

CITY OF CENTRAL POINT
City Council Meeting Minutes
March 12, 2015

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: Allen Broderick, Bruce Dingler, Brandon Thueson, Rick Samuelson, and Mike Quilty were present.

City Manager Chris Clayton; City Attorney Sydnee Dreyer; Police Chief Kris Allison; Community Development Director Tom Humphrey; Finance Director Bev Adams; Parks and Public Works Director Matt Samitore; and City Recorder Deanna Casey were also present.

IV. PUBLIC APPEARANCES -None

V. SPECIAL PRESENTATION

• **Fire District No. 3 Quarterly Report**

Fire Chief Dan Peterson presented the three year Strategic Plan for the Fire District. The process took about five months to complete. They had various meetings and spoke with members of the community to build a comprehensive plan. He explained a few changes to their values and their updated priorities. They want to be part of the community not just fire engines driving around. They are ready to move forward on locating a second station in Central Point, they are looking for the best location for that station.

VI. CONSENT AGENDA

- A. Approval of February 26, 2015 City Council Minutes
B. Approval of Arbor Week Proclamation
C. Approval to cancel the March 26, 2015 and April 23, 2015 City Council Meetings.

Mike Quilty moved to approve the Consent Agenda as presented. Rick Samuelson seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Brandon Thueson, yes; Allen Broderick, yes; Rick Samuelson, yes; and Mike Quilty, yes. Motion approved.

VII. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

- A. **Second Reading – Ordinance No. 2004, Repealing Chapter 12.40 Telecommunications Infrastructure replacing it with Chapter 12.40 Franchises and Utility License Fees**

City Manager Chris Clayton explained this is a second reading of an Ordinance to repeal Central Point Municipal Code 12.40 Telecommunications Infrastructure. The proposed ordinance would replace the current code with revisions to protect the city from non-franchised utility operations, and encourage utility providers to negotiate individual franchise agreements with the City. The Ordinance is not directed at any one utility and is designed to allow for changes to the telecommunications industry.

At the February 26th City Council meeting there was a correction made to section 12.40.075(B) changing the utility license fee from 7.5% to 7% and to (E) changing privilege taxes to privilege license fee. Those changes have been incorporated. There was a public hearing held during the first reading of the Ordinance.

Allen Broderick moved to approve Ordinance No. 2004, Repealing Chapter 12.40 Telecommunications Infrastructure replacing it with Chapter 12.40 Franchises and Utility License Fees. Brandon Thueson seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Brandon Thueson, yes; Allen Broderick, yes; Rick Samuelson, yes; and Mike Quilty, yes. Motion approved.

B. Resolution No. 1419, Approving a Conceptual Land Use and Transportation Plan for CP-1B, An Urban Area of the City of Central Point, Oregon

Community Development Director Tom Humphrey explained that the City's Regional Plan Element includes a provision that prior to expansion of the urban growth boundary, it is necessary to adopt conceptual land use and transportation plans for the affected urban reserve area. Staff has prepared a conceptual land use and transportation plan to comply with the performance measures and the conditions of the Greater Bear Creek Valley Regional Plan.

This is a general land use guide prepared in accordance with, and intended to facilitate implementation of the Central Point Regional Plan Element. It does not address compliance with the Oregon Statewide Land Use Planning Goals, applicability of land use planning law, or comprehensive plan compliance.

The Citizen's Advisory Committee (CAC) and the Planning Commission made some revisions at their meetings. Property owners have been notified and commented during the public hearing portions of the CAC and Planning Commission meetings.

Mike Quilty moved to approve Resolution No. 1419, Approving a Conceptual Land Use and Transportation Plan for CP-1B, An Urban Area of the City of Central Point, Oregon. Rick Samuelson seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Brandon Thueson, yes; Allen Broderick, yes; Rick Samuelson, yes; and Mike Quilty, yes. Motion approved.

VIII. BUSINESS

A. Planning Commission Report

Community Development Director Tom Humphrey presented the Planning Commission report from March 5, 2015. This meeting was originally scheduled on a Thursday in order to have a joint meeting with the Jackson County Planning Commission. However, that item had to be moved to a later meeting. There were items that had been noticed so the Commission held the meeting on a Thursday.

