



CITY OF EAGLE POINT

"Gateway to the Lakes"

OREGON

EAGLE POINT CITY COUNCIL

Council Chambers
17 Buchanan Ave. South, Eagle Point, Oregon
April 9, 2013

REGULAR MEETING AGENDA

1. CALL TO ORDER – 7:00 P.M.
2. FLAG SALUTE AND INVOCATION
3. AUDIENCE QUESTIONS OR COMMENTS CONCERNING ITEMS NOT ON THE AGENDA
4. PRESENTATIONS
5. PUBLIC HEARINGS
6. CONSENT CALENDAR
 - 6.1 Presentation of the Regular Meeting Minutes of March 26, 2013.
7. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR
8. PRESENTATION OF BILLS TO BE PAID
9. OLD BUSINESS
10. NEW BUSINESS
 - 10.1 Resolution No. 2013-20. A Resolution authorizing the Mayor of Eagle Point to sign on behalf of the City Council its recommendation to the Oregon Liquor Control Commission to grant a Change of Ownership for a Liquor License Application for Touchstone Golf, LLC dba Eagle Point Golf Club/Arthur's.

City of Eagle Point Council Meeting Agenda

April 9, 2013

Page 2 of 2

- 10.2 Resolution No. 2013-21. A Resolution authorizing a City of Eagle Point Personal/ Professional Services Contract with Pacific Asphalt Surface Sealing LLC for Crack Sealing Services.
- 10.3 Discussion and decision regarding development of promotional brochure.
- 11. REPORTS FROM CITY COUNCIL AND CITY COMMITTEE REPRESENTATIVES
- 12. STAFF REPORTS
- 13. INFORMATION
- 14. ADJOURN

AGENDA AND COUNCIL PACKETS ALSO AVAILABLE ON WEBSITE

BILL LIST
04/09/2013

<u>CHECK #</u>	<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
	ALSCO 000556	JANITORIAL - UNIFORM	\$ 451.04
	ALSCO 004564	JANITORIAL SUPPLIES	\$ 371.80
	AMERICAN PLANNING ASSOCIATION	ANNUAL MEMBERSHIP	\$ 390.00
	AVISTA 000163030	UTILITY	\$ 149.67
	AVISTA 000188273	UTILITY	\$ 329.02
	AVISTA 130069414	UTILITY	\$ 320.06
	AVISTA 690085486	UTILITY	\$ 9.18
	AVISTA 770085486	UTILITY	\$ 225.40
	BDS- BUILDING DEPARTMENT SERVICES	PERMITS, MECHANICAL, ELECTRICAL, PLUMBING	\$ 4,181.99
	BENTON COUNTY INFORMATION TECHNOLOGY	DACMS HOSTING SERVICE	\$ 75.00
	CANTEL OF MEDFORD	SUPPLIES - JUDGE STEWART HOUSE	\$ 487.00
	CENTURY LINK	UTILITY	\$ 1,001.32
	CIVIL WEST CONTRACT	BARTON ROAD PROJECT, WATER MASTER PLAN	\$ 8,802.56
	CODE PUBLISHING, INC	MUNICIPAL CODE WEB	\$ 125.00
	EAGLE POINT HARDWARE	REPAIRS/MAINTENANCE/SUPPLIES	\$ 379.64
	ECSO	QUARTERLY TELECOMMUNICATION AP/MAY/JUNE 2013	\$ 29,362.35
	FLOYD A BOYD CO	EQUIPMENT REPAIR/MAINTENANCE	\$ 406.36
	GENERAL PACIFIC, INC	WATER METER SUPPLIES	\$ 2,107.80
	GOLD HILL HISTORICAL SOCIETY	JCHA 2013 ASSOCIATION FEES/MINUTES	\$ 10.00
	HARDEY ENGINEERING AND ASSOCIATES, INC	HILLSIDE SCHOOL	\$ 199.90
	HAYS OIL	FUEL	\$ 1,847.15
	JB'S PUMP SERVICE	PUMP REPAIR	\$ 187.50
	KATALYST, INC	GREENHILLS MONITORING PLAN	\$ 1,190.00
	MEDFORD WATER COMMISSION	MONTHLY WATER CONSUMPTION	\$ 12,973.74
	MICAELA SALING PHOTOGRAPHY	PHOTOGRAPHY	\$ 110.00
	MIKE'S PRINTING & COPY	OFFICE SUPPLIES/BUSINESS CARDS	\$ 94.00
	NEILSON RESEARCH CORPORATION	WATER SYSTEM BACTERIA TESTING	\$ 450.00
	OFFICE DEPOT	OFFICE SUPPLIES	\$ 100.26
	OFFICE MAX	OFFICE SUPPLIES	\$ 355.44
	OVERSTREET LANDSCAPE & HYDROSEEDING, INC	TREE REPLACEMENT	\$ 275.00
	PACIFIC POWER 0012	UTILITY	\$ 9,900.39
	PACIFIC POWER 0228	UTILITY	\$ 154.25
	PERSONNEL SOURCE	TEMP SERVICES - HARNISH/MUSEUM/CODE ENFORCE 2WKS	\$ 1,189.36
	PITNEY BOWES INC	OFFICE EQUIPMENT	\$ 227.50
	PLANT OREGON	ARBOR DAY CELEBRATION SUPPLIES	\$ 200.00
	RH2 ENGINEERING, INC	PROFESSIONAL ENGINEERING SERVICES	\$ 256.00
	SOS ALARM	SECURITY SYSTEM - MUSEUM	\$ 46.00
	TEKMANAGEMENT, INC	COMPUTER SUPPORT/MAINTENANCE/REPAIR	\$ 143.75
	TYLER TECHNOLOGIES	COMPUTER SUPPORT	\$ 2,103.26
	US CELLULAR 954746875	UTILITY	\$ 554.50
	US CELLULAR 958339574	UTILITY	\$ 103.04
	VALLEY FEED & PET SUPPLY	ARBOR DAY CELEBRATION SUPPLIES	\$ 245.45
	WCP SOLUTIONS	OFFICE SUPPLIES	\$ 292.00
	SUBTOTAL		\$ 82,383.68
	GRAND TOTAL		\$ 82,383.68

