



# CITY OF EAGLE POINT

*"Gateway to the Lakes"*

OREGON

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

AUGUST 28, 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, Jonathan Bilden, Wayne Brown, Bill Fierke, Ruth Jenks, and Kathy Sell.

Council Members Absent: Alan Curriston.

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

Guests: Garrett Pallo of Civil West Engineering Services, Inc.; Don Skundrick, Jackson County Commissioner; Kelly Madding, Jackson County Development Services Director; Dick Converse, Rogue Valley Council of Governments; Mary Ann Olsen, Eagle Point School District Board of Directors; Aaron Prunty, Eagle Point Parks and Recreation Commissioner; Suzi Collins, Eagle Point Parks and Recreation Commissioner; and Members of the Public and Press.

### 2. FLAG SALUTE AND INVOCATION.

Lavar Hansen led the Pledge of Allegiance. Jerry Zieman, President, Eagle Point Senior Center, led the invocation.

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

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Jerry Zieman, President, Eagle Point Senior Center, expressed his appreciation to the Eagle Point Police Department for the gift card related to National Night Out. Mr. Zieman also expressed his appreciation to the City Council and Budget Committee for their financial support; as well as the recent assistance by Principal Planner, Mike Upston, related to signage for the Senior Center.

Helen Wolgamott of Eagle Point, reported the flags will be put up in honor of our Veterans for the Labor Day weekend. Ms. Wolgamott also announced that the Grange is having an open microphone session for anyone wanting to practice or perform publicly. The open microphone sessions are on the 2<sup>nd</sup> Saturday of the month, beginning at 7:30 p.m.

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 August 14, 2012.

Mayor Russell announced the Consent Calendar and asked for a motion. Councilor Bilden moved to approve the Consent Calendar as presented and Councilor Fierke seconded the motion. There was no further discussion. Roll call: Kathy Sell, aye; Jonathan Bilden, aye; Ruth Jenks, aye; Bill Fierke, aye; Wayne Brown, aye; Bob Russell, aye; and Alan Curriston, 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 any questions about the bills to be paid and invited Ms. Owens to comment on the Additional Bills List (Submission No. 1). Ms. Owens did not make additional comments. Mayor Russell complimented Ms. Owens on the new system.

There were no further questions or comments and Mayor Russell asked for a motion. Councilor Jenks moved that Council approve the bills as presented including the Additional Bills list. Councilor Sell seconded the motion. There was no further discussion. Roll call:

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Bill Fierke, aye; Wayne Brown, aye; Kathy Sell, aye; Jonathan Bilden, aye; Ruth Jenks, aye; Bob Russell, aye; and Alan Curriston, absent. The motion passed unanimously by those present.

### 9. OLD BUSINESS.

- 9.1 **Ordinance No. 2012-02.** In the matter of amending the Eagle Point Comprehensive Plan to add a Regional Plan Element; amending the Comprehensive Plan Map to designate the Urban Reserve Areas; amending the Zoning Ordinance by adding Article XV-Agricultural Buffering & Mitigation; updating the Zoning Ordinance Table of Contents to include the new Article XV; and authorizing the City Administrator to sign an Urban Reserve Management Agreement between Jackson County and the City. Continuance of discussion from August 14, 2012 Council Meeting.

Mayor Russell announced **Ordinance No. 2012-02**, as an item for continuation of deliberations and discussions from the meeting of August 14, 2012. He complimented the City Council for their thorough approach, and caring enough about the City to dig deep and ask good questions.

Mayor Russell began the discussion by inviting Mr. Upston to add any additional comments. Mr. Upston reported the previously requested edits had been made and concluded by opening for questions.

Councilor Sell expressed her appreciation to Mr. Upston for doing a good job. She also inquired about buffering zones for trees and asked if someone would monitor whether or not the trees live. Mr. Upston said they could be monitored and it is common to have a monitoring plan.

Councilor Fierke agreed with the Mayor about people doing a lot of work over the last several weeks. He stated there were many good elements in the "Plan" but also referenced Resolution Nos. 2011-48 and 2005-14 regarding density levels. He further noted the density levels in the proposed Ordinance were not in conformance with the levels in the previous Resolutions. However, as a Council, his view was that Eagle Point would not want to get in the way of progress for the region. Councilor Fierke stated he could support Ordinance No. 2012-02 but in conjunction with that, would propose to add a Resolution about Eagle Point's concerns with the density requirements of the Regional Plan. Councilor Fierke stated he would hold off on making the proposal until the other Councilors had an opportunity to speak.