- Approved a resolution forwarding a recommendation to the Council for a zone (map) amendment changing residential single family (R-1-10) zoning to residential single family (R-1-8) zoning for a 0.67 acre parcel located at 3292 Grant Road. The applicant would like to rezone the property in order to create separate lots. The proposal is compatible with land to the north that is in the City limits and zoned R-1-8.
- Approved a resolution to approve a Conceptual Land Use and Transportation plan for CP-1B, An Urban Reserve Area of the City of Central Point. The Commission conducted the final review of the plan with their recommended changes from previous meetings.
- Discussion of various amendments to the zoning ordinance related to similar use authorization in the C-4, C-5, M-1 and M-2 zoning districts. The Commission was introduced to ambiguities in the code and asked for direction to make the language about similar uses more clear. A development proposal brought this matter to the staff's attention and the Commission directed staff to clarify the proposed use in the C-4 zone and to clear up the language in general.
- Considered the removal of a hazardous tree as defined in CPMC 12.36. The Parks and Public Works staff evaluated a tree in the cemetery at the request of the City Council and the Friends of the Central Point Cemetery. The Commission accepted the Arborist report that the tree was dead and a hazard to the public. They unanimously approved the request to remove the tree. Members expressed their desire to see the tree replaced if possible.

B. Measure 91 Update

City Manager Chris Clayton and City Attorney Sydnee Dreyer updated the Council on Measure 91, Recreational Marijuana. The Legislature is currently reviewing potential legislation for local control and regulation of marijuana. Personal grows and recreational use becomes effective July 1, 2015. The licensing of production, processing, wholesale and retail sales of marijuana becomes legal January 1, 2016. The Medical marijuana dispensaries will be permitted within the city effective May 1, 2015, when our current moratorium expires.

Cities have authority to adopt reasonable time, place and manner regulations for retail sales; bring nuisance actions against businesses; and require compliance with other regulations of general applicability such as land use provisions. However, it is much less clear whether cities have local authority to regulate homegrown marijuana and homegrown products. The Council should decide if they want to wait until state regulations are in place or if they want to review an ordinance regulating home grown marijuana before July 1, 2015.

There was discussion that the current regulations for Medical Marijuana Dispensaries could be changed to include all dispensaries. Council would like to see an ordinance regulating that all home grown plants must be grown in an enclosed structure, not just fence barriers. Staff could begin the preparation of an Ordinance regulating the home grown aspect of marijuana. We would work on the retail portion after that time. There was discussion about growing both medical marijuana and recreational marijuana on the same property and the amount of plants that could be allowed. It was clarified that we can adopt regulations as long as they do not conflict with the state law.

The League of Oregon Cities will have recommendations on their website for local jurisdictions at the end of March. There are still questions regarding multiple residential lots. It is unclear what the regulations will be for apartment buildings.

The Council is in favor of being proactive and reviewing an Ordinance in April requiring any marijuana grows be inside a secure building.

C. Council Member Appointment

Mayor Williams explained that he and Council President Dingler interviewed applicants for the Council position. The interviews were all very good and there are several applicants that would be good on the City Council. He is recommending that Tanea Browning be appointed to the At-Large position, with the approval of the Council. Mayor Williams stated that Mrs. Browning could be sworn in at the April 9th Council meeting.

Tanea Browning came forward and introduced herself to the Council. She provided a brief background and explained why she would like to be appointed.

Mike Quilty moved to appoint Tanea Browning to the City Council At-Large Position. Bruce Dingler seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Brandon Thueson, yes; Allen Broderick, yes; Rick Samuelson, yes; and Mike Quilty, yes. Motion approved.

IX. MAYOR'S REPORT

Mayor Williams reported that he:

- Attended the Medford Water Commission meeting this week.
- Attended the Medford Chamber Forum where they had a presentation on wearable medical devices and the future of facetime appointments.
- Met with the Eagle Point Mayor. His wife is having health issues and he wanted to lend his support.

