

CITY OF ROGUE RIVER

City Council Minutes

THURSDAY, FEBRUARY 25, 2021

CITY HALL COUNCIL CHAMBERS

CITY OF ROGUE RIVER, JACKSON COUNTY, OREGON

CALL TO ORDER The Regular Council meeting was called to order by Mayor Wayne Stuart at 6:00 p.m.

INVOCATION City Administrator Mark Reagles delivered the Invocation

PLEDGE OF ALLEGIANCE Mayor Wayne Stuart led the Council and audience in the Pledge of Allegiance

QUORUM **COUNCIL MEMBERS PRESENT:**

Mayor Wayne Stuart
City Councilor Bob Pascalar
City Councilor Rick Kempa
City Councilor Pam VanArsdale
City Councilor Barb Hilty
City Councilor Don Daugherty
City Councilor Barb Gregory

ALSO PRESENT:

Mark Reagles, City Administrator
Carol Weir, City Recorder
Mike Bollweg, Public Works Director
Jim Williams, Chief of Police
Ryan Nolan, City Planner (departed at 6:45 p.m.)
Paige Chick, Clerk Typist

LEGAL COUNSEL:

Michael Franell, Attorney At Law - via phone

MEDIA PRESENT:

Brian Mortensen, Rogue River Press

A quorum was present and due notice had been published.

COMMITTEE REPORTS:

Community Relations; Rogue River Chamber of Commerce: City Councilor Rick Kempa reported that the visitor center had been open on and off.

Community Relations; Rogue River Community Center: City Councilor Barb Hilty reported the Community Center has hoped to be open daily from 9:00 a.m. to 4:00 p.m. and that Food and Friends were delivering meals and doing well.

Emergency Communication of Southern Oregon: Mayor Wayne Stuart reported that they were continuing to work with Motorola with design and replacement with the new radio infrastructure. At their next meeting they plan to discuss their budget.

Finance Committee: City Councilor Don Daugherty reported that they had met twice during the month of January 2021 to review and approve bills as submitted and signed 65-checks totaling \$207,519.30.

Middle Rogue Metropolitan Planning Organization (MRMPO): City Councilor Pam VanArsdale reported that she had once again been voted as Vice Chair and that Rogue River's dues would only be going up by \$12 for the year.

Personnel Committee: City Councilor Pam VanArsdale reported that they had discussed the hiring process for the new Police Chief.

Planning Commission Liaison: City Councilor Barb Gregory reported that the Planning Commission had elected their new officers for the calendar year. They discussed mobile vendors and implementing a \$1,000 business license fee along with an administrative fee but not until after the COVID-19 Pandemic was over. They also reviewed landscaping design standards.

Rogue Valley Council of Governments: Mayor Wayne Stuart reported that they had approved their budget and audit. Nominations and elections were approved and they approved a Carpenter Grant for updating the mile marker information along the Greenway. He also commented that the Shake Alert program would go into effect March 11, 2021 which would be free on Android phones and they were still waiting from a couple of jurisdictions their desired locations for the Wild Fire cameras.

Council Advisory Committee: Chair Francis Gilbert reported that they had discussed the request from the Chamber of Commerce to contribute to the cost of maintaining their website and expressed a concern if the services would be shared with the City. They also discussed the recent update on the Wild Fire Alert program.

OLD BUSINESS:

AGENDA ITEM 1 **Council Bill No. 21-2413; Ordinance No. 21-408-O:** An Ordinance amending Rogue River Municipal Code Chapter 17, Zoning regulations for the City of Rogue River, Oregon.

MOVED (VANARSDALE), SECONDED (GREGORY) AND CARRIED TO ADOPT COUNCIL BILL NO. 21-2413.

NEW BUSINESS:

AGENDA ITEM 2 **Council Bill No. 21-2417; 21-409-O:** An Ordinance repealing Ordinance No. 11-372-O pertaining to Rogue River Municipal Code Chapter 15.15, Flood Damage Prevention for the City of Rogue River, Oregon.

Mayor Wayne Stuart declared the Public Hearing opened at 6:17 p.m. by reading a prepared statement that became a permanent part of the record.

