



**TALENT CITY COUNCIL
COUNCIL STUDY SESSION & REGULAR COUNCIL
MEETING DRAFT MINUTES
TALENT TOWN HALL
March 18, 2015 – 6:30 P.M.**

*Study Session and Regular Council meetings are being digitally recorded and will be available on the City website:
www.cityoftalent.org*

The City Council of the City of Talent will meet on Wednesday, March 18, 2014 in a Study Session at 6:30 P.M. in the Talent Town Hall, 206 E. Main Street. Following will be the Regular Council Meeting.
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.

STUDY SESSION COUNCIL MEETING- 6:30 PM

1. Joint Study Session with Council and Urban Renewal

Roll Call

Council Members Present

Mayor Stricker
Councilor Dean
Councilor McManus
Councilor Abshire
Councilor Pederson
Councilor Wise

Council Members Absent

Councilor Cooke

TURA Members Present

Sherman Lamb
Ron Medinger
Mehdi Ghavam
Nick Medinger
Joan Dean
Anthony Abshire
Ryan Pederson

TURA Members Absent

Also in attendance:

Marla Cates – Urban Renewal Director
Elaine Howard – Urban Renewal Consultant

Mayor Stricker gave a brief background. She explained the last agreement stated the sunset date for TURA would be 2019. However there was a motion in 2008 that read **“Councilor Cecil moved to direct Staff to begin the process necessary to sunset Talent Urban Renewal Agency by 2016”** the motion passed. However no agreement was created. She proposed to assess where the projects are at and decide when to sunset. Sherman Lamb spoke that Urban renewal has been operating under assumption to sunset 2016 and prepared to finish projects at that time.

Ms. Howard spoke regarding the process to take action for a sunset date.

City Manager, Tom Corrigan went over a list of possibilities: Terminate TURA providing outstanding debts are paid off, keep TURA to the original sunset date of 2019 and create new projects or come up with a new sunset date.

Council and TURA discussed the options. Ms. Howard handed out a chart that shows how financing in Urban Renewal works (*see attached*).

Council and TURA discussed possible new projects.

Council and TURA came to a consensus that Mayor Stricker and Mr. Corrigan would go speak with Jim Pendleton, the TID Manager to see if there is any interest and go from there.

The Study Session Adjourned at 7:50 PM

2. **Adjourn to Regular Council Meeting**

REGULAR COUNCIL MEETING

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.

3. **Call to Order/Roll Call**

Members Present
Mayor Stricker
Councilor Dean
Councilor McManus
Councilor Abshire
Councilor Pederson
Councilor Wise

Members Absent
Councilor Cooke

4. **Pledge of Allegiance**

5. **Mayor Announcements**

Mayor Stricker announced that there will be an open house tomorrow regarding TA4 and TA5 at City Hall from 5:30-7 pm. Jackson County Fire District 5 has a new Fire Chief, Darin Welburn. April is Green Up and Clean Up month there is something going on all month. You can see the flyers around town or on the City website. The Arbor Day celebration will be on April 11th from 2 at the Roundabout celebrating 75 years. Sam Becker created an Ordinance regarding banning Styrofoam will be attending the April 15th Council Meeting to speak on the issue.

6. **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.

6.1 **None**

7. **Citizens Heard on Non-Agenda Items**

Limited to 5 minutes or less per Mayor discretion

8. **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.

8.1 **None.**

9. **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.

9.1 **Approval of Regular Council Minutes for March 4, 2015**

9.2 **Acknowledge Receipt of Payables**

9.3 **Appoint Sherman Lamb, Don Steyskal, Marguerite Schellentrager, Tonia Moro and Joi Riley to the Ad-Hoc Committee for the City of Talent Charter**

Councilor Pederson moved to approve the Consent Agenda. Councilor Abshire seconded. Mayor Stricker repeated the motion. All Ayes. Motion passed unanimously.

Councilor Pederson moved to appoint Sherman Lamb, Don Steyskal, Marguerite Schellentrager, Tonia Moro and Joi Riley to the Ad-Hoc Committee for the City of Talent Charter. Councilor Abshire seconded. Mayor Stricker repeated the motion. All Ayes. Motion passed unanimously.

