



CITY OF EAGLE POINT

"Gateway to the Lakes"

OREGON

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

OCTOBER 23, 2018

REGULAR MEETING MINUTES

1. CALL TO ORDER – 6:00 P.M.

Mayor Russell called the meeting to order at 6:00 p.m.

Council Members Present: Bob Russell, Jonathan Bilden, Ruth Jenks, James Mannenbach, Kathy Sell, and Michael Stanek.

Council Members Absent: Bill Fierke.

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

Guests: Bob Strosser, Jackson County Commissioner; Nick Fahey, Southern Oregon Sanitation; Mike Frey and Tisha Oehman, Paradux Media Group; Suzi Collins, Planning Commissioner; ~~Douglas Detling, Community Development Commissioner~~ (***Revised during the Council meeting on November 13, 2018***); Bernie Grossman, Planning Commissioner; Eric Gunn, Budget Committee Member; Leon Sherman, Budget Committee Member; Mike Smail, Planning Commissioner; Kevin Walruff, Planning Commissioner; Millie Wewerka, Budget Committee Member and Planning 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. Following the invocation, Mayor Russell reminded everyone about quieting cell phones until after the meeting.

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

Chris Buchanan and Jim Brick of Eagle Point requested an update about their petition for stop signs on Robert Trent Jones Boulevard, and expressed appreciation for the increase in police patrol. Mr. Buchanan clarified there is support of the homeowners' association

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(HOA) but any fiscal support would require approval by the HOA. Mr. Buchanan further requested additional patrol during peak travel hours, and reported an incident of drag racing. Mayor Russell expressed appreciation and reported the City is working on traffic such as that later in the agenda with the Crystal All Way Stop.

Maryanne Pitcher, Butte Creek Mill Foundation Executive Director, presented the City with a framed picture of the historic Mill in appreciation of being a Friend of the Mill. Ms. Pitcher followed with an update on the construction schedule and fundraising efforts. The opening is still on schedule for Spring 2019, and the fundraising goal remains at \$2.5M. Future local fundraising efforts include a campaign with Rogue Credit Union, and a spaghetti dinner at Brookdale Assisted Living. Additionally, Ms. Pitcher provided a summary about insurance requirements for people accessing an irrigation pump, and reimbursement to the Foundation for electricity used in irrigation.

Suzi Collins, President of the Eagle Point Senior Center, reminded everyone about the Veterans Day Breakfast, free to Veterans and \$5 for everyone else, followed by the ceremonial walk to the Veterans Park and Covered Bridge.

There were no other audience questions or comments.

4. PRESENTATIONS

4.1 Presentation on visit to Sister City Showa Japan.

Mayor Russell reported on the visit to Sister City Showa Japan as being very successful and a tradition he hopes will continue well into the future. City Council President Jenks, and Councilors Sell and Stanek joined Mayor Russell in representing Eagle Point during the visit as well as others for a total of 9 visitors. A video of the visit was presented by City Councilor Stanek [Eagle Point, Oregon & Shōwa, Japan - YouTube](#).

5. PUBLIC HEARINGS

5.1 Public Hearing to consider repealing and replacing Eagle Point Municipal Code (EPMC) Chapter 17.66, Updating Land Use Planning Fees, and establishing Public Works and Engineering Development Review and Inspection Fees.

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 6:25 p.m., Mayor Russell opened the Public Hearing to consider repealing and replacing Eagle Point Municipal Code (EPMC) Chapter 17.66, Updating Land Use Planning Fees, and establishing Public Works and Engineering Development Review and Inspection Fees.

Henry Lawrence, City Administrator, reported this item had been started but on hold over the last year or more while other items were being addressed. The Ordinance included fixing rates, lowering some fees, and increasing others. Mr. Lawrence

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explained the Council's options of adopting the Ordinance, amending it, or not adopting. Robert Miller, Public Works Director and Mike Upston, Planning Director, joined Mr. Lawrence in reviewing the proposed updates. Mr. Miller and Mr. Upston discussed Eagle Point's process of meeting with developers before a project begins to eliminate questions or concerns along the way.

