

**CITY OF CENTRAL POINT
City Council Meeting Minutes
November 9, 2017**

I. REGULAR MEETING CALLED TO ORDER

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

II. PLEDGE OF ALLEGIANCE

- III. ROLL CALL:** Mayor Hank Williams
Council Members: Bruce Dingler, Allen Broderick, Tanea Browning, Rob Hernandez and Mike Quilty were present. Brandon Thueson was excused.

City Manager Chris Clayton; City Attorney Sydnee Dreyer; Police Chief Kris Allison; Community Development Director Tom Humphrey; Parks and Public Works Director Matt Samitore; Finance Director Steve Weber; IT Director Jason Richmond and Finance Clerk Tammy Ball were also present

IV. PUBLIC APPEARANCES - None

V. CONSENT AGENDA

- A. Approval of October 26, 2017 City Council Minutes**

Mike Quilty moved to approve the Consent Agenda as presented. Rob Hernandez seconded. Roll call: Allen Broderick, yes; Bruce Dingler, yes; Rob Hernandez, yes; Mike Quilty, yes; Tanea Browning, yes; Mayor Williams, yes
Motion approved

VI. ITEMS REMOVED FROM CONSENT AGENDA – None.

VII. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

- A. Resolution No. 1519, Declaring Certain Real Property on Upton Road Surplus and Authorizing the Sale of Such Property.**

Parks and Public Works Director Matt Samitore spoke regarding the sale of the Upton Road property. This property hasn't been assessed recently. The market value is \$62,500, which is well under its actual value. Staff is suggesting we get have an appraisal done before any further steps are taken. He is asking authority to start the appraisal process. The City Attorney is looking into placing a condition on the property that it cannot be used to grow marijuana. This is considered high value farm land.

Council Member Alan Broderick stated that we cannot keep a deed restriction banning the use of marijuana. City Attorney Sydnee Dryer stated the deed could be challenged if we attach that restriction. We will have to look into getting homestead approval. The property is 42.5 acres and Harry and David Corporation owns property to the south. There is no chance of bringing the

property into city within next 50 years. If it goes through the appraisal process and is worth less than \$100,000 it is probably in the best interest of the City to keep it. Council is in agreement to proceed forward with step one.

Mike Quilty moved to approve Resolution 15-18 a resolution declaring certain real property on Upton Road surplus and authorizing the sale of such property. Rob Hernandez seconded. Roll call: Bruce Dingler, yes; Rob Hernandez, yes; Mike Quilty, yes; Tanea Browning, yes; Mayor Williams, yes; Allen Broderick, yes. Motion approved.

B. Public Hearing, First Reading – An Ordinance Amending the Central Point Municipal Code Section 17.05.600(H) Regarding City Council Review Provisions.

Address call up procedures brought to staffs attention several months ago regarding public hearing process in the Twin Creeks area and Council's ability call up items that Planning Commission has made a decision on. Planning Commission raised questions that need to be addressed with city attorney. The Planning Commission would like to continue a public hearing on this item until meeting in December. There are some questions regarding items being reviewed by the Council without any additional evidence. The Planning Commission is wondering if Council would remand it back to Planning Commission to fix or override the Planning Commission decision. They would like to bring this back after discussing with City Attorney Sydnee Dreyer. Mrs. Dreyer advised this could be continued at a later time.

Rob Hernandez made a motion to table the public hearing first reading an ordinance amending Central Point Municipal Code Section 17.05.600H regarding city council review provisions to the next available Council Meeting. Tanea Browning seconded. Roll call: Rob Hernandez, yes; Mike Quilty, yes; Tanea Browning, yes; Mayor Williams, yes; Allen Broderick, yes; Bruce Dingler, yes. Proposed ordinance is tabled until the next meeting.

