

THURSDAY, MAY 22, 2014

CITY HALL COUNCIL CHAMBERS

CITY OF ROGUE RIVER, JACKSON COUNTY, OREGON

CALL TO ORDER The Regular Council meeting was called to order by Mayor Pam VanArsdale at 7:00 p.m.

INVOCATION Pastor Matt Curtis with the Rogue Valley Community Church delivered the Invocation

PLEDGE OF ALLEGIANCE Mayor Pam VanArsdale led the Council and audience in the Pledge of Allegiance

QUORUM **COUNCIL MEMBERS PRESENT:**
Mayor Pam VanArsdale
City Councilor Cliff Combs
City Councilor Shelli Spencer
City Councilor Earl Shamblin
City Councilor Mark Poling

COUNCIL MEMBERS ABSENT:
City Councilor Rich Pardy
City Councilor Robert Catherwood

ALSO PRESENT:
Mark Reagles, City Administrator
Carol Weir, Deputy Recorder
John Krawczyk, City Engineer
Bonnie Honea, City Planner
Lois DeBenedetti, City Planner

PRESS PRESENT:
Brad Smith, Rogue River Press

A quorum was present and due notice had been published.

APPROVAL OF MINUTES:

MOVED (SPENCER), SECONDED (COMBS) AND CARRIED TO APPROVE THE MINUTES OF APRIL 24, 2014.

COMMITTEE REPORTS:

Police Commission: City Councilor Cliff Combs reported that they discussed recognizing people that may or may not be intoxicated on drugs and if the department had a certified Drug Recognition Expert (DRA) officer. The City does

not have a certified officer at this time but all the officers are certified for DUI intoxication of alcohol and when they are suspicious of drug intoxication the officer will have them tested at the jail.

Personnel Committee: City Councilor Cliff Combs reported that they discussed a change in office staff and talked about the upcoming negotiations.

Finance Committee: City Councilor Earl Shamblin reported that twice during the month and on the 30th of April they approved and signed 32 checks in the amount of \$35,448.53.

Planning Commission Liaison: City Councilor Mark Poling reported that they reviewed an agreement between the City and Foothill Estates regarding a Letter of Credit for the playground equipment and the tree planting at a later date.

Community Relations: City Councilor Shelli Spencer reported that the Rogue River Greenway was preparing for the Ride the Rogue, the Chamber of Commerce restructuring process was coming along very well.

City Councilor Shelli Spencer presented the Rogue River Community Center with the Mayor's Award for Beautification for the Hugelkultur landscaping project recently done to the front of the Community Center. The yard sign was presented to the Community Center Director Sue Smith and the designer of the project.

PUBLIC INPUT:

Robert Smith of Magerle Drive gave the Mayor, City Council's and staff a prepared written statement that he personally read into the record as follows:

"Tonight, some numbers: There are 2 houses out of 8 on Magerle Lane that house drug dealers; they deal, according to police, Meth and that old standby killer, Heroin; they are with 300-feet of a school; this would seem to meet the definition of high crime area; in the last year I have seen only 2 squad cars go up Magerle; I time the route from Pine and Fourth Street, at 5-miles per hour, it took me 1-minute and 31-seconds; not a lot of time to ask of our police force.

I finally spotted the mid-level dealer. He was in his pickup and when he saw me he cranked his head away from me so I couldn't see him. But I did. And I saw at his residence a new face, who when he saw me, looked very anxious. A policeman who saw this might have investigated. Neighbors say drug dealing has been going on at the other house for 4-years, 300-feet from the school. They say there was a robbery at that residence around a year ago, near the time the bomb went off in the street it faces. Neighbor says owner came over and said \$13,000, in cash, had been stolen. Why so much cash? "Oh, it was my inheritance," he says to the neighbor.

I had a phone conversation recently with the Chief of Medical Examiners, State of Oregon. Dr. Karen Gudron was gracious enough to speak with me at length. She had been quoted in the newspaper as saying that the majority of meth users who die of drug abuse did not die of meth overdoses, but from causes related of meth use, such as drug-related murders, suicides, drowning, disease, traffic

accidents, etc. I told her that in my research of 100 kids who went through drug treatment in the 70's and 80's that they had the same mortality ratio by middle age that the Marine Corps suffered in the battle for Iwo Jima, and that their average death was 36; this the arc of their lives was cut in half.

I said a curious ratio emerged; that for every one of the kids who died from drug overdose, at least 2 more died from drug related causes, and that a pilot study of 50 people in Portland 2-years ago, who answered positive to the question, has anyone in your family or friends or acquaintances, die from drug abuse. The 1:2 ratio was given. I asked Dr. Gudron what she thought, based on her experience as Chief Medical Examiner, what she thought of that. She said, "your numbers are solid."

