



CITY OF EAGLE POINT

"Gateway to the Lakes"

OREGON

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

OCTOBER 24, 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; and Cindy Hughes, City Recorder.

Guests: Bob Strosser, Jackson County Commissioner; Suzi Collins, Planning Commissioner; Douglas Detling, Community Development Commissioner; and members of the public and press.

2. FLAG SALUTE AND INVOCATION

Mayor Russell led the Pledge of Allegiance; and Jonathan Bilden 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; however, Robert Miller, Public Works Director, introduced the newest members of the Public Works Department, Rhett Gillespie, Public Works Laborer and Paul Gregory, Public Works Supervisor.

5. PUBLIC HEARINGS

5.1 Public Hearing regarding adopting a Historic Preservation Ordinance, creating a Historic Landmark Advisory Commission, and working with the Oregon State

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Historic Preservation Office (SHPO) to qualify for historic preservation grants as a Certified Local Government.

Mayor Russell announced the Public Hearing had been advertised and all legal notifications were made in compliance with state and local laws. Mayor Russell went on to explain that in addition to a presentation from Staff, all persons interested in offering testimony would be allowed to speak at the appropriate time.

At 7:04 p.m., Mayor Russell opened the Public Hearing regarding adopting a Historic Preservation Ordinance, creating a Historic Landmark Advisory Commission, and working with the Oregon State Historic Preservation Office (SHPO) to qualify for historic preservation grants as a Certified Local Government.

Henry Lawrence, City Administrator, reported this item was previously presented to the City Council as well as the Community Development Commission. The National Parks Service serves as the Federal representative of the Historic Preservation Program and the Oregon Parks and Recreation Department administers the program locally. Mr. Lawrence explained that the City is interested in becoming a Certified Local Government (CLG) to be eligible to apply for historic preservation grants. Requirements of becoming a CLG include: Adopting a historic preservation Ordinance meeting the guidelines of the State Historic Preservation Office (SHPO); agreeing to participate in updating and expanding the State Historic Building Inventory Program, and other requirements outlined in the proposed Ordinance. Grants range from \$5,000 to \$20,000 and usually require a 50% match. Additionally, Mr. Lawrence discussed the Community Development Commission's willingness and recommendation to serve as the Historic Landmark Advisory Commission with some members having experience to meet the requirements.

The proposed Ordinance was based on a template provided by SHPO with modifications to incorporate the Community Development Commission serving as the Historic Landmark Advisory Commission. Additionally, Mr. Lawrence proposed that the Historic Landmark Advisory Commission would serve as an advisory body to the City Council only. The down side is that there has to be an appeals process which would then be required to go through the Land Use Board of Appeals (LUBA). Mr. Lawrence also reported three scrivener errors in the proposed Ordinance wherein the words "Planning Commission" would be replaced with "City Council". Mr. Lawrence further explained that the proposed Ordinance outlines a process that is voluntary and would require property owners to agree.

Next, Mayor Russell invited public testimony in favor of the proposal. Douglas Detling, a Community Development Commissioner, spoke in favor of the proposed Ordinance and reported it was recommended by the Community Development Commission. Mr. Detling noted that Page 4 of 18, Section 5.B, indicates efforts will be made to include members with professional experience in the fields of preservation, architecture, archeology, community history, building trades, real estate or related specialties. Mr. Detling reported there are at least two members meeting those requirements, including himself with experience in Maine and

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New Hampshire in respect to community or public graveyards. Additionally, Mr. Detling discussed the nature of the Community Development Commission, but noted interest of some members doing historic preservation and he expressed strong favor of the proposal.

Mayor Russell invited additional public testimony in favor of the proposal and then in opposition; however, there being no further testimony or final comments, the Public Hearing closed at 7:14 p.m.

Next, Mayor Russell reported the proposed Ordinance No. 2017-06 was scheduled later in the Agenda as Item No. 10.1. Further, there being no objection to changing the order of business, Mayor Russell asked to discuss and deliberate the proposed Ordinance No. 2017-06. Councilor Fierke inquired about naming the Historic Preservation Officer, and Mr. Lawrence reported Mike Upston will be named to serve in this capacity. Councilor Fierke further noted the Ordinance addresses buildings and another Resolution addresses preserving the City's small town character, and he thought the Commission should be involved with that as well.

