

CITY OF ROGUE RIVER

City Council Minutes

THURSDAY, OCTOBER 26, 2017

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 Sharon Boland with the Hope Alive Foursquare 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 Fred England
City Councilor Shelli Spencer
City Councilor Don Daugherty

COUNCIL MEMBERS ABSENT:
City Councilor Mark Poling
City Councilor Robert Catherwood

ALSO PRESENT:
Mark Reagles, City Administrator/Planner
Carol Weir, City Recorder

A quorum was present and due notice had been published.

COMMITTEE REPORTS:

Finance Committee: City Councilor Don Daugherty reported that they met twice during the month of August 2017 to review and approve bills and signed 69-checks totaling \$90,755.42 and during the month of September 2017 they met twice to review and approved bills and signed 62-checks totaling \$78,378.15.

Police Commission: City Councilor Fred England reported that they met and commented that at the recent Municipal Court that they held for arraignments they had 11-defendants. Of those 11-defendants a total of \$6,000 was the presumptive bail and the Judge reduced the total of those defendants to a total of \$4,800 in fines. Out of the \$4,800 in fines the Court collected \$290 which was a 6% recovery rate. He said that the Court was not doing well with bringing revenue in, not that was the sole purpose, but he wanted them to be aware. He also commented that the Police Department was still afloat, though missing one officer, dope arrests were still continuing.

Rogue Valley Council or Governments (RVCOG): Mayor Pam VanArsdale reported they heard an update on “Food and Friends” in Josephine County hoping to go out for a construction bid in early 2018. She said that the RVCOG Director Michael Cavalaro was concerned with the cost of lumber increasing due to the fires especially in Northern California so he was watching that very closely. They were hearing that was not the case but if there were an increase they might not continue with the purchase. And, the RVCOG was going to be sending their Natural Resource employee to get certified to operate a drone, with thoughts that it could be used for many different projects such as development, storm water study and make it available to all the jurisdictions. There would probably be a charge for the use of the drone but it would be less expensive than purchasing a drone and training someone to operate it.

PUBLIC INPUT:

Richard Oldham of Foothills Creek Road, Gold Hill, presented the Mayor and City Councilors handouts regarding the City’s web-site. He said that a Cities website was a public face and he wanted to draw their attention to an opportunity Planning Commission portion of the website was good but all the other departments were poor or non existent. He commented the City Council simply needed to resolve the 4-years of neglect of the website was enough. He said that they needed to look for a retired English Teacher, someone with energy, ability and most of all the time that the City does not have to do it themselves. He suggested that someone explain to them the roles of the City and what the committees do and let them write it up. The advantage of using volunteers were valuable for website assistance. The volunteers never get to post anything directly onto the City website. Also, need to update the organization links.

Mayor Pam VanArsdale told Mr. Oldham that she was not so sure about what his concern was with the City’s website. She was aware that he was a citizen of the county but not a citizen of the City.

Mr. Oldham said that somehow he votes for the Mayor and City Councilors.

Mayor Pam VanArsdale said he could not have voted for the City and they would need to contact the County Clerk because he was not in the City limits and he should not be voting for anybody in City limits. She said that they appreciate his concern, that they do the best they can with what they have and they are always looking for volunteers for many of their committees but it’s not as easy as it sounds. She also commented that there are things that the City cannot use volunteers for such as access to the City computers.

Mr. Oldham said he did not agree that volunteers would not be able to use City computers.

Mayor Pam VanArsdale told Mr. Oldham that she would take that under advisement and they could talk about during a work session. And, told him that she appreciated his concern.

Mr. Oldham continued to comment that all the organizations that the City belonged to all have their own website's, all with excellent descriptions

NEW BUSINESS:

AGENDA ITEM 1 Public Hearing: A request to hook up to City sewer services from Haitham and Sheili Haddad for property at 200 Stiehl Lane, Rogue River, Oregon, legally described as T36S, R4W, Section 15, Tax Lot 1604. Agent: Cliff Combs.

