



CITY OF EAGLE POINT

"Gateway to the Lakes"

OREGON

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

AUGUST 13, 2013

REGULAR MEETING MINUTES

1. CALL TO ORDER – 7:00 P.M.

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

Council Members Present: Jonathan Bilden, Wayne Brown, Bill Fierke, Ruth Jenks, Aaron Prunty and Kathy Sell.

Council Members Absent: Bob Russell.

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

Guests: Chaplain Lorin Myers; and a member of the public.

2. FLAG SALUTE AND INVOCATION

Commissioner Prunty led the Pledge of Allegiance and Chaplain Myers provided 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 on the agenda.

City of Eagle Point Council Meeting Minutes

August 13, 2013

Page 2 of 9

5. PUBLIC HEARINGS

5.1 Public Hearing in the matter of declaring the residential structure located at 193 N. DeAnjou Avenue, Eagle Point, Oregon, as a Dangerous Building.

Council President Fierke opened the public hearing at 7:03 p.m. and requested Dale Bohannan, Building Official for the City of Eagle Point to provide a report. Mr. Bohannan explained the public hearing is part of the process for declaring a structure as dangerous. In Oregon, it is left up to the local jurisdiction to make such a determination and to establish the process for doing so. The City of Eagle Point previously established the process in its Municipal Code, Chapter 15.08.

Police Chief Thompson explained that the residence at 193 N. DeAnjou had served as a shelter for an individual that was arrested for criminal activity. Since that time, the residences at 193 N. DeAnjou and 130 S. Royal Avenue have been boarded up for safety reasons and to prevent victimization.

In summary, Mr. Bohannan reported the house at 193 N. DeAnjou contains soiled clothing, mattresses, needles, garbage, and graffiti. Additionally, the house smells bad, has not had water service for a long time, and needs to be declared dangerous and cleaned up. Mr. Bohannan reported the current owner, a lending institution (Select Portfolio Servicing, Inc.), had been given notice of the public hearing via U.S. Mail, certified, return receipt requested. He also made numerous phone calls over a period of approximately one month before mailing the notice. Since that time, the City received the return receipt back from the lending institution. To date, no response had been received by the City from the lender. The same process was carried out for the property at 130 S. Royal, which was also discussed during this public hearing.

Mr. Bohannan reported the properties had been posted with do not enter signs. The next step would be to secure the buildings, and that has been done. It was noted that the front window on the Royal Avenue property had not been boarded in order to allow visual inspection by the Police Department. Mr. Bohannan recommended clean up of the property such as clearing out the contents of the structures that could be dangerous or unhealthy to the citizens of Eagle Point.

The City Council and staff discussed the properties as to what degree and time length of maintenance or cleaning should be done. Discussion followed about reports of private individuals interested in purchasing the properties; and the City placing a lien on the property to recover costs for cleaning and maintenance. City Attorney, Joe Kellerman, requested the Council's authorization to pull a title report on the properties and to contact the property owners. There were no objections. Mr. Kellerman explained the lien process and that he would do additional research. Mr. Lawrence suggested keeping maintenance and cleaning to a minimum, but keeping the properties presentable. The structural condition of both buildings was briefly discussed.

City of Eagle Point Council Meeting Minutes

August 13, 2013

Page 3 of 9

Council President Fierke invited members of the audience to provide public testimony. No members of the audience provided public testimony.

There being no further testimony, Council President Fierke closed the public hearing at 7:27 p.m.

Following the public hearing, Council President Fierke requested and received the Council's consent to move the order of business to allow for deliberation and voting on Resolution No. 2013-47.

There being no further discussion, Council President Fierke offered to entertain a motion. Councilor Sell made a motion to authorize Resolution No. 2013-47 and Councilor Bilden seconded the motion. There was no further discussion. Roll call: Aaron Prunty, aye; Kathy Sell, aye; Ruthb Jenks, aye; Jonathan Bilden, aye; Wayne Brown, aye; Bill Fierke, aye; and Bob Russell, absent. The motion passed unanimously by those present.

5.2 Public Hearing in the matter of declaring the residential structure located at 130 S. Royal Avenue, Eagle Point, Oregon, as a Dangerous Building.

Council President Fierke opened the public hearing at 7:29 p.m. Mr. Bohannan reported the testimony about this structure was the same as the previous item but not to the same extent. This property has had a negative impact on the neighborhood and there is concern about activities in the building. Mr. Bohannan noted it appeared as though a fire had been attempted in one bedroom, possibly for warmth. As discussed during the previous public hearing, numerous attempts to contact the property owner (Federal National Mortgage Association) were made, including a notice sent via U.S. Mail, certified, return receipt requested.

