



# CITY OF EAGLE POINT

*"Gateway to the Lakes"*

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## OREGON

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

JANUARY 10, 2017

### 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, Bill Fierke, Ruth Jenks, James Mannenbach, Kathy Sell, and Michael Stanek.

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

Guests: Suzi Collins, Planning Commissioner; Millie Wewerka, Budget Committee Member and Planning Commissioner; Jerry Zieman, Budget Committee Member; and members of the public and press.

2. FLAG SALUTE AND INVOCATION

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

Following the invocation, Mayor Russell recognized Joe Kellerman in Oregon State Beaver attire, honoring of the winner of the Civil War Game.

3. OATHS OF OFFICE

3.1 Oath of Office of Robert Russell as Mayor.

Cindy Hughes, City Recorder, administered the Oath of Office to Robert Russell.

3.2 Oaths of Office of William Fierke, James Mannenbach and Michael Stanek as City Councilors.

Cindy Hughes, City Recorder, administered the Oath of Office to William Fierke, James Mannenbach and Michael Stanek.

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

John Payne of Eagle Point extended an invitation from visitors of Eagle Point's Sister City, Showa, Japan, to join them for a dinner celebration. They also planned to meet with the City Council and staff at City Hall.

### 5. PRESENTATIONS

### 6. PUBLIC HEARINGS

### 7. CONSENT CALENDAR

#### 7.1 Presentation of Regular Meeting Minutes of December 13, 2016.

Mayor Russell announced the Consent Calendar. There were no questions or comments. Councilor Bilden moved to approve the Consent Calendar as presented and Councilor Fierke seconded the motion. There was no discussion. Roll call: Jonathan Bilden, yes; Bill Fierke, yes; Ruth Jenks, yes; James Mannenbach, yes; Kathy Sell, yes; Bob Russell, yes; and Michael Stanek, abstained. The motion passed with six yes votes.

### 8. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

There were no items considered for removal from the Consent Calendar.

### 9. PRESENTATION OF BILLS TO BE PAID

Mayor Russell asked if there were questions about the bills to be paid including the additional bills list. There being no questions, Councilor Bilden moved to approve the Bills to be Paid as presented and Councilor Jenks seconded the motion. There was no discussion. Roll call: Bill Fierke, yes; Ruth Jenks, yes; James Mannenbach, yes; Kathy Sell, yes; Michael Stanek, yes; Jonathan Bilden, yes; and Bob Russell, yes. The motion passed unanimously.

Following the vote, Cindy Hughes, City Recorder, reported and apologized there was an Additional Bill List (Submission No. 1) and presented it to the City Council for review. Councilor Bilden moved to approve the Additional Bill List and Councilor Jenks seconded the motion. There was no discussion. Roll call: Bill Fierke, yes; Ruth Jenks, yes; James Mannenbach, yes; Kathy Sell, yes; Michael Stanek, yes; Jonathan Bilden, yes; and Bob Russell, yes. The motion passed unanimously.

### 10. OLD BUSINESS

### 11. NEW BUSINESS

#### 11.1 Election of Council President.

Mayor Russell announced the election of a Council President and opened the floor for nominations. Councilor Fierke nominated Jonathan Bilden for Council

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President. However, Councilor Bilden respectfully declined and nominated Councilor Jenks for the office of Council President. Councilor Fierke seconded the nomination. There being no further nominations, Mayor Russell closed the floor for nominations and requested a roll-call vote. All Councilors stated their vote of Ruth Jenks for Council President and Mayor Russell declared Ruth Jenks as Council President.

### 11.2 Appointment of Parliamentarian.

Mayor Russell appointed the City Attorney, Joe Kellerman, to serve as the Parliamentarian.

### 11.3 Appointment of Sergeant at Arms.

Mayor Russell appointed Police Chief Thompson to serve as the Sergeant at Arms.

### 11.4 Resolution No. 2017-01. A Resolution designating City Officials and City Staff to sign checks for the City of Eagle Point's bank accounts and rescinding Resolution No. 2015-02.

Melissa Owens, Finance Officer, explained that the City Charter indicates the Mayor and Council President will be check signers for the City, as well as the City Administrator and a fourth check signer that is typically the Finance Director. Due to the change in Council President, Ruth Jenks should be authorized to sign checks.

Mayor Russell asked for a motion to approve Resolution No. 2017-01. Councilor Fierke made a motion to approve Resolution No. 2017-01 and Councilor Sell seconded the motion. There was no discussion. Roll call: James Mannenbach, yes; Kathy Sell, yes; Michael Stanek, yes; Jonathan Bilden, yes; Bill Fierke, yes; Ruth Jenks, yes; and Bob Russell, yes. The motion passed unanimously.

