



# CITY OF EAGLE POINT

*"Gateway to the Lakes"*

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## OREGON

EAGLE POINT CITY COUNCIL  
17 BUCHANAN AVE. SOUTH, EAGLE POINT, OREGON

AUGUST 28, 2018

### REGULAR MEETING MINUTES

1. CALL TO ORDER – 6:00 P.M.

Mayor Russell called the meeting to order at 6:00 p.m.

Council Members Present: Bob Russell, Jonathan Bilden, Ruth Jenks, Bill Fierke, James Mannenbach, Kathy Sell, and Michael Stanek.

Staff Members Present: Henry Lawrence, City Administrator; Souvanny Miller, City Attorney; Darin May, Police Chief; Robert Miller, Public Works Director; Melissa Owens, Finance Director; Mike Upston, Planning Director; and Cindy Hughes, City Recorder.

Guests: Alexis Larsen, Project Manager - Rogue River Watershed Council; Poet Jon Plaisted; Suzi Collins, Planning Commissioner; Bernie Grossman, Planning Commissioner; Eric Gunn, Budget Committee Member; David Lacombe, Community Development Commissioner; Kevin Walruff, Planning Commissioner; Millie Wewerka, Budget Committee Member and Planning Commissioner; Jerry Zieman, Budget Committee Member; and members of the public and press.

2. FLAG SALUTE AND INVOCATION

Mayor Russell led the Pledge of Allegiance; and Jerry Zieman offered the invocation. Following the invocation, Mayor Russell reminded everyone about quieting cell phones until after the meeting.

3. AUDIENCE QUESTIONS OR COMMENTS CONCERNING ITEMS NOT ON THE AGENDA

There were no audience questions or comments.

4. PRESENTATIONS

4.1 Little Butte Bank Stabilization Project – Presentation by Rogue River Watershed Council – Alexis Larsen, Project Manager.

Alexis Larsen, Project Manager for the Rogue River Watershed Council provided a

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Power Point presentation on the Little Butte Bank Stabilization Project (Submission No. 1). Ms. Larsen reported on the Little Butte Bank Stabilization Project being near completion. Funding sources for the project ranged from the federal to local levels. The Bureau of Land Management assisted with fish salvage and isolating the stream to reduce the impact of the project.

The project addressed watershed issues such as steep and eroding banks, lack of floodplain, streamside vegetation, poor water quality, and salmon habitat. The steep bank was recontoured and large wood log structures were added to help create pools for juvenile salmon. Invasive plant life was also removed and will be replanted in the fall with native species after consulting with Eagle Point's Public Works Director concerning future trails or pathways.

### 5. PUBLIC HEARINGS

#### 5.1 Public Hearing in the matter of repealing Article I of the Eagle Point Municipal Code (EPMC) Chapter 3.30 and amending Article II of the EPMC 3.30, related to the Voter approved prohibition on Marijuana Sales.

Mayor Russell announced the Public Hearing had been advertised and all legal notifications were made in compliance with state and local laws. Mayor Russell went on to explain that in addition to a presentation from staff, all persons interested in offering testimony would be allowed to speak at the appropriate time.

At 6:13 p.m., Mayor Russell opened the Public Hearing in the matter of repealing Article I of the Eagle Point Municipal Code (EPMC) Chapter 3.30 and amending Article II of the EPMC 3.30, related to the Voter approved prohibition on Marijuana Sales.

Souvanny Miller, City Attorney, explained this item was basically a housekeeping matter to bring the City's Codes up to date. Ms. Miller reported House Bill 3400 being passed in 2015 and the provisions of Article I passed by the City Council in 2014. In 2016, the voters of Eagle Point passed Measure 15-150 prohibiting the commercial sales and processing of marijuana, and Measure 15-151 allowing for the taxation of marijuana sales in Eagle Point in the event sales were allowed. Repealing that portion of the Code would require going back to the voters. So while sales are prohibited, the portion of the Code allowing for taxation will remain in place in the event future sales are permitted. In addition, the proposed Ordinance adds a sentence to the Code to clarify that sales are prohibited per Measure 15-150 passed by the voters on November 8, 2016.

Next, Mayor Russell invited public testimony in favor and opposition of the proposal; however, there was no public testimony.

There being no additional discussion, Mayor Russell closed the Public Hearing at 6:16 p.m.

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Mayor Russell announced that the related Ordinance No. 2018-09 was scheduled later in the Agenda as Item No. 10.1. There was no objection to changing the order of business, and Mayor Russell asked to discuss and deliberate the proposed Ordinance No. 2018-09. Councilor Sell commented that it made sense. There was no further discussion.

