

**CITY OF CENTRAL POINT
City Council Meeting Minutes
September 10, 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: Bruce Dingler, Allen Broderick, Brandon Thueson, Tanea Browning, Rick Samuelson, and Mike Quilty were present.

City Manager Chris Clayton; City Attorney Sydnee Dreyer; Police Chief Kris Allison; Community Development Director Tom Humphrey; Parks and Public Works Director Matt Samitore; and City Recorder Deanna Casey were also present.

IV. PUBLIC APPEARANCES

Eric Dittmer and Lee Lull, Representatives for Southern Oregon Climate Action Now.

Mr. Dittmer and Mrs Lull gave a brief summary of a two day conference regarding disturbing climate trends. They are reaching out to key agencies that may be able to help with what we are facing here in the Rogue Valley. The warm weather is causing the crop types to change to warm weather crops and away from the normal Oregon weather type crops. They provided information on how to register for the conference and endorsing the cause.

V. SPECIAL PRESENTATION

Police Chief Kris Allison swore in new officers Anthony Grieve and Petter Bilden. She explained a change in command structure and swore in Captain David Croft, and Lieutenants Randy Clark and Chad Griffin.

V. CONSENT AGENDA

A. Approval of August 27, 2015 City Council Minutes

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

VI. ITEMS REMOVED FROM CONSENT AGENDA - None

VII. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

A. Ordinance No. 2015, An Ordinance Amending Title 6 Animals to Allow Bee Keeping within the City Limits

Community Development Director Tom Humphrey explained that during the first reading and public hearing City Staff introduced amendments to Title 6 – Animals which will allow the keeping of bee hives within the city limits. There were no recommended changes to the ordinance at the first reading. Most comments from citizens have been in favor of this change, some have suggested that we are being too strict.

The language developed is consistent with similar programs in Medford and Ashland. We would require that Bee Keepers register their hives with the City.

Rick Samuelson moved to approve Ordinance No. 2015, An Ordinance Amending Title 6 Animals to Allow Bee Keeping within the City Limits. Tanea Browning seconded. Roll call: Hank Williams, yes; Bruce Dinger, yes; Allen Broderick, yes; Tanea Browning, yes; Brandon Thueson, yes; Rick Samuelson, yes; and Mike Quilty, yes. Motion approved.

B. Ordinance No. 2016, An Ordinance Amending Section 8.04.090 to Allow Bee Keeping within the City Limits.

Mr. Humphrey stated that Section 8.04.090 declares beekeeping as a public nuisance. If we are going to allow beekeeping in the city this section of our code should be amended. The recommended changes will eliminate the public nuisance declaration when permitted in accordance with bee keeping requirements in Section 6.05.020. There were no recommended changes at the first reading of this Ordinance.

Mike Quilty moved to approve Ordinance No. 2016, An Ordinance Amending Section 8.04.090 to Allow Bee Keeping within the City Limits. Brandon Thueson Seconded. Roll call: Hank Williams, yes; Bruce Dinger, yes; Allen Broderick, yes; Tanea Browning, yes; Brandon Thueson, yes; Rick Samuelson, yes; and Mike Quilty, yes. Motion approved.

C. First Reading – An Ordinance Amending the Transportation System Plan (TSP) of the Central Point Comprehensive Plan to Incorporate by Reference the Interchange Area Management Plans (IAMPS) for I-5 Exits 33 and 35.

Mr. Humphrey explained that the proposed amendment would acknowledge collaborative transportation planning work done by the state to protect the operation of interchanges at I-5 Exits 33 and 35. The City Council passed a Resolution in 2014 to approve the Seven Oaks Interchange Area Management Plan and directed staff to amend the TSP as soon as possible to include projects, policies and development standards.

The State has completed the Exit 33 plan at Pine Street and is asking that the City adopt it prior to being adopted by the Oregon Transportation Commission in October. Both plans can be adopted by the City by formally amending the TSP which is part of the City's Comprehensive Plan. This amendment is not intended to be a wholesale change since the TSP was updated in 2008. Once the TSP is amended some special conditions in the TOD District zoning code will be removed. The language was a self-imposed trip cap the City agreed to when it adopted the Eastside TOD. The Department of Land Conservation and Development and ODOT have both been notified of this amendment. The Planning Commission reviewed this in September and recommended approval.

Major amendments are legislative policy decisions that establish by law, general policies and regulations for future land use decisions, such as revisions to the zoning and land division ordinance that have widespread and significant impact beyond the immediate area.

The development and preparation of the IAMPs for both interchanges used local land use plans and policies as the framework for projecting transportation demand and subsequent improvements to mitigate the impacts of that demand. Citizen participation was invited through the creation of a Project Focus Group made up of property owners, business managers, real estate and banking representatives.

The development and preparation of the IAMPs for both interchanges were collaborations between Central Point, Jackson County, RVCOG, ODOT and its consultants. In the case of Exit 33, a Technical Advisory Committee and a Project Focus Group were also formed. These plans will serve as a guide for future improvements

Mayor Williams opened the Public Hearing. No one came forward and the Public Hearing was closed.

