



**TALENT CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
TOWN HALL
December 20, 2017 – 6:45 P.M.**

Study Session, Regular Council & TURA meetings are being digitally recorded and will be available on the City website

The City Council of the City of Talent will meet in a Regular Council session at 6:45 P.M on Wednesday, December 20, 2017 in the Town Hall, 206 E. Main Street. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to the City Recorder at 541-535-1566, ext. 1012.

The City Council reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the study session and/or meeting.

REGULAR COUNCIL MEETING- 6:45 PM

Anyone wishing to speak on an agenda item should complete a Public Comment Form and give it to the City Recorder. Public Comment Forms are located at the entrance to the meeting place. Anyone commenting on a subject not on the agenda will be called upon during the "Citizens Heard on Non-Agenda Items" section of the agenda. Comments pertaining to specific agenda items will be taken at the time the matter is discussed by the City Council.

1. Call to Order/Roll Call

Members Present

Mayor Ayers-Flood
Councilor Berlant
Councilor Baker
Councilor Dolan
Councilor Land
Councilor Harrison

Members Absent

Councilor Pederson

2. Pledge of Allegiance

Adjourn to Executive Session

Per the Council consensus, an executive session will be held pursuant to ORS 192.660(2)(f). The Council will conduct a closed Executive Session to discuss issues that are exempt by law from public inspection.

Mayor Ayers-Flood called the meeting into executive session pursuant to ORS 192.660(2)(f) to discuss issues that are exempt by law from public inspection.

3. Community Announcements

Community Development Moody announced the Community Development Fair on January 16, 2018 and said who was attending.

Councilor Dolan announced that the Talent Pollinator Challenge begins in January and they are trying to get citizens involved.

4. Public Presentations

Items that do not require immediate Council action, such as presentations, discussion of potential future action items. Time limited to 15 minutes per presentation unless prior arrangements have been made.

5. Public Hearings

Public hearings are conducted under a prescribed procedure depending on the topic. The presiding officer will conduct the hearing in accordance with those procedures which will allow for public input at the announced time.

6. Citizens Heard on Non-Agenda Items

Limited to 5 minutes or less per Mayoral discretion

7. Consent Agenda

The consent agenda consists of items of a repeating or routine nature considered under a single action. Any Councilor may have an item on the consent agenda removed and considered separately on request.

7.1 Approval of Council Meeting Minutes for December 6, 2017

Councilor Berlant had two updates for the December 6, 2017 Minutes. First, page six should say 'passes' instead of 'surpasses' when Councilor Dolan is speaking. Secondly, page eight should say renewable energy instead of reusable energy when Councilor Pederson gave an update on SOREDI.

7.2 Acknowledgement of the Check Register for November 2017

7.3 Acknowledgement of Parks Commission Minutes for November 8, 2017

7.4 Acknowledgement of Together for Talent Committee Minutes for November 7, 2017

Councilor Berlant moved to approve the consent agenda with amendments. Councilor Dolan Seconded. All Ayes. Motion passed unanimously.

8. Regular Agenda

Citizens will be provided the opportunity to offer comments on action items after staff has given their report and if there is an applicant, after they have had the opportunity to speak. Action items are expected to result in motions, resolutions, orders, or ordinances.

8.1 Resolution No. 17-968-R to Support the Oregon Clean Energy Jobs Bill

Interim City Manager/Finance Director Martin gave a staff report.

Lee Lull (292 Willow Springs Dr., Talent OR) – Ms. Lull gave a brief presentation about global warming and announced her support for the Oregon Clean Energy Jobs Bill in the 2018 Short Session.

Allen Hallmark (261 Christopher Way, Talent OR) – Mr. Hallmark explained that they are here representing SOCAN and Rogue Climate and announced his support for the Oregon Clean Energy Jobs Bill.

Councilor Dolan said there is a new draft available January 8, 2018 and asked if it can be deferred until Council has a chance to review it. Ms. Lull explained the point of supporting this is to get more co-sponsors for the legislation. Ms. Lull and Mr. Hallmark explained they believe it is important to pass the resolution now.

