

CITY OF CENTRAL POINT
City Council Meeting Minutes
July 28, 2016

I. REGULAR MEETING CALLED TO ORDER

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

II. PLEDGE OF ALLEGIANCE

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

City Manager Chris Clayton; City Attorney Sydnee Dreyer; Police Chief Kris Allison; Finance Director Steven Weber; Parks and Public Works Director Matt Samitore; Information Technology Director Jason Richmond; and City Recorder Deanna Casey were also present.

IV. PUBLIC APPEARANCES - None

- V. SPECIAL PRESENTATION** – You have options provided by the Central Point Police Department

Police Chief Kris Allison introduced Detective Kerry Hull from the City of Ashland. Detective Hull lead the assault against sexual assault by creating the program You Have Options.

Detective Hull explained the vision for the program is for victims of sexual violence to view law enforcement as a viable route to justice. The goals are to increase reporting of sexual violence, increase identification and investigation of sexual offenders, and provide a law enforcement response to sexual violence that is beneficial to both victims and the criminal justice system. She is very excited that Central Point and other jurisdictions in the Rogue Valley will be implementing the program to help victims of Sexual Violence.

VI. CONSENT AGENDA

- A. Approval of June 23, 2016 City Council Minutes
- B. Approval of July 11, 2016 Council Special Meeting

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

VII. ITEMS REMOVED FROM CONSENT AGENDA - None

VIII. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

A. Ordinance No. 2028 An Ordinance Amending Central Point Municipal Code Chapter 17 Zoning Sections to Better Define Signs, Clarify Permitted Uses in the C-N District, and Eliminate Redundancy in Parking Requirements between Zoning and Building Codes

Community Planner Molly Bradley explained to the Council this is the second reading of an ordinance to make amendments to Chapter 17 regarding Neighborhood Commercial permitted uses, Off-Street Parking Requirements/Accessible Parking and TOD site Design Standards for signs. There were no recommended changes during the first reading of the Ordinance.

Mike Quilty moved to approve Ordinance No. 2028 An Ordinance Amending Central Point Municipal code Chapter 17 Zoning Sections to Better Define Signs, Clarify Permitted Uses in the C-N District, and Eliminate Redundancy in Parking Requirements between Zoning and Building Codes. Brandon Thueson seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Tanea Browning, yes; Brandon Thueson, yes; Rick Samuelson, yes; and Mike Quilty, yes. Motion approved.

B. Resolution No. 1470, A Resolution of the City of Central Point, Oregon, Granting A Non-Exclusive Franchise Agreement to Falcon Cable Systems Company III, L.P., Locally Known as Charter Communications

City Attorney Sydnee Dreyer explained that staff has been working with Charter Communications on a new Franchise Agreement. The current agreement expired in 2015 and was extended for one year. The City and Charter have spent the past few months negotiating numerous franchise revisions including:

- Revisions to definition of Gross Revenues
- Modified term from 5-years to 10-years
- Added a new provision allowing the parties to renegotiate in the event federal and/or state laws are changed
- Modified indemnity provisions

- Modified inspection/audit rights and fees
- Added provisions allowing city to hold hearings to increase franchise fee in the event a change in the Cable Act occurs during the term of agreement
- Modifies provisions for PEG Channel in the event city exercises its option to request a Channel.

Staff is satisfied with the changes in the Franchise Agreement and recommends the Council approve it as presented. If state or federal law changes we will revisit if needed.

Brandon Thueson moved to approve Resolution No. 1470, A Resolution of the City of Central Point, Oregon, Granting A Non-Exclusive Franchise Agreement to Falcon Cable Systems Company III, L.P., Locally Known as Charter Communications. Mike Quilty seconded. Roll call: Hank Williams, yes; Bruce Dingle, yes; Tanea Browning, yes; Brandon Thueson, yes; Rick Samuelson, yes; and Mike Quilty, yes. Motion approved.

C. Public Hearing/First Reading, An Ordinance Adopting Multiple Code Amendments to the Central Point Municipal Code Sections 11.04, 11.16, 11.20, 13.04 and Adding a New Section 3.40 Liens and Collections

Finance Director Steven Weber explained that over the last year the City has begun to act on a number of delinquencies in utility payments and/or LID Assessments. Staff reviewed processes for those delinquencies and realized the City Municipal Code did not provide the city sufficient flexibility or consistency in remedying such delinquencies. The Council recently expressed a desire to ensure full enforcement capabilities for any delinquencies of debt.

The proposed revisions will provide the ability to pursue collections or lien foreclosures in the event of delinquencies of LID assessments, financing agreements, or utility payments. The proposed changes will allow the city to be flexible according to the size of debt, value and marketability of property along with other factors.

A new Section 3.40 has been added which provides for liens and foreclosures generally for any and all delinquent payments due to the City by code, contract or resolution.

Mayor Williams opened the public hearing. No one came forward and the public hearing was closed.

