



# CITY OF EAGLE POINT

*"Gateway to the Lakes"*

OREGON

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

MARCH 14, 2017

## REGULAR MEETING MINUTES

### 1. CALL TO ORDER – 7:00 P.M.

Council President Jenks called the meeting to order at 7:00 p.m.

Council Members Present: Jonathan Bilden, Bill Fierke (via Skype), Ruth Jenks, James Mannenbach and Michael Stanek.

Council Members Absent: Bob Russell, and Kathy Sell.

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

Guests: Douglas Detling, Parks & Recreation 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

Council President Jenks led the Pledge of Allegiance; and Jerry Zieman offered the invocation.

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

There were no audience questions or comments.

### 4. PRESENTATIONS

There were no presentations.

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### 5. PUBLIC HEARINGS

- 5.1 A Public Hearing to consider amending the Eagle Point Municipal Code Chapter 17.68 (Zoning - Sign Regulations) to prohibit electronic message signs, except as exempted.

Council President Jenks opened the public hearing at 7:03 p.m. and requested Mike Upston, Planning Director, to provide a report. Mr. Upston reported the discussion item originated in the Economic Development Commission and then carried on through the Planning Commission and City Council over an extensive period of time. During the last City Council meeting, an accommodation was discussed and it appeared to be appropriate to prohibit as well as to allow for exemptions.

Council President Jenks invited public testimony in favor and opposition; however, there was no testimony received.

Councilor Bilden commented positively on the public hearing process but there was no testimony, questions or other final comments. Council President Jenks closed the Public Hearing at 7:04 p.m.

Next, Council President Jenks announced the proposed Ordinance No. 2017-02 was scheduled later in the Agenda as Item No. 9.1 under the "Old Business" section of the Agenda. Further, there being no objection to changing the order of business, Council President Jenks asked to discuss and deliberate the proposed Ordinance No. 2017-02. There was no discussion other than Councilor Bilden expressing appreciation for the Council considering the Ordinance.

Council President Jenks asked for a motion to adopt Ordinance No. 2017-02. Councilor Bilden made a motion to adopt Ordinance No. 2017-02, an Ordinance amending the Eagle Point Municipal Code Chapter 17.68 (Zoning - Sign Regulations) to prohibit electronic message signs, except as exempted. Councilor Stanek seconded the motion. There was no discussion. Roll call: Jonathan Bilden, yes; Bill Fierke, yes; Ruth Jenks, yes; James Mannenbach, yes; Michael Stanek, yes; Kathy Sell, absent; and Bob Russell, absent. The motion passed unanimously by those present.

### 6. CONSENT CALENDAR

- 6.1 Presentation of Regular Meeting Minutes of February 28, 2017.  
6.2 Presentation of Special Study Session Minutes of February 25, 2017.

Council President Jenks announced the Consent Calendar. There were no questions or comments. Councilor Bilden moved to approve the Consent Calendar as presented and Councilor Mannenbach seconded the motion. There was no discussion. Roll call: Michael Stanek, yes; Jonathan Bilden, yes; Bill Fierke, yes;

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Ruth Jenks, yes; James Mannenbach, yes; Kathy Sell, absent; and Bob Russell, 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

Council President Jenks asked if there were questions about the bills to be paid. There being no questions, Councilor Bilden moved to approve the Bills to be Paid in the amount of \$95,095.73 and the additional bills list (Submission No. 1) in the amount of \$27,093.61. Councilor Stanek seconded the motion. There was no discussion. Roll call: Michael Stanek, yes; Jonathan Bilden, yes; Bill Fierke, yes; Ruth Jenks, yes; James Mannenbach, yes; Kathy Sell, absent; and Bob Russell, absent. The motion passed unanimously by those present.

### 9. OLD BUSINESS

9.1 Ordinance No. 2017-02. An Ordinance amending the Eagle Point Municipal Code Chapter 17.68 (Zoning - Sign Regulations) to prohibit electronic message signs, except as exempted.

Item No. 9.1 was deliberated after the Public Hearing referenced as Item No. 5.1.

### 10. NEW BUSINESS

10.1 Resolution No. 2017-08. A Resolution authorizing an Agreement with the Eagle Point Golf Course for annual financial assistance for storm water maintenance benefiting Drainage Basin #5.

Henry Lawrence, City Administrator, reported on the Golf Course being an important part of the community, and an enhancement to the community over the last 20 years. During the Golf Course design, it was designed to serve as a drainage basin known as Drainage Basin #5, with cascading storm ponds, pipes and ditches. This drainage basin serves as a settling pond to settle debris before the water eventually makes its way to the Rogue River. Chris Galpin, a previous owner, maintained the storm water system and owned a construction company with equipment to provide maintenance. Since then, the basin has become clogged with debris and vegetation, requiring a considerable amount of maintenance but has not been maintained as intended.

