



# CITY OF EAGLE POINT

*"Gateway to the Lakes"*

OREGON

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

MAY 10, 2016

## REGULAR MEETING MINUTES

### 1. CALL TO ORDER – 7:00 P.M.

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

Council Members Present: Bob Russell, Jonathan Bilden, Wayne Brown, Bill Fierke, Ruth Jenks, and Aaron Prunty.

Council Members Absent: Kathy Sell.

Staff Members Present: Henry Lawrence, City Administrator; Joe Kellerman, City Attorney; Robert Miller, Public Works; Melissa Owens, Finance Officer; Vern Thompson, Police Chief; Mike Upston, Planning Director; and Cindy Hughes, City Recorder.

Guests: Colleen Roberts, Jackson County Commissioner; Pat Ashley, RCC Board of Education; Liz Crossman, RCC Foundation Board; Suzi Collins, Planning Commissioner; Charlotte Hoppe, Parks and Recreation Commissioner; Millie Wewerka, Budget Committee Member and Planning Commissioner; Jerry Zieman, Budget Committee Member; and members of the public and press.

### 2. FLAG SALUTE AND INVOCATION

Mayor Russell led the Pledge of Allegiance; and Jerry Zieman offered the invocation.

### 3. OATH OF OFFICE

#### 3.1 Daniel Cardenas, Police Officer

Cindy Hughes, City Recorder, administered the Oath of Office to Daniel Cardenas.

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

There were no audience questions or comments.

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### 5. PRESENTATIONS

#### 5.1 Awards presentation of "If I were Mayor" contest – Mayor Russell.

Mayor Russell welcomed students and parents to the City Council meeting and presentation of the "If I were Mayor" contest. Eagle Point started the contest in 2014 and students have given a lot of great ideas. Next, Mayor Russell presented each student in attendance with a certificate of participation and announced the winners. The 4<sup>th</sup> and 5<sup>th</sup> grade Poster Contest was won by Bella Sturos of Hillside Elementary. The winners for the essay competition (6<sup>th</sup> - 8<sup>th</sup> grade students) were: Emma Stanek – 1<sup>st</sup> Place; Paige Pesterfield – 2<sup>nd</sup> Place; and Hailie Millard – 3<sup>rd</sup> Place. Gift certificates to Barnes & Noble were awarded for first place at \$100, second place \$75, and third place \$50.

Following the presentation, Mayor Russell acknowledged audience members Pat Ashley (RCC Board of Education) and Liz Crossman (RCC Foundation Board). Due to the length of the agenda, Mayor Russell requested and received the Council's approval to change the order of business to allow the Council to deliberate Item No. 11.3, Resolution No. 2016-20 in support of Measure 17-69 Rogue Community College District General Obligation Bond for Training/Education.

Details for Measure 17-69 were presented by Rogue Community College representatives Pat Ashley and Liz Crossman at the last City Council meeting. Mayor Russell invited them to provide additional input and asked if there were questions from the Council. Ms. Ashley addressed a Council question about the instructors in health care and nursing. Ms. Ashley reported nursing graduates were readily employed upon graduation, and she further expressed being very proud of the nurses and instructors.

Following discussion, Mayor Russell called for a Motion to approve Resolution No. 2016-20, in support of Measure 17-69 Rogue Community College District General Obligation Bond for Training/Education. Councilor Jenks made a motion to approve Resolution No. 2016-20 and Councilor Fierke seconded the motion. There was no discussion. Roll call: Wayne Brown, aye; Bill Fierke, aye; Ruth Jenks, aye; Jonathan Bilden, aye; Bob Russell, aye; Aaron Prunty, nay; and Kathy Sell, absent. The motion passed with five ayes, and one nay.

### 6. PUBLIC HEARINGS

#### 6.1 Public Hearing in the matter of amending Eagle Point Municipal Code 10.12.010 Unlawful marking, about curb address painting.

Mayor Russell opened the public hearing at 7:13 p.m. and requested Henry Lawrence, City Administrator, to provide a report.

Mr. Lawrence proposed a simple amendment to Ordinance No. 2011-03, which is codified in the Municipal Code and available on the City's website. Curb numbering would be permitted under the proposed Ordinance. Mr. Lawrence reported that some people would like to include sports logos, but there is concern about variations

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from numbering. Attorney Kellerman expressed his belief that this fell within the Council's regulatory discretion. There were no Council questions of staff.