Mayor Stricker spoke that Councilor Cooke would be coordinating with City Recorder, Melissa Huhtala to get out the Welcome Letter to the Ad-Hoc Committee.

10. **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.

10.1 None.

11. Information Items

11.1 None.

12. City Manager & Other Department Reports

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

- Mr. Corrigan gave Council a copy of the letter that was sent to the County regarding Mountain View Paving (*see attached*).
- Public Works is cleaning up an area by Chuck Roberts Park.
- The City of Talent website now has an application that can translate the site to about 100 different languages.
- There have been rumors that cancelling little doggy bags. That is not true they are not being cancelled just changing the type to biodegradable and non-scented and they were also back ordered from the Manufacturer.
- Wireless in the new Community Center was the number one request from Citizens. It will be going in. An issue came up regarding the soil at the Community Center site. It is being worked on.
- Mayor Stricker and Mr. Corrigan discussed the new possible leasees at Clearview.
- The Depot will have new occupants upstairs. It is a non-profit called "THRIVE" The front space is also being looked at from a well-known coffee shop should be filled within the next 2 weeks.

13. Other Business

13.1 Mayor Stricker proposed to move appointments on the Regular Agenda instead of Consent Agenda. Council gave consensus.

Mayor Stricker proposed to assign Councilor Abshire and a Staff member to research budget training. Council gave consensus.

Mayor Stricker spoke regarding the Municipal Code being on the website. Ms. Huhtala spoke that all the Ordinances are now on the website under the Ordinances tab. The code codification is being worked on with a proposed completion date December 31, 2015.

Ms. Huhtala asked for a motion regarding the decision made in the Study Session with TURA.

Councilor Wise moved to authorize Mayor Stricker and Mr. Corrigan to the TID Manager, Jim Pendleton. Councilor Pederson seconded. Mayor Stricker repeated the motion. All Ayes. Motion passed unanimously.

14. Mayor and Councilor - Committee Reports and Councilor Comments

Rogue Valley Area Commission on Transportation – Mayor Stricker & Councilor Dean (alternate)
Together for Talent Committee – Melissa Huhtala & Mayor Stricker (alternate)
Metropolitan Planning Organization – Mayor Stricker & Councilor Cooke (alternate)
Planning Commission – Councilor Wise & Councilor Abshire (alternate)
Public Art Advisory Committee – Councilor McManus
Parks Commission – Councilor Dean
Traffic Safety & Transportation Commission – Councilor Cooke
Urban Renewal Agency – Councilor Pederson, Councilor Dean and Councilor Abshire
Rogue Valley Council of Governments – Councilor McManus & Mayor Stricker (alternate)
Bear Creek Greenway Committee – Councilor Cooke
Talent Historical Society – Councilor Pederson & Councilor Abshire (alternate)
Harvest Festival Committee – Councilor McManus
Economic Development - Councilor Pederson & Councilor McManus

Councilor Pederson announced the Historical Society had a productive meeting. The Talent Tomato will be on May 9th. Custom t-shirts can be purchased. You can place an order with the Historical Society. He also announced that he will be presenting the Economic Development plan at the April 1st Council Meeting. He also announced that Urban Renewal rescheduled their meeting to next Tuesday where they plan to award contract for landscaping.

Councilor Dean announced that she attended the Parks Commission Meeting. She spoke they had a lot of discussion on their goals.

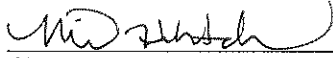
Councilor Wise, Councilor Abshire and Councilor McManus had no reports.

Mayor Stricker announced that the Talent Public Arts Advisory Committee is working on creating an Arts Foundation.