A few years ago the property was purchased by Hyer Golf LLC, represented during the meeting by Bob Hyer. Hyer Golf LLC now rents equipment to perform the maintenance which is expensive and has become a burden. While an agreement is an agreement, the initial arrangements were made nearly 20 years ago with another owner. Mr. Lawrence went on to explain that a lot of City water goes into the basin, benefitting the City, and the City does not want to make it a burden to operate the Golf Course. Currently, the City collects a storm water fee city-wide of about \$60 annually per household for maintenance and pipe replacement, and flooding

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challenges have been reduced over the years. Mr. Lawrence discussed the need for immediate cleaning before the golfing season picks up. With last year's cleaning expenses of over \$14K, it is anticipated that it will cost approximately \$22K this year with using the Golf Course crews. However, once cleaned to operate as designed, the maintenance is not anticipated to be as high. The proposed agreement included an initial payment of \$15,000 for fiscal year 2016-2017 with \$7,500 in subsequent years.

Mr. Lawrence expressed support and believed it to be a fair arrangement, benefitting the City. He further clarified the City's authority to make payments based on the City owning an easement through the Golf Course which will be required in writing and recorded with a conceptual map of the system. Mr. Lawrence added that a land surveyor will create an exact legal description for recording. A proposed draft agreement and easement (Submission No. 2) was presented but would be brought back for the Council's consideration at a later date. Joe Kellerman, City Attorney, clarified there is no other City maintenance to handle the storm water in the basin (portion located on Golf Course) and the revenue received in the existing development is in excess of amounts proposed in the agreement. Mr. Kellerman added there were proposed changes to the agreement but that the agreement would not need to be approved during the meeting. Bob Hyer of Hyer Golf LLC expressed appreciation for the Council's consideration and discussed the benefits of a well drained golf course. Discussion ensued about the positive benefits for both entities as well as the requirements to perform the maintenance as agreed and consequences for non-performance. Although a motion was not made to approve Resolution No. 2017-08, discussion resulted in the following motion:

Motion: Councilor Bilden made a motion to provide a \$15,000 one-time payment to address deferred maintenance on the storm water retention system at the Eagle Point Golf Course for the whole Drainage Basin #5, due to imminent need. Council President Jenks seconded the motion. There was no additional discussion. Roll call: Bill Fierke, yes; Ruth Jenks, yes; James Mannenbach, yes; Michael Stanek, yes; Jonathan Bilden, yes; Kathy Sell, absent; and Bob Russell, absent. The motion passed unanimously by those present.

### 10.2 Discussion regarding proposed language to establish a Community Development Commission.

Cindy Hughes, City Recorder, presented a revised draft (Submission No. 3) of the language to establish a new Community Development Commission. Councilor Bilden discussed the most significant revision of increasing the voting membership to a total of nine voting members. In addition, the Council discussed and directed that the appointment of the membership continue in the same manner as usual with the Mayor appointing and City Council ratifying. During the portion of the discussion addressing Commission appointments, Attorney Kellerman noted the Council's ability to make changes as it deemed appropriate. Councilor Jenks together with Attorney Kellerman, made a recommendation to amend the word "and" to "and/or" in the last portion of the ending sentence of Section 4.04.050(C).

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There being no other discussion or recommendations, Ms. Hughes announced plans to bring forth a revised draft for Council approval.

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

There were no Council reports.

### 12. STAFF REPORTS

Mike Upston, Planning Director, reported on:

- Greenview Subdivision's third house in progress;
- Golf Course Resort moving along at a brisk pace;
- Façade Improvement Grant work beginning;
- Storage Emporium;
- Barton Road Subdivision's Planning Application;
- Black Rock Coffee; and
- Friday Letter including regional transportation and flood plain management information.

Melissa Owens, Finance Director, reported on the current list of projects being in the Friday Letter and staff time focused on:

- Budget projections;
- System Development Charges (SDCs) with the initial report anticipated within the next two weeks;
- New phone system and training; and
- Website improvements projected in early May.

Robert Miller, Public Works Director, reported on substantial completion of the USDA project with construction and fencing completed. Approval of chlorine and water treatment additive levels is the remaining step and is in progress.

Vern Thompson, Chief of Police, reported making an employment offer for a police officer position.

Henry Lawrence, City Administrator, reported on the Friday Letter going out. Mr. Lawrence also expressed great appreciation to Michael Bull and his firm for assisting the City in completing the USDA project.

Cindy Hughes, City Recorder, acknowledged Parks and Recreation Commissioner Douglas Detling for his assistance in drafting the language for the Community Development Commission. Ms. Hughes also reported receiving a notice from the U.S. Census Bureau that the City will receive a formal invitation in July 2017 to participate in the 2020 Census. The primary purpose of the decennial census is to apportion the seats in the U.S. House of Representatives. However, over 1,000 federal programs utilize the census data in grants, and funding local and regional programs and projects.

There were no other reports.

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13. INFORMATION

There were no information items for discussion.

At 7:45 p.m., Council President Jenks 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.

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.

At 7:50 p.m., Council President Jenks opened the Executive Session pursuant to ORS 192.660(2)(e). Following discussion, Council President Jenks closed the Executive Session at 8:17 p.m.


15. ADJOURN

There being no further business, Council President Jenks reconvened and closed the meeting at 8:18 p.m.

Respectfully submitted,

  
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Cindy Hughes, City Recorder

ATTEST:

  
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Robert E. Russell, Mayor