

**CITY OF CENTRAL POINT  
City Council Meeting Minutes  
October 22, 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, Taneea Browning, and Rick Samuelson were present. Mike Quilty was excused.

City Manager Chris Clayton; City Attorney Dan O'Conner; Police Captain Dave Croft; Community Development Director Tom Humphrey; Parks and Public Works Director Matt Samitore; and City Recorder Deanna Casey were also present.

**IV. PUBLIC APPEARANCES - None**

**V. CONSENT AGENDA**

A. Approval of October 8, 2015 City Council Minutes

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

**VI. ITEMS REMOVED FROM CONSENT AGENDA - None**

**VII. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS**

**A. Ordinance No. 2018, An Ordinance Amending Chapter 3.30 Marijuana and Marijuana Infused Product Tax**

City Manager Chris Clayton explained that this is the second reading of an Ordinance Amending Central Point Municipal Code Chapter 3.30. After The City approved a tax of 5% on sales of medical and 10% recreational marijuana the legislature adopted House Bill 3400 stating that local government may not impose a tax higher than 3% on marijuana sales. A tax higher than 3% must be referred to the voters at a general election.

The City Attorney recommended reducing the current tax rate to 3%. It is the intent of the city to adopt an ordinance for the next statewide general election with the question of whether to tax marijuana sales.

There is no way to predict whether a medical marijuana dispensary or licensed recreational uses will develop in the city and therefore we cannot predict if there would be any revenue generated by this tax. There will likely be an impact to the city associated with providing adequate public safety in regards to necessary training required for public safety officers.

There were no recommended changes to the ordinance at the first reading. A public hearing was held at that time and no citizens came forward.

**Rick Samuelson moved to approve Ordinance No. 2018, An Ordinance Amending Chapter 3.30 Marijuana and Marijuana Infused Product Tax.** Tanea Browning seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Tanea Browning, yes; Brandon Thueson, yes; Allen Broderick, yes; and Rick Samuelson, yes. Motion approved.

**B. Resolution No. 1436, A Resolution Updating Oregon Liquor Control Commission Application Fees for the City of Central Point**

Mr. Clayton explained that staff recently attended training for OLCC permits and applications through the State of Oregon. The training explained what cities are allowed to do in regards to approving or denying an OLCC Application.

The City is currently charging the allowed amount by state in regards to initial application, change of ownership or annual renewals. It was brought to our attention that any fee over \$25.00 must allow for public input and notices must be posted. The City Council approves new OLCC applications and change of ownership applications through the Consent Agenda process. These actions also go through back ground check.

In order to expedite OLCC Annual Renewals the city approves them without public notice. If there is a business that concerns us, we have the ability to bring those before the Council for direction. Staff recommends reducing the \$35.00 fee for annual renewals to \$25 and continue to allow staff to approve them under the current process.

**Brandon Thueson moved to approve Resolution No. 1436, A Resolution Updating Oregon Liquor Control Commission Application Fees for the City of Central Point.** Rick Samuelson seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Tanea Browning, yes; Brandon Thueson, yes; Allen Broderick, yes; and Rick Samuelson, yes. Motion approved.

**C. Resolution No. 1437, A Resolution Supporting an Application for Connect Oregon VI Grant from the Oregon Department of Transportation to Fund Construction of the Continuous Welded Rail Portion of the Twin Creeks Rail Crossing**

Parks and Public Works Director Matt Samitore reported that in 2001 the City and Genessee Wyoming agreed that a new rail crossing could occur in the Twin Creeks Development, subject to several conditions. One condition that has not been met is the upgrade of track between Pine Street and Scenic.

This rail project cost estimates have ranged between \$500,000 and \$900,000 for replacing 7,000 feet of track. Only street utility, urban renewal or general fund dollars can be used for this portion of the project.

The Connect-Oregon grant would allow the city to obtain 70% of the cost of the improvement. At this time the Connect-Oregon grant is for non-street related projects and staff feels that this project would have high scores for approval. This would be a second grant involved in the completion of the rail crossing. The City has been trying to contact the rail company to see if they would like to be co-applicants for the project. We have not heard back from them as of tonight's meeting. The dead line for submitting the grant application is the second week of November.

The rail improvements would hopefully be done within a short time span after the rail crossing is complete in 2017. The city has 10 years before closure of the Seven Oaks crossing. ODOT has also determined this crossing needs to be closed for some of their projects around the interchange.

**Allen Broderick moved to approve Resolution No. 1437, A Resolution Supporting an Application for Connect Oregon VI Grant from the Oregon Department of Transportation to Fund Construction of the Continuous Welded Rail Portion of the Twin Creeks Rail Crossing.** Brandon Thueson seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Tanea Brown, yes; Brandon Thueson, yes; Allen Broderick, yes; and Rick Samuelson, yes. Motion approved.

## **VIII. BUSINESS**

### **A. Chronic Nuisance Property Process Review**

Mr. Clayton updated the Council on several chronic nuisance properties around town and explained the process and time line for nuisance properties. We are currently working on properties that include 75 Bush Street, 534 Briarwood, 543 Cherry Street, 477 Beebe Road, 495 Beebe Road and 2412 Savannah Street. Central Point Police have been working with each individual property owner to encourage municipal code compliance.

He briefly explained the process as outlined in CPMC 8.02 Chronic Nuisances and 8.04 Nuisances. He stated that property owners are given several opportunities to comply with the code, there are several notices sent, and personal contact made before the city will begin the legal action. Once legal action begins the court takes over and determines if the property is a chronic nuisance and determines judgement. There can be an emergency closure of property if the City determines there is a significant health/safety concern. There are several opportunities for the property owner to abate the nuisance before it gets to the court level.

