



CITY OF EAGLE POINT

"Gateway to the Lakes"

OREGON

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

JULY 10, 2018

REGULAR MEETING MINUTES

1. CALL TO ORDER – 6:00 P.M.

Mayor Russell called the meeting to order at 6:00 p.m.

Council Members Present: Bob Russell, Jonathan Bilden, Bill Fierke, Ruth Jenks, James Mannenbach, Kathy Sell, and Michael Stanek (via Skype).

Staff Members Present: Henry Lawrence, City Administrator; Joe Kellerman, City Attorney; Souvanny Miller, City Attorney; Darin May, Interim Police Chief; Robert Miller, Public Works Director; Mike Upston, Planning Director; and Cindy Hughes, City Recorder.

Guests: Cynda Rickert, Eagle Point School District Superintendent; Sue Kupillas, Board President, Butte Creek Mill Foundation; Maryanne Pitcher, Executive Director, Butte Creek Mill Foundation; Dennis Mihocko, Eagle Point Parks Foundation President; Suzi Collins, Planning Commissioner; Douglas Detling, Community Development Commissioner and Budget Committee Member; Bernie Grossman, Planning Commissioner; Eric Gunn, Budget Committee Member; Wyn Lewis, Community Development Commissioner; Leon Sherman, Budget Committee Member; 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. Following the invocation, Mayor Russell reminded everyone about quieting cell phones until after the meeting.

3. OATH OF OFFICE

3.1 Lindsey Evertt, Office of Police Officer

Cindy Hughes, City Recorder, administered the Oath of Office of Police Officer to Lindsey Evertt which was well attended by family, friends, and the Eagle Point Police Department.

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3.2 Bill Fisher – Office of Police Corporal

Cindy Hughes, City Recorder, administered the Oath of Office of Police Corporal to Bill Fisher which was also well attended by family, friends, and the Eagle Point Police Department.

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

Matthew Schenk of Eagle Point Scout Troup 48 asked and received the Council's support of his Senior Eagle Scout Project to replace a portion of the fencing near the covered bridge. A project binder was shared with the Council including fencing pictures. Scout Schenk discussed the preliminary investigation of lumber costs and working with Darren Kinyon of the Eagle Point Public Works Department. The lumber is estimated to be \$2,400 to \$2,500 with two-rail fencing proposed.

Brian Schenk, Scout Schenk's father and Assistant Scout Master to Troup 48 added details about researching historic covered bridge fencing styles, and discussed countersinking bolts to preserve the fencing.

Henry Lawrence, City Administrator, reported on available funds for the project, and the Council indicated support.

There were no other audience questions or comments.

5. PRESENTATIONS

There were no Presentations.

6. PUBLIC HEARINGS

There were no Public Hearings.

7. CONSENT CALENDAR

7.1 Presentation of Regular Meeting Minutes of June 26, 2018.

Mayor Russell announced the Consent Calendar. Cindy Hughes, City Recorder, reported on revisions including the roll call vote on Item No. 10.5. There were no questions or comments. Councilor Bilden moved to approve the Consent Calendar as presented and Councilor Fierke seconded the motion. There was no discussion. Roll call: Michael Stanek, yes; Jonathan Bilden, yes; Bill Fierke, yes; Ruth Jenks, yes; James Mannenbach, yes; Kathy Sell, yes; and Bob Russell, yes. The motion passed unanimously.

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9. 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 were no questions. Councilor Bilden moved to approve the Regular Bill List (Corrected – Submission No. 1) in the amount of \$134,136.24 and the Additional Bills List in the amount of \$121,031.86 (Submission No. 2). Councilor Fierke seconded the motion. There was no discussion. Roll call: Jonathan Bilden, yes; Bill Fierke, yes; Ruth Jenks, yes; James Mannenbach, yes; Kathy Sell, yes; Michael Stanek, yes; and Bob Russell, yes. The motion passed unanimously.

10. OLD BUSINESS

- 10.1 Resolution No. 2018-35. A Resolution authorizing a General Fund donation in the amount of \$100,000 to the Butte Creek Mill Foundation for the Rebuild the Mill effort.

Mayor Russell announced Item No. 10.1 and recused himself at 6:19 p.m.

Ruth Jenks, City Council President, called on Henry Lawrence, City Administrator to present Item No. 10.1 regarding a donation request by the Butte Creek Mill Foundation (Foundation). Mr. Lawrence provided the background on this item as detailed in the agenda statement. This item was carried over from the Council meeting of June 26, and two City Councilors met with the Foundation after that meeting, resulting in a revised Resolution. The revised Resolution included an initial disbursement of \$80,000 and a \$20,000 credit for building fees, with any unused credit payable to the Foundation.

Discussion ensued about the \$20,000 credit which Mr. Lawrence anticipated coming in under \$10,000. It was noted though that the Mill and antique store are both on one meter and will need separate meters, which will trigger SDCs.