Councilor Berlant said she is in support of the resolution and doesn't believe the new draft will change in a way that would affect her decision. Councilor Berlant asked about the first 'whereas' and asked if there is a change to amend the resolution to make clear what 97% is referring to. Mr. Hallmark announced again that he would hate for this to be pushed back two weeks. Councilor Berlant said she would also like the title to explicitly say 'Clean Energy Jobs Bill' instead of 'Clean Energy Bill'. Mayor Ayers-Flood explained that it could be up to the Council to amend the resolution if they wish to move it forward.

Hannah Sohl (106 S. Front Street, Talent OR) – Ms. Sohl read a letter from the Rogue Climate Talent Team in support of the resolution.

Councilor Berlant reiterated her comment of defining the 97% in the first whereas. Mayor Ayers-Flood said she doesn't believe striking the first whereas changes the meaning of the resolution.

Councilor Dolan said the first whereas should either be further explained or stricken. She also believes adding the word 'jobs' in the title would help clarify the resolution as well. Councilor Berlant explained the changes she would like to see. Councilor Dolan clarified that it could say 'substantially conforms to the main purpose and criteria'.

Councilor Baker said he does not support the resolution because there is no information on the bill. Councilor Berlant responded that there is a bill in front of the Council and it has been at the Senate for over a year, but there is a chance the language can change. Mayor Ayers-Flood confirmed.

Councilor Berlant moved to adopt Resolution No. 17-965-R to support the Oregon Clean Energy Jobs Bill with amendments per the Council as discussed. Councilor Dolan seconded. Mayor Ayers-Flood confirmed the changes made are: adding jobs to the title, striking the first paragraph or clarifying (up to Council) and changing the last sentence to say, 'legislature to pass a clean energy bill'. Councilor Berlant and Dolan added the last sentence should say 'substantially similar to the 2017 version'. Mayor Ayers-Flood asked if it should 'substantially similar to SB1070. Councilor Dolan said yes. Councilor Harrison said he believes it is too late

but this is a feel-good resolution. Mayor Ayers-Flood explained about capping emissions and asked everyone to set aside whether they agree with climate change and look at it as a way to decrease industrial waste. Motion passed 4-1 (Baker).

8.2 Resolution No. 17-966-R Amending Administrative Operations and Rules and Service Rates for Solid Waste and Recycling Collections Franchise. Replaces Resolution No. 14-913-R

Mr. Martin gave a staff report.

Councilor Baker requested that the recycling surcharge be noted on each customer's bill. Councilor Baker said the language should read, "In addition, Franchisee shall identify surcharge amount on each customer's bill" and he would like it as a separate line item. Councilor Berlant said she believes it should not be an additional sentence but should be part of the previous sentence. Councilor Baker said he would like to see it separate. Council came to a consensus to have it as two sentences. Councilor Berlant asked Mr. Martin to read back what the paragraph would say in the resolution. Mr. Martin read, "Franchisee shall, at all times this surcharge is in place, provide customers with the quarterly cost of each of the three surcharge components and the total surcharge rate on the Franchisee's website. In addition, Franchisee shall post cost of the surcharge on each customer's bill."

Councilor Baker asked if the surcharge should be noted on the fee schedule. Mr. Martin responded that it should not because the surcharge will likely be changing each quarter. Mayor Ayers-Flood said that having it on the bill far exceeds having it on the fee schedule.

Paul Mensch (280 Willow Springs Dr., Talent OR) – Mr. Mensch said he does not believe the surcharge is equitable and he thinks it should be based off how many recycling bins or dumpsters there are in each account. He feels like as a single-family home owner that he is subsidizing apartment complexes. Mr. Mensch also stated that he does not believe the franchise fee should apply to the recycling surcharge.

Councilor Baker said he agrees that it is not equitable. Mayor Ayers-Flood said she did not believe anything changed from the consensus at the prior Council meeting of continuing to recycle as a city. Councilor Harrison requested to ask Recology a question.

