



**TALENT CITY COUNCIL
REGULAR MEETING AGENDA
TOWN HALL
September 4, 2019 — 7:00 PM****

**** PLEASE NOTE DELAYED START TIME**

Study Session, Regular Council & TURA 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 in in 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.

1. Call to Order/Roll Call

2. Additions/Corrections to Agenda

3. Community Announcements

4. Speakers Heard on Non-Agenda Items

Limited to 5 minutes or less per Mayoral discretion.

5. 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.

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 that will allow for public input at the announced time.

7. Consent Calendar

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 August 21, 2019 Council Meeting Minutes 3-8

8. Unfinished Business

The unfinished business agenda consists of outstanding items from previous meetings. These items will be handled in the same manner as regular agenda items.

9. New Business

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

9.1 Update on Short Term Rentals Implementation (informational) 9

9.2 Parks Commission Recommendation 10-11

9.3 City Policy on CCB Recommendations to Council 12-13

10. City Manager Report

Items for discussion by the City Manager as needed.

11. Committee Reports

12. Other Business & Future Agenda Items

13. Commission and Committee Approved Minutes

Parks: [July 10](#) [August 7](#)

Traffic Safety & Transportation: [June 20](#)

14. Written Communications

This item is for written communications that have been submitted to the entire Council that the sender wishes to have included in the record. It will contain the communications only, and not additional attachments or Internet re-postings. Those items may be e-mailed directly to Council members or may be distributed in person via the City Recorder at Council meetings following an oral communication to Council. There will not be any Council discussion or public comment on this agenda item.

15. Adjournment

The City of Talent is an Equal Opportunity Provider

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.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact TTY phone number 1-800-735-2900 for English and for Spanish please contact TTY phone number 1-800-735-3896.



**TALENT CITY COUNCIL
REGULAR MEETING AGENDA
TOWN HALL
August 21, 2019 — 6:45 PM**

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

REGULAR COUNCIL MEETING

1. Call to Order/Roll Call at 7:12 PM

| Members Present: | Members Absent: |
|---|------------------------|
| Mayor Ayers-Flood Councilor Land Councilor Berlant Councilor Dolan Councilor Clark Councilor Ponomareff Councilor Harrison | |
| Also Present: | |
| Sandra Spelliscy, City Manager Zac Moody, Community Development Director Gabriella Shahi, City Recorder Kurt Sexton, Finance Director Bret Marshall, Public Works Director Chief Doney, Talent Police Department | |

2. Community Announcements

- Talent Harvest Festival needs volunteers.
- The Storm Drain Art pieces are complete. They are located at the Talent middle school, Chuck Roberts Park and along Main Street.
- Talent is looking for steering committee members to work on implementation of its age-friendly community project with AARP. The kickoff meeting will take place mid-September.
- Ashland CERT received grant funding to purchase a new Conex Box to store emergency supplies which will be located at Jackson County Fire District 5 Station 1. Ashland CERT is hosting a free basic training in October.

3. Speakers Heard on Non-Agenda Items

Rita Allred:

Allred spoke about the importance skate park to the city of Talent and Southern Oregon. She asked for the skate park to be repaired and kept in its current location.

Michelle Glass:

Glass expressed gratitude, on behalf of 1000 Friends of Oregon, Rogue Action Center, and other partners, for City's grant and in-kind donations for the LULI program held at the Community Center. *Glass' statement and handout are attached.*

Derek Volkart:

Volkart came to say thank you to Public Works for all of their hard work around the city. He described the positive impacts their work has on the community.

4. Public Presentations

None.

5. Public Hearings

None.

6. Consent Calendar

Council and Staff discussed the current procedure for commission and committees' recommendations to Council. Council reached consensus that all commission and committee recommendations should come before Council regardless of the circumstances of the recommendation.

6.1 Approval of July 17, 2019 Council Meeting Minutes

6.2 Park Commission Appointment – Paula Mixson

6.3 Talent Public Arts Appointment – Sheena Uritz

6.4 Approval of Contract for TAP Master Plan

6.5 Resolution 2019-995-R to Adopt New Council Rules of Procedures

(This item was moved to the next meeting.)

Motion: Councilor Clark moved to approve the consent calendar items 6.1, 6.2, 6.3, 6.4. Councilor Berlant seconded.

