



CITY OF EAGLE POINT

"Gateway to the Lakes"

OREGON

EAGLE POINT CITY COUNCIL

Council Chambers
17 Buchanan Ave. South, Eagle Point, Oregon
August 13, 2013

REGULAR MEETING AGENDA

1. CALL TO ORDER – 7:00 P.M.
2. FLAG SALUTE AND INVOCATION
3. AUDIENCE QUESTIONS OR COMMENTS CONCERNING ITEMS NOT ON THE AGENDA
4. PRESENTATIONS
5. PUBLIC HEARINGS
 - 5.1 Public Hearing in the matter of declaring the residential structure located at 193 N. DeAnjou Avenue, Eagle Point, Oregon, as a Dangerous Building.
 - 5.2 Public Hearing in the matter of declaring the residential structure located at 130 S. Royal Avenue, Eagle Point, Oregon, as a Dangerous Building.
6. CONSENT CALENDAR
 - 6.1 Presentation of Regular Meeting Minutes of July 23, 2013.
7. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR
8. PRESENTATION OF BILLS TO BE PAID
9. OLD BUSINESS

City of Eagle Point Council Meeting Agenda

August 13, 2013

Page 2 of 2

10. NEW BUSINESS

10.1 Resolution No. 2013-47. A Resolution declaring the residential structure located at 193 N. DeAnjou Avenue, Eagle Point, Oregon, as a Dangerous Building; and authorizing the City to mitigate such designation.

10.2 Resolution No. 2013-48. A Resolution declaring the residential structure located at 130 S. Royal Avenue, Eagle Point, Oregon, as a Dangerous Building; and authorizing the City to mitigate such designation.

10.3 Resolution No. 2013-49. A Resolution approving the prospective Petition and Order to initiate formation of the Jackson County 4-H, Master Gardeners, and Agricultural Extension Service District.

10.4 Resolution No. 2013-50. A Resolution authorizing a City of Eagle Point Personal/Professional Services Contract with ZCS Engineering, Inc., for Lucas Park Civil Engineering Services.

11. REPORTS FROM CITY COUNCIL AND CITY COMMITTEE REPRESENTATIVES

12. STAFF REPORTS

13. INFORMATION

13.1 OLCC License Renewals

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.

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

16. ADJOURN

AGENDA AND COUNCIL PACKETS ALSO AVAILABLE ON WEBSITE

**BUSINESS OF THE CITY COUNCIL
EAGLE POINT, OREGON**

AGENDA STATEMENT

Item Number: 5.1 and 10.1
Meeting Date: August 13, 2013

ITEM TITLE: A public hearing in the matter of declaring the residential structure located at 193 N. DeAnjou Avenue, Eagle Point, Oregon, as a Dangerous Building.

Resolution No. 2013-47. A Resolution declaring the residential structure located at 193 N. DeAnjou Avenue, Eagle Point, Oregon, as a Dangerous Building; and authorizing the City to mitigate such designation.

SUBMITTED BY: Dale Bohannon, Building Official, (541) 826-4212 ext. 110

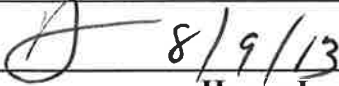
SUMMARY EXPLANATION: Item 5.1 on the agenda is a public hearing in front of the City Council of Eagle Point in order to substantiate the Declaration and to establish the required action to be taken in order to mitigate the Dangerous Building designation. The City of Eagle Point has attempted to contact the current listed owner of the property located at 193 N. DeAnjou Avenue in order to seek a voluntary solution to the deteriorated, vandalized and dilapidated condition of the existing residential structure at that address. The City is seeking rehabilitation of the residential property to the extent that the structure may be considered in habitable condition.

The difficulties confronted by the Eagle Point Police Department at this location provide additional confirmation of the existing condition of the property and corroborate the unlawful on-going uses of this structure. Pursuant to Chapter 15.08 of the Eagle Point Municipal Code (Attachment No. 1), a list of specific conditions was created, verified by an on-site inspection of the property, and an Intent to Declare a Dangerous Building was created.

