

THURSDAY, MARCH 24, 2022

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** Pastor Sharon Boland with Hope Alive Foursquare Church 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 Jack Bird  
City Councilor Pam VanArsdale  
City Councilor Rick Kempa  
City Councilor Barb Hilty  
City Councilor Barb Gregory via phone

**STAFF PRESENT:**  
Mark Reagles, City Administrator  
Carol Weir, City Recorder  
Mike Bollweg, Public Works Director  
Jim Williams, Chief of Police

**MEDIA PRESENT:**  
Brian Mortensen, Rogue River Press

A quorum was present and due notice had been published.

Mayor Wayne Stuart welcomed County Commissioner Colleen Roberts who was once able to again attend the meeting in person.

## **APPROVAL OF MINUTES:**

MOVED (HILTY), SECONDED (VANARSDALE) AND CARRIED TO APPROVE THE MINUTES OF OCTOBER 28, 2021, NOVEMBER 4, 2021, NOVEMBER 8, 2021, NOVEMBER 18, 2021, DECEMBER 30, 2021, JANUARY 20, 2022, JANUARY 27, 2022 AND FEBRUARY 24, 2022.

## **COMMITTEE REPORTS:**

**Community Relations; Rogue River Chamber of Commerce:** City Councilor Rick Kempa reported they had discussed their upcoming awards dinner, reported that

they had more than 900 Facebook followers on their community page and he told them about the recent Strategic Plan Survey and the vacancies on the City Council, Budget Committee and Sign Review Board and asked if they could place an announcement on their website.

**Community Relations; Rogue River Community Center:** City Councilor Barb Hilty reported that the food pantry building had been demolished and construction for the replacement building would start soon, a drive though dinner had been scheduled for April and in-house dinners would be starting in May and they were hosting the Chamber of Commerce Mixer on April 7<sup>th</sup> at 5:30 p.m.. They had also recently received a large donation at the thrift store.

**Emergency Communication of Southern Oregon (ECISO):** Mayor Wayne Stuart reported there was no meeting.

**Finance Committee:** City Councilor Pam VanArsdale reported that they had met twice during the month to review and approve the bills submitted for February 2022 and signed 33-checks total \$197,564.00 and the City was still doing well.

**Middle Rogue Metropolitan Planning Organization (MRMPO):** City Councilor Pam VanArsdale reported they met by zoom but not much happening. She reminded Public Works Director of an upcoming Technical Advisory Committee (TAC) workshop and they discussed more grants that Grants Pass was doing throughout the city to make all the curb ramps ADA accessible.

**Personnel Committee:** City Councilor Pam VanArsdale reported that they met and talked about the recruiting process for the City Administrator's position.

**Planning Commission Liaison:** City Administrator Mark Reagles reported that they had held a public hearing and conditionally approved a new mini-storage facility out on North River Road and waiting for the start of construction.

**Police Commission:** City Councilor Jack Bird reported that the department had an agency assist with Oregon State Police where Corporal Darr responded to assist in an officer involved shooting. Corporal Darr parked his vehicle on Interstate-5 north bound near mile post 50, jumping over the road barrier and ran to render aid to the shot suspect. His patrol vehicle had been hit by a semi-truck and the vehicle was totaled. The department was working with a police product vendor who had offered to sell their 2021 police packaged demos that had 17,000 miles, waiting for a price to determine if would be feasible for the City to purchase equipped with most of the items they would need. A law enforcement building company out of Salem had been provided with a bid to build out the new patrol truck for \$19,000. Butler Ford would put the department on the order list in April and should be able to have a new patrol vehicle by November 2022. And a paramedic from Fire District 3 would be providing the department with sensory kits to be used for endearing actions with autistic

youth.

Chief Jim Williams added that in February the department had an exploitation case along with assistance from the Home Land Security and Corporal Darr went to New York and arrested the suspect. A press release had been issued by the Southern Oregon Exploitation Team (SOET) that multiple agencies' throughout Southern Oregon to assist Home Land Security providing Corporal Darr with an amazing investigating experience from start to finish and was now in the federal court system. He also commented that the day prior to the meeting their department wound up with a 200-pound marijuana seizure case which was under investigation from a residence in town that started out from a high speed chase.

**Rogue Valley Area Commission on Transportation (RVACT):** City Councilor Pam VanArsdale reported they met by zoom discussing how the money for Infrastructure Investment Jobs Act would be split up and one of the presentations she was able to view was a wildlife crossing presentation who wanted to develop a wildlife crossing on Interstate-5 between the Ashland and California border. She said there were quite a few of them throughout the country where there was a high level of wildlife such as bear, cougars, elk along deer.