Discussion: None

Vote: All ayes. Motion passed unanimously.

7. Unfinished Business

7.1 2019-2024 Draft Capital Improvement Plan

Staff Report – City Manager

Over the course of the past year, staff has been working to complete the necessary long-range planning documents to aid in the development of a five-year capital improvements plan. Overall, the updated CIP focuses mostly on the current and upcoming fiscal year because more accurate data is available for budgeting purposes. The CIP shows the most current information on projects that are underway, and the City's expectations of project costs for the rest of this fiscal year and for next fiscal year. Beyond 2019/2020, the CIP is a conceptual plan showing the City's best estimates for project priorities and costs. Once the Stormwater and Park Master Plans are complete, the City can reevaluate the CIP and reprioritize projects based on the needs of the other two plans. Note that the majority of the projects recommended are ones that can be completed through the use of dedicated funding streams such as user fees, specially designated fees collected by the city, or system development charges. Capital improvement projects are not generally paid for through the general fund. If Council wishes to include other projects that fall outside of those funding areas, the CIP will also need to identify a funding source or sources for those projects.

Discussion:

- Council and Staff discussed how the projects are prioritized based on the years that funding for the projects are allocated. Staff explained how funds are budgeted for long term, periodic, and recurring project expenses.

- Council and Staff discussed funding of street repairs. Staff noted that currently there are not enough funds to complete all the needed street repairs.
- Council and Staff discussed the website update. Staff stated the website project will begin after the Harvest Festival is finished.
- Council and Staff discussed funding sources for the projects, cost deferment, and total projected costs of the CIP, and how those figures will impact future budgets. Staff will bring back an in-depth breakdown of the funding sources and amounts for the CIP projects.
- Council and Staff discussed the process for Council or other recommending bodies to propose new projects to be added to the CIP.
- Council and Staff discussed the Summers Place Wetlands project.
- Council and Staff discussed the projects related to school zone safety.
- Council and Staff discussed the responsibilities and authorities of the Traffic Safety and Transportation Commission.
- Staff stated the next steps are:
 - Economic Analysis on the Parks Master Plan
 - Economic Analysis on the Transportation System Plan
 - Complete the Storm Water Master Plan with RVSS
 - Once the above steps are completed, Staff will be able to fill missing information into the CIP. The CIP will be an ongoing process. Staff noted the CIP will be closer to completion by next year's budget.
- Council and Staff discussed the creation of an ordinance that dictates the process for the CIP to ensure consistency.

8. New Business

8.1 Tree Commission Status

Staff Report – City Manager

During the May 15, 2019 Council meeting a motion was made by Councilor Clark directing staff to provide information about the formation of an Ad Hoc Tree Committee for the purpose of updating Talent's Street Tree List.

Section 18.135.070 of the current Zoning Code acknowledges the Public Tree Committee and its responsibilities as follows:

The tree committee shall be a subcommittee of the parks commission. The responsibilities of the tree committee shall include the following:

- A. Making recommendations to the city council for nominating public trees for locally significant or heritage tree designation;
- B. Assisting city staff with Arbor Day observance.

Although this list of goals supports the Council's desire have a more involved committee dedicated to urban forest education and activities, the committee hasn't been active for many years and would need to be reestablished reassert the City as a pro-active Tree City USA community. The next step is to appoint those interested in serving on the Public Tree Committee and begin to implement the plan. Once appointed, the committee could begin working on a revised Street Tree list and formulate a

recommendation to the Parks Commission and ultimately to the Planning Commission to officially amend the zoning code.

Discussion:

- Council and Staff discussed the differences between a sub-committee, board, and committee and the possible membership composition.
- Council and Staff discussed creating a new ordinance to establish a Tree Committee.

Motion: Councilor Dolan moved to direct staff to draft an ordinance to establish a Tree Committee. Councilor Clark seconded.

Discussion: Staff stated that Council can send Staff recommendations for the contents of the ordinance draft. Council discussed the concept of “at large” membership for possible inclusion in the ordinance draft.

Vote: All ayes. Motion passed.

8.2 Council Bioswale Adoption

Staff Report – Community Development Director

Moody explained the responsibilities of adopting a bioswale.

Discussion:

- Council and Staff discussed the next steps for Council to start work on their bioswale.

