

# REGULAR COUNCIL MEETING MINUTES

THURSDAY, March 28, 2024

6:00 P.M.

**CALL TO ORDER:** 6:00 pm

**PLEDGE OF ALLEGIANCE**

**INVOCATION** – Given by Pastor Dale Schaffner, Rogue River Assembly of God

**ROLL CALL:** Davis, Howell, Kempa, Hilty, Moss, Gregory, and Mayor Pam VanArsdale.

**STAFF PRESENT:** Nolan, Oliver, Fairfield, Bollweg, and Chief Rash

## AGENDA

### APPROVAL OF MINUTES:

February 22, 2024 minutes, **Motion by:** Moss, **Seconded by:** Hilty, Vote all Ayes, none opposed, council minutes of February 22, 2024 are adopted.

### SWEARING IN:

New Police Chief David Rash was welcomed by council and officially sworn in.

### COMMITTEE REPORTS:

**Community Relations:** Chamber of Commerce Liaison Councilor Rick Kempa reports those minutes were approved; May 22 there will be a party at 7pm at the Tailholt Coffee Co. On April 4th there will be a mixer at Oregon Solar & Battery LLC.

**Community Relations:** Community Center Representative Councilor Barb Hilty reports there was a meeting today and thanked the city for providing an arborist for the tree work. They provided food for 78 families this week. The April dinner will be on the 19<sup>th</sup>, serving chicken, rice pilaf, veggies, bread, and peach cobbler. Also, Jackson County is providing veteran services every 2<sup>nd</sup> Thursday from 9am-3pm.

**Emergency Communications** of Southern Oregon; Administrator Ryan Nolan reports that ESCO only received \$900,000.00 of the 4.4 million dollars for the radio project, and will keep us posted on any further developments.

**Finance Committee** Councilor Sherrie Moss had no report.

**Planning Commission Liaison** Councilor Barb Gregory reports that the Planning commission approved a text amendment 2024-01 amending 17.27.040, 17.30.040, 17.65.160, all concerning mobile vending & food truck sites. They also approved a text amendment to 2024-02 amending the city of Rogue Rivers ordinance in chapter 15.55 flood damage prevention to comply with the States updates.

**Citizens Advisory Committee** Francis Gilbert reports that they spent time talking about wild land urban interface issues as they apply to the city and the region at large, and the public works director Michael Bollweg joined them to give them an update on the reservoir, and will help them to get volunteers for the River Ranger program.

**Rogue Valley Area Commission on Transportation** report given by Mayor Pam VanArsdale, she reports that they had an in-person meeting, and she had Sharie Davis join her to introduce her to the members. Members of the OTC were also in attendance. ODOT is in dire need of funding since the main ways they collect money is through gas tax, and carrier tax. We need to come up with solutions to find funding. Their draft plan now is only going to have funds for paving of interstates. The need to find funding.

**Rogue Valley Council of Governments** Mayor Pam VanArsdale reports that the RVCOG received the highest rating you can receive in an audit report. They watched a very interesting presentation on accessible parking. They have several different placards for the different parking spots, and those brochures will be available at the community center soon because there are several different kinds of signs, and it helps to educate all of us. They also appointed members of the budget committee.

**Rogue Valley Metropolitan Planning Organization** Mayor Pam VanArsdale reports that they approved the entire 2024-2049 regional transportation plan as they have worked through several chapters, and now it has been approved as we work through the next 25 years.

**PUBLIC INPUT:** Linda Burlew, 785 N River Road, Rogue River, OR 97537 voiced her concerns about the ongoing speeding problem in the school zone in front of the South Valley Academy. She brought this concern to the previous city manager. The speed limit is twenty-five mph but this is posted just nine feet from the crosswalk, which doesn't give motor vehicles enough time to slow down, and her observation is that no one slows down anymore. She has observed kids from the school climb the fence to chase their ball in the street, and it is just not safe with the many speeders she sees in traffic and wants to bring this to council's attention. Mayor did say that ODOT oversees placing signs in city limits. We are supposed to be getting a stationary sign that shows how fast you are going soon, so that will help with the speeders.

