



# CITY OF EAGLE POINT

*"Gateway to the Lakes"*

OREGON

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

FEBRUARY 11, 2014

REGULAR MEETING MINUTES

1. CALL TO ORDER – 7:00 P.M.

Mayor Russell called the meeting to order at 7:00 p.m.

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

Council Members Absent: Wayne Brown.

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

Guests: Michael Cavallaro, Executive Director of Rogue Valley Council of Governments (RVCOG); Suzi Collins and Millie Wewerka, Planning Commissioners; and members of the public and press.

2. FLAG SALUTE AND INVOCATION

Mayor Russell led the Pledge of Allegiance and Jonathan Bilden provided the invocation.

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

There were no questions or comments regarding items not on the agenda.

4. PRESENTATIONS

4.1 Certificate of Promotion to Sergeant Dustin LaFord.

Police Chief Thompson presented a Certificate of Promotion to Sergeant Dustin LaFord. Chief Thompson explained the Police Department had implemented a

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testing process several years ago and Dustin LaFord had earned the rank of Sergeant.

### 4.2 Rogue Valley Council of Governments (RVCOG) Annual Update – Michael Cavallaro, Executive Director.

Michael Cavallaro, Executive Director of Rogue Valley Council of Governments (RVCOG), presented its Annual Update (Submission No. 1) to the Council. Adjustments had been made to RVCOG's organizational structure to make its operations as efficient as possible. However, one significant change came at the request of the State, to add Developmental Disabilities Crisis Diversion Services to four counties as part of RVCOG's services. Another focus of the presentation was about Senior Services, in which the goal is to keep seniors in their homes as long as possible, with placement in nursing homes as a last resort.

In addition, Mr. Cavallaro discussed RVCOG's finances. RVCOG's fund equity is reported to be in good condition and they have made corrective adjustments as needed. With the addition of Developmental Disabilities Crisis Diversion Services to four counties, their budget will change to approximately \$7M to \$8M. A recommendation for a minor increase of 3% in dues was presented to Henry Lawrence, City Administrator, and Mayor Russell (Submission No. 2). In 2007-2008, RVCOG reduced its dues by 40%, and it has not received an increase since then. Approximately one-half of RVCOG's funding is from Federal and State grants or contracts. Mr. Cavallaro concluded the presentation by noting RVCOG's Catalog of Professional Services (Submission No. 3), that describes their services.

## 5. PUBLIC HEARINGS

There were no public hearings.

## 6. CONSENT CALENDAR

### 6.1 Presentation of Regular Meeting Minutes of January 28, 2014.

Mayor Russell announced the Consent Calendar and asked for a motion. Councilor Bilden moved to approve the Consent Calendar as presented and Councilor Jenks seconded the motion. There was no discussion. Roll call: Ruth Jenks, aye; Aaron Prunty, aye; Kathy Sell, aye; Jonathan Bilden, aye; Bob Russell, aye; Bill Fierke, abstained; and Wayne Brown, absent. The motion passed with five ayes.

## 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 questions about the bills to be paid. Councilor Jenks inquired about the location of a tree removed by Beaver Tree Service. Robert Miller,

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Public Works Director, responded the tree had been in Little Butte Park; however, a replacement tree will be planted. Councilor Bilden moved to approve the Bills to be Paid including the additional bills list (Submission No. 4) in the amount of \$7,284.32. Councilor Jenks seconded the motion. There was no further discussion. Roll call: Ruth Jenks, aye; Aaron Prunty, aye; Kathy Sell, aye; Jonathan Bilden, aye; Bill Fierke, aye; Bob Russell, aye; and Wayne Brown, absent. The motion passed unanimously by those present.

### 9. OLD BUSINESS

#### 9.1 Discussion regarding the Medford Water Commission's proposed Wholesale Customer Agreement – Henry Lawrence, City Administrator.

Joe Kellerman, City Attorney, discussed moving this item to the end of the agenda because of the possibility of a related Executive Session. There were no objections.