C. Public Hearing, First Reading – An Ordinance Amending CPMC Chapter 17.05.300(C) and 17.05.400(C) to Increase the Public Notification Requirements for Type II Land Use Applications

The consensus of council and commission in a study session is we should change distance for notification from 100 feet (which is consistent with the state) to 250 feet (which is more consistent with communities in the valley) and more in keeping with interest of the citizens. Change to 250 feet for Type 2 and 3 applications. Notification process also occurs after the fact. Notification is to also go after each type 2 or 3 application, decision of Planning Commission. Everyone is to be mailed a notice of decision of Planning Commission. Change the title to reflect noticing of application and noticing of decision. Post notice on property will become part of the process. Commission feels we don't need to institutionalize sign format. The Planning Commission unanimously approved the change of the title.

Allen Broderick moved to second reading an ordinance amending CPMC Chapter 17.05.300(c) and 17.05.400(c), to increase the public notification requirement for Type II & Type III Land Use applications and make necessary clerical changes to the title and reference to the 250 feet. Mike Quilty seconded. Roll call: Mike Quilty, yes; Tanea Browning, yes; Mayor Williams, yes; Allen Broderick, yes; Bruce Dinger, yes; Rob Hernandez, yes. Ordinance moved to second reading.

D. Resolution No. 1520, to Contribute Funds to the St. Vincent DePaul Social Services Program, to Provide Assistance to Central Point Residents being served Rental Eviction or Utility Shut off Notices.

Finance Director Steve Weber explained a resolution to contribute funds to St Vincent de Paul for non-utility assistance. Their housing programs have contributed \$116,000 to Central Point residents. Rich Hansen from St Vincent de Paul spoke about the housing program. The program is all volunteer, there are no salaries or benefits paid. All funds raised or donated go to help the people who need it. They provide dining, food pantry, urban rest stop (laundry and shower facility), social services (utility, rent, find apartment). Any money received from Central Point will only be used for Central Point residents.

Mr. Hansen stated that applicant must have job and have a poverty level income. Rental assistance must not exceed 40% of income. In some situations they can help pay security deposit. Seventy-five percent of people helped are still in apartments. The program is modeled after the State HUD program.

Staff feels partnership with St. Vincent de Paul would be a great opportunity to expand the outreach of assistance to Central Point residents. The resolution would call for an annual \$18,000 contribution to come from the city enhancement fund of the general fund. There isn't a request to increase each year. The amount is already budgeted and just needs to be designated to this fund.

Bruce Dinger moved to approve Resolution No. 1520, to Contribute Funds to the St. Vincent DePaul Social Services Program, to Provide Assistance to Central Point Residents being served Rental Eviction or Utility Shut off Notices. Tanea Browning seconded. Roll call: Mike Quilty, yes; Tanea Browning, yes; Mayor Williams, yes; Allen Broderick, yes; Bruce Dinger, yes; Rob Hernandez, yes. Resolution approved.

VIII. BUSINESS

A. Review of Rogue Disposal & Recycling's Annual Consumer Price Index Based on Rate Adjustment

City Manager Chris Clayton spoke of Rogue Disposal price index, and rate analysis that will go into effect January 1, 2018. He met with representatives from the Meadows who are concerned about the increase in rates. There are 260 units in the meadows. In the past, Rogue Disposal has allowed them to only pay for cans picked up, usually 220. Rogue Disposal is requesting all cans be paid for, rather than the cans picked up. All utilities are charged as one contract, then

the Meadows charges the utilities out to their residents. The Meadows can only increase residence utilities by 5% a year. Mr. Clayton is asking for council to approve a motion accepting Rogue Disposal & Recycling's Annual Consumer Price Index Based on Rate Adjustment of 1.9%.

Mike Quilty moved to accept Rogue Disposal & Recycling's Annual Consumer Price Index Based on Rate Adjustment of 1.9%. Rob Hernandez seconded. Roll call: Tanea Browning, yes; Mayor Williams, yes; Allen Broderick, yes; Bruce Dingler, yes; Rob Hernandez, yes; Mike Quilty, yes. Rate increase approved.

