



CITY OF EAGLE POINT

"Gateway to the Lakes"

OREGON

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

AUGUST 23, 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; Aaron Prunty, and Kathy Sell.

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

Guests: Colleen Roberts Jackson County Commissioner; Carl Tappert, General Manager/District Engineer, Rogue Valley Sewer Services; Suzi Collins, 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 an invocation.

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

There were no audience questions or comments.

4. PRESENTATIONS

4.1 Presentation of Oregon Mayors Association Award to Emma Stanek.

On behalf of the Oregon Mayors Association, Mayor Russell presented Emma Stanek, a local student, with a second-place certificate and new Amazon Fire HD8 for her essay in the contest titled "If I Were Mayor".

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4.2 Introduction of new Building Official, Robert Rice.

Dale Bohannon, Eagle Point's Building Inspector, introduced Jack Applegate and Robert Rice of The Building Department LLC. Mr. Bohannon reported it had truly been an honor to serve the City over the years and to have been part of its expansion. Mr. Bohannon was pleased to find a good match for the City's future building official services with The Building Department LLC.

Mr. Rice, the new Building Inspector, brings extensive experience as one of the top Code Officials in the State, and has been active with the International Code Council. Mr. Applegate is renown in the building code community and has vast knowledge and expertise in historic buildings.

Henry Lawrence, City Administrator, provided additional information about Mr. Rice including:

- 2010 Building Official of the Year Award;
- 2013-2014 Office of President for the Oregon Building Officials Association;
- Co-authoring a book published by McGraw Hill in 2011 - The Analysis of Irregular Shaped Structures Diaphragms and Shear Walls); and
- Holds 13 to 14 working certifications.

Following the introduction, Mayor Russell presented Dale Bohannon with a service award for thirty-three years of loyal service to the citizens of Eagle Point as the Building Official.

5. PUBLIC HEARINGS

There were no public hearings.

6. CONSENT CALENDAR

6.1 Presentation of Regular Meeting Minutes of August 23, 2016.

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

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

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

8. PRESENTATION OF BILLS TO BE PAID

Mayor Russell asked if there were questions about the bills to be paid including the additional bills list. There being no questions, Council President Bilden moved to approve

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the Bills to be Paid in the amount of \$153,370.02 and the Additional Bills List in the amount of \$14,340.55 (Submission No. 1). Councilor Brown seconded the motion. There was no discussion. Roll call: Wayne Brown, aye; Bill Fierke, aye; Ruth Jenks, aye; Aaron Prunty, aye; Kathy Sell, aye; Jonathan Bilden, aye; and Bob Russell, aye. The motion passed unanimously.

9. OLD BUSINESS

There was no Old Business.

10. NEW BUSINESS

10.1 Resolution No. 2016-34. A Resolution authorizing a Franchise Agreement between the City of Eagle Point and Rogue Valley Sewer Services.

Henry Lawrence, City Administrator, reported the proposed Franchise Agreement to establish a 7% Franchise Fee had been in the works for some time including a Special Study Session about pavement management funding. The proposed Franchise Fee will be listed on the utility billing and will collect approximately \$57,000 to \$60,000 annually, to go directly into the Street Fund strictly for use in maintaining streets. Part of the Franchise Agreement was to consolidate the prior language for the City providing billing services with a reasonable cost of business increase of not more than 3%. Carl Tappert, General Manager/District Engineer of Rogue Valley Sewer Services explained their board had approved the Agreement and he wanted to be present to answer potential questions and noted they will also be reconstructing streets periodically. A brief discussion followed about the average cost to homeowner's being approximately \$1.33, and Mr. Tappert reported they still have the lowest sewer rates in the State.