Mayor Russell asked for a motion to adopt Ordinance No. 2018-09. Councilor Bilden made a motion to adopt Ordinance No. 2018-09, an Ordinance repealing Article I of the Eagle Point Municipal Code (EPMC) Chapter 3.30 and amending Article II of the EPMC 3.30; and Councilor Mannenbach seconded the motion. There was no discussion. Roll call: Ruth Jenks, yes; James Mannenbach, yes; Kathy Sell, yes; Michael Stanek, yes; Jonathan Bilden, yes; Bill Fierke, yes; and Bob Russell, yes. The motion passed unanimously.

### 6. CONSENT CALENDAR

#### 6.1 Presentation of Regular Meeting Minutes of August 14, 2018.

Mayor Russell announced the Consent Calendar. There were no questions or comments. Councilor Bilden moved to approve the Consent Calendar as presented and Councilor Fierke seconded the motion. There was no discussion. Roll call: Jonathan Bilden, yes; Bill Fierke, yes; Ruth Jenks, yes; James Mannenbach, yes; Kathy Sell, yes; Michael Stanek, yes; and Bob Russell, yes. The motion passed unanimously.

### 8. PRESENTATION OF BILLS TO BE PAID

Mayor Russell asked if there were questions about the bills to be paid including the additional bills list. Councilor Fierke inquired about payments to the Oregon Ethics Commission and Lexipol. Payment to the Oregon Government Ethics Commission is for a fee based on population and includes an annual audit. Lexipol provides a police policy program and training. Councilor Bilden moved to approve the Regular Bill List in the amount of \$300,930.00 and Additional Bills in the amount of \$10,174.96 (Submission No. 2). Councilor Stanek seconded the motion. There was no discussion. Roll call: Bill Fierke, yes; Ruth Jenks, yes; James Mannenbach, yes; Kathy Sell, yes; Michael Stanek, yes; Jonathan Bilden, yes; and Bob Russell, yes. The motion passed unanimously.

### 9. OLD BUSINESS

There was no Old Business.

### 10. NEW BUSINESS

10.1 Ordinance No. 2018-09. An Ordinance repealing Article I of the Eagle Point Municipal Code (EPMC) Chapter 3.30 and amending Article II of the EPMC 3.30.

This item was discussed after the Public Hearing referenced as Item No. 5.1.

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- 10.2 Resolution No. 2018-42. A Resolution appointing a Planning Commissioner to fill the vacancy on the Eagle Point Planning Commission.

Cindy Hughes, City Recorder, announced the vacancy on the Eagle Point Planning Commission was created by the resignation of Aaron Prunty with the term expiring on January 31, 2019. The vacancy was advertised in the Upper Rogue Independent, on the City's website and Bulletin Board at City Hall.

Four applicants filed with the City for consideration of appointment. Applicants in attendance were invited to speak about their interest in serving on the Planning Commission. The following applicants spoke about their backgrounds and reasons to serve: Jerry Close, Randy Simonson, and Mike Smail.

Discussion followed about all of the applicants being good candidates and it being a difficult decision to select just one. It was noted that future vacancies are anticipated.

Mayor Russell asked for a motion to authorize Resolution No. 2018-42. Councilor Stanek made a motion to authorize Resolution No. 2018-42, appointing Mike Smail to immediately serve the remainder of the term on the Eagle Point Planning Commission expiring on January 31, 2019; and Councilor Sell seconded the motion. There was no discussion. Roll call: James Mannenbach, yes; Kathy Sell, yes; Michael Stanek, yes; Jonathan Bilden, yes; Bill Fierke, yes; Ruth Jenks, yes; and Bob Russell, yes. The motion passed unanimously. Afterwards, Mayor Russell invited the applicants to attend future Planning Commission meetings.

- 10.3 Resolution No. 2018-43. A Resolution authorizing a City of Eagle Point Personal/Professional Services Contract for the Linn Road - OR 62 to Buchanan Project.

Robert Miller, Public Works Director, reported the project had been advertised and bids were submitted as follows:

Central Pipeline, Inc.	\$2,069,265
Knife River Materials	\$2,179,712
K&E Excavating	\$2,694,952
Pilot Rock Excavation	\$2,679,157
Anderson Environmental	\$2,884,075

In addition to the construction project, Mr. Miller explained about the costs from each of the utility companies, and that bids would be requested for the utility relocation and a separate contract awarded. LED lights will also be purchased separately. As far as the project timeline, utility undergrounding is anticipated as the first step.