Discussion followed about the request for a liaison on the Foundation's Board, and whether or not it would be a requirement of all donations. Council President Jenks suggested the question could be reviewed by the Council at a future meeting. However, it was noted that the Foundation's Executive Director had previously made a suggestion about serving. Discussion continued about removing or keeping the last three "whereas" sections in the Resolution, and revising the wording about the \$20,000 credit to cover all building fees, resulting in the following motion.

MOTION: Councilor Mannenbach motioned to authorize Resolution No. 2018-35, a Resolution authorizing a General Fund donation in the amount of \$100,000 to the Butte Creek Mill Foundation for the Rebuild the Mill effort, removing the final three "whereas" sections, and adjusting the language to include all building fees. Councilor Bilden seconded the motion.

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Council President Jenks asked the Council if there were questions or comments. Councilor Fierke discussed the Council's fiduciary responsibility to the City of Eagle Point, and noted that Council President Jenks and Councilor Sell tried to address legitimate issues with representatives of the Foundation in a meeting after the last Council meeting. Councilor Fierke also spoke about the letter from the President of the Foundation (Submission No. 3), noting several concerns that were not addressed such as waiving tour charges for School District 9 Students, future public use of the facility and grounds at the Mill, and the viability of the project if they did not get enough money. Councilor Fierke again discussed the Council's responsibility in spending citizens' money but also stated support for the project. Councilor Fierke concluded by offering an amendment to the proposed Resolution (Submission No. 4).

Attorney Kellerman advised the Council about parliamentary procedure and withdrawing a motion before considering an amendment.

Council President Jenks noted the Council had received a first and a second on a motion and they were in the discussion phase on the motion. Sue Kupillas, Board President of the Foundation, was welcomed and she offered to address all of the issues starting with charging students. Ms. Kupillas reported that Mayor Russell had discussed the financial impact of providing tours on the operations of the Mill at a previous meeting. Discussion continued wherein Council President Jenks spoke about the request in the Resolution to waive the scheduled tour fee for Eagle Point students but not requiring tours. Ms. Kupillas suggested receiving input from the School Superintendent; however, it was not requested. Additionally, the liaison position to the Foundation Board was discussed as being a request. Ms. Kupillas noted the Foundation's willingness to work with the City, but reported on their attorney's guidance about not binding future Boards, and offered a Memorandum of Understanding (MOU).

The Council continued with discussion about donations wherein the results were nearly immediate but recalled promises from other groups that were not kept. Liaison positions were discussed again as well.

Councilor Stanek expressed interest in hearing more about the proposal from Councilor Fierke. Councilor Fierke discussed his proposed amendment to the Resolution that would change the donation amount to up to \$60,000, removing the last three "whereas" sections, and changing the disbursement of funds as follows:

1. A credit of up to \$20,000 towards all building permit fees; and
2. A donation of \$20,000, after written assurances by the Foundation are given to the City of Eagle Point that:
 - a. There will be no fees requested for educational tours by students attending Jackson County School District 9 (D9 Eagle Point School District); and
 - b. Eagle Point Parks and Historic Preservation (Eagle Point Parks Foundation, and Guardians of the Museum), as well as scholarships to

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- Eagle Point students, be important considerations for future fund disbursements by the Foundation; and
- c. The Mill grounds will continue to be kept in a park like condition and available to Eagle Point groups and citizens as it was prior to the devastating fire.
3. An additional donation of \$20,000 after the Foundation reaches a total of \$1.5 million in donations.

Councilor Fierke noted that Mayor Russell had charged students from outside of Eagle Point.

Parliamentary procedure was discussed again, and Council President Jenks returned to the Motion offered by Councilor Mannenbach and seconded by Councilor Bilden, resulting in the following roll call vote. Roll call: James Mannenbach, yes; Michael Stanek, yes; Jonathan Bilden, yes; Bill Fierke, no; Kathy Sell, no; Ruth Jenks, no; and Bob Russell, recused. The motion failed with three yes votes and three no votes.

Following the failed motion, Council President Jenks offered the next motion as shown below.

MOTION: Council President Jenks made a motion to authorize Resolution No. 2018-35, as presented in the Council Packet with the language changed to include all building fees. Councilor Sell seconded the motion. There was no discussion. Roll call: Ruth Jenks, yes; James Mannenbach, yes; Kathy Sell, yes; Michael Stanek, yes; Jonathan Bilden, yes; Bill Fierke, no; and Bob Russell, recused. The motion passed with five yes votes and one no vote.

At 7:00 p.m. Mayor Russell returned to the dais.

11. NEW BUSINESS

- 11.1 Discussion regarding 2018 League of Oregon Cities Survey regarding Legislative Priorities.

Henry Lawrence, City Administrator, reported on the League of Oregon Cities (LOC) Survey regarding Legislative Priorities, with a request for Eagle Point's top and bottom four items by August 3rd.