Mayor Russell asked for a motion to adopt Ordinance No. 2017-06. Council President Jenks made a motion to adopt Ordinance No. 2017-06, the City of Eagle Point Historic Preservation Ordinance; **and Councilor Fierke seconded the motion (*Revised during the City Council Meeting of 11/14/2017*)**. There was no discussion. Roll call: Ruth Jenks, yes; James Mannenbach, yes; Kathy Sell, yes; Michael Stanek, yes; Jonathan Bilden, yes; Bill Fierke, yes; and Bob Russell, yes. The motion passed unanimously.

6. CONSENT CALENDAR

6.1 Presentation of Regular Meeting Minutes of October 10, 2017.

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

8. PRESENTATION OF BILLS TO BE PAID

Mayor Russell asked if there were questions about the bills to be paid including the additional bills list. Council President Jenks inquired about the credit card bill of approximately \$10,000. Ms. Owens responded that some of the cost was for training and travel but it also included vehicle maintenance. There being no further questions, Councilor Bilden moved to approve the Regular Bill List in the amount of \$120,317.78 and the Additional Bills List in the amount of \$19,839.70 (Submission No. 1). Councilor Stanek 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.

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9. OLD BUSINESS

There were no Old Business items on the agenda.

10. NEW BUSINESS

10.1 Ordinance No. 2017-06. The City of Eagle Point Historic Preservation Ordinance.

Item No. 10.1 was deliberated after the Public Hearing listed as Item No. 5.1.

10.2 Resolution No. 2017-47. A Resolution proclaiming October 25-31, as Red Ribbon Week in the City of Eagle Point.

Mayor Russell provided Red Ribbons for the audience and explained the National Red Ribbon Campaign offers citizens the opportunity to demonstrate their commitment to drug-free lifestyles (no use of illegal drugs, no illegal use of legal drugs). The National Red Ribbon Campaign celebration throughout America is during Red Ribbon Week, October 25-31.

Further, Mayor Russell reported that the Resolution proclaims October 25-31, as RED RIBBON WEEK, and encourages the citizens of Eagle Point to participate in drug prevention education activities, not only during Red Ribbon Week, but all year long, making a visible statement that we are strongly committed to a drug-free City. Mayor Russell welcomed Private Craig with the Southern Oregon Young Marines, as he had requested the City Council's support of the Resolution. Private Craig introduced himself and Mayor Russell expressed appreciation for his help.

Mayor Russell asked for a motion to approve Resolution No. 2017-47. Councilor Mannenbach made a motion to approve Resolution No. 2017-47, a Resolution proclaiming October 25-31, as Red Ribbon Week in the City of Eagle Point; and Council President Jenks 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.

10.3 Resolution No. 2017-48. A Resolution supporting the Lagoon Site Stabilization Grant.

Mayor Russell introduced this item which includes approximately 48 acres and could become a future park. Robert Miller, Public Works Director, explained that the City of Medford, Rogue River Watershed Council (RRWC) and other entities had been working together for several months on the proposed project. The RRWC received a grant from the Bureau of Land Management to design a rehabilitation of the Little Butte Creek. Additionally, Mr. Miller reported the City desires to use the site for future recreational activities while the proposed project is designed to improve watershed conditions and water quality, floodplain connectivity, and rearing habitat for native fish. Mr. Miller further explained that RRWC is seeking the

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Council's support with a match of \$5,000 to seek additional grants and complete construction of the project.

Sarah Sauter, Water Quality Improvement Program Manager for the RRWC (a voluntary and non-regulatory entity), provided a brief overview of the structure of RRWC. Next, Ms. Sauter presented a PowerPoint Presentation (Submission No. 2) on the Little Butte Creek Floodplain Connectivity Restoration Project. Ms. Sauter reported her first site visit on this project was made in December 2015. Ms. Sauter explained she was seeking the Council's Resolution of support to share with the funders. Basically, RRWC's objectives are to reconnect the Little Butte Creek with floodplain and side channel to enhance floodwater storage capacity, improve riparian condition and habitat complexity, as well as to increase public awareness. All of which will help to prepare this site for future recreational use.