The City of Eagle Point has issued the necessary legal notices as required by Chapter 15.08. Also pursuant to the process contained in Chapter 15.08 of the Eagle Point Municipal Code, a Notice of Intent to Declare a Dangerous Building was mailed, certified and return receipt requested, to Select Portfolio Servicing, Inc. (Property Owner), requesting a response to the Notice. As of August 8, 2013, no response had been received other than the returned receipt verifying the delivery of the notice.

Following the public hearing on August 13, 2013, approval of Resolution No. 2013-47 will declare the residential structure located at 193 N. DeAnjou Avenue, Eagle Point, Oregon, as a Dangerous Building; and authorizes the City to mitigate the Dangerous Building designation, including placing a lien upon the property to cover reasonable costs incurred by the City.

FINANCIAL IMPACT: To be determined. Amount will include staff time and any reasonable costs incurred by the City to mitigate the Dangerous Building designation.

APPROVED FOR SUBMITTAL:  8/9/13
Henry Lawrence, City Administrator

STAFF RECOMMENDATION: Staff recommends approval of this item.

City Council Meeting - August 13, 2013
Items 5.1 and 10.1 - Attachment No. 1

Chapter 15.08
ABATEMENT OF DANGEROUS BUILDINGS

Sections:

- 15.08.010 Dangerous building designated.
- 15.08.020 Nuisance.
- 15.08.030 Initial action.
- 15.08.040 Hearing – Mailed notice.
- 15.08.050 Published and posted notices.
- 15.08.060 Council order – Notice.
- 15.08.070 Abatement by city.
- 15.08.080 Assessment.
- 15.08.090 Penalty.

15.08.010 Dangerous building designated.

For the purposes of this chapter, any building or structure which has any or all of the conditions or defects hereinafter described shall be deemed to be a dangerous building; provided, that such conditions or defects exist to the extent that the life, health, property, or safety of the public or its occupants are endangered:

- A. Whenever a structure which, for the want of proper repairs or by reason of age and dilapidated condition or by reason of poorly installed electrical wiring or equipment, defective chimney, defective gas connection, defective heating apparatus, or for any other cause or reason, is especially liable to fire, and which is so situated or occupied as to endanger any other building or property or human life;
- B. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property;
- C. Whenever the building or structure, or any portion of such building or structure, because of (1) dilapidation, deterioration, or decay, (2) faulty construction, (3) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building, (4) the deterioration, decay or inadequacy of its foundation, or (5) any other cause, is likely to partially or completely collapse;
- D. Whenever, for any reason, the building or structure, or any portion of such building or structure, is manifestly unsafe for the purpose for which it is being used;
- E. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become (1) an attractive nuisance to

City Council Meeting - August 13, 2013**Items 5.1 and 10.1 - Attachment No. 1**

children, (2) a harbor for vagrants, criminals or immoral persons, or as to (3) enable persons to resort thereto for the purpose of committing unlawful or immoral acts;

F. Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this city, as specified in Chapter 15.04 EPMC, or of any law or ordinance of this state or city relating to the condition, location, or structure of the building;

G. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the city council to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease;

H. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence;

I. Whenever any portion of a building or structure remains on the site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion of such building or structure an attractive nuisance or hazard to the public. [Ord. 8-2 § 1, 1973].

15.08.020 Nuisance.

Every building or part of building which shall be found by the council to be a dangerous building is declared to be a public nuisance, and such building may be abated either summarily or the procedure herein specified may be followed, or a suit for abatement of such building may be brought by the city. [Ord. 8-2 § 2, 1973].

15.08.030 Initial action.

Whenever the building inspector shall find or be of the opinion that there is a dangerous building in the city, it shall be his duty to report such building to the council. Thereupon the council shall, within a reasonable time, fix a time and place for a public hearing thereon. [Ord. 8-2 § 3, 1973].