Council Jenks said that on several occasions she had asked if there was a process within RPS (Regional Problem Solving) to raise the issue of density levels again. Although she did not receive consistent information, any municipality can raise the issue of density levels at any time but the process is complex, not a "slam dunk" and

there are no guarantees. Councilor Jenks was comfortable that RPS was good for Eagle Point and the region, and there was an option to put up a good fight if they so chose. Councilor Jenks preferred an option to be documented as part of a Resolution. Councilors Brown and Bilden agreed.

Mayor Russell conferred with Attorney Kellerman about whether or not to include the proposed language by Councilor Fierke in the Ordinance or separately in a Resolution. Attorney Kellerman responded it could be done either way. Mayor Russell and Councilor Brown agreed it should be done separately.

Mayor Russell asked for a motion to approve **Ordinance No. 2012-2**. Councilor Bilden made a motion to approve **Ordinance No. 2012-2** and Councilor Fierke seconded the motion. There was no further discussion. Roll call: Wayne Brown, aye; Jonathan Bilden, aye; Kathy Sell, aye; Bill Fierke, aye; Ruth Jenks, aye; Bob Russell, aye; and Alan Curriston, absent. The motion passed unanimously by those present.

Next, Councilor Fierke made a motion to pass a **Resolution** stating:

Eagle Point has concerns about the density requirements of the Regional Plan as it relates to Eagle Point, reference Resolution Nos. 2005-14 and 2011-48, therefore, the Council will thoroughly review this issue and may request an amendment to the Plan to decrease the density requirements at the appropriate time.

Councilor Bilden seconded the motion. Mayor Russell noted the next Resolution Number would be assigned to the proposed Resolution and asked if there was additional discussion. There was no further discussion. Roll call: Jonathan Bilden, aye; Wayne Brown, aye; Ruth Jenks, aye; Kathy Sell, aye; Bill Fierke, aye; Bob Russell, aye; and Alan Curriston, absent. The motion passed unanimously by those present.

## 9.2 Discussion regarding results of Pavement Condition Survey and Street Projects.

Robert Miller distributed a street condition report (Submission No. 2) and made a PowerPoint presentation on the Pavement Management System (Submission No. 3). Mr. Miller explained preventative maintenance and strategies to keep a level of pavement condition that we all agree to. Pavement preservation is cost effective as shown by the National Center for Pavement Preservation. Spending \$1 on preservation when a road is in fair condition will eliminate spending \$6 to \$14 on rehabilitation or reconstruction costs. In Eagle Point, the Pavement Condition Index (PCI) of most roads is "Very Good" with less than 1 mile of residential pavement in "failed" condition. Costs per mile for maintenance varies greatly from seal coat (\$18,000), slurry (\$28,000), chip seal (\$35,000), overlay (\$176,000), to reconstruction (\$1,500,000).

Currently, the City is coordinating with the County to do some of the chip seal work. Mr. Lawrence added that the County would complete as much chip seal work as possible before the weather changes. It was further noted there is a credit of approximately \$60,000 with the County. Additionally, Attorney Kellerman reported the County's rate for chip seal work is reasonable. Mayor Russell opened for questions but there was no additional discussion.

9.3 Update and discussion regarding Jr. Eagles Recreation Program.

Mr. Miller provided an update about coordination efforts with the YMCA. The Jr. Eagles Recreation Program has been organized at the request of School District No. 9, for about eight years. It includes basketball and volleyball programs for several hundred students. The City reached out to the YMCA as the City is not in the business of coordinating this type of program. The Council was in agreement for the City to move forward with the YMCA's proposal to provide this program.

10. NEW BUSINESS.

10.1 **Resolution No. 2012-53.** A Resolution Proclaiming the Month of September 2012, as Water Resource Awareness Month.

Mr. Lawrence stated this Resolution was made at the request of the Little Butte Creek Watershed Council in conjunction with the September 15<sup>th</sup> Little Butte Creek Watershed Festival.

Mayor Russell asked for a motion to approve **Resolution No. 2012-53**. Councilor Bilden made a motion to approve **Resolution No. 2012-53** and Councilor Fierke seconded the motion. There was no further discussion. Roll call: Bill Fierke, aye; Wayne Brown, aye; Kathy Sell, aye; Jonathan Bilden, aye; Ruth Jenks, aye; Bob Russell, aye; and Alan Curriston, absent. The motion passed unanimously by those present.