Mayor Wayne Stuart asked if there were any objections about the City Council to hold the public hearing. No comments were heard.

Mayor Wayne Stuart asked the City Council if any of them wished to declare ex-parte contact, site visits, or if they had a conflict of interest. No comments were heard.

Mayor Wayne Stuart asked if anyone wished to challenge any of the City Councilor's qualifications to participate in the hearing. No comments were heard.

City Planner Ryan Nolan who is contracted with the City through Rogue River Council of Governments presented his prepared staff report that is a permanent part of the record. He stated that Section 15.15 - Flood Damage Prevention, was being amended and within it all subsections provided standards regarding development with the special flood hazard areas in the City as required by both the State Department of Land Conservation and Development (DLCD) and the Federal Emergency Management Agency (FEMA). This document included findings of fact, conclusion of law and applicable criteria.

City Planner Ryan Nolan commented that the City of Rogue River was one of the few communities that participated in the rating system which allowed the citizens to receive a reduction in their insurance premiums.

City Planner Ryan Nolan stated in his report that he has used DLCD's model flood damage prevention ordinance to make the changes required to meet the model language. As a participating member in FEMA's Community Rating System (CRS) to lower flood insurance rates stricter requirements would need be adopted offering citizens the highest discount on their insurance rates. One of those requirements involved changing the placement height of mechanical equipment in the 100-year floodplain at or above Base Flood Elevation to a minimum of one foot above the base flood elevation.

City Planner Ryan Nolan also mentioned that other significant changes included legal housekeeping and missing language regarding garages, tanks and accessory structures; structures located in multiple or partial zones would have to abide by the most restrictive standards; placement or replacement of existing manufactured homes in the floodway required an engineering "No-rise" analysis for any placement in the floodway; and, recreational vehicle parks in floodways must meet the

requirements for being road ready, parked on a site for fewer than 180-consecutive days or meet the requirements for manufactured dwellings.

City Planner Ryan Nolan and the Planning Commission's recommendation were that the proposed ordinance complied with the City's Comprehensive Plan Goals specifically Goal 7 and requirements of any proposed municipal code text as outlined in Chapter 17.125.010 and replace Section 15.15 in it entirety with text found in Council Bill No. 21-2417.

Mayor Wayne Stuart asked if anyone wished to speak noting that failure to raise an issue with sufficient specificity to afford the decision making body an opportunity to respond to the issue precludes an appeal based on the issue.

Mayor Wayne Stuart declared the public hearing be continued to April 25, 2021 at 6:00 p.m.

MOVED (HILTY), SECONDED (VANARSDALE) AND CARRIED TO ADOPT COUNCIL BILL NO. 21-2417.

AGENDA ITEM 3 **Council Bill No. 21-2418:** An Ordinance amending Rogue River Municipal Code Chapter 18.10, Annexation procedures for the City of Rogue River, Oregon.

Mayor Wayne Stuart declared the Public Hearing opened at 6:40 p.m. by reading a prepared statement that became a permanent part of the record.

Mayor Wayne Stuart asked if there were any objections about the City Council to hold the public hearing. No comments were heard.

Mayor Wayne Stuart asked the City Councilor if any of them wished to declare ex-parte contact, site visits, or if they had a conflict of interest, bias or other reason to be disqualified from participation in the hearing. No comments were heard.

Mayor Wayne Stuart asked if anyone wished to challenge any of the City Councilor's qualifications to participate in the hearing. No comments were heard.

City Administrator Mark Reagles stated that State law had preempted the City's ability to continue with voters' annexation. Recently an inquiry had been received to apply for an annexation and the way the code currently read he found it very difficult to understand the process they would need to follow. After the review by staff, the Planner and Attorney, their recommendation was to amend the code. Though, after further discussion with staff he recommended that the City Council continue the public hearing and leave the hearing open to the next meeting to tighten up the language to make it clear to anyone who wished to proceed with the process and what would be required of them before they got to that point. Such as, can the City's infrastructure handle the additional load.

