



# CITY OF EAGLE POINT

*"Gateway to the Lakes"*

---

## OREGON

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

**NOVEMBER 27, 2012**

### **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, Alan Curriston, Bill Fierke, Ruth Jenks and Kathy Sell.

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

Guests: Bernard Grossman and Millie Wewerka, Planning Commissioners; Aaron Prunty, Parks and Recreation Commissioner; Jeff Johnson; Eric Benline; and members of the public and press.

**2. FLAG SALUTE AND INVOCATION**

Mayor Russell led the Pledge of Allegiance. Council President Curriston led the invocation.

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

There was no public comment.

**4. PRESENTATIONS**

**4.1 Special Presentation in recognition of Alan Curriston's contributions to the City of Eagle Point.**

Mayor Russell announced the special presentation for Alan Curriston and presented a plaque to him in recognition of his many contributions to the City of Eagle Point.

In addition to Council President Curriston's community service with the School District, the Annual Bike Ride, and many other good causes; he served on the Economic Development Commission as a Commissioner and was its Chair from January 2006 through November 2012. As a City Councilor, he began service in January 2005 and will complete the current elected term in December 2012. He has also served as the City Council President since January 2009. A card from the City Council was presented in addition to the plaque.

Council President Curriston thanked the City Council and stated public service was a great opportunity to learn how government works. Although each term of service presented its own challenges, Council President Curriston recognized the wide variety of people serving Eagle Point and that they do so with respect for one another. Council President Curriston expressed his appreciation for the opportunity to serve and acknowledged his wife, Kris, for her support.

Mayor Russell recessed the meeting at 7:08 p.m. for a brief celebration in honor of Council President Curriston. Mayor Russell reconvened the meeting at 7:22 p.m.

## 5. PUBLIC HEARINGS

Mayor Russell moved Item 5.1 on the Agenda to the end of New Business as Item 10.5. It was further noted that a public hearing was not necessary for approval of this Ordinance and it had been inadvertently placed under Public Hearings.

## 6. CONSENT CALENDAR

- 6.1 Presentation of Joint Meeting Minutes of November 5, 2012
- 6.2 Presentation of Regular Meeting Minutes of November 13, 2012.

Mayor Russell announced the Consent Calendar and asked for a motion. Councilor Bilden moved to approve the Consent Calendar as presented and Councilor Sell seconded the motion. Following the motion, Councilor Fierke commented about a portion of the Joint Meeting Minutes. His comment was that the \$51,000 living wage requirement was actually a requirement for a business to be in an Enterprise Zone past the standard three year period. The Council acknowledged the change and Mayor Russell asked for a roll call. Roll call: Ruth Jenks, aye; Alan Curriston, aye; Bill Fierke, aye; Jonathan Bilden, aye; Wayne Brown, aye; Kathy Sell, aye; and Bob Russell, aye. The motion passed unanimously.

## 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. 1).

Councilor Fierke asked about the bill for Neilson Research Corporation and whether or not it included monthly testing of the water system. Councilor Jenks also asked about testing of creek water. Robert Miller, Public Works Director, stated he would check into these items and report back to the Council. Mayor Russell asked for a motion. Councilor Bilden made a motion for the Council to approve the bills as presented including the Additional Bills List. Council President Curriston seconded the motion. There was no discussion. Roll call: Wayne Brown, aye; Jonathan Bilden, aye; Kathy Sell, aye; Alan Curriston, aye; Bill Fierke, aye; Ruth Jenks, aye; and Bob Russell, aye. The motion passed unanimously.

9. OLD BUSINESS

There was no old business to discuss.

10. NEW BUSINESS

10.1 **Resolution No. 2012-66.** A Resolution appointing an Economic Development Commissioner to fill a vacancy on the Eagle Point Economic Development Commission.

Cindy Hughes, City Recorder, as shown on the revised roster for the Economic Development Commission (Submission No. 2), Ms. Hughes explained a vacancy was created on the Economic Development Commission earlier this year with the passing of Nancy Leonard. The selected candidate will serve the remainder of Commissioner Leonard's term, ending on December 31, 2013. It was further noted that the selected individual would be eligible for re-appointment to their first full three year term beginning on January 1, 2014.

Ms. Hughes also announced that the end of Commissioner Herndon's term is December 2012, which created a second vacancy for a three year period beginning January 2013 and ending December 2015. She further reported that staff advertised a vacancy on the Commission in the Upper Rogue Independent on August 21, 28, and September 4<sup>th</sup>, on the City's website, and in the City's utility billing newsletter and Friday Letters.

