



City of Eagle Point

City Council

REGULAR MEETING MINUTES OCTOBER 13, 2020

1. CALL TO ORDER – 6:00 P.M.

Mayor Jenks called the regular meeting of the Eagle Point City Council to order via teleconference on October 13, 2020 at 6:00 p.m.

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

Staff Members Present: Aaron Prunty, City Administrator; Ryan Vanderhoof, City Attorney; Darin May, Police Chief; Robert Miller, Public Works Director; Melissa Owens, Finance Director; Mike Upston, Planning Director; and Cindy Hughes, City Recorder.

Guests: Bob Russell, Butte Creek Mill Foundation Advisory Committee Member; Jay O'Neil, Chair, Butte Creek Mill Foundation; Dennis Godfrey, Butte Creek Mill Foundation Advisory Committee Member and Eagle Point Planning Commissioner; and members of the public and press.

Mayor Jenks welcomed everyone and discussed the designated period for audience questions or comments. Members of the audience were asked to refrain from commenting during the meeting and to mute phones if possible. It was further noted that general questions or additional comment could be made by contacting City Hall during regular business hours.

2. AUDIENCE QUESTIONS/COMMENTS CONCERNING ITEMS NOT ON AGENDA

Mayor Jenks requested audience questions or comments to be brief and limited to items of an urgent nature. There were no audience questions or comments.

3. CONSENT CALENDAR

3.1 Presentation of Regular Meeting Minutes of September 22, 2020.

Mayor Jenks announced the Consent Calendar. There were no questions or comments. Councilor Mannenbach moved to approve the Consent Calendar, and Councilor Fierke seconded the motion. There was no discussion. Roll call: James Mannenbach, yes; Michael Stanek, yes; Kevin Walruff, yes; Bill Fierke, yes; Bernie Grossman, yes; David Lacombe, yes; and Ruth Jenks, yes. The motion passed unanimously.

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4. PRESENTATION OF BILLS TO BE PAID

Mayor Jenks asked if there were questions about the bills to be paid including the additional bills list. There being no questions, Councilor Grossman moved to approve the Bills to be Paid in the amount of \$148,322.86 and the Additional Bill List of \$83,650.09 for a Grand Total of \$231,972.95 (Submission No. 1). Council President Stanek seconded the motion. There was no further discussion. Roll call: Michael Stanek, yes; Kevin Walruff, yes; Bill Fierke, yes; Bernie Grossman, yes; David Lacombe, yes; James Mannenbach, yes; and Ruth Jenks, yes. The motion passed unanimously.

5. OLD BUSINESS

5.1 Discussion regarding the Butte Creek Mill Foundation.

Aaron Prunty, City Administrator, provided a brief summary of the previous Council meeting, wherein a request was made for additional information from the Butte Creek Mill Foundation. The requested documents included a 10-year cash flow analysis and business plan. Mr. Prunty reported he had received the items and provided them to the Council last week.

Mayor Jenks opened for Council questions or comments. Councilor Fierke inquired as to whether the projected number of employees could handle the amount of work. Further, Councilor Fierke commented about being hopeful for the Foundation to attain the margins for the categories of other food sales and the gift shop as they appeared to be high. Two other points were in regard to the status of the lawsuit with Hamcom Builders LLC, and what the Foundation will do about water rights if the City does not take over those rights.

Jay O'Neil, Chair, Butte Creek Mill Foundation Board, responded about plans to operate with volunteers and part-time help. In example, the old miller, recently helped to do a test run at the Mill, and plans to be back in a few weeks. Mr. O'Neil added they will need help on the milling side as well as the country store side. With regard to gift shop sales, Mr. O'Neil explained the projections are based on sales reported by the former owner, Bob Russell. 50% of past sales were generated by "other" items separate from millstone products i.e. tourist items, clothing, jams and jelly.