CITY OF EAGLE POINT

"Gateway to the Lakes"

OREGON



EAGLE POINT CITY COUNCIL
17 BUCHANAN AVE. SOUTH, EAGLE POINT, OREGON
MARCH 26, 2013
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, Bill Fierke, Ruth Jenks, Aaron Prunty and Kathy Sell.

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

Guests: Suzi Collins, Planning Commissioner; Michael Stanek, and Jerry Zieman, Budget Committee Applicants; Tim Weaver, Little Butte Creek Watershed Council; and members of the public and press.

2. FLAG SALUTE AND INVOCATION

Mayor Russell selected Jonathan Bilden to lead the Pledge of Allegiance. Jerry Zieman of the Eagle Point Senior Center provided the invocation.

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

Suzi Collins, on behalf of the Eagle Point Community Association, spoke about the upcoming Easter Egg Hunt. She also announced the theme of this year's 4th of July Parade which is *Made in America*. A brief discussion followed.

4. PRESENTATIONS

There were no presentations.

City of Eagle Point Council Meeting Minutes

March 26, 2013

Page 2 of 9

5. PUBLIC HEARINGS

There were no public hearings.

6. CONSENT CALENDAR

6.1 Presentation of the Regular Meeting Minutes of March 12, 2013.

6.2 Presentation of the Joint Meeting of the City Council and Planning Commission Minutes of March 12, 2013.

6.3 Presentation of the Special City Council Study Session Minutes of March 16, 2013.

Mayor Russell announced the Consent Calendar and asked for a motion to approve the Consent Calendar. Council President Fierke requested a revision to the Regular Meeting Minutes of March 12, 2013, to remove language about the additional bills list as there was not an additional bills list. On the Minutes for the Joint Meeting of the City Council and Planning Commission on March 12, 2013, Council President Fierke requested to include a comment about there not being a survey of students at the Table Rock Campus. He also requested to include language about who would pay for the cost of services. Regarding the Special City Council Study Session Minutes of March 16, 2013, Council President Fierke suggested revisions to the language for the goals regarding Public Transit. The City Council discussed the proposed revisions and Mayor Russell asked for a motion. Council President Fierke moved to approve the Consent Calendar as amended and Councilor Brown seconded the motion. There was no further discussion. Roll call: Jonathan Bilden, aye; Kathy Sell, aye; Bill Fierke, aye; Wayne Brown, aye; Ruth Jenks, aye; Aaron Prunty, 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). Council President Fierke inquired about the bill from Code Publishing. Melissa Owens, Finance Officer, explained the bill was for services to codify all of the City's Ordinances and was budgeted. There being no further questions or comments, 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. Councilor Sell seconded the motion. Roll call: Kathy Sell, aye; Aaron Prunty, aye; Ruth Jenks, aye; Wayne Brown, aye; Bill Fierke, aye; Jonathan Bilden, aye; and Bob Russell, aye. The motion passed unanimously.

