

**Central Point
City Hall
541-664-3321**

City Council

Mayor
Hank Williams

Ward I
Bruce Dinger

Ward II
Michael Quilty

Ward III
Brandon Thueson

Ward IV
Allen Broderick

At Large
Rick Samuelson
Tanea Browning

Administration
Chris Clayton, City
Manager
Deanna Casey, City
Recorder

**Community
Development**
Tom Humphrey,
Director

Finance
Bev Adams, Director

Human Resources
Barb Robson, Director

**Parks and Public
Works**
Matt Samitore,
Director
Jennifer Boardman,
Manager

Police
Kris Allison Chief

**CITY OF CENTRAL POINT
City Council Meeting Agenda
May 28, 2015**

Next Res. 1420
Next Ord. 2007

- I. REGULAR MEETING CALLED TO ORDER – 7:00 P.M.**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. PUBLIC APPEARANCES – *Comments will be limited to 3 minutes per individual or 5 minutes if representing a group or organization.***
- V. SPECIAL PRESENTATION - MAYA Scholarship Presentation**
- VI. CONSENT AGENDA**

Page 2 - 7 A. Approval of May 14, 2015 Council Minutes

VII. ITEMS REMOVED FROM CONSENT AGENDA

VIII. PUBLIC HEARING, ORDINANCES, AND RESOLUTIONS

- 9 - 17 A. Second Reading- Ordinance No. _____, An Ordinance Amending Title 8 of the Central Point Municipal Code, By Adding Chapter 8.45 Homegrown and Medical Marijuana (Humphrey)
- 19 - 26 B. Second Reading – Ordinance No. _____, An Ordinance Amending the Central Point Municipal Code to Add Section 3.25 Park Maintenance Fee Regarding the Adoption of a Parks Maintenance Fee for City Parks (Samitore)
- 28 - 34 C. Second Reading – Ordinance No. _____, An Ordinance Amending the Central Point Municipal Code to Add Section 3.26 Public Safety Fee Regarding the Adoption of a Public Safety Utility Fee for Increased Funding of Public Safety (Clayton)

- 36 - 38 D. Second Reading - Ordinance No. _____, An Ordinance Creating Section 1.04.060 Uniform Appeal and Hearing Procedure of the Central Point Municipal Code (Clayton)

- 40 - 43 E. Public Hearing, First Reading – An Ordinance Amending the Chapter 8.02.010 Chronic Nuisance Property Definitions Regarding Marijuana in Residential Neighborhoods (Allison)

- 46 - 50 F. Public Hearing, First Reading – An Ordinance Amending Chapter 8.04 Nuisances in Regards to Homegrown Marijuana and Medical Marijuana (Allison)

- 52 - 55 G. Resolution No. _____, Approving a Supplemental Budget for the 2014/15 Fiscal Year (Adams)

IX. MAYOR’S REPORT

X. CITY MANAGER’S REPORT

XI. COUNCIL REPORTS

XII. DEPARTMENT REPORTS

XIII. EXECUTIVE SESSION

The City Council may adjourn to executive session under the provisions of ORS 192.660. Under the provisions of the Oregon Public Meetings Law, the proceedings of an executive session are not for publication or broadcast.

XIV. ADJOURNMENT

Consent Agenda

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 Dingler, 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 AM until midnight. Mrs. Eilenberger stated she checked with Medford, Ashland, Phoenix and Talent and they do not allow residential burning within city limits. She said she and others in her neighborhood are not against barbecues and recreational fire pits. City manager Chris Clayton stated Central Point is currently under the Jackson County residential burning permits and DEQ says when 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 so see if it falls under the nuisance ordinance and send out Code Enforcement.

Mrs. Eilenberger said she would leave 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 Dingler, 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 Utility Fee Regarding the Adoption of a Parks Utility 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. He asked for any questions or further discussion and if not then he is seeking approval to establish the fee.

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 Dinger, 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.

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 Dinger, 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 CPMC 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) of the CPMC with regards to 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. Mr. Clayton stated it is prudent to adopt and approve an ordinance creating a uniform appeal and hearing procedure.

Mr. Clayton said this does not require a public hearing but he would recommend a public hearing. Mayor Williams opened the public hearing and since there were no comments Mayor Williams closed the public hearing.

After some discussion it between the Council members and Legal Counsel Sydnee Dreyer definition of appellate board, it was decided to strike "or appellate board" from the ordinance.

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 addition to the CPMC would limit but not prohibit the growing of marijuana inside Central Point city limits. He stated the primary issue 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 he felt would be juvenile use so limiting it to indoor grows only also reduces the risk for theft. He asked about violations and was to they would be subject to the nuisance ordinance general penalties with it 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 may 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 systems later down the line but not at this time.

Allen Broderick suggested language stating rental properties must have the property owner’s written permission for any indoor grows. Sydnee explained this would be a civil not city issue. Chris stated there would be an article in a future City newsletter.

Brandon Thueson made a motion to schedule a second reading to approve the amendment to the municipal code. 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 for an ordinance amending the zoning map for 3292 Grant Road. This would change allow the property to be partitioned into three parcels (8,000 sq. ft. lots as opposed to the current 10,000 sq. ft. lots) with the maximum density increased to five. Mr. Humphrey asked for the ordinance to be adopted to permit the subdivision of the property.

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 stated there is a portion of water-line on Freeman Road project in the travel lane that is asbestos pipe that needs to be replaced with ductile iron pipe. Matt will know the extent of the cost for the needed pipe replacement and there may need to be a supplemental budget adjustment. This notice will need to be sent to the paper by Friday May 15,2015. They will continue with the grinding and compaction of Freeman Road and then the waterline replacement will be completed.

B. Planning Commission Report

Community Development Director Tom Humphrey stated there will be a UGB amendment in June. He will also have conceptual plans for the Urban Reserve Area (URA) and will be bringing to council for approval in the next 12-18 months.

He will be starting his boot camp the first week in June and Lisa O'Connor from the Chamber will be joining that group.

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 rodeo tickets available for the sponsor dinner for anyone interested to let him know
- Things are really busy on the development side and he will have specifics soon

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 he:

- will be attending the Southern Oregon Climate Action in October
- Attended the RVCOG – Aging parents
- Attended the School Board meeting
- attended a boxing event at the expo

Brandon Thueson reported that he attended the budget meeting.

Mike Quilty reported that he:

- He attended the MPO meeting
- TAC recently sent a letter stating they met requirements
- Attended the Airport Advisory meeting and they are having a record 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 and 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:

- 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:

Mayor Hank Williams

ATTEST:

City Recorder

Ordinance

Amending Title 8 regarding Home Grown and Medical Marijuana



STAFF REPORT

STAFF REPORT

May 28, 2015

AGENDA ITEM:

Second Reading to Consider an Amendment to the Municipal Code to Add Chapter 8.45, Restricting Homegrown and Medicinal Marijuana grows in the City Limits to Coincide with the Effective Date of State Law.

STAFF SOURCE:

Tom Humphrey, Community Development Director

BACKGROUND:

This is the second reading of an ordinance the City Attorney prepared to restrict Homegrown and Medicinal Marijuana grows in the Central Point City limits. The code amendments were vetted by the Police and the Community Development Departments and at the direction of the City Manager. This item was noticed for a public hearing and one individual spoke in favor of the amendment at the first reading.

The Council's actions are aimed at the unwanted effects of growing marijuana within the City limits. The odors emanating from these grows, the unsightly appearance of property where grows occur and the invitation for criminal activity are all undesirable.

DISCUSSION:

The City's approach to mitigating the unwanted effects resulting from the Oregon Medical Marijuana Act (OMMA) and passage of Measure 91 is to add Chapter 8.45 which restricts but does not eliminate homegrown and medicinal marijuana grows. As a home-rule municipal corporation and under the Central Point Charter, the Council has determined a limitation to be the best course of action. Council members have received input from their constituents which lead them to direct City staff to prepare the attached ordinance (Attachment A). Once again, *amendments to Chapter 8 would limit but not prohibit marijuana grows in Central Point.*

ISSUES:

As discussed, the primary issue is how to minimize or eliminate the unwanted consequences of homegrown marijuana whether recreational or medicinal. The Intent and Purpose of the proposed amendment is as follows:

The City Council of the City of Central Point recognizes that citizens of the state of Oregon may engage in both recreational and medicinal use of marijuana in accordance with state law. However, the City Council also recognizes that cultivating, drying, production, processing, keeping or storage of marijuana, without appropriate safeguards in place, can have a detrimental effect upon public safety and neighboring citizens.