15.08.040 Hearing – Mailed notice.

Notice shall be sent by certified or registered mail, return receipt requested, to the owner of record of the premises whereon the building in question is located, by the city recorder, notifying the owner in general terms that a hearing will be held concerning the nuisance character of the property, and the time and place of such hearing. A copy of this notice shall also be posted on the property. At the time and place, or at such other time and place as the council may adjourn to, the hearing shall be held, and the council shall determine by resolution

City Council Meeting - August 13, 2013**Items 5.1 and 10.1 - Attachment No. 1**

whether or not the building is dangerous. The council may, as a part of the hearing, inspect the building and the facts observed by the council at such inspection may be considered by it in determining whether or not the building is dangerous. At the hearing the owner or other person interested in the property or building shall have the right to be heard. At such hearing the council shall have the power to order any building declared to be dangerous removed and abated, if in its judgment such removal or abatement is necessary in order to remove the dangerous condition, or the council shall have the power to order the building made safe and to prescribe what acts or things must be done to render the building being made safe. [Ord. 8-2 § 4, 1973].

15.08.050 Published and posted notices.

Ten days' notice of any hearing shall be published in a newspaper of general circulation in the city or by posting notices of such hearing in three public places in the city. If the last mentioned notice be published or given as herein required, no irregularity or failure to mail notices shall invalidate the proceedings. [Ord. 8-2 § 5, 1973].

15.08.060 Council order – Notice.

Five days' notice of findings made by the council at a hearing and any orders made by the council shall be given to the owner of the building, his or her agent or other person controlling the building, and if the orders are not obeyed and the building rendered safe within the time specified by the order (being not less than five days), then the council shall have the power and duty to order the building removed or made safe at the expense of the property on which the building is situated. [Ord. 8-2 § 6, 1973].

15.08.070 Abatement by city.

In the event that the council orders are not complied with, the council must specify with convenient certainty the work to be done and shall file a statement specifying such work to be done with the recorder, and shall advertise for bids for the doing of the work in the manner provided for advertising for bids for street improvement work. Bids shall be received, opened and the contract let. [Ord. 8-2 § 7, 1973].

15.08.080 Assessment.

The council shall ascertain and determine the probable cost of the work, and assess the cost against the property upon which the building is situated. The assessment shall be declared by resolution, and it shall be entered in the docket of city liens, and shall thereupon be and become a lien against the property. The creation of the lien and the collection and enforcement of the cost shall all be performed in substantially the same manner as in the case of the cost of street improvements, but irregularities or informalities in the procedure shall be disregarded. [Ord. 8-2 § 8, 1973].

City Council Meeting - August 13, 2013**Items 5.1 and 10.1 - Attachment No. 1****15.08.090 Penalty.**

Any person who shall be the owner of, or shall be in possession of, or in responsible charge of, any dangerous building within the city and who shall knowingly suffer or permit the building to be or remain dangerous for as long as 10 days after the receipt of the notice specified in EPMC 15.08.060 shall be guilty of a violation of this chapter, and shall, upon conviction of such violation, be fined not to exceed \$100.00 or imprisoned not to exceed 20 days, or both fined and imprisoned. [Ord. 8-2 § 9, 1973].

RESOLUTION NO. 2013-47

A RESOLUTION DECLARING THE RESIDENTIAL STRUCTURE AT 193 N. DeANJOU AVENUE, EAGLE POINT, OREGON, AS A DANGEROUS BUILDING; AND AUTHORIZING THE CITY TO MITIGATE SUCH DESIGNATION.

WHEREAS, the City of Eagle Point has chosen to enact a Code for the Abatement of Dangerous Buildings; and

WHEREAS, Chapter 15.08 of the Eagle Point Municipal Code defines the conditions that must exist in order for a building to be declared dangerous and outlines the legal processes necessary to abate the danger; and

WHEREAS, the City of Eagle Point examined the structure and property addressed as 193 N. DeAnjou Avenue and found such condition of deterioration and dilapidation so as to allow the building to become a harbor for vagrants, criminals or immoral persons, and enabling persons to resort thereto for unlawful or immoral acts; and

WHEREAS, the City of Eagle Point finds that such conditions exist to the extent that the life, health, property, or safety of the public or its occupants are endangered; and

WHEREAS, pursuant to Chapter 15.08 of the Eagle Point Municipal Code, the City of Eagle Point issued the necessary legal notices including a Notice of Intent to Declare a Dangerous Building to the property owner, Select Portfolio Servicing, Inc.; and

WHEREAS, as of August 8, 2013, no response had been received other than the returned receipt verifying the delivery of the notice; and

WHEREAS, the City of Eagle Point scheduled a public hearing to be held on August 13, 2013, in the matter of declaring the residential structure located at 193 N. DeAnjou Avenue, Eagle Point, Oregon, as a Dangerous Building; and

WHEREAS, approval of this Resolution will declare the structure and property addressed as 193 N. DeAnjou Avenue as a Dangerous Building; and authorizes the City to mitigate the Dangerous Building designation, including placing a lien upon the property to cover reasonable costs incurred by the City.