Erosion control is a concern with water quality and in controlling the lateral migration of the Little Butte Creek towards nearby Antelope Creek. Lateral migration has occurred with documentation from 1994 to 2000 reflecting a rate of 185', 2000 to 2005 at a rate of 20', 2005 to 2015 at a rate of 70', and 2010 to 2016 at a rate of 55'. Continuous erosion will merge the creeks and not only change the plans for a future trail, it would impact property owners. The project includes a proposal to place boulders, logs, etc., to stop the erosion. An old 600' long berm is another obstacle that keeps water from going into the flood plain. It is hoped that the berm can be breached in a couple of spots, and preservation of some really large old trees, creating a better habitat for fish. However, blackberry removal is proposed as well as the addition of native trees and shrubbery.

It is estimated the project will cost slightly over \$250,000, with an Administrative cost of \$14,000, not the amount listed in the PowerPoint. Funding sources include: Oregon Watershed Enhancement Board (OWEB), DWPP, Medford Water Commission, and the Bureau of Land Management. Ms. Sauter proposed that the City contribute funds of \$5,000 to cover the cost of tipping fees (dump fees) and debris removal. A 59% match for the project is available and reflects well on the project although it only required a 25% match. It is possible that the project could begin in the Summer of 2018.

Discussion continued with Ms. Sauter opening for questions. Councilor Fierke inquired about whether or not this type of stabilization had been done in other places. Ms. Sauter responded that it had and the engineer designing the project is the most sought after in the State. Additionally, adequate funds were available for the engineer to provide advice on the project.

Mayor Russell asked for a motion to approve Resolution No. 2017-48. Council President Jenks made a motion to approve Resolution No. 2017-48, a Resolution supporting the Lagoon Site Stabilization Grant. Councilor Sell 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.

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- 10.4 Resolution No. 2017-49. A Resolution authorizing a Cost-of-Living Adjustment to the City Administrator's Salary.

Mayor Russell explained that the City Administrator's annual performance evaluation process has a rating system of one being the lowest score, and four being the highest and best score. Mr. Lawrence was rated as a three or four in all categories with an overall rating of four. As a result, it was determined to award a 2.30% Cost-of-Living Adjustment, the same amount awarded to staff.

Mayor Russell asked for a motion to approve Resolution No. 2017-49. Councilor Sell made a motion to approve Resolution No. 2017-49, a Resolution authorizing a Cost-of-Living Adjustment to the City Administrator's Salary. Councilor Fierke 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, yes; and Bob Russell, yes. The motion passed unanimously. Mr. Lawrence expressed appreciation to the City Council.

- 10.5 Discussion on the request of the McLoughlin Meadows Homeowners Association to transfer ownership of the Street and Storm System to the City.

Following Mayor Russell's introduction of this item, City Councilor Stanek recused himself as he is a homeowner in the subdivision and member of the McLoughlin Meadows Homeowners Association. Robert Miller, Public Works Director, reviewed the agenda statement, explaining about the streets and storm system involved. Mr. Miller further explained about the Homeowner Associations' (HOA's) limited membership and concern about not being able to hold meetings due to the lack of a quorum. The Homeowner Association has reserves of \$90,000 in which they are willing to provide to the City in exchange of transferring ownership to the City.

Discussion continued wherein Councilor Sell inquired about the HOA's street standards and Mr. Miller reported the City is researching this to make a determination. Additionally, Council President Jenks inquired about the amount of \$90,000 and Kim Learn, Board Member of the HOA responded it is the amount they have collected in their accounts, and the HOA would be dissolved upon acceptance of those funds by the City. Discussion continued about the amount of \$90,000 and any other legal responsibilities, as well as further discussion about roads and the regular maintenance of the proposed roads.

