



# CITY OF EAGLE POINT

*"Gateway to the Lakes"*

OREGON

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

July 8, 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, Wayne Brown, Bill Fierke, Ruth Jenks, and Kathy Sell.

Council Members Absent: Aaron Prunty.

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, Planning Director; and Cindy Hughes, City Recorder.

Guests: Suzi Collins, Planning Commissioner; and Millie Wewerka, Budget Committee and Planning Commissioner; Jerry Zieman, Budget Committee; and members of the public and press.

### 2. FLAG SALUTE AND INVOCATION

Mayor Russell led the Pledge of Allegiance and Jerry Zieman provided the invocation.

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

Winnie Earl of Eagle Point expressed strong concern about the recent 4<sup>th</sup> of July fireworks that were ignited on Highlands Drive. Ms. Earl provided additional testimony about the events of the evening and concluded with a request for enforcement of the fireworks regulations.

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### 4. PRESENTATIONS

There were no presentations.

### 5. PUBLIC HEARINGS

There were no public hearings.

### 6. CONSENT CALENDAR

#### 6.1 Presentation of Regular Meeting Minutes of June 24, 2014.

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

Mayor Russell asked for a motion to approve the Consent Calendar. Councilor Bilden moved to approve the Bills to be Paid including the additional bills list (Submission No. 1) in the amount of \$17,885.66. Councilor Brown seconded the motion. Councilor Jenks asked about the payment for trees. Robert Miller, Public Works Director, reported the trees were replacement trees for various locations throughout the City. There was no further discussion. Roll call: Jonathan Bilden, aye; Wayne Brown, aye; Bill Fierke, aye; Ruth Jenks, aye; Kathy Sell, aye; Bob Russell, aye; and Aaron Prunty, absent. The motion passed unanimously by those present.

### 9. OLD BUSINESS

There was no old business to discuss.

At approximately 7:05 p.m., Mayor Russell asked to be recused from the meeting to avoid any conflict of interest on Item 10.1, and called upon Council President Fierke to preside in his absence.

### 10. NEW BUSINESS

#### 10.1 Resolution No. 2014-28. A Resolution authorizing the City to extend a Water Right Option Purchase Agreement with the Butte Creek Mill.

Council President Fierke presided on Item 10.1, and Henry Lawrence, City Administrator, explained about the existing agreement and three-year renewal options. The terms of the agreement require the City to provide a 150-day notice

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prior to the expiration of the Agreement if the City desires to exercise the second three-year option. The 150-day notification deadline is August 4, 2014. The cost of the second option is \$15,000, which will be credited to the future purchase of water rights. It was clarified that the water, 10 cubic feet per second (cfs), if secured through this Agreement was adequate for the City's future needs during the months of June, July, August, and September.

In addition, Mr. Lawrence explained that the City has about 1,400 acre feet of water; however, it may desire to purchase additional water at some point in the future. Discussion ensued about securing future water purchases from Lost Creek Reservoir and the current political conditions regarding water. Mr. Lawrence also discussed inviting a water consultant to an upcoming Council meeting to provide an overview about water resources.

Councilor Sell inquired about the terminology in Recital A of the Agreement. Joe Kellerman, City Attorney, provided an explanation about converting the water use from a non-consumptive to consumptive use, and clarified the contract is for a valid right. Council President Fierke inquired about the City's rights in the Agreement to purchase water, and asked about the amount of water the City was already purchasing. An exact amount was not available but Attorney Kellerman stated the City would not need all of it. Additionally, a maintenance fee is being paid every year for the water which is a typical cost associated with purchasing water.

Council President Fierke asked for a motion to approve Resolution No. 2014-28. Councilor Sell made a motion to approve Resolution No. 2014-28 and Councilor Jenks seconded the motion. There was no discussion. Roll call: Wayne Brown, aye; Bill Fierke, aye; Ruth Jenks, aye; Kathy Sell, aye; Jonathan Bilden, aye; Aaron Prunty, absent; and Bob Russell, absent. The motion passed unanimously by those present.