Mayor Russell invited audience comments in favor of the proposal. Suzi Collins of Eagle Point, reported that a couple of years ago she had her address painted on the curb as well as others with graphics included. Ms. Collins asked if the logo would need to be removed, and Mayor Russell stated we would cross that bridge when we come to it. Ms. Collins also reported that the numbering from three to four years ago had held up well.

There was no further testimony or final comments.

At 7:19 p.m., Mayor Russell closed the Public Hearing.

Next, Mayor Russell reported the proposed Ordinance No. 2016-03 was scheduled later in the Agenda as Item No. 11.1 under the "New Business" section of the Agenda. Further, there being no objection to changing the order of business, Mayor Russell asked to discuss and deliberate the proposed Ordinance No. 2016-03; however, there was no discussion.

Mayor Russell asked for a motion to adopt Ordinance No. 2016-03. Councilor Prunty made a motion to adopt Ordinance No. 2016-03 and Councilor Brown seconded the motion. There was no discussion. Roll call: Jonathan Bilden, aye; Wayne Brown, aye; Bill Fierke, aye; Ruth Jenks, aye; Aaron Prunty, aye; Bob Russell, aye; and Kathy Sell, absent. The motion passed unanimously by those present.

### 6.2 Public Hearing in the matter of authorizing an increase of the residential portion of the Transportation Utility Fee (TUF) (Municipal Code 12.32.020).

Mayor Russell opened the public hearing at 7:21 p.m. and requested Melissa Owens, Finance Director, to provide a report.

Ms. Owens reported that at the April 11<sup>th</sup> Study Session, a Transportation Utility Fee (TUF) increase had been discussed as it is necessary to generate funds for street maintenance. An increase of approximate \$1 for single family households will generate about \$41,000 annually. While the increase will not completely stabilize the street fund, it will be a big help. In addition, a future franchise fee agreement with Rogue Valley Sewer Services will assist with funding. There were no Council questions of staff.

Mayor Russell invited audience comments in favor or opposition of the proposal. There was no testimony in favor; however, Millie Wewerka of Eagle Point objected to the proposal as it affects only residential properties which are at a higher rate than non-residential properties. Ms. Wewerka expressed that all properties across the city should bear the cost equally.

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There was no further testimony or comments, and Mayor Russell closed the Public Hearing at 7:24 p.m.

Next, Mayor Russell reported the proposed Ordinance No. 2016-04 was scheduled later in the Agenda as Item No. 11.2 under the "New Business" section of the Agenda. Further, there being no objections to changing the order of business, Mayor Russell asked to discuss and deliberate the proposed Ordinance. Councilor Jenks felt it was unfair for residential homeowners to bear the burden of the increase. She further stated there should be provisions for businesses and the school district to also incur the increase, but was open to incentives for downtown businesses. Councilors Brown and Prunty concurred with Councilor Jenks.

Additional discussion resulted in Councilor Prunty making a formal motion to have staff bring the Ordinance back to include Commercial at the same rate or percentage as Residential increase. Councilor Brown seconded the motion. There was no discussion. Roll call: Jonathan Bilden, aye; Wayne Brown, aye; Bill Fierke, aye; Ruth Jenks, aye; Aaron Prunty, aye; Bob Russell, aye; and Kathy Sell, absent. The motion passed unanimously by those present.

~~At 7:28 p.m., Mayor Russell closed the public hearing. (Revised at the 5/24/16 Council Meeting)~~

### 7. CONSENT CALENDAR

#### 7.1 Presentation of Regular Meeting Minutes of April 26, 2016.

Mayor Russell announced the Consent Calendar, and Council President Bilden moved to approve the Consent Calendar as presented. Councilor Fierke seconded the motion. There was no discussion. Roll call: Bill Fierke, aye; Ruth Jenks, aye; Aaron Prunty, aye; Jonathan Bilden, aye; Wayne Brown, aye; Bob Russell, aye; and Kathy Sell, absent. The motion passed unanimously by those present.

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

There were no items considered for removal from the Consent Calendar.

### 9. PRESENTATION OF BILLS TO BE PAID

Mayor Russell asked if there were questions about the bills to be paid. There being none, Councilor Bilden moved to approve the Bills to be Paid including the Additional Bills List in the amount of \$25,545.43 (Submission No. 1). Councilor Jenks seconded the motion. There was no discussion. Roll call: Ruth Jenks, aye; Aaron Prunty, aye; Jonathan Bilden, aye; Wayne Brown, aye; Bill Fierke, aye; Bob Russell, aye; and Kathy Sell, absent. The motion passed unanimously by those present.