City of Eagle Point Council Meeting Minutes

March 26, 2013

Page 3 of 9

9. OLD BUSINESS

There was no old business to discuss.

10. NEW BUSINESS

- 10.1 Resolution No. 2013-15. A Resolution appointing Citizen Members to the Eagle Point Budget Committee.

Henry Lawrence, City Administrator, explained there were three vacancies for Citizen Members on the Eagle Point Budget Committee. The vacancies were advertised in the Upper Rogue Independent, on the City's website, and in the City utility bill mailings. Applications were received from Ken Gruenwald (a current Budget Committee Member), Jack Oliver, Michael Stanek, Millie Wewerka (Planning Commissioner), and Jerry Zieman. In accordance with Oregon Revised Statute 294.414, the City Council discussed the appointment of the applicants to the Budget Committee. Applicants Michael Stanek and Jerry Zieman were present in the audience.

Mayor Russell asked for a motion to approve **Resolution No. 2013-15**. Council President Fierke moved to appoint: Ken Gruenwald to the term ending March 26, 2015; and Michael Stanek and Jerry Zieman to the three-year terms ending on March 25, 2016. Councilor Bilden seconded the motion. Council President Fierke requested that before additional appointments are made that the Council review the Council Rules. Council Rules will be addressed during a meeting in April. There was no additional discussion. Roll call: Ruth Jenks, aye; Jonathan Bilden, aye; Wayne Brown, aye; Aaron Prunty, aye; Bill Fierke, aye; Kathy Sell, aye; and Bob Russell, aye. The motion passed unanimously.

- 10.2 Resolution No. 2013-16. A Resolution proclaiming April 10, 2013, as Arbor Day in the City of Eagle Point.

Robert Miller, Public Works Director, invited everyone to attend the Arbor Day celebration in Eagle Point at the Ponderosa Park. This year, pine trees will be planted. The City of Eagle Point has earned the honor of being a Tree City USA community for the 21st consecutive year.

Mayor Russell asked for a motion to approve **Resolution No. 2013-16**. Councilor Bilden made a motion to approve **Resolution No. 2013-16** and Councilor Sell seconded the motion. There was no discussion. Roll call: Bill Fierke, aye; Ruth Jenks, aye; Wayne Brown, aye; Jonathan Bilden, aye; Kathy Sell, aye; Aaron Prunty, aye; and Bob Russell, aye. The motion passed unanimously.

City of Eagle Point Council Meeting Minutes

March 26, 2013

Page 4 of 9

- 10.3 Resolution No. 2013-17. A Resolution authorizing an Agreement with the Little Butte Creek Watershed Council, Inc., to locate a native plant nursery at the public works yard.

Mr. Lawrence announced that the Little Butte Creek Watershed Council (LBCWC) had been awarded a grant from the Meyer Memorial Trust to help fund construction of a small greenhouse to be located at the City's public works yard on South Shasta. The City will provide water, electricity, volunteer access, and some security for the greenhouse. Collaborating on this effort will benefit both agencies. Tim Weaver of LBCWC explained that some of the plantings from the nursery could be used for City projects. The nursery plants will be grown from seedlings instead of seeds. Mr. Miller clarified the location of the public works yard was on South Shasta.

Mayor Russell asked for a motion to approve **Resolution No. 2013-17**. Councilor Jenks made a motion to approve **Resolution No. 2013-17** and Councilor Brown seconded the motion. There was no discussion. Roll call: Aaron Prunty, aye; Bill Fierke, aye; Kathy Sell, aye; Jonathan Bilden, aye; Wayne Brown, aye; Ruth Jenks, aye; and Bob Russell, aye. The motion passed unanimously.

- 10.4 Resolution No. 2013-18. A Resolution authorizing Amendment No. 1 to Local Agency Agreement No. 27870, Congestion Mitigation and Air Quality Program, Mattie Brown Park Parking Lot Paving, with the State of Oregon, Department of Transportation.

Mr. Miller explained that due to a series of federal requirements, the cost of this project increased. In response, the City applied for and will receive funding of approximately \$160,622 with a required match of approximately \$14,400. The Oregon Department of Transportation is administering the CMAQ (Congestion Mitigation and Air Quality) funds, on behalf of the federal government. It was further explained that any costs for the project exceeding the grant funding would be the City's responsibility.