Council President Fierke invited members of the audience to provide public testimony. No members of the audience provided public testimony.

There being no further testimony, Council President Fierke closed the public hearing at 7:30 p.m.

Following the public hearing, Council President Fierke requested and received the Council's consent to move the order of business to allow for deliberation and voting on Resolution No. 2013-48.

There being no further discussion, Council President Fierke offered to entertain a motion. Councilor Bilden made a motion to authorize Resolution No. 2013-48 and Councilor Jenks seconded the motion. There was no discussion. Roll call: Bill Fierke, aye; Aaron Prunty, aye; Wayne Brown, aye; Ruth Jenks, aye; Jonathan Bilden, aye; Kathy Sell, abstained; and Bob Russell, absent. The motion passed ~~five to one~~ *with five ayes and one abstention (Revised during the City Council Meeting of August 27, 2013).*

City of Eagle Point Council Meeting Minutes

August 13, 2013

Page 4 of 9

6. CONSENT CALENDAR

6.1 Presentation of Regular Meeting Minutes of July 23, 2013.

Council President Fierke announced the Consent Calendar. Cindy Hughes, City Recorder noted a revision had been made to the Minutes to reflect a motion had been made to approve the Bills List. Council President Fierke then asked for a motion to approve the Consent Calendar. Councilor Bilden moved to approve the Minutes as amended and Councilor Brown seconded the motion. There was no further discussion. Roll call: Ruth Jenks, aye; Aaron Prunty, aye; Bill Fierke, aye; Wayne Brown, aye; Jonathan Bilden, aye; Kathy Sell, aye; and Bob Russell, absent. The motion passed unanimously by those present.

7. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

There were no items considered for removal from the Consent Calendar.

8. PRESENTATION OF BILLS TO BE PAID

Council President Fierke asked if there were any questions about the bills to be paid including the Additional Bills List (Submission No. 1). Melissa provided an explanation about the City County Insurance bill which covers workers compensation, general liability, auto and properties. The portion for workers compensation decreased slightly while other areas of coverage increased. Regarding the payment to Jackson County for Centennial Plaza, Ms. Owens clarified the payment was for taxes that should have been paid at the time of purchase. Following the review of the bills, Councilor Bilden moved to approve the Bills to be Paid including the Additional Bills List and Councilor Jenks seconded the motion. There was no further discussion. Roll call: Jonathan Bilden, aye; Aaron Prunty, aye; Wayne Brown, aye; Kathy Sell, aye; Ruth Jenks, aye; Bill Fierke, aye; and Bob Russell, absent. The motion passed unanimously by those present.

9. OLD BUSINESS

There was no old business to discuss.

10. NEW BUSINESS

10.1 Resolution No. 2013-47. A Resolution declaring the residential structure located at 193 N. DeAnjou Avenue, Eagle Point, Oregon, as a Dangerous Building; and authorizing the City to mitigate such designation.

Resolution No. 2013-47 was deliberated and approved following the Public Hearing listed as Item No. 5.1. See Item No. 5.1 for additional details.

City of Eagle Point Council Meeting Minutes

August 13, 2013

Page 5 of 9

- 10.2 Resolution No. 2013-48. A Resolution declaring the residential structure located at 130 S. Royal Avenue, Eagle Point, Oregon, as a Dangerous Building; and authorizing the City to mitigate such designation.

Resolution No. 2013-48 was deliberated and approved following the Public Hearing listed as Item No. 5.2. See Item No. 5.2 for additional details.

- 10.3 Resolution No. 2013-49. A Resolution approving the prospective Petition and Order to initiate formation of the Jackson County 4-H, Master Gardeners, and Agricultural Extension Service District.

Henry Lawrence, City Administrator, explained this item was in follow up to a presentation that was made at the City Council meeting of July 23, 2013. Additionally, he noted the Agenda Statement contained an error as staff remain neutral and do not make recommendations for this type of a Resolution.

A lengthy discussion ensued about the proposed Resolution. Although there was not a representative in attendance to support the Resolution; Mr. Kellerman provided clarification about the election process and results being based on a district wide vote. During the Council's deliberation, the responsibility, ownership and financing of the proposed Extension Service District was heavily discussed as well as Eagle Point's strong ties to agriculture. It was noted that the City of Central Point had passed a similar Resolution regarding the proposed Extension Service District. Generally, the Council agreed the Extension Service District would provide a valuable benefit to the community, however, there was concern expressed about the financial aspect.