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### 10. OLD BUSINESS

- 10.1 City Council consideration of a possible electronic message sign oriented to Highway 62 for City purposes, and potential zoning regulations for such signs.

Mike Upston, Planning Director, explained that this item is in follow up to the March 8<sup>th</sup> City Council meeting. At that meeting, the Council expressed interest in a taller sign and cost details as well as changes to the draft sign regulations to allow signs that meet the regulations. Additional points of discussion included:

- Identifying a location
- Single or double sided sign
- Economic Development Commission's recommendation
- School District's interest (possible at a meeting)
- Promoting events
- Traffic count on Highway 62

Councilors Prunty, Jenks, and Brown expressed they were ready to say no. Mayor Russell requested to hear from the Chamber of Commerce and School District, and Councilor Fierke expressed concerned about the height and other aspects.

Mr. Upston noted this item had been in progress for some time and that more and more details continue to come forth. Mayor Russell requested staff to bring the item back in a month or so and determine if the School District wants to partner on the project.

### 11. NEW BUSINESS

- 11.1 Ordinance No. 2016-03. An Ordinance amending Ordinance No. 2011-03, to allow address number painting on public street curbs.

Deliberated under Item No. 6.1.

- 11.2 Ordinance No. 2016-04. An Ordinance amending Ordinance No. 2009-13 which amends the Transportation Utility Fee for Residential Uses in the City of Eagle Point, Oregon.

Deliberated under Item No. 6.2.

- 11.3 Resolution No. 2016-20. A Resolution in support of Measure 17-69 Rogue Community College District General Obligation Bond for Training/Education.

Deliberated immediately following Item No. 6.2.

- 11.4 Resolution No. 2016-21. A Resolution authorizing the Eagle Point Upper Rogue Chamber of Commerce to operate a beer garden on City owned property commonly referred to as the Old Fire Station during the July 4, 2016, Street Fair Events.

Henry Lawrence, City Administrator, explained that the Chamber of Commerce requested permission to operate a beer garden at the Old Fire Station property as part

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of the 4<sup>th</sup> of July events from approximately 12 noon to 4:00 p.m. Discussion ensued about the City's bad history of beer gardens; however, it is the Chamber's idea to help keep people downtown. Mr. Lawrence explained that holding a beer garden would require two more police officers to be on duty. Chief Thompson added that the Police Department was concerned about too much drinking and crowd management. Discussion continued about the maximum number of attendees, event permits, meeting OLCC's requirements, ensuring professionalism by servers, and liability insurance by the Chamber of Commerce.

Councilor Prunty expressed that he was prepared to approve the request, and Mayor Russell asked for a motion to approve Resolution No. 2016-21. Councilor Prunty motioned to approve Resolution No. 2016-21, a Resolution authorizing the Eagle Point Upper Rogue Chamber of Commerce to operate a beer garden on City owned property commonly referred to as the Old Fire Station during the July 4, 2016, Street Fair Events. Council President Bilden seconded the motion and there was no discussion. Roll call: Bill Fierke, aye; Ruth Jenks, aye; Aaron Prunty, aye; Jonathan Bilden, aye; Wayne Brown, aye; Bob Russell, aye; and Kathy Sell, absent. The motion passed unanimously by those present.

- 11.5 Resolution No. 2016-22. A Resolution authorizing a City of Eagle Point Personal/Professional Services Contract with Vitus Construction for the Eagle Point Splash Pad.

Robert Miller, Public Works Director, reviewed the agenda statement and Conceptual Site Plan. While the project is being fine tuned, the general design was as shown. The Parks and Recreation Commission recommended the proposed blue and yellow to match the high school colors on the bucket dump. Value engineering as recommended by the City Council will allow for full construction by Vitus at slightly less than \$80,000; however, the City will provide power and water to the site. The project could be completed by summer depending on equipment availability. A brief discussion followed about project funding, and it was also noted that the project name had been revised to the Eagle Point Splash Pad.

Mayor Russell asked for a motion to approve Resolution No. 2016-22. Councilor Fierke motioned to approve Resolution No. 2016-22, a Resolution authorizing a City of Eagle Point Personal/Professional Services Contract with Vitus Construction for the Eagle Point Splash Pad. Council President Bilden seconded the motion and there was no discussion. Roll call: Ruth Jenks, aye; Aaron Prunty, aye; Jonathan Bilden, aye; Wayne Brown, aye; Bill Fierke, aye; Bob Russell, aye; and Kathy Sell, absent. The motion passed unanimously by those present.