Following the Staff Reports listed as Item No. 12 on the agenda, Mr. Lawrence explained the Medford Water Commission was trying to standardize their contract with all of the cities they provide water to. Eagle Point's contract does not expire for several years but comments had been requested by February 24, one day before the next Council meeting. Mr. Lawrence noted that if needed, this item could be discussed again on February 25, with the intent of providing comments on February 26.

Next, Mr. Kellerman discussed reviewing the current and proposed Agreements, and was prepared to discuss the differences and significances to the extent requested by the Council. In addition, he referenced his previous comments made during the Council meeting of January 14, stating he believed they were fairly accurate to the overall disposition. He believed the City of Eagle Point was not being treated as a partner or best customer; however, he acknowledged the Medford Water Commission provided a very good product for a reasonable price. Mr. Kellerman briefly discussed the leadership involved in this matter and stated he believed this would be better resolved in a political arena. However, he also noted fertile ground for legal action.

Discussion ensued about how the City should respond. Mayor Russell expressed it had become uncomfortable to attend the Medford Water Commission meetings and questioned the validity of attending. Discussion continued about determining the City's response, which led into the City Council holding an Executive Session.

### 10. NEW BUSINESS

#### 10.1 Resolution No. 2014-03. A Resolution authorizing a City of Eagle Point Personal/Professional Services contract with Welburn Electric, Inc., for the City Hall Emergency Power Upgrades.

Robert Miller, Public Works Director, discussed the existing emergency generator at City Hall which produces only enough power for a portion of City Hall. The

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proposed 80 KW diesel generator will produce enough energy for all of City Hall and operates automatically in the event of a power outage.

The City Hall Emergency Power Upgrades project was advertised and bids were submitted by five companies (Kunert Electric, Pacific Electrical, Welburn Electric, Valley Electrical, and Day Electric). Welburn Electric submitted the low bid at \$69,172. Civil West is the provider for design and construction support at an approximate cost of \$6,000. In addition, there will be an expense with Pacific Power but the amount had not been received. It is anticipated the project will be on budget at approximately \$80,000.

A brief discussion followed about the variance in bid amounts. Further, as an entirely separate project, the existing generator will be used at the Bellerive Pump Station or other locations as needed for emergency power. Mr. Miller clarified that the new generator will completely power City Hall, including the Ashpole Community Center.

Mayor Russell asked for a motion to approve **Resolution No. 2014-03**. Councilor Sell made a motion to approve **Resolution No. 2014-03** and Councilor Prunty seconded the motion. There was no further discussion. Roll call: Aaron Prunty, aye; Kathy Sell, aye; Jonathan Bilden, aye; Bill Fierke, aye; Ruth Jenks, aye; Bob Russell, aye; and Wayne Brown, absent. The motion passed unanimously by those present.

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

Council President Fierke announced the School Board was scheduled to meet on February 12, and he would report back at the next Council meeting. Other than that, he had enjoyed taking some vacation time, and noted an interesting article in the *Medford Mail Tribune* about economic development.

Councilor Bilden reported on the February meeting of the Economic Development Commission. During that meeting, elections were held which resulted in Janet Siedlecki's appointment as Vice Chair, and Jonathan Bilden as Chair. The Commission is focusing on the first of five strategic initiatives. Councilor Bilden also reported on a recent meeting of Southern Oregon Regional Economic Development Inc. (SORED), wherein Jackson County Commissioner Don Skundrick had encouraged local municipalities to work closely together. Additionally, SORED started an advertising campaign called "Southern Oregon Edge". In regard to the Governor's Regional Solutions, a bill is being worked on that, if approved, will give the League of Oregon Cities (LOC) control over the City appointment of that seat. Also, the Oregon Workforce Investment Board (OWIB) is working on giving more control of funding to local municipalities. Councilor Bilden noted there is an overlap in work by and amongst the representatives of SORED, LOC, and OWIB. Furthermore, he announced the LOC Board is scheduled to meet in two weeks, and there had been a lot of activity about cities being able to regulate Medical Marijuana Dispensaries. Councilor Bilden concluded by reporting Oregon could see a ballot initiative or legislation on full marijuana legalization.