15. Adjournment

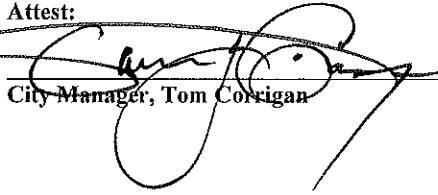
The Meeting adjourned at 8:24 PM

Respectfully Submitted by:



City Recorder, Melissa Huhtala

Attest:



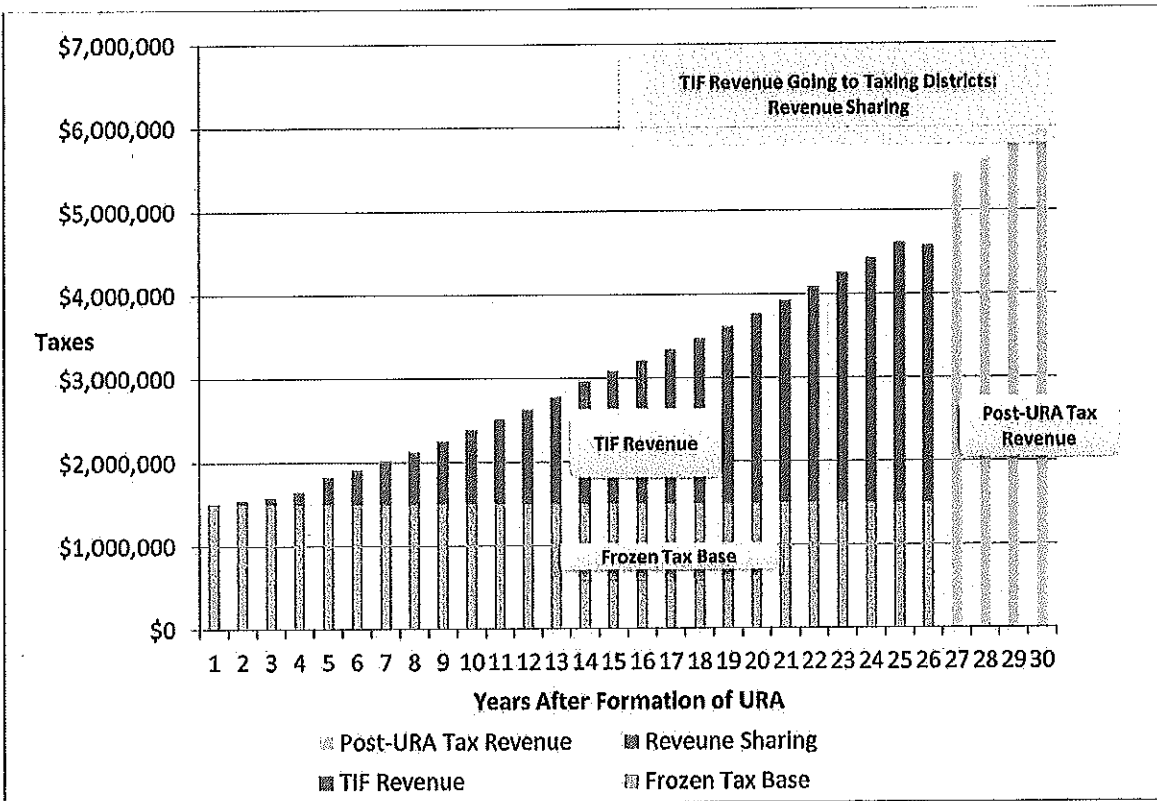
City Manager, Tom Corrigan

Note: This agenda and the entire agenda packet, including staff reports, referenced documents, resolutions and ordinances are posted on the City of Talent website (www.cityoftalent.org) in advance of each meeting.