Mayor Russell asked for a motion to approve **Resolution No. 2013-18**. Councilor Jenks made a motion to approve **Resolution No. 2013-18** and Councilor Fierke seconded the motion. Council President Fierke discussed and expressed concern about the increased cost of the project and related spending, of which \$75,000 was for engineering services. He pointed out that with two of those, the City could hire an engineer or engineering intern to be on staff to do a lot of work for the City. There was no additional discussion. Roll call: Wayne Brown, aye; Jonathan Bilden, aye; Ruth Jenks, aye; Aaron Prunty, aye; Bill Fierke, aye; Kathy Sell, aye; and Bob Russell, aye. The motion passed unanimously.

City of Eagle Point Council Meeting Minutes

March 26, 2013

Page 5 of 9

- 10.5 Resolution No. 2013-19. A Resolution authorizing a Contract with FCS Group for a Water Rate Study and Water System Development Charge Study.

Melissa Owens, Finance Officer, reported that Staff had been working on five-year projections for the Water Fund, Water SDC Fund and Water Debt Fund, along with the other funds. For these three funds, the City is spending more than it is receiving. Ms. Owens went on to explain that one of the City's bond covenants requires the utility fee revenue to cover 125% of certain expenditures. It was further noted that the Water Fund was not meeting that covenant. Water rates have not been adjusted since 2003, other than to compensate for the Medford Water Commission's increase. The Water SDCs (System Development Charges) have not been updated since 2009. Ms. Owens stated it was important for the water utility rates to cover the operation of that fund and the SDCs should cover any new capacity improvements. She further explained that with the new Water Master Plan, it was an important time to review the SDCs even though they were reviewed in 2009. The proposed contract would be beneficial in allowing an outside party to look at the Water Master Plan, and how the City calculates SDCs and water rates. The FCS Group (FCS) is experienced in providing this type of service to Eagle Point, and within the region as well as throughout the State.

Ms. Owens concluded by offering to answer questions. A lengthy question and discussion period followed. Mr. Lawrence explained that the City was permitted to contract with FCS as a sole source provider if it chose to do so. It was also noted that the City desired to fast track the study which could result in generating revenue during the peak water consumption months. Mr. Lawrence stated the water system was a good water system but he provided a summary explanation of the leaky water storage tank and numerous problems experienced during the past summer. The way the debt service was designed, 75% would be paid by the water SDC funds and the remaining 25% by water revenue. The debt service schedule assumes that 50 houses per year will be built. Due to the economic downturn, this formula is no longer a sustainable means of supporting water services.

A lengthy discussion followed and it was noted that the Finance Officer could provide an internal study similar to that of FCS, although an internal study would be difficult for that staff member to complete along with the other responsibilities. The legality of an internal study was also discussed. Council members expressed their desire for a comparison of SDCs with other cities before spending any money and an estimate of what Staff would propose for water rates. Applying the cost of the contract toward the debt service was discussed as well as staff time that would be needed to assist a contractor in performing a study. Capital expenses and population projections were briefly discussed and will be addressed in greater detail during the upcoming presentation of the Water Master Plan.

City of Eagle Point Council Meeting Minutes

March 26, 2013

Page 6 of 9

Mr. Lawrence spoke about the City's refinancing efforts and addressing the debt service issue. It is estimated that 20 building permits will be received annually for the next couple of years but will not balance out the water service debt. A brief discussion about addressing this item at a later date was held. In anticipation of that meeting, Staff will prepare an estimate of what the revenue needs will be to service the debt, as well as an area comparison of SDC rates.

MOTION: Councilor Sell made a motion to table this item to the City Council Meeting of April 23, 2013. A brief discussion ensued which resulted in staff clarifying that Civil West will be at the City Council Meeting of April 9, 2013. Councilor Prunty seconded the Motion.

There was no additional discussion. Roll call: Bill Fierke, aye; Aaron Prunty, 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

Council President Fierke reported on the School District 9 meeting. There were public discussions regarding finances and the grading system, and the Superintendent's contract was approved. With regard to elections, filings have taken place for the school board. Candidates include Ron Campbell, Scott Grissom, and Ralph Meeker for Position No. 2. Position No. 3 candidates include Mark Bateman and Dan Hodges. Position No. 5 candidates are Dianne Mihocko, Brian Saling, and Curt Sather. Council President Fierke commented about reading an article about the Grants Pass City Council passing a Resolution against Senate Bill 401, regarding dredge mining and control of water ways. SB401 does not affect Eagle Point at this time but Council President Fierke expressed concern that it could potentially affect the City. Mayor Russell was open to reviewing any of the Senate Bills. Attorney Kellerman asked if the League of Oregon Cities (LOC) had taken a position on this and Councilor Bilden responded they had not at this point. Council President Fierke also reported reading about the Angel Investors Network and 30 entrepreneurs, some of which may be looking for a business location. Council President Fierke spoke about Eagle Point's representation, either from the Council or Economic Development Commission. Council President Fierke concluded his report by mentioning an inquiry about pickle ball courts for the Parks & Recreation's consideration.