Now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAGLE POINT, OREGON, THAT:

1. Pursuant to Eagle Point Municipal Code Chapter 15.08, the property addressed as 193 N. DeAnjou Avenue is hereby declared to be a Dangerous Building.
2. The structure and property shall be rendered safe and habitable by the owner, or owner's agent or other person controlling the building, within five days of this date.

3. The City of Eagle Point may mitigate the Dangerous Building designation, including placing a lien upon the property to cover reasonable costs incurred by the City.

Passed in open session on the 13th day of August, 2013.

Robert E. Russell, Mayor

ATTEST:

Cindy Hughes, City Recorder

**BUSINESS OF THE CITY COUNCIL
EAGLE POINT, OREGON**

AGENDA STATEMENT

Item Number: 5.2 and 10.2
Meeting Date: August 13, 2013

ITEM TITLE: A public hearing in the matter of declaring the residential structure located at 130 S. Royal Avenue, Eagle Point, Oregon, as a Dangerous Building.

Resolution No. 2013-48. A Resolution declaring the residential structure located at 130 S. Royal Avenue, Eagle Point, Oregon, as a Dangerous Building; and authorizing the City to mitigate such designation.

SUBMITTED BY: Dale Bohannon, Building Official, (541) 826-4212 ext. 110


SUMMARY EXPLANATION: Item 5.2 on the agenda is a public hearing in front of the City Council of Eagle Point in order to substantiate the Declaration and to establish the required action to be taken in order to mitigate the Dangerous Building designation. The City of Eagle Point has attempted to contact the current listed owner of the property located at 130 S. Royal Avenue in order to seek a voluntary solution to the deteriorated, vandalized and dilapidated condition of the existing residential structure at that address. The City is seeking rehabilitation of the residential property to the extent that the structure may be considered in habitable condition.

The difficulties confronted by the Eagle Point Police Department at this location provide additional confirmation of the existing condition of the property and corroborate the unlawful on-going uses of this structure. Pursuant to Chapter 15.08 of the Eagle Point Municipal Code (Attachment No. 1), a list of specific conditions was created, verified by an on-site inspection of the property, and an Intent to Declare a Dangerous Building was created.

The City of Eagle Point has issued the necessary legal notices as required by Chapter 15.08. Also pursuant to the process contained in Chapter 15.08 of the Eagle Point Municipal Code, a Notice of Intent to Declare a Dangerous Building was mailed, certified and return receipt requested, to Federal National Mortgage Association (Property Owner), requesting a response to the Notice. As of August 8, 2013, no response had been received other than the returned receipt verifying the delivery of the notice.

Following the public hearing on August 13, 2013, approval of Resolution No. 2013-48 will declare the residential structure located at 130 S. Royal Avenue, Eagle Point, Oregon, as a Dangerous Building; and authorizes the City to mitigate the Dangerous Building designation, including placing a lien upon the property to cover reasonable costs incurred by the City.

FINANCIAL IMPACT: To be determined. Amount will include staff time and any reasonable costs incurred by the City to mitigate the Dangerous Building designation.

APPROVED FOR SUBMITTAL:  8/9/13
Henry Lawrence, City Administrator

STAFF RECOMMENDATION: Staff recommends approval of this item.

City Council Meeting - August 13, 2013**Items 5.2 and 10.2 - Attachment No. 1****Chapter 15.08
ABATEMENT OF DANGEROUS BUILDINGS**

Sections:

- 15.08.010 Dangerous building designated.
- 15.08.020 Nuisance.
- 15.08.030 Initial action.
- 15.08.040 Hearing – Mailed notice.
- 15.08.050 Published and posted notices.
- 15.08.060 Council order – Notice.
- 15.08.070 Abatement by city.
- 15.08.080 Assessment.
- 15.08.090 Penalty.