- 11.6 Resolution No. 2016-23. A Resolution to recommend award of the 2014 USDA Water Systems Project to McClure and Sons, Inc. in accordance with USDA requirements.

Robert Miller, Public Works Director, reviewed the agenda statement and reported advertising and receiving two successful bid by McClure and Sons Inc., and J. W. Fowler. Mr. Miller provided a revised agenda statement (Page 2) including

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Installation of Chlorine Analyzer at \$10,000 and other administrative costs at \$195,000 (Submission No. 2). One major component of the project is to simplify the water system by switching it back to a two zone system. The landscaping will be completed separately and is estimated to cost around \$70,000. If possible, as progress is made, the City will leave a high contingency fund in case of unknown and unforeseen costs. Mr. Miller noted that the originally identified projects of the Highway 62 Pump Station and Bellerive Pump Station projects would not likely be completed but that Highway 62 Pump Station would be the first priority. A brief discussion followed about the projects that would likely not be completed.

Mayor Russell asked for a motion to approve Resolution No. 2016-23. Councilor Prunty motioned to approve Resolution No. 2016-23, a Resolution to recommend award of the 2014 USDA Water Systems Project to McClure and Sons, Inc. in accordance with USDA requirements. Councilor Jenks seconded the motion and there was no discussion. Roll call: Aaron Prunty, aye; Jonathan Bilden, aye; Wayne Brown, aye; Bill Fierke, aye; Ruth Jenks, aye; Bob Russell, aye; and Kathy Sell, absent. The motion passed unanimously by those present

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

Councilor Fierke reported there would be a School District 9 meeting on May 11<sup>th</sup>. Additionally, Councilor Fierke reported on coordinating staff for Showa visits and anticipates additional information from the School District.

Council President Bilden reported the Economic Development Commission met earlier in the month and planned to come forward with a recommendation for System Development Charges.

Councilor Jenks reported on the Rogue Valley Area Commission on Transportation (RVACT) and a number of upcoming projects for funding. There was also a general conversation about a large project along Highway 99, an extension of the Bear Creek Greenway. Additionally, there will be a regional super group Area Commission on Transportation (ACT) to rank projects and Councilor Jenks will participate in those.

Mayor Russell reported attending the Rogue Valley Council of Governments (RVCOG) meeting which as well attended and included general items. Mayor Russell also reminded everyone about the upcoming Vintage Faire and related festivities.

There were no other City Council reports.

### 13. STAFF REPORTS

Mike Upston, Planning Director, reported on two upcoming items from the Economic Development Commission for the May 24<sup>th</sup> City Council meeting. One item is a recommendation to reduce System Development Charges for new construction, and the other recommendation is for a Façade Improvement Grant Program. With regard to Planning, the Planning Commission will likely meet in June regarding the proposed new lodging and recreational facilities at the Eagle Point Golf Course. Similarly, permits and building construction is moving rapidly.

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Melissa Owens, Finance Officer, reported working with Robert Miller, Public Works Director, and the USDA to get all of the last minute items completed. Other notable items in progress include business licenses renewals, and working on the budget and projections.

Robert Miller, Public Works Director, reported on Public Works support of the Vintage Faire and other activities like the bike ride. Additionally, park mowing started this week, the Crystal/Teakwood project starts as well. Upcoming projects going out to bid include the Mattie Brown Park Gazebo and the Laurel/Tracy Project. Mr. Miller further reported on safety and traffic analysis for Crystal/De Anjou and Robert Trent Jones.

Vern Thompson, Chief of Police, announced that Sara Miller is the new Code Enforcement Officer and well prepared for the position as she knows the area and City's computer based systems.

Henry Lawrence, City Administrator, announced the Blue Star Memorial Highway Dedication on Armed Forces Day, May 21<sup>st</sup> at the Harnish Park.

14. INFORMATION

There were no Information items.

At approximately 8:21 p.m., Mayor Russell recessed the meeting.

15. EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(d), To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

At 8:27 p.m., Mayor Russell opened the Executive Session pursuant to 192.660(2)(d). Following discussion, Mayor Russell closed the Executive Session at 8:47 p.m.


15. ADJOURN

There being no further business, Mayor Russell reconvened and closed the meeting at 8:48 p.m.

Respectfully submitted,

  
Cindy Hughes, City Recorder

ATTEST:

  
Robert E. Russell, Mayor