The City Council finds and declares that the health, safety and welfare of its citizens are promoted by requiring marijuana cultivators engaged in recreational or medicinal cultivation, drying, production, processing, keeping or storage of marijuana to ensure that said marijuana is not accessible, visible or odor causing to other persons or property, or otherwise illegal under Oregon state law.

ATTACHMENTS:

Attachment "A" – Ordinance No. ____ An Ordinance Amending Title 8 of the Central Point Municipal Code, by Adding a Chapter 8.45 Homegrown and Medical Marijuana.

ACTION:

Consider the proposed amendment to the municipal code, and 1) approve the ordinance; 2) approve the ordinance with revisions; 3) deny the ordinance amendment.

RECOMMENDATION:

Approve Ordinance No. ____ An Ordinance Amending Title 8 of the Central Point Municipal Code, by Adding a Chapter 8.45 Homegrown and Medical Marijuana.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 8 OF THE CENTRAL POINT MUNICIPAL CODE, BY ADDING A CHAPTER 8.45 HOMEGROWN AND MEDICAL MARIJUANA

RECITALS:

- A.** In November 1998, Oregon voters approved the Oregon Medical Marijuana Act (OMMA) which allowed medical use and possession of marijuana, and in 2013 the Oregon legislature approved House Bill 3460 amending the OMMA to allow medical marijuana dispensaries (collectively “OMMA”).
- B.** In November 2014, Oregon voters approved Measure 91 (M. 91) legalizing personal possession, growth, processing, delivery and sale of nonmedical marijuana.
- C.** OMMA and M. 91 fail to address local regulation and impact of the growing of medical and homegrown marijuana in city limits, which the City Council has found to be a substantial and important issue implicating health, welfare and safety concerns within the City of Central Point.
- D.** Marijuana plants, whether grown indoors or outdoors, especially as they mature prior to harvest, may produce a distinctive odor that may be detectable far beyond property boundaries.
- E.** The strong smell of marijuana may create an attractive nuisance, alerting persons to the location of the valuable plants, and creating a risk of burglary, robbery and armed robbery; and
- F.** The City of Central Point is a home-rule Municipal corporation; and
- G.** Section 4 of the Central Point Charter provides: “The City shall have all powers which the constitutions, statutes and common law of the United States and of this state expressly or impliedly grant or allow municipalities, as fully as though this charter specifically enumerated each of those powers.”;
- H.** Words ~~lined through~~ are to be deleted and words **in bold** are added.

THE PEOPLE OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Title 8 HEALTH AND SAFETY of the Central Point Municipal Code hereby adds a new Chapter 8.45, restricting homegrown and medicinal marijuana grows in city limits, as follows:

**CHAPTER 8.45
HOMEGROWN AND MEDICAL MARIJUANA**

Sections:

- 8.45.010 Intent and Purpose**
- 8.45.020 Definitions**
- 8.45.030 Homegrown and Medical Marijuana Subject to Regulation**
- 8.45.040 Public Nuisance Remedy**
- 8.45.050 Violation**
- 8.45.060 Conflict of Laws**
- 8.45.070 Severability**

8.45.010 Intent and Purpose

The City Council of the City of Central Point recognizes that citizens of the state of Oregon may engage in both recreational and medicinal use of marijuana in accordance with state law. However, the City Council also recognizes that cultivating, drying, production, processing, keeping or storage of marijuana, without appropriate safeguards in place, can have a detrimental effect upon public safety and neighboring citizens. The City Council finds and declares that the health, safety and welfare of its citizens are promoted by requiring marijuana cultivators engaged in recreational or medicinal cultivation, drying, production, processing, keeping or storage of marijuana to ensure that said marijuana is not accessible, visible or odor causing to other persons or property, or otherwise illegal under Oregon state law.

8.45.020 Definitions

Words and phrases used in _____ to _____ shall have the following meanings Sections ascribed to them:

"Homegrown Marijuana" means any marijuana cultivated, dried, produced, processed, kept or stored for personal recreational use by a person 21 years of age or older in accordance with state law.

Ordinance No. _____ (05/14/2015)

"Household" means a housing unit, and includes any indoor structure or accessory dwelling unit in or around the housing unit at which the occupants of the housing unit are cultivating, drying, producing, processing, keeping, or storing homegrown marijuana.

"Housing unit" means a house; a mobile home; a manufactured home; and/or a group of rooms, or a single room that is occupied as separate living quarters, in which the occupants live and eat separately from any other persons in the building and which have direct access from the outside of the building or through a common hall including an individual residential unit in an apartment, duplex, townhome, condominium, or senior living facility.

"Indoors/Indoor Structure" means within a fully enclosed and secure structure that complies with the Oregon Residential Specialty Code (ORSC) or Oregon Structural Specialty Code (OSSC), as adopted by the City of Central Point, which has a complete roof enclosure supported by connecting walls extending from the foundation/slab to the roof. The structure must be secure against unauthorized entry, accessible only through one or more lockable doors, and constructed of solid materials that cannot easily be broken through, such as 2" x 4" or larger wood studs covered with 3/8" or thicker weather-resistant siding or equivalent materials. Plastic sheeting, regardless of gauge, or similar products do not satisfy this requirement.

"Marijuana" means all parts of the plant Cannabis family Moraceae, including, but not limited to, its dried leaves and flowers, any marijuana products derived therefrom. The term includes any and all homegrown marijuana, medical marijuana and marijuana products as defined in this section.

"Marijuana cultivator" means a medical marijuana grower, recreational marijuana homegrower, patient, and any landlord or property owner allowing marijuana to be cultivated, dried, produced, processed, kept or stored at a premises.

"Marijuana products" means products that contain marijuana or marijuana extracts and are intended for human consumption.

"Medical Marijuana" means the marijuana cultivated, dried, produced, processed, kept or stored for medicinal use in accordance with the OMMA.

"Medical Marijuana Grower" means any person engaged in the cultivation, drying, production, processing, keeping or storage of medical marijuana in accordance with state

law, and includes, but is not limited to the meaning set out at OAR 333-008-0010 (11)&(21).

"Medical Marijuana Grow Site" means a location registered pursuant to ORS 475.304 where medical marijuana is produced for use by a patient.

"Recreational Marijuana Homegrower" means a person 21 years of age and older engaged in the cultivation, drying, production, processing, keeping or storage of homegrown marijuana in accordance with state law.

"Homegrown Marijuana Grow Site" means a location in which a person 21 years of age and older cultivates, dries, produces, processes, keeps or stores homegrown recreational marijuana in accordance with state law.

"Patient" means a person who has been diagnosed by an attending physician with a debilitating medical condition and for whom the use of medical marijuana may mitigate the symptoms or effects of the person's debilitating medical condition, and who has been issued a registry identification card by the Oregon Health Authority.

"Premises" means a household, medical marijuana grow site, homegrown marijuana grow site, and/or primary residence of a patient.

"Property" means any home, business or public right-of-way.

