



# City of Eagle Point

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## City Council

### REGULAR MEETING MINUTES JANUARY 28, 2020

#### 1. CALL TO ORDER – 6:00 P.M.

Mayor Jenks called the meeting to order at 6:00 p.m. in the Council Chambers.

Council Members Present: Ruth Jenks, Bill Fierke, Bernie Grossman, David Lacombe, James Mannenbach, and Michael Stanek.

Council Members Absent: Kevin Walruff.

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

Guests: Jackson County Commissioner Bob Strosser (left at 6:41p.m.); Suzi Collins, Planning Commissioner; Eric Gunn, Budget Committee Member; Aaron Schulz, Community Development Commissioner; Millie Wewerka, Budget Committee Member and Planning Commissioner; and a member of the press.

#### 2. FLAG SALUTE AND INVOCATION

Mayor Jenks led the Pledge of Allegiance and James Mannenbach offered the invocation. Afterwards, Mayor Jenks welcomed everyone and made a reminder about quieting cell phones.

#### 3. AUDIENCE QUESTIONS/COMMENTS CONCERNING ITEMS NOT ON AGENDA

There were no audience questions or comments.

#### 4. PRESENTATIONS

There were no presentations.

#### 5. PUBLIC HEARINGS

There were no Public Hearings.

#### 6. CONSENT CALENDAR

##### 6.1 Presentation of Regular Meeting Minutes of January 14, 2020.

Mayor Jenks announced the Consent Calendar. There were no questions or comments. Council President Stanek moved to approve the Consent Calendar, and

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Councilor Mannenbach seconded the motion. There was no discussion following the motion. Roll call: James Mannenbach, yes; Michael Stanek, yes; Bill Fierke, yes; Bernie Grossman, yes; David Lacombe, yes; Ruth Jenks, yes; and Kevin Walruff, absent. The motion passed unanimously by those present.

### 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 Jenks asked if there were questions about the bills to be paid including the Additional Bill List. There being no further questions, Councilor Mannenbach moved to approve the Bills to be Paid in the amount of \$65,373.75 and the Additional Bill List of \$24,383.13 (Submission No. 1) for a Grand Total of \$89,756.88. Councilor Grossman seconded the motion. There was no discussion. Roll call: Michael Stanek, yes; Bill Fierke, yes; Bernie Grossman, yes; David Lacombe, yes; James Mannenbach, yes; Ruth Jenks, yes; and Kevin Walruff, absent. The motion passed unanimously by those present.

### 9. OLD BUSINESS

#### 9.1 A discussion regarding proposed changes to the Eagle Point Adult Business Ordinance.

Souvanny Miller, City Attorney, reported on past discussions due to unsavory activities around certain types of businesses. Attorney Miller noted there is a potential zoning fix that will match Eagle Point's family-friendly, neighborhood feel. The proposed Ordinance revises the definition of adult businesses and restricts placement of adult businesses to be at least 100 feet from public or private schools, churches, public parks, the downtown civic center, City Hall and library, day care facilities, and video or game arcades, and must be at least one-half mile from any other adult business. Attorney Miller noted this could also limit wine tasting rooms or other types of businesses that exclude minors from the premises.

Attorney Miller further reported on a previous discussion with Mayor Jenks about the City of Portland's approach. Part of Portland's approach is identifying problem areas or areas of concern, and providing feedback to the Oregon Liquor Control Commission (OLCC); however, it does not necessarily control businesses coming in. Creative enforcement measures may offer a means of resolution. Mayor Jenks noted that as a starting point, the Council could consider whether they like the Ordinance as a concept or if there are other aspects they would like to address.

Council discussion resulted in similar concerns as stated in the past about unintended consequences of not allowing other businesses that may be suitable and not cause problems. Additional discussion addressed:

- OLCC Annual Review Process.
- Appreciation for the spirit of the Ordinance and the updated definition of adult businesses.
- Creating avenues to allow for new establishments and economic development.
- Keeping citizens and businesses safe from harmful or dangerous activities.

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- Consideration of changing the distance between Adult Businesses to be less restrictive.
- Obtaining data from the Police Department regarding activities related to the existing Adult Businesses.
- Researching the OLCC's definitions and specific restrictions for Adult Businesses.

In conclusion, it was determined to bring this item forward with Code Enforcement options, new data from the Police Department, and additional information about the OLCC's definitions and restrictions.

### 10. NEW BUSINESS

#### 10.1 A discussion on Regional Water Rights Strategy.

Mayor Jenks suggested that due to the amount of material being considered, the Council could motion to table the item until the next meeting. There were no comments or concerns expressed, and Councilor Fierke offered a motion to table Item No. 10.1, a discussion on Regional Water Rights Strategy until the next Council meeting on February 11, 2020. Councilor Mannenbach seconded the motion. There was no discussion. Roll call: Bill Fierke, yes; Bernie Grossman, yes; David Lacombe, yes; James Mannenbach, yes; Michael Stanek, yes; Ruth Jenks, yes; and Kevin Walruff, absent. The motion passed unanimously by those present.

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

Councilor Fierke reported on District 9's School Board meetings that focused on training and selecting a new Superintendent. With regard to the Community Development Commission's consideration of pickleball, Councilor Fierke reported on its rise in popularity all around the country. A recent visit to Utah revealed a community with over 30 outdoor pickleball courts and a number of complexes.

Councilor Lacombe announced an upcoming Subcommittee Meeting of the Community Development Commission to review the Master Plan, and the Community Development Commission meeting in February.

Councilor Grossman announced plans to attend the Community Development Commission meeting and will provide a report after the meeting.

