

CITY OF CENTRAL POINT
CITY Council Meeting Minutes
January 14, 2016

I. REGULAR MEETING CALLED TO ORDER

Mayor Hank 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 Theuson, Tanea
Browning, Rick Samuelson, Mike Quilty and Allen Broderick were
present.

City Manager Chris Clayton; Police Chief Kris Allison; City
Attorney Sydnee Dreyer; Community Development Director Tom
Humphrey; Parks and Public Works Director Matt Samitore and
Planning Secretary Karin Skelton were also present.

IV. PUBLIC APPEARANCES - None

V. CONSENT AGENDA

- A. Approval of December 10, 2015 Council Minutes**
- B. Approval of Child Trafficking Proclamation**

Mike Quilty made a motion to approve the Consent Agenda. Tanea
Browning seconded the motion. ROLL CALL: Hank Williams, yes; Bruce Dingler, yes; Tanea
Browning, yes; Allen Broderick, yes; Brandon Thueson, yes; Rick Samuelson, yes; Mike
Quilty, yes. Motion approved.

VI. ITEMS REMOVED FROM CONSENT AGENDA – None

VII. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

- A. Continued Public Hearing – An Ordinance Annexing into the City of Central
Point Property Described as Map No. 372W01BA, Tax Lot 800, 185 W. Vilas**

City Manager Chris Clayton stated that this was a continued public hearing from the
December Council meeting regarding the involuntary annexation into the City of Central
Point the property located at 185 W. Vilas Road. He noted that two properties were
addressed in the staff report, 185 W. Vilas Rd. and 225 W. Vilas Road and that both
were "island" properties and were adjacent to Don Jones Park. He said that 185 W.
Vilas was specifically a blighted property. The public hearing is on this particular
property. The owner of the property was deceased and the annexation notice that had
been sent was returned. There were multiple agents listed for the property, so the City
re-noticed all the agents. There has been no response, and none of the notices were
returned, thus the noticing requirements have been met.

Mr. Clayton added that he had gotten a projection from the Jackson County Tax Assessor regarding the increase of property taxes on 185 W. Vilas after annexation. The Tax Assessor's projection was a \$651 per year increase. This property was not currently connected to the City water system, but had been paying utility fees. He stated that the recommendation for 185 W. Vilas, would be to re-open the public hearing, allow testimony and then close the public hearing. He said that the Council had to specify the date for the annexation to occur and that it could be not less than 3 years or more than 10 years. His recommendation would be to specify the annexation for January 29, 2019, which is three years from the second reading which will be January 28, 2016.

Public Hearing Opened - There were no questions or comments and the public hearing was closed.

Mike Quilty made a motion to move an Ordinance Annexing into the City of Central Point Property Described as Map No. 372W01BA, Tax Lot 800, 185 W. Vilas. Rick Samuelson seconded the motion. ROLL CALL: Hank Williams, yes; Bruce Dinger, yes; Tanea Browning, yes; Allen Broderick, yes; Brandon Thueson, yes; Rick Samuelson, yes; Mike Quilty, yes. Motion approved.

B. Second Reading – Ordinance No. 2021, An Ordinance Annexing into the City of Central Point property Described as Map No. 372W01BA, Tax Lot 900, 225 W. Vilas

City Manager Chris Clayton stated that the public hearing had been concluded at the December meeting. This property was currently connected to City water. The Jackson County Tax Assessor projected that taxes would increase by \$555 per year after annexation. He also stated that there was a shop on the back of the property that had been used for commercial purposes.

Community Development Director Tom Humphrey said that at present, under the County's zoning of the property, the commercial building was permitted but the house would be an existing nonconforming structure, however once the property was annexed, under the City's zoning the house would be the legally conforming structure and the shop would become a legally nonconforming structure.

Mr. Clayton stated that as this was the second reading, he recommended setting the date for annexation for January 15, 2019.

Brandon Thueson made a motion to approve Ordinance No. 2021, An Ordinance Annexing into the City of Central Point property Described as Map No. 372W01BA, Tax Lot 900, 225 W. Vilas. Rick Samuelson seconded the motion. ROLL CALL: Hank Williams, yes; Bruce Dinger, yes; Tanea Browning, yes; Allen Broderick, yes; Brandon Thueson, yes; Rick Samuelson, yes; Mike Quilty, yes. Motion approved.

C. Public Hearing, Ordinance No. 2022, An Ordinance of the City of Central Point Declaring a Ban on Medical Marijuana Processing Sites, Medical Marijuana Dispensaries, Recreational Marijuana Producers, Recreational Marijuana Processors, Recreational Marijuana Wholesales, and Recreational Marijuana Retailers; Referring Ordinance and Declaring an Emergency.