11. REPORTS FROM CITY COUNCIL AND CITY COMMITTEE REPRESENTATIVES

Councilor Fierke reported the Eagle Point School District 9 Board held its regular meeting including discussions about facilities, and reported that enrollments are up. Councilor Fierke further reported attending a communication meeting with the School District Superintendent and Board Chair together with Eagle Point's City Administrator and

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Councilor Bilden. The focus of that meeting was mainly on happenings within Eagle Point.

Councilor Bilden reported on the first Branding meeting and is looking forward to future meetings. In regard to the School Board, they have a new Chair. Additionally, Councilor Bilden expressed appreciation for the passage of the Historical Preservation Ordinance.

Councilor Mannenbach reported it was good to see everyone at the Mayors United ACCESS dinner.

Councilor Stanek concurred with Councilor Bilden about the Branding meeting and reported that Paradux Media Group is doing an excellent job putting everything together.

Councilor Sell reported on the recent Planning Commission meeting wherein the Commission adopted and recommended for the Council's approval, updated Comprehensive Plan and Zoning Maps and updated floodplain management regulations. Councilor Sell noted the reduced flood plain area will decrease the flood insurance requirements for some homeowners. Regarding the recent disaster preparedness training at the League of Oregon Cities' annual conference, Councilor Sell inquired about the City's emergency button for staff. Melissa Owens, Finance Officer, responded that the City is equipped and all staff learns how to use it during employee orientation. Another topic during the disaster preparedness training was on water and food. While most cities have a good grip on water, they do not on food. Most cities recommend residents have a two week supply of water and food. Henry Lawrence, City Administrator, noted that the City's plan is to equip the Emergency Operations Center with food and water but not for the community. Mr. Lawrence recommended citizens plan to sustain themselves for seven days, and agreed that a reminder could be placed in the Utility Billing Newsletter. Jackson County Commissioner Bob Strosser added that in the event of an emergency, Sara Rubrecht, the County's Emergency Manager, and Danny Jordan, County Administrator, would be involved.

Mayor Russell reported enjoying the Mayors United ACCESS Dinner along with five City Councilors and former City Councilor Wayne Brown.

12. STAFF REPORTS

Melissa Owens, Finance Director, announced the Finance Report was in the agenda packet and there were no surprises to report. Ms. Owens briefly reported on the new ADA (Americans with Disabilities Act) doors and keyless entry system at City Hall including a feature for staff to lockdown the facility with the touch of a button. Ms. Owens noted there had been occasions with people coming in that could be considered dangerous but there had not been physical altercations. Additionally, the new phone system can call the Police Department and Dispatch directly. Following Ms. Owens' report, Councilor Fierke asked about property tax projections of \$1.5M to be received this year, not \$1.6M. However, the remaining \$100,000 will be received eventually. It was also noted that the City budgets to receive \$30,000 in delinquent taxes but has been receiving around \$60,000.

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Robert Miller, Public Works Director, reported on the Meadow Way paving project and upcoming Pavement Index Survey by Capital Asset. Mr. Miller further reported working with the Holt Corporation toward a path on Arrowhead Trail, and City staff clearing a path for a trail that will be used year round.

Sergeant LaFord announced the Police Department planned to participate in National Prescription Drug Take Back Day on October 28, wherein they would receive medications other than needles and liquids for proper disposal.

Attorney Kellerman reported reading a statistic about water tested in New York and other areas wherein there was an alarming high concentration of Prozac detected.

Henry Lawrence, City Administrator, announced upcoming agenda items including: SDCs, density, and the Eagle Point Golf Course Homeowners Association proposal on street lighting.

Cindy Hughes, City Recorder, reported on an upcoming Region 5 Dinner of the Oregon Association of Municipals Recorders, to be held at the Talon Grill located at the Eagle Point Golf Course.

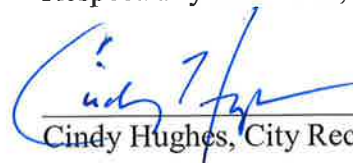
12. INFORMATION

There were no information items for discussion.

15. ADJOURN

There being no further business, Mayor Russell closed the meeting at 8:17 p.m.

Respectfully submitted,


Cindy Hughes, City Recorder

ATTEST:


Robert E. Russell, Mayor