Mayor Russell asked for a motion to approve Resolution No. 2016-34, a Resolution authorizing a Franchise Agreement between the City of Eagle Point and Rogue Valley Sewer Services. Councilor Sell offered a motion to approve Resolution No. 2016-34 and Councilor Brown seconded the motion. Councilor Fierke mentioned expressing concerns about tax increases during the last meeting and further discussed recent tax increases. Councilor Prunty noted approximately 90% of voters had voted to annex into the sewer district. However, Councilor Prunty thought the Franchise Fee would be a hidden fee as a lot of people would not understand the City had implemented the fee. Councilor Prunty also discussed increasing the TUF (Transportation Utility Fee) as a means of funding, and inquired about the process of approving franchise agreements. Discussion continued about balancing the City's responsibilities with street maintenance and pushing the limits of taxpayers. The final comment was about tax revenue and the City's low permanent rate of \$2.45 per thousand of assessed value as compared to other municipalities with much higher permanent rates.

There was no further discussion. Roll call: Ruth Jenks, aye; Kathy Sell, aye; Jonathan Bilden, aye; Wayne Brown, aye; Bob Russell, aye; Bill Fierke, nay; and Aaron Prunty, nay. The motion passed with five ayes and two nays.

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- 10.2 Resolution No. 2016-35. A Resolution authorizing an Intergovernmental Agreement with the Rogue Valley Council of Governments to complete an analysis related to future Urban Growth Boundary Expansion.

Mike Upston, Planning Director, reported on the City's land supply and steady growth, with the sense that it will be time for expansion into portions of UGB within the next few years. However, Mr. Upston noted it is difficult to determine when and where future growth should occur. In consideration of future growth, staff has been inquiring into grants to assist in Urban Reserve Area conceptual planning, but, first a Buildable Lands Inventory is needed and proposed in the Agreement with the Rogue Valley Council of Governments (RVCOG).

Discussion ensued with the Council which clarified that the Buildable Lands Inventory analysis would better prepare the City to make the argument of when the City will be out of Buildable Lands. Councilor Fierke expressed concern about Portland State University's growth forecasts, and discussed low growth rates and asked about the amount of land required in reserves. Mr. Upston noted agreement with the forecasts being off, and confirmed the amount of land needed in reserves is a 20-year land supply. A brief discussion arose about Regional Problem Solving (RPS) before the discussion continued about the City's land supply and planning ahead for future growth. Mr. Upston estimated the City's Buildable Land Supply at its current rate of growth to be approximately ten years. While this item is related to long range planning, Mr. Upston recommended approval of the Agreement as it would provide the analysis at a fairly affordable cost.

Additional discussion points included:

- Staffing's time constraints and RVCOG's expertise in long range planning.
- Longevity of a new report being 5-10 years and the existing report going on 9 years.
- The need for a response from Portland State University regarding forecasts.

Mayor Russell asked for a motion to approve Resolution No. 2016-35, a Resolution authorizing an Intergovernmental Agreement with the Rogue Valley Council of Governments to complete an analysis related to future Urban Growth Boundary Expansion. Councilor Prunty offered a motion to approve Resolution No. 2016-35 and Councilor Jenks seconded the motion. There was no discussion. Roll call: Ruth Jenks, aye; Aaron Prunty, aye; Jonathan Bilden, aye; Wayne Brown, aye; Bob Russell, aye; Kathy Sell, nay; and Bill Fierke, ~~nay-aye~~ *(Revised during the Council meeting of September 13, 2016)*. The motion passed with five ayes and two nays.

- 10.3 Resolution No. 2016-36. A Resolution authorizing a Wholesale Water Service Agreement with the Medford Water Commission.

Henry Lawrence, City Administrator, explained that a new five-year agreement is proposed to replace the existing agreement which expires in October, 2016. The agreement is basically the same with a reduction in the rate of water that the City can

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take in during peak flow hours. However, the Agreement is not ready for authorization until a question about flow rates for the City's water system is answered.

Robert Miller, Public Works Director, discussed the proposed changes which could impact the City's water system. Mr. Miller reported working with the vendor of the SCADA (supervisory control and data acquisition) system to determine its compatibility with the proposed flow rates. The City is also exploring variables but it would be at least this time next year before any changes could be made.

A brief discussion ensued about the City's water rights and the proposed contract being brought back at a future meeting.