Mayor Pam VanArsdale declared the Public Hearing open at 7:17 pm.

Mayor Pam VanArsdale read a prepared Order of Procedure script which is a permanent part of the record.

Mayor Pam VanArsdale asked the City Councilor's present who wished to declare ex-parte contact, site visit, or feel they may had a conflict of interest, bias, or other reason to be disqualified from participation in the hearing.

There were no comments made by the City Councilors.

Mayor Pam VanArsdale asked the audience if there was anyone that wished to challenge any of the City Councilor's qualifications to participate in the hearing?

There were no comments from anyone in the audience.

City Administrator Mark Reagles commented that during a workshop the applicants agent had brought up some concerns about the location of the lines and where they were coming from and based on whether they found it to be economical for the City. There had been a concern about a sewage drain field and septic system that was located inside the City limits because the City always works very hard to eliminate those. For those two reasons staff was recommending that the City Council grant their request to connect to the City sewer system.

Mayor Pam VanArsdale asked the audience if there was anyone that wished to make a statement?

There were no comments from the audience.

MOVED (ENGLAND), SECONDED (DAUGHERTY) AND CARRIED TO CLOSE THE PUBLIC HEARING.

Mayor Pam VanArsdale declared the Public Hearing closed at 7:20 p.m. and stated that no more input would be allowed without permission from the City Council.

MOVED (SPENCER), SECONDED (ENGLAND) AND CARRIED TO APPROVE THE REQUEST TO HOOK UP TO CITY SEWER SERVICE FOR PROPERTY OUTSIDE THE CITY LIMITS AT 200 STIEHL LANE, FROM HAITHAM AND SHEILI HADDAD AND AUTHORIZE THE MAYOR TO SIGN THE ANNEXATION AGREEMENT, THE MEMORANDUM OF ANNEXATION AGREEMENT AND THE CONDITIONS OF CONTRACT OF ANNEXATION.

AGENDA ITEM 2 **Agreement:** A Retainer Agreement between the City and Steven E. Rich, Attorney at Law effective January 1, 2018 to continue serving as legal counsel and advisor to the City and its officials and authorized agents.

MOVED (SPENCER), SECONDED (ENGLAND) AND CARRIED TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN THE RETAINER AGREEMENT BETWEEN THE CITY AND STEVEN E. RICH, ATTORNEY AT LAW EFFECTIVE JANUARY 1, 2018 TO CONTINUE SERVING AS LEGAL COUNSEL AND ADVISOR TO THE CITY AND ITS OFFICIALS AND AUTHORIZED AGENTS.

After the agenda item was concluded then Mr. Oldham said that the City was paying the Attorney in advance and wanted to know how many hours did the City Attorney actually give the City?

Mayor Pam VanArsdale said that Mr. Rich had been the City Attorney for 20+ years and asked what was his concern?

City Administrator Mark Reagles asked Mr. Oldham if he had read the agreement?

Mr. Oldham said he did.

City Administrator Mark Reagles told Mr. Oldham that he should had seen that the agreement was for 100-hours.

Mr. Oldham said no exactly, he repeated himself to ask how many hours did the Attorney actually give the City?

Mayor Pam VanArsdale said that the Attorney gave many more than 100-hours.

City Administrator Mark Reagles said that the agreement was based on an average of the average for the last couple of years then they determine the base amount for what that would be.

Mayor Pam VanArsdale said that it changes from year to year. Sometimes the City

needs more than 100-hours and other years they don't need that much.

Mr. Oldham thanked the Mayor for satisfying his curiosity.

AGENDA ITEM 3 **Agreement:** A First Amendment to the ODOT Loan Agreement, Series 2013A, Bond No. 1.

MOVED (SPENCER), SECONDED (DAUGHERTY) AND CARRIED TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN THE FIRST AMENDMENT TO THE ODOT LOAN AGREEMENT, SERIES 2013A, BOND NO. 1 ALLOWING AN EXTENSION.