**Rogue Valley Council of Governments (RVCOG):** Mayor Wayne Stuart reported they had received the \$4.5 million for the Alert Wildfire System but expressed concerned that they did not know when they would receive the money and what guide lines they would have to follow before receiving the money. Mayor Stuart asked County Commissioner to update the City Council regarding the County's State of Emergency due to the drought.

County Commissioner Colleen Roberts reported that they had filed a State of Emergency with the Governor's Office after getting a report from their water master who confirmed the water levels and snow pack was very low declaring a drought in Jackson County. She said it would allow for water and irrigation districts with agriculture and life stock to access funds and extra water rights for special needs to keep going.

Mayor Wayne Stuart said that they had installed an AV Charging System and would be available for the people that attend meetings at the RVCOG and they were looking for volunteers to help with the Bear Creek Cleanup project.

**Council Advisory Committee:** Chair Francis Gilbert reported that they had seen a draft of locations for cameras for the Alert Wildfire System and commented that it appeared that the Rogue River Water Reservoir site was included on the map. He would like the county to consider other cameras are installed on the north end of the valley. He said the other project they were following was the proposed Valley Wellness Center and with the recent retirement of Jamie Wright from the Rogue River School District the project would likely be handed off to someone else

however there was no pressure for the \$3.5 million to turn into something real, the bond money was about three years away since it was coming from lottery funds and there was no board of directors and it could end up being a much scaled down facility though there were services that could be used in this area. He commented that he had sent out a photo from the Cave Junction camera that showed how far you could clearly view if a fire were to exist.

Public Works Director Mike Bollweg thanked Mr. Guilbert for his persistence of the Alert Wildfire System because of the resources and lives it will save.

**NEW BUSINESS:**

- AGENDA ITEM 1** **Council Bill No. 22-2436; Resolution No. 22-1393-R:** A Resolution establishing fees for land use matters and planning actions for the City of Rogue River, Oregon, and rescinding Resolution No. 13-1238-R.

MOVED (HILTY), SECONDED (BIRD) AND CARRIED TO ADOPT COUNCIL BILL NO. 22-2436.

- AGENDA ITEM 2** **Council Bill No. 22-2437; Resolution No. 22-1394-R:** A Resolution establishing an administrative fee for impounding of motor vehicles in the City limits of the City of Rogue River, Oregon, and rescinding Resolution No. 17-1315-R.

MOVED (VANARSDALE), SECONDED (KEMPA) AND CARRIED TO ADOPT COUNCIL BILL NO. 22-2437.

- AGENDA ITEM 3** **Council Bill No. 22-2438; Resolution No. 22-1395-R:** A Resolution establishing an optional special inspection fees for non building code related items for the City of Rogue River, Oregon, and rescinding Resolution No 17-1317-R.

MOVED (HILTY), SECONDED (VANARSDALE) AND CARRIED TO ADOPT COUNCIL BILL NO. 22-2438.

- AGENDA ITEM 4** **Council Bill No. 22-2439; Resolution No. 22-1396-R:** A Resolution amending Resolution No. 21-1381-R, an employee handbook adopted for the City of Rogue River, Oregon.

MOVED (VANARSDALE), SECONDED (BIRD) AND CARRIED TO ADOPT COUNCIL BILL NO. 22-2439.

- AGENDA ITEM 5** **Public Hearing:** To hear citizen views and comments about the local government's performance of the Small Business & Microenterprise Assistance (SBMA) project funded with Community Development Block Grant Funds from the Oregon Business Development Department.

Mayor Stuart opened the public hearing at 6:33 p.m. and read the following comments into the record:

This is an official public hearing before the Rogue River City Council to hear public comments regarding the City's government's performance of the Small Business & Microenterprise Assistance (SBMA) project funded with Community Development Block Grant Funds from the Oregon Business Development Department.

We are in the closeout process for SB2009, the SBMA project for Rogue River and participating jurisdictions.

The goal of the project was to deploy financial assistance for COVID-impacted small businesses that employed low to moderate individuals. The Rogue SBMA project provided eight business grants to five different rural jurisdictions in Southern Oregon, retaining 24 LMI jobs.

The grant administrator (SORED) visited each community and had question and answer sessions with local business owners at the beginning of the pandemic. These were fairly well attended of more than forty applications received and eight were funded. The grants funded were located in two businesses in Rogue River, two businesses in Gold Hill, one business in Butte Falls, two businesses in Central Point, and one business in Shady Cove.

Mayor Stuart asked for any comments from the public. No comments were heard and the public hearing was declared closed at 6:34 p.m.