Council Advisory Committee Chair, Francis Guilbert said that he saw a number of issues that he felt needed to be addressed. Other cities in Oregon were also faced with the same difficult issues and endorsed that the City Council keeps the public hearing open.

Mayor Wayne Stuart declared the public hearing be continued to April 25, 2021 at 6:00 p.m.

MOVED (VANARSDALE), SECONDED (PASCALAR) AND CARRIED TO CONTINUE THE PUBLIC HEARING AND COUNCIL BILL NO. 21-2418 TO MARCH 25, 2021 AT 6:00 P.M.

AGENDA ITEM 4 **Council Bill No. 21-2419; Resolution No. 21-1380-R:** A Resolution establishing a fee schedule as provided in Rogue River Municipal Code Chapter 13.10 the City of Rogue River Sewer Ordinance and rescinding Resolution No. 20-1360-R.

MOVED (HILTY), SECONDED (PASCALAR) AND CARRIED TO ADOPT COUNCIL BILL NO. 21-2419.

AGENDA ITEM 5 **Request:** A request from the Rogue River Greenway to hold the 12th Annual Ride the Rogue event from September 17-18, 2021, and waive the reservation fees for Palmerton Park Arboretum.

MOVED (VANARSDALE), SECONDED (PASCALAR) AND CARRIED TO APPROVE THE REQUEST FROM THE ROGUE RIVER GREENWAY TO HOLD THE 12TH ANNUAL RIDE THE ROGUE EVENT FROM SEPTEMBER 17-18, 2021 AND WAIVE THE RESERVATION FEES FOR PALMERTON PARK ARBORETUM.

AGENDA ITEM 6 **Request:** A request from the Pacific Northwest Chapter of the International Society of Arboriculture to hold the Southern Oregon Regional Professional Tree Climbing Competition for October 15-17, 2021 in Palmerton Park Arboretum.

MOVED (HILTY), SECONDED (KEMPA) AND CARRIED TO APPROVE THE REQUEST FROM THE PACIFIC NORTHWEST CHAPTER OF THE INTERNATIONAL SOCIETY OF ARBORICULTURE TO HOLD THE SOUTHERN OREGON REGIONAL PROFESSIONAL TREE CLIMBING COMPETITION FOR OCTOBER 15-17, 2021 IN PALMERTON PARK ARBORETUM.

AGENDA ITEM 7 **Request:** A request from the Rogue River Chamber of Commerce for the City to pay 50% of the monthly cost for a tourism campaign social media management and marketing services.

MOVED (VANARSDALE), SECONDED (GREGORY) TO APPROVE THE REQUEST FROM THE ROGUE RIVER CHAMBER OF COMMERCE FOR THE CITY TO PAY 50% OF THE MONTHLY COST FOR A TOURISM CAMPAIGN

SOCIAL MEDIA MANAGEMENT AND MARKETING SERVICES NOT TO EXCEED \$200 A MONTH AND FOLLOWING THE CHAMBERS PAYMENT.

Council Advisory Committee Chair, Francis Guilbert questioned why the City was not looking at other options or companies for the services mentioned in the request.

City Councilor Pam VanArsdale commented that the way she read the request was for the Chamber of Commerce website and not the City. The City was a member of the Chamber of Commerce so as with all the other businesses that were also members there would be logos represented on the site. But it was not that the City was getting any of the services, it's the Chamber of Commerce's website. If the website was for the City, the City would solicit bids for website services.

City Councilor Rick Kempa commented that people would be able to use the Chamber's website to get to the City's website.

City Councilor Barb Hilty asked if there were any other organizations that the City had paid to each month. She realized that the Miss Rogue River Scholarship and Rooster Crow came once a year but was there anyone else that was being paid monthly.

City Administrator Mark Reagles commented with the COVID-19 situation there hadn't been many of these requests, but it had been random from year to year. Some years the City will receive significant requests and other years not. We had request from the Chamber of Commerce when they want to do a revamping of Christmas decorations or for Rooster Crow but not this year.

City Councilor Bob Pascalar asked for confirmation that the funds came from lodging tax and inquired if there was enough money to cover the expense.