15.08.010 Dangerous building designated.

For the purposes of this chapter, any building or structure which has any or all of the conditions or defects hereinafter described shall be deemed to be a dangerous building; provided, that such conditions or defects exist to the extent that the life, health, property, or safety of the public or its occupants are endangered:

- A. Whenever a structure which, for the want of proper repairs or by reason of age and dilapidated condition or by reason of poorly installed electrical wiring or equipment, defective chimney, defective gas connection, defective heating apparatus, or for any other cause or reason, is especially liable to fire, and which is so situated or occupied as to endanger any other building or property or human life;
- B. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property;
- C. Whenever the building or structure, or any portion of such building or structure, because of (1) dilapidation, deterioration, or decay, (2) faulty construction, (3) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building, (4) the deterioration, decay or inadequacy of its foundation, or (5) any other cause, is likely to partially or completely collapse;
- D. Whenever, for any reason, the building or structure, or any portion of such building or structure, is manifestly unsafe for the purpose for which it is being used;
- E. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become (1) an attractive nuisance to

City Council Meeting - August 13, 2013**Items 5.2 and 10.2 - Attachment No. 1**

children, (2) a harbor for vagrants, criminals or immoral persons, or as to (3) enable persons to resort thereto for the purpose of committing unlawful or immoral acts;

F. Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this city, as specified in Chapter 15.04 EPMC, or of any law or ordinance of this state or city relating to the condition, location, or structure of the building;

G. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the city council to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease;

H. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence;

I. Whenever any portion of a building or structure remains on the site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion of such building or structure an attractive nuisance or hazard to the public. [Ord. 8-2 § 1, 1973].

15.08.020 Nuisance.

Every building or part of building which shall be found by the council to be a dangerous building is declared to be a public nuisance, and such building may be abated either summarily or the procedure herein specified may be followed, or a suit for abatement of such building may be brought by the city. [Ord. 8-2 § 2, 1973].

15.08.030 Initial action.

Whenever the building inspector shall find or be of the opinion that there is a dangerous building in the city, it shall be his duty to report such building to the council. Thereupon the council shall, within a reasonable time, fix a time and place for a public hearing thereon. [Ord. 8-2 § 3, 1973].

15.08.040 Hearing – Mailed notice.

Notice shall be sent by certified or registered mail, return receipt requested, to the owner of record of the premises whereon the building in question is located, by the city recorder, notifying the owner in general terms that a hearing will be held concerning the nuisance character of the property, and the time and place of such hearing. A copy of this notice shall also be posted on the property. At the time and place, or at such other time and place as the council may adjourn to, the hearing shall be held, and the council shall determine by resolution

City Council Meeting - August 13, 2013**Items 5.2 and 10.2 - Attachment No. 1**

whether or not the building is dangerous. The council may, as a part of the hearing, inspect the building and the facts observed by the council at such inspection may be considered by it in determining whether or not the building is dangerous. At the hearing the owner or other person interested in the property or building shall have the right to be heard. At such hearing the council shall have the power to order any building declared to be dangerous removed and abated, if in its judgment such removal or abatement is necessary in order to remove the dangerous condition, or the council shall have the power to order the building made safe and to prescribe what acts or things must be done to render the building being made safe. [Ord. 8-2 § 4, 1973].

15.08.050 Published and posted notices.

Ten days' notice of any hearing shall be published in a newspaper of general circulation in the city or by posting notices of such hearing in three public places in the city. If the last mentioned notice be published or given as herein required, no irregularity or failure to mail notices shall invalidate the proceedings. [Ord. 8-2 § 5, 1973].

15.08.060 Council order – Notice.

Five days' notice of findings made by the council at a hearing and any orders made by the council shall be given to the owner of the building, his or her agent or other person controlling the building, and if the orders are not obeyed and the building rendered safe within the time specified by the order (being not less than five days), then the council shall have the power and duty to order the building removed or made safe at the expense of the property on which the building is situated. [Ord. 8-2 § 6, 1973].

15.08.070 Abatement by city.

In the event that the council orders are not complied with, the council must specify with convenient certainty the work to be done and shall file a statement specifying such work to be done with the recorder, and shall advertise for bids for the doing of the work in the manner provided for advertising for bids for street improvement work. Bids shall be received, opened and the contract let. [Ord. 8-2 § 7, 1973].

