

CITY OF CENTRAL POINT
City Council Meeting Minutes
May 14, 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 Dingle, Brandon Thueson, Tanea Browning, Rick Samuelson, and Michael Quilty were present.

City Manager Chris Clayton; City Attorney Sydnee Dreyer, Police Lt. Dave Croft; Community Development Director Tom Humphrey; Finance Director Bev Adams; Parks and Public Works Director Matt Samitore; and P.W. Administrative Assistant Karen Roeber were also present.

IV. PUBLIC APPEARANCES

Charles and Karen Eilenberger who live in the New Haven Estates subdivision spoke about residential burning in their neighborhood. They said it has become an environmental issue and is a nuisance since many times the burning goes on from 11:00 a.m. until midnight. Mrs. Eilenberger checked with Medford, Ashland, Phoenix and Talent and they do not allow residential burning within city limits. She and others in her neighborhood are not against barbecues and recreational fire pits. City Manager Chris Clayton stated Central Point is under the Jackson County residential burning permit process and DEQ posts when open burning is allowed.

Mike James and Mr. Eilenberger both residents of New Haven Estates subdivision stated Fire District 3 had been over to the house where the burning persists three times. Mr. Clayton said he would see if they are violating the burn permit and see if it falls under the nuisance ordinance and send out Code Enforcement.

Mrs. Eilenberger provided copies of surrounding cities ordinances and asked for Central Point to please consider changing their ordinance. Mr. Clayton said he will review and be in contact with her.

V. CONSENT AGENDA

- A. Approval of April 9, 2015 City Council Minutes
- B. Acceptance of Third Quarter Financial Statement

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

VI. ITEMS REMOVED FROM CONSENT AGENDA - None

VII. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

A. Public Hearing, First Reading – An Ordinance Amending the Central Point Municipal Code to Add Section 3.25 Park Maintenance Fee Regarding the Adoption of a Parks Fee for Maintenance of City Parks

Parks and Public Works Director Matt Samitore stated this ordinance is modeled after the City of Medford. The Central Point fee would be \$1.00 per month per water meter for all users with the exception of multi-family dwellings which would be \$0.50 per unit per month. Mr. Samitore stated this fee was discussed at the budget meetings. The purpose of the fee is for repair and replacement of existing Park facilities, a new Parks Master Plan and eventually new park construction once existing system maintenance is caught up.

Council Member Samuelson voiced concerns that the council had not discussed the proposed fee enough. He felt that they were only told this information. The citizen survey questions regarding this issue were not accurate and that the long range financial plan was based on wants not needs of the city.

Allen Broderick made a motion to move this ordinance to amend the CPMC Section 3.25 to adopt a Parks Utility Fee to a second reading. Brandon Thueson seconded. Roll call: Hank Williams, yes; Allen Broderick, yes; Bruce Dingler, yes; Rick Samuelson, no; Brandon Thueson, yes; Mike Quilty, yes; Tanea Browning, yes. Motion approved.

B. Public Hearing, First Reading – An Ordinance Amending the Central Point Municipal Code to Add Section 3.26 Public Safety Fee Regarding the Adoption of a Public Safety Fee for Increased Funding of Public Safety

City Manager Chris Clayton stated this fee was discussed at length during the long term financial planning in January. Medford has automatic CPI increases and the Central Point Public Safety fee or Parks Utility fee would not be tied to the CPI. The Public Safety fee would be used to fund a second Central Point School Resource Officer (SRO). He also stated the most recent citizen survey reflected the residents' feeling of safety and security in Central Point. Mayor Williams stated he likes that Central Point Police Officers are not under pressure to write tickets and that most in his neighborhood support the public safety fee.

Council Member Samuelson restated that he did not feel there has been enough discussion regarding these fees.

Mike Quilty made a motion to move to second reading an ordinance amending the CPMC adding Section 3.26 to adopt a Public Safety Fee for increased funding. Tanea Browning second. Roll call: Hank Williams, yes; Allen Broderick, yes; Bruce Dingler, yes; Rick Samuelson, no; Brandon Thueson, yes; Mike Quilty, yes; Tanea Browning, yes. Motion approved.

C. Public Hearing, First Reading – An Ordinance Creating Chapter 1.04.060 Uniform Appeal and Hearing Procedure for Central Point Municipal Code

City Manager Chris Clayton stated that prior to 2006 the Central Point Municipal Code contained a procedure for reviewing decisions related to planning, zoning and general land use. This was recently repealed when land use decision appeals were integrated into Chapter 17 Zoning regarding the regulation of marijuana, nuisance activity and chronic nuisance abatement referencing a general/uniform appeal procedure. This left the City with no alternate uniform appeal procedure for administrative decisions. This does not require a public hearing but he would recommend allowing public testimony

Mayor Williams opened the public hearing no one came forward. Mayor Williams closed the public hearing.