At approximately 7:18 p.m., Mayor Russell was requested to return to the Council Chambers.

- 10.2 Resolution No. 2014-29. A Resolution authorizing the City of Eagle Point's application for a Local Government Grant from the Oregon Parks and Recreation Department for design, purchase and installation of a playground at Lucas Park; and authorizing the City Administrator to sign the application.

Robert Miller, Public Works Director, reviewed the application process and explained about the Oregon Parks and Recreation Department's suggestion of changing the application to a stand-alone project with a total amount of \$105,000. Labor and materials would be used to provide the required financial match by the City. Councilor Sell commented favorably on the application.

Mayor Russell asked for a motion to approve Resolution No. 2014-29. Councilor Jenks made a motion to approve Resolution No. 2014-29 and Councilor Sell seconded the motion. There was no discussion. Roll call: Ruth Jenks, aye; Kathy

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Sell, aye; Jonathan Bilden, aye; Wayne Brown, aye; Bill Fierke, aye; Bob Russell, aye; and Aaron Prunty, absent. The motion passed unanimously by those present.

- 10.3 Resolution No. 2014-30. A Resolution authorizing the City of Eagle Point's application for a Planning Grant from the Oregon Parks and Recreation Department for a Parks and Recreation Master Plan; and authorizing the City Administrator to sign the application.

Robert Miller, Public Works Director, explained this was the second of three grant applications that the City applied for during the same time period. Although the Oregon Parks and Recreation Department (OPRD) had not contacted the City about this application, it was appropriate to approve a Resolution in the event the grant is awarded. Mr. Miller discussed the University of Oregon's ability to prepare a professional master plan with attention to the current Statewide Comprehensive Outdoor Recreation Plan (SCORP) guidelines and new mapping.

Discussion followed with many questions about the usefulness and validity of a professionally prepared master plan. Some of the points of discussion were about the impact and effectiveness of a professionally prepared master plan in acquiring grant awards. Other discussion focused on the expense of professional preparation in comparison to preparation by staff. Council President Fierke expressed that the project was not worthy of being passed as he believed it could be satisfactorily prepared by staff. A brief discussion followed about grant applications.

Mayor Russell asked for a motion to approve Resolution No. 2014-30. Councilor Jenks made a motion to approve Resolution No. 2014-30 and Councilor Brown seconded the motion. There was no discussion. Roll call: Kathy Sell, aye; Wayne Brown, aye; Ruth Jenks, aye; Bob Russell, aye; Jonathan Bilden, nay; Bill Fierke, nay; and Aaron Prunty, absent. The motion passed four to two.

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

Council President Fierke announced the Eagle Point School District Board was scheduled to meet on the following day, July 9<sup>th</sup>; and a D9 small group meeting was scheduled later in the week.

Councilor Bilden reported the Economic Development Commission had not met due to the lack of a quorum. However, he hosted friends and family over the 4<sup>th</sup> of July weekend, showcasing the City of Eagle Point. Councilor Bilden concluded by welcoming Mike Upston, Planning Director, as the newest member of the **Rotary Club of Eagle Point** ~~Upper Rogue and Eagle Point Chamber of Commerce~~ (*Revised during the City Council Meeting of July 22, 2014*).

Councilor Jenks reported attending the Rogue Valley Area Commission on Transportation (RVACT) meeting earlier in the day. At that meeting, there was a proposal to form a subcommittee to review the membership as each jurisdiction and county has a vote. However, Councilor Jenks did not anticipate the proposal would move forward. There had also discussion about forming a technical advisory group to prioritize grant applications but that discussion did not progress.

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Councilor Brown reported the Rogue Valley Sewer Services (RVSS) Board was scheduled to meet during the following week.

Councilor Sell announced the Planning Commission had a meeting scheduled on July 15<sup>th</sup>. Councilor Sell also thanked the Community Association for a wonderful 4<sup>th</sup> of July parade and fireworks show. She was deeply touched by the dedication of the fireworks finale in memory of her son, Corporal Nick Sell.