Mayor Russell asked for a motion to table Resolution No. 2016-36, a Resolution authorizing a Wholesale Water Service Agreement with the Medford Water Commission. Council President Bilden offered a motion to table Resolution No. 2016-36 to the next meeting and Councilor Fierke seconded the motion. There was no discussion. Roll call: Aaron Prunty, aye; Kathy Sell, aye; Jonathan Bilden, aye; Wayne Brown, aye; Bill Fierke, aye; Ruth Jenks, aye; and Bob Russell, aye. The motion passed unanimously.

- 10.4 Resolution No. 2016-37. A Resolution authorizing the use of City funds (General Fund and Water Fund) to provide interim financing for the USDA funded water projects.

Melissa Owens, Finance Officer, explained that the City had evaluated the financing and timing of the project, and determined the City could cover the costs of the projects using funds from the General Fund and Water Fund. Upon completion of the project, the USDA will reimburse the City for the cost of the project. Funding the project will result in a savings of approximately \$35,000 to \$40,000 in bond fees, bank fees, and interest charges. Discussion ensued wherein Ms. Owens clarified that the City can transfer the funds as long as they are paid back.

Mayor Russell asked for a motion to approve Resolution No. 2016-37, a Resolution authorizing the use of City funds (General Fund and Water Fund) to provide interim financing for the USDA funded water projects. Councilor Jenks offered a motion to approve Resolution No. 2016-37 and Councilor Fierke seconded the motion. There was no discussion. Roll call: Kathy Sell, aye; Jonathan Bilden, aye; Wayne Brown, aye; Bill Fierke, aye; Ruth Jenks, aye; Aaron Prunty, aye; and Bob Russell, aye. The motion passed unanimously.

- 10.5 Resolution No. 2016-38. A Resolution authorizing a City of Eagle Point Personal/Professional Services Contract with LTM, Inc. dba Knife River Materials for the 2016 Paving Project.

Robert Miller, Public Works Director, explained about the City's Paving Project targeting roads rated as "Poor" or "Very Poor" from the 2012 Pavement Management Program Budget Options Report. The 2016 Paving Project includes

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the following streets:

Shadowlawn Drive

Van Wey Circle

Lorraine Avenue (Loto Street to Sarah Park Circle)

Loto Street (short section by Royal Avenue)

Loto St Alley (Royal Avenue to Old Fire Station property)

Robert Trent Jones Boulevard (Eagle View Drive to Stevens Road).

West Main Alley (behind Bob Moore Park).

Main Street (Shasta Avenue to the Main Street bridge abutment).

The Barton Road Overlay was included in the project as a bid option but it was determined not to include it in the project. Mr. Miller reported the same bidders as last year had submitted bids, LTM and Copeland. This year, LTM's base bid was \$259,197.50 with the City's Project Estimate at \$250,000.

In addition, Mr. Miller reported on: Crack Seal (completed in July), and 2016 Chip Seal (scheduled in August).

Mayor Russell asked for a motion to approve Resolution No. 2016-38, a Resolution authorizing a City of Eagle Point Personal/Professional Services Contract with LTM, Inc. dba Knife River Materials for the 2016 Paving Project. Councilor Fierke offered a motion to approve Resolution No. 2016-38 and Councilor Prunty seconded the motion. There was no discussion. Roll call: Jonathan Bilden, aye; Wayne Brown, aye; Bill Fierke, aye; Ruth Jenks, aye; Aaron Prunty, aye; Kathy Sell, aye; and Bob Russell, aye. The motion passed unanimously.

10.6 Resolution No. 2016-39. A Resolution rejecting all proposals for the Public Works Heated Storage Building Project.

Robert Miller, Public Works Director, reported the Request for Proposals had been advertised with instructions for an inclusive design-build product. Three proposals were received but greatly exceeded the budgeted amount. Mr. Miller recommended rejecting all bids and re-advertising the project at a later date. Discussion ensued about local construction being brisk with many companies not able to take on more work.

In the audience was Cory Vitus, owner of Vitus Construction, one of the companies that submitted a proposal. Mr. Vitus discussed his submission of a new proposal for the core shell, and suggested value engineering the project to construct the core shell now with the remaining work for completion during winter months. A brief discussion continued; however, the City's Attorney, Joseph Kellerman requested to research contracting regulations prior to making a determination about how to go forward.