8.3 2019-957-O Plastics Ordinance (second reading)

Staff Report – City Manager

The ordinance was adopted by Council on first reading on July 17, 2019. If adopted tonight on second reading, the ordinance becomes effective in 30 days.

Discussion: None

Motion: Councilor Berlant moved to approve the adoption of Ordinance 2019-957-O (as amended), an ordinance prohibiting the distribution of disposable food service ware composed of plastic or bioplastic by retail establishments in the City of Talent, by title only. Councilor Dolan seconded.

Discussion: None

Vote:

Councilor Land – yes

Councilor Berlant – yes

Councilor Dolan – yes

Councilor Clark – yes

Councilor Ponomareff – yes

Councilor Harrison – yes

All ayes. Motion passed.

9. City Manager & Other Department Reports

Report from City Manager 1:39

- Update on Belmont law suit. The plaintiffs have tentatively agreed to drop their complaint in front of LUBA. The City will move forward with processing their application as required by the court of appeals. A final settlement agreement has not yet been signed.
- The City has applied for two grants. The Blue Sky grant through Pacific Power is for a new solar array at the Public Works yard. The second grant through Pacific Power is for additional EV chargers on Seiber Street.

- The City is handling an illegal hemp grow off Rapp Road. It has issued a notice of violations and imposed fines.
- Finance:
 - The Utility Billing Clerk position is open
 - Preliminary Audit process will start in the next month.

Report from Community Development Director

- Update on the Housing Code amendment.
- The TV monitor will be installed at Town Hall before next council meeting.
- Council and Staff discussed when the Energy Element and housing code amendments will come before Council.

Report from Public Works Director

- Update on upcoming street safety projects.
- The EV charger at the Community Center now repaired.
- ODOT Bear Creek Connector Trail contract is signed.
- The consumer confidence report has been distributed.
- The active cross connection program survey has gone out.
- Next week starts the lead and copper samples as required by state.
- Update on the regional water rights strategy with Medford Water Commission.
- The Weed and Steam has arrived and works well.
- Park benches and tables have arrived and are installed by skate park.
- Council and Marshall discussed reasons for chlorine in city water.
- The skate park will be reviewed for a repair estimate on August 30.

Report from Chief of Police

- Update on staffing.
- The school resource officer will return with the new school year.
- Coffee with Cop was well attended.
- One patrol car was totaled in an accident. City employees were not at fault and were not injured.
- Medford PD has helped with several felony investigations.
- All law enforcement in the County will move to a new records management system. Medford and Jackson County are paying for the software.

Motion: Councilor Ponomareff moved to extend the meeting 5 minutes. Councilor Clark seconded.

Discussion: None.

Vote: 5 ayes, 1 nay (Harrison). Motion passed.

10. Other Business & Future Agenda Items

- Discussion of Parks recommendation concerning the Los Pinos Art Project.

11. Adjournment at 9:35 p.m.

Respectfully submitted by:

Gabriella Shahi, City Recorder

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Note: These minutes and the entire agenda packet, including staff reports, referenced documents, resolutions and ordinances are

posted on the City of Talent website (www.cityoftalent.org) after each meeting. The minutes are not a verbatim record: the narrative has been condensed and paraphrased to reflect the discussions and decisions made.

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DRAFT



Council Agenda Report

| | | | |
|-----------------------|-----------------------|------------------------|-------------------------|
| Meeting Date: | September 4, 2019 | Primary Staff Contact: | Zac Moody |
| Department: | Community Development | E-Mail: | zmoody@cityoftalent.org |
| Staff Recommendation: | Informational | Estimated Time: | 5 minutes |

ISSUE BEFORE THE COUNCIL

Short-Term Rental Update

BACKGROUND

At a recent City Council meeting staff was asked to provide an update on short-term rentals. As you may recall, the STR ordinance was adopted in April and effective in May. Since the ordinance became effective, the City has received two applications. One of the applications was for a new STR located on Bell Road and the other was for an existing operation located on Logan Way.

At the time of this report, only one of the two requests have been approved and the other is currently in review awaiting approval of the required building inspection. Community Development expects that the second STR will be approved at the beginning of September.