8.45.030 Homegrown and Medical Marijuana Subject to Regulation

A. Marijuana Cultivators shall be allowed to cultivate, produce, process and/or possess homegrown marijuana and medical marijuana subject to the following conditions:

- 1. such cultivation, production, processing, or possession of marijuana must be in full compliance with all applicable provisions of OMMA and M. 91;**
- 2. such cultivation, production, processing or possession of marijuana must be conducted indoors;**
- 3. the cultivation, production, processing, or possession of such marijuana must not be perceptible from the exterior of the household, housing unit, and/or indoor structure including but not limited to:**

a. common visual observation, which would prohibit any form of signage;

- b. unusual odors, smells, fragrances, or other olfactory stimulus;**
 - c. light pollution, glare, or brightness that disturbs the repose of another;**
 - d. undue vehicular or foot traffic, including excess parking within the residential zone; and**
 - e. excessive noise that disturbs the repose of another in violation of CPMC 8.04.**
- 4. such cultivation, production, processing, or possession of marijuana plants shall be within a secure, defined area;**
- 5. such cultivation, production, processing or possession of marijuana shall meet the requirements of all adopted city building and life/safety codes;**
- 6. such cultivation, production, processing or possession of marijuana shall meet the requirements of all adopted water and sewer regulations promulgated by the City or any special district having jurisdiction;**
- 7. disposal of any excess or unused marijuana, marijuana products, or other byproducts thereof, shall meet any and all local and state requirements for disposal, and shall be disposed of in a secure fashion so as to avoid access by children, visitors, casual passersby, vandals or anyone not licensed or authorized to possess medical or homegrown marijuana;**
- 8. such cultivation, production, processing or possession of marijuana in a commercial or industrial structure located in a commercial or industrial zone shall meet the following requirements:**
 - a. the use must be conducted indoors;**
 - b. the premises must not be vacant and there shall be an actual daily presence, use and occupancy of the premises by an owner, tenant, employee or agent thereof;**
- 9. such cultivation, production, processing or possession of marijuana in residential zones or in a housing unit shall meet the following requirements:**

- a. such cultivation, production, processing, or possession of marijuana shall only be conducted within the primary residence of the marijuana cultivator;
- b. such marijuana plants shall not be cultivated, processed, produced or possessed in the common areas of a multi-family or attached residential development such as townhomes and condominiums;
- c. for purposes of this ordinance, “primary residence” means the place that a person, by custom and practice, makes his or her principle domicile and address and to which the person intends to return, following any temporary absence, such as vacation. Residence is evidenced by actual daily physical presence, use, and occupancy of the primary residence and the use of the residential address for domestic purposes, such as, but not limited to, slumber, preparation of and partaking of meals, regular mail delivery, vehicle and voter registration, or credit, water, and utility billing. A person shall have only one primary residence, which may include an indoor structure or accessory dwelling unit, provided that the indoor structure or accessory dwelling unit is located on the same tax lot as the primary residence.

10. For purposes of this ordinance, “a secure” area means an area within the primary residence or indoor structure accessible only to the patient or primary caregiver, or marijuana cultivator. Secure premises shall be locked or partitioned off to prevent access by children, visitors, casual passersby, vandals, or anyone not licensed and authorized to possess medical or homegrown marijuana.

B. Licensed commercial grows, as defined in M. 91, are strictly prohibited in all residential zones.

8.45.040 Public Nuisance Remedy

A. Any household, housing unit, premises, property, building, structure or place of any kind where medical or homegrown marijuana is grown, processed, manufactured, bartered, distributed or given away in violation of state law or this chapter, or any place where medical or homegrown marijuana is kept or possessed for sale, barter, distribution or gift in violation of state law or this chapter, is a public nuisance per Chapter 8.04.

B. In addition to the foregoing, two or more violations in a 30-day period may be deemed a Chronic Nuisance Property subject to the provisions of Chapter 8.02.

C. In addition to any remedies provided in Chapters 8.02 and 8.04, the city may institute an action in municipal or circuit court in the name of the city to abate, and to temporarily and permanently enjoin, such nuisance. The court has the right to make temporary and final orders as in other injunction proceedings. The city shall not be required to give bond in such an action.

8.45.050 Violation

In addition to treatment as a nuisance, all violations of this title are subject to punishment under the general penalty provisions in Chapter 1.16. Each day in which a violation continues shall constitute a separate violation.

8.45.060 Conflict of Laws

In the event of any conflict between the provisions of this Ordinance and the provisions of any other applicable state or local law, the more restrictive provision shall control.

8.45.070 Severability

The sections, subsections, paragraphs and clauses of this Ordinance are severable. The invalidity of one section, subsection, paragraph or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 2. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word Ordinance may be changed to “code”, “article”, “section”, “chapter”, or other word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions need not be codified and the City Recorder is authorized to correct any cross references and any typographical errors.

PASSED by the Council and signed by me in authentication of its passage this ____ day of May 2015.

Mayor Hank Williams

ATTEST:

City Recorder

Ordinance No. _____ (05/14/2015)

Ordinance

Adding a Parks Maintenance Fee



STAFF REPORT

To: City Council
From: Matt Samitore, Director, Parks & Public Works
Subject: A second reading of an ordinance establishing a park maintenance fee.
Date: May 19, 2015

AGENDA ITEM:

A second reading of ordinance establishing a park maintenance fee

STAFF SOURCE:

Matt Samitore, Director

SUMMARY:

During the 2015 Budget meetings, discussion occurred on creation of a Parks Maintenance Fee. The fee is being earmarked for repair and replacement of existing park facilities, paying for a new Parks and Recreation Master Plan and potentially new park construction at a time that the existing system maintenance is caught up.

The fee establishment is based upon a model that was put in place by the City of Medford several years ago. The Fee is \$1.00 per month per water meter for all users, except for multi-family which is established on \$0.50 per unit. There have been no changes between first and second reading.

Financial Implication:

User Class	Number of Units	Monthly	Annually
Commercial/Industrial	231	\$231.00	\$2,772.00
SFR	5945	\$5,945.00	\$71,340.00
Duplex	67	\$134.00	\$1,608.00
Multi-Family	757	\$378.50	\$4,542.00
Senior Housing	286	\$143.00	\$1,716.00

Total \$81,978.00

Based current customers the fee would generate the following revenue per user class, for a total of \$81,978 annually.

Project List:

The following is the top five items slated for completion with the use of the funds generated. Only the top two items have been analyzed for cost estimates.

1. Park & Recreation Master Plan - \$100,000
2. Pfaff Park Playground Replacement - \$80,000
3. Fall Material Replacement – Forest Glenn
4. Forest Glenn Playground
5. Don Jones Tennis Court Re-surfacing

PUBLIC HEARING REQUIRED:

No –the public hearing is closed.

SUGGESTED MOTION:

I move to direct staff as follows.....

1. Approve ordinance number ____ establishing the parks maintenance fee.
2. Redirect Staff.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CENTRAL POINT MUNICIPAL CODE TO ADD SECTION 3.25 PARK MAINTENANCE FEE REGARDING THE ADOPTION OF A PARKS MAINTENANCE FEE FOR CITY PARKS

RECITALS:

- A. Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- B. The City has adopted a budget authorizing the imposition and collection of a utility fee for the continued maintenance of the City's parks.
- C. Section 3.25 is necessary to impose said fee and set forth the standards for collection of such fee and use of the funds generated thereby.
- D. Words ~~lined through~~ are to be deleted and words **in bold** are added.

THE PEOPLE OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Chapter 3.25, Parks Maintenance Fee, is adopted herein to be incorporated into the Central Point Municipal Code.

**Chapter 3.25
PARKS MAINTENANCE FEE**

Sections:

- 3.25.010 Creation of Parks Maintenance Fee, Purpose**
- 3.25.020 Definitions**
- 3.25.030 City to Maintain Parks and Related Facilities; Exception**
- 3.25.040 Administrative Officer Designated**
- 3.25.050 Establishment and Revision of Parks Maintenance Fee**
- 3.25.060 Imposition of Parks Maintenance Fee**
- 3.25.070 Rate Adjustment**
- 3.25.080 Billing and Collection of Parks Maintenance Fee**
- 3.25.090 Parks Maintenance Fee Discount for Extreme Hardship**
- 3.25.100 Moneys to be Paid in Parks Maintenance Fee account**
- 3.25.110 Appeal Procedure**

3.25.010 Creation of Parks Maintenance Fee, Purpose

There is hereby created a Parks Maintenance Fee for the purpose of providing for the operation and maintenance of parks and facilities within the City of Central

Ordinance No. _____ (052815)

Point. Fees collected shall be deposited into the City of Central Point general fund park fee account to be used only for purposes identified within this ordinance. The Council hereby finds, determines and declares the necessity of providing operation and maintenance of the City's parks and facilities as a comprehensive Park Maintenance Fee, with such operation and maintenance to include such activities as are necessary in order that the parks and facilities may be properly operated and maintained and that the health, safety and welfare of the City and its inhabitants may be safeguarded.