City Administrator confirmed that there was enough money in the transient room tax to make the monthly payment.

City Councilor Barb Gregory stated a concern that the request did not specify the amount to pay each month, and they were requesting the City to pay half of the monthly fee.

City Administrator Mark Reagles suggested that the motion be amended to include a dollar amount.

MOVED (VANARSDALE), SECONDED (GREGORY), AND CARRIED TO AMENDED THEIR MOTION TO INCLUDE UP TO \$200 A MONTH. City Councilor Hilty cast a nay vote.

AGENDA ITEM 8 Appointments: Reappoint Budget Committee members John Bond Position No.

5, Don Collins Position No. 6 and Darren Jahn Position No. 7.

MOVED (HILTY), SECONDED (PASCALAR) AND CARRIED TO RE APPOINT BUDGET COMMITTEE MEMBER JOHN BOND TO POSITION NO. 5, DON COLLINS TO POSITION NO. 6 AND DARREN JAHN TO POSITION NO. 7.

City Administrator Mark Reagles asked that the Mayor and City Council to consider adding another item to the agenda prior to the Executive Session because during the previous Council meeting Mr. Pascalar had announced that he was resigning from the City Council and action needed to be take action.

MOVED (GREGORY), SECONDED (VANARSDALE) AND CARRIED TO ADD MR. PASCALAR'S RESIGNATION TO THE AGENDA.

AGENDA ITEM 12 **Resignation:** A resignation from City Councilor Bob Pascalar effective February 28, 2021.

Mayor Wayne Stuart read Councilor Pascalar's letter of resignation to the City Council.

MOVED (HILTY), SECONDED (GREGORY) AND CARRIED TO ACCEPT THE RESIGNATION FROM CITY COUNCILOR BOB PASCALAR EFFECTIVE FEBRUARY 28, 2021.

City Administrator Mark Reagles informed the audience that the City Council would be going into Executive Session and that they would need to leave. They were welcome to stay outside of the Chambers until the City Council had closed the Executive Session or they could contact the office the following day for the other items that were on the agenda.

Mayor Wayne Stuart read a prepared statement and recessed the regular meeting at 7:05 p.m. allowing the audience and staff to leave the chambers.

AGENDA ITEM 9 **Executive Session:** Pursuant to ORS 192.660(2)(d) the City Council will meet to conduct deliberations with persons designated by the governing body to carry on labor negotiations.

Mayor Wayne Stuart declared the Executive Session opened at 7:12 p.m.

Mayor Wayne Stuart declared the Executive Session closed at 7:25 p.m. and reconvened back into the regular meeting at 7:26 p.m.

AGENDA ITEM 10 **Contract:** A contract between the City and Teamsters Local #223 for the period ending June 30, 2023.

MOVED (HILTY), SECONDED (PASCALAR) AND CARRIED TO ADOPT AND AUTHORIZED THE MAYOR TO SIGN THE CONTRACT BETWEEN THE CITY AND TEAMSTERS LOCAL #223 FOR THE PERIOD ENDING JUNE 30, 2023.

AGENDA ITEM 11 Benefits: Provide the non-union employees with the same benefits included in the Teamsters Local #223 contract for period ending June 30, 2023.

MOVED (HILTY), SECONDED (PASCALAR) AND CARRIED TO PROVIDE THE NON-UNION EMPLOYEES WITH THE SAME BENEFITS INCLUDED IN THE TEAMSTERS LOCAL #223 CONTRACT FOR PERIOD ENDING JUNE 30, 2023.

City Administrator Mark Reagles thanked the City Councilors for their hard work and diligence for the long process to finalize the process.

City Attorney Michael Franell expressed his feelings on how hard the City Council and staff worked to get through the prolonged process.

City Councilor Pam VanArsdale thanked both the City Administrator and the Attorney stating that the City Council couldn't have gotten through the process without them.

ADJOURN

There being no further business to come before the City Council and upon motion duly made (GREGORY), seconded (KEMPA) and carried, the meeting adjourned at 7:30 p.m.

ATTEST:



Carol J. Weir, MMC
City Recorder