Councilor Bilden announced the birth of his daughter, Eva Verona Bilden.

Councilor Jenks did not provide a report; however, Robert Miller attended the Rogue Valley Metropolitan Planning Organization (RVMPO) meeting.

City of Eagle Point Council Meeting Minutes

March 26, 2013

Page 7 of 9

Councilor Prunty reported the Parks and Recreation Commission had met and discussed Lucas Park, however, there was not a quorum. Three of seven members attended the meeting.

Councilor Brown reported that Rogue Valley Sewer Services had held their second reading of an Ordinance amending its code to clarify consistency with the Oregon Specialty Plumbing Code. They also discussed the disposal of grease by restaurants, long range financing, and a dumping station.

Councilor Sell did not provide a report but expressed her appreciation for the effort made in updating the Council's photos.

Mayor Russell reported attending an ACCESS Board Meeting regarding the Mayor's Night Out event which is scheduled for October 5, and a meeting by the Historic Preservation League of Oregon about preservation of masonry buildings. Mayor Russell also planned to attend the Rogue Valley Council of Governments (RVCOG) meeting on March 27.

12. STAFF REPORTS

Mike Upston, Principal Planner, reported there were a couple of applications for the Planning Commission to review at its next meeting, one application is from Black Rock Coffee. Elections will be held at that meeting and Councilor Sell will be introduced as the new Council Liaison. With regard to Quail Point Subdivision, a partition is being requested for home development. In addition, an amendment will be requested to some of the conditions of the original approval regarding standard conditions for paving streets and pathways that will be presented at the City Council meeting of April 23. The final item reported by Mr. Upston was that the Enterprise Zone had been approved by the State.

Melissa Owens, Finance Officer, noted the Finance Report was in the Council's agenda packet. All items were within budget except for property taxes which were approximately 3% or \$35,000 short but that amount could come up if there are home sales. There were no questions about the Finance Report. Ms. Owens reported on website changes including the Community Events page, the Council Corner, and links such as the Municipal Code. Further, Ms. Owens is working on the preliminary budget, five-year projections, and preparing for the auditors visit in May.

Robert Miller, Public Works Director, attended the RVMPO Policy Committee Meeting. One of the primary discussions was about a regional transportation plan (RTP), and a new Metropolitan Planning Organization (MPO) was announced as the Middle Rogue MPO. With regard to the City's streets, a crack sealing request for quotes is being conducted and a contract for those services is anticipated for the Council Meeting of April 9. In addition, Mr. Miller reported Jackson County is working with ODOT for chip sealing services and recommendations will be brought back to the meeting of April 9. The last item for streets is the new portable radar which should be delivered to the City very soon. Councilor Jenks

City of Eagle Point Council Meeting Minutes

March 26, 2013

Page 8 of 9

complimented Mr. Miller for his response to an email inquiry for street cleaning. Additionally, Councilor Jenks inquired about the Linn Road project evaluation by the Oregon Department of Transportation (ODOT). Mr. Miller concluded by reporting the City is now ranked as number four on the grant selection process by the Rogue Valley Area Commission on Transportation (RVACT).

Police Chief Thompson provided an update on the hiring process and anticipates filling the position after May 1. Further, he reported on the testing of body worn cameras and proposed that the Council consider a zero tolerance policy on illegal fireworks. Mayor Russell and other Council members were open to Police Chief Thompson bringing a proposal to the Council. Mayor Russell commented on local crime rates and noted Eagle Point's rates are down.

Joe Kellerman, City Attorney; Henry Lawrence, City Administrator; and Cindy Hughes, City Recorder, did not provide a report.

13. INFORMATION

There were no information items to report.

At 8:27 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 Sessions. All other members of the audience would be asked to leave the room and welcomed back afterwards, but no regular business was scheduled after the Executive Sessions.

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 8:34 p.m., Mayor Russell opened the Eagle Point City Council Executive Session pursuant to ORS 192.660(2)(h). Following discussion, Mayor Russell closed the Executive Session at 8:42 p.m.

15. EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(d), To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

At 8:43 p.m., Mayor Russell opened the Eagle Point City Council Executive Session pursuant to ORS 192.660(2)(d). Following discussion, Mayor Russell closed the Executive Session at 8:48 p.m.

City of Eagle Point Council Meeting Minutes

March 26, 2013

Page 9 of 9

16. 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 8:49 p.m., Mayor Russell opened the Eagle Point City Council Executive Session pursuant to ORS 192.660(2)(e). Following discussion, Mayor Russell closed the Executive Session at 9:03 p.m.

17. ADJOURN

At 9:04 p.m., Mayor Russell reconvened the regular meeting of the Eagle Point City Council. There being no further business, Mayor Russell closed the meeting at 9:04 p.m.

Respectfully submitted,

Cindy Hughes, City Recorder

ATTEST:

Robert E. Russell, Mayor

**BUSINESS OF THE CITY COUNCIL
EAGLE POINT, OREGON**

AGENDA STATEMENT

Item Number: 10.1

Meeting Date: April 9, 2013

ITEM TITLE: Resolution No. 2013-20. A Resolution authorizing the Mayor of Eagle Point to sign on behalf of the City Council its recommendation to the Oregon Liquor Control Commission to grant a Change of Ownership for a Liquor License Application for Touchstone Golf, LLC dba Eagle Point Golf Club/Arthur's.

SUBMITTED BY: Chief Vern Thompson

SUMMARY EXPLANATION: The owners of Touchstone Golf, LLC dba Eagle Point Golf Club/Arthur's, located at 100 Eagle Point Drive, Eagle Point, have submitted a Liquor License Application and change of ownership to the Oregon Liquor Control Commission for full on/off-premise sales. The application has been received by the OLCC, and it is hereby submitted to the City of Eagle Point for approval.

FINANCIAL IMPACT: N/A

APPROVED FOR SUBMITTAL:



4 / 4 / 2013

Henry Lawrence, City Administrator

STAFF RECOMMENDATION: BOARD/COMMISSION RECOMMENDATION:

Approval of Resolution No. 2013-20.

BOARD/COMMISSION RECOMMENDATION:

COUNCIL ACTION:

RESOLUTION NO. 2013-20

A RESOLUTION AUTHORIZING THE MAYOR OF EAGLE POINT TO SIGN ON BEHALF OF THE CITY COUNCIL ITS RECOMMENDATION TO THE OREGON LIQUOR CONTROL COMMISSION TO GRANT A CHANGE OF OWNERSHIP FOR A LIQUOR LICENSE APPLICATION FOR TOUCHSTONE GOLF, LLC DBA EAGLE POINT GOLF CLUB/ARTHUR'S.

WHEREAS, applicant Touchstone Golf, LLC dba Eagle Point Golf Club/Arthur's, submitted a change of ownership by way of a Liquor License Application to the Oregon Liquor Control Commission for full on/off-premise sales located at 100 Eagle Point Drive, Eagle Point, Oregon; and

WHEREAS, the City of Eagle Point Chief of Police proposes that City Council recommends granting said license.

Now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAGLE POINT, OREGON, THAT:

The City of Eagle Point recommends granting of said license and authorizes the Mayor to sign accordingly on behalf of the City Council.

Passed in open session on the 9th day of April, 2013.

Robert E. Russell, Mayor

ATTEST:

Cindy Hughes, City Recorder

RECEIVED

MAR 11 2013



OREGON LIQUOR CONTROL COMMISSION
LIQUOR LICENSE APPLICATION

MEDFORD REGIONAL OFFICE
OREGON LIQUOR CONTROL COMMISSION

Application is being made for:

LICENSE TYPES <input checked="" type="checkbox"/> Full On-Premises Sales (\$402.60/yr) <input checked="" type="checkbox"/> Commercial Establishment <input type="checkbox"/> Caterer <input type="checkbox"/> Passenger Carrier <input type="checkbox"/> Other Public Location <input type="checkbox"/> Private Club <input type="checkbox"/> Limited On-Premises Sales (\$202.60/yr) <input checked="" type="checkbox"/> Off-Premises Sales (\$100/yr) <input type="checkbox"/> with Fuel Pumps <input type="checkbox"/> Brewery Public House (\$252.60) <input type="checkbox"/> Winery (\$250/yr) <input type="checkbox"/> Other: _____	ACTIONS <input checked="" type="checkbox"/> Change Ownership <input type="checkbox"/> New Outlet <input type="checkbox"/> Greater Privilege <input type="checkbox"/> Additional Privilege <input checked="" type="checkbox"/> Other <u>C/TN</u>
---	---