There was some discussion regarding the definition of appellate board. It was decided to strike "or appellate board" from the ordinance. Appeals that fall under this code would come directly to the City Council for review.

Allen Broderick made a motion to approve the first reading of an ordinance amending the CPMC to add section 1.04.060-uniform appeal and hearing procedure with the modified language. Bruce Dingler seconded. Roll call. Hank Williams, yes; Allen Broderick, yes; Bruce Dingler, yes; Rick Samuelson, yes; Brandon Thueson, yes; Mike Quilty, yes; Tanea Browning, yes. Motion approved.

D. Public Hearing, First Reading – An Ordinance Amending Title 8 of the CPMC by Adding Chapter 8.45 Homegrown and Medical Marijuana

Community Development Director Tom Humphrey presented an ordinance regulating homegrown and medical marijuana inside Central Point city limits. He emphasized the recommended changes would limit, but not prohibit the growing of marijuana inside our city limits. The primary concern is to minimize or eliminate the unwanted, detrimental effects upon public safety and neighboring citizens such as the odor, accessibility, unsightly appearance (i.e. Fences), processing, drying and storage of both medical and recreational marijuana.

Mayor Williams opened the public hearing.

Mr. Ralph Nelson stated the City was on right path with this ordinance and the biggest concern or complaint he thought would be regarding the odor and the other issue would be juvenile use. Limiting it to indoor grows should reduce the risk for theft. He asked about violations and if they would be subject to the nuisance ordinance general penalties and becoming a chronic nuisance of there are two citations issued within thirty days. There would also be the possibility of immediate abatement of all plants. Mr. Nelson liked the City's proactive approach and he thanked the council for listening.

Mayor Williams closed the public hearing

Medical marijuana plants already in the ground will be "grandfathered" for this year's harvest only and then they would need to be grown indoors for all future grows. The City may look at ventilation in the future.

Allen Broderick suggested language stating rental properties must have the property owner's written permission for any indoor grows. City Attorney Sydnee Dreyer explained this would be something the city could regulate. It would need to be a civil issue. Mr. Clayton explained that we inform the citizens of the code requirements in a future newsletter.

Brandon Thueson made a motion to move to second reading An Ordinance Amending Title 8 of the CPMC by Adding Chapter 8.45 Homegrown and Medical Marijuana. Mike Quilty seconded. Roll call: Hank Williams, yes; Allen Broderick, yes; Bruce Dingler, yes; Rick Samuelson, yes; Brandon Thueson, yes; Mike Quilty, yes; Tanea Browning, yes. Motion approved.

E. Ordinance No. 2006 An Ordinance Amending the Central Point Zoning Map at 3292 Grant Road from Residential Single Family (R- -10) to Residential Single Family (R-1-8)

Community Development Director Tom Humphrey presented the second reading of an ordinance amending the zoning map for 3292 Grant Road. This change would allow the property to be partitioned into three parcels. They would be 8,000 sq ft. lots as opposed to the current 10,000 sq. ft. lots that are currently allowed.

Mike Quilty made a motion to approve Ordinance No. 2006 amending the Central Point Zoning Map from residential single family (R-1-10) to residential single family (R-1-8) on a 0.67 acre parcel located at 3292 Grant Road. Rick Samuelson seconded the motion. Roll call: Hank Williams, yes; Allen Broderick, yes; Bruce Dingler, yes; Rick Samuelson, yes; Brandon Thueson, yes; Mike Quilty, yes; Tanea Browning, yes. Motion approved.

VIII. BUSINESS

A. Parks and Recreation Report

Parks and Public Works Director Matt Samitore reported that due to reoccurring vandalism to the park structure at Cascade Meadows Park it is broken beyond repair. The parts to replacement parts for this structure are no longer available. The Parks Commission determined that removal of the broken equipment at this park would be the best course of action. The recommendation is that a small piece of equipment like a swing be put in its place. This will reduce the chance of vandalism and still provide a play apparatus for neighborhood kids. Council had no objection to this recommendation.

The Parks Commission would like to set the date for the Community Christmas and the Lights Parade for the First Saturday in December. They felt that moving the date later in the month would put it too close to Christmas and keeping it on Friday raises too many traffic concerns. They also felt that it was pushing families to have the event on Friday because of comments we received from last year.

There has been talk about moving the event to another location but the consensus of the Commission was to keep with tradition and continue to have the event in the downtown area with the tree lighting at City Hall.