### 11.5 Resolution No. 2017-02. A Resolution authorizing Local Agency Agreement No. 31795 Locally Delivered State Funded Project Program, Linn Road: OR 62 to Buchanan (Eagle Point) with the State of Oregon, Department of Transportation, replacing Local Agency Agreement No. 30925 in its entirety.

Robert Miller, Public Works Director, apologized to the City Council in advance of reading and discussing the entire agenda statement. Due to the complex nature of Mr. Miller's report on the agreement and the funding program, the majority of the agenda statement's content is included hereafter.

The City was successful in obtaining a grant through Oregon Department of Transportation (ODOT) for the Linn Road Improvements project. The project proposes 6-foot bikes lanes, 6-foot sidewalks, curb and gutters, a new drainage system, pedestrian scale lighting, and a planted median from west of De Anjou Avenue to the Buchanan Avenue/Linn Road/Loto Street intersection. The pedestrian scale lighting would extend to Highway 62, and the box culvert over Linn Road will be replaced to facilitate full bicycle and pedestrian traffic.

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The total project cost is estimated at \$2,098,000, originally funded from the Multimodal Transportation Enhance Program (MTEP) up to \$1,882,000 from both state and federal funds. The City previously approved ODOT Local Agency Agreement No. 30925 for this new program. The City's required match was estimated at \$216,000, or 10.30 percent. Mr. Miller noted all federal projects require a similar project match.

At the beginning of 2016, ODOT began the process of a draft Request for Qualifications (RFQ) to begin design work. ODOT was above their funding limit for consultant design services, and as such, all RFQs by ODOT would require the lengthy Department of Justice process for the contract. In contrast, the E. Main Street/Stevens Road RFQ (now in design) was able to be initiated by ODOT under an expedited process.

In May of 2016, ODOT presented a new program that would allow more flexibility and control for the City of Eagle Point with the potential of cost savings for schedule and design services, and right of way and construction of the Linn Road Project. ODOT selected the Linn Road Improvements for the new State Funded Local Project (SFLP) program, with a decision in December of 2016. The new Local Agency Agreement No. 31795 allows for a funds exchange, whereby all of the federal funds would be converted into state only funds at 94 percent, and thereby avoiding federal processes required of a federally funded project. The City would be able to select and have more involvement in the engineering services, the design, right of way, and construction; and would administer the project like the previous Surface Transportation Program (STP). Essentially, the City will build the project and be reimbursed through the SFLP program. Any additional costs for the project are the responsibility of the City.

Initially, ODOT stated the funds exchange through the new SFLP program would not require additional funding to the project from the City. The Local Agency Agreement No. 31795 as presented provides \$1,769,080 in funding, or a required match of \$328,920. While it is anticipated the City's administration of design, right of way, and construction will provide a cost savings to the overall project, the Agreement as proposed requires an additional match of \$112,920. With approval of the Local Agency Agreement No. 31795, staff would advertise the Linn Road RFQ for consultant engineering services. If the original Local Agency Agreement No. 30925 was maintained, ODOT would begin the project as a federal project under federal guidelines, delaying the project schedule.

With the delays to the project schedule and revised project funding, the City requested ODOT to provide the environmental services for the project. As a state agency, ODOT has streamlined environmental processes that could potentially reduce lead times and project costs for environmental permitting. Permits will be required from the Department of State Lands and Army Corps of Engineers for improvements related to the existing box culvert. ODOT has tentatively agreed, and staff is awaiting a firm commitment from ODOT to provide environmental services.

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Mr. Miller opened for questions and clarified the following:

- Staff time is reimbursable; however, it is anticipated that construction and design costs will exceed the available budget.
- An additional match of approximately \$112,000 is required.

Discussion continued about the State's reimbursement amount, as well as concerns about escalating construction costs due to an abundance of available work.

Mayor Russell asked for a motion to approve Resolution No. 2017-02. Councilor Sell made a motion to approve Resolution No. 2017-02 and Council President Jenks seconded the motion. There was no discussion. Roll call: Kathy Sell, yes; Michael Stanek, yes; Jonathan Bilden, yes; Bill Fierke, yes; Ruth Jenks, yes; James Mannenbach, yes; and Bob Russell, yes. The motion passed unanimously.

Following the roll call vote, Mayor Russell remarked about the positive impact of the proposed change to the entrance of the City. City Attorney Kellerman noted it as the largest grant he had seen the City receive.

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

Councilor Fierke reported on the agenda items for the School Board meeting scheduled on January 11<sup>th</sup>. Some of the items included were the Superintendent's evaluation process, internet policy, and the YMCA.

Councilor Bilden congratulated the new City Councilors and expressed enthusiasm for the upcoming year. Councilor Bilden also reported he would like the City Council to review several items including: the City Charter; Economic Development Commission and Parks & Recreation Commission; and City branding. In looking back over the past years, Councilor Bilden expressed encouragement about the accomplishments and strong relationship built by the Council and staff.