Mike Quilty moved to second reading An Ordinance Amending the Transportation System Plan (TSP) of the Central Point Comprehensive Plan to Incorporate by Reference the Interchange Area Management Plans (IAMPS) for I-5 Exits 33 and 35. Rick Samuelson seconded. Roll call: Hank Williams, yes; Bruce Dinger, yes; Allen Broderick, yes; Tanea Browning, yes; Brandon Thueson, yes; Rick Samuelson, yes; and Mike Quilty, yes. Motion approved.

VIII. BUSINESS

A. Planning Commission Report

Community Development Director Tom Humphrey presented the Planning Commission Report for September 1, 2015:

- The Commission considered a Class C variance request to reduce the rear yard and special stream setback on two legally platted lots in order to

build two single family residences in the LMR-Low Mix Residential Zone. The Commission considered the applicant's request in light of what are considered difficult variance criteria. After considerable discussion, they determined that granting a variance 1) would not be materially detrimental to the purposes of the code; 2) would alleviate a hardship to development peculiar to the lot size, shape and topography of this property; 3) would permit reasonable economic use of the land; 4) would not adversely affect physical and natural systems; 5) alleviated a condition that was not a self-imposed hardship, and 6) was the minimum necessary to relieve the hardship. The Commission unanimously approved the variance with conditions intended to reinforce the above criteria.

There was some concern from the Council to make sure that future property owners know about the variance. The City could map property that is in the same type of situation. When a title search is completed on a property it would show the special circumstances the building was approved.

- The Commission continued a public hearing to consider a Transit Oriented Development (TOD) preliminary master plan on 18.91 acres in the Eastside TOD District. The project site is located east of Gebhard Road and north of Beebe Road. The project site is within the LMR-Low mix residential and MMR-Medium Mix zoning districts. The Commission continued the public hearing that was opened in July. Given the untimely receipt of new information, neither staff nor the applicant were able to provide further answers to three major issues including 1) the Gebhard Road alignment 2) Soil contamination in the proposed park site and 3) shallow well impact and mitigation. The Commission received comment from property owners and then continued the hearing for another month.
- The Commission continued the consideration of a tentative partition plan to create three parcels in the LMR-Low Mix Residential and MMR-Medium Mix Residential zoning districts within the eastside TOD district. This application was continued to the October meeting to coincide with their action on the Master Plan.
- The Commission was presented with a Major Amendment that is limited in scope and adopts IAMPs 33 and 35 by reference. The City is taking this action ahead of the Oregon Transportation Commission who intends to adopt the IAMP in October. The Commission unanimously recommended in favor of the changes and directed staff to proceed to the City Council.

B. Medford Water Commission Briefing

City Manager Chris Clayton updated the Council on the Medford Water Commission's (MWC) cost of service rate analysis. In July the MWC recommended a 41% increase to the "Other Cities" customer group. The "Cities" group hired their own consultants to review the Water Commission cost of service analysis and the results of the independent review were presented to the MWC both in writing and at a rate workshop in August. The MWC responded to the review with a revised study that has changed the increase significantly. The final revision is still being worked on but it looks like our increase will be a 10% to 15% increase rather than the original 41%.

The "Cities" group is concerned with several items still:

1. MWC is asking the cities to be responsible for about 2% of all their leaks. We don't agree with this because we only have a few water meters between their lines and ours. We do not believe that we should pay for unaccounted for water that occurs on their side of those meters.
2. We are working with the commission on peak day capacity. This item can be very technical. We are asking them to use two years and two months to average out the peak day capacity.
3. Item 5C Control Equipment. They are asking us to help replace their control equipment. We feel that the equipment in question is only used for inside customers and the other cities should not be responsible for maintenance or replacement of this equipment.
4. Item 5I is considered other expenses. It was discovered that these expenses are PERS costs for their employees. We are not sure that the other cities should be responsible for their PERS.
5. Item 6D Reservoirs. This item is misclassified and it was agreed that the reservoirs should be assigned to peak hour and not peak day. We have asked them to review this issue again. The other cities have all been required by contract to provide their own reservoirs for use during peak hours.
6. Item 6G Account 328 is the annex building that the commission is housed in. They are charging us for this building. This item should be reviewed further it is a tangible asset and we are not convinced that the other cities should be paying for the program. We would also like to request a physical count of Account 369.
7. Item 7A charged us for contributed assets, they removed those and have made some concessions in our favor.

The Medford City Council will have a work session on the rate study. We all know that Council members do not like to raise the rates on their customers so this could be another issue that the other Cities need to consider in the final rate increase. The city representatives will continue to attend meetings regarding the rate study and update the Council when appropriate.

No action was requested for this item.

C. Involuntary Annexation Discussion

Mr. Clayton stated that in the northeastern portion of Central Point, two "island" properties currently exist that share a boarder with Don Jones Park. One of the properties, 185 Vilas Road, is a blighted property with significant code enforcement/public safety concerns, which would be more appropriately addressed if the property were annexed into city limits. These concerns are frequently reported from area residents who are frustrated by the city's current inability to address property-related nuisances. The neighboring property 225 Vilas Road, is also an "island" property, but remains in reasonable condition. Unfortunately Jackson County's code enforcement policies tend to be far more lenient when compared with Central Point's and so far, the county has been

unwilling to require abatement of the nuisances. Gaining jurisdictional authority is essential to the city having the ability to abate current nuisance concerns. The second property poses no current nuisance related concerns at this time, but it does receive city services.