15.08.080 Assessment.

The council shall ascertain and determine the probable cost of the work, and assess the cost against the property upon which the building is situated. The assessment shall be declared by resolution, and it shall be entered in the docket of city liens, and shall thereupon be and become a lien against the property. The creation of the lien and the collection and enforcement of the cost shall all be performed in substantially the same manner as in the case of the cost of street improvements, but irregularities or informalities in the procedure shall be disregarded. [Ord. 8-2 § 8, 1973].

City Council Meeting - August 13, 2013

Items 5.2 and 10.2 - Attachment No. 1

15.08.090 Penalty.

Any person who shall be the owner of, or shall be in possession of, or in responsible charge of, any dangerous building within the city and who shall knowingly suffer or permit the building to be or remain dangerous for as long as 10 days after the receipt of the notice specified in EPMC 15.08.060 shall be guilty of a violation of this chapter, and shall, upon conviction of such violation, be fined not to exceed \$100.00 or imprisoned not to exceed 20 days, or both fined and imprisoned. [Ord. 8-2 § 9, 1973].

RESOLUTION NO. 2013-48

A RESOLUTION DECLARING THE RESIDENTIAL STRUCTURE AT 130 S. ROYAL AVENUE, EAGLE POINT, OREGON, AS A DANGEROUS BUILDING; AND AUTHORIZING THE CITY TO MITIGATE SUCH DESIGNATION.

WHEREAS, the City of Eagle Point has chosen to enact a Code for the Abatement of Dangerous Buildings; and

WHEREAS, Chapter 15.08 of the Eagle Point Municipal Code defines the conditions that must exist in order for a building to be declared dangerous and outlines the legal processes necessary to abate the danger; and

WHEREAS, the City of Eagle Point examined the structure and property addressed as 130 S. Royal Avenue and found such condition of deterioration and dilapidation so as to allow the building to become a harbor for vagrants, criminals or immoral persons, and enabling persons to resort thereto for unlawful or immoral acts; and

WHEREAS, the City of Eagle Point finds that such conditions exist to the extent that the life, health, property, or safety of the public or its occupants are endangered; and

WHEREAS, pursuant to Chapter 15.08 of the Eagle Point Municipal Code, the City of Eagle Point issued the necessary legal notices including a Notice of Intent to Declare a Dangerous Building to the property owner, Federal National Mortgage Association; and

WHEREAS, as of August 8, 2013, no response had been received other than the returned receipt verifying the delivery of the notice; and

WHEREAS, the City of Eagle Point scheduled a public hearing to be held on August 13, 2013, in the matter of declaring the residential structure located at 130 S. Royal Avenue, Eagle Point, Oregon, as a Dangerous Building; and

WHEREAS, approval of this Resolution will declare the structure and property addressed as 193 N. DeAnjou Avenue as a Dangerous Building; and authorizes the City to mitigate the Dangerous Building designation, including placing a lien upon the property to cover reasonable costs incurred by the City.

Now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAGLE POINT, OREGON, THAT:

1. Pursuant to Eagle Point Municipal Code Chapter 15.08, the property addressed as 130 S. Royal Avenue is hereby declared to be a Dangerous Building.
2. The structure and property shall be rendered safe and habitable by the owner, or owner's agent or other person controlling the building, within five days of this date.

3. The City of Eagle Point may mitigate the Dangerous Building designation, including placing a lien upon the property to cover reasonable costs incurred by the City.

Passed in open session on the 13th day of August, 2013.

Robert E. Russell, Mayor

ATTEST:

Cindy Hughes, City Recorder



CITY OF EAGLE POINT

"Gateway to the Lakes"

OREGON

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

JULY 23, 2013

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, Aaron Prunty and Kathy Sell.

Council Members Absent: Ruth Jenks.

Staff Members Present: Henry Lawrence, City Administrator; Robert Miller, Public Works Director; Vern Thompson, Police Chief; Mike Upston, Planning Director; and Cindy Hughes, City Recorder.

Guests: Division Chief Blakely, Jackson County Fire District No. 3; Hart Wilson, in support of F.O.R.E; Suzi Collins and Millie Wewerka, Planning Commissioners; and Jerry Zieman, Budget Committee Member.