Mayor Stuart commented that he would have liked to have more response but overall, we consider the program a success. Funds were deployed to business owners that had limited access to other resources. Businesses awarded were primarily from rural communities and each was a vital part of their local economic ecosystem.

**AGENDA ITEM 6** **Five-Year Plan:** The 2022-2023 Five-Year Capital Improvement Plan.

MOVED (HILTY), SECONDED (VANARSDALE) AND CARRIED TO ADOPT THE 2022-2023 FIVE-YEAR CAPITAL IMPROVEMENT PLAN.

City Administrator Mark Reagles commented that with the recent issues that came up due to COVID-19 of not being able to get items shipped and delivered, not being able to get employees it was over-whelming and exhausting. So the list of projects was a little smaller than usual. The \$3.75 million water project from the Safe Drinking Water Revolving Loan Fund was the biggest project and was being spread out over two-years with the first of the projects being finished in the next six-months with material and staffing.

**AGENDA ITEM 7** **Agreement:** An agreement between the City and KDP Certified Public Accountants, LLP, to audit the City's governmental activities, business-type activities and each major funds for the year ending June 30, 2022.

MOVED (HILTY), SECONDED (KEMPA) AND CARRIED TO AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT BETWEEN THE CITY AND KDP



CERTIFIED PUBLIC ACCOUNTANTS, LLP, TO AUDIT THE CITY'S GOVERNMENTAL ACTIVITIES, BUSINESS-TYPE ACTIVITIES AND EACH MAJOR FUNDS FOR THE YEAR ENDING JUNE 30, 2022.

City Administrator Mark Reagles commented they try every five years to go out for a request for proposal (RFP) but with him leaving his recommendation was to continue with KDP moving on with the audit and with the new City Administrator coming on board the City Council may consider doing an RFP for that process.

**AGENDA ITEM 8** **Premium Pay:** Premium pay allocated from the State Local Fiscal Recovery Funds (SLFRF).

MOVED (VANARSDALE), SECONDED (KEMPA) AND CARRIED TO APPROVE THE ALLOCATION OF PREMIUM PAY FROM THE STATE LOCAL FISCAL RECOVERY FUNDS (SLFRF) AS PRESENTED IN THE PACKET AT THE AMOUNT OF \$4,767 PER EMPLOYEE.

City Administrator commented that the funds were received from the State Local Fiscal Recovery Act that came from the federal government. Every state, counties, cities, tribes, etc. were provided with a percentage of money based on population along with a fairly thick book on how the money was to be spent. One of the allocations was premium pay allowing the City to give the employees that were continuing to work based on the fact that the City had to continue providing police protection, making water and treat wastewater and operate the planning department. The City has to continue to function and calling them critical employees. Some of the employees fell to COVID because they continued to work, meeting with the public and the City Council felt a need to show appreciation for their sacrifices they made.

City Councilor Pam VanArsdale commented that she would have liked to give more but that was the most that could be given to the employees.

City Councilor Barb Hilty commented that the amount would be prorated to the employees who did not work for the entire time allocated.

**AGENDA ITEM 9** **Request:** A request from the Rogue River Kiwanis and Rooster Crow Committee to Sponsor "Rogue River's 69<sup>th</sup> Annual National Rooster Crowing Contest Weekend."

MOVED (HILTY), SECONDED (GREGORY) AND CARRIED TO APPROVE THE REQUEST FROM THE ROGUE RIVER KIWANIS AND ROOSTER CROW COMMITTEE TO SPONSOR "ROGUE RIVER'S 69<sup>TH</sup> ANNUAL NATIONAL ROOSTER CROWING CONTEST WEEKEND" FOR A GOLD SPONSORSHIP WITH THREE ADDITIONAL CAR SHOW PLAQUES IN THE AMOUNT OF \$750.

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**AGENDA ITEM 10** **Request:** A request from Bradley Realty for funds available through the American Recovery Act Plan (ARAP).

MOVED (BIRD), SECONDED (VANARSDALE) TO DENY THE REQUEST FROM BRADLEY REALTY FOR FUNDS AVAILABLE THROUGH THE AMERICAN RECOVERY ACT PLAN (ARAP).

Bradley Realty owner Teresa Ward wanted to reiterate her request to help Bradley Realty to recover, sustain and grow her business of thirty years here in Rogue River. She wanted to make it record that she had served the community to the best of her ability. Her business had been impacted slightly over the last two years but substantially impacted the last seven months on the second wave of COVID as shown with the information she provided at the previous workshop. She had just been made aware of the funds in the last two months when she realized that they had been so strongly impacted. She also realized that City Councilor Pam VanArsdale has a personal grievance against her and she was praying that she could put that aside when making this decision.

