

CITY OF ROGUE RIVER

City Council Minutes

THURSDAY, OCTOBER 26, 2023

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 6:00 p.m.

**INVOCATION /
MOMENT OF
SILENCE** Mayor Pam VanArsdale called for a Moment of Silence

**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 Sharie Davis
City Councilor Grace Howell
City Councilor Rick Kempa
City Councilor Barb Hilty
City Councilor Sherrie Moss
City Councilor Barb Gregory

STAFF PRESENT:

Ryan Nolan, City Administrator
Carol Weir, City Recorder
Mike Bollweg, Public Works Director
Jim Williams, Chief of Police
Stephanie Madtson, Deputy Recorder

MEDIA PRESENT:

Brian Mortensen, Rogue River Press

A quorum was present and due notice had been published.

APPROVAL OF MINUTES:

MOVED (HILTY), SECONDED (GREGORY) AND CARRIED TO APPROVE THE MINUTES OF APRIL 27, 2023, MAY 25, 2023, JUNE 15, 2023 AND JUNE 22, 2023.

COMMITTEE REPORTS:

Community Relations; Rogue River Chamber of Commerce: City Councilor Rick Kempa reported that he was not able to attend.

Community Relations; Rogue River Community Center: City Councilor Barb Hilty reported that she had asked City Councilor Barb Gregory to attend in her place who reported that the board conducted an evaluation of their Administrator that turned out to be very positive extending her contract for another year and gave her a raise, the attendance for the September dinner was down and they were looking at moving around some of the money they had in Certificate of Deposits for better income.

Emergency Communication of Southern Oregon (EC SO): City Administrator Ryan Nolan reported that he had nothing new to report.

Finance Committee: City Councilor Sherrie Moss reported that they met twice during the month of August 2023 to review and approve invoices as submitted and signed 78-checks totaling \$154,869.42 and during the month of September 2023 they met to review and approve invoices as submitted and signed 78-checks totaling \$265,271.78.

Middle Rogue Metropolitan Planning Organization (MRMPO): Mayor Pam VanArsdale reported that they met to vote to accept the smoothing of Federal Funds. City Administrator Ryan Nolan commented that areas available for federal funding were based on population projections which changed with the recent Census count. The funding through the MPO could be slightly changed if the calculated roads were or were not being eligible. This could cause some of the roads within Rogue River's urban growth boundary could be affected, but felt only a small portion of Evans Creek Road couldn't be developed with federal funding.

Personnel Committee: City Councilor Barb Hilty reported that they met and discussed the replacement process for Police Chief Jim Williams coming up in March 2024.

Planning Commission Liaison: Planning Commission Liaison Barb Gregory reported that they held a public hearing that she did not attend.

Rogue Valley Area Commission on Transportation (RVACT): Mayor Pam VanArsdale reported that they did not have a meeting.

Rogue Valley Council of Governments: Mayor Pam VanArsdale reported that they did have a meeting but not much to report. Other jurisdictions consisted of Jackson County did sign an annexation agreement between the City of Gold Hill and Rogue Valley Sewer Service, Shady Cove was searching for a City Manager, Jacksonville was considering a hybrid contract with the Jackson County Sheriff's office, Ashland purchased a building with some of the homeless month for an emergency shelter, the Gold Hill Fire District #3 was unmanned and Jackson County Administrator Danny Jordan would not be retiring.

Council Advisory Committee: Chair Francis Gilbert reported that met and elected officers. Rachel Reber was elected secretary, Susan Burnes was elected Vice Chair and Francis Guilbert would remain Chair. They discussed the stationary speed signs and their active distance of radar which appeared to be approximately 70-feet as per Public Works Director Michael Bollweg.

OLD BUSINESS:

AGENDA ITEM 1 **Council Bill No 23-2473; Ordinance No. 23-421-O:** Council Bill No. 23-2473, an Ordinance amending Ordinance No. 22-417-0, the purchasing policy for the City of Rogue River, Oregon.