Ms. Hughes explained there were two qualified candidates to be considered for the vacancies on the Eagle Point Economic Development Commission. Those candidates, Jeff Johnson and Bernard Grossman, each described why they would like to serve on the Economic Development Commission, and how they were qualified to do so. Mr. Johnson, a local native of Eagle Point is also the Principal Broker at

Windermere/Trails End Real Estate. Mr. Grossman, a resident of Eagle Point for approximately 4 years, has an extensive business background and currently serves on the Planning Commission.

After the candidates spoke, the Council discussed and considered each candidate's qualifications. Mayor Russell suggested consideration of appointing one applicant to the current vacancy and the other applicant to the 2013 vacancy. Each candidate had proven their interest and commitment to the City, and Mayor Russell asked if either candidate had a preference of which vacancy they would fill. Bernard Grossman requested to be appointed to the vacancy beginning in January.

Mayor Russell asked for a motion to approve **Resolution No. 2012-66**, appointing Economic Development Commissioners to the Economic Development Commission. Jeff Johnson was selected to fill the immediate vacancy on the Economic Development Commission and Bernard Grossman for the vacancy beginning January 2013. Councilor Bilden made a motion to approve **Resolution No. 2012-66** and Councilor Fierke seconded the motion. There was no further discussion. Roll call: Jonathan Bilden, aye; Kathy Sell, aye; Alan Curriston, aye; Wayne Brown, aye; Bill Fierke, aye; Ruth Jenks, aye; and Bob Russell, aye. The motion passed unanimously.

- 10.2 **Resolution No. 2012-67.** A Resolution appointing a Parks and Recreation Commissioner to fill a vacancy on the Eagle Point Parks and Recreation Commission.

Ms. Hughes explained a vacancy was created on the Parks and Recreation Commission earlier this year with the resignation of Carroll Newcomb. Staff advertised the vacancy in the Upper Rogue Independent on August 21, 28, and September 4th, on the City's website, and in the City's utility billing newsletter and Friday Letters. One qualified applicant, Eric Benline, applied for the vacancy.

Staff requested the Council to consider the applicant, Eric Benline, for appointment of the remainder of Ms. Newcomb's term which ends on December 31, 2013. This appointment would be eligible for re-appointment to a full three year term beginning January 1, 2014 through December 31, 2016.

Mr. Benline, an Eagle Point resident since 2003, explained why he should be selected as a Parks and Recreation Commissioner, noting his experience and involvement in youth sports. The Council spoke with Mr. Benline about his qualifications and interest in serving on this Commission.

//

//

Following discussion, Mayor Russell asked for a motion to approve **Resolution No. 2012-67**, appointing Mr. Benline to the Parks and Recreation Commission. Councilor Jenks made a motion to approve **Resolution No. 2012-67** and Councilor Sell seconded the motion. There was no further discussion. Roll call: Ruth Jenks, aye; Alan Curriston, aye; Bill Fierke, aye; Jonathan Bilden, aye; Wayne Brown, aye; Kathy Sell, aye; and Bob Russell, aye. The motion passed unanimously.

- 10.3 **Resolution No. 2012-63.** A Resolution authorizing improvements to the Little Butte Creek Path and related City of Eagle Point Personal/Professional Services Contracts with Central Valley Excavation, Inc., and Overstreet Landscaping and Hydroseeding, Inc.

Mr. Miller explained that if approved, Resolution No. 2012-63 would authorize improvements to the Little Butte Creek Path and two contracts related to those improvements.

A gravel walking path and grading will be performed on the existing bench area as well as minor touch up of the existing slopes for aesthetics. Culverts and gravel would be included in the pathway. Major grading will be performed at a later date on top of the banks, and potentially the slopes with additional planning, research and budgeting. Gravel placement will be made in December or January.

Mayor Russell asked for a motion to approve **Resolution No. 2012-63**. Councilor Fierke made a motion to approve **Resolution No. 2012-63** and Councilor Brown seconded the motion. There was no further discussion. Roll call: Bill Fierke, aye; Alan Curriston, aye; Ruth Jenks, aye; Jonathan Bilden, aye; Kathy Sell, aye; Wayne Brown, aye; and Bob Russell, aye. The motion passed unanimously.

- 10.4 **Resolution No. 2012-68.** A Resolution authorizing a City of Eagle Point Personal/Professional Services Contracts with Rick Stevens Painting Co.