XII. CITY MANAGER'S REPORT

City Manager Chris Clayton reported that:

- He attended the Medford Chamber Forum with the Mayor.
- Department Directors are busy working on their budgets. They present them to him next week for review.

- The City has a Local Improvement District (LID) on Snowy Butte Lane. Several of the homes have not paid their portion of the LID but the homes have sold and are under new ownership, or are in foreclosure. Council Member Broderick explained that there is a problem with the way the Title Companies pull city liens. They may only be going to the County to look for title searches. Attorney Dreyer stated that she needs to review the issue before giving a recommendation on the options available to the city.
- The property the city was looking at leasing for the public works corporation yard has been leased. We have located another property in the same location that could be suitable.

XIII. COUNCIL REPORTS

Council Member Allen Broderick reported that:

- He attended a SOREDI meeting. They are putting a large focus on secondary education like OIT and OSU.
- Friday night is the 4-H Auction dinner.
- He is a gold sponsor for Crater High School football.

Council Member Bruce Dingler reported that he participated on the interviews for the City Council position. He thinks that Mrs. Browning will be a good asset on the Council.

Council Member Rick Samuelson had no report.

Council Member Brandon Thueson reported that he attended the School Board meeting and is amazed at the technology that the elementary schools are able to provide for the students.

Council Member Mike Quilty reported that:

- He attended the Airport Advisory Committee meeting. They have been working on resurfacing the runway. Last year was a high passenger year for them.
- He attended a TRADCO meeting. They are looking to merge with the Medford Jackson Chamber Forum to eliminate some double meetings.
- He attended a Transportation Advisory meeting in Salem.

XIV. DEPARTMENT REPORTS

Parks and Public Works Director Matt Samitore reported that:

- Parks and Recreation has met with the Vietnam Memorial representatives. They are working on fund raising and asked if they could submit an article to the Oregonian stating that the location will be Don Jones Park.
- There is a broken pipe at Don Jones and the restrooms will be closed this weekend. They are having porta-potties brought in for the weekend.
- Staff is working with Twin Creeks **and the School District** to establish guidelines for temporary camping ~~while working on the cottages~~ **for Battle of the Bones competitors. They have been using the lot that the new Twin Creeks Cottages are being built on.**

- There will be a partial street closure for the Cheese Festival on Saturday. Normally this would be in the Consent Agenda items, but the event permit was just recently completed.
- The contract is underway for the flashing beacon for the crosswalk on Pine Street. The Council should see some options in May.
- The City has received the schedule for the Twin Creeks Rail crossing. We should see construction in 2017.
- The Mayor received a letter from Mr. Bickle who lives along Jackson Creek. The city has explained to Mr. Bickle that the city cannot help with his creek bank. The Avista pipe that he says is hanging over the creek has been abandoned and there should be no cause to think it will explode. He will contact those utilities again and request that they remove the abandoned lines.

Police Chief Kris Allison reported that:

- There are several events going this weekend with the Cheese Festival and the Shamrock Run they will be very busy.
- She met with Debra Miles regarding fireworks issues. They are working on the issues that are causing problems in her neighborhood with someone setting off fireworks throughout the year. If the Council is interested we could establish a time frame for specific holidays and not allow the fireworks the rest of the year. The Council did not think additional regulation is needed at this time.
- She has met with Dr. Olson who will be leading the Central Point CERT team.
- Last week Officer Bruce and Officer Britton attended an ALICE training. This program is designed to teach kids options if they are ever involved in a school shooting.

Finance Director Bev Adams reported that she has been working on Budget.

Community Development Director Tom Humphrey reported that:

- There are enough business owners signed up to do another Destination Boot Camp this summer.
- T-Mobile will be putting a stealth tower on the Grange Tower.

XV. ADJOURNMENT

Brandon Thueson moved to adjourn, Mike Quilty seconded, all said "aye" and the Council Meeting was adjourned at 8:42 p.m.

The foregoing minutes of the March 12, 2015, Council meeting were approved by the City Council at its meeting of April 9, 2015.

Dated:

ATTEST:

City Recorder


Mayor Hank Williams