The Center for Disease Control records indicates that from 1967 to present over 640,00 Americans died from drug overdoses. Given the 1:2 ratio of overdoses to drug related deaths, that means that over 2-million of us have died from this 46 year drug epidemic, which is the longest and most deadly by mortality figures, of any epidemic in our history. That 2-million dead from drug abuse is greater than the total of all Americans killed in every year we ever fought, from the Revolutionary War through Afghanistan. Can you see the relationship of 2 drug dealers 300-feet from a school, for 4-years, and out Rogue River contribution to the death toll? This is why it is important that we get these drug dealers out of there. It is our duty to our children, our grandchildren to do so."

Mr. Smith then thanked the Mayor and City Council and left the building.

NEW BUSINESS:

AGENDA ITEM 1 **Council Bill No. 14-2272; Resolution No. 14-1259-R:** A Resolution certifying the municipal services provided by the City of Rogue River, Oregon, for the 2014-2015 budget year.

MOVED (SPENCER), SECONDED (POLING) AND CARRIED TO ADOPT COUNCIL BILL NO. 14-2272.

AGENDA ITEM 2 **Council Bill No. 14-2273, Resolution No. 14-1260-R:** A Resolution authorizing the funds to be used in the financial management of the City of Rogue River, Oregon, for the 2014-2015 budget year.

MOVED (SPENCER), SECONDED (POLING) AND CARRIED TO ADOPT COUNCIL BILL NO. 14-2273.

AGENDA ITEM 3 **Council Bill No. 14-2274; Resolution No. 14-1261-R :** A Resolution extending the City's workers' compensation coverage to volunteers of the City of Rogue River, Oregon, for the 2014-2015 policy and budget year.

MOVED (SPENCER), SECONDED (COMBS) AND CARRIED TO ADOPT COUNCIL BILL NO. 14-2274.

AGENDA ITEM 4 **Public Hearing:** The City Council to hold a proposed use hearing to hear public comment regarding the City's election to receive State Revenue Sharing for the 2014-2015 budget year.

Mayor Pam VanArsdale announced that the public hearing was an opportunity for any member of the public to comment on or make requests regarding how State Revenue Sharing Funds would be spent in the 2014-2015 fiscal year beginning July 1, 2014. State Revenue Sharing funds were a share of certain revenues of the State of Oregon that shall be apportioned among and distributed to the cities of this state for general purposes.

Mayor Pam VanArsdale opened the public hearing at 7:21 p.m. and asked for any comments from the public.

Hearing no comments the Mayor declared the public hearing closed at 7:22 p.m.

AGENDA ITEM 5 **Council Bill No. 14-2275; Resolution No. 14-1262-R:** A Resolution declaring the City's election to receive State Revenue Sharing for the City of Rogue River, Oregon, for the 2014-2015 budget year.

MOVED (POLING), SECONDED (COMBS) AND CARRIED TO ADOPT COUNCIL BILL NO. 14-2275.

AGENDA ITEM 6 **Council Bill No. 14-2276; Resolution No. 14-1263-R:** A Resolution adopting the budget, making appropriations, and, levying taxes for the City of Rogue River, Oregon, for the 2014-2015 budget year.

MOVED (SPENCER), SECONDED (COMBS) TO ADOPT COUNCIL BILL NO. 14-2276 AND APPROVE THE PROPERTY TAXES TO BE LEVIED FOR THE 2014-2015 FISCAL YEAR AT A RATE OF \$3.1492 PER \$1,000 ASSESS VALUE FOR OPERATING PURPOSES AND IN THE AMOUNT OF \$89,300 FOR PAYMENT OF BOND PRINCIPAL AND INTEREST.

Mayor Pam VanArsdale opened a public hearing to consider adopting the budget for fiscal year 2014-2015 by reading a prepared statement explaining the process which will become a permanent part of the record.

Mayor Pam VanArsdale asked the audience if anyone had objections to any member of the City Council jurisdiction with the matter? No comments were heard from the audience.

Mayor Pam VanArsdale asked the members of the City Council if they had any conflicts of interest to declare with regard to the matter? No comments were heard from the City Council.

Mayor Pam VanArsdale asked if there was anyone who wished to give testimony regarding the 2014-2015 budget? No testimony was given.

BY ROLL CALL VOTE MOTION CARRIED TO ADOPT COUNCIL BILL NO. 14-2276.

AGENDA ITEM 7 **Public Hearing:** The City Council to hold a public hearing in accordance with RRMC Chapter 17.10.070.G and Chapter 17.10.070.G.5 regarding an application to re zone property at 501 East Main Street from Residential R-2 to Commercial C-1. Applicant: HRP, LLC, Planning File No. ZON 2014-01.

Mayor Pam VanArsdale declared the public hearing opened at 7:24 p.m. and read a prepared script that is permanent document of the file.