10.2 **Resolution No. 2012-54.** A Resolution Authorizing the City Administrator to Amend the Contract with Civil West Engineering Services, Inc. to complete a Water Master Plan.

Mr. Miller provided a brief background about the original contract with Civil West Engineering Services, Inc. (Civil West). Savings from the original contract will be rolled over to help pay for completing a Water Master Plan. Garrett Pallo presented the Council with a PowerPoint presentation (Submission No. 4). Basically, the Water Master Plan of 2002 is no longer viable and the City needs a new Water Master Plan (Plan). Pursuant to Oregon Administrative Rules (OAR), Mr. Gallo reported the City is required to have specific elements that need to be included in the

plan. Staff cannot use the current Plan for budgeting or establishing rates for System Development Charges.

Additionally, the condition of all existing facilities should be evaluated as well as the City's water needs for future growth. Potential funding strategies are included in the scope of work for the Plan. Water management and conservation are not included in the scope of work for this amendment but need to be addressed after the Plan is completed. Further, the rate structure should be evaluated on a regular basis and a System Development Charge methodology established after completion of the Plan.

Mr. Gallo will provide an update when Civil West reaches the 50% completion mark and then again near the project completion. Mr. Gallo opened for questions and Councilor Fierke asked about where the information for growth rate would come from. Mr. Gallo responded that Civil West would work closely with the City and Council to make sure the growth projection rate matches the rest of the community's projections, including ODOT (Oregon Department of Transportation) and the County. A brief discussion about growth and planning followed. Councilor Fierke clarified the cost of the amendment was \$60,000 and Mr. Lawrence confirmed that amount was accurate and budgeted. Councilor Jenks verified that the Rate Study and SDC Methodology Update are not covered in this Amendment. Both of those items could be done after the Plan is completed.

Mayor Russell asked for a motion to approve **Resolution No. 2012-54**. Councilor Jenks made a motion to approve **Resolution No. 2012-54** and Councilor Brown seconded the motion. There was no further discussion. Roll call: Kathy Sell, aye; Jonathan Bilden, aye; Ruth Jenks, aye; Bill Fierke, aye; Wayne Brown, aye; Bob Russell, aye; and Alan Curriston, absent. The motion passed unanimously by those present.

- 10.3 Discussion regarding request for City of Eagle Point to provide financial assistance to the high school artificial turf project.

Mr. Lawrence reported being approached by representatives of the Eagle Point Booster Club (Booster Club) about the City providing funding for the artificial turf project. The Booster Club would like to make a formal presentation to the Council to show how the turf project would benefit the City and its citizens.

Councilor Fierke stated he had attended a past meeting where he was under the impression that there were constraints about the City donating funds. Attorney Kellerman responded that Mr. Lawrence previously contacted him about this and that as long as it was in the interest of the City, it could be done. A brief discussion followed.

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Councilor Sell reported the Parks and Recreation Commission had not been contacted about this and their next meeting would be after the Council's next meeting. Mayor Russell asked Councilor Sell about the Parks and Recreation Commission contacting the Booster Club and attending the next Council's meeting. Councilor Sell agreed they could at least be asked to attend the meeting. She emphasized the Booster Club should be prepared to show how the project would benefit the City. Councilor Bilden said they were prepared to show how the project would be beneficial to the City. Councilor Fierke acknowledged an audience member, Mary Ann Olsen, of the Eagle Point School District Board of Directors. Ms. Olsen stated she was on the committee and this project would certainly benefit the community as it is already used for the Fourth of July, and a number of activities. She was hopeful that it would bring more activities to Eagle Point and encouraged the Council's participation.

Mayor Russell stated the Council would be inclined to have the Booster Club make a presentation at the next meeting and there were no objections. Mr. Lawrence offered to prepare a Resolution without a dollar amount and Mayor Russell concurred.

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

Councilor Fierke said there was not a School Board meeting to report on. He concluded by sharing a letter from the visitors from Showa.

Councilor Bilden stated there were no meetings for SOREDI (Southern Oregon Regional Economic Development Inc.) or LoC (League of Oregon Cities). However, he attended the Big Butte Springs tour, and said it was something a person would have to experience to appreciate and that it was fascinating. Mayor Russell added that the tour gave you a brand new perspective for turning on the water faucet at home. On a personal note, Councilor Bilden announced that he and his wife are expecting their first child in March.

