "Council Corner" section on the home page. Councilor Jenks volunteered to work on it. Ms. Owens advised she would send the link to access the website while it is being worked on so that council can review it and let staff know if they have any changes they would like to see made. Dave Hussell interjected even though the website is going live staff will still be working on it. There was no possible way to get all of the work done. Melissa Owens then reported every three years the city goes through a worker's comp audit. During the other two years the city can be randomly selected for an audit and this year the city has been selected so there will be an audit within the next 30 days. She concluded by stating it is very labor intensive.

Councilor Fierke asked if applicants had been received for the open position. Ms. Owens reported she had received 70 applications and 25 inquiries. She advised the position closes August 15 and as soon the person is hired staff will be working on hiring the temporary person council approved.

Rob Miller reported the Greenhills project begins tomorrow. He further reported staff is spending a great deal of time on the Hillside Elementary School project. Mr. Miller advised he asked Gary Shipley to track his time on the project; he is spending 4-5 hours a day. It is hoped his time on the project will diminish once the street is paved which should be by the end of August or early September. He explained the time he and Gary Shipley spend on the project is free to the school and they have already spent more time on this project than they did on the Wal-Mart project. Mr. Miller concluded his report by stating that large projects such as the school and hardware store take away from other duties such as weeds, etc.

Councilor Fierke asked if Mr. Miller had received applications for his open position. Rob Miller responded he had received 10-11 and it closes on Friday. Councilor Fierke asked if the reservoir had been filled. Mr. Miller responded it had not as there were some improvements to be made to the Bellerieve pump station. Hardy Engineering is working on it so that the Skada people can come down to be on site when it is filled. It will be filled through the existing 12" line.

Councilor Jenks asked if the parks have been impacted by the web caterpillars. Rob Miller responded they have and Beaver Tree Service recommends hitting them with high pressure to destroy the webs. Staff is working on getting someone to do it as the city doesn't have a boom truck high enough.

Chief Thompson reported he recently attended training in Long Beach, CA which was excellent training. He further reported some of the training related children of police survivors and what



happens when there is a law enforcement tragedy. There was additional training on technology advancements which is allowing law enforcement to reopen cold cases and solve them. He further reported the police department has been busy with the recent home invasion/robbery. There has been an arrest made and the investigation is continuing. Chief Thompson further reported Officer Ansemli recently took the NASRO training and is ready to begin his duties as the School Resource Officer. He concluded his report by stating his officers are working on the nuisance abatement issues to clean up the town.

Councilor Jenks asked how the nuisance abatement system works. Chief Thompson responded the police proactively work on it as well as respond to complaints. She then asked if funding were available, would the city be ready for a full time code enforcement officer. Chief Thompson responded it has been discussed. Council President Curriston commended the police for their arrest of one of the invasion/robbery suspects. Chief Thompson credited Medford for the extra work they did in helping Eagle Point with the arrest.

Attorney Kellerman advised he is receiving calls regarding the city administrator position. He stated he believes there will be strong candidates. He further reported he had confidential information he needed to give council and asked them to see him before leaving the meeting.

Dave Hussell reported staff is working with Herb Farber to perfect two of the city's water rights. It is expected they should be completed by the end of September and the water can then be used. He further reported there are sometimes conflicts of interest with Attorney Kellerman. These instances have come up enough that it is troubling. He advised he and Attorney Kellerman believe it would be best if the city utilizes Bob Bluth, the former attorney for Harry & David, for legal services when Attorney Kellerman has a conflict. Attorney Kellerman concurred with Dave Hussell. Dave Hussell then reported he spoke with the Division of State Lands regarding the Greenhills project. He advised he will be contacting the Governor's Resource Team. Mr. Hussell explained Jeff Griffin, the DLCD representative, will be at city hall tomorrow morning to talk about the project. This is a problem area that creates a potential fine to the city. Mr. Hussell then distributed a proof of the Eagle Point logo. He explained it had been reworked because the current logo cannot be used for engraving on the cover to the time capsule. He explained it could also be used for the city's entrance sign. Mr. Hussell next reported the city received a request from the Southern Oregon Wine project. They want to apply for a grant to Travel Oregon for advertising and support of the southern Oregon wine industry. They are seeking the support of the cities and have asked for a letter of support from Eagle Point. Council approved staff writing the letter.

### 13. INFORMATION.

Mayor Russell closed the regular meeting at 8:50 p.m. and called for a short break.

### 14. EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(e) REAL PROPERTY TRANSACTIONS.

Mayor Russell opened the Executive Session pursuant to ORS 192.660(2)(e) Real Property at 9:00 p.m.

Discussion.

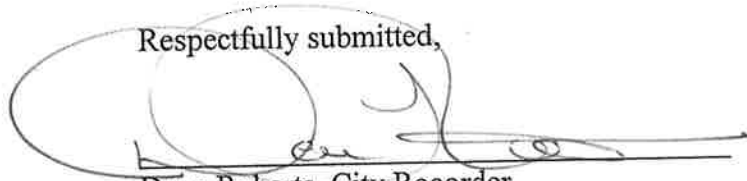
Mayor Russell closed the Executive Session pursuant to ORS 192.660(2)(e) Real Property at 9:20 p.m. and reopened the regular meeting.

Councilor Bilden made a motion giving staff the authority to contact the potential property owners to develop the framework to arrive at a price for potential real property acquisition. Councilor Jenks seconded the motion. There was no further discussion. Roll call: Alan Curriston, yes; Bill Fierke, yes; Kathy Sell, yes; Ruth Jenks, yes; Jonathan Bilden, yes; and Bob Russell, yes.

15. ADJOURNMENT.

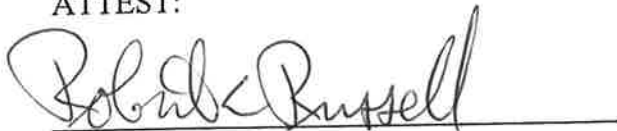
There being no further business to come before the Council, Mayor Russell adjourned the meeting at 9:22 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Dena Roberts', written over a horizontal line.

Dena Roberts, City Recorder

ATTEST:

A handwritten signature in black ink, appearing to read 'Robert E. Russell', written over a horizontal line.

Robert E. Russell, Mayor