B. Planning Commission Report

Community Development Director Tom Humphrey stated conceptual plan work is being done for CP5 & 6. The land use element, Planning Manager Don Burt is working on will be going to Planning Commission in December for a first look, and returning in January for conclusion.

C. Acceptance of Grant from Oregon Department of Transportation to Improve Bicycle Lane Improvements

Mr. Matt Samitore spoke regarding a grant received for bicycle lane improvements. Grant was five years in the making. There will be no improvements on People's Bank side of Pine Street, this is to increase pedestrian safety from 7th to the I-5 off ramp.

This Grant was approved due to number of accidents in that area. The goal is to improve sidewalks, ADA compliance, and a green bicycle lane. We would enter contract with DKS to get additional designs. Staff will bring back options to approve safety. State is asking for a transfer of money. They get 3% of the money back and we get the money unencumbered. If we accept the grant our risk is approximately \$10,000 if we don't use grant, we would still have to pay the money for engineering. Council Member Broderick stated that we need to get bikes into alleyways. We could add onto the plan and expand on it with City funds.

Rob Hernandez moved to approve Acceptance of Grant from Oregon Department of Transportation to Improve Bicycle lane from 7th to the freeway. Mike Quilty seconded. Roll call: Mayor Williams, yes; Allen Broderick, yes; Bruce Dingler, yes; Rob Hernandez, yes; Mike Quilty, yes, Tanea Browning, yes.

D. Street Closure for Community Christmas

Matt Samitore discussed street closure for Community Christmas, from Central Point Elementary to 4th Street to Pine Street. Parade route will go back to Pine Street after improvements are complete. Construction makes it impossible to have the full parade route on Pine Street at this time. Councilwoman Browning asked if we will have a schedule for future events during the construction. Will the 4th of July Parade be affected? Mr. Samitore stated that the sub-contractor for

concrete is not ready, and this will slow things down a little bit. Signal loops at Pine and Front were ground through today. Lights right now are on a timer instead of the loop. All stated "aye"

IX. MAYOR'S REPORT

Mayor Williams reported that:

- He attended the Medford Water Commission meeting.
- He attended the Holly Theatre tour.
- It is time to evaluate City Manager. Human Recourse Director Elizabeth Simus will send out information and he will summarize responses for the December 14, 2017 Council meeting.

X. CITY MANAGER'S REPORT

City Manager Chris Clayton reported:

- He, Tom Humphrey and Dan O'Conner met with County Commissioner Bob Strosser and Ted Zook on Monday. He is sympathetic to folks being impacted by the growing of marijuana. The County Code Enforcement office is being audited at the request of the Board of Commissioners. Mr. Clayton offered our help. We can take pictures or documentation of the issues. They can site the marijuana grows, but they are capped at \$10,000 in fines. The Board of Commissioners plan to raise that amount to \$20,000. Commissioner Strosser is interested in Central Point participation on an advisory committee to discuss this issue.
- That there are still water related issues around marijuana grows and sale of city water going to outside service area for marijuana. This could be seen as violation of federal law. The Medford Water Commission will be discussing the issue over the winter months. We may not knowingly be able to sell to known marijuana growers. We received a business license application submitted this week for a water hauler that is specifically hauling to marijuana grows. Mr. Samitore stated that we have no policies stating that we can deny the sale of water to marijuana grows. Mrs. Dreyer stated that depending on wording in business license you could deny on federal law. Even if we try to enforce, it will be hard for city to follow water and find how it is used. Mike Quilty stated there is a memo for marijuana guidelines. The Cole memo states federal enforcement guideline, as long as people are in compliance with State laws, the feds will choose to not enforce.
- The City has a deferred improvement agreement for the Reddaway property; we would like to call in the agreement so they have to make improvements to Hamrick Road. They could work out an agreement with the Contractor that gets the bid for Table Rock Road improvements
- Next Wednesday is the Costco opening party with the 16th being the opening.
- Attended the Holly Theatre tour.
- The former tenant at 75 Bush Street can make an appointment to get additional stuff. He has an appointment on Monday, to discuss issues with Mr. James Dee, who is wanting more compensation for the property. There is a possibility this property will be demolished. Public Works will have a

contractor set to clean it on November 27. It appears there is extensive mold damage in front of house. Vector control or pest extermination will be brought in. They can't do anything until trash has been removed. Western States Environmental was the only bid we received to do a clean up.