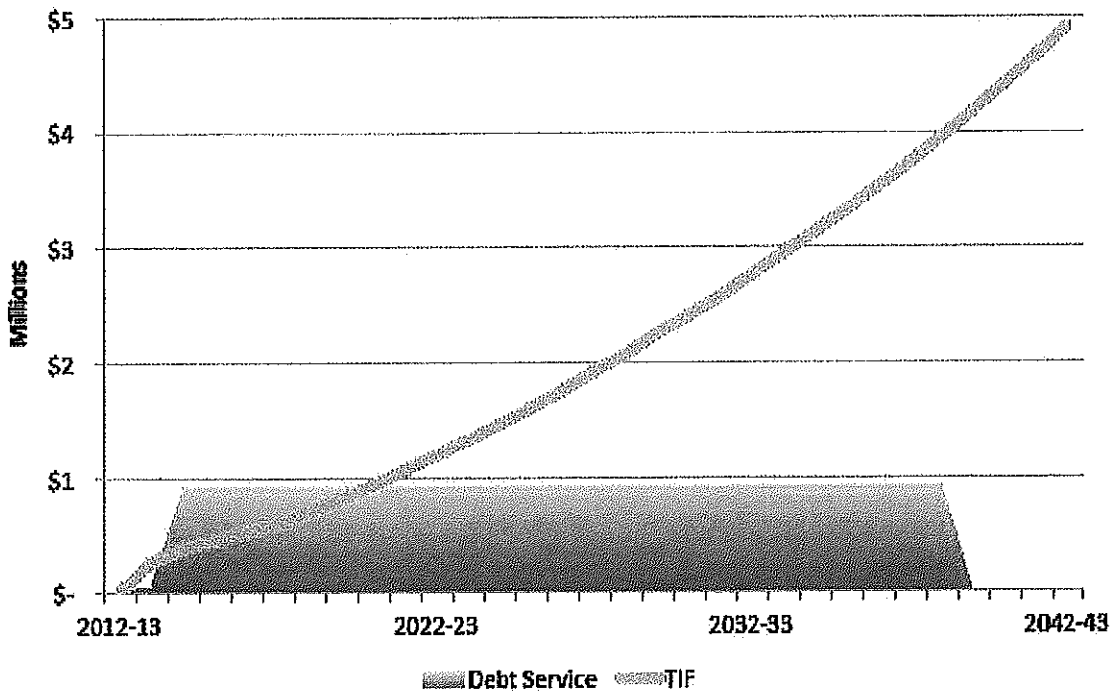
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How Does Financing in Urban Renewal Work?

- An area is designated as an urban renewal area
- The tax assessed value of properties within the area is frozen
- Taxes from that "frozen base" go to all taxing jurisdictions
- Increases in taxes over the "frozen base" go to the urban renewal agency for use in the Area. The taxes off the assessed value above the frozen base is called increment.
- New urban renewal areas do not take money from bonds
- New urban renewal areas do not take money from local option levies
- The maximum indebtedness for new urban renewal area is determined by balancing the projected potential increase in assessed value and the taxes off of that assessed value over a 25 to 30 year time period with the cost of desired projects within the area.



It takes some years after the formation of a new urban renewal area before there are sufficient funds to incur any substantial debt. New urban renewal areas typically either live off their annual increment, which is very low at the beginning, or save that increment until they have enough to take out a loan.



How Impacts are Calculated by Assessor

The chart below shows the breakout on taxes for a new urban renewal area. The assumptions are the property is valued at \$100,000, with a tax rate of 14.3866. This chart shows that if the property assessed value increases by 3% (the maximum amount of assessed value increase allowed by the state law unless there is major rehabilitation or new construction), the amount that would go to urban renewal would be \$43.16. It shows that if there isn't urban renewal, the amount the property owner would pay would be the same amount, \$1,481.82. The same exercise is done for every property within an urban renewal area. The total of the amount that should go to urban renewal from each property within the urban renewal area, that value above the frozen base, is then spread across all properties in the city.

		2014	2015	2015
		Property Value	Property Value	Property Value
		\$100,000.00	\$103,000.00	\$103,000.00
District Name	Perm. Rates			
Jackson County	2.0099	\$200.99	\$207.02	\$200.99
4H Extension	0.05	\$5.00	\$5.15	\$5.00
RFPD #5	3.1976	\$319.76	\$329.35	\$319.76
School Dist 4	4.2422	\$424.22	\$436.95	\$424.22
ESD	0.3524	\$35.24	\$36.30	\$35.24
City of Talent	3.2316	\$323.16	\$332.85	\$323.16
Soil and Water	0.05	\$5.00	\$5.15	\$5.00
Rogue Comm. Coll.	0.5128	\$51.28	\$52.82	\$51.28
Transit District	0.1772	\$17.72	\$18.25	\$17.72
Vector Control	0.0429	\$4.29	\$4.42	\$4.29
Library District	0.52	\$52.00	\$53.56	\$52.00
Urban Renewal				\$43.16
Total	14.3866	\$1,438.66	\$1,481.82	\$1,481.82



City of Talent

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Telephone: (541) 535-1566 Fax: (541) 535-7423
E-mail: TCorrigan@CityofTalent.org

March 16, 2015

Jackson County Development Services
Attn: Francisco Hernandez
10 South Oakdale Avenue, Room 100
Medford, OR 97501-2902