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Mayor Russell asked for a motion to table Resolution No. 2016-39, a Resolution rejecting all proposals for the Public Works Heated Storage Building Project. Councilor Fierke offered a motion to table Resolution No. 2016-39 and Councilor Sell seconded the motion. There was no discussion. Roll call: Wayne Brown, aye; Bill Fierke, aye; Ruth Jenks, aye; Aaron Prunty, aye; Kathy Sell, aye; Jonathan Bilden, aye; and Bob Russell, aye. The motion passed unanimously.

11. REPORTS FROM CITY COUNCIL AND CITY COMMITTEE REPRESENTATIVES

Councilor Fierke reported on a future special meeting of the School District 9 Facilities Planning Committee about long range planning. Regarding, the City Administrator's evaluation, Councilor Fierke discussed making arrangements to hold meetings with Department Heads.

Councilor Jenks briefly discussed the recent Rogue Valley Metropolitan Planning meeting that was mainly administrative.

Councilor Sell reported on the recent Planning Commission meeting and spoke favorably about the Hyer's subdivision proposal. However, there was concern and discussion about limited parking. Egress onto Main Street was discussed as well and the consideration of tree removal to make the sight distance better.

Mayor Russell reported attending the recent quarterly School District breakfast, Street Dance, and speaking to the Women's Club at a luncheon. Mayor Russell concluded with a reminder to citizens about Eagle Point's low permanent rate.

There were no other City Council reports.

12. STAFF REPORTS

Mike Upston, Planning Director, provided a progress update on the development of the Eagle Crest Subdivision, and water tank. Building permits are anticipated soon for the Eagle Point Golf Course lodging project, and a Public Hearing for the Fairway View Subdivision will be on the next Council agenda. With regard to the Eagle Point Street Dance, it was considered a success but holding the Street Dance on the 3rd Saturday of September is recommended due to weather conditions, and so as to not conflict with a 2nd Saturday Event. Mr. Upston also discussed Eagle Point's alternatives with signage at the airport. There was discussion about its' benefit and how people determine to locate in Eagle Point. With regard to the Downtown Façade Improvement Grant Program, a local television news reporter recently reported on the program and there had been a couple of businesses interested.

Melissa Owens, Finance Officer, announced the CIS Workers Comp Audit had gone very well. Likewise, a meeting with the SAIF auditor is scheduled to get to know them and learn about their required training. Ms. Owens noted a page had been included at the end of the financial report, which while inadvertently added, relates to the City updating BOLI contract language.

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Robert Miller, Public Works Director, reported progress on the Eagle Crest Access Road and tank site excavation, and the 2016 Seal Coat Project and 2016 Chip Seal Projects are ready to begin. Additionally, Mr. Miller reported plans to attend a facilities meeting with School District 9, and the YMCA presenting the community needs analysis at the next Council meeting.

Vern Thompson, Chief of Police, expressed appreciation for the locker room expansion which is near completion. Chief Thompson also reported the Department had received and appreciated extensive community support. Other Department updates included: Code Enforcement activity related to outdoor marijuana growing, and a letter of commendation for Sergeant LaFord's knowledge and professionalism.

13. INFORMATION

There were no Information items.

Mayor Russell recessed the meeting at 8:50 p.m.


14. 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 8:53 p.m., Mayor Russell opened the Executive Session pursuant to 192.660(2)(d). Following discussion, Mayor Russell closed the Executive Session at 9:10 p.m.

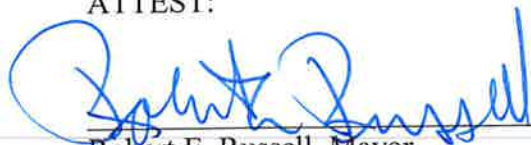
15. ADJOURN

There being no further business, Mayor Russell reconvened and closed the meeting at 9:14 p.m.

Respectfully submitted,


Cindy Hughes, City Recorder

ATTEST:


Robert E. Russell, Mayor