3.25.020 Definitions

“Developed Property” means property on which improvements have been constructed, as defined in the land use planning code.

“Residential Unit” means a residential structure accommodating one dwelling unit, including manufactured structures and mobile homes. In the case of attached dwelling units such as duplexes, town homes, condominiums, and accessory or ancillary dwelling units which include permanent provisions for sleeping, cooking and sanitation, each unit which is separately metered for water shall be considered a separate Residential Unit for purposes of collecting the fee.

“Multiple Family Unit” means a residential structure with three (3) or more attached dwelling units in one or more structures in which the units are served by common meters for water.

“Nonresidential Unit” means a use of developed property not for personal, domestic accommodation, such as a business, commercial, or industrial enterprise. A Nonresidential Unit which provides facilities for one or more businesses shall be charged as a single unit for purposes of the Parks Maintenance Fee.

“Undeveloped Property” means unimproved land and open space as defined by the city of Central Point land use codes.

“Responsible Person” means the person owing the Parks Maintenance Fee.

3.25.030 City to Maintain Parks and Related Facilities; Exception

The City intends to maintain all accepted parks and facilities, and City easements and may maintain other accepted areas within or adjacent to the City. Such areas specifically exclude private areas and private areas not yet accepted by the City for maintenance. The City Parks Director shall develop and implement a maintenance plan for accepted City parks and facilities to be maintained and that the City's investment therein shall be preserved, insofar as possible to do so with funds available and in accordance with policies adopted by the Council.

3.25.040 Administrative Officer Designated

In addition to such other duties and responsibilities as may be assigned to the Director, the Parks and Recreation Director shall be responsible for developing maintenance programs and standards for the operation and maintenance of parks and related facilities, and all other activities related to the purpose of the Parks Utility Fee, subject to approval by the Budget Committee for any such fee.

3.25.050 Establishment and Revision of Parks Maintenance Fee

The City Council hereby establishes a Parks Maintenance Fee to be paid by the Responsible Party for each developed property within the corporate limits of the City. Such fee shall not be imposed in amounts greater than that which is necessary, in the judgment of the City Council, to provide sufficient funds to properly maintain parks and facilities. Collection of the fee for each property shall be made by a monthly charge which shall commence on the first day of _____, 2015. The City Council may, from time to time, by resolution, change the fee based upon revised estimates of the cost of properly maintaining parks and related facilities, or other factors identified in the ordinance.

3.25.060 Imposition of Parks Maintenance Fee

A. Residential Unit. There is hereby imposed upon developed Residential Units in the City, an initial Parks Maintenance Fee of \$1.00 for each dwelling unit existing on that parcel.

B. Multiple Family Unit. There is hereby imposed upon the Responsible Party for a Multiple Family Unit, an initial Parks Maintenance Fee equal to \$.50 for each separate dwelling unit within the Multiple Family Unit existing on that parcel. By way of example, an apartment complex containing 30 units would be subject to a monthly Parks Maintenance Fee of \$15.00.

C. Nonresidential Unit. There is hereby imposed upon the Responsible Party for a Nonresidential Unit, an initial Parks Maintenance Fee of \$1.00 for each common meter to serve the Nonresidential Unit existing on that parcel.

D. This fee is deemed reasonable and is necessary to pay for the operation and maintenance of parks and facilities within the City. The effective starting date of this fee will be _____ 2015, and will appear on water bills delivered in _____ 2015.

3.25.070 Rate Adjustment

An annual rate adjustment may be made based on the Consumer Price Index (CPI-U) for the Portland, Oregon MSA and index period 1982-1984 = 100. The adjustment shall be the percent change in the CPI for the calendar year ending

Ordinance No. _____ (052815)

December 31 of each year. The adjustment shall be made to the customer's water bill beginning the following March. The first adjustment may be made in March 2016 upon resolution duly adopted and approved by the City Council.

3.25.080 Billing and Collection of Parks Maintenance Fee

A. Parks Maintenance Fees shall be collected monthly on the City water bill per section _____.

B. The person normally responsible for paying the City water charges is responsible for paying the Parks Maintenance Fee, if the property is located within the City limits.

C. In the event a developed property is not served by a domestic water meter, or if water service is discontinued, the Parks Maintenance Fee shall be billed to the persons having the right to occupy the property. If unpaid by the occupants of the property the bill will be the responsibility of the property owner ultimately.

D. A request for water or sewer service, a building permit, or the occupancy of an un-serviced building will automatically initiate appropriate billing for Parks Maintenance Fee.

E. There shall be no charge for an Undeveloped Property until such time as any permit is issued for that property.

F. A late charge shall be attached to any Parks Maintenance Fee not received within 30 days of billing. The charge is established under administrative fees by resolution.

G. Notwithstanding the above, if the Parks Maintenance Fee is not paid for a period of three months, the fee, with any attendant late fees, shall be imposed on the Responsible Party. Unpaid amounts will ultimately become a lien against the property and the responsibility of the property owner. Water is subject to shut-off by the City.

3.25.090 Parks Maintenance Fee Discount for Extreme Hardship

A. Any household in the city with a combined total income falling below the federal poverty level shall be considered eligible to apply for a Parks Maintenance Fee rate discount. Persons applying for a Parks Maintenance Fee rate discount

Ordinance No. _____ (052815)

must be the person who receives the monthly water bill and is the head of a household.

B. Any person desiring to receive the Parks Maintenance Fee rate discount must submit an application to the city on forms to be provided by the city. Subsequent to initial qualifications for utility fee discount, any person must reapply on or before June fifteenth of each year thereafter. The city manager shall determine whether any applicant meets the qualifications and requirements for discount as set forth in this chapter.

C. The amount of Parks Maintenance Fee rate discount for eligible persons, provided under this chapter, shall be equal to the percentage water rate discount for extreme hardship, as established in Section [13.16.030](#).

D. It is unlawful for any person to make, assist in making or to derive the benefits from any false application for discounts provided under this chapter. In addition to other penalties provided by law, the city shall be entitled to recover from any person or persons receiving the benefit of discounts as a result of any false statement made in any application the amount therefor, including interest at the rate of nine percent per year from the date such discounts were granted.

3.25.100 Moneys to be Paid in Parks Maintenance Fee account

All fees collected by the city shall be paid into the Parks Maintenance Fee account. It shall not be necessary that the operations and maintenance expenditures from the account specifically relate to any particular property from which the fees for said purposes were collected. To the extent that the fees collected are insufficient to properly operate and maintain parks and facilities, the cost of the same may be paid from such other City funds as may be determined by the City Council, but the City Council may order the reimbursement to such funds if additional fees are thereafter collected. All amounts on hand in the Parks Utility account shall be invested by the Chief Financial Officer in investments proper for City funds. The fees paid and collected by virtue of this ordinance shall not be used for general or other governmental or proprietary purposes of the City, except to pay for the equitable share of the cost of accounting, management and government which is attributable to the account, which shall not exceed 5% of the gross revenues of the account during any fiscal year. Other than as described above, the fees and charges shall be used solely to pay for the cost of operation, administration, maintenance, repair, improvement, renewal, replacement and reconstruction of the parks and facilities of the City and costs.

3.25.110 Appeal Procedure

A person aggrieved by a decision required or permitted to be made by the Parks Director under this ordinance may appeal the decision or the expenditure to the City Council as provided in Section 1.04.060.

Ordinance No. _____ (052815)

SECTION 2. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word Ordinance may be changed to “code”, “article”, “section”, “chapter”, or other word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions need not be codified and the City Recorder is authorized to correct any cross references and any typographical errors.

SECTION 3. Effective Date. The Central Point City Charter states that an ordinance enacted by the council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

PASSED by the Council and signed by me in authentication of its passage this _____ day of May 2015.

Mayor Hank Williams

ATTEST:

City Recorder

Ordinance

Adding a Public Safety Fee



ADMINISTRATION DEPARTMENT

140 South 3rd Street · Central Point, OR 97502 · (541) 664-7602 · www.centralpointoregon.gov

STAFF REPORT

May 14th, 2015

AGENDA ITEM: The first reading of an ordinance amending the Central Point Municipal Code (CPMC) to add chapter 3.26 public safety fee regarding the adoption of a public safety utility fee for increased funding for public safety.