Subject: Mountain View Paving, Nonconforming Use Alteration Application
File # 439-15-00097-ZON
Address: 530 W. Valley View Road
Assessor Map and Tax Lot: 381W24 600

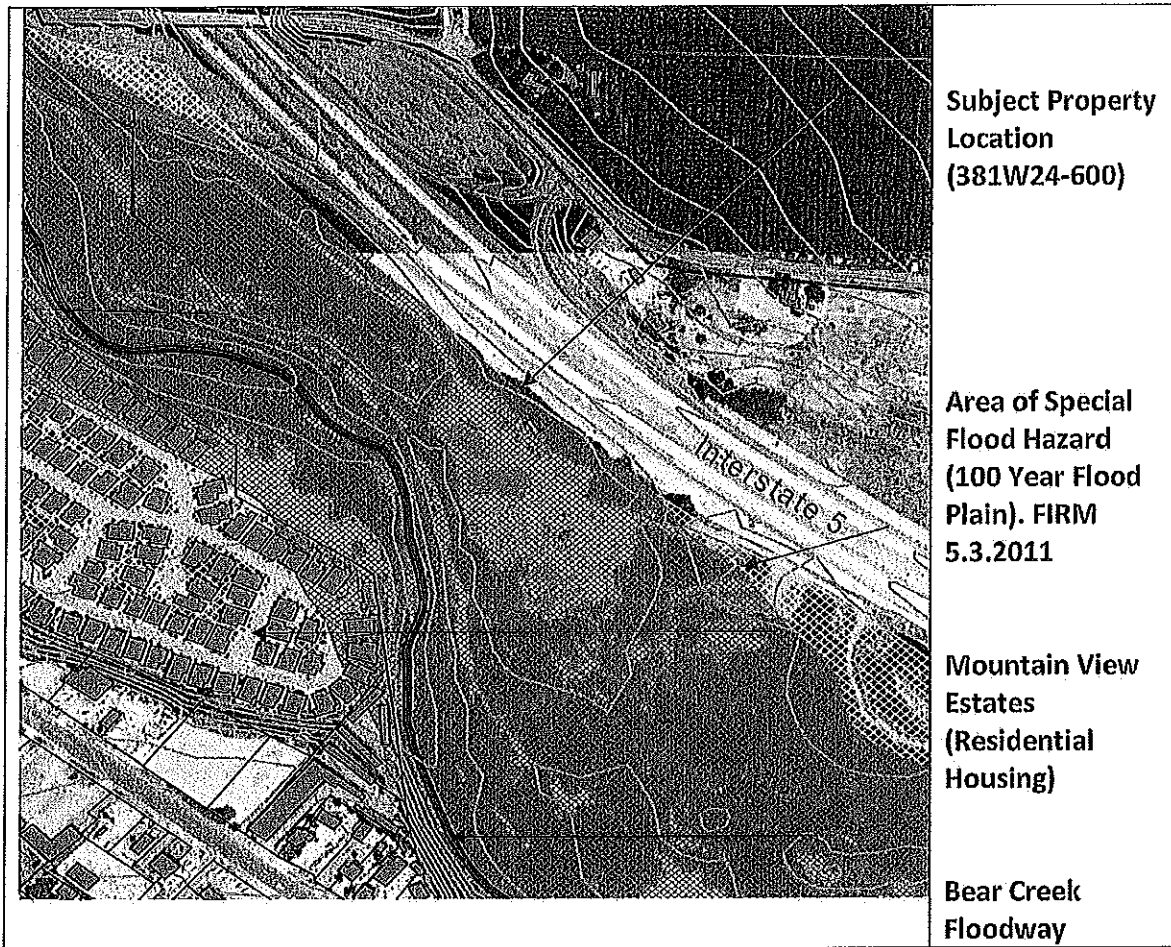
The City of Talent appreciates the opportunity to respond to the proposed land use application for Mountain View Paving, located at 530 W. Valley View Road, in Talent Oregon. The property is technically within Jackson County and therefore regulated by Jackson County's Land Development Ordinance (LDO) and Comprehensive Plan policies, but it is also within the City of Talent's Urban Growth Boundary (UGB) and subject to the Jackson County and City of Talent's Urbanization Agreement (Adopted by Ordinance #81-82, December 8th, 1981 by the Jackson County Board of Commissioners, File UGBA-5) which gives the City of Talent, in accordance with Exhibit B, Section C.3a and b, standing in the application.