Gary Blake and Jamie Rosenthal (170 Oak St., Ashland OR) – Recology was asked by Councilor Harrison if it is true that county residents will not pay the fee. Mr. Blake responded that county residents do not have curbside recycling. Councilor Harrison asked about the difference between houses and apartment complexes. Mr. Blake responded that it is charged by account and something to note is that many customers have multiple accounts. Councilor Baker asked how many accounts Anjou Apartments has. Ms. Rosenthal said Recology cannot give out personal information about customer accounts.

Councilor Berlant made a motion to adopt Resolution No. 17-966-R Amending Administrative Operations and Rules and Service Rates for Solid Waste and Recycling Collections Franchise, Replacing Resolution No. 14-913-R, and continue to send commingled recyclables to sort facilities. Councilor Land seconded.

Discussion: Councilor Baker decided to vote no because he does not believe it is equitable. Councilor Land said she is in support of the motion because they have voted as a city to continue recycling. Councilor Dolan said she is in support of the motion and requested that Recology has the information about apartment complexes next time it is discussed. Councilor Berlant is in support of the motion. Councilor Harrison is not in support of the motion because he believes it is not equitable. Councilor Dolan clarified that her concern wasn't to protect homeowners but it was to make sure that the apartment complex dwellers aren't paying an extra charge. Mayor Ayers-Flood stated that if she has a chance to vote that she will support the motion. Motion passed 3-2 (Baker, Harrison).

8.3 Resolution No. 17-967-R Authorizing and Delegating the City Manager to Enter into a Non-Exclusive Franchise Agreement with Falcon Cable Systems Company II L.P. Locally Known as Charter Communications for the Operation and Maintenance of a Cable System to Provide Cable Services

Mr. Martin gave a staff report about the process and that the City has not had an effective franchise agreement with Charter Communications since March 2016 but has been operating on a month-to-month agreement. Mr. Martin continued that he also called Gold Beach which had recently approved the same agreement and asked them what their feelings were on the agreement. The response of Gold Beach was that it was fair given the circumstances of them being a small City and Charter being a large business. Mayor Ayers-Flood said she believes this is an equitable agreement between the City of Talent and Charter.

Councilor Baker moved to adopt Resolution No. 17-967-R Authorizing and Delegating the City Manager to Enter into a Non-Exclusive Franchise Agreement with Falcon Cable Systems Company II L.P. Locally Known as Charter Communications for the Operation and Maintenance of a Cable System to Provide Cable Services. Councilor Dolan seconded. Discussion: None. Motion passed unanimously.

8.4 Ordinance 17-940-O Repealing Ordinance No. 04-761-O Which Granted Falcon Cable Systems Company II L.P., Locally Known as Charter Communications a Non-Exclusive Franchise to

Operate and Maintain a Cable Communications System Within the City Limits of Talent

Mr. Martin gave a staff report explaining that this ordinance must be repealed for the new franchise agreement to become effective.

Councilor Baker moved to adopt Ordinance 17-940-O Repealing Ordinance No. 04-761-O Which Granted Falcon Cable Systems Company II L.P., Locally Known as Charter Communications a Non-Exclusive Franchise to Operate and Maintain a Cable Communications System Within the City Limits of Talent. Councilor Harrison seconded. Discussion: Councilor Dolan asked if we need an ordinance for the franchise agreement. Mr. Martin commented that he asked the city attorney this question and he recommended repealing the original franchise agreement and passing a resolution to allow the City Manager to enter into the agreement. All Ayes. Motion passed unanimously.

8.5 Ability of Interim City Manager to Appoint or Remove Personnel

Mr. Martin gave a brief staff report about the City Charter stating in section 23(9) that “When the Manager is absent from the City or disabled from acting as Manager, or when the office of Manager becomes vacant, the Council shall appoint a Manager Pro Tem, who has the powers and duties of Manager, except that the Manager Pro Tem may appoint or remove personnel only with the approval of the Council”. Mr. Martin further stated that it would be beneficial for the Council to vote to allow the Interim City Manager to appoint and remove personnel.

Councilor Dolan moved for the Council to allow the Interim City Manager to make the administrative decisions of appointing and removing personnel in accordance with state labor laws, the city personnel policy, and current union contract rules. Councilor Berlant seconded. Discussion: None. Motion passed unanimously.