Mayor Pam VanArsdale asked for abstentions or declare ex-parte conduct from the City Council members? No comments were heard.

Mayor Pam VanArsdale asked the audience if anyone wished to challenge any member of the City Council's qualifications to participate in the hearing? No comments were heard.

Mayor Pam VanArsdale stated that

City Planner Lois DeBenedetti presented the Staff Report and Planning Commission Recommendation for File No. ZON2014-01 as submitted into the land use file for 501 East Main Street, T36S, R4W, 15cd Tax Lot 900. The recommendation stated that the zone change request was consistent with State wide planning goals, the Rogue River Comprehensive Plan and Polices. She commented that the tax lot was zoned residential and commercial. The new development of the property that has been approved for the Lil' Pantry wished that the entire property be rezoned to commercial.

MOVED (COMBS), SECONDED (POLING) AND CARRIED TO CLOSE THE PUBLIC HEARING.

Mayor Pam VanArsdale declared the public hearing closed at 7:34 p.m.

AGENDA ITEM 8 **Zone Change:** The City Council to approve, deny or continue an application for a Zone change from Residential R-2 to Commercial C-1 for property at 501 East Main Street, Rogue River. Applicant: HRP, LLC, Planning File No. ZON 2014-01.

City Planner Lois DeBenedetti stated that she did hear the motion made to close the public hearing and asked the Mayor and City Council to consider reopening the public hearing, and to continue the public hearing and Agenda Item 8 to the next City Council meeting.

MOVED (POLING), SECONDED (COMBS) TO APPROVE PLANNING FILE

ZONE2014-01, A ZONE CHANGE OF A PORTION OF TAX LOT 900 FROM RESIDENTIAL (R-2) TO COMMERCIAL (C-1) SAID PROPERTY IS LOCATED AT 501 EAST MAIN STREET, ROGUE RIVER, OREGON, LEGALLY KNOWN AS T36S, R4W, 15CD TAX LOT 900, AS IT CAN COMPLY WITH THE APPLICABLE CRITERIA AS LISTED IN THE ROGUE RIVER MUNICIPAL CODE, AS FOLLOWS: THE PROPOSED ZONE CHANGE IS CONSISTENT WITH THE APPLICABLE STATEWIDE PLANNING GOALS; CONSISTENT WITH THE ROGUE RIVER COMPREHENSIVE PLAN, CONSISTENT WITH THE FACILITY PLANS FOR THE CITY OF ROGUE RIVER; THE CITY COUNCIL CONCLUDES THAT THE PROPOSED ZONE CHANGE IS DEEMED NECESSARY TO PROTECT THE PUBLIC HEALTH, SAFETY, GENERAL WELFARE OF THE CITIZENS OF THE CITY OF ROGUE RIVER; AND, CONTINUE THE PUBLIC HEARING TO JUNE 26, 2014 AT 7:00 P.M. AND DIRECT STAFF TO PREPARE AN ORDINANCE FOR COUNCIL APPROVAL.

Mayor Pam VanArsdale declared the Public Hearing reopened and continued to June 26, 2014 at 7:00 p.m.

AGENDA ITEM 9 **Agreement:** The City Council to authorize the Mayor to sign a lease agreement with Umpqua Bank for bank property used by the City for a public parking lot.

Mayor Pam VanArsdale commented that this was a three year lease and that the property was maintained by Umpqua Bank.

MOVED (SPENCER), SECONDED (COMBS) AND CARRIED TO AUTHORIZE THE MAYOR TO SIGN A LEASE AGREEMENT WITH UMPQUA BANK FOR BANK PROPERTY USED BY THE CITY FOR A PUBLIC PARKING LOT.

AGENDA ITEM 10 **Agreement:** The City Council to authorize the Mayor to sign a lease agreement with the Rogue River Chamber of Commerce for City property used for the Rogue River Chamber of Commerce office building.

MOVED (SPENCER), SECONDED (SHAMBLIN) AND CARRIED TO AUTHORIZE THE MAYOR TO SIGN A LEASE AGREEMENT WITH THE ROGUE RIVER CHAMBER OF COMMERCE FOR CITY PROPERTY USED FOR THE ROGUE RIVER CHAMBER OF COMMERCE OFFICE BUILDING.

AGENDA ITEM 11 **Appointment:** The City Council to consider the appointment of Steven Bush to the Tree City Committee.

MOVED (SPENCER), SECONDED (POLING) AND CARRIED TO APPOINT STEVEN BUSH TO THE TREE CITY COMMITTEE.

The Mayor and City Council welcomed Mr. Bush and thank him for volunteering.

AGENDA ITEM 12 Resignation: The City Council to accept a resignation from Council Advisory Member Mary Ritch.