As such, during a preliminary review of the application for a Non-Conforming Use Alteration Permit for Paul Mayer's Mountain View Paving business, the City of Talent would like to request the County consider the following:

Concrete and Asphalt batching are different uses: We understand in order to qualify as an Alteration of Use the uses must be the same. We find concrete and asphalt batching are two distinctly different uses per the LUBA opinion in Rogue 1. Residents of Talent have repeatedly informed us the impacts from the use of the subject property prior to 2001 were far less invasive regarding smoke, odor, and noise in previous years than the current asphalt batch use. (See map.)

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Application Process Inappropriate:

The MVP application for alteration presents the *current* asphalt plant operation for consideration and review. LDO 11.2.1(B) “distinguishes between alterations and “expansions,” and imposes additional requirements on the latter.” *Rogue Advocates v. Jackson County*, ___ Or LUBA ___ (LUBA Nos 2013-102/103 April 22, 2014). The change in use of the subject property from a concrete batch plant to an asphalt batch plant is an expansion or enlargement which requires a Type 3 review pursuant to LDO 11.2.1(B) as well as a showing that the use meets the applicable criteria listed in LDO 3.1.4. and LDO Chapter 11. In the context of the applicant’s previous non-conforming use application, the Jackson County Hearings Officer inferred that “concrete batch plants have a smaller physical profile in height, bulk, surface area and other attributes compared to asphalt batch plants,” indicating that the change from a concrete batch plant to an asphalt batch plant is an expansion that would require a Type 3 review. *Id.*; LDO 11.2.1(B)(2).

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Nature and scope undefined:

The application fails to describe with sufficient specificity the nature and extent of the nonconforming use. The application is clearly based on the Remand decision findings of nature and extent of the 1992 concrete plant; these findings were held by LUBA in their most recent decision to be mere dicta and therefore cannot be relied on as establishing the nature and extent of the prior nonconforming use. The application must be amended to verify the nature and extent of the original nonconforming use. Without establishing this baseline of the nonconforming concrete use it is not possible to accurately determine and compare the impacts to the neighborhood of the previous and current operations.

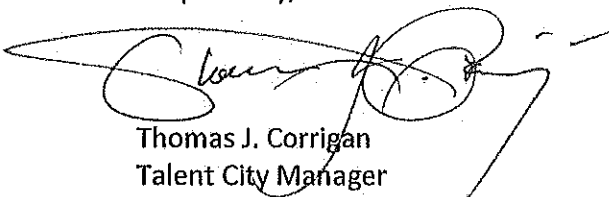
Pre-Existing Use: The City of Talent's zoning regulations do *not* address "aggregate" or "batch" plant operations within any of its zoning categories, including those areas within Talent's Industrial (LI) zoning classification. Further, because the subject property is designated as Open Space under the City's Comprehensive Plan, most likely due to the site's relationship with the Bear Creek Greenway, Bear Creek Flood Plain and nearby residential development to the west, the intent is for the property when annexed into the City is to be reclaimed to an open space condition. As such, due to the above factors, the City of Talent contends the approach to the proposal would be to address the proposal as a grandfathered use, regulated by TMC 8-3M.250, Non-Conforming Uses of Structures and Premises, which allows for routine maintenance and repairs to structures and premises, allows similar replacement uses, *but does not allow expansion or alteration of the non-conforming use.*

Furthermore, pursuant to Talent Land Use Code, Section 8-3F.110, even Light Industrial zoning would only allow "...commercial activities that are employment-intensive, when possible employing from Talent's labor pool, environmentally sound and aesthetically appropriate..."

For these primary reasons the City of Talent, upon direction of the Mayor and City Council, opposes the application and requests denial of the Alteration application.

Again, thank you for the opportunity to review the application materials and respond accordingly. If you have any questions pertaining to this issue, please feel free to contact me at 541-535-1566.

Respectfully,



Thomas J. Corrigan
Talent City Manager

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