90-DAY AUTHORITY
 Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

APPLYING AS:
 Limited Partnership Corporation Limited Liability Company Individuals

CITY AND COUNTY USE ONLY
 Date application received: April 3, 2013
 The City Council or County Commission: City of Eagle Point
(name of city or county)
 recommends that this license be:
 Granted Denied
 By: _____
(signature) (date)
 Name: Robert E. Russell
 Title: Mayor

OLCC USE ONLY
 Application Rec'd by: [Signature]
 Date: 3/19/13
 90-day authority: Yes No

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

① Touchstone Golf, LLC ③ _____

② EPGC LLC ④ _____

2. Trade Name (dba): Eagle Point Golf Club/Arthur's

3. Business Location: 100 Eagle Point Drive Eagle Point Jackson OR 97524
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 1052 Overlook Road Berkeley CA 94708
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 510-548-1010 _____
(phone) (fax)

6. Is the business at this location currently licensed by OLCC? Yes No

7. If yes to whom: Arthur's Restaurant LLC Type of License: F-Com & O

8. Former Business Name: Arthur's

9. Will you have a manager? Yes No Name: Patrick Oropallo
(manager must fill out an Individual History form)

10. What is the local governing body where your business is located? Eagle Point
(name of city or county)

11. Contact person for this application: Nancy P.A. Williams 208-757-8877
(name) (phone number(s))
1201 Third Avenue, Suite 2200, Seattle WA 98101 nancywilliams@dwt.com
(address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① [Signature] Date 2-21-13 ③ _____ Date _____

② [Signature] Date 3/16/13 ④ _____ Date _____

FAKED: 3/19/13
POSTED: N/A
(ov. 02/2011)

**BUSINESS OF THE CITY COUNCIL
EAGLE POINT, OREGON**

AGENDA STATEMENT

Item Number: 10.2
Meeting Date: April 9, 2013

ITEM TITLE: Resolution No. 2013-21. A Resolution authorizing a City of Eagle Point Personal/ Professional Services Contract with Pacific Asphalt Surface Sealing LLC for Crack Sealing Services.

SUBMITTED BY: Robert Miller, Public Works Director (541) 826-4212 ext. 105


SUMMARY EXPLANATION: The City of Eagle Point completed a Pavement Condition Survey of the City's 33.65 centerline miles of pavement. Crack sealing was recommended as both a preventative maintenance of the streets, and preparation for summer seal coat and slurry seal projects. In discussions with contractors and other cities that have large preventative maintenance programs (chip seal, slurry seal, seal coats), the optimum time to crack seal is spring and fall.

A Request for Quotes was sent to five contractors that have performed large crack sealing projects for other cities, based on 25,000 lineal footage of crack sealing. The contract was organized to pay by the pound of crack sealing material placed, rather than lineal footage. Paying by the pound hopes to reduce efforts in measuring the project, thereby reducing costs of the contract, and to ensure better quality control in the crack sealing. The price includes all efforts to Oregon Department of Transportation (ODOT) standards.

Two contractors responded: Pacific Asphalt Surface Sealing LLC in the amount of \$11,995, and Northwest Asphalt Sealing in the amount of \$17,857. An estimated amount of \$18,000 was set aside from Street Maintenance to complete the estimated 25,000 feet of crack sealing. The contract provides for an increased amount not to exceed \$18,000 to complete as much crack sealing as possible within the budgeted amount of \$18,000. The work is scheduled to begin during the last week of April, with all work completed prior to June 1.

FINANCIAL IMPACT: The contract is funded from the Street Fund – Street Maintenance and Repair item in an amount not to exceed \$18,000.

APPROVED FOR SUBMITTAL: _____

 4/15/2013

Henry Lawrence, City Administrator

STAFF RECOMMENDATION: Staff recommends approval of this item.

BOARD/COMMISSION RECOMMENDATION:

COUNCIL ACTION:

RESOLUTION NO. 2013-21

A RESOLUTION AUTHORIZING A CITY OF EAGLE POINT PERSONAL/ PROFESSIONAL SERVICES CONTRACT WITH PACIFIC ASPHALT SURFACE SEALING LLC FOR CRACK SEALING SERVICES.