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Councilor Jenks reported attending an informational meeting with the Rogue Valley Transit District (RVTD), together with Councilor Bilden and some of Eagle Point's staff. The meeting was about the required steps if Eagle Point decides to place transit on the next ballot. Councilor Jenks called upon Planning Director, Mike Upston, to provide details about placing RVTD transit on the ballot, which he will discuss at the next Council meeting. Councilor Jenks added that Robert Miller, Public Works Director, would be making a presentation of the Stevens Road project at the February 25<sup>th</sup> meeting of the Rogue Valley Metropolitan Planning Organization (RVMPO).

Councilor Prunty announced the Parks and Recreation Commission would be meeting later in the week, and he would report back at the next Council meeting.

Councilor Sell did not provide a report.

Mayor Russell reported attending a SOREDI Oregon Business Conference, Medford Water Commission meeting, and a field trip to Eagle Point's 200,000 gallon water tank.

### 12. STAFF REPORTS

Mike Upston, Planning Director, discussed presenting information about RVTD transit services at the next Council meeting. At that time, the Council will be asked to consider whether it will recommend placing transit services on the ballot. Regarding Planning, staff is reviewing a minor plat partition at the end of Cottonwood Drive. Mr. Upston also reported on the Economic Development Commission meeting of February 3. During that meeting, the Commission decided to focus on the first of five Strategic Initiatives; however, there are ongoing items within the Strategic Plan that will continue to be worked on. Mr. Upston concluded by discussing holding a future meeting about development of the Old Fire Station property.

Melissa Owens, Finance Officer, reported staff is currently working on the budget process, projections for next year, and evaluating the City's year-end finances. Ms. Owens also discussed the current replacement of outdated computers which had been planned and budgeted. Another technology item was about monitoring for security breaches, also mentioned in the Friday Letter. Preventative measures had been implemented several years ago which have kept the City from experiencing security breaches. However, Ms. Owens discussed credit card security, and reported on a recent incident experienced by the City. It was noted that the City discovered and reported an incident, and the credit card company reversed all charges to the City.

Robert Miller, Public Works Director, noted project details were in the Friday Letter and that quite a few projects were in progress. In anticipation of inclement weather, Public Works had completed additional cleaning and preparations of the storm system to maximize its efficiency and capabilities. Mr. Miller reported the system was thought to be in better condition than in the last ten years. Councilor Jenks inquired about the location of the second site for the proposed 1.6 MG tank, which is located directly across from the

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original location. However, the original site had been determined to be the best location. In addition, Councilor Jenks asked about dirt placed on a property near Radar Hill. Mr. Miller responded the location was a privately owned old quarry site, permission had been given by the property owner, and there were no prohibiting regulations.

Police Chief Thompson announced the City was still accepting applications for the police officer position through Friday (2/14/14). Testing is scheduled for the next week.

Henry Lawrence, City Administrator, did not provide a report in addition to the Friday Letter, however, he clarified the charges on the credit card had been cleared so that the City did not have to pay anything.

There were no other staff reports.

Following Staff Reports, City Attorney, Joe Kellerman, discussed Item No. 9.1 regarding the Medford Water Commission's proposed Wholesale Customer Agreement. Details of that discussion are recorded under Item No. 9.1.

13. INFORMATION

There were no information items to discuss.

At 8:00 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 Session. All other members of the audience would be asked to leave the room and welcomed back afterwards.

14. EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(f), To consult with counsel concerning information exempt from public inspection and regarding privileged matters; and 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 8:01 p.m., Mayor Russell opened the Eagle Point City Council Executive Session pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(h). Following discussion, Mayor Russell closed the Executive Session at 8:27 p.m.

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15. ADJOURN

There being no further business, Mayor Russell closed the meeting at 8:28 p.m.

Respectfully submitted,

  
Cindy Hughes, City Recorder

ATTEST:

  
Robert E. Russell, Mayor