



CITY OF EAGLE POINT

"Gateway to the Lakes"

OREGON

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

June 12, 2012

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, Alan Curriston, Jonathan Bilden, Bill Fierke, Ruth Jenks, and Kathy Sell.

Council Members Absent: Wayne Brown

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

Guests: Garrett Pallo with Civil West, and members of the public and press.

2. FLAG SALUTE AND INVOCATION.

Mayor Russell led the Pledge of Allegiance and Council President Curriston led the invocation.

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

There were no questions or comments regarding items not on the agenda.

4. PRESENTATIONS.

4.1 Presentation by Civil West of Preliminary Recommendations for Use of 3.6MG Tank.

Garrett Pallo of Civil West Engineering Services, Inc. (Civil West) made a PowerPoint Presentation and presented Council and Staff with a copy of the presentation and recommendation letters (Submission No. 1). In summary, Civil West completed an internal and external investigation of the water tank, and recommended the tank be repaired. Civil West suggested a relatively inexpensive process known as "seeding" to repair the tank. The "seeding" process uses cement to seal the cracks. The repair work is scheduled so that the tank can go back into use within the next week. Further, Civil West recommended additional geotechnical evaluation to attempt to determine the reason for the leakage. This evaluation is included in the current contract with Civil West.

The initial investigation revealed the overall condition of the inside of the tank is good with the exception of the cracking in the floor. Mr. Pallo reported the tank is a quality tank by DYK, Inc., and is about 15 years old. The leakage of the tank is not a normal occurrence for a DYK tank. The tank size is appropriate for its use. The tank is approximately 145' in diameter and 30' tall, and holds nearly 4 million gallons of water. It is valued at approximately \$4 to \$5 million.

Mr. Pallo compared the process of correcting the leakage of the tank to treating an uncommon medical condition. Like an uncommon medical condition, the leakage of the tank is unusual and studies or attempts to correct it may not be successful. What is known is that the tank specifications provide for the tank floor to have a slight decline in elevation from the center of the tank to the outer walls of the tank. However, the tank floor does not meet those specifications. The floor level is described to be more like a pizza crust. The investigation also revealed the original contractor repaired shrinkage cracks although that is a normal occurrence with concrete.

A geotechnical expert evaluated the site and noticed things like a leaning fence line and stoop that had separated from the tank. Older stationary objects, such as trees, appeared to be stable. A structural engineer also evaluated the tank. All of the engineers discussed and recommended the tank be "seeded" and put into use for the summer with close monitoring for leakage.

Additionally, a feature of the tank is a vault for a shutoff valve that was designed to automatically shut off the water supply in the event of excessive water leakage. The vault does not have a drain or pump to remove excess water and the valve is inoperable due to water damage. Civil West did not recommend replacing the valve because of its expense and the possibility that it could automatically shut off the water supply during a fire. Automatic shut off valves are more common in areas prone to earthquakes.

While there are theories about the floor, there is no solid evidence to support the theories. Civil West's initial theory is that different compaction strengths of the ground material may have caused the floor to settle as it did. Attorney Kellerman asked if in the event Civil West's theory is accurate, will they prescribe a cure or let the City know if there is a real problem. Mr. Pallo responded that they would. It may be found that the settlement happened a long time ago but has stopped. Another factor could be a change in the soil related to moisture. To prevent

moisture damage, a thick liner is under the tank which appears to be working and allows water to drain out. The liner should continue to protect the soil from moisture as long as it is not damaged.

In conclusion, Mr. Pallo stated more geotechnical work should be done but could be delayed until after summer and the tank could be used until then. He recognized this tank should be in like new condition and has never performed as expected. Mr. Pallo recommended protecting the tank by painting the exterior, however, it was not recommended to coat the inside of the tank unless the "seeding" process failed.

Mayor Russell expressed his appreciation to Mr. Pallo for providing the report and stated the City would continue to monitor the tank.

5. PUBLIC HEARINGS.

5.1 A Public Hearing to Receive Comments or Questions from Interested Parties for the Proposed Use of State Revenue Sharing Funds.