WHEREAS, the City completed a pavement condition survey in September of 2012 of its 34 miles of pavements; and

WHEREAS, crack sealing of the pavement is recommended as preventative maintenance and as preparation for future seal coat or slurry seal projects; and

WHEREAS, a Request for Quotes was sent to five contractors to crack seal 25,000 lineal feet of cracks; and

WHEREAS, two contractors responded: Pacific Asphalt Surface Sealing LLC in the amount of \$11,995, and Northwest Asphalt Sealing in the amount of \$17,857; and

WHEREAS, an estimated amount of \$18,000 from the Street Fund – Street Maintenance and Repairs was set aside for the project; and

WHEREAS, the contract provides for an increased amount not to exceed \$18,000 to complete as much crack sealing as possible within the budgeted amount of \$18,000.

Now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAGLE POINT, OREGON, THAT:

1. The City Administrator is authorized to sign a City of Eagle Point Personal/ Professional Services Contract with Pacific Asphalt Surface Sealing LLC for crack sealing in an amount not to exceed \$18,000.

Passed in open session on the 9th day of April, 2013.

Robert E. Russell, Mayor

ATTEST:

Cindy Hughes, City Recorder

Z:\1_Council\Resolutions\2013 Resolutions\2013_21_PacificAsphalt_CrackSealing.docx

CITY OF EAGLE POINT PERSONAL/PROFESSIONAL SERVICES CONTRACT

This contract is between the City of Eagle Point hereafter called CITY and Pacific Asphalt Surface Sealing LLC, hereafter called CONTRACTOR. City's supervising representative for this contract is Henry Lawrence.

1. Effective Date and Duration. This contract shall become effective on the date on which it has been signed by every party hereto. Unless earlier terminated or extended, this contract shall expire when Contractor's completed performance has been accepted by the CITY or one year from the effective date of this contract. However, such expiration shall not extinguish or prejudice CITY's right to enforce this contract with respect to: (i) any breach of a Contractor warranty; or (ii) any default or defect in Contractor performance that has not been cured.

2. Statement of Work. Contractor will provide: See Attached or Contractor's statement of work, including the delivery schedule for the work, is contained in Exhibit A, attached hereto and by this reference made a part hereof.

3. Consideration. (A) CITY agrees to pay Contractor, from available and authorized funds, a sum set forth in Exhibit A for accomplishing the work required by this contract. (b) Such payments shall be made only in accordance with the schedule and requirements in Exhibit A.

4. Terms and Conditions. The terms and conditions of this contract are contained on the following page titled, "City of Eagle Point Standard Personal/Professional Contract Provisions".

5. Travel and Other Expenses. Reimbursement of travel and other expenses is allowed only as provided in Exhibit A.

6. Contract Documents. This Contract consists of the following documents which are listed in descending order of precedence and are attached and incorporated by reference: the Personal/Professional Services Contract including contract provisions, Exhibits A, and B.

CONTRACTOR DATA AND CERTIFICATION

Name (tax filing): Pacific Asphalt Surface Sealing LLC
Address: P. O. Box 9711, Bend, OR 97708

Phone 503 233 6415
Fax No. 503
Email dputschler@bendcable.com

Citizenship, if applicable: Non-resident alien YES NO

Business Designation: (Check one):

Corporation Partnership Limited Partnership Limited Liability Partnership Sole Proprietorship
 Governmental/Non-Profit Limited Liability Company

Federal Tax ID#: 26-0808438 or SSN#: _____ CCB#: 181232

Above payment information must be provided prior to contract approval. This information will be reported to the Internal Revenue Service (IRS) under the name and taxpayer ID number submitted. (See IRS 1099 for additional instructions regarding taxpayer ID numbers.) Information not matching IRS records could subject Contractor to 31% backup withholding.

Certification: I, under penalties of perjury, do hereby certify that (a) the number shown on this form is my correct taxpayer ID (or I am waiting for the number to be issued to me), and (b) I am not subject to backup withholding because (i) I am exempt from backup withholding or (ii) I have not been notified by the Internal Revenue Service that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (iii) the IRS has notified me that I am no longer subject to backup withholding.

I, the undersigned also (a) agree to perform the work required by Exhibit A in accordance with the terms and conditions (as listed on the attached Exhibit B); (b) certify under penalty of perjury that I/my business am not/is not in violation of any Oregon tax laws; (c) certify that I am an independent contractor as defined in ORS 670.600; and (d) certify that I am authorized to act on behalf of Contractor.

Signed by Contractor: *Doug Putschler*
Signature/Title

4/5/13
Date

Approved by CITY:

Henry Lawrence, City Administrator Date

City of Eagle Point
P.O. Box 779
Eagle Point, Or. 97524