Henry Lawrence, City Administrator, reported he had received quotes for painting the entire City Hall, excluding the Council Chamber. Rick Stevens Painting Co. submitted the lowest bid at \$6,052 and Mr. Lawrence recommended awarding the bid. Councilor Fierke asked if other things could be done with the remainder of the allocated funding. Mr. Lawrence may come back to ask for new carpeting in the front area of City Hall. A brief discussion followed.

Mayor Russell asked for a motion to approve **Resolution No. 2012-68**. Councilor Jenks made a motion to approve **Resolution No. 2012-68** and Councilor Bilden seconded the motion. There was no further discussion. Roll call: Kathy Sell, aye; Jonathan Bilden, aye; Alan Curriston, aye; Wayne Brown, aye; Bill Fierke, aye; Ruth Jenks, aye; and Bob Russell, aye. The motion passed unanimously.

- 10.5 **Ordinance 2012-03.** Ordinance No. 2012-03 Repealing and Replacing Ordinance No. 2005-25, and Affirming the Creation of the Eagle Point Economic Development Commission.

Henry Lawrence, City Administrator, explained Ordinance No. 2005-25 contained minor scrivener's errors which have been revised within the text of Ordinance No. 2012-03. However, the main purpose of updating the Ordinance is that Section 4 of Ordinance No. 2005-25 did not clearly reflect the intent of the City Council to allow for the Chair of the Commission to be nominated and elected from the Commission's voting membership and its non-voting City Council Liaison Member.

A brief discussion followed about the correct procedure for Commission appointments, which by Charter and Ordinance No. 2012-03, shall be made by the Mayor.

Mayor Russell asked for a motion to adopt **Ordinance No. 2012-03**. Council President Curriston made a motion to adopt **Ordinance No. 2012-03** and Councilor Sell seconded the motion. There was no further discussion. Roll call: Alan Curriston, aye; Bill Fierke, aye; Ruth Jenks, aye; Jonathan Bilden, aye; Kathy Sell, aye; Wayne Brown, aye; and Bob Russell, aye. The motion passed unanimously.

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

Councilor Fierke acknowledged Council President Curriston for his help with the City Council. He also recognized Char Hoppe, her husband Gary, and Mike Upston, Principal Planner, for planting bulbs over the past weekend. Regarding our sister city, Showa, Japan, he received a response back from Lee (Showa teacher and interpreter), that the project is underway. Locally, there are several School District employees working toward more student involvement from Eagle Point. The cultural exchange will include skype and penpal relationships.

Councilor Bilden passed along an invitation to a town hall meeting by Rob Saxton, Deputy Superintendent of Public Instruction in the State of Oregon, scheduled at 6:00 p.m. on December 4, at North Medford High School. He concluded by acknowledging Council President Curriston's service and expressed his appreciation.

Councilor Jenks reported attending the Rogue Valley Metropolitan Planning Organization (RVMPO) Policy Meeting. She also extended her appreciation to Council President Curriston.

Council President Curriston offered his best wishes to Aaron Prunty and the Council.

Councilor Brown reported attending a Rogue Valley Sewer Services (RVSS) Board meeting. The most notable items from that meeting included: A good first quarter financial report; award of telephone system contract; a Resolution increasing permit fees to match other area permit fee rates; and a Resolution regarding sewage waste for treatment at the Shady Cove treatment plant. Councilor Brown showed a copy of an ultrasound showing a portion of the Little Butte Irrigation Ditch (Submission No. 3). Mr. Miller explained this is under investigation.

Councilor Sell thanked Council President Curriston for his service and especially for leading the invocation at the Council meetings. She thanked Char Hoppe and her husband, as well as Mike Upston for bulb planting. Councilor Sell concluded her report with the announcement of the birth of her new granddaughter, Ellison Leigh.

Mayor Russell reported it had been a total pleasure working with Council President Curriston and he had been an inspiration. Mayor Russell spoke about the recent bulb planting that covered several days and was done in inclement weather. He also reported attending the Court of Honor for a new Eagle Scout, Cody Freel, and presenting him with a letter of recognition on behalf of the City. Mayor Russell acknowledged the Eagle Point High School Students that attended the meeting and explained to the audience how to access the agenda packets from the City's website. Near the end of the meeting, Mayor Russell stated Bunny Lincoln prepared the cake for Council President Curriston's celebration and he wanted to go on record for thanking her for the cake.