Mike Quilty moved to second reading An Ordinance Adopting Multiple Code Amendments to the Central Point Municipal Code Sections 11.04, 11.16, 11.20, 13.04 and Adding a New Section 3.40 Liens and Collections Roll call: Hank Williams, yes; Bruce Dingler, yes; Tanea Browning, yes; Brandon Thueson, yes; Rick Samuelson, yes; and Mike Quilty, yes. Motion approved.

IX. BUSINESS

A. Local Improvement District Assessment Relief Request

Mr. Clayton explained that the Council approved resolutions 1456 through 1461 declaring assessments due on a variety of properties in regards to LID payments that have not been received. Although the city has not received any payments from these property owners, we have received written correspondence from two property owners requesting relief from both the penalty and interest portions of the assessments. If the council agrees to provide relief it appears the owners would be able to pay the balance in full.

555 Freeman Road lot #86

Outstanding Principle - \$1,742.18

Outstanding Interest - \$237.23

Outstanding Penalty - \$434.19

3268 Snowy Butte Lane

Outstanding Principle - \$44,352.05

Outstanding Interest - \$11,336.03

Outstanding Penalty - \$10,800.31

There was discussion stating that these property owners were the only ones who responded to the assessments. They are the original owners who signed the agreement when the LID's were put in place. The council felt we should offer all the properties that were assessed the same option. There was consensus that there should be a limited time to pay the principle and interest.

Mike Quilty moved to authorize the City Manager and Finance Director to wave the penalties for 555 Freeman Road Lot #86 and 3268 Snowy Butte Lane as long as the amount is paid in full before December 31, 2016 and to offer the same to the other LID Assessment Properties. Rick Samuelson seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Tanea Browning, yes; Brandon Thueson, yes; Rick Samuelson, yes; and Mike Quilty, yes. Motion approved.

B. Medford Water Agreement Review

Parks and Public Works Director Matt Samitore updated the Council on the negotiations between the City of Central Point and the Medford Water Commission regarding our agreement. In reviewing the proposed contract from the MWC there are two issues of significant concern for the city.

A major concern with the city is the lowering of our gallons per minute (GPM) from 5700 to 4958. He presented information explaining that there have been times over the last year where the city has reached the 5700 GPM limit, although for a short time. In order to re-fill the City's 4.5 million gallons of water on a daily timeline, the supplied rate needs to remain at 5700 or even slightly higher. This is only a concern during the summer months. MWC has asked us to use our reservoirs to supply water during peak hours so as not to deplete the supply for the rest of the valley. We do not have an issue with that request and have complied with it.

Mr. Clayton stated that they have spoken to the MWC but they fail to see our point. The Duff plant could run additional hours during the hot summer months when water usage is up. The surrounding cities are filling their reservoirs in the evenings as requested and the plant cannot keep up with the demand. The local cities are all fighting this new request.

The second item of concern was to eliminate the Urban Reserves from Article 3. In exchange for this elimination, the MWC added in their Resolution 1058 which allows city to provide water to Urban Reserve Areas. However, Article 5 needs a sentence amended so that it is not providing a contradictory statement.

Staff is not looking for action at this time, this is an update item only.

C. Approving Bid Award for 2016 Street Inlay Preservation Projects

Mr. Samitore explained that we received one bid for the 2016 Street inlay project for portions of Hamrick Road and W. Vilas from Don Jones Park to E. Pine Street. Knife River was the only bid received in the amount of \$187,781.00 for the pavement preservation projects.

Rick Samuelson moved to approve award the 2015/2017 pavement preservation project bid to Knife River Materials, Inc in the amount of \$187,781.00. Mike Quilty seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Tanea Browning, yes; Brandon Thueson, yes; Rick Samuelson, yes; and Mike Quilty, yes. Motion approved.

D. Approval of Sole Source Contract with Wellburn Electric

Mr. Samitore stated that Oregon Revised Statutes allows cities to do a sole source contract as long as specific criteria are met. Staff's determination is that using Wellburn Electric will be the most efficient way to complete the project of wiring an emergency generator for the Vilas Pump Station. They are the most well versed firm on the intricacies of the station because they were the company that did the work four years ago. The city believes they have the best ability of protecting the station from potential electrical issues based on their experience with the station.

Rick Samuelson moved to approve the sole source contract to Wellburn Electric for the Vilas Pump Station Emergency Generator in the amount of \$50,998.00. Brandon Thueson seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Tanea Browning, yes; Brandon Thueson, yes; Rick Samuelson, yes; and Mike Quilty, yes. Motion approved.

E. Planning Commission Report

Community Planner 1 Molly Bradley presented the Planning Commission Report for July 5, 2016:

- The Planning Commission approved a Conditional Use Permit to replace the existing scoreboard at the Crater High School football stadium with a new, internally illuminated scoreboard. The project site is located in the civic zoning district within the Transit Oriented Development District (TOD). The Commission approved the CUP contingent upon the successful second reading and approval of an ordinance amendment being considered by the City Council tonight.
- Planning Manager Don Burt explained the direction the state is going with regard to the Population Forecasting and routine updates. Portland State University has been assigned the responsibility of forecasting state, county and city populations. The city will use these projections for determining housing needs and future land use planning when making Urban Growth Boundary Adjustments.
- The Commission was informed of the status of the LUBA Appeal.
- The Commission was updated on the East Pine Streetscape project and open house on July 11, 2016.