RECOMMENDATION

None

RELATED CITY POLICIES

None

POTENTIAL MOTIONS

None

ATTACHMENTS

None



City Council Agenda Report

Meeting Date: September 4, 2019
Department: Administration
Staff Recommendation: see below

Staff Contact: Sandra Spelliscy
E-Mail: sspelliscy@cityoftalent.org
Estimated Time: 20 mins.

ISSUE BEFORE THE COUNCIL

Discussion of Parks Commission Recommendation to Council.

BACKGROUND

The July 10, 2019 Parks Commission agenda contained an item titled: “Talent Maker City Project for Los Pineros.” The minutes for July 10 indicate that two speakers representing Talent Maker City presented the item. There was no staff report, nor was there anyone from the Parks Master Plan there to address the issue. The minutes indicate that the following motion was approved by the Commission:

*Motion by Paul Hadella to ask council to support Maker City project by looking for help with discretionary funding and/or partnering with Arts Committee.
Seconded. Motion Passed. No Nays*

On August 15, Parks Commission Chair Jesse Lunzman, sent the following e-mail to the city manager and others:

With the minutes now voted on for the July 10th meeting for Parks, I humbly submit our recommendations: The Parks Commission recommends that council approve the project proposed by the Talent Maker City Collective creating artwork celebrating Los Pineros, as per agenda item 4A.

At the August 21, 2019 City Council meeting, the mayor requested that staff bring the recommendation stated in Lunzman’s e-mail to the City Council for discussion.

Staff recommends that the Council not act on the recommendation for the following reasons:

1. The recommendation that was submitted by Chair Lunzman does not accurately reflect the motion that was approved by the Commission.
2. The Commission did not have accurate information to make a decision regarding the proposed agenda item. The Commission was told that Talent Maker City (TMC) was receiving a grant from the University of Oregon to create a placemaking project for Chuck Roberts Park that involved the Latino Community. That information was incorrect. The money for the placemaking project was designated from funds that were awarded to the city by the Oregon Department of Parks and Recreation to complete a Parks Master Plan.
3. The consultant for the Parks Master Plan, University of Oregon, erroneously asked Talent Maker City to submit a proposal for a placemaking project. That request was outside of the consultant’s scope of work

pursuant to its agreement with the city. The consultant also told TMC and the Parks Commission that it could “cut a check” to pay TMC for the project if the Commission approved it. That information was also erroneous. Neither the consultant nor the Parks Commission has authority to approve any expenditure of city funds.

4. The City Charter states in pertinent part:

Section 23. City Manager

(1) The City Manager is the administrative head of the City Government.

...

(6) The Manager shall:

...

i. Supervise City contracts;

Under her supervision authority pursuant to the City Charter, the City Manager has redirected the funds that the Parks Master Plan consultant had requested to pay for a placemaking project to the task of hiring a consultant to complete a financial analysis of the draft plan. Therefore, the funds that were discussed at the July 10 Parks Commission meeting are no longer available.

Without a financial analysis, the final master plan will be of little use to the city. In order to have a robust plan, the city needs both the plan itself, and an understanding of the costs of implementation and how revenue will be generated to pay those implementation costs.

RECOMMENDATION

No action recommended

RELATED COUNCIL POLICIES

None

POTENTIAL MOTIONS

None

ATTACHMENT

None



City Council Agenda Report

Meeting Date: September 4, 2019
Department: Administration
Staff Recommendation: Adopt staff recommendation

Staff Contact: Sandra Spelliscy
E-Mail: sspelliscy@cityoftalent.org
Estimated Time: 30 mins.

ISSUE BEFORE THE COUNCIL

Policy for bring Committee and Commission recommendations to Council.

BACKGROUND

At its August 21, 2019 regular meeting, Council had an informal discussion regarding when city Commission and Committee recommendations should be brought to Council. The issue was not a regular agenda item, so there was no formal action taken. The Mayor did, however, ask for consensus from the Council that staff bring all recommendations to Council as formal agenda items, regardless of content or appropriateness. One councilmember dissented at that time. Staff believes that this issue is worthy of further discussion, and is bringing it back to Council for a more formal discussion and decision.

City commissions and committees that have been established by ordinance are designed primarily to be advisors to the Council regarding city policy direction and decisions. They are not designed to be advisors on city processes or procedures. Volunteers who sit on city committees and commissions are not expected to be experts on city laws, regulations and policies. That is the role of staff, and is the reason why some of these bodies are given staff liaison to help guide them during and outside of their meetings. Those bodies that do not have a designated staff liaison are encouraged to contact city staff for help with issues such as navigating public meetings law, creating agenda and minutes, and interpreting the body's enacting ordinance and by-laws.