## 12. STAFF REPORTS

Mr. Upston reported on the following topics:

- Jackson County's Regional Plan was approved by the State with Eagle Point's urban reserve areas included in the Plan. Over the next few years, City staff will be looking at infrastructure for those areas and come to the Council when appropriate.
- The Enterprise Zone paperwork was submitted last week to Jackson County and their feedback is expected in January or February of 2013.
- The covered bridge, nominated by the State to be placed on the list of historic places, is expected to be included on the list in December with a plaque on the bridge within the next month or so.
- An application was received for the development of the Eagle Point High School softball building, which is designed to be approximately 2500 square feet in size and located between two fields. The application is under review and the City has met with the contractor.

- Regarding bulb planting, Char Hoppe and her husband, Gary, were integral to the project. Other people involved were Kathy Sell, Wyn Lewis, Bill Watson, Shari Lawson, and Leigh & Bob Davidson. The bulb planting project should be finished during the December 1<sup>st</sup> weekend, with over 3,000 bulbs planted at City Hall.
- Mr. Upston concluded his report by noting there would be three upcoming Planning Commission vacancies at the end of the year with the three current Commissioners (Grossman, Mihocko, and Wewerka) seeking reappointed. A Resolution will be prepared for approval at the December 11th meeting. Mr. Upston reported all three of the Commissioners expressed a strong interest in continuing on the Commission and have done very well on the Commission.

Melissa Owens, Finance Officer, referenced the Finance Report (Submission No. 4) and noted only 2.77% of the budgeted property tax payments had been received. However, a large payment is expected in November and will be included in the next report. Regarding business licenses, 81.94% of the business license revenue budgeted has been received; however, the largest amount is usually received during July and August. Additionally, expenditures currently exceed revenues but it is anticipated that the negative amount will correct itself after property taxes are received. The City carries a reserve to get through until property taxes are received and this is a common practice. Ms. Owens reported inviting the auditors to the meeting in January and will provide more information at the next meeting. Councilor Jenks expressed her appreciation for the information in the financial reports.

Mr. Miller announced the City had received an approval letter from the Department of Environmental Quality (DEQ) for its second annual TMDL report (TMDL - Total Maximum Daily Load *is a regulatory term in the U.S. Clean Water Act*). Mr. Miller reported attending the Rogue Valley Metropolitan Planning Organization (RVMPO) meeting and that the City had submitted a grant application for the Linn Road Project. The project would include sidewalks, bicycle lanes, streetscape improvements, and lighting. Approximately 40 other projects are competing for about \$16M. A storm report was also provided (Submission No. 5). The City has worked with the Little Butte Irrigation Company to analyze the storm water system and ditch cleaning is one of the efforts to alleviate flooding. Code enforcement's assistance with the cutting of weeds has helped to reduce water levels. Mr. Miller noted a high level of water received during the last storm which was close to the levels during the storm in 2005.

Chief Thompson complimented Mr. Miller for his efforts to reduce flooding and recognized Council President Curriston for his work with the annual bike ride. The Police Department is working on updating its eligibility list and forms are on the City's website in anticipation of possible hiring in 2013. Chief Thompson reported attending a Public Safety Coordination Council Meeting, and working on creating a 40 hour crisis intervention training program that should be completed in February 2013. The purpose of the program is to deescalate and create a safer crisis scene. Additionally, an Emergency Operation Plan



**City of Eagle Point  
City Council Meeting Minutes  
November 27, 2012  
Page 9 of 9**

for Eagle Point should be completed in March or April. Chief Thompson responded to Councilor Fierke's question about trends. Service calls are down but the statistics were compiled differently than in the past.

Attorney Kellerman said Council President Curriston had been one of the finest he had served with and would be missed.

Mr. Lawrence asked the Council to lock in the dates of May 10th and 11th, 2013, as CGI's filming dates. These dates tie together with the Vintage Faire and some of the newly planted bulbs should be in bloom. Mr. Lawrence concluded by noting local business owners have started to receive calls about sponsoring the videos.

Ms. Hughes reported continuing to work on the Municipal Code and Committee Appointments. She also stated it had been an honor to serve under Council President Curriston and thanked him for his contributions to the City. Ms. Hughes responded to Councilor Fierke's inquiry about Commission appointments and she is working toward getting applicants to fill the vacancies very soon.

13. INFORMATION

The information item was not discussed.

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.

Item 14 on the agenda was an Executive Session, however, an Executive Session was not held.


15. ADJOURN

There being no further business for the Eagle Point City Council meeting of November 27, 2012, Mayor Russell closed the meeting at 8:25 p.m.

Respectfully submitted,

  
Cindy Hughes, City Recorder

ATTEST:

  
Robert E. Russell, Mayor