MOVED (HILTY), SECONDED (DAVIS) AND CARRIED TO ADOPT COUNCIL BILL NO. 23-2473.

AGENDA ITEM 2 **Council Bill No. 23-2474; Ordinance No. 23-422-O:** Council Bill No. 23-2474, an Ordinance amending Rogue River Municipal Code Title 17.90, Storm and Surface Water Management for the City of Rogue River, Oregon.

MOVED (GREGORY), SECONDED (KEMPA) AND CARRIED TO ADOPT COUNCIL BILL NO. 23-2474.

NEW BUSINESS:

AGENDA ITEM 3 **Public Hearing:** The City Council to hold a Public Hearing for the consideration ;of a Change to a Zoning Designation, Planning File No. 2023-01.

Mayor Pam VanArsdale declared the opening of an official public hearing to consider a request for a Zone Map Amendment at 6:15 p.m. to accept comments. A prepared statement was read into the record which would remain a permanent part of the file. The property was described as T36S, R4W, Section 22B, Tax Lot 502 located at 5450 North River Road, Rogue River, Oregon.

Mayor Pam VanArsdale called for any objections from the audience if it was proper for the City Council to hold the hearing. None were heard.

Mayor Pam VanArsdale asked if any of the City Councilors wished to declare ex-parte contact, site visit, or feel they may have had a conflict of interest, bias, or other reason to be disqualified from participating in the hearing. None were heard.

Mayor Pam VanArsdale asked if anyone in the audience wished to challenge any of the City Councilor's qualifications to participate in the hearing. None were heard.

City Administrator Ryan Nolan presented the following Staff Report:

OWNER / AGENT: Shawn Smith
8520 Rogue River Highway
Grants Pass, Oregon 97526

FILE NO: ZON 2023-01

DATE: October 26, 2023

LEGAL DESCRIPTION: Township 36 South, Range 4 West, Section 22B, Tax Lots 502 and 500

ADDRESS: 5450 and 8553 North River Road

APPLICATION: The applicant proposes to change the zoning of Tax Lot 502 from MI (Industrial General District) to LI (Light Industrial District). The application is related to an approved request to amend a previously approved site design, proposing to expand a self-storage facility originally approved for tax lot 500 to include tax lot 502 as well. The applicant has also been approved for a lot line removal creating one lot out of two. The proposed self-storage was originally approved under file type SIT 2022-02. The modification was approved under MOD SIT 2023-01 and the Property Line Vacation was approved under PLV 2023-01.

1.0 BACKGROUND INFORMATION:

- A. Parcel Size:
Tax Lot 502 was 0.26 Acres (11,325.6 square feet)
Tax Lot 500 was 2.78 Acres (121,096.8 square feet)
- B. Access:
Tax lot 500 receives direct access from N. River Road, while tax lot 502 receives access through a shared easement.
- C. Zoning:
Tax Lot 502 was 0.26 Acres (11,325.6 square feet)
Tax Lot 500 was 2.78 Acres (121,096.8 square feet)
- D. Previously Approved Land Use Actions: 2022 Self Storage facility confined to tax lot 500.
- E. Previous Land Use: Vacant
- F. Current Land Use:
Tax Lot 502: Rabbitoy Fencing Company
Tax Lot 500: Vacant
- G. Proposed Land Use: Self Storage Facility spanning both tax lots
- H. Surrounding Land Uses:
 - 1. North: Public (City, Fire Station)
 - 2. East: WR (Woodland Resource) (County, homesite and vehicle storage)
 - 3. South 1: LI (Light Industrial) (City, auto shop/residential)
 - 4. South 2: LI (Light Industrial) (City, Storage Near Me storage units)
 - 5. South 3: LI (Light Industrial) (City, Storage Near Me front office & parking)
 - 6. West: M-1 (Industrial General) (City, vacant land, once log storage for Murphy)

2.0 APPROVAL CRITERIA:

Per the Rogue River Zoning Ordinance Chapter 17.125.100 and 17.125.120, the Planning Commission and City Council shall hold Public Hearings on the Zone Change, notice of which shall be given in the manner provided in Chapter 17.10.070 (G) Type IV Procedures. Under this section, zone changes are noted as a Legislative procedure.