It is important that recommendations that are brought to Council for discussion comply with the aforementioned laws, regulations and policies. If not, it is an inefficient use of staff and Council time to place on an agenda a recommendation that cannot be approved because it is contrary to already established law or policy. In addition, asking staff to bring inappropriate recommendations to Council puts staff in the awkward position of having to discuss publicly why a particular recommendation is not appropriate for Council consideration, which puts staff in an oppositional role vis-à-vis community volunteers that is uncomfortable and not healthy for staff-community relations.

Staff believes that a more efficient and workable policy for the Council and the city would be to ask staff to forward all recommendations from city committees and commissions to the Council with the following conditions:

- Recommendations that are outside the authority of the recommending body as stated in the body's enacting ordinance, or by the City Charter, Council Rules, or other written city laws or policies will not be forwarded to Council.
- Recommendations must be stated as recorded in body's official minutes, which have then been

approved by the recommending body.

- If staff declines to forward a recommendation, it will inform the chair of the recommending body the reason for doing so in writing, and will offer advice to the chair as to how to correct any problems with the recommendation if possible. If a committee or commission wishes to appeal the decision of staff not to forward a recommendation, it may do so directly to the Council.
- This policy will become part of any more comprehensive city policy on committee and commission that may be adopted at a future date.

RELATED COUNCIL POLICIES

None

POTENTIAL MOTIONS

“I move to adopt a city policy regarding the method for advancing city committee and commission policy recommendations as stated in the staff report.”

ATTACHMENT

None



City Council Agenda Report

Meeting Date: September 4, 2019
Department: Administration
Staff Recommendation: Informational

Staff Contact: Sandra Spelliscy
E-Mail: sspelliscy@cityoftalent.org
Estimated Time: 20 mins.

ISSUE BEFORE THE COUNCIL

Update on list of future Council agenda items.

BACKGROUND

Several months ago staff presented the Council with a list of future agenda items that were in the queue for Council discussion and/or decision-making. Staff has now updated the list, adding additional items that have been requested, indicating where items are in progress or have been completed, and suggested target dates for upcoming agendas. It is difficult to predict exact dates for agenda items because staff assignments or priorities may change, and it is also hard to estimate the length of time it will take for Council to complete existing agenda items. For example, the discussion and decision-making over the newly-enacted short term rental ordinance was on the Council agenda seven times between December and April, while the process to update the Council Rules of Procedures occupied nine agendas between February and early June.

RELATED COUNCIL POLICIES

None

POTENTIAL MOTIONS

None

ATTACHMENTS

Updated list of future Council Agenda items

Pending Council Agenda Items Updated September 4, 2019

Land Use and Transportation

- Housing Code update (**in progress at Planning Commission**)
- Construction Excise Tax (**target agenda date of 10.18.19**)
- UGB expansion and land swap (TA-4, TA-5 and RR District)
- Inclusionary Zoning
- West Valley View Concept Plan -**DONE**
- Parks and Stormwater Master Plan updates (**in progress**)
- Touch pass for RVTD (**in progress**)
- Age-friendly construction regs

Fiscal

- Water rate increase - **DONE**
- Hardship rates for water utility
- Water SDC increase - **DONE**
- Stormwater fee
- Public Safety fee
- CIP (**first Council review 8.21.19**)

Environmental

- Plastics ordinance - **DONE**
- Community solar project
- Blue Sky Select Program (**target agenda date 9.18.19**)
- 5G discussion (**target agenda date 10.2.19 or 10.18.19**)
- Tree Commission (**target agenda date 9.18.19**)
- \$50K appropriation for CEE implementation
- Adoption of Clean Energy Element of Comprehensive Plan (**in progress at PC**)

Procedural and Administrative

- CCB and liaison policy (**study session 10.30.19**)
- Social media policy (**study session 10.30.19 - tentative**)
- Disposition of public property
- Biennial budget discussion
- New County Detention Facility
- Fireworks Ordinance
- Check-in on Council Goals
- CM Performance Review (**target agenda date 9.18.19**)
- Resolution re: CIP schedule for adoption