STAFF SOURCE:

Chris Clayton, City Manager

BACKGROUND/SYNOPSIS:

The 2015-2017 budget proposal included a recommendation to establish a public safety utility fee. After discussion and deliberation, the Central Point Budget Committee approved the creation of a public safety utility fee with the intention of dedicating the new revenue to a second Central Point School Resource Officer (SRO) position. During the 2015-2017 budget hearings, the public safety utility fee was presented as \$1.00 per utility account per month. However, this ordinance proposes a 50% reduction of the fee for multi-family dwelling and senior housing units.

Unless directed otherwise by council, all future revenue generated by the public safety utility fee will be dedicated to the city’s School Resource Officer (SRO) positions.

FINANCIAL IMPACT:

Based on current customer data, the fee will generate the following revenue per account class for a total of \$81,978 annually.

User Class	Number of Units	Monthly	Annually
Commercial/Industrial	231	\$231.00	\$2,772.00
SFR	5945	\$5,945.00	\$71,340.00
Duplex	67	\$134.00	\$1,608.00
Multi-Family	757	\$378.50	\$4,542.00
Senior Housing	286	\$143.00	\$1,716.00

Although the proposed methodology does not capture \$1.00 per month from every dwelling unit (as proposed during the budget committee hearings, staff believes the reduced rate for higher density housing and senior housing is more equitable. The actual amount of revenue generated will increase proportional to residential and commercial building activity.

CENTRAL POINT STRATEGIC PLAN

The following is listed as a core value in the 2007 City of Central Point Strategic Plan:

Public Safety: *“We value a professional service oriented public safety policy that promotes a sense of safety and security in our city.”*

ATTACHMENTS:

1. Ordinance amending the Central Point Municipal Code (CPMC) to add chapter 3.26

RECOMMENDATION:

1. Approval of a first reading of an ordinance amending the Central Point Municipal Code to add chapter 3.26 – public safety utility fee.

PUBLIC HEARING REQUIRED:

A public hearing is required on this item.

SUGGESTED MOTION:

I move to approve the first reading of ordinance _____ an ordinance amending the Central Point Municipal Code to add chapter 3.26 – public safety utility fee

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CENTRAL POINT MUNICIPAL CODE TO ADD SECTION 3.26 PUBLIC SAFETY FEE REGARDING THE ADOPTION OF A PUBLIC SAFETY UTILITY FEE FOR INCREASED FUNDING OF PUBLIC SAFETY

RECITALS:

- A. Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- B. The City has adopted a budget authorizing the imposition and collection of a monthly fee for the increased funding of public safety within the City.
- C. Section 3.26 is necessary to impose said fee and set forth the standards for collection of such fee and use of the funds generated thereby.
- D. Words ~~lined through~~ are to be deleted and words **in bold** are added.

THE PEOPLE OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Chapter 3.26, Public Safety Fee, is adopted herein to be incorporated into the Central Point Municipal Code.

**Chapter 3.26
PUBLIC SAFETY FEE**

Sections:

- 3.26.010 Creation of Public Safety Fee, Purpose**
- 3.26.020 Definitions**
- 3.26.030 Administrative Officer Designated**
- 3.26.040 Establishment and Revision of Public Safety Fee**
- 3.26.050 Imposition of Utility Fee**
- 3.26.060 Rate Adjustment**
- 3.26.070 Billing and Collection of Public Safety Fee**
- 3.26.080 Public Safety Fee Discount for Extreme Hardship**
- 3.26.090 Use of Moneys**
- 3.26.100 Appeal Procedure**

3.26.010 Creation of Public Safety Fee, Purpose

There is hereby created a Public Safety Fee for the purpose of providing funding for public safety. Fees collected shall be deposited into the City of Central Point general public safety fee account to be used only for purposes identified within this ordinance. The Council hereby finds, determines and declares the necessity of providing funding for both the police

Ordinance No. _____ (052815)

and fire department for the health, safety and welfare of the City and its inhabitants.

3.26.020 Definitions

“Developed Property” means property on which improvements have been constructed, as defined in the land use planning code.

“Residential Unit” means a residential structure accommodating one dwelling unit, including manufactured structures and mobile homes. In the case of attached dwelling units such as duplexes, town homes, condominiums, and accessory or ancillary dwelling units which include permanent provisions for sleeping, cooking and sanitation, each unit which is separately metered for water shall be considered a separate Residential Unit for purposes of collecting the fee.

“Multiple Family Unit” means a residential structure with three (3) or more attached dwelling units in one or more structures in which the units are served by common meters for water.

“Nonresidential Unit” means a use of developed property not for personal, domestic accommodation, such as a business, commercial, or industrial enterprise. A Nonresidential Unit which provides facilities for one or more businesses shall be charged as a single unit for purposes of the Public Safety Fee.

“Undeveloped Property” means unimproved land and open space as defined by the city of Central Point land use codes.

“Responsible Person” means the person owing the Public Safety Fee.

3.26.030 Administrative Officer Designated

The City Manager shall be responsible for the administration of this Fee. The City Manager shall be responsible for developing administrative procedures for the Fee, and all other activities related to the purpose of the Public Safety Account.

3.26.040 Establishment and Revision of Public Safety Fee

The City Council hereby establishes a Public Safety Fee to be paid by the Responsible Party for each developed property within the corporate limits of the City. Such fee shall not be imposed in amounts greater than that which is necessary, in the judgment of the City Council, to provide sufficient funds for public safety. Collection of the fee for each property shall be made by a monthly charge which shall commence on the first day of _____, 2015. The City Council may, from time to time, by resolution, change the fee based upon revised estimates of the costs, or other factors identified in the ordinance.

3.26.050 Imposition of Public Safety Fee

A. **Residential Unit.** There is hereby imposed upon developed Residential Units in the

Ordinance No. _____ (052815)

City, an initial Public Safety Fee of \$1.00 for each dwelling unit existing on that parcel.

B. Multiple Family Unit. There is hereby imposed upon the Responsible Party for a Multiple Family Unit, an initial Public Safety Fee equal to \$.50 for each separate dwelling unit within the Multiple Family Unit existing on that parcel. By way of example, an apartment complex containing 30 units would be subject to a monthly Public Safety Fee of \$15.00.

C. Nonresidential Unit. There is hereby imposed upon the Responsible Party for a Nonresidential Unit, an initial Public Safety Fee of \$1.00 for each common meter to serve the Nonresidential Unit existing on that parcel.

D. This fee is deemed reasonable and is necessary to fund public safety. The effective starting date of this fee will be _____2015, and will appear on water bills delivered in _____2015.

3.26.060 Rate Adjustment

An annual rate adjustment may be made based on the Consumer Price Index (CPI-U) for the Portland, Oregon MSA and index period 1982-1984 = 100. The adjustment shall be the percent change in the CPI for the calendar year ending December 31 of each year. The adjustment shall be made to the customer's water bill beginning the following March. The first adjustment may be made in March 2016 upon resolution duly adopted and approved by the City Council.

3.26.070 Billing and Collection of Public Safety Fee

A. Public Safety Fees shall be collected monthly on the City water bill per section _____.

B. Unless another person responsible has agreed in writing to pay and a copy of that writing is filed with the City, the person normally responsible for paying the City water charges is responsible for paying the Public Safety Fee, if the property is located within the City limits.

C. In the event a developed property is not served by a domestic water meter, or if water service is discontinued, the Public Safety Fee shall be billed to the persons having the right to occupy the property. If unpaid by the occupants of the property the bill will be the responsibility of the property owner ultimately.

D. A request for water or sewer service, a building permit, or the occupancy of an un-serviced building will automatically initiate appropriate billing for Public Safety Fee.

Ordinance No. _____ (052815)

E. There shall be no charge for an Undeveloped Property until such time as any permit is issued for that property.

F. A late charge shall be attached to any Public Safety Fee not received within 30 days of billing. The charge is established under administrative fees by resolution.

G. Notwithstanding the above, if the Public Safety Fee is not paid for a period of three months, the fee, with any attendant late fees, shall be imposed on the Responsible Party. Unpaid amounts will ultimately become a lien against the property and the responsibility of the property owner. Water is subject to shut-off by the City.