Mayor Russell announced there would be a Public Hearing to receive comments or questions from interested parties for the proposed use of State Revenue Sharing Funds. Mayor Russell invited Melissa Owens to provide information about the Public Hearing. Ms. Owens reported the purpose of the Public Hearing was to receive public comment regarding the proposed use of State revenue sharing funds. State Revenue Sharing laws require a public hearing be held before the Budget Committee and the City Council. The Public Hearing for the Budget Committee was held on May 21, 2012. The revenue is based on the funding the State receives and distributes to cities based on their population. The City receives approximately \$480,000 annually from a gas tax and its use is limited to roads. The City also receives \$200,000 from a liquor tax and cigarette tax which is used in the General Fund. A Resolution to request the funds from the State is also required annually and on this agenda for approval.

At 7:46 p.m., Mayor Russell opened the Public Hearing to receive comments or questions from interested parties for the proposed use of state revenue sharing funds. There was no public comment and Mayor Russell closed the Public Hearing at 7:47 p.m.

5.2. A Public Hearing to Receive Comments or Questions from Interested Parties Concerning the 2012-2013 Budget.

Mayor Russell announced there would be a Public Hearing to receive comments or questions from interested parties concerning the 2012-2013 Budget. Mayor Russell invited Ms. Owens to provide information about the Public Hearing. Ms. Owens reported the Budget was presented to the Budget Committee on May 21, 2012. All Budget Members were in attendance at the meeting and the Budget was approved at that time. The Budget is available for review at City Hall. A summary of the Budget was published in the newspaper. One change was made to the Budget by the Budget Committee in order for the Senior

Nutrition Program to receive \$12,000 and the Senior Center to receive \$2,000. There was an additional request to reallocate funds from the category of Strategic Reserve to Building Maintenance. This reallocation was in the amount of \$10,000 to repaint the lobby area of the City Hall. The amount of \$10,000 is a place holder as estimates have not been requested. Mr. Lawrence noted the amount of \$10,000 was also to include painting of the offices but not the Council Chambers.

At 7:50 p.m., Mayor Russell opened the Public Hearing to receive comments or questions from interested parties concerning the 2012-2013 Budget. There was no public comment and Mayor Russell closed the Public Hearing at 7:52 p.m.

6. CONSENT CALENDAR.

- 6.1 Presentation of Budget Committee Meeting Minutes of May 21, 2012.
- 6.2 Presentation of Regular Meeting Minutes of May 22, 2012.

Mayor Russell announced the Consent Calendar and asked for a motion. Councilor Bilden moved to approve the Consent Calendar with the exception of 6.3 and Council President Curriston seconded the motion. There was no further discussion. Roll call: Alan Curriston, aye; Kathy Sell, aye; Ruth Jenks, aye; Bob Russell, aye; Bill Fierke, aye; Jonathan Bilden, aye; and Wayne Brown, absent. The motion passed unanimously by those present.

- 6.3 Major Policy Issues for 2012-2013 as Approved by the Budget Committee.

Mayor Russell announced Item 6.3. Upon closer review of Item 6.3, it was determined that Council wanted to have further discussion of Resolution 2012-41, instead of Item 6.3. Councilor Bilden moved to approve Item 6.3 Major Policy Issues for 2012-2013 as Approved by the Budget Committee. Council President Curriston seconded the motion. There was no further discussion. Roll call: Bill Fierke, aye; Jonathan Bilden, aye; Bob Russell, aye; Ruth Jenks, aye; Kathy Sell, aye; Alan Curriston, aye; and Wayne Brown, 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 Russell asked if there were questions regarding the bills to be paid. Councilor Fierke asked about Peasley Transfer & Storage. Ms. Owens responded that the expense was for moving the City Administrator. There were no further questions and Mayor Russell asked for a motion. Councilor Jenks moved that Council approve the bills as presented including the Additional Bills list (Submission No. 2). Councilor Sell seconded the motion. There was no further discussion. Roll call: Ruth Jenks, aye; Alan Curriston, aye; Bill Fierke, aye; Jonathan Bilden, aye; Bob Russell, aye; Kathy Sell, aye; and Wayne Brown, absent. The motion passed unanimously by those present.

Mr. Lawrence reported Ms. Owens is working on providing a better format for the bills to be paid and the change will be coming soon.

9. OLD BUSINESS.

There was no old business to discuss.

10. NEW BUSINESS.

10.1 **Resolution 2012-38** – A Resolution Declaring the City’s Election to Receive State Revenues.