2. FLAG SALUTE AND INVOCATION

Mayor Russell led the Pledge of Allegiance and Jerry Zieman provided the invocation.

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

There were no audience questions or comments.

4. PRESENTATIONS

4.1 Jackson County Fire District No. 3: 2nd Quarter Performance Report – Division Chief Blakely.

City of Eagle Point Council Meeting Minutes

July 23, 2013

Page 2 of 8

Division Chief Blakely presented the 2nd Quarter Performance Report (Submission No. 1) for the period of April through June, 2013. The following topics were reviewed:

- Incident response times by hour of day, day of week, and an overall increase by 11.4% in call volume. Currently analyzing data to determine reason for increase.
- White City Fire Station is the busiest in the District which is attributable to its central proximity throughout the District.
- Fire & Life Safety – walk-through visits at industrial plants.
- Staffing throughout the District and recruitment/interviews for volunteers in rural areas.
- Consideration of Request for Proposals (RFP) for District owned mobile homes in rural areas.
- Discussions with the City of Medford about sharing cooperative services.
- Training – over 400 courses, 160 topics, delivered at an average of 48 hours training received by each member. Complex training in May.
- Revenue decreased due to property tax revenue being down, and reduction of assessed value and property tax collection.
- Risk Assessment by Intera.
- OSHA inspection.
- Goals statement updated.
- Eagle Point statistics including 343 incidents during the 2nd quarter.

A brief discussion followed the presentation by Division Chief Blakely.

- 4.2 F.O.R.E. – Friends of Research and Extension regarding possible May 2014 ballot measure to fund Research and Extension Service.

On behalf of F.O.R.E., Hart Wilson presented a request for support of a Resolution approving the Petition and Order to initiate formation of the Jackson County 4-H, Master Gardeners, and Agricultural Extension Service District. During Ms. Wilson working career she has held a number of positions, ranging from high school teacher to owner/operator of an Ohio vineyard with .5M in annual sales. Ms. Wilson attributed her career success to a foundation in 4-H as well as receiving assistance at the vineyard from the local extension service.

Ms. Wilson provided handouts with the history of the proposed Special District with examples of a Resolution, Petition, and Order (Submission No. 2). A partial loss of funding from Jackson County generated interest in a proposed Special District. The Petition for the proposed Special District would provide a permanent maximum tax rate limit of .05 per \$1,000 of assessed value. That amount would result in a yearly fee of about \$8 for the average home in Jackson County with an assessed value of \$158,800.

City of Eagle Point Council Meeting Minutes

July 23, 2013

Page 3 of 8

Following the presentation, a brief discussion led to the Council's support of placing a Resolution for the Petition on the next agenda. It was noted that ultimately, the voters would determine whether or not they would support another Special District.

5. PUBLIC HEARINGS

There were no public hearings on the agenda.

6. CONSENT CALENDAR

6.1 Presentation of Regular Meeting Minutes of July 9, 2013.

Mayor Russell announced the Consent Calendar and asked for a motion. Councilor Bilden moved to approve the Consent Calendar as presented and Council President Fierke seconded the motion. There was no further discussion. Roll call: Kathy Sell, aye; Bill Fierke, aye; Wayne Brown, aye; Aaron Prunty, aye; Jonathan Bilden, aye; Bob Russell, aye; and Ruth Jenks, 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 including the Additional Bills List (Submission No. 3). Henry Lawrence, City Administrator, reviewed the items on the Additional Bills List. There was no further discussion. Roll call: Aaron Prunty, aye; Bill Fierke, aye; Wayne Brown, aye; Jonathan Bilden, aye; Kathy Sell, aye; Bob Russell, aye; and Ruth Jenks, absent. The motion passed unanimously by those present.

9. OLD BUSINESS

There was no old business to discuss.

10. NEW BUSINESS

10.1 Ordinance No. 2013-02. In the matter of repealing Ordinance No. 2012-03, and affirming the creation of the Eagle Point Economic Development Commission, adopting a membership structure, term limits, Commission duties, and procedural rules.

Henry Lawrence, City Administrator, asked Council President Fierke and Councilor Bilden to talk about the first two items on the agenda. Council President Fierke explained that he and Councilor Bilden had been appointed to review the Council