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Discussion followed wherein Mr. Miller responded to the Council's inquiries about right of way costs and resolving concerns with property owners. While the consultant had not provided an update on right of way costs, Mr. Miller estimated the remaining cost to be under \$5,000. Further, Mr. Miller reported on diligent follow through and communication with property owners.

Mayor Russell asked for a motion to authorize Resolution No. 2018-43. Councilor Sell made a motion to authorize Resolution No. 2018-43, a Resolution authorizing a City of Eagle Point Personal/Professional Services Contract for the Linn Road – OR 62 to Buchanan Project; and Councilor Mannenbach seconded the motion. There was no discussion. Roll call: Kathy Sell, yes; Michael Stanek, yes; Jonathan Bilden, yes; Bill Fierke, yes; Ruth Jenks, yes; James Mannenbach, yes; and Bob Russell, yes. The motion passed unanimously.

- 10.4 Resolution No. 2018-44. A Resolution authorizing a City of Eagle Point Personal/Professional Services Contract for the 2018 Paving Project.

Robert Miller, Public Works Director, reported this contract being like previous contracts for annual paving. Mr. Miller presented a PowerPoint presentation (Submission No. 3) depicting a map with pavement conditions, noting only a couple of streets (Ortega and Minerva) remained in poor condition. Mr. Miller noted the map was also in the recent Friday Letter. The project includes portions of the following streets: E. Main Street, Ortega Avenue, Minerva Avenue, Downtown Alley – Platt to EP Library, and Barton Road overlay.

Further, Mr. Miller reported the project had been properly advertised and the following bids received with Knife River Materials submitting the low bid:

	Base Bid	Barton Road	Total
LTM, Inc. dba Knife River Materials	\$132,860	\$50,740	\$183,600
Copeland Paving Inc.	\$153,446	\$60,145	\$213,591

Discussion continued about the pricing being good but additional funds in the amount of \$24,532 were recommended from the Street Fund - Street Rehabilitation (decrease from \$66,225 to \$41,873). Mr. Miller provided clarification about the authorization and preparing for next year with all of the major projects being completed.

Mayor Russell asked for a motion to authorize Resolution No. 2018-44. Council President Jenks made a motion to authorize Resolution No. 2018-44, a Resolution authorizing a City of Eagle Point Personal/Professional Services Contract for the 2018 Paving Project; and Councilor Fierke seconded the motion. There was no discussion. Roll call: Michael Stanek, yes; Jonathan Bilden, yes; Bill Fierke, yes; Ruth Jenks, yes; James Mannenbach, yes; Kathy Sell, yes; and Bob Russell, yes. The motion passed unanimously.

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- 10.5 Resolution No. 2018-45. A Resolution authorizing acceptance of a proposal from Paradux Media Group to work with the City Council to redesign the City's logo.

Henry Lawrence, City Administrator, reported on the City's branding effort from earlier in the year with the help of the Branding Committee and Paradux Media Group. As part of that effort, the new tagline "Welcome to the Neighborhood" was created. Redesign of the City's logo was also identified during the branding effort. Approval of the proposal by Paradux Media Group will provide 8 to 10 sample logos to select from. Mr. Lawrence noted the current logo has been used for at least a decade and long enough that the sign outside of City Hall is in need of replacement.

Mayor Russell asked for a motion to authorize Resolution No. 2018-45. Councilor Mannenbach made a motion to authorize Resolution No. 2018-45, a Resolution authorizing acceptance of a proposal from Paradux Media Group to work with the City Council to redesign the City's logo; and Councilor Sell seconded the motion. There was no discussion. Roll call: Jonathan Bilden, yes; Bill Fierke, yes; Ruth Jenks, yes; James Mannenbach, yes; Kathy Sell, yes; Michael Stanek, yes; and Bob Russell, yes. The motion passed unanimously.

- 10.6 Discussion regarding adopting "Just Above Little Butte", a poem written by Eagle Point Resident Jon Plaisted.

Poet and author Jon Plaisted introduced himself as a resident of Eagle Point since 1990, and gave away several signed copies of his book, *Sams Valley Serenade*. First, Mr. Plaisted thanked Helen Wolgamott and Henry Lawrence for considering the request of adopting the poem "Just Above Little Butte". Mr. Plaisted talked about his background as an English teacher and of his love of poetry. He also spoke fondly about buying his home on South Shasta back in 1990, and of the time when he was inspired to write about Little Butte Creek. Next, Mr. Plaisted read and dedicated to his wife, "Just Above Little Butte".