The applicable criteria for a zoning map change is noted in Chapter 17.10.070 (5) of the Ordinance. This criteria, which is noted as "Decision-Making Criteria", are as follows:

The Planning Commission shall forward a recommendation to the City Council. Approval of a Zone Change shall be based on the following findings:

1. RRM Chapter 17.125.030 Zone Change Criteria
2. RRM Chapter 17.10.050 Zone Boundaries
3. City of Rogue River Comprehensive Plan

3.0 CRITERIA & FINDINGS:

A. Complies with the Rogue River Municipal Code Chapter 17.125.030 Zone Change Criteria.

1. If the proposal involves an amendment to the Comprehensive Plan, the amendment must be consistent with the Statewide Planning Goals and relevant Oregon Administrative Rules.

Planning Commission Response: Satisfied

The Planning Commission finds that this zone change does not constitute an amendment to the Comprehensive Plan.

2. The proposal must be consistent with the Comprehensive Plan (the Comprehensive Plan may be amended concurrently with proposed changes in zoning).

Planning Commission Response: Satisfied

The Planning Commission finds that the subject property is comprehensively planned and zoned for industrial uses. This zone change does not affect that comprehensive zone planning.

3. The City Council must find the proposal to be in the public interest with regard to community conditions; the proposal either responds to changes in the community, or it corrects a mistake or inconsistency in the subject plan or code.

Planning Commission Response: Satisfied

The Planning Commission finds that the proposed zone change creates greater consistency in the zoning transition from public and residential to General Industrial zoning.

4. The amendment must conform to Oregon Transportation Planning Rule Compliance.

Planning Commission Response: Satisfied

The Planning Commission finds that the proposed use will not generate more than 200 average daily motor vehicle trips (ADTs), and does not pose a significant impact on any transportation facilities.

B. Complies with the Rogue River Municipal Code Chapter 17.10.050 Zone Boundaries.

This standard requires that Unless otherwise specified, zone boundaries shall be a lot line, the center line of a street or the extension of such lines. If a zone boundary divides

a lot into two zones, the entire lot shall be placed in the zone that accounts for the greater area of the lot.

Planning Commission Response: Satisfied

The Planning Commission finds that the approved lot line removal creates one lot (previously lots 500 and 502) with mixed zoning. As the larger lot is zoned LI it is in conformance with this code standard that the entire lot be zoned LI.

C. Complies with the City of Rogue River Comprehensive Plan.

Planning Commission Response: Satisfied

The Planning Commission finds that the proposed zone change is in line with the adopted Comprehensive Plan.

4.0 PUBLIC & AGENCY COMMENTS:

No comments from agencies or the public were received regarding the proposed zone change.

5.0 CONCLUSIONS OF LAW:

ZONE CHANGE REVIEW

The City Council can conclude that the proposed zone change complies with the City of Rogue River Comprehensive Plan, and meets the requirements for zone changes found in the Municipal Code.

6.0 PLANNING COMMISSION RECOMMENDATION:

The City of Rogue River Planning Commission recommends that, for the public interest, health and welfare of the citizens of the City of Rogue River, that the Rogue River City Council approve the application for a Zone Change, File No. ZON 2023-01 from heavy industrial to light industrial.

City Councilor Barb Hilty questioned if the applicants request to hook up to the existing utilities on Lot No. 502 would still be to accommodate for their operation of storage units.

City Administrator Ryan Nolan commented that the original request required them to put in new infrastructures and since they purchased Lot No. 502 it made more sense to use the existing hookups.

City Councilor Barb Hilty questioned the fact that they were not going to be building a new office.

City Administrator Ryan Nolan commented that the applicant could better answer that question.