AGENDA ITEM 4 **Agreement:** A First Amendment to the ODOT Loan Agreement, Series 2013B, Bond No. 2.

MOVED (ENGLAND), SECONDED (DAUGHERTY) AND CARRIED TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN THE FIRST AMENDMENT TO THE ODOT LOAN AGREEMENT, SERIES 2013B, BOND NO. 2 ALLOWING AN EXTENSION.

AGENDA ITEM 5 **Liquor License:** A new Oregon Liquor License Application for limited on premise sales for Rogue Burrito located at 308 East Main Street, Rogue River, Oregon. Applicant: Josh Terranova, Owner.

MOVED (ENGLAND), SECONDED (DAUGHERTY) AND CARRIED TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN THE NEW OREGON LIQUOR LICENSE APPLICATION FOR LIMITED ON PREMISE SALES FOR ROGUE BURRITO LOCATED AT 308 EAST MAIN STREET, ROGUE RIVER, OREGON. APPLICANT: JOSH TERRANOVA, OWNER.

AGENDA ITEM 6 **Liquor License:** An Oregon Liquor License Renewal Application for Off-Premises Sales for A 1 Market #11 at 8981 Rogue River Highway, Rogue River, Oregon. Applicant: Ashok Bala, LLC.

MOVED (ENGLAND), SECONDED (DAUGHERTY) AND CARRIED TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN THE OREGON LIQUOR LICENSE RENEWAL APPLICATION FOR OFF-PREMISES SALES FOR A 1 MARKET #11 AT 8981 ROGUE RIVER HIGHWAY, ROGUE RIVER, OREGON. APPLICANT: ASHOK BALA, LLC.

AGENDA ITEM 7 **Donation:** A request from the League of Oregon Cities (LOC) Foundation Board to contribute to their scholarship fund benefitting scholarships for the Oregon Mayors Association, and the LOC Conference and training workshops.

MOVED (SPENCER), SECONDED (DAUGHERTY)

Mr. Oldham handed out another document titled “Not Yours to Give: Davy Crockett and Welfare”. He said that a donation was not the City’s job because it was not a charity. His concern was that this was the worst proposal because the money was not the nature of the transaction was not going to the citizens of Rogue River. It was going to be distributed to an organization to be distributed willy nilly. The principal that he was urging them was not to do any while in public office that could be viewed as a crime as a private citizen and prosecuted as arm robbery.

Mayor Pam VanArsdale stated that once again she wanted to point out to Mr. Oldham that he was not a citizen of the City of Rogue River and what the City Council did really didn’t affect him. She appreciated his concern. She explained that the particular scholarship fund had benefitted the City many times. In the past Mayors had received scholarship to attend the Mayor’s conference along with giving Mayors, City Councilors and Staff the opportunity to attend the League of Oregon Cities conferences. She also commented that what the City received was three times more the cost of what was donated.

Mr. Oldham said that they could do what ever they wished with what was in their own wallets. If the cause was truly that great there were citizens of Rogue River that have concerns.

Mayor Pam VanArsdale commented that there were no citizens of Rogue River attending the meeting saying that they did not want the City Council to donate to the scholarship fund foundation. The citizens had voted for the City Councilor’s to make those decisions for them.

MOTION CARRIED TO APPROVE THE REQUEST FROM THE LEAGUE OF OREGON CITIES (LOC) FOUNDATION BOARD TO CONTRIBUTE TO THEIR SCHOLARSHIP FUND BENEFITTING SCHOLARSHIPS FOR THE OREGON MAYORS ASSOCIATION, AND THE LOC CONFERENCE AND TRAINING WORKSHOPS IN THE AMOUNT OF \$110.

AGENDA ITEM 8 **Support Letter:** A request from Southern Oregon Sanitation (SOS) for support in obtaining a waiver from the Oregon Department of Environmental Quality (DEQ) to landfill recyclable materials collected within Jackson County during the current recycling market crises.