Discussion of the fees during the Public Hearing resulted in the following changes to Planning Action Fees shown on Page 2 of Exhibit A to the Ordinance:

Final Subdivision: see Engineering Review Fees and Inspection Services Fees below.

Partition

Major (more than 3 lots)	Same as Tentative Subdivision
Minor (up to 3 lots)	\$1,200
Expedited	\$ 600

Boundary Line Adjustment	\$ 300
Hearing Required	\$ 600
Administrative (no hearing)	\$ 300

Discussion points about the proposed changes addressed aligning Eagle Point's fees with other cities while remaining competitive with development. With regard to partitions, Mr. Upston noted that no other city includes an expedited line but the City would honor the Oregon Revised Statute if someone wanted to expedite. It was further noted that planning activity is not expected to be fully cost recovered.

Mr. Miller commended Mr. Upston's explanation of costs and noted that most developers are appreciative of the rates as they know what they are paying for. Idlewood Subdivision was given as an example because it was sold before being completed but it was easy to identify what had already been paid for. The proposed fees capture a portion of the cost of in-house engineering review as well as inspection costs of the City Engineer. Mr. Miller continued with Engineering Review Fees, Inspection Services Fees, Public Works Review and Inspection Permit Fees; however, no changes were recommended.

Next, Mayor Russell invited public testimony in favor and opposition of the proposal; however, there was no public testimony.

There being no additional discussion or public testimony, Mayor Russell closed the Public Hearing at 7:01 p.m.

Mayor Russell announced that the related Ordinance No. 2018-12 was scheduled later in the Agenda as Item No. 10.1. There was no objection to changing the order of business, and Mayor Russell asked to discuss and deliberate the proposed Ordinance No. 2018-12. Discussion ensued which resulted in the recommendation

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of the following changes to Planning Action Fees shown on Page 2 of Exhibit A to the Ordinance:

Tentative Subdivision	\$1,500 + \$300 per lot
4 or more lots (Does not include civil engineering review and inspections)	
4-24 lots (TIS may be required)	\$1,000 + \$300 per lot
25-49 lots (TIS required)	\$3,000 + \$300 per lot
50+ lots (TIS required)	\$5,000 + \$300 per lot

There was also discussion and deliberation about costs related to written interpretation of Municipal Codes, but there were no recommended changes.

Council discussed the possibility of adopting the Ordinance with the recommended changes which resulted in Mayor Russell asking for a motion to adopt Ordinance No. 2018-12. Councilor Stanek made a motion adopt Ordinance No. 2018-12 repealing and replacing Eagle Point Municipal Code (EPMC) Chapter 17.66, Updating Land Use Planning Fees, and establishing Public Works and Engineering Development Review and Inspection Fees. Councilor Bilden seconded the motion. Mike Upston, Planning Director, stated the following changes to Section A of Exhibit A: Tentative Subdivision – \$1,500 plus \$300 per lot; striking Partition language about Expedited - \$600; and setting a flat rate for Boundary Line Adjustment at \$300 and removing language about hearing and administrative. Mayor Russell announced the motion and second to adopt Ordinance No. 2018-12, an Ordinance repealing and replacing Eagle Point Municipal Code (EPMC) Chapter 17.66, Updating Land Use Planning Fees, and establishing Public Works and Engineering Development Review and Inspection Fees, with previously mentioned changes. There was no further discussion. Roll call: James Mannenbach, yes; Kathy Sell, yes; Michael Stanek, yes; Jonathan Bilden, yes; Ruth Jenks, yes; Bob Russell, yes; and Bill Fierke, absent. The motion passed unanimously by those present.