Mr. O'Neil responded to the last two items, the lawsuit with Hamcon Builders and water rights for the Foundation. Mr. O'Neil reported on another meeting with Hamcon's owner, Dave Hammonds, wherein they reviewed a 4" thick construction binder, going through every invoice, and found that it all boils down to the last invoice issued to the previous Board. All of the other previous invoices were reported to have been paid to the satisfaction of Hamcon. Further, Mr. O'Neil reported working towards a third meeting to resolve matters, and that Mr. Hammonds reiterated the matter does not need to go to court or arbitration. Mr. O'Neil refrained from providing an estimated settlement amount. Nevertheless, he reported it would be substantially less than what the lawsuit claimed. Last, Mr. O'Neil reported water rights were not transferred from Mr. Russell at the time of the Mill sale. However, Mr. O'Neil reported that Mr. Russell is hopeful to negotiate with the City.

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Mr. O'Neil continued with a report of Mr. Russell's generosity of water rights and allowing a test run on the first 150 pounds of wheat. Ultimately, the Foundation would attempt to negotiate water rights if the City does not acquire them. As a last resort, Mr. O'Neil reported the Mill can operate off of electricity as opposed to water power.

Next, Mayor Jenks reported she had not yet received an updated business plan, and further clarified that the City had not made a decision to enter into negotiations for water rights. Mayor Jenks expressed concern about the City's decision regarding water negotiations not interfering with the Foundation's timeline of deliverables in the Subgrant Agreement. Mayor Jenks requested that communications on that topic be handled carefully. In response, Mr. O'Neil reported that volunteers were included in the Business Plan and Cash Flow Spreadsheet and he thought that was commonly known. With regard to water, Mr. O'Neil reported watching with interest and not being in the driver's seat or pretending to be. Mayor Jenks concluded that in the past, the 10-Year Business Plan had been separate from the cash flow sheet and in a narrative format.

Discussion followed about:

- The Grant Plan range of \$275,000 to \$325,000 depending on whether the Foundation receives the high or low end of projected grant funds. Mr. O'Neil explained the estimate is based on historical property grant fund estimates. Pursuant to the Foundation's grant writer's experience, grant applicants generally capture 30% of requested grants, and historical property grant applicants average a capture rate of 50%.
- Readiness for the new Sub-Grant Agreement, and the Mill to be open and working again.
- The 10-year Cash Flow Projection and timeframe for moving into the black. Years 2020 and 2021, Line 90, Cash at Hand (End of Month) is positive through 2020 and into the first two months of 2021, then there is a negative of \$100K to \$140K per month. Mr. O'Neil noted the \$200K OBDD Grant is not included but would take the Foundation into the black through 2021 and 2022. Even without the grant, Line 90 is in the black during 2023 and 2024.
- OBDD Grant as a lifeline for the Foundation to become more self-sufficient. Without the grant, Mr. O'Neil reported the Foundation will be greatly impeded, and could end at a full stop until receiving money from other sources.
- People's Bank payment is due on November 18, 2020. Mr. O'Neil reported that the bank cannot understand why the City doesn't provide the money from the grant. Without the grant, the Foundation will have to negotiate a new payment plan.
- Mortgage payment to Bob Russell is due in 10-years from the date of signing. Mr. O'Neil acknowledged that Mr. Russell is working very kindly with them and deferring payments until they have a cash flow.
- During the last discussion between Mr. Hammonds and the Board, Mr. O'Neil reported the Board agreed to remove the black mark on Mr. Hammond's construction license and to settle up on Invoice No. 9. Additionally, Mr. O'Neil

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reported the Board has a figure in mind as to what is appropriate and fair, and the parties are not very far apart.

Discussion concluded with the Council's support of Mr. Prunty working with the Foundation to have a final agreement by the end of October. Positive comments were made about the use of volunteers, and getting the Mill up and running. Next, Council President Stanek inquired about whether the Foundation is aware that the requirements are through Business Oregon. Communications with the City Administrator and the Foundation were also discussed. Mr. O'Neil thought some of the requirements had been above the State's requirements but that they could be negotiated. As to communications, Mr. O'Neil reported there had been frustrations but not hurdles they can't overcome. Council President Stanek clarified his intent to hear that Mr. O'Neil had received adequate service.