Councilor Fierke reported on Items G, O, S, and Y as being good, and the rest as bad. There were no other Council recommendations and Mayor Russell suggested continuing the discussion to the next meeting for a final list, and there was no objection.

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REPORTS FROM CITY COUNCIL AND CITY COMMITTEE REPRESENTATIVES

Councilor Fierke announced the Eagle Point School District 9 Board meeting was scheduled for the following night. Next, he commended Mayor Russell for a good visit with our Sister City, Showa Japan, and reported both cities learned from each other. On the next meeting agenda, Councilor Fierke requested taking action regarding the potential trip to Showa in October. In addition, Councilor Fierke requested the City to prepare documents to address density levels and take action. Mike Upston, Planning Director, reported that Eagle Point had become denser as the years have gone by but it would require rezoning to meet the requirements. Henry Lawrence, City Administrator, recalled past discussions about this being a political issue but would review Minutes and prepare the item for the next meeting.

Councilor Bilden reported enjoying the visit with Showa and the 4th of July celebration.

Council President Jenks reported on a great July 4th celebration, enjoying the Chamber's videos of the 4th, and expressed appreciation to Mayor Russell for the beautiful job in hosting our guests from Showa.

Councilor Mannenbach reported helping out with the Fun Run, which was fun, and also enjoying the 4th of July and visit by Showa.

Councilor Stanek reported on the excellent 4th of July celebration and the wonderful experience of meeting with the guests from Showa, and is looking forward to meeting them again in October. Additionally, Councilor Stanek noted he would not be available for the next meeting.

Councilor Sell thanked everyone that worked hard to make the 4th of July a great event, including Public Works, and reported enjoying the visit with our friends from Showa.

Mayor Russell expressed appreciation for the Eagle Point School District providing bus services for the Showa visit, as well as to all of the staff that helped with the visit and 4th of July celebration. Mayor Russell commented that the City had never looked better and suggested imagining how it will be next year with the completion of Linn Road. Mayor Russell asked if others were interested in going to Showa and they were.

STAFF REPORTS

Mike Upston, Planning Director, reported on seven active residential projects, ranging from large to small projects. Current commercial projects include: Windermere Real Estate Office, Storage Emporium, and the Butte Creek Mill. Mr. Upston further reported on the Downtown Façade Improvement Grant for improvements at 225 Main Street. In addition, he reported on other incentives to promote downtown development, and working with regional partners on housing and transit. Upcoming Planning Commission meetings will be held in July, August, and September, with subdivision development (North Barton Subdivision/East and Sienna Hills Phase 7) coming forward to the City Council. Richardson Vet Clinic conditional use permit is scheduled for a public hearing at the August Planning Commission meeting. A public hearing for the Arrowhead Trail Alley is

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scheduled to be held before the City Council in August. Last, Mr. Upston reported on the next Community Development Commission meeting scheduled for August 7th at 5:00 p.m., followed by National Night Out at 6:00 p.m.

Robert Miller, Public Works Director, reported on the completion of most projects in preparation for the 4th of July. Additionally, the Public Works heated storage building project has broken ground, and Linn Road is under review with a bid opening set in August. Mr. Miller noted that while projects are being completed, work hasn't slowed and a lot of development is in review.

Chief May reported on Officer Evertt doing extremely well and preparing to attend the Police Academy. Chief May added that Police Corporal Fisher is a great addition to the Department's leadership. Regarding the 4th of July, Chief May reported it being a great event and while there were only eight calls on illegal fireworks, four received citations. Last, Chief May reported on the completion of replacement flooring in the Department's interview room.

Henry Lawrence, City Administrator, reported obtaining funding with Banner Bank for the Public Works Heated Storage Project at the rate of 2.85%, likely saving \$40,000 over the 5-year loan period.

At 7:18 p.m., Mayor Russell recessed the meeting for a short break and announced that representatives of the news media and designated staff would be allowed to attend the Executive Session. All other members of the audience would be asked to leave the room and welcomed back after the Executive Session.

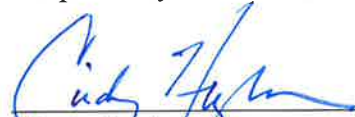
12. EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(e), To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

At 7:22 p.m., Mayor Russell opened the Executive Session pursuant to ORS 192.660(2)(e) and closed the Executive Session at 7:30 p.m.

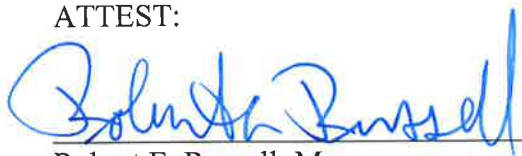
13. ADJOURN

At 7:31 p.m., Mayor Russell reconvened and closed the meeting.

Respectfully submitted,


Cindy Hughes, City Recorder

ATTEST:


Robert E. Russell, Mayor