X. MAYOR'S REPORT

Mayor Williams reported that he attended:

- The Community Development Commission work session/open house for the Pine Streetscape project.
- The Medford Water Commission meeting. They are in the process of performance reviews for the Commission Manager.
- The Fair VIP preview before the fair started last week.
- He attended the Mayor's Annual Conference in Lincoln City. He had several discussions with members of DLCD. Lincoln City is very interesting and the breakout sessions were enlightening. He also participated in awarding the 2016 Mayor's Award to the Mayor of Springfield.

XI. CITY MANAGER'S REPORT

City Manager Chris Clayton reported that:

- There will be a change in the August Meeting Schedule.
- We received notice that the Costco Arguments are scheduled for August 25, 2016 in Salem. Mrs. Dreyer and Hillary Zamudio will be attending on behalf of the City.
- Rogue Credit Union has submitted site plans for moving their building to the vacant lot by Albertsons.
- The City Council has received an invitation to attend the Combined Transport Grand Opening.

XII. COUNCIL REPORTS

Council Member Mike Quilty reported that:

- He was on the interview panel for the MPO Executive Director.
- He attended a Port of Portland Authority Advisory Meeting. They were updated on a large stock of cars that have been sitting in the Port for a while.
- He attended the Development Commission Work Session and Open House for the Pine Streetscape project.
- Rogue Disposal is testing their CNG Station on Antelope Road. They will have a Grand Opening once they have worked out the final details with Governor Browns Office.

Council Member Brandon Thueson reported that he attended:

- The Development Commission Work Session for Pine Street.
- He attended a Joint Powers Meeting for the Bear Creek Greenway. They have been working on a project to remove the vegetation along the creek in order to discourage the transient camps. They will be asking Central Point to help with the cost of expanding the program into Central Point. It will take about six months to complete. They have received a grant to help with patching the trail.

They are also working on an updated management plan which will go to the parks commissions and then to councils along the trail.

Council Member Rick Samuelson reported that he attended the Development Commission work session.

Council Member Tanea Browning reported that:

- She attended a SOREDI Annual meeting.
- She survived her first year as organizer of the 4th of July Parade.
- The first Friday Night Munch and Movies was a huge success, the second event was not as well attended because of the fair.
- She attended the Development Commission Work Session.
- The Central Point Chamber Mixer will be at the Chamber Office on August 2, 2016.

XIII. DEPARTMENT REPORTS

Community Planner Molly Bradley reported that:

- There have been several new businesses opening in town. The Buttercloud Mobile Vendor is now open on Hwy 99 by the Rogue Creamery.
- There are improvements planned for the Cowley Building. Included in the plans is a paint job.
- She updated the Council on the Pine Streetscape project.

Finance Director Steven Weber reported that the Audit process has begun and staff has been gathering information.

Parks and Public Works Director Matt Samitore reported that:

- The final rail order for Twin Creeks Crossing is being revised. There is one final step to take and construction should begin in May, 2017.
- There are some storm quality issues in Twin Creeks. The Federal Government wants documentation for work that has already been completed. We are all working together to get this issue taken care of as fast as possible so we do not need to re-landscape the area.
- We may need to do a property acquisition for the property across the street from the Rail Crossing. We need to use this property for a retention pond as part of storm water quality.
- Skyрман Park is almost complete. The department will be offering tours sometime next week.
- The City will be asking the makers of PokeymonGo to move some of their Pokemon stops. There are a few stops in our parks that are too close to monuments. We will be asking them to move them

away from structures that could cause harm to citizens or citizens to harm the structures.

Police Chief Chris Allison reported that:

- The new PokemonGo game has made it a couple of interesting weeks. Officers have had to remind people of our regular curfew hours.
- There will be a Foundation for Recovery Softball game on September 10, 2016. Staff have been preparing for this tournament.
- Officer Rob Mannenbach will be our new SRO. The School District asked specifically for Officer Mannenbach.
- The Central Point Explorers are in Salem participating in a Law Enforcement Challenge.
- Mr. Taylor has missed another court date and Judge Charter has decided to enforce the fines associated with 75 Bush Street. He will be going back to pull all associated fines.
- The Department is humbled by all the support for our officers by the signs and citizens coming into City hall and thanking our officers for the job they do. She handed out the new lawn signs for Central Point Crime Watch.

Information Services Director Jason Richmond reported that the IT Agreement with Talent is signed and in place. They do not anticipate spending much time assisting them. The IT Technician they have has their city in great shape.

XIV. EXECUTIVE SESSION - None

XV. ADJOURNMENT

Brandon Thueson moved to adjourn, Rick Samuelson seconded, all said "aye" and the Council Meeting was adjourned at 8:45 p.m.

The foregoing minutes of the July 28, 2016, Council meeting were approved by the City Council at its meeting of August 11, 2016.

Dated: 8/12/16

ATTEST:

City Recorder


Mayor Hank Williams