The partnership between the Foundation Board and the City was discussed as it relates to the Mill's success. Mayor Jenks noted concern about past communications, and discussed agreeing to better communications going into the agreement. In conclusion, Mr. Prunty announced plans to continue efforts on the Sub-Grant Agreement for presentation at the next meeting.

5.2 Discussion regarding the YMCA's donation request regarding child care.

Aaron Prunty, City Administrator, reported on the YMCA's request for funding to provide child care and discussed Medford and Central Point's provision of funds to the YMCA. Medford made a donation of funds that basically originated through Marijuana taxes in their General Fund, and Central Point donated \$50,000 in CARES Act funds.

Funds from the CARES Act were discussed in greater detail but there are still unknowns as to limitations on the use of funds. Eagle Point was awarded \$275,000, almost half of the \$500,000 received by Central Point. Melissa Owens, Finance Director, explained about the City's conservative approach to spending the funds as it is unknown how long the funds will be available or needed, or if additional funding will become available. Ms. Owens noted one of the challenges with the funding is that the City is required to spend the money first and then request reimbursement. Eagle Point is tracking items that may be reimbursable including staff wages in the event of quarantine, as well as a recent purchase of laptops for staff to use while working from home. Reimbursement is anticipated; however, there could be additional rules and regulations in the audit process that are not yet known. Ms. Owens noted that the funds were to provide relief but could not go to individuals. Alternatively, CARES Act funds qualify to be given to ACCESS and designated to assist Eagle Point's citizens.

Council discussion ensued about whether Central Point had been reimbursed. Ms. Owens confirmed they had received reimbursement for the donation but there had not been oversight of the donation through an audit process. This could require the pay back of funds but Central Point's budget has great flexibility. Discussion also

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touched on taxes being paid for schools that are essentially closed and if the School District intended to make a donation to the YMCA.

Council discussion supported the YMCA; however, it was determined to forego making a donation as the City is uncertain as to reimbursement from CARES Act funds. Another contributing factor to this decision was the delay of purchases or projects in the City's 2020-2021 Budget.

6. NEW BUSINESS

- 6.1 Resolution No. 2020-40. A Resolution authorizing a City of Eagle Point Personal/Professional Services Contract with Commercial Surfaces LLC for the Robert Trent Jones Boulevard Striping Project.

Robert Miller, Public Works Director, discussed the previous update provided to the Council on the Robert Trent Jones Boulevard (RTJ) Striping Project. At that time, the Council requested staff to investigate relocating the crosswalk to the south side of the Pumpkin Ridge Drive and the RTJ intersection. Kim Parducci, Southern Oregon Transportation, agreed that the crosswalk could be relocated to the south side of the intersection and with future lighting upgrades at the mailbox center.

Mr. Miller reviewed the final restriping plan and recommended a 6-foot bike lane on the existing 'west' side of RTJ with a 1-foot buffer from Valemont Drive to Stevens Road. On the east side of RTJ, striping 7 feet in width with "Parking" stenciled in the parking areas was proposed. Two 11-foot lanes would be maintained throughout the section to encourage slower speeds. From Valemont to Alta Vista Drive, the same 6-foot bike lane, 1-foot buffer, and 11-foot lanes would be striped. The wider areas would be striped as a yellow median.

Mr. Miller reported the RTJ Striping Project was advertised on September 19, 2020 as a solicitation for quotes. Four contractors submitted quotes by the deadline on September 24, 2020. Mr. Miller recommended approval of the contract with Commercial Surfaces LLC as they submitted the low quote of \$29,766.51.

Council discussion ensued wherein Councilor Fierke asked about putting in an additional crosswalk at Pumpkin Ridge and RTJ to accommodate pedestrian traffic from either direction. Mr. Miller advised that the original traffic study indicated placement at the North and he was agreeable to the second crosswalk. In addition, Mr. Miller encouraged doing the same at Arrowhead Trail. Mr. Miller further agreed to include safety lighting at the mailbox center and clarified that parking will not be removed from RTJ.