Council President Stanek reported on the recent Rogue Valley Metropolitan Planning Organization Public Advisory Council meeting with a presentation by Mike Kuntz of Jackson County Roads on the North Phoenix Road/Foothills Road Project. On a separate note, everyone was again reminded and invited to the Showa Pancake Breakfast Fundraiser in February.

Councilor Mannenbach reminded and invited everyone to attend the upcoming Southern Oregon Regional Economic Development, Inc. (SORED) Business Conference.

Mayor Jenks reported on the recent Rogue Valley Metropolitan Planning Organization Policy Committee meeting wherein a transfer of funds was approved for the Foothills Road Project. Mayor Jenks also reported on the City of Medford receiving nearly \$1M from a

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Federal grant for a portion of Foothills Road. A requirement of that grant is for construction to be completed within 2 years. Additionally, a section of Highway 140 with the planned roundabout has gone out to bid and should be underway within a few months.

### 12. STAFF REPORTS

Mike Upston, Planning Director, reported on residential developments being in the design or approval stages but not as many homes under construction. Current commercial development includes the State Bank Building, Pariani Business Center, and the Storage Emporium. Mr. Upston also reported on the City being open to proposals for the city-owned old fire station property. In addition, property along Nick Young Road is being considered for a commercial development. Regional work continues with a focus on transportation, and Mr. Upston reported continuing support for connecting Eagle Point to the Bear Creek Trail. With regard to Commissions, the Community Development Commission is scheduled to meet and receive the final presentation of the historic property survey. Last, during the recent Planning Commission meeting, an application for a new day care was approved. The day care will provide care for infants and children up to 6 years old.

Melissa Owens, Finance Director, announced the finance report was in the packet with data through December 31. Ms. Owens noted a few funds show expenditures greater than revenues as fund balances are being used to finish projects but funds are not overdrawn. Staff is working on budgets and projections in preparation of budget meetings, and projects for Information Technology are also underway. Ms. Owens further reported on statistics being available in the Finance Report for building permits, court tickets, etc. Councilor Fierke inquired about the timing of Franchise Fees and state sharing revenues. Ms. Owens reported they are received quarterly but the December 31 disbursements had not been received.

At 6:41p.m., Jackson County Commissioner Strosser left the meeting.

Robert Miller, Public Works Director, reported plans to bring back the Regional Water Rights Strategy discussion, as well as a report on Safe Routes to School, a proclamation for Arbor Day, and the 2020 Pavement Plan. Several subdivisions continue development with the Eagle Point Golf Course Phase 16 near ready to restart construction, and plans are coming in for other developments such as E. Barton Road. Discussion followed about the Arbor Day Celebration in April and increasing participation, as well as the people planting the tree having their picture taken.

Police Chief May offered to answer any questions but could not respond to an inquiry about a possible shooting as it is under investigation.

Henry Lawrence, City Administrator, reported on staff continuing to work with the Butte Creek Mill Foundation, its Chair, and appointed CPA, in an effort to obtain requested written information and documentation by February 1<sup>st</sup>. Afterwards, the item will be placed on a Council meeting agenda.

There were no other staff reports.

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13. INFORMATION

There were no information items for discussion.

At 6:47 p.m. Mayor Jenks recessed the meeting.

14. 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 6:53 p.m., Mayor Jenks opened the Executive Session pursuant to ORS 192.660(2)(e) and closed the Executive Session at 7:27 p.m.

15. EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(a), To consider the employment of a public officer, employee, staff member or individual agent.

At 7:28 p.m., Mayor Jenks opened the Executive Session pursuant to ORS 192.660(2)(a) and closed the Executive Session at 8:58 p.m.


16. ADJOURN

There being no further business, Mayor Jenks reconvened and closed the meeting at 8:59 p.m.

Respectfully submitted,

  
Cindy Hughes, City Recorder

ATTEST:

  
Ruth Jenks, Mayor

City Council - January 28, 2020  
Submission No. 1 - Melissa Owens, Finance Director

*Cindy Hym* 1-28-2020

1/28/2020  
ADDITIONAL BILLS

<u>CHECK #</u>	<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
42813	AVISTA 1178540000	UTILITIES	\$ 1,691.57
42814	CENTRAL PIPELINE, INC	SUPPLIES	\$ 420.00
42815	CENTURY WEST ENGINEERING CORP	LINN RD PROJECT	\$ 15,636.92
42816	COSTCO WHOLESAL	SUPPLIES	\$ 161.13
42817	CRATER LAKE FORD LINCOLN/MAZDA	VEHICLE MAINT/REPAIR	\$ 978.05
42818	EMPLOYMENT RELATIONS BOARD	PROFESSIONAL SERVICES	\$ 500.00
42819	EXPRESS SERVICES, INC	TEMP SERVICES-PW, ADMIN - 1 WK	\$ 1,532.50
42820	HAYS OIL COMPANY	FUEL	\$ 994.40
42821	ROGUE SHRED SERVICE	UTILITIES	\$ 37.60
42822	SOUTHERN OREGON SANITATION	UTILITIES	\$ 65.71
42823	STAPLES ADVANTAGE	SUPPLIES	\$ 314.11
42824	TEKMANAGEMENT, INC	EQUIPMENT MAINT/SUPPLIES	\$ 2,051.14
		<b>SUBTOTAL</b>	<b>\$ 24,383.13</b>
		<b>Regular Bill list</b>	<b>\$ 65,373.75</b>
		<b>GRAND TOTAL</b>	<b>\$ 89,756.88</b>