In the past council has discussed blanket annexations of all islands within the city. At this time staff is only concerned with starting the process for these specific addresses. Staff would like the approval of the council to begin the annexation process.

City Attorney Sydnee Dreyer explained the process for forced annexation according to the state of Oregon.

- A property must be found to be entirely surrounded by City limits to be subject to the provisions.
- The City may annex the property after holding at least one public hearing on the subject for which notice has been mailed to each record owner of property proposed for annexation. The annexation could be subject to referendum.
- The City must specify an effective date for the annexation that is not less than 3 nor more than 10 years from the date of the approval of the annexation. If the property is sold during the period of delayed annexation, the property becomes part of the city immediately upon transfer of ownership.

Community Development Director Tom Humphrey would like to see these two properties annexed at this time. He is not in favor of a blanket annexation of all islands within the city. He would like to provide a spreadsheet of costs to the city for each property that is forced annexed. The Community Development Department has not budgeted the funds to force annex property this year. There are several costs associated with annexation that a property owner would normally be required to pay.

Council directed staff to proceed with the forced annexation of these two properties.

IX. MAYOR'S REPORT

Mayor Williams reported that he attended the Medford Water Commission meeting and a work Session. Central Point has taken the lead in confronting the Commission regarding the rates for "other cities".

X. CITY MANAGER'S REPORT

City Manager Chris Clayton reported that:

- 477 and 495 Beebe Road has become a chronic nuisance and may be coming before the council next month. These are two properties that Code Enforcement is actively working on.
- 75 Bush Street is also coming back on our radar. They have started to accumulate junk on the property again.

- There is also a property behind Abby's Pizza that we are working on regarding nuisance issues.
- They are continuing to talk with Costco representatives and working on the plans for the new building in Central Point.

XI. COUNCIL REPORTS

Council Member Mike Quilty reported that:

- Everyone is really looking forward to the new CNG Station in White City.
- The STIP money this year will be designated for non-travel road projects. There are several projects that the city could qualify for and should send in grant applications.

Council Member Brandon Thueson reported that he attended a Bear Creek Greenway meeting. They are looking for volunteers to help clean up the greenway. There are several projects coming up to fix trip hazards, fog and crack sealing, and new signs.

Council Member Rick Samuelson reported that he will be attending the class regarding the Bootcamp. He sees good things happening because of this program.

Council Member Tanea Browning reported that:

- She attended the SOREDI Breakfast and tour for local business and workforce. There were two stops in Central Point. It was nice to hear about the positive things happening in town.
- She attended the Chamber Mixer at the Expo.
- She was contacted by Channel 12 news. We now have our own beat reporter.

Council Members Bruce Dingle and Allen Broderick had no reports

XII. DEPARTMENT REPORTS

Parks and Public Works Director Matt Samitore reported that:

- There are a couple of dangerous trees in town. Our tree Ordinance states that we may take down trees if they are dangerous to the public. These specific trees were damaged in recent storms and the property is owned by the bank. We have not had any luck trying to get them to take the trees down. If the city is forced to remove the trees we will put a lien on the property for the cost of removing them.
- There will be a Parks and Recreation meeting on September 22, 2015 to talk about the Vietnam Memorial Wall. There are a lot of concerns from the residents in Central Point East.
- There are concerns about the park property that is designated in the White Hawk Subdivision. This property has soil contamination and the city does not want to take it without a proper plan for mitigation.

Police Chief Kris Allison:

- Presented the Council with Swag Bags that will be given out to kids at the Open House on Saturday.
- Encouraged the Council Members to attend the baseball game on September 26th.
- Provided a Bereavement Resource Booklet that Detective Wojack created for officers to hand out to grieving families. This is a great tool for them when they have lost a loved one. It has information about what is available in the area for support.
- Updated the Council on leadership sessions happening in the Police Department this week.

City Attorney Sydnee Dreyer stated that there will be a Southern Oregon Planners Conference at the Commons in September.

XIII. EXECUTIVE SESSION - None

XIV. ADJOURNMENT

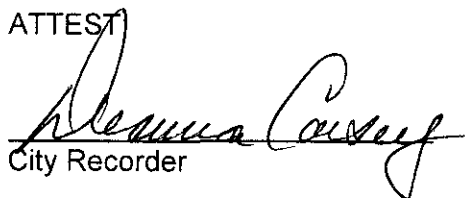
Mike Quilty moved to adjourn, Brandon Thueson seconded, all said "aye" and the Council Meeting was adjourned at 9:06 p.m.

The foregoing minutes of the September 10, 2015, Council meeting were approved by the City Council at its meeting of October 8, 2015

Dated: 10/8/15


Mayor Hank Williams

ATTEST


City Recorder