8.6 Planning Commissioner Appointment

Community Development Director Moody gave a staff report and explained that Council had asked to review the applications at the December 6th Council meeting. Mayor Ayers-Flood stated that she has yet to go against the recommendation of a commission and asked the Council to affirm the appointment of Erika Giesen.

Councilor Berlant moved to affirm the recommendation of the Planning Commission to appoint Erika Giesen. Councilor Dolan seconded. Councilor Baker will not be supporting the motion because he believes Anthony Abshire was the most qualified person and City Council recommended that he become part of other commissions. Motion passed 4-1 (Baker).

8.7 Interim Citizen Advisory Committee Policy Adoption

Mr. Moody gave a staff report and said that this includes changes recommended by the Planning Commission. Mayor Ayers-Flood confirmed there was a report on this subject from the liaison that was present at the meeting.

Councilor Harrison moved that Council adopt the Interim Citizen Advisory Committee Policy as recommended by the Planning Commission at their November 30, 2017 meeting. Councilor Dolan seconded. Discussion: None. Motion passed unanimously.

8.8 Parks Master Plan Grant

Mr. Moody gave a staff report and explained that he went to the Parks Commission meeting and spoke with them about the opportunity of a new parks master plan. He further explained that this grant is available at a 40% match, and Parks Commission recommended for City Staff to move forward with the grant.

Councilor Baker believes the current Parks Master Plan is off in almost all areas and believes it was the economic downturn that caused a lot of this.

Councilor Dolan moved to direct staff to submit a grant application to the Oregon Parks and Recreation Department for the Small Community Planning Grant to secure additional funding to update the Talent Parks Master Plan. Councilor Berlant seconded. Discussion: Councilor Baker asked if Mr. Moody has time for the grant. Mr. Moody said yes and that the process likely wouldn't start until later in 2018. Councilor Dolan asked which reference staff looked at that was a good reference. Mr. Moody said that it was Phoenix. All ayes. Motion passed unanimously.

9. Information Items

9.1 Integrated Pest Management Policy Status

Mr. Martin explained that without having time to research where Staff and Council were with the IPM that it would be best to postpone it to a January meeting.

10. City Manager & Other Department Reports

Items for discussion by the City Manager and Department Heads as needed.

Mr. Martin gave a report of the following:

- Rapp Rd. multiuse path is moving forward and bids will be received as early as March, the award of the project will be in April and completion should be May 2018.
- Mr. Martin will be serving on the board for the Continuum of Care for Jackson County.
- The EV charging station is complete and a meter will likely be installed next to get a better idea of the use of the station.
- The initial water reservoir documents are in.
- Mr. Martin has been working with Avista and Pacific Power on new franchise agreements.
- Ordinances that were previously unsigned have now been signed by a former city recorder and the new city recorder will begin working on the issues for the remaining ordinances.
- IT services for the City have been an issue and Staff is currently working to remedy this.
- The City is enrolling in the Strategic Energy Management program through Energy Trust.

11. Other Business

12. Mayor and Councilor - Committee Reports and Councilor Comments

Rogue Valley Area Commission on Transportation – Councilor Harrison – Mayor Ayers-Flood (alternate)

Together for Talent Committee – Councilor Berlant – Councilor Dolan (alternate)

Councilor Dolan said there is no update and clarified the assignments for Together for Talent.

Mayor Ayers-Flood announced information on the Peace Pole project.

Metropolitan Planning Organization – Mayor Ayers-Flood – Councilor Harrison (alternate)

Planning Commission – Councilor Dolan – Councilor Harrison (alternate)

Public Art Advisory Committee – N/A

Parks Commission – Councilor Baker

Councilor Baker stated he missed the Parks Commission meeting and has no update.

Traffic Safety & Transportation Commission – Councilor Harrison

Councilor Harrison stated the TSTC meeting was canceled.

Rogue Valley Council of Governments – Mayor Ayers-Flood

Talent Historical Society – N/A

Harvest Festival Committee – N/A

Economic Development - Councilor Pederson

Chamber – Councilor Pederson

SOREDI - Councilor Pederson

13. Adjournment at 9:08pm.