3.26.080 Public Safety Fee Discount for Extreme Hardship

A. Any household in the city with a combined total income falling below the federal poverty level shall be considered eligible to apply for a Public Safety Fee rate discount. Persons applying for a Public Safety Fee rate discount must be the person who receives the monthly water bill and is the head of a household.

B. Any person desiring to receive the Public Safety Fee rate discount must submit an application to the city on forms to be provided by the city. Subsequent to initial qualifications for Public Safety Fee discount, any person must reapply on or before June fifteenth of each year thereafter. The city manager shall determine whether any applicant meets the qualifications and requirements for discount as set forth in this chapter.

C. The amount of Public Safety Fee rate discount for eligible persons, provided under this chapter, shall be equal to the percentage water rate discount for extreme hardship, as established in Section [13.16.030](#).

D. It is unlawful for any person to make, assist in making or to derive the benefits from any false application for discounts provided under this chapter. In addition to other penalties provided by law, the city shall be entitled to recover from any person or persons receiving the benefit of discounts as a result of any false statement made in any application the amount therefor, including interest at the rate of nine percent per year from the date such discounts were granted.

3.26.090 Use of Moneys

Fees collected shall be deposited into the City of Central Point general public safety fee account to be used only for purposes identified within this ordinance. It shall not be necessary that the operations and maintenance expenditures from the account specifically relate to any particular property from which the fees for said purposes were collected. To the extent that the fees collected are insufficient to properly fund public safety, the cost of the same may be paid from such other City funds as may be determined by the City Council, but the City Council may order the reimbursement to such fund if additional fees are thereafter collected. All amounts on hand in the general public safety account shall be

Ordinance No. _____ (052815)

invested by the Chief Financial Officer in investments proper for City funds. The fees paid and collected by virtue of this ordinance shall not be used for general or other governmental or proprietary purposes of the City, except to pay for the equitable share of the cost of accounting, management and government which is attributable to the account, which shall not exceed 5% of the gross revenues of the account during any fiscal year. Other than as described above, the fees and charges shall be used solely to pay for the cost of operation, administration, maintenance, repair, improvement, renewal, replacement and reconstruction of public safety areas of the City and costs incidental thereto.

3.26.100 Appeal Procedure

A person aggrieved by a decision required or permitted to be made by the City Manager under this ordinance may appeal the decision or the expenditure to the City Council as provided in Section 1.04.060.

SECTION 3. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word Ordinance may be changed to “code”, “article”, “section”, “chapter”, or other word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions need not be codified and the City Recorder is authorized to correct any cross references and any typographical errors.

SECTION 4. Effective Date. The Central Point City Charter states that an ordinance enacted by the council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

PASSED by the Council and signed by me in authentication of its passage this ____ day of May 2015.

Mayor Hank Williams

ATTEST:

City Recorder

Ordinance No. _____ (052815)

Ordinance

Uniform Appeal and Hearing Procedure



ADMINISTRATION DEPARTMENT

140 South 3rd Street · Central Point, OR 97502 · (541) 664-7602 · www.centralpointoregon.gov

STAFF REPORT

May 28th, 2015

AGENDA ITEM: An ordinance creating section 1.04.060 uniform appeal and hearing procedure of the Central Point Municipal Code (CPMC).

STAFF SOURCE:

Chris Clayton, City Manager

BACKGROUND/SYNOPSIS:

Note: The associated ordinance has been update per council's direction at the first reading. More specifically, the language allowing an "appellate board" has been removed and all appeals will be directed to city council.

Prior to 2006, the Central Point Municipal Code (CPMC) contained a procedure for reviewing decisions related to planning, zoning and general land use. However, a series of complex land use decisions during the same time period led to the repeal of CPMC chapter 1.24 and land use decision appeals were integrated into chapter 17 (zoning) of the CPMC. Recently approved, and future, ordinances related to the regulation of marijuana, nuisance activity and chronic nuisance abatement reference a general/uniform appeals procedure. But currently, the city has no alternate "uniform appeal" procedure available for administrative decisions now that land use decision appeals are relegated to the city's zoning ordinances. Understandably, the city now finds itself in need of a general/uniform appeals ordinance.

In summary, the proposed uniform appeals procedure would create a needed venue for the review of administrative decision making, as provided for in the Central Point Municipal Code.

ATTACHMENTS:

1. Ordinance amending the Central Point Municipal Code (CPMC) to add section 1.04.060 to chapter 1.04

RECOMMENDATION:

1. Approval of an ordinance amending the Central Point Municipal Code to add section 1.04.060 – uniform appeal and hearing procedure.

PUBLIC HEARING REQUIRED:

A public hearing was held on May 14th, 2015.

SUGGESTED MOTION:

I move to approve Ordinance _____ an ordinance amending the Central Point Municipal Code to add section 1.04.060 – uniform appeal and hearing procedure.

ORDINANCE NO. _____

**AN ORDINANCE CREATING SECTION 1.04.060 UNIFORM APPEAL AND HEARING
PROCEDURE OF THE CENTRAL POINT MUNICIPAL CODE**

RECITALS:

A. Prior to 2006 the Central Point Municipal Code contained an appeal ordinance specific to planning, zoning and land use decisions.

B. Land use related appeals are now provided for by the City's zoning ordinances.

C. Recent legislation has manufactured a need for a uniform appeals procedure for review of administrative decisions as provided by the Central Point Municipal Code.

THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Section 1.04.060 of the Central Point Municipal Code is adopted herein to be incorporated in the Central Point Municipal Code.

Chapter 1.04
General Provisions

Sections:

1.04.060 Uniform Appeal and Hearing Procedure

1.04.060 Uniform Appeal and Hearing Procedure

In this section the word "appellant" means a person appealing from an administrative decision. Except as otherwise provided in this code, a person who is authorized to appeal from an administrative decision under this code shall follow the procedure stated in this section.

A) The appellant shall file with the recorder a written notice of appeal together with a written statement listing the reason for requesting the revocation or modification of the decision within 10 days after the day on which appellant is notified of the administrative decision from which appeal is requested.

B) The council **or authorized appellate board** shall hear the appeal within 30 days after the recorder receives the notice and statement of appeal, unless the appellant consents to an extension of time.

C) The recorder shall notify the appellant of the time and place of the hearing, along with other persons who have an interest in the subject matter of the hearing.

D) At the hearing the appellant or other parties interested may present witnesses and offer evidence in support of their case and, in the discretion of the council **or appellate board**, evidence may be heard to sustain the administrative decision.

E) The council **or appellate board** shall make written findings, recommendations, or orders on any matter heard by it and the recorder shall send a copy thereof to the appellant.

SECTION 2. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word Ordinance may be changed to “code”, “article”, “section”, “chapter”, or other word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions need not be codified and the City Recorder is authorized to correct any cross references and any typographical errors.

SECTION 3. Effective Date. The Central Point City Charter states that an ordinance enacted by the council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

Passed by the Council and signed by me in authentication of its passage this _____ day of _____, 20____.

Mayor Hank Williams

ATTEST:

City Recorder

Pg. 2 Ordinance No. _____ (05/28/2015)

Ordinance

Chronic Nuisance Property



STAFF REPORT

May 28, 2014

AGENDA ITEM:

This is a revision to the chronic nuisance property ordinance adding nuisance activities to include violation of Chapter 8.45 regulating homegrown and medical marijuana in residential zones.

STAFF SOURCE:

Kristine Allison, Chief of Police

BACKGROUND/SYNOPSIS:

This is an amendment to the chronic nuisance ordinance to include violations of the additions regulating homegrown and medical marijuana. This will allow the City of Central Point to deem a violation of chapter 8.45 as a chronic nuisance property if violations occur.

FISCAL IMPACT:

There is no financial impact to the City.

ATTACHMENTS:

Chapter 8.02 Chronic Nuisance Property Amendment

RECOMMENDATION:

To amend Chapter 8.02 Chronic Nuisance Property to include Chapter 8.45 regulating homegrown and medical marijuana.

PUBLIC HEARING REQUIRED:

Yes

SUGGESTED MOTION:

Motion to amend the chronic nuisance property ordinance adding the violation of Chapter 8.45 regulating homegrown and medical marijuana in residential zones.