5.2 Public Hearing to consider amending the Eagle Point Municipal Code regarding Storm Water Discharge.

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 7:12 p.m., Mayor Russell opened the Public Hearing to consider amending the Eagle Point Municipal Code regarding Storm Water Discharge.

Robert Miller, Public Works Director, reviewed the related agenda statement explaining about the Department of Environmental Quality (DEQ) requirement for Eagle Point to adopt guidelines for storm drain protection as part of a permit with them. Mr. Miller further explained about the Ordinance including guidelines for

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residential construction, grading, and erosion control permits. Education will be part of a strategy to improve practices with enforcement as a last action. Last, the possibility of someone disposing of paint or other materials in the storm drain was discussed as well as provisions to allow car washing at a residence.

Next, Mayor Russell invited public testimony in favor and opposition of the proposal; however, there was no public testimony. Mr. Miller clarified that the DEQ usually handles investigations for storm drain contaminants such as paint and oil, and they do not typically go to the Environmental Protection Agency (EPA). There being no additional discussion or public testimony, Mayor Russell closed the Public Hearing at 7:18 p.m.

Mayor Russell announced that the related Ordinance No. 2018-13 was scheduled later in the Agenda as Item No. 10.2. There was no objection to changing the order of business, and Mayor Russell asked to discuss and deliberate the proposed Ordinance No. 2018-13. Discussion followed wherein Mr. Miller reported violations would have to be evaluated to determine and assess clean up costs. Henry Lawrence, City Administrator, responded with information about the general penalty in the Municipal Code and a fine of up to \$500 per day.

Mayor Russell asked for a motion to adopt Ordinance No. 2018-13. Council President Jenks made a motion adopt Ordinance No. 2018-13, an Ordinance amending the Eagle Point Municipal Code regarding Storm Water Discharge; and Councilor Sell seconded the motion. There was no further discussion. Roll call: Kathy Sell, yes; Michael Stanek, yes; Jonathan Bilden, yes; Ruth Jenks, yes; James Mannenbach, yes; Bob Russell, yes; and Bill Fierke, absent. The motion passed unanimously by those present.

- 5.3 Public Hearing to consider an application to subdivide and develop the property at Tax Assessors Map 351W34BD, Lot 2500 in the R-3 Multi-Family Medium Density Residential zoning district. (Sienna Hills Subdivision, Phase 7) Planning Action File Number: PA #18-12:SUB.

Mayor Russell announced the Public Hearing had been advertised and all legal notifications were made in compliance with state and local laws. Next, Mayor Russell reported on the applicant's request for the Public Hearing to be opened and a plea made to continue it to the November 27th meeting for staff to present the proposal, and the Council to receive public testimony.

At 7:21 p.m., Mayor Russell opened the Public Hearing to consider an application to subdivide and develop the property at Tax Assessors Map 351W34BD, Lot 2500 in the R-3 Multi-Family Medium Density Residential zoning district. (Sienna Hills Subdivision, Phase 7) Planning Action File Number: PA #18-12:SUB.

Mike Upston, Planning Director, reviewed the related agenda statement explaining about the Planning Commission's approval of the Site Plan & Landscape Review,

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and Conditional Use Permit and Planned Development. Since then, the applicant has considered making changes to the project and requested additional time. Mr. Upston further explained that any changes would be reconsidered by the Planning Commission.

Mayor Russell offered to entertain a motion to continue the Public Hearing to the November 27, 2018, City Council meeting. Councilor Sell motioned to continue the Public Hearing to the November 27, 2018, City Council meeting; and Councilor Mannenbach seconded the motion. There was no discussion. Roll call: Michael Stanek, yes; Jonathan Bilden, yes; Ruth Jenks, yes; James Mannenbach, yes; Kathy Sell, yes; Bob Russell, yes; and Bill Fierke, absent. The motion passed unanimously by those present.