Council President Fierke asked for a motion to approve **Resolution No. 2013-49**. Councilor Bilden made a motion to approve **Resolution No. 2013-49** and Councilor Prunty seconded the motion. Council President Fierke expressed concern about the election process and taxation. Additional discussion related to:

- Proposed budget and staffing of the Extension Service District.
- Other possible new special districts including libraries and emergency telecommunications.
- The impact of PERS rates on the County; and the County's budget and cutbacks.
- The City's finances related to water projects, streets, and refinancing debt.
- 4-H youth activities.
- Passing the Resolution to allow the voters to decide.

Upon the conclusion of discussion, Council President Fierke called for a vote. Roll call: Kathy Sell, aye; Ruth Jenks, aye; Jonathan Bilden, aye; Wayne Brown, aye; Aaron Prunty, aye; Bill Fierke, nay; and Bob Russell, absent. The motion passed five to one.

City of Eagle Point Council Meeting Minutes

August 13, 2013

Page 6 of 9

- 10.4 Resolution No. 2013-50. A Resolution authorizing a City of Eagle Point Personal/Professional Services Contract with ZCS Engineering, Inc., for Lucas Park Civil Engineering Services.

Robert Miller, Public Works Director, provided an update on the City's plans for design and construction of Phase I for Lucas Park. Galbraith and Associates completed the Lucas Park Master Plan. Kaiser Surveying is completing the boundary survey and Pariani Surveying is providing topographic surveys. ZCS Engineering will provide civil engineering services such as construction drawings and preparing for bidding and construction. ZCS Engineering provided the civil engineering services for Centennial Plaza, numerous projects for other local area municipalities, and has worked well with Galbraith and Associates. There were no questions or additional discussion.

Council President Fierke asked for a motion to approve **Resolution No. 2013-50**. Councilor Bilden made a motion to approve **Resolution No. 2013-50** and Councilor Brown seconded the motion. There was no discussion. Roll call: Aaron Prunty, aye; Bill Fierke, aye; Ruth Jenks, aye; Kathy Sell, aye; Jonathan Bilden, aye; Wayne Brown, aye; and Bob Russell, absent. The motion passed unanimously by those present.

11. REPORTS FROM CITY COUNCIL AND CITY COMMITTEE REPRESENTATIVES

Councilor Bilden reported on the meeting of the SOREDI (Southern Oregon Regional Economic Development Inc.) Board from earlier in the day. Councilor Bilden reviewed SOREDI's membership structure which consists of approximately 148 members. SOREDI evaluated their objectives and will be meeting with other economic development agencies in the State to see where they match up. SOREDI is unique in that it is recognized by the Federal Government and facilitates a business loan program. Councilor Bilden also reported on meetings between Mayor Russell and other mayors, about combining economic development efforts. During late September, SOREDI will host site consultants for businesses interested in moving. All parts of Southern Oregon will be represented. Regarding the League of Oregon Cities (LOC), they are holding their Annual Awards Committee meeting this week and Councilor Bilden will attend via teleconference. In addition, Councilor Bilden reported on the most recent Eagle Point Economic Development Commission meeting and will discuss the Commission's strategy at a future Council meeting.

Councilor Jenks reported on the RVACT (Rogue Valley Area Commission on Transportation) meeting from earlier in the day. Mayor Russell, Henry Lawrence, Robert Miller, and Earl Wood attended the meeting as well. Basically, there is about \$50M in state funding available for projects statewide. Eagle Point's Lin Road project was originally ranked by RVACT as number five in the area. Subsequently there were meetings wherein Eagle Point's project had been moved down the priority list. During the RVACT meeting, the significance of a safety issue involving a wheel chair incident was compelling evidence of the need for Eagle Point's project. RVTD (Rogue Valley Transit

City of Eagle Point Council Meeting Minutes

August 13, 2013

Page 7 of 9

District) volunteered to put their project below Eagle Point's to free up funding for the project. Additionally, Paige Townsend of RVT, spoke about the regional impact of Eagle Point's project. During Councilor Jenks' report, Robert Miller, Public Works Director, joined in and explained about the MPOs (Metropolitan Planning Organizations), and that there were now two MPOs vying for projects. Council President Fierke also reported on discussions with Mayor Russell and Councilor Jenks' input about the safety issue was commended. RVACT's final recommendation to the State will be made in September or October, and the State's decision will be made in October.

Councilor Prunty reported there had not been a Parks and Recreation Commission meeting since the last Council meeting.

Councilor Brown reported the Rogue Valley Sewer Services (RVSS) Board would meet next week.