Mayor Jenks offered to entertain a motion to approve Resolution No. 2020-40. Council President Stanek made a motion to approve Resolution No. 2020-40, a Resolution authorizing a City of Eagle Point Personal/Professional Services Contract with Commercial Surfaces LLC for the Robert Trent Jones Boulevard Striping Project. Councilor Fierke seconded the motion, and then motioned to amend the motion to put crosswalks on both sides. Robert Miller, Public Works Director, confirmed he understood to put crosswalks on both sides of Pumpkin Ridge and RTJ.

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There was no further discussion. Roll call: Kevin Walruff, yes; Bill Fierke, yes; Bernie Grossman, yes; David Lacombe, yes; James Mannenbach, yes; Michael Stanek, yes; and Ruth Jenks, yes. The motion passed unanimously.

6.2 Discussion regarding the Eagle Point Community Association's request for support of a Military Banner Program.

Aaron Prunty, City Administrator, provided an explanation about the Eagle Point Community Association's request for support of a Military Banner Program. The program honors active military and veterans in White City and the Upper Rogue. Mr. Prunty noted that the Public Works Department currently puts up banners and the banners will be purchased by individuals through the Community Association.

Dick Thomas of the Community Association discussed rotation and review of the banners that could be taken down and presented to the applicant. Mayor Jenks expressed full support of the program and moving forward. There was objection stated by the Council.

6.3 Discussion regarding the City Administrator Review Process.

Mayor Jenks introduced this item and deferred to Councilor Fierke. Councilor Fierke explained that the Council has been through the process, and Mayor Jenks supported going ahead with the same process. Councilor Fierke proposed the 6-month review be conducted prior to the first meeting in November. The process includes the City Administrator to complete a self-review, while two Council members have discussions with staff during the week before the November 10th meeting. In the past, an Executive Session has been held in regard to staff input and the City Administrator's self-evaluation. Council would then complete their initial evaluation so that a proposed final evaluation could be completed by November 24th.

Furthermore, Councilor Fierke noted that because of COVID, in-person or telephone meetings should be determined. A brief discussion followed about staff availability. Councilor Lacombe expressed interest in being part of the evaluation and Councilor Fierke offered to assist. There was no objection to the timeframe; however, Council President Stanek expressed concern about future evaluations without the assistance of Councilor Fierke. Councilor Fierke noted he is only a phone call away. With a plan set, Mr. Prunty confirmed acceptance of the process and that the timing is perfect. Last, Councilor Fierke added that meetings with staff will still need to be determined.

7. REPORTS FROM CITY COUNCIL AND CITY COMMITTEE REPRESENTATIVES

Councilor Fierke reported on School District 9's Board Meeting scheduled for the following day. Interviewing applicants for the Budget Committee and an update on what's happening regarding COVID-19 were the primary topics. Last, Councilor Fierke offered his congratulations to City staff for safety regarding the Worker's Compensation refund.

Councilor Lacombe reported the Community Development Commission had not met for some time due to the pandemic.

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Councilor Grossman, also on the Community Development Commission, commended the City for keeping safety foremost. Nonetheless, he looks forward to having a Community Development Commission meeting.

Council President Stanek commended the Public Works Department for the recent weed abatement throughout the City. Further, he inquired about the requirements of a cleanup program on Highway 62 and reported significant concern about the appearance of the highway. Robert Miller, Public Works Director, responded that there is basic safety training required and he will put together more information. Aaron Prunty, City Administrator, added that he had contacted ODOT but not yet received a response, possibly due to the fire events.

Councilor Walruff reported on a sweeper team servicing Highway 62 and had planned to commend the City Administrator or Public Works Director. However, Councilor Walruff added that the median is still a concern, and possibly something that could be done with the assistance of a County Work Crew through the Community Justice Department. Aaron Prunty, City Administrator, stated he had used their services in other areas and the cost was nominal.