There was some discussion regarding the date conflicting with the Crater Foundation Annual Auction being on the same night. Several people like to attend both events. It was decided that staff will do more research and return to Council at a later date with options.

B. Planning Commission Report

Community Development Director Tom Humphrey stated that on May 7, 2015 the Planning Commission forwarded a favorable recommendation to the City Council to Amend the Comprehensive Plan Map (Minor) to add approximately 47 acres to the City of Central Point Urban Growth Boundary (UGB) north of Interstate 5; east and west of Blackwell Road in the vicinity of the Seven Oaks Interchange (Exit 35) including portions of Dean Creek Road. The proposal expands Central Point's UGB into Urban Reserve Area CP-1B. Both the Central Point Planning Commission and Jackson County Planning Commission support the proposal.

IX. MAYOR'S REPORT

Mayor Williams reported that he:

- Attended the Chamber mixer.
- Attended two DARE graduations (Jewett & Mae Richardson Schools).
- Attended the Friends of the Fair dinner.
- Attended the Fair Board meeting.
- Senators Merkley, and Walden and Rep. Wyden will all be attending the Memorial Day ceremony at Don Jones War Memorial on Monday, May 25th with Senator Merkley holding a town hall meeting the following day.

X. CITY MANAGER'S REPORT

City Manager Chris Clayton reported that he:

- Attended the School Board meeting and met the School Board candidates.
- Has tickets available for the Rodeo Sponsor Dinner. If anyone is interested please let him know.
- There has been a lot of activity on the Community Development side of City Hall this week. He will have more information for the Council later.

XI. COUNCIL REPORTS

Allen Broderick reported that he:

- Attended the Rotary auction.
- Attended SOREDI.

Bruce Dingler reported that he will not be able to attend the Study Session on Monday, May 18, 2015.

Rick Samuelson reported that:

- The Southern Oregon Climate Action event will be in October. The SOCAN is a regional organization committed to spreading awareness and taking action regarding climate change.
- he Attended the School Board Election Forum.
- he attended a boxing event at the expo.

Brandon Thueson reported that he attended the budget meeting.

Mike Quilty reported that:

- He attended the MPO meeting.
- The RVMOP TAC recommended that the appropriate level of Coordination on the transportation aspects of RPS Urban Reserve areas would be a letter from the TAC indicating that the City had complied with the process. MPO policy committee thought there should be a higher level of scrutiny and that the Policy Committee should be the deciding body.
- He attended the Airport Advisory meeting and they are having a record year of travelers so far this year.

Tanea Browning reported that she:

- Attended the multi-cultural committee meeting.
- Attended the budget meeting for Fire District #3.
- Attended the Chamber mixer.
- Attended DARE graduation.

XII. DEPARTMENT REPORTS

Police Lt. Dave Croft reported that CPPD officers will be present at the Memorial Day ceremony.

Finance Director Bev Adams reported that notice will be sent to the paper tomorrow if a supplemental budget is needed.

Community Development Director Tom Humphrey stated that:

- He will be starting boot camp the first week in June. Lisa O'Connor from the Chamber will be joining the group
- He met with a SOREDI planner.

Parks and Public Works Director Matt Samitore stated that:

- is a portion of water line on Freeman Road project in the travel lane that is asbestos pipe and needs to be replaced with ductile iron pipe. Mr. Samitore will know the estimated cost for the pipe replacement this week and a supplemental budget adjustment may be needed. They will continue with the grinding and compaction of Freeman Road and the waterline replacement will be completed.
- Notices will be sent out regarding the Freeman Road waterline replacement.
- Van Horn Park had a re-grand opening with new play equipment and is now ADA compliant.

XIII. EXECUTIVE SESSION – 192.660(2)(h) Legal Counsel

Mike Quilty made a motion to adjourn into executive session under 192.660(2)(h) Legal Counsel. Brandon Thueson seconded. All said "Aye" and the meeting was adjourned into executive session at 8:50 P.M.

The Council returned to regular session at 9:09 P.M.

XIV. ADJOURNMENT

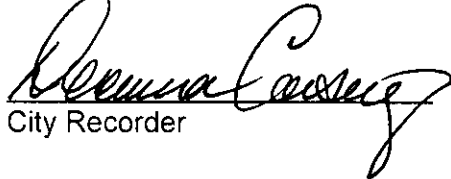
Mike Quilty moved to adjourn, Brandon Thueson seconded, all said "Aye" and the Council Meeting was adjourned at 9:09 P.M.

The foregoing minutes of the May 14, 2015, Council meeting were approved by the City Council at its meeting of May 28, 2015.

Dated: 5/28/15


Mayor Hank Williams

ATTEST.


City Recorder