6. CONSENT CALENDAR

6.1 Presentation of Regular Meeting Minutes of September 25, 2018.

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

8. PRESENTATION OF BILLS TO BE PAID

Mayor Russell asked if there were questions about the bills to be paid. There being no questions, Councilor Bilden moved to approve the Regular Bill List in the amount of \$299,889.78, and the Additional Bills List in the amount of \$9,654.82 (Submission No. 1). Council President Jenks seconded the motion. (*Note: The Regular Bill List dated October 9, 2018 in the amount of \$156,973.73 was also provided in the agenda packet*). There was no discussion. Roll call: Ruth Jenks, yes; James Mannenbach, yes; Kathy Sell, yes; Michael Stanek, yes; Jonathan Bilden, yes; Bob Russell, yes; and Bill Fierke, absent. The motion passed unanimously by those present.

9. OLD BUSINESS

There was no Old Business.

10. NEW BUSINESS

10.1 Ordinance No. 2018-12. An Ordinance repealing and replacing Eagle Point Municipal Code (EPMC) Chapter 17.66, Updating Land Use Planning Fees, and establishing Public Works and Engineering Development Review and Inspection Fees.

This item was discussed and deliberated after Item No. 5.1.

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- 10.2 Ordinance No. 2018-13. An Ordinance amending the Eagle Point Municipal Code regarding Storm Water Discharge.

This item was discussed and deliberated after Item No. 5.2.

- 10.3 Resolution No. 2018-48. A Resolution amending the rate structure for Solid Waste Collection for Southern Oregon Sanitation.

Henry Lawrence, City Administrator, provided a summary about China's ban on certain recycled materials and the increased cost of previously recyclable materials now being sent to the landfill. Nick Fahey of Southern Oregon Sanitation (SOS) presented a PowerPoint presentation (Submission No. 2) about: Changing the recycling mix to the marketable Rogue Mix (corrugated cardboard, aluminum or tin cans, plastic milk jugs, and newspaper manufactured in North America); recycling notification and education (Facebook and Waste Wizard app); and a rate increase of 6.5% to cover the new cost of landfilling and recycling. Mr. Fahey further discussed reducing non-conforming households and wishful recycling (non-recyclable items), camera enforcement, and shipping recycling to Portland. Mr. Fahey noted the 6.5% rate increase is county-wide with the exception of Ashland which has a recycling surcharge for the disposal of recycling.

The rates still remain low with only two other areas being lower. Those areas are Glendale without recycling, and Rogue River with a low number of recycling participants. The 6.5% increase is \$1.09 per month for a 35 gallon cart. Discussion followed about:

- Concern for non-biodegradable garbage.
- Recyclability of voters' pamphlet which was unknown at the time.
- Safety issues associated with recycling tin can lids.
- Differences between corrugated cardboard and cereal boxes being that corrugated cardboard has easier to reuse longer fibers.
- League of Oregon Cities, Local Focus, September 2018, Recycling Market Changes Cause Disruptions in Oregon.
- Recycling plastic bottles and the Oregon Bottle Bill.
- Product stewardship bills for paint and electronics.
- Reduce, reuse, and recycle.
- Cost of landfilling.

Mayor Russell asked for a motion to authorize Resolution No. 2018-48. Councilor Bilden made a motion to authorize Resolution No. 2018-48, a Resolution amending the rate structure for Solid Waste Collection for Southern Oregon Sanitation; and Councilor Mannenbach seconded the motion. Mayor Russell announced the motion and second to authorize Resolution No. 2018-48. There was no further discussion. Roll call: Jonathan Bilden, yes; Ruth Jenks, yes; James Mannenbach, yes; Kathy Sell, yes; Bob Russell, yes; Michael Stanek, **no yes**; and Bill Fierke, absent. The motion passed **with five yes votes and one no vote** ~~unanimously by those present~~ *(Revised during the Council meeting on November 13, 2018).*

Afterwards, Mr. Fahey expressed appreciation to the City Council and offered to follow up on any future questions.