City Councilor Barb Gregory questioned if the two-lots would be consolidated.

City Administrator Ryan Nolan commented that lots 500 and 502 would be consolidated if the zone change was approved.

Mayor Pam VanArsdale asked the applicant if they wished to present testimony.

Applicant Jessie Smith commented that they did not intend to add more office space and felt that space could be used for more parking.

City Councilor Barb Hilty asked if they anticipated the two-hundred road trips to be high.

Jessie Smith responded that they did not perceive that many trips, maybe twenty at most during the day.

Mayor Pam VanArsdale asked how many storage units were proposed.

Jessie Smith responded that there would be one-hundred-forty-six not included the interior spaces.

Mayor Pam VanArsdale asked the audience if anyone had comments to speak in favor of the application. None were heard.

Mayor Pam VanArsdale asked the audience if anyone had comments to speak in opposition to the application. None were heard.

Mayor Pam VanArsdale asked the audience if anyone had comments to speak regarding any other concerns or interest to the application. None were heard.

City Administrator Ryan Nolan commented that the whole site plan had been reviewed by the Planning Commission and the City Council was just reviewing the re zoning of the property which applied with the City code and it made since to change the zoning to accommodate one use.

Mayor Pam VanArsdale officially closed the public hearing at 6:26 p.m.

AGENDA ITEM 4 **ZON 2023-01**: Consider the Planning Commission's recommendation to re zone property described as Township 36 West, Range 4 West, Section 22B, Tax Lot 502 located at 5450 North River Road.

MOVED (HILTY), SECONDED (MOSS) AND CARRIED TO APPROVE THE PLANNING COMMISSION'S RECOMMENDATION TO RE ZONE PROPERTY DESCRIBED AS TOWNSHIP 36 WEST, RANGE 4 WEST, SECTION 22B, TAX LOT 502 LOCATED AT 5450 NORTH RIVER ROAD.

AGENDA ITEM 5 **Retainer**: Consider renewing the Retainer Agreement between Michael Franell and the City of Rogue River effective November 1, 2023.

MOVED (MOSS), SECONDED (KEMPA) TO CONSIDER RENEWING THE

RETAINER AGREEMENT BETWEEN MICHAEL FRANELL AND THE CITY OF
ROGUE RIVER EFFECTIVE NOVEMBER 1, 2023.

City Councilor Barb Hilty commented that the agreement was for one-year but during previous discussion during a workshop it was agreed that staff would go out for a Request for Proposal for legal services and that they should only renew Mr. Franell's retainer for three-months.

Mayor Pam VanArsdale asked what if it took more than three-months to have someone on board.

City Administrator Ryan Nolan commented that if they were not successful with their Request for Proposal they could amend that retainer and suggested that the City Council consider amending their motion.

MOVED (MOSS), SECONDED (HOWELL) AND CARRIED TO AMEND THE MOTION TO RENEW THE RETAINER AGREEMENT BETWEEN MICHAEL FRANELL AND THE CITY OF ROGUE RIVER EFFECTIVE NOVEMBER 1, 2023 FOR THREE-MONTHS.

AGENDA ITEM 5 Review: The City Council reviewed the minutes as submitted by the Council Advisory Committee on September 28, 2023 and the Tree City, USA, Committee on October 12, 2023.

OTHER BUSINESS:


City Administrator Ryan Nolan commented that he would be meeting WBCP about the Police Chief recruitment process and available to meet with the City Council during the workshop on November 2, 2023 at 10:00 a.m. and during the workshop on November 16, 2023 at 10:00 a.m. staff would be giving an update on how to function properly during a meeting.

Public Works Director Michael Bollweg handed out photos of the new concrete equipment that would be installed in Rooster Park in the spring of 2024.

ADJOURN

There being no further business to come before the City Council and upon motion duly made (GREGORY), seconded (HOWELL) and carried, the meeting adjourned at 6:35 p.m.

ATTEST:


Carol J. Weir, MMC
City Recorder