City Attorney Sydnee Dryer stated that this was an Ordinance and two Resolutions and that each would require a separate vote. She explained that because in Jackson County there were not at least 55% of the voters who voted against Measure 91, the City could adopt an ordinance banning Marijuana use and referring the question to the voters on the November ballot. She stated the Ordinance before the council is to ban the six stated specified uses. She said that what is not included in the ordinance was medical marijuana grow sites and personal home grows of those individuals over 21. HB 3460 made it very clear that the City was authorized to ban medical marijuana processors and dispensaries and all four licensed recreational uses specified, and this was the process to achieve that.

City Manager Chris Clayton asked for clarification regarding restrictions already in place on personal grows.

Ms. Dreyer stated that The City was authorized to place reasonable restrictions on grows. She explained that once the ordinance passed it would place a ban on the six specified uses and refer the matter to the voters. Once the ordinance was approved, it would be effective as of today's date and would act as a temporary moratorium against the issuance of any licenses by the OLCC or the OHA.

She then informed the Council that the purpose of the two resolutions was to separate the medical marijuana issues and the recreational marijuana issues for the voters to process. Her recommendation was for the Council to approve the Ordinance, instituting a temporary ban on both medical and recreational marijuana uses. Then approve the two resolutions, the first of which would ban the medical marijuana processing sites and medical marijuana dispensaries within the city and the second would ban all four recreational uses. Also, by declaring an emergency the matter would not have to go to a second reading.

In response to questions from the council, Ms. Dreyer clarified that the intent was to allow the voters to decide the issue, and not to state personal preferences of council members.

City Manager Chris Clayton asked what would happen if the voters did not approve the ban.

Ms. Dreyer responded that the City had already adopted time, place and manner restrictions on medical marijuana dispensaries. If the voters did not pass a ban in November, the temporary ban would go away and medical marijuana dispensaries within the city would be subject to the restrictions currently in place. At that time any requisite changes to the City's land use code could be made in order to address recreational marijuana.

Allen Broderick asked if commercial landlords would be required to rent to marijuana businesses. Ms. Dreyer responded that they would be able to decline to rent to a commercial business if they did not want that business in their building.

Public Hearing Opened. There were no questions or comments and the Public Hearing was closed

Mike Quilty made a motion to approve Ordinance No. 2022, Declaring a Ban on Medical Marijuana Processing Sites, Medical Marijuana Dispensaries, Recreational Marijuana Producers, Recreational Marijuana Processors, Recreational Marijuana Wholesales, and Recreational Marijuana Retailers; Referring Ordinance and Declaring an Emergency. Allen Broderick Seconded the motion. ROLL CALL: Hank Williams, yes; Bruce Dingler, yes; Tanea Browning, yes; Allen Broderick, yes; Brandon Thueson, yes; Rick Samuelson, yes; Mike Quilty, yes. Motion approved.

D. Resolution No. 1441, A Resolution Approving Referral to the Electors of the City of Central Point the question of Banning Medical Marijuana Processing Sites and Medical Marijuana Dispensaries within the City of Central Point.

City Attorney Sydnee Dryer informed the Council that this resolution is specifically asking the voters to vote on whether or not to ban medical marijuana processing sites and medical marijuana dispensaries within the City.

There was a brief discussion as to differences between medical and recreational marijuana.

Mike Quilty made a motion to approve Resolution 1441, Approving Referral to the Electors of the City of Central Point the question of Banning Medical Marijuana Processing Sites and Medical Marijuana Dispensaries within the City of Central Point. Brandon Thueson seconded the motion. ROLL CALL: Hank Williams, yes; Bruce Dingler, yes; Tanea Browning, yes; Allen Broderick, yes; Brandon Thueson, yes; Rick Samuelson, yes; Mike Quilty, yes. Motion approved.

E. Resolution No. 1442, A Resolution Approving Referral to the electors of the city of Central Point the question of Banning Recreational Marijuana Producers, Recreational marijuana Wholesalers, and Recreational Marijuana Retailers within the City of Central Point.

Sydnee Dreyer stated that this resolution is referring the specific question to the voters "shall the City of Central Point prohibit recreational marijuana producers, processors, growers and retailers in the City of Central Point?"

Mike Quilty made a motion to approve Resolution No. 1442, Referral to the electors of the city of Central Point the question of Banning Recreational Marijuana Producers, Recreational marijuana Wholesalers, and Recreational Marijuana Retailers within the City of Central Point. Tanea Browning seconded the motion. ROLL CALL: Hank Williams, yes; Bruce Dingler, yes; Tanea Browning, yes; Allen Broderick, yes; Brandon Thueson, yes; Rick Samuelson, yes; Mike Quilty, yes. Motion approved.