MOVED (SPENCER), SECONDED (POLING) AND CARRIED TO ACCEPT A RESIGNATION FROM COUNCIL ADVISORY MEMBER MARY RITCH WITH REGRET.

Mayor Pam VanArsdale commented that Mary Ritch had served on the Council Advisory Committee for 18-years.

AGENDA ITEM 13 Request: The City Council to consider a request to waive the Liquor License Application fee set in RRM Chapter 5.15. Applicant: William Neiswanger.

MOVED (POLING), SECONDED (SPENCER) AND CARRIED TO WAIVE THE LIQUOR LICENSE APPLICATION FEE SET IN RRM CHAPTER 5.15 FOR THE CATTLEMEN'S SALOON.

City Councilor Mark Poling commented that the reason for waiving the fee was because the cover charge was going to benefit the ROC for youth activities.

AGENDA ITEM 14 Liquor License: The City Council to authorize the Mayor to sign an Oregon Liquor Control Commission Temporary Use of an Annual License for the Cattlemen's Saloon at 108 Depot Street to hold a beer garden on June 27-29, 2014. Applicant: William Neiswanger, Owner.

MOVED (COMBS), SECONDED (SHAMBLIN) AND CARRIED TO AUTHORIZE THE MAYOR TO SIGN AN OREGON LIQUOR CONTROL COMMISSION TEMPORARY USE OF AN ANNUAL LICENSE FOR THE CATTLEMEN'S SALOON AT 108 DEPOT STREET TO HOLD A BEER GARDEN ON JUNE 27-29, 2014.

AGENDA ITEM 15 Request: The City Council to consider a request to waive the Liquor License Application fee set in RRM Chapter 5.15. Applicant: Michael Genske, House Committee Chairman.

MOVED (POLING), SECONDED (SPENCER) AND CARRIED TO WAIVE THE LIQUOR LICENSE APPLICATION FEE SET IN RRM CHAPTER 5.15 FOR THE VETERANS OF FOREIGN WARS POST 4116, APPLICANT MICHAEL GENSKA, HOUSE COMMITTEE CHAIRMAN.

Mayor Pam VanArsdale commented that the funds they collect were going to their Scholarship fund.

AGENDA ITEM 16 Liquor License: The City Council to authorize the Mayor to sign an Oregon Liquor Control Commission Temporary Use of an Annual License for the Rogue River

Veterans of Foreign Wars Post 4116 at 410 East Main Street to hold a beer garden on June 27-28, 2014. Applicant: Amber Spurlock, Bar Manager.

MOVED (POLING), SECONDED (SHAMBLIN) AND CARRIED TO AUTHORIZE THE MAYOR TO SIGN AN OREGON LIQUOR CONTROL COMMISSION TEMPORARY USE OF AN ANNUAL LICENSE FOR THE ROGUE RIVER VETERANS OF FOREIGN WARS POST 4116 AT 410 EAST MAIN STREET TO HOLD A BEER GARDEN ON JUNE 27-28, 2014, APPLICANT AMBER SPURLOCK, BAR MANAGER.

OTHER BUSINESS:

City Administrator Mark Reagles told the City Council that he had been asked for permission to close down Depot Street between Pine Street and East Main Street for the downtown merchants to hold a sidewalk event on Saturday, June 28, 2014 in conjunction with Rooster Crow.

Rogue River Chamber of Commerce President Bryan Dorsey told the City Council when "Art in the Plaza" decided to move their event across the river a representative from the Chamber contacted the downtown merchants and in an attempt to promote the downtown area during the Rooster Crow weekend asked the City Council to allow the street to remain closed after the parade to give the merchants an opportunity to expand their business out into the street to generate more business.

City Councilor Earl Shamblin expressed a concern for the need of traffic control.

City Councilor Mark Poling said it was a great idea.

MOVED (SPENCER), SECONDED (COMBS) TO CLOSE DEPOT STREET FROM WEST MAIN TO PINE STREET ON ROOSTER CROW DAY FROM 9:00 A.M. TO 5:00 P.M.

AGENDA ITEM 17 Executive Session: The City Council to hold an Executive Session in accordance with ORS 192.660(2)(d) to conduct deliberations with person(s) designated by the governing body to carry on labor negotiations.

Mayor Pam VanArsdale informed the audience that the City Council would be holding an Executive Session and allowed the audience time to leave the building and for staff to change the tape.

The City Council convened into Executive Session in accordance with ORS 192.660(2)(d) at 7:55 p.m.

The Executive Session ended and the Regular Council meeting reconvened at 8:25

p.m.

ADJOURN

There being no further business to come before the City Council and upon motion duly made (SPENCER), seconded (COMBS) and carried, the meeting adjourned at 8:26 p.m.

ATTEST:

Carol J. Weir, MMC
Deputy Recorder