MOVED (SPENCER), SECONDED (DAUGHERTY)

Trent Carpenter, General Manager of Southern Oregon Sanitation said unfortunately he had not been able to come before them with great news but he did say that Rogue River had the least expensive rates in Jackson County. He said that

the west coast was in a recycle crisis because China was cutting down on the amount of material they wanted. They had been buying about \$6-billion worth of material from the west coast alone and when they said stop that made a huge difference. DEQ came out that day with the procedure on how to apply for because it was statutory of what had to be recycled and they needed to be in concurrence with depositing recycling into the landfill. So now they need permission to be able to take the recycling to the landfill because there was no market for it. He said that it was not going to be fun or exciting but it would probably give SOS an opportunity to redesign their recycling system. SOS believes in recycling and they were looking to redevelop a \$3.5-million facility right next to their Redwood Avenue location just to bail and recycle material. They knew that it would turn around but right now, it wasn't there yet. He said they take their recycling to Rogue Disposal but right now Rogue Disposal, which they call Rogue Material and Recovery, had more than 1,000 bails sitting at their location with no place to take it. He said by working with the City they were not going to violate any State Statutes of taking that much material to the land fill. He assured the City Council that they would be reporting monthly to the DEQ. They really do not want to take the recycling to the landfill and are determined to turn it around as soon as they can. They will continue to run their recycle trucks because of the 600+ customers in Rogue River the phone would not stop ringing from those customers. They will be keeping the customers informed of their process and providing them with a new list of recycling that they could take.

City Recorder Carol Weir asked Mr. Carpenter if the Redwood Avenue facility would remain open to take recycling?

Trent Carpenter said it would remain open but at a very limited capacity. He said unfortunately they would eventually be shutting down the plastics bailer and the paper bailer. They would continue to take motor oil from residential quantities, glass, cardboard and aluminum and tin cans. He said that you don't see much newspaper anymore and one good thing was that January 2018 all the sports bottles will have a \$.10 deposit so people would be recycling them through the bottle bill recycling process.

Mayor Pam VanArsdale commented that at least paper that goes into the landfill will break down.

Trent Carpenter said that Southern Oregon had done a really good job of what they call clean recycling. They were running around 4% to 5% contamination. The bigger City's were at 15% to 20% and that's why China has said they don't want garbage anymore, they only want clean recycling projects and eventually they only want ½% of contamination. There was also the wishful recycling where customers put all their recycling in one bin and hope that they will sort it out for them and they do a really good job of it. He said that even with all the education they provide they still need to cut down their percentage by 4% or 5%. They're aware that they need to make

the recycling process very simple to the customers.

Mayor Pam VanArsdale told Mr. Carpenter that they appreciate their efforts knowing that they don't have a choice in what they're going to do until the recycling programs opens back up.

City Councilor Sheili Spencer asked if SOS would be sending out a notice of what and not what to recycle?

Trent Carpenter said they were going to do a two phase notification explaining how they are going to continue to recycling and when the new program starts they would be doing a media blitz for everyone. That's why they want to continue with the blue cart program, they don't want people to stop, but they will be informing of the new program and hopefully everyone will do it right. He assured the Mayor and City Council that all the other City's and Counties are in favor of the endorsement.

Mayor Pam VanArsdale called for the vote.

MOTION CARRIED TO APPROVE THE REQUEST FROM SOUTHERN OREGON SANITATION (SOS) AND AUTHORIZE THE MAYOR TO SIGN A LETTER OF SUPPORT IN OBTAINING A WAIVER FROM THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) TO LANDFILL RECYCLABLE MATERIALS COLLECTED WITHIN JACKSON COUNTY DURING THE CURRENT RECYCLING MARKET CRISES.

AGENDA ITEM 9 **Resignation:** A resignation from Planning Commissioner Evan Goeglein effective November 1, 2017 and declare a vacancy.