Mayor Russell discussed setting a goal setting session with the Council and there was support of holding the session on a Saturday morning in February. Cindy Hughes, City Recorder, was directed to coordinate with the City Council on scheduling the meeting.

Council President Jenks concurred with Councilor Bilden's comments, adding that she would like to add a review of the Fire Station property.

Councilor Mannenbach expressed enthusiasm about being part of and working with the City Council.

Councilor Stanek also expressed enthusiasm about being part of the City Council and is looking forward to all of the projects.

Councilor Sell announced the next Planning Commission meeting agenda will include the reader board sign along with other items.

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Mayor Russell reported the Medford Water Commission meeting had been cancelled due to snow. However, Eagle Point looked really nice for Christmas. On a final note, Mayor Russell announced he had accepted service on the Board of the Oregon Mayors Association.

### 13. STAFF REPORTS

Mike Upston, Planning Director, reported it is typically a slow time of year, but it hasn't been with Eagle Point's Building Department issuing permits at about the same rate as in summer months. Commercial and Residential Construction is ongoing even with inclement weather. The Eagle Point Community Bible Church and Sienna Hills Subdivision is part of the ongoing construction. Mr. Upston also reported meeting weekly with the Building Official as part of the transition with the new building company. Last, the Planning Commission agenda of January 17<sup>th</sup> will include Electronic Message Signs, Tabor Avenue Triplexes, recap of 2016, and the election of the Chair and Vice-Chair.

Melissa Owens, Finance Director, reported staff working on projections and a preliminary budget is in process. Additionally, a study of the System Development Charges (SDC) is underway, and the new phone system is in design for installation next month. Ms. Owens reported that most everything else is in the Friday Letter.

Mayor Russell complimented Robert Miller, Public Works Director, for Public Works' response on the recent winter storm. Mr. Miller went on to explain he had attended a School District Facilities Meeting regarding its Master Plan. Additionally, he attended a Rogue Valley Area Commission on Transportation (RVACT) meeting wherein one focus was an overall triage seismic study related to possible impacts of the Cascadia Subduction Zone to bridges and roadways. A current estimated \$35M could be used to reinforce major roadways in the region. Further, Mr. Miller attended a Rogue Valley Metropolitan Planning Organization (RVMPO) Technical Advisory Committee (TAC) meeting wherein Eagle Point and Jackson County's grant application on the Royal Avenue Project is tied for 4<sup>th</sup> place. Last, Mr. Miller reported on three new subdivisions with approximately 54 new lots.

Chief Thompson announced that Officer Leonard had been interviewed on local television as part of the Department's "Shop with a Cop" event for local youth. Chief Thompson expressed appreciation to an anonymous business donor's gift of \$1,500 for families that needed help with Christmas. Other Police business included City cameras leading to the identification of a person involved in a crime. New Police staff is progressing, and the new SUVs are performing really well under winter conditions.

Joe Kellerman, City Attorney, welcomed the new City Councilors. Further, Attorney Kellerman expressed appreciation for the short meeting so as to change attire, although he is looking forward to the next Civil War Game.

Henry Lawrence, City Administrator, welcomed Councilors Mannenbach and Stanek, and invited them to meet with staff. Cindy Hughes, City Recorder, will contact the new and existing Councilors about upcoming training sessions. In addition, Representative Stark is scheduled to hold a Town Hall meeting on January 26.

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Cindy Hughes, City Recorder, welcomed the new City Councilors.

There were no other Staff reports; however, Citizen John Payne added that the Showa visitors are not members of Showa's government but wanted to visit City Hall as well as the Mayor's home. Mayor Russell also mentioned viewing the Bruce Killen bronze eagle statue on display at City Hall which had been donated by the Larson Family.

14. INFORMATION

There were no information items for discussion.

At 7:47 p.m., Mayor Russell recessed the meeting for a short break and announced that representatives of the news media and designated staff would be allowed to attend the Executive Session. All other members of the audience would be asked to leave the room and welcomed back afterwards although there would be no additional business after the Executive Session.

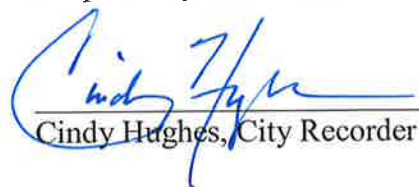
15. EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

At 7:53 p.m., Mayor Russell opened the Executive Session pursuant to 192.660(2)(h). Following discussion, Mayor Russell closed the Executive Session at 8:26 p.m.

15. ADJOURN

There being no further business, Mayor Russell closed the meeting at 8:27 p.m.

Respectfully submitted,

  
Cindy Hughes, City Recorder

ATTEST:

  
Robert E. Russell, Mayor