Mayor Russell announced **Resolution 2012-38** and asked for a motion. Council President Curriston made a motion to approve **Resolution 2012-38** and Councilor Bilden seconded the motion. There was no discussion. Roll call: Bob Russell, aye; Kathy Sell, aye; Ruth Jenks, aye; Alan Curriston, aye; Jonathan Bilden, aye; Bill Fierke, aye; and Wayne Brown, absent. The motion passed unanimously by those present.

10.2 **Resolution 2012-39** – A Resolution Certifying that the City of Eagle Point Provides Four or More Municipal Services.

Mayor Russell announced **Resolution 2012-39** and asked for a motion. Council President Curriston made a motion to approve **Resolution 2012-39** and Councilor Fierke seconded the motion. There was no discussion. Roll call: Kathy Sell, aye; Alan Curriston, aye; Ruth Jenks, aye; Bob Russell, aye; Jonathan Bilden, aye; Bill Fierke, aye; and Wayne Brown, absent. The motion passed unanimously by those present.

10.3 **Resolution 2012-40** – A Resolution Extending the City of Eagle Point’s Workers’ Compensation Coverage to Public Safety Volunteers for Policy Year 2012-2013.

Mayor Russell announced **Resolution 2012-40** and asked for a motion. Council President Curriston made a motion to approve **Resolution 2012-40** and Councilor Fierke seconded the motion. There was no discussion. Roll call: Ruth Jenks, aye; Alan Curriston, aye; Bob Russell, aye; Bill Fierke, aye; Kathy Sell, aye; Jonathan Bilden, aye; and Wayne Brown, absent. The motion passed unanimously by those present.

10.4 **Resolution 2012-41** – A Resolution Adopting the 2012-2013 Budget, Declaring Tax Levied, Making Appropriations, and Categorizing the Tax Levy.

Mayor Russell announced **Resolution 2012-41** and asked Ms. Owens for a report. Ms. Owens reported this Resolution adopts the Budget in the amount of \$14,009,024 as approved by the Budget Committee. It declares taxes at the rate of \$2.4584 per \$1000 of assessed value; authorizes the City’s ability to spend funds, and categorizes taxes in the amount of \$133,546 as general obligation taxes to be used to pay for the City Hall Bond and a portion of the Sewer Bond.

Ms. Owens announced this would be a good time to discuss the option of using \$10,000 for City Hall improvements.

Councilor Sell mentioned the City has kimonos from its sister city and she would like to have them displayed in the Ashpole Community Center. She further noted the value of each garment is about \$10,000. Discussion ensued and the general consensus was to display the items in the Ashpole Community Center if possible. Mayor Russell suggested any leftover funds from the painting project could be used for displaying the kimonos. Mr. Lawrence said the City would look into protective cases. Councilor Jenks recommended that if the painting cost is less than \$10,000, those funds should be used for improvements to the lobby area at City Hall. Attorney Kellerman asked Councilor Jenks if she was suggesting that if the painting is less than \$10,000, she is in essence giving the City Administrator authority to use the funds as he deems appropriate for the beautification of the City Hall facility. Councilor Fierke stated he believed that was what Councilor Jenks had said.

Council President Curriston made a motion to approve **Resolution 2012-41** including the suggested amendment and moving \$10,000 between line items. Councilor Bilden seconded the motion. Mr. Lawrence pointed out this was the first time a new line item had been added under the Non-Departmental Fund. The line item is called the Emergency Strategic Fund. Mr. Lawrence asked Council to readdress this at a later date so they could identify what items or events would qualify the City to use the funds. Overall, the budget is conservative and the Emergency Strategic Fund could be very beneficial at a later date. There was no further discussion. Roll call: Bob Russell, aye; Kathy Sell, aye; Ruth Jenks, aye; Alan Curriston, aye; Jonathan Bilden, aye; Bill Fierke, aye; and Wayne Brown, absent. The motion passed unanimously by those present.

10.5 **Resolution 2012-42** – A Resolution Authorizing the City Administrator to Negotiate a Contract with the First Ranked Consultant for Pavement Condition Survey.

Mayor Russell announced **Resolution 2012-42** and asked Robert Miller for a report. Mr. Miller reported Request for Proposals (RFP) had been sent to several qualified consultants and an advertisement was made in the *Daily Journal of Commerce*. The following four firms submitted proposals by the June 1, 2012 deadline: Applied Pavement Technology, Inc.; Capitol Asset & Pavement Services, Inc.; Civil West Engineering Services, Inc.; and Public Works Management, Inc. Staff reviewed and ranked the proposals with the top two ranked firms being: Capitol Asset & Pavement Services, Inc., and Civil West Engineering Services, Inc. Approval of the Resolution authorizes the City Administrator to negotiate an agreement with the first ranked consultant.