"Dedicated To Service, Committed To Excellence"

AN ORDINANCE OF THE CITY OF CENTRAL POINT AMENDING CHAPTER 8.02.010
CHRONIC NUISANCE PROPERTY DEFINITIONS REGARDING MARIJUAN IN
RESIDENTIAL NEIGHBORHOODS

Recitals:

1. Words ~~lined through~~ are to be deleted and words **in bold** are added.
2. Oregon Measure 91 and House Bill 3460 failed to address local concerns regarding the growth of medical and home-grown recreational marijuana. As a “home-rule” city, Central Point believes marijuana-related impacts to the safety, welfare and property of Central Point residents is important and feels the need to address related concerns.
3. The Central Point City Council has recently amended the Municipal Code to apply new regulations regarding home-grown marijuana and medical marijuana as it pertains to residential property.
4. Although specifically regulated via city ordinance, medical and home-grown recreational marijuana have the potential to negatively impact adjacent property and property owners.
5. The Central Point City Council believes the proposed chronic nuisance ordinance amendments, to include medical and recreational marijuana, are prudent.

THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Chapter 8.02.010 Definitions is hereby amended as follows.

Chapter 8.02
CHRONIC NUISANCE PROPERTY

Sections:

8.02.010 Definitions.

8.02.010 Definitions.

For purposes of this chapter, the following definitions apply:

Ordinance No. _____ (052815)

“Chronic nuisance property” means property on which two or more nuisance activities have occurred during any thirty-day period; property on which, or within two hundred feet of, any person associated with the property has engaged in two or more nuisance activities during any thirty-day period; or property which, upon request for execution of a search warrant, has been the subject of a determination by a court that probable cause that possession, manufacture, or delivery of a controlled substance or related offenses under Oregon law have occurred within the previous thirty days; and the execution of the search warrant has resulted in the discovery of such controlled substances.

“Nuisance activities” means any of the following activities, behaviors or criminal conduct, as defined under Oregon state law: harassment; intimidation; disorderly conduct; assault or menacing; sexual abuse, contributing to the delinquency of a minor, or sexual misconduct; public indecency; prostitution or related offenses; alcoholic liquor violations; theft; arson or related offenses; possession, manufacture, or delivery of a controlled substance or related offenses; illegal gambling; criminal mischief; any attempt to commit (as defined by ORS [161.405](#)), or conspiracy to commit (as defined by ORS [161.455](#)), any of the above offenses; unlawful discharge of a firearm; unlawful operation of sound-producing or reproducing equipment or unnecessary noise; **or violation of Chapter 8.45 regulating homegrown and medical marijuana in residential zones.**

“Control” means the ability to regulate, restrain, dominate, counteract or govern conduct that occurs on a property.

“Person in charge” means any person, in actual or constructive possession of a property, including but not limited to an owner or occupant of property under his or her dominion, ownership or control.

“Permit” means to suffer, allow, consent to, acquiesce by failure to prevent, or expressly assent or agree to the commission of an act.

“Person” means any natural person, agent, association, firm, partnership or corporation capable of owning, occupying or using property in the city of Central Point.

“Property” means any property, including land and that which is affixed, incidental or appurtenant to land, including but not limited to any business or residential premises, room, house, parking area, loading area, landscaping, building or structure or any separate part, unit or portion thereof, or any business equipment, whether or not permanent. For property consisting of more than one unit, property is limited to the unit or the portion of the property on which any nuisance abatement has occurred or is occurring, but includes areas of the property used in common by all units of property including without limitation other structures erected on the property and areas used for parking, loading and landscaping.

“Person associated with” means any person who, on the occasion of a nuisance activity, has entered, patronized, visited, or attempted to enter, patronize or visit, or waited to enter, patronize or visit a property or person present on a property, including without limitation any officer, director, customer, agent, employee, or any independent contractor of a property, person in charge, or owner thereof.

SECTION 2. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word Ordinance may be changed to “code”, “article”, “section”, “chapter”, or other word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions need not be codified and the City Recorder is authorized to correct any cross references and any typographical errors.

SECTION 3. Effective Date. The Central Point City Charter states that an ordinance enacted by the council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

PASSED by the Council and signed by me in authentication of its passage this ____ day of May 2015.

—
Mayor Hank Williams

ATTEST:

Ordinance No. _____ (052815)

City Recorder

Ordinance No. _____ (052815)

Ordinance

Nuisance Property



STAFF REPORT

May 28, 2014

AGENDA ITEM:

This is a revision to the nuisances ordinance adding nuisances affecting public health including homegrown or medical marijuana grows in residential neighborhoods. Any violation of Chapter 8.45 shall be deemed a nuisance affecting public health, including but not limited to odors emanating from the premise; noise from grow operations emitting from the premises; visibility of marijuana from outside the household as defined therein; and failure to maintain such marijuana cultivation within a secure structure as defined in Chapter 8.45.

STAFF SOURCE:

Kristine Allison, Chief of Police

BACKGROUND/SYNOPSIS:

This is an amendment to the nuisance ordinance to include homegrown and medical marijuana grows to deem it a nuisance affecting public health regarding odors emanating from the premise, noise from a grow operation, visibility of marijuana from outside a household, and failure to maintain marijuana in a secure structure defined in 8.45.

FISCAL IMPACT:

There is no financial impact to the City.

ATTACHMENTS:

Chapter 8.04 Nuisances

RECOMMENDATION:

To amend Chapter 8.04 to include homegrown and medical marijuana grows deemed a nuisance if not in compliance with Chapter 8.45.

PUBLIC HEARING REQUIRED:

Yes

SUGGESTED MOTION:

Motion to amend the nuisance ordinance 8.04 to include homegrown and medical marijuana grows in residential neighborhoods deemed a nuisance in 8.04.040 (i) as defined in Chapter 8.45.

"Dedicated To Service, Committed To Excellence"

Ordinance No. _____

**AN ORDINANCE AMENDING CHAPTER 8.04 NUISANCES IN REGARDS TO
HOMEGROWN MARIJUANA AND MEDICAL MARIJUANA**

RECITALS:

1. Words ~~lined through~~ are to be deleted and words **in bold** are added.
2. Oregon Measure 91 and House Bill 3460 failed to address local concerns regarding the growth of medical and home-grown recreational marijuana. As a “home-rule” city, Central Point believes marijuana-related impacts to the safety, welfare and property of Central Point residents is important and feels the need to address related concerns.
3. The Central Point City Council has recently amended the Municipal Code to apply new regulations regarding home-grown marijuana and medical marijuana as it pertains to residential property.
4. Although specifically regulated via city ordinance, medical and home-grown recreational marijuana have the potential to negatively impact adjacent property and property owners.
5. The Central Point City Council believes the proposed nuisance ordinance amendments, to include medical and recreational marijuana, are prudent.

THE PEOPLE OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Chapter 8.04 is hereby amended to read as follows

**Chapter 8.04
NUISANCES**

Sections:

- [8.04.040](#) Nuisances affecting public health.
- [8.04.050](#) Attractive nuisances.
- [8.04.140](#) Summary abatement.

8.04.040 Nuisances affecting public health.

The following are declared to be nuisances affecting the public health and may be abated in the manner prescribed by this chapter:

Ordinance No. _____ (052815)

A. Privies. Any open vault or privy maintained within the city, except those privies used in connection with construction projects and constructed in accordance with the directions of the city engineer;

B. Debris on Private Property. All accumulations of debris, rubbish, manure and other refuse located on private property and which has not been removed within a reasonable time and which affects the health, safety or welfare of the city;

C. Stagnant Water. Any pool of water which is without a proper inlet or outlet and which, if not controlled, will be a breeding place for mosquitoes and other similar insects;

D. Water Pollution. The pollution of any body of water or stream or river by sewage, industrial wastes or other substances placed in or near such water in a manner that will cause harmful material to pollute the water;

E. Food. All decayed or unwholesome food which is offered for human consumption;

F. Odor. Any premises which are in such a state or condition as to cause an offensive odor or which are in an unsanitary condition;

G. Burning Garbage or Refuse. Any burning of garbage or refuse;

H. Air Pollution. The pollution of any air within the city, whether from a source within or without the city, by depositing smoke, particulate, odor or heat into the air by any means;

I. Home-grown Recreational or Medical Marijuana Grows in Residential Neighborhoods. Any violation of Chapter 8.45 shall be deemed a nuisance affecting public health, including but not limited to odors emanating from the premises; noise from grow operations emitting from the premises; visibility of marijuana from outside the household as defined therein; and failure to maintain such marijuana cultivation within a secure structure as defined in Chapter 8.45.