The mayor welcomed Commissioner Colleen Roberts who was attending the Council meeting.

### **NEW BUSINESS:**

**Presentation** Chief Rash's Recognition of Public Citizen Life Saving Award was presented to William and Jamie Wagner.

**Presentation** Chief Rash's Recognition of Chief Jim Williams for his dedicated work in Rogue River, and also recognized his wife Lorrie Williams for her support.

**Request** **Move to:** Approve Pacific Northwest Chapter of International Society of Arboriculture use of Palmerton Park from April 4, 2024, to April 7, 2024.

**Motion by:** Moss **Seconded by:** Gregory

No discussion **Vote:** All ayes, none opposed, **Motion Passes**

**Request** **Move to:** Approve a letter of support to be signed by the Mayor for Rogue River Community Center.

**Motion by:** Hilty **Seconded by:** Moss

No discussion **Vote:** All ayes, none opposed, **Motion Passes** Councilor Hilty

clarified that this was a million-dollar grant for the Community Center to do a complete makeover project for the three buildings.

**Appointments** **Move to:** Approve the Mayor's Committee Appointments to the Rogue Valley Area Commission on Transportation (RVACT). That person is Sharie Davis, and the mayor will be the alternate.

**Motion by:** Hilty **Seconded by:** Gregory **Vote:** All ayes, none opposed, **Motion Passes**

**OLCC** **Move to:** Provide a local government recommendation for a Temporary Use permit for Rooster Crow Weekend at The Double R Bar & Grill. **Motion By:** Gregory **Seconded by:** Davis, discussion on the motion **Vote:** All ayes, none opposed, **Motion Passes**

**Budget** **Move to:** Approve Budget Goals for the 2024-2025 budget year **Motion by:** Moss **Seconded by:** Hilty, no discussion **Vote:** All ayes, none opposed, **Motion passes**

**Land Use** Public Hearing is open at 6:00PM, Planner Rowan Fairfield presented the staff report for the record on an appeal (APL 24-01) of the Planning Commission approval of SUB 23-01: which approved the request to subdivide an 8.17-acre property, into 20 lots, located within City limits at 395 West Evans Creek Road, Rogue River Oregon (Legal Description: 36S-4W-16A 4300)

Clark Stevens with Richard Stevens & Associates located at 244 South Grape Street, Medford OR 97501 presented his case for the record representing Sarah Waggoner, the owner of this subdivision.

No questions from the councilors.

Appellant: Frances Gilbert 6385 West Evans Creek Road, Rogue River Or 97537 presented his case before the council and answered questions while presenting a presentation for council regarding the property's vulnerability to wildfire in considering the 20-lot subdivision application that the Planning Commission approved.

Rebuttal testimony given by Clark Stevens while addressing all the council's questions regarding Mr. Gilberts concerns. Most of the fire concerns will be dealt with during the building permit process, which will take place sometime soon.

Ryan Nolan, city administrator reminded council members" to keep in mind while they review, discuss and deliberate, to reverse or deny this application, you would have to specifically point out a criterion that the applicant has failed to meet. Some things that have been raised this evening refer to the wild land urban interface, and the building code that was referenced really doesn't apply to the land division. Currently in Oregon it requires the building official to require a class C roof which is related to fire danger, and to require certain types of roof materials like venting that will prevent the embers from getting into the structure. So those are the only two statutory requirements currently in an identified wild

land urban interface. There's nothing that I can see in goal seven in any state statute, or any federal statute that would prevent land division, or even home construction in a wild land urban interface. There are only two requirements related to roofing currently".

Planner Rowan Fairfield clarified that the wildfire risk map is separate thing from the wild land urban interface, in fact the entire city of Rogue River is within the wild land urban interface because it is within a quarter of a mile from forest land.

*Barb Gregory asked for a five-minute recess, which was granted by the Mayor and ended at 7:58pm.*

**Move to:** Close the Public Hearing **Motion by:** Barb Gregory **Seconded by:** Howell, **Vote:** All ayes, none opposed, the mayor declared the hearing closed at 7: 58PM on this 28<sup>th</sup> day of March 2024.