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10.4 Discussion regarding the Royal Avenue Grant for Engineering and Right of Way.

Robert Miller, Public Works Director, reported on the City receiving a \$437,963 grant to improve Royal Avenue from Loto Street to Highway 62, awarded through the Rogue Valley Metropolitan Planning Organization (RVMPO) from the federal Surface Transportation Block Grant (STBG) program. Additionally, Jackson County pledged \$25,000 towards the project, and the City is providing a match of \$36,000. Mr. Miller added that after project completion, it is anticipated that Jackson County, the current owner of Royal Avenue, would propose the City to take ownership of the road.

The project includes the area of South Royal Avenue from Loto Street to Highway 62 to be improved with sidewalks, left-turn lanes at key intersections, parking as allowable, new drainage, replacement of two culverts, pedestrian scale lighting, and rehabilitation of the pavement from Loto Street to Highway 62. However, because construction funding will not be available for some time, the grant would allow preliminary engineering, right of way discussions, and selection of the best options to move forward.

Additionally, Oregon Department of Transportation (ODOT), administering the STBG, requested the project be modified to the State Funded Local Projects (SFLP) process, allowing the City to procure an engineering consultant and right of way based upon the City's 'local' procedures (similar to the Linn Road Improvements). Revising the funding would reduce the grant funds by 6 percent, or approximately \$26,278, but Mr. Miller thought the City would gain back the percentage fairly quickly.

Mr. Miller suggested the Council's consideration of the project, and if recommended would bring back a formal agreement with ODOT. Mayor Russell initiated a brief discussion and announced the Council nodded in agreement to move forward. There was no objection or further discussion.

10.5 Discussion regarding All-Way Stop at Crystal Drive/Ridgeview Drive/Chantrell Court.

Robert Miller, Public Works Director, reviewed the agenda statement, explaining about the City initiating a traffic analysis for the intersection of Crystal Drive/Ridgeview Drive/Chantrell Court. Southern Oregon Transportation Engineering, LLC, completed the analysis and recommended revising the intersection to an all-way (four-way) stop controlled intersection (AWSC) to reduce the potential for collisions. Councilor Sell commented that the project would be worthy if protecting the safety of even one child. Mayor Russell agreed to move forward and there was no objection or further discussion.

10.6 Discussion regarding the City logo design.

Mike Frey and Tisha Oehman of Paradux Media Group presented the Council with the proposed new logo designs. The goal was to select a design by process of elimination or a design to slightly adjust. It was determined to use logo 1C with the

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bridge from 3A, and the plaque on the bridge to be 1911. However, there was discussion about the bridge's number being its actual number of 202, but the date of 1911 was selected instead as a means of keeping the logo clean looking.

11. REPORTS FROM CITY COUNCIL AND CITY COMMITTEE REPRESENTATIVES

Councilor Bilden reported attending the audit exit meeting with Councilor Mannenbach, and never seeing auditors so impressed during the audits of other entities. However, one request from the auditors is for the Council to provide input on the audit surveys. A brief discussion followed wherein Council members reported difficulty with the questionnaire. Councilor Bilden concluded by expressing appreciation to Melissa Owens, Finance Director.

Council President Jenks reported attending the recent Rogue Valley Metropolitan Planning Organization Policy Board meeting. While the meeting was mostly administrative, she reported learning that Julie Brown of the Rogue Valley Transportation District had been appointed to the Oregon Transportation Commission. With regard to the visit to Japan, Council President Jenks reported on how the citizens embraced recycling with commitment and enthusiasm, including casual dining places where everything was precisely separated for recycling. Council President Jenks ended on a note about the enjoyable visit with the people in Japan.

Councilor Mannenbach reported attending the recent Community Development Commission meeting with a review of City Street Tree List and discussion regarding a historic preservation grant.