J. Any street, road, alley, bridge, culvert, ditch or body of water within the city, whether privately or publicly owned, which is open to use by the public, and which is in such a

condition or state of disrepair as to constitute an immediate hazard to the health, safety or welfare of any person..

8.04.050 Attractive nuisances.

A. No owner, lessee, occupant or other person having control, custody or management of any premises shall suffer or permit to remain unguarded upon the premises any machinery, equipment, **home-grown recreational or medical marijuana**, or other devices which are attractive and dangerous to children.

B. No owner, lessee, occupant or person having control, custody or management of any premises shall suffer or permit to remain unguarded upon the premises a pit, quarry, cistern, well or other excavation.

C. A nuisances as described in this section may be abated as provided in this chapter.

8.04.140 Summary abatement.

The abatement procedure provided by Sections [8.04.100](#) through [8.04.130](#) is not exclusive; and furthermore, the health officer, the chief of the fire department and the police officers of this city may proceed summarily to abate a health or other nuisances which unmistakably exists and from which there is imminent danger to human life or property, **including but not limited to failure to secure medical or home-grown recreational marijuana so as to prevent access by children, visitors, casual passersby, vandals or anyone not licensed , authorized, or legally permitted to possess medical or home-grown recreational marijuana.**

SECTION 2. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word Ordinance may be changed to “code”, “article”, “section”, “chapter”, or other word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions need not be codified and the City Recorder is authorized to correct any cross references and any typographical errors.

SECTION 3. Effective Date. The Central Point City Charter states that an ordinance enacted by the council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

Ordinance No. _____ (052815)

PASSED by the Council and signed by me in authentication of its passage this ____ day of _____ 2015.

Mayor Hank Williams

ATTEST:

City Recorder

Ordinance No. _____ (052815)

Resolution

Supplemental Budget



Staff Report

Finance Department
Bev Adams, Finance Director

To: Mayor & Council
From: Bev Adams, Finance Director
Meeting Date: May 28, 2015
Subject: 2014/15 Supplemental Budget

Background:

There are five matters to address in the 2014/15 supplemental budget:

1. Liability insurance premiums
2. Parks playground equipment
3. Budget correction
4. High tech crime asset forfeiture
5. Freeman road project

Even though there are only five issues, several funds and line items are affected by the proposed supplemental budget changes. Information on each item plus the appropriation detail is presented in the attached resolution. There will also be further explanation of these items at the meeting.

A public hearing is required prior to Council approval. In accordance with ORS 294.473, "if the proposed supplemental budget will change any fund's expenditures by more than 10%, then a public hearing must be held and public comment taken before adoption of the supplemental budget." Although there are several funds involved, only the HTCU Fund and Stormwater Fund are over 10%.

Notice of the supplemental budget and public hearing were published in the Mail Tribune on May 20, 2015.

Recommended Action:

- 1) That Council holds a public hearing on the supplemental budget.
- 2) That Council approves the attached resolution adopting a supplemental budget for the 2014/15 fiscal year.

Resolution No. _____

**A RESOLUTION TO APPROVE A SUPPLEMENTAL BUDGET
FOR THE 2014/15 FISCAL YEAR**

RECITALS:

- A.** The City of Central Point's High Tech Crime Unit (HTCU) was dissolved in the fall of 2014. As a result, there were costs incurred that were not anticipated during 2014/15 budget preparations. Available revenue to cover the additional expense is from the audited carryover of \$181,928; which is in excess of the budgeted carryover of \$137,755.
- B.** Within the General Fund there are four budget amendments totaling \$247,600 in additional appropriations:
- \$30,000 for insurance premiums. The City did not have the information to anticipate the amount of increase in liability and vehicle insurance coverage assessed by City County Insurance Services (CCIS) prior to the 2014/15 budget adoption; therefore creating an over expenditure in the General Fund/Interdepartmental budget.
 - \$18,000 for park playground equipment. Park playground equipment needs were identified and discussed during the 2014/15 budget meetings. Purchase of this equipment was delayed and contingent on a favorable mid-year financial report demonstrating sufficient funding available to make the purchase.
 - \$15,000 for park playground equipment (budget correction only). This appropriation was approved prior to adoption of the 2014/15 budget. This expenditure was "added" into the proposed Parks budget by Council/Budget Committee approval, but was inadvertently omitted in Resolution No. 1399 adopting the budget.
 - \$184,600 loan to Stormwater Fund. The Public Works Freeman Road capital project costs are substantially higher than originally estimated and budgeted for in the 2014/15 adopted budget. The project is in full progress this fiscal year and requires a short term loan from approximately May through August 2015. The loan will be repaid to the General Fund within the first quarter of the 2015/16 fiscal year.
- C.** The unanticipated increase in costs for the Freeman Road project also requires reallocation of various budgeted projects within the Street, Water and Stormwater funds in order to meet the obligations of the project; these reallocations are in addition to the general fund loan referenced above. Details of the reallocations and additional resources are presented in the following resolution.

The City of Central Point resolves:

To amend the 2014/15 budget in accordance with ORS. 294.471 and 294.473.

As such, the budget changes will appear as follows:

Section 1.

	Appropriation	Revenues	Expenditures	Adjusted Appropriation
<u>High Tech Crime Fund</u>		<u>177,755</u>	<u>177,755</u>	
Carryover revenue	137,755	40,000		177,755
Asset Forfeiture	5,000		40,000	45,000
<i>Total Revised HTCUC Fund</i>		<u>\$217,755</u>	<u>\$217,755</u>	
<u>General Fund</u>		<u>10,049,060</u>	<u>10,049,060</u>	
Carryover revenue	2,098,460	247,600		2,346,060
City Enhancement -Financing/Loans	0		184,600	184,600
Parks - Equipment	0		15,000	15,000
Parks - Equipment	15,000		18,000	33,000
Interdepartmental -Insurance	95,000		30,000	125,000
<i>Total Revised General Fund</i>		<u>\$10,296,660</u>	<u>\$10,296,660</u>	
<u>Street Fund</u>		<u>3,390,730</u>	<u>3,390,730</u>	
Beebe/Hamrick project	25,000		(20,000)	5,000
Highway 99 project	80,000		(80,000)	0
Capital paving projects	150,000		(30,120)	119,880
SDC -Highway 99 project	200,000		(200,000)	0
Freeman Road project	0		130,120	130,120
SDC -Freeman Road project	0		200,000	200,000
<i>Total Revised Street Fund</i>		<u>\$3,390,730</u>	<u>\$3,390,730</u>	
<u>Water Fund</u>		<u>4,695,660</u>	<u>4,695,660</u>	
RockWay/Hopkins project	100,000		(100,000)	0
Freeman Road project	0		100,000	100,000
<i>Total Revised Water Fund</i>		<u>\$4,695,660</u>	<u>\$4,695,660</u>	
<u>Stormwater Fund</u>		<u>1,576,540</u>	<u>1,576,540</u>	
Loan proceeds	0	184,600		184,600
Comet Avenue project	62,000		(62,000)	0
Stormwater Quality -projects	2,500		(1,500)	1,000
Stormwater Quality - Jewett swale	50,000		(50,000)	0
SDC -Comet Avenue project	11,000		(11,000)	0
Freeman Road project	0		62,000	62,000
Freeman Road project	0		51,500	51,500
Freeman Road project	0		11,000	11,000
Freeman Road project	62,000		184,600	246,600
<i>Total Revised Stormwater Fund</i>		<u>\$1,761,140</u>	<u>\$1,761,140</u>	

Passed by the Council and signed by me in authentication of its passage this 28th day of May, 2015.

Mayor Hank Williams

ATTEST:

City Recorder