Mayor Russell asked for a motion. Council President Curriston made a motion to approve **Resolution 2012-42** and Councilor Fierke seconded the motion. There was no discussion. Roll call: Ruth Jenks, aye; Alan Curriston, aye; Bob Russell, aye; Bill Fierke, aye; Kathy Sell, aye; Jonathan Bilden, aye; and Wayne Brown, absent. The motion passed unanimously by those present.

- 10.6 **Resolution 2012-43** – A Resolution Authorizing an Intergovernmental Agreement with the Medford Water Commission, and its other City Customers, Central Point, Eagle Point, Phoenix, Talent and Jacksonville.

Mayor Russell announced **Resolution 2012-43** and asked Robert Miller for a report. Mr. Miller reported the City of Eagle Point together with the Medford Water Commission, and its other city customers, Central Point, Phoenix, Talent and Jacksonville, desire to enter into this Agreement for the purpose of examining water conservation strategies. Additionally, this Agreement provides for administration of a grant to be awarded by the Oregon Water Resources Department to study opportunities to conserve water.

Council President Curriston made a motion to approve **Resolution 2012-43** and noted it would be appropriate to strike the name of Eagle Point from the title of the Resolution as the City would not enter into an agreement with itself. Councilor Fierke seconded the motion. There was no further discussion. Roll call: Bill Fierke, aye; Jonathan Bilden, aye; Bob Russell, aye; Ruth Jenks, aye; Kathy Sell, aye; Alan Curriston, aye; and Wayne Brown, absent. The motion passed unanimously by those present.

- 10.7 **Resolution 2012-44** – A Resolution Approving Exhibit “A”, Salary Schedule of Agreement between the City of Eagle Point, Oregon and Teamsters Local 223 (General Unit), Effective July 1, 2012.

Mayor Russell announced Item 10.7 is related to the Execution Session pursuant to ORS 192.660(2)(d). Discussion and deliberation was delayed until after the Executive Session. Following Executive Session, Council President Curriston made a motion to approve **Resolution 2012-44** and Councilor Bilden seconded the motion. There was no discussion. Roll call: Ruth Jenks, aye; Alan Curriston, aye; Bill Fierke, aye; Jonathan Bilden, aye; Bob Russell, aye; Kathy Sell, aye; and Wayne Brown, absent. The motion passed unanimously by those present.

11. REPORTS FROM CITY COUNCIL AND CITY COMMITTEE REPRESENTATIVES.

Councilor Fierke reported there had not been a School Board meeting but there would be one the following night. He also reported going on a very informative Watershed Tour (Jackson Soil and Water Conservation District) together with others from Eagle Point. There was a lot of discussion about agriculture as well as a wide range of weather conditions during the tour. Councilor Fierke reminded Council they had set up a six month review schedule for the new City Administrator. Ms. Owens will provide Council with options for evaluation procedures. Councilor Fierke reminded Council they had agreed to discuss whether or not the City needed to purchase more water rights. This discussion was to be held twice a year, during the months of June and December. Mr. Lawrence reported the City is working on water rights. Attorney Kellerman added that he was working on water rights and could make a report at the next Council meeting or the first meeting in July.

Councilor Bilden expressed his appreciation to Council President Curriston for a great bike ride! Councilor Bilden announced that he and Dick Gordon with Medford's City Council would be attending the Quarterly LOC (League of Oregon Cities) Board Meeting. He also announced SOREDI's 25th Anniversary Dinner. Further, he complimented staff for the Friday Letter. Councilor Bilden concluded by reporting he had spoken with the Eagle Point Band Director and they would participate in the Fourth of July Parade. Mayor Russell said he had also contacted them about participating in the parade.

Councilor Jenks did not have a report but expressed her appreciation for the Friday Letter.

Council President Curriston reported the Economic and Development Committee had met last week about promoting the City of Eagle Point. The Committee had experienced a setback but would work toward gathering information so they could move forward. On a positive note, the Bike Ride was successful in that there was a 30% increase of participants and very little feedback on how to improve the ride. City Staff and local businesses were recognized for their participation and support of the event. If a pedestrian path is available for next year, a walk may be included as part of the bike ride event.