Councilor Stanek reported on the visit to Showa Japan as being both amazing and humbling, with the purpose of the visit really hitting home during the visit at the high school. Councilor Stanek went on to report about the students and teachers all being incredible. Lunch was a healthy meal followed with cleanup, hand washing, and teeth brushing. At the end of the school day, students took turns cleaning, mopping, and tidying up as there is not a janitor. Councilor Stanek reported being so impressed that he asked if it was a normal day, which it was with the exception of spoons being used at lunch instead of chopsticks. Councilor Stanek concluded with the hope of Eagle Point's School Board members going next year. Aside from the school visit, he reported on recycling and cleanliness in Tokyo.

Councilor Sell reported on the visit to Showa Japan as well and expressed strong support of sending Eagle Point's youth to visit. On a separate note, Councilor Sell requested the Council's future consideration of providing the Mayor's position with a small stipend to reimburse for fuel and expenses related to serving. Henry Lawrence, City Administrator, responded that if there was a consensus, it could be researched and presented at the November 27th meeting. There was no objection.

Mayor Russell reported attending the League of Oregon Cities (LOC) Conference in addition to the visit to Japan. During the LOC Conference, he received the LOC and CIS Gold Safety Award on behalf of the City. Additionally, Mayor Russell reported attending the candidate forum and the Medford Water Commission meeting.

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12. STAFF REPORTS

Mike Upston, Planning Director, noted the lengthiness of the meeting and reported there had been a lot of development activity with behind the scenes work, all described in the Friday Letter.

Melissa Owens, Finance Director, reported on the inclusion of the September Financial Report in the agenda packet with everything exactly as expected this early in the fiscal year. Ms. Owens further reported on the City receiving tax projections, close to the budgeted amount, and her plans to provide more of a report at the next meeting. Regarding the audit, it went very well without comments other than a few standard best practices that are discussed each year. Staff is working on finishing items to complete the audit but it will be a clean report. Ms. Owens also noted the auditors are appreciative of staff's preparation which helps in the audit process. In addition, Ms. Owens noted items in the Friday Letter such as the SAIF dividend, staff recruitment, and mentioned statistics in the Finance Report.

Robert Miller, Public Works Director, reported on paving in the City, upcoming work on Linn Road by Avista Utilities, and recruitment for a Public Work's position. Mr. Miller concluded by expressing appreciation about attending the American Public Works Association Conference, wherein he attended trainings as well as presented on pavement maintenance.

Police Chief May reported back on a previous inquiry from Councilor Stanek about traffic complaints in an area of concern on Robert Trent Jones Boulevard. From July 1, there were eight complaints, three for parking and five for speeding or wreckless vehicles. There was not a report about racing. Chief May noted there had been two citations for speeding and another for driving while suspended during that time period. With regard to staffing, Officer Evertt is graduating from the Academy; however, Corporal Fisher had been offered a position with another agency. Recruitment for a lateral position is in progress.

13. INFORMATION

There were no information items.

At 8:25 p.m., Mayor Russell recessed the meeting.

14. 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 8:30 p.m., Mayor Russell opened the Executive Session pursuant to ORS 192.660(2)(h) and closed the Executive Session at 8:51 p.m.

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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.

At 8:52 p.m., Mayor Russell opened the Executive Session pursuant to ORS 192.660(2)(e) and closed the Executive Session at 9:04 p.m.

16. ADJOURN

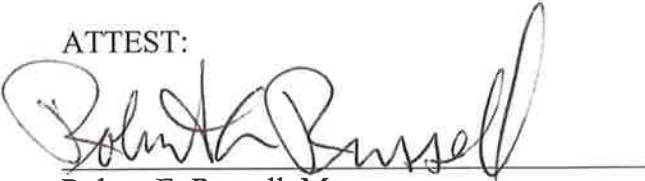
At 9:04 p.m., Mayor Russell closed the meeting.

Respectfully submitted,



Cindy Hughes, City Recorder

ATTEST:



Robert E. Russell, Mayor