*Discussion took place among councilors*

**Move to:** Amend the Planning Commission decision to conditionally approve the Planning File SUB 2023-01 a request to create a 19-lot subdivision. The property located at 395 West Evans Creek Road, Rogue River, Oregon: Legally described as Township 36 South, Range 4 West, Section 16A, Tax lot 4300, as the application can be found to comply with the applicable criteria. My motion incorporates the finding of fact from the staff report, however, the following conditions / modifications shall be added: I would like to add a condition that trimming of trees be done to satisfy the wildfire standard as recommended by the Fire Marshall. **Motion by:** Hilty **Seconded by:** Howell

No discussion on the motion

**Roll Call Vote:** Davis Yes, Howell Yes, Kempa Yes, Hilty Yes, Moss Yes, Gregory Yes.

**Motion Passes**

#### CB 24-2483

*City Administrator Nolan mentioned that we heard this case some time ago, and the city required a deed restriction related to the number of dwellings, and the type of dwellings. The property owners have recorded it and have provided us with a copy of that deed restriction, so now it comes back to the council to approve the actual annexations ordinance effecting the change.*

**Move to:** Adopt an Ordinance annexing 4.86 acres identified as Township 36 South, Range 4 West, Section 22A, Tax Lot 200, commonly known as 230 Wards Creek Road, Rogue River, Oregon. **Motion by:** Hilty **Seconded by:** Howell

**Roll Call Vote:** Davis Yes, Howell Yes, Kempa Yes, Hilty Yes, Moss Yes, Gregory Yes.

**Motion Passes**

- CB 24-2484**     **Move to:** Approve a Resolution adopting the City of Rogue River Representation in the Updates to the Jackson County Multi-Jurisdictional Natural Hazards Mitigation Plan CB 24-2484. **Motion by:** Gregory **Seconded by:** Moss **Roll Call Vote:** Davis Yes, Howell Yes, Kempa Yes, Hilty Yes, Moss Yes, Gregory Yes, **Motion Passes**
- CB 24-2485**     **Move to:** Approve a Resolution adopting a policy for the review, approval, and placement of banners across Depot Street in the City of Rogue River. **Motion by:** Howell **Seconded by:** Kempa. Discussion on the motion. **Roll Call Vote:** Davis Yes, Howell Yes, Kempa Yes, Hilty Yes, Moss Yes, Gregory Yes, **Motion Passes**
- CB 24-2486**     **Move to:** Approve a Resolution repealing Resolution 99-963-R and establishing a Park Reservation Policy for the City of Rogue River. **Motion by:** Hilty, **Seconded by:** Moss **Roll Call Vote:** Davis Yes, Howell Yes, Kempa Yes, Hilty Yes, Moss Yes, Gregory Yes, **Motion Passes**
- Committee**     **Move to:** Accept the January 25, 2024, Citizen Advisory Committee minutes, the February 8, 2024, Tree City Committee minutes, and the March 14, 2024, Tree City Committee minutes. **Motion by:** Moss, **Seconded by:** Howell, all ayes, none opposed **Motion Passes**

**OTHER BUSINESS:** Ride the Rogue has set a date of September 28, 2024, at Palmerton Park. Our next workshop on April 4<sup>th</sup> will be cancelled, so our next one will be April 18<sup>th</sup>. Everyone should have received information from the Oregon's ethics commission about filing your annual SEI statement forms, and if you need help please reach out to staff. The council received a nice thank you card from the FFA thanking us for the generous donations of the old police car, and the cords of madrone wood signed by Abigail Clifford who is the vice president of the Rogue River FFA club. Abigail is also part-time employee with the city and is a tremendous help to us. Also, this past weekend she was chosen to be the runner up for the Pear Blossom festival. We are also looking into getting a dump tank for the Rooster Crow to give us an opportunity to dunk the Mayor!

**Move to:** Adjourn **Motion by:** Gregory, **Seconded by:** Howell, all ayes, none opposed meeting was adjourned at 8:14 PM