VIII. BUSINESS

A. Planning Commission Report

Community Development Director Tom Humphrey updated the Council on the Costco applications. He stated there were three applications, a Conditional Use Permit, a Site Plan and Architectural Review application and an application for a sign variance. He said the Planning Commission had a public hearing on January 4, 2016 on all three

applications. Due to the fact that some information had been submitted rather late in the process, the record was kept open for seven days after the public hearing for additional comments. Costco then had seven days to respond. The deadline for Costco's response is January 19, 2016. The Planning Commission will be provided a complete record and will deliberate on February 2, 2016 as to whether or not to approve the Conditional Use Permit for Costco. The site plan and sign variance applications were approved at the January 4, 2016 meeting conditioned on the approval of the Conditional Use Permit. After the February 2, 2016 decision, there would be a 10 day appeal period.

B. Update on Mae Richardson Traffic/Parking/Student Pick up

Matt Samitore gave an update to the Council on the Mae Richardson project. He said that the rain was impeding progress, but they were hoping to have at least part of the area finished in February. It would be excavated and shale laid down and then graveled. The parking lot area would probably be done by spring break. The cost is being split with the school district with the City's portion to be about \$10,000. He said that if they were to do a paved parking lot it would be about \$250,000.

IX. MAYOR'S REPORT

Mayor Williams reported he had attended a Water Commission Meeting several times.

- He attended the Medford Library meeting.
- Attended the Central Point Chamber mix.
- Attended the Spine and Wine at the new Chiropractic business.
- Attended the Chamber Forum.
- Attended the State Senator's Town Hall meeting.

X. CITY MANAGER'S REPORT

City Manager Chris Clayton reported that:

- He Invited the City Council to attend the City Employee Recognition Breakfast on January 27th at 7:30 a.m. at Twin Creeks.
- The city has been contacted by Charter regarding franchise negotiations and he hopes to meet with them in February.
- The City has received a request to bargain from the Teamsters on the Police collective bargaining agreement.
- The Twin Creeks LOMR has been completed.
- Attended the Spine & Wine at the new Chiropractic business.

XI. COUNCIL REPORTS

Allen Broderick and Bruce Dingle had no reports.

Tanea Browning:

- Fire District 3 board meeting in December included reports from their insurance provider, our districts insurance rate decreased to 4.39% while the average in industry was up at 5%. There is still a heavy focus on health, wellness and fitness.

Identified three scientific contributing factors of cancer; stress, dehydration, sleep deprivation.

- Attended the December and January Medford Chamber Forum.
- Attended the Chamber Mixer, Greeters, and brainstorming sessions, all designed to increase connectivity and facilitate growth in our business community. The Chamber is busy planning the 34th annual banquet to be held Feb 6th at The Expo.
- Attended the Spine and Wine.
- Attended the Senator's Town Hall.

Rick Samuelson reported that:

- Attended the brainstorming session.
- Attended the January Planning Commission meeting.

Brandon Thueson reported that he attended the School Board meeting.

Mike Quilty reported that:

- Attended RV ACT. Reported on that current status of negotiations for dividing the 4.4 million dollars that ODOT had available to be split between Jackson Douglas, Curry, Josephine and Coos Counties.
- Attended an Airport Advisory Subcommittee meeting.

XII. DEPARTMENT REPORTS

Community Development Director Tom Humphrey reported that the Vietnam Wall Memorial application has been withdrawn. There is no new location decided on yet.

Parks and Public Works Director Matt Samitore reported that after meeting with the engineer for the Twin Creeks Crossing it looks like the project will come in close to the initial budget. There are a couple of concerns going forward. The first is that we will have to get several permanent slope easements due to the fact that the grade of the highway would need to be raised. The second issue was that there was a slight chance that another CLOMR might be required. There is a possibility that a No Rise could make things work, but at this time we are not sure. If a CLOMR is required, it would delay construction approximately a year.

Police Chief Kris Allison reported that:

- Central Point has been voted as the number 8 happiest City.
- Fire District 3 would be having a ground breaking ceremony tomorrow for the Simulation House being built in White City. This is a 2100 square foot training facility with removable walls where all law enforcement and Fire Districts in Jackson County can do training simulations.
- The date for the Council to come to the range has been set for May.
- Earlier this week there was a big assault at 2161 Taylor Road. Luckily the victim will be okay. The suspect was in custody within 24 hours due to using social media to share information.

XIII. EXECUTIVE SESSION - None

XIV. ADJOURNMENT


Brandon Thueson made a motion to adjourn. All members said "aye" and the meeting was adjourned at 9:00.

The foregoing minutes of the January 14, 2016 council meeting were approved by the city Council at its meeting of January 28, 2016.

Dated: 1/28/16


Mayor Hank Williams

ATTEST.


Deanna Casey, City Recorder