Mayor Russell reported on a recent Rogue Valley Council of Governments (RVCOG) meeting in which County Commissioner Briedenthal had also attended. Regarding the Medford Water Commission, City Attorney, Joe Kellerman, will prepare a response by July 29. Mayor Russell complimented staff on how nice the City looked during the 4<sup>th</sup> of July. Paving, lighting, and flowers had all been completed in a very short amount of time.

### 12. STAFF REPORTS

Mike Upston, Planning Director, discussed the recent announcement about the Upper Rogue Community Center (URCC) not providing transportation. URCC and the Rogue Valley Transit District (RVTD) are considering options to restore this service. Next, Mr. Upston reported on a request from the Governor's Office for examples of unmet needs related to downtown revitalization. Eagle Point responded with four projects:

- 1) Installation of utility infrastructure for the City-owned property in the downtown area;
- 2) Downtown façade improvements;
- 3) Downtown lighting; and
- 4) Royal Avenue pedestrian ways.

Additionally, Mr. Upston reported on recent permit applications and a preliminary subdivision request for a single parcel in Sienna Hills. Mr. Upston also reported on mapping in the Upper Rogue Watershed by a mapping contractor for Federal Emergency Management Agency (FEMA). One purpose of the project is to enable FEMA to revise the Flood Insurance Study (FIS) for Jackson County which will affect insurance rates. Mr. Upston's staff report was concluded with a presentation and discussion of photos from the 4<sup>th</sup> of July parade (Submission No. 2).

Melissa Owens, Finance Officer, reported on the continuation of the transition of fiscal years. The City will also be issuing a Request for Proposal (RFP) for banking, and another one for audit services. Ms. Owens noted there was currently only one bank in Eagle Point that offers government banking but there may be others to participate. Regarding the Rural Development loan, there are still a few steps left before locking in the interest rate but it is hoped to be set within the next couple of weeks.

Robert Miller, Public Works Director, reported on the status of the Lucas Park project with advertising scheduled to begin in the Daily Journal of Commerce. In regard to pavement maintenance, a mapped list (Submission No. 3) was provided which shows the plans for maintenance. Mr. Miller noted the plan is intentionally aggressive, with more streets than dollars. The City is also attempting to have the County do roadwork on curb and gutter portions but the County has been hesitant to do so for a multitude of reasons. On a final

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note, the lighting project has been completed and Mr. Miller thanked everyone involved for their help with the project.

Police Chief Thompson reported on complaints related to fireworks on the 4<sup>th</sup> of July. While there are many challenges with enforcing fireworks regulations, Eagle Point's Code Enforcement Officer Franklin patrolled on bicycle and others were in patrol cars. It was also reported that most citizens are reluctant to become involved as witnesses; however, the Police Department was in the process of issuing several citations. Police Chief Thompson also discussed the upcoming National Night Out event scheduled on August 5<sup>th</sup>. Showa students will be invited to attend this event.

Henry Lawrence, City Administrator, discussed upcoming items at the next meeting on July 22<sup>nd</sup>. On the agenda will be a discussion regarding the League of Oregon Cities' legislative priorities list, and a discussion regarding marijuana dispensaries. One future related item that may come up is a tax on marijuana sales. Mr. Lawrence also discussed the Street Dance scheduled on August 16<sup>th</sup>. Anyone interested in helping with this event was encouraged to contact the City. Regarding the Parks and Recreation Master Plan, Mr. Lawrence reported he would like to see a simpler Master Plan and to keep the expense down if possible.

13. INFORMATION

There were no information items to discuss.

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.

It was not necessary to hold an Executive Session.

15. ADJOURN

There being no further business, Mayor Russell closed the meeting at 8:12 p.m.

Respectfully submitted,

  
Cindy Hughes, City Recorder

ATTEST:

  
Robert E. Russell, Mayor