Councilor Sell announced the Boy Scouts had volunteered at the Brownsboro Cemetery. The Boy Scouts had so much fun that they have officially adopted the cemetery as theirs to take care of. Councilor Sell also announced Nancy Leonard's retirement from the Upper Rogue Independent. Ralph McKechnie purchased the business from Ms. Leonard.

Mayor Russell reported attending the opening of Carl's Jr. Council was pleased with the exterior of the restaurant. Further, Mayor Russell reported speaking with Jared of the local LDS (Latter Day Saints) church, about the creek clean up. They are challenging other local congregations to participate in the clean up. Mayor Russell concluded by announcing the Saturday Market is on the second Saturday of each month.

STAFF REPORTS.

Mike Upston, Principal Planner, reported the Butcher Shop had received approval by the City for an expansion. Additionally, the City is working with a consultant about the feasibility of bringing public transportation services to the area. Mr. Lawrence pointed out that a grant provided for this study. About volunteerism, Mr. Upston said he would look into area church groups.

Ms. Owens reported the auditors were here last week. The audit and survey had gone very well and there were no findings in the report. Part Two of the audit will be conducted in the fall. The auditors always have suggestions about ways to improve processes and the City is working on those at this time. Upgrades of the City's computer operating system and financial system software are in the works too. Along the lines of promoting the City of Eagle Point, the City is working on developing advertisements in destination magazines and online to promote the City. Likewise, the Bike Ride promoted local businesses and business owners had positive comments about the event. Last,

Ms. Owens discussed placing Council Packets on the website. Council will discuss at its next meeting.

Robert Miller began the Public Works Department Report by discussing the seeding process for the tank. Mr. Lawrence stated the process costs about \$9,500 and funds were in the budget. Next, Mr. Miller reported working on a bike and pedestrian grant for Linn Road, and another grant application for street lights. Further, Mr. Miller announced the *Images of America – Eagle Point* books are for sale at City Hall and other locations. Mr. Miller wrapped up the report by announcing a new employee, Josh Sutfin, had been hired for Public Works.

Chief Thompson reported meeting with the County and updating the Natural Mitigation Hazard Plan (Plan). Having a Plan in place will qualify the City for FEMA funds in the event of a natural disaster. Wildfire, severe winter storm, flood and fire are the most common hazards. Drought was identified as a new potential natural hazard. Chief Thompson announced an event called National Night Out which is sponsored by nationally known businesses and could be sponsored by local businesses. The Mayor and Council agreed to hold the event on August 7th. Chief Thompson will work out the details. Council President Curriston expressed his appreciation to Chief Thompson for taking care of garage sale signs.

Attorney Kellerman did not make a report.

Mr. Lawrence announced that he, Mike Upston and Chief Thompson, would be making a presentation to the Eagle Point Women's Club.

Ms. Hughes reported attending the Northwest Clerk's Institute. Ms. Hughes' most impressionable memories of the training was sharing stories with other cities and coming to realize how great the City of Eagle Point actually is. She noted the speakers at the training were world class and she would be working on a strategic plan to transfer the knowledge she had gained.

12. INFORMATION.

13.1 Memo regarding Elections Information.

At 8:47 p.m., Mayor Russell recessed the meeting for a short break and opened the Executive Session at 8:55 p.m.

13. EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(h), To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

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.

Upon conclusion of the business in Executive Session, Mayor Russell closed the Executive Session and reconvened the Regular meeting at 9:31 p.m. Council discussed and approved Resolution 2012-44, as shown above under Item 10.7.

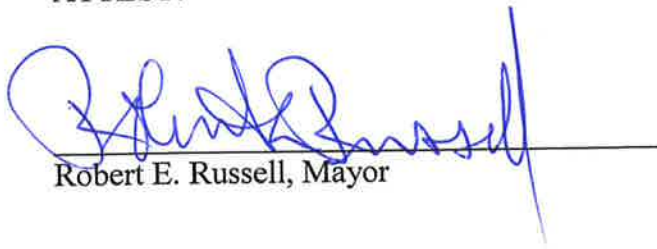
15. ADJOURN.

There being no further business, Mayor Russell closed the meeting at 9:32 p.m.

Respectfully submitted,


Cindy Hughes, City Recorder

ATTEST:


Robert E. Russell, Mayor