Mayor Russell commended Mr. Plaisted and spoke favorably of the poem as it speaks to one of the treasures of the community. Mr. Lawrence added that the original thought was to create a bronze plaque and there had since been other ideas that could be brought back to the Council within the next 30 days or so. Helen Wolgamott spoke about the poem and the feelings it created within her. Mr. Plaisted concluded by thanking everyone for their consideration.

- 10.7 Discussion regarding the Safe Routes to School Program – Robert Miller, Public Works Director.

Robert Miller, Public Works Director, reviewed the agenda statement, reporting on the approval of House Bill 2017 setting aside funding for the Safe Routes to School Grant Program. Stevens Road and Reese Creek Road were proposed as potential projects. Council also discussed Royal Avenue, DeAnjou and Elm Way as future possibilities.

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After a lengthy discussion about project options, funding, and staffing, Mayor Russell recommended the Stevens Road Project, and that the Reese Creek Road Project could also be considered. In addition, several comments were made about selecting whatever project would come to fruition. Last, Mr. Miller discussed providing a future map with missing sidewalks.

### 11. REPORTS FROM CITY COUNCIL AND CITY COMMITTEE REPRESENTATIVES

Councilor Fierke stated that he would speak more during the Executive Session. With regard to the School District, he did not attend the recent meeting but reported on trainings.

Councilor Bilden commented that it was great to see the mountain and blue sky again.

Councilor Sell reported attending the recent Planning Commission meeting but deferred the report to Mike Upston, Planning Director.

Mayor Russell announced the upcoming Mayors United event scheduled on September 15 and invited the City Council. Next, Mayor Russell reported attending a "Business Oregon" meeting wherein the Butte Creek Mill Foundation received a \$200,000 grant, and Josephine County was awarded \$250,000 for its airport.

### 12. STAFF REPORTS

Mike Upston, Planning Director, reported on the Friday Letter with construction moving briskly at the Mill as well as progress with the other projects throughout the town. Next, Mr. Upston reported on the Planning Commission holding public hearings and approving conditional use permits for the Richardson Veterinary Clinic and Butte Creek Baptist Church.

Melissa Owens, Finance Director, referred to the Friday Letter but reported on a majority of staff time being spent on audit work, and with the auditors in preparation for their visit in October. Staff is also working with the Oregon Department of Transportation on the annual gas tax audit, while SAIF just completed its audit pertaining to items like workers comp, payroll, and time cards. The Finance Department is currently juggling duties to look at processes and procedures to make sure things are being done as efficiently as possible, and some duties are being moved around. Last, the City hosted a training event with representatives from the Social Security Administration and Oregon Department of Revenue regarding taxes. There were 46 attendees representing 35 agencies from throughout Southern Oregon.

Robert Miller, Public Works Director, reported that in addition to Public Works projects, there is a lot of development in progress wherein he works with the Planning Department to support and get moving along the way. With regard to the Pavement Management Program, he is looking forward to completing the Seal Coat Project.

Police Chief May reported on the Police Department hosting a regional Bomb Threat Management training. Additionally, the recent training on identifying individuals under the influence appears to be paying off as several arrests were made. Chief May reported on

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Officer Evertt having completed the first 6 weeks of the academy with high test scores and also being selected to serve on the Color Guard. Following the report, Councilor Stanek inquired about the increase in violations shown in the activity report as it seemed to be significantly higher than the previous month. Chief May reported it is possible to have as many violations as reported but he would check and report back.

13. INFORMATION

There were no information items.

At 7:25 p.m., Mayor Russell recessed the meeting.

14. EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(i), To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

At 7:30 p.m., Mayor Russell opened the Executive Session pursuant to ORS 192.660(2)(i) and closed the Executive Session at 7:43 p.m.

15. ADJOURN

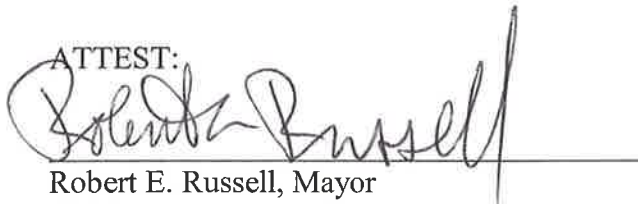
At 7:44 p.m., Mayor Russell closed the meeting.

Respectfully submitted,



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Cindy Hughes, City Recorder

ATTEST:

  
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Robert E. Russell, Mayor