- The City has an IGA with City of Talent for backup IT. We may be terminating the contract unless they bring on their own IT staff. It is taking up too much of our IT Services time because they had decided not to hire a new IT person in house. Our agreement was for back up, but we have been doing all their IT Services for several months.
- There will be a Study Session Monday night.

XI. COUNCIL REPORTS

Council Member Mike Quilty reported that:

- He met with Airport Director Bern Case, Mike Montero and Amber Judd at the airport. The tax on aviation fuel went to a grant program (CORE). They sorted through seven applications for the grant.
- Met with County Commissioner Bob Strosser about the transportation funding bill. RVTD will be getting a grant for new services. Also asking staff at NPO to explain to people that money is encumbered, and used for bicycle and pedestrians.
- He met with Carl Walsenback, about NPO funds.
- He attended Holly Theatre tour.
- He had surgery on Friday to replace his pain pump.
- His wife will not be relocating to Washington because she does not have specific certifications required in that state.

Council Member Rob Hernandez reported that:

- He attended Chamber forum
- He attended Mayors United Dinner
- He attended School District 6 board meeting. A Study session on repairing schools will start the process May 2019. Discussion was that they would keep it under \$2 per thousand.

Council Member Bruce Dingler stated that he would not be voting in favor of another school bond.

Council Member Tanea Browning reported that:

- She has returned from a family vacation and is glad to be home. She did notice that the Jackson County airport has far more advertising than other airports in the region, specifically dispensary advertisements.
- She attended the Holly Theatre tour.
- She will attend the Costco ribbon cutting.

Council Member Alan Broderick had no report.

XII. DEPARTMENT REPORTS

IT Director Jason Richmond reported that he met with Ashland IT Director. They talked about their fiber network. They talked about a possible IT collaboration.

Parks and Public Works Director Matt Samitore reported:

- Saturday is the annual Veteran event.
- Cory Long has submitted her resigned. He has decided to restructure the position.

Police Chief Kris Allison reported that:

- Community Works Advocate Lyndsey Birdsey will be at our department for victims of domestic violence or sexual assaults.
- Wednesday will be the Police Volunteer luncheon.
- Friday will be the retirement luncheon for Donna Beyer.

Finance Director Steve Weber reported:

- That he is working with a company who will be doing a short term rental tax compliance program.
- That the President's proposed tax bill may impact municipalities finance options.
- That Fiscal Year 2016/2017 Audit is planned for presentation at the December 14 meeting.
- Andy Croft is working as an intern in the Finance Department.

Community Development Director Tom Humphrey reported:

- There will be a Citizens Advisory Committee meeting on Tuesday night.
- Saxbury building has been leveled; they are reviewing a new site plan for the property. There will be two professional office buildings going in there.

City Attorney Sydnee Dreyer had no report.

XIII. EXECUTIVE SESSION - None

XIV. ADJOURNMENT

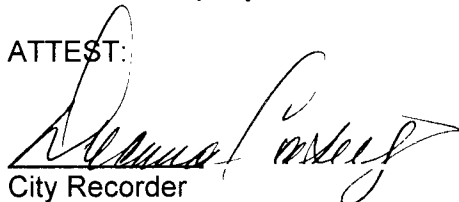
Tanea Browning moved to adjourn, Mike Quilty seconded, and all said "aye" and the Council Meeting was adjourned at 9:10 p.m.

The foregoing minutes of the November 9, 2017, Council meeting were approved by the City Council at its meeting of December 14, 2017.

Dated: 12/14/17


Mayor Hank Williams

ATTEST:


City Recorder