Mayor Pam VanArsdale read Mr. Goeglein's letter into the record as follows:

"Dear Mayor and City Council of the City of Rogue River: It is with deepest regret that I must tender my resignation from the Planning Commission effective November 1, 2017. It has been a true joy to serve the citizens of this city for the past several years and I can definitely say that my service has helped me better understand the value of this great city.

My wife and I have been looking to establish ourselves on a property with a larger, more comfortable yard as we hope to start a family. It has been our great hope to find the perfect property within the boundaries of Rogue River so to continue my service for the city and to continue to enjoy this fantastic community. But alas, due to a low-inventory housing market, the home we located which meets our needs was found nearby but outside of Rogue River city limits. While I still consider myself a member of this community, and continue to work as a Pastor in the City of Rogue River, the location of my new residence disqualifies me for continued service on the Planning Commission. I hope to continue to serve our community in other ways that might be beneficial.

Thank you for having me in service these last several years, as it has been a true honor

and pleasure. Though it is sad to leave, I know that the Planning Commission continues to provide excellent service to the city through the remaining commissioners who continue to donate hours of their time for devoted service to the City. Thank you also to the City Administrative staff who work so hard to help the Planning Commission carry out its duty with understanding and take care of difficult leg work which makes citizen service a joy. Any given City is only as good as its Administrative Staff, which is, in part, what makes Rogue River the wonderful City it is." Sincerely signed, Evan Goeglein

MOVED (SPENCER), SECONDED (ENGLAND) AND CARRIED TO ACCEPT THE LETTER OF RESIGNATION FROM PLANNING COMMISSIONER EVAN GOEGLIN EFFECTIVE NOVEMBER 1, 2017 AND DECLARE A VACANCY.

AGENDA ITEM 10 Appointment: Consider a recommendation to appoint James Alan Dyck to the Tree City Committee.

MOVED (ENGLAND), SECONDED (SPENCER) AND CARRIED TO APPROVE THE RECOMMENDATION TO APPOINT JAMES ALAN DYCK TO THE TREE CITY COMMITTEE.

AGENDA ITEM 11 Budget Calendar: Consider adopting the Budget Calendar for the 2018-2019 Annual Budget.

MOVED (SPENCER), SECONDED (DAUGHERTY) AND CARRIED TO ADOPT THE BUDGET CALENDAR FOR THE 2018-2019 ANNUAL BUDGET.

Mayor Pam VanArsdale asked the City Council to be sure to keep those meeting date open.

OTHER BUSINESS:

Mayor Pam VanArsdale read a Proclamation that proclaimed November 10, 2017 as the day set aside for the distribution of Buddy Poppies in Rogue River in honor of Veterans Day.

County Commissioner Colleen Roberts reported that they had been gathering together information about the recent smoke issues from the fires experienced throughout the Rogue Valley. She said they had hope to have had a congressional hearing but they were contacting people with local events, school and sport event shut downs, along with their forest management program.

Mayor Pam VanArsdale said she felt the most issues it caused for the citizens of Rogue River dealt with health issues. But she didn't know how you would quantify that without doing a survey of everybody.

County Commissioner Colleen Roberts also reported that they held a public hearing for the renaming of Dead Indian Memorial Road. They heard suggestions like

dropping the word dead and Indian but the public record would remain open until November 2, 2017 for more comments.

Mayor Pam VanArsdale asked the County Commissioner if they awarded donations to local projects?

County Commission Colleen Roberts replied that they do but she doesn't always agree with it but they have to be taken seriously.

Mayor Pam VanArsdale said that they really have to consider the request and determine which fund the money needs to come from or if it was actually something that they needed to personally give to. Along with donations to other entities they have to consider what they get in return.

City Administrator Mark Reagles informed the County Commissioner that the next City Council meeting would be held on Thursday, November 30, 2017 because of the Thanksgiving holiday.

ADJOURN

There being no further business to come before the City Council and upon motion duly made (SPENCER), seconded (ENGLAND) and carried, the meeting adjourned at 7:55 p.m.

ATTEST:

Carol J. Weir, MMC
City Recorder