Councilor Mannenbach reported on Southern Oregon Regional Economic Development Inc.'s continuing efforts to support small businesses. They are currently focused on strategies in response to COVID-19 and wildfires including technical assistance grants and creating a loan fund with low interest. Councilor Mannenbach referenced their website for additional information.

There were no other reports.

8. STAFF REPORTS

Mike Upston, Planning Director, reported most activities being in in the Friday Letter. He advised there were items that may evolve into planning applications at some point within the next couple of months. Mr. Upston also expressed appreciation for the availability of the Planning Commissioners and Community Development Commissioners.

Melissa Owens, Finance Director, reported most information being in the Friday Letter. Additionally, she is looking into Coronavirus Relief Funds (CRF), part of the CARES Act, for assistance with expenses related to the pandemic. With regard to the SAIF dividend, Ms. Owens reported on the City maintaining a MOD rate with injury rates being very low for the industry. On the Human Resources perspective, the Public Works Supervisor position is anticipated to be filled in November, and applications are being received for a Public Works Laborer. One other opening is for a Lateral Police Officer.

Robert Miller, Public Works Director, reported enthusiastically about the Public Works Supervisor candidate. In regard to weed abatement, Mr. Miller expressed appreciation to Council President Stanek for his acknowledgement. Additionally, Public Works crews repaired water breaks with only 4 staff members available during that time. Mr. Miller also reported that cleanup of the Highway 62 planter will follow, and contractors had assisted with cleaning the Buchanan Ditch. Mr. Miller further reported making a presentation to the

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Oregon American Public Works Association (APWA) on Linn Road with Century West. Additional information on the presentation will become available on the City's website and in the Friday Letter.

Police Chief May reported on the recruiting process with interviews anticipated later in the month. Chief May discussed the State Academy if a lateral candidate is not selected. Further, an officer is currently in training for a drug recognition program, and in-house training is also in the works. Everything else is reported in the Friday Letter.

There were no other staff reports.

9. INFORMATION

There were no Information items to discuss.

10. ADJOURN


There being no further business, Mayor Jenks closed the meeting at 8:01 p.m.

Respectfully submitted,



Cindy Hughes, City Recorder

ATTEST:



Ruth Jenks, Mayor 11-2-2020

City Finance 10-13-2020

10/13/2020
ADDITIONAL BILLS

<u>CHECK #</u>	<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
43822	CHARTER COMMUNICATIONS	UTILITIES	\$ 119.98
43823	DCBS-FISCAL SERVICES	JULY-SEPTEMBER BLDG SURCHARGES	\$ 6,583.01
43824	DOUBLE D ELECTRIC	WATER SYSTEM MAINT/REPAIR	\$ 2,234.15
43825	FERGUSON WATERWORKS # 3011	WATER SYSTEM MAINT/REPAIR	\$ 5,302.86
43826	H D FOWLER COMPANY	WATER SYSTEM MAINT/REPAIR	\$ 669.56
43827	INTERSTATE BATTERIES OF THE ROGUE	VEHICLE MAINT/REPAIR	\$ 769.90
43828	MEDFORD WATER COMMISSION	MASTER METER CONSUMPTION	\$ 63,147.27
43829	MILESTONE LANDSCAPE GROUP	CONTRACT PARK MOWING	\$ 2,925.00
43830	NEILSON RESEARCH CORPORATION	WATER SAMPLE TESTING	\$ 350.00
43831	PACIFIC PAVING, INC	ASPHALT PATCHING	\$ 900.00
43821	PATRIOT ELECTRIC	BUILDING PERMIT REFUND	\$ 88.36
43832	PERRINE INDUSTRIAL ELECTRICIAN	SUPPLIES	\$ 20.00
43833	SORENSEN, RANSOM, FERGUSON	PROFESSIONAL SERVICES/BCMF	\$ 540.00
SUBTOTAL			<u>\$ 83,650.09</u>
Regular Bill list			\$ 148,322.86
GRAND TOTAL			<u><u>\$ 231,972.95</u></u>