Councilor Sell expressed appreciation to Henry Lawrence for the list of locations of the City's brochures. Regarding Eagle Point's Sister City, Showa, Japan, she hosted two female student visitors for a week. Although their stay was unexpected, Councilor Sell reported their visit was very enlightening and rewarding. Additionally, she expressed appreciation for the hard work on National Night Out and for those who attended the RVACT meeting earlier in the day.

Council President Fierke expressed appreciated for the National Night Out event, and to Councilor Sell for hosting the students from Showa. As mentioned at the last Council Meeting, the Eagle Point School District will be discussing the Showa student program with their staff. The next School Board meeting was scheduled for the following night.

12. STAFF REPORTS

Mike Upston, Planning Director, reported providing Portland State University Population Research Center with Eagle Point's housing and population information. The Population Research Center provides most of the State's census data to the Federal Government every year other than the once-a-decade census and is a good resource for this type of information. As far as Planning goes, the City is continuing to receive requests from property owners for adjustments to property lines. Some of the requests will allow for additional building. In regard to bus service, Mr. Upston wants to receive additional information from RVT, engage some of the stakeholders, and then hold a study session with the Council. On a final note, Mr. Upston stated he was excited to hear about SOREDI hosting the sight selectors and that it was a great first step to getting more exposure.

Melissa Owens, Finance Officer, reported the Finance staff had been working with the Municipal Court Judge in putting together a policy and program for traffic court. They are also working on a financial analysis for court fines. Ms. Owens will provide more information about implementing a traffic school at a future meeting. Financing of water projects will be discussed at the next Council meeting. Ms. Owens made a reminder about

City of Eagle Point Council Meeting Minutes

August 13, 2013

Page 8 of 9

the Street Dance on Saturday, August 17. She concluded by reporting on the recruitment status for an accounting supervisor.

Robert Miller, Public Works Director, spoke about the new fence around the Christmas tree at the Bob Moore Park which will help to preserve the tree by preventing root damage. Other project updates included: digging at the Fryer Irrigation ditch; structural testing of the 1946 Main Street Bridge; seal coating; and crack sealing. In regard to the Water Conservation Technical Advisory Group, Mr. Miller reported recently attending a meeting of the group wherein they evaluated and determined their goal was to establish a beneficial water conservation plan. It is anticipated that a draft of the plan will be available in September.

Police Chief Thompson reported on the National Night Out event which was held at Chamberlain Park. Regardless of the regional fires at the time, about 200 people attended the event, including Jackson County Sheriff Winters, and staff members from the Sheriff's Office Search and Rescue Division. Additionally, Chief Thompson reported the new recruit is heading off to the academy for four months. He also spoke about the OLCC (Oregon Liquor Control Commission) Renewal Applications that were provided in the agenda packet. There were no objections to the applications. A brief discussion followed about the new ownership of the golf course location and a new application had been signed off on.

Joe Kellerman, City Attorney, did not provide a report.

Henry Lawrence, City Administrator, referenced the Friday Letter which is posted on the City's website. About the placement of brochures, a media packet for placement in Northern California was recently received and would be evaluated. Mr. Lawrence also reported receiving a proof of the CGI videos, which he planned to forward to Council for review.

Cindy Hughes, City Recorder, reminded the Council about registration for the League of Oregon Cities 88th Annual Conference, and a workshop to discuss the Council Rules on August 27 at 6:30 p.m.

13. INFORMATION

Police Chief Thompson reviewed the information item about the OLCC Renewal Applications during Staff Reports.

Mr. Lawrence announced that only one of the Executive Sessions, Item No. 14, would be held. At 8:36 p.m., Council President Fierke recessed the meeting for a short break and announced that representatives of the news media and designated staff would be allowed to attend the Executive Session. All other members of the audience would be asked to leave the room. Other than adjourning the regular meeting, there was no business scheduled after the Executive Sessions.

City of Eagle Point Council Meeting Minutes

August 13, 2013

Page 9 of 9

14. 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 8:42 p.m., Council President Fierke opened the Eagle Point City Council Executive Session pursuant to ORS 192.660(2)(d). Following discussion, Council President Fierke closed the Executive Session at 9:01 p.m.

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.

This Executive Session was not held.


16. ADJOURN

At 9:02 p.m., Council President Fierke reconvened the regular meeting of the Eagle Point City Council. There being no further business, Council President Fierke closed the meeting at 9:02 p.m.

Respectfully submitted,


Cindy Hughes, City Recorder

ATTEST:


Robert E. Russell, Mayor