City Councilor Pam VanArsdale told Ms. Ward that she did not have a personal grievance with her and asked why she would say that.

Ms. Ward told her she did not know why she did but it was pretty apparent when she said she would not give a cent of the taxpayers dollars to help Bradley Realty.

City Councilor Pam VanArsdale said it wouldn't matter if it was any real estate company, it's the fact that the real estate industry was one of the least impacted if not profited throughout COVID.

Ms. Ward said they did not profit through COVID and she knew that she was a real estate broker expert but also a competitor of Bradley Realty and it could be a conflict of interest having a large influence in the City and she just wanted to address it. She also commented that Councilor VanArsdale was very professional and sure that she was considering the whole city. She said she was not asking for all the funds, but she was asking for a small portion to help her recover sustaining and growing her business. She felt the decision was already made and sad to hear that, she felt real estate was an essential business. The housing for this community was very important and she took her job in serving this community with all her heart. She thanked the City Councilor for their time and consideration.

City Councilor Jack Bird commented to Ms. Ward that he made her a promise that if she brought him more information to do a thoroughly, thoughtful decision that he thought was best for the City. Take everybody else away, he was speaking for himself, he felt he had done that, he regretted that they had to deny it but he felt they made the right decision and was sorry that it affected her.

After a role call vote MOTION CARRIED.

**OTHER BUSINESS:**

City Administrator Mark Reagles informed the City Council that the City had been served with papers from the Hathaway Larson LLP on the LUBA Appeal. They had made a plaintiff's request for production. He asked the Mayor and City Council to review all their personal emails to make sure they had nothing dealing with the decision from the City Council to uphold the appeal that the Planning Commission brought forth to deny the conditional use permit of the Ice Plant. He told that they were all listed as defendants and that is why they were being required to provide the information. It could be any information regarding Mr. Hurst, his attorney Ben Freudenberg, Garrett West or anyone else involved so he could get the information sent off to them. Everyone at the City had already disclosed their information and sent off to the City attorney for review and eventually will make it to the firm of Hathaway Larson LLP.

City Administrator Mark Reagles said they had ordered the new automated visual equipment.

City Administrator commented that it had been discussed to provide the employees with the full allotment of premium pay but with the need to withdraw taxes each employee will receive something different depending on their tax bracket.

City Councilor Barb Hilty asked where they were with the water meter bids.

City Administrator Mark Reagles said they had been contacted from another company that was not part of the original request for proposal process but wanted to be included and staff did speak with them and hear their sales pitch.

Public Works Director Mike Bollweg said the bid opening had been extended out two weeks to allow the other company to bid.

City Administrator Mark Reagles commented that part of the proposal was that the radio antenna, repeaters, receivers covered the whole city which worked differently for each company and each of the processes cost additional funds for maintenance and up keep. He said they didn't need to do that but staff wanted to see their product and they did but they hadn't made a decision.

City Councilor Barb Hilty asked for an update on Rooster Crow Park.

City Administrator Mark Reagles said a contractor came in and did a pre-finish grade to get it ready for the IRT to start cutting for the walking path to set the bricks. It had to be cut down eight inches and layered with granular material put in prior to placing the bricks. They also had electrical power boxes and light pole bases in and were just waiting for Pacific Power to install the transformer to come down the pole



and plumbing to the restrooms and splash pad had been started. Maybe depending on timing they may start putting up the street light poles but want to leave as much as possible for the IRT as they could, they'd like to have a full slate of items to accomplish.

City Councilor Pam VanArsdale asked what was the plan for Rooster Crow in June.

City Administrator Mark Reagles felt they would be able to use the park because it was the ideal place to hold the crowing portion of the event, needing the roosters in the shade. It will be dirt or put everything on the brick walking path if it's done and maybe hydro seed sometime next fall. Although once the splash pad was up and running they would have water being a reclamation system.

City Councilor Rick Kempa asked staff if they had contacted ODOT regarding the left turn lane flashing yellow light. There was no green arrow light anymore.

Public Works Director Mike Bollweg said he would contact them.

City Councilor Pam VanArsdale commented that she has seen ODOT working on the lights last week.

Police Chief Jim Williams said they were out to reset the lights after a power outage.

**ADJOURN**

There being no further business to come before the City Council and upon motion duly made (KEMPA), seconded (VANARSDALE) and carried, the meeting adjourned at 7:03 p.m.

**ATTEST:**

*Ryan Nolan for*

Carol J. Weir, MMC  
City Recorder