There was discussion of instances where government can over step into private property issues. We must take each of the steps listed in the municipal code and make sure there are issues that need to be abated. We have to be careful we do not try to abate property just because we don't like the way someone takes care of it. We have the tools needed to be aggressive for repeat offenders.

No action is requested at this time.

#### **B. Senior Center Lease Discussion**

Mr. Samitore stated that Central Point is currently leasing 123 N. 2<sup>nd</sup> for a Senior Center. The Center has been sub-leasing the facility to groups when the building is not being used by the Seniors. Groups are usually smaller organizations and have paid minimal rental fees which are used to offset the utilities and provide the Center with a small income to assist in their meal program.

City Attorney Sydnee Dreyer recommended an update to the Senior Center Lease that would require all renting groups to carry a \$1,000,000 liability insurance policy. When told this, most organizations decided they did not have the funds to pay for liability insurance and have quit using the facility. The Senior Center counts on the revenue earned to off-set expenses.

The Council discussed some options that would work for the Senior Center. The City could offer to pay the electric bill; the City could provide a stipend for the center of \$2,000 and not allow them to sub-lease to outside groups; or require liability coverage for groups using the facility. The City provides no assistance and revenue earned by the Center is based on rental fees collected from groups that comply with liability requirements.

Staff received direction from the Council to work with the Senior Center to find insurance that would cover these uses. There should be an umbrella policy that would not be too expensive.

#### **C. Rogue Disposal CPI Rate Increase**

Mr. Clayton explained that the Rogue Disposal & Recycling Franchise agreement allows for an annual consumer price index rate adjustment. The adjustment must be reviewed by the City to ensure accuracy and that all the provisions of the franchise agreement are met. He stated that the City has reviewed the proposed 0.2% rate increase and the requirements of the current franchise. The calculations are accurate and appropriate.

**Allen Broderick moved to accept the Rogue Disposal proposed CPI Rate Increase.** Tanea Browning seconded. Roll call: Hank Williams, yes; Bruce Dinger, yes; Tanea Browning, yes; Brandon Thueson, yes; Allen Broderick, yes; and Rick Samuelson, yes. Motion approved.

#### **IX. MAYOR'S REPORT**

Mayor Williams reported that he attended:

- The Medford Water Commission public hearing and testified against the rate increase. The Commission approved the increase even though there were several speakers opposing it.
- The TRADCO meeting.
- A very productive Mayors United meeting.

- The Central Point Chamber Greeters held at Goodwill.

## **X. CITY MANAGER'S REPORT**

City Manager Chris Clayton reported that:

- He attended the Medford Water Commission public hearing on the rate increase. He has given direction to staff to begin the process for increasing our fees with public notices stating that this is directly involved with the MWC increase.
- We will be discussing the Jackson County RV Park, and some transportation related issues at the Study Session on Monday, October 26, 2015.
- We have received tax projections from Jackson County. He will provide a report on the final numbers later.
- There will be an audit presentation at the December Council meeting.
- The Twin Creeks Culvert is almost complete. The Developer should be getting their letter of map revisions soon so we can proceed with the Rail Crossing.

## **XI. COUNCIL REPORTS**

Council Member Brandon Thueson had no report.

Council Member Rick Samuelson stated that he attended the Destination Boot Camp brain storming session.

Council Member Bruce Dingler had no report.

Council Member Taneea Browning Reported that:

- She attended the Access benefit on October 10<sup>th</sup>.
- She attended the Greeters at the Central Point Goodwill with about 30 other attendees.
- She attended the Fire District's Board meeting. The temporary Table Rock Station is near completion. Chief Peterson's evaluation has been done. The District is engaging in a conversation about renaming and rebranding the district.
- She will be attending the Jackson County Mental Health open house in White City on October 29<sup>th</sup>.
- She plans to attend the "Main Street Revitalization with Small Scale Manufacturing" Workshops next week.

Council Member Allen Broderick had no report.

## **XII. DEPARTMENT REPORTS**

Parks and Public Works Director Matt Samitore reported that:

- Freeman Road construction is complete and the road is open. The striping is scheduled for some time next week depending on the weather. They will be working with the Police Department to enforce the no parking once the striping is complete.
- Work has started on the Beebe/Hamrick left hand turn lane. The large trees and bushes are being removed in preparation for the 6 foot wall.

Police Captain Dave Croft reported that they have several new officers at the academy in Salem.

Community Development Director Tom Humphrey reported that:

- We have received the Costco application and it is being routed for approval. He hopes to bring it to the Planning Commission in December.
- The Planning Commission will hear the wrap up for White Hawk Estates in November.
- All the Community Development employees are back to work. One was out on vacation and one has been out on medical leave. It will be nice to get back to business as usual in his department.

City Attorney Dan OConner reported that Twin Creeks Crossing is waiting on a few reports then they will be done with FEMA requirements and the city can proceed with the rail crossing.


**XIII. EXECUTIVE SESSION – None**

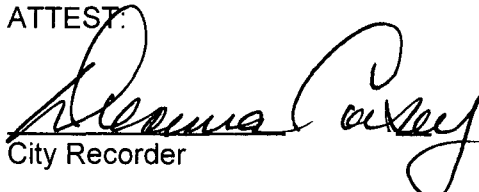
**XIV. ADJOURNMENT**

Rick Samuelson moved to adjourn, Brandon Thueson seconded, all said “aye” and the Council Meeting was adjourned at 7:58 p.m.

The foregoing minutes of the October 22, 2015, Council meeting were approved by the City Council at its meeting of November 12, 2015.

Dated: 11/12/15

  
Mayor Hank Williams

ATTEST:  
  
City Recorder