Councilor Jenks reported attending a transit study meeting with staff, consultants, and members of the community, and was surprised at the amount of enthusiasm. Eagle Point resident, Winnie Earl, came to the meeting with a bus schedule and announced she had ridden the bus from the Cascade Shopping Center all the way to Ashland for \$1. Councilor Jenks also attended a meeting of the Rogue Valley Metropolitan Planning Organization Policy Committee. Additional funds of approximately \$800,000 will be available for surface transportation projects and air mitigation projects through the MPO (Metropolitan Planning Organization). The Policy Committee discussed Eagle Point's future funding requests, and it will be several years before Eagle Point can receive funding. Mr. Miller attended that meeting as well and is working on raising funds for Eagle Point. A Public Hearing about this funding opportunity will be held in September.

Councilor Brown attended a Board of Directors Meeting for the Rogue Valley Sewer Services (RVSS) and everything is going well. The Shady Cove project is more expensive

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than anticipated but good progress is being made. Regarding the internal operations of RVSS, they are preparing to implement a new accounting software program.

Councilor Sell expressed her appreciation to the City Council and staff for their help and attendance at the Street Dance. The event was well attended and very successful. Along the lines of success, the Eagle Point School District ordered over 300 Positively Eagle Point buttons to give to their staff.

Mayor Russell also attended the Big Butte Springs tour and thanked Councilor Bilden for making those arrangements. Mayor Russell attended a Rogue Valley Council of Governments (RVCOG) meeting last week as well. Concerning the transit study, he completed the survey and is looking forward to the project moving along.

### 12. STAFF REPORTS.

- 12.1 Police Department Report.
- 12.2 Financial Report.
- 12.3 Public Works Department Report.

Mr. Upston reported on the first of six meetings for the transit study that will be held through the first quarter of 2013. There are numerous upcoming meetings scheduled in September for the study. He also reported that candidates for the Planning Commission will attend the next meeting. Other projects include working on the Comprehensive Plan and Zoning Ordinance. Councilor Jenks thanked Mr. Upston for his hard work on RPS (Regional Problem Solving).

Ms. Owens provided an explanation about the financial report in the agenda packet. It is still a work in progress and designed to include all of the information that would be needed to determine the overall health of each fund. Quarter by quarter comparisons and annual comparisons will be included as well as additional narrative. Councilor Brown inquired about delinquent tax accounts. Ms. Owens responded that about 90% of the taxes had been received for last year. An estimate for this year's tax collection could be estimated in December. Delinquent tax accounts are not written off and Ms. Owens explained more about that process. Ms. Owens concluded the staff report by complimenting Councilor Sell's leadership and organization of the Street Dance. Councilor Fierke expressed his appreciation to Ms. Owens for the changes to the report. He also asked about the completion of the audit and Ms. Owens confirmed it would likely be completed in October.

Mr. Miller briefed the Council on an upcoming meeting with the LDS Church. Additionally, he reported on the Watershed Festival on September 15<sup>th</sup>, MPO Policy Meeting and TAC (Technical Advisory Committee) Meeting, and reviewed a STIP (State Transportation Improvement Plan) grant application with ODOT that was not awarded to the City. Mr. Miller noted that out of 155 applicants, only 62 were selected to receive an award. Regarding Parks, the City has contracted mowing services due to staffing



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shortages. Code Enforcement Officer, Ben Franco, has been assisting with trees and shrubs blocking sidewalks which will help prepare for a safer commute to schools. Councilor Jenks added she had received very positive feedback from several people about Code Enforcement Officer Franco's assistant.

Officer May agreed that Code Enforcement Officer Franco had been a great asset. He did not provide an additional report.

Attorney Kellerman reported meeting with the Rogue River Valley Irrigation District about securing water for the City.

Mr. Lawrence commended staff for doing great work.

Ms. Hughes did not make a report.

13. INFORMATION.

13.1 Flyer for Little Butte Creek Watershed Festival, September 15, 2012.

For the benefit of the audience, Mayor Russell provided information for citizens to access the full agenda packets on-line from the City's website.

The scheduled Executive Sessions were not held.

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.

15. EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(i), To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

16. ADJOURN.

There being no further business, Mayor Russell closed the meeting at 8:38 p.m.

Respectfully submitted,

  
Cindy Hughes, City Recorder

ATTEST:

  
Robert E. Russell, Mayor