

**MINUTES FOR THE REGULAR MEETING  
ASHLAND CITY COUNCIL  
November 4, 2014  
Council Chambers  
1175 E. Main Street**

**CALL TO ORDER**

Mayor Stromberg called the meeting to order at 7:00 p.m. in the Civic Center Council Chambers.

**ROLL CALL**

Councilor Voisin, Morris, Lemhouse, Slattery, Rosenthal, and Marsh were present.

**MAYOR'S ANNOUNCEMENTS**

Mayor Stromberg announced vacancies on the Forest Lands, Historic, Public Arts, Transportation, and Tree Commissions.

**APPROVAL OF MINUTES**

The minutes of the Study Session of October 20, 2014, Executive Session of October 21, 2014 and Business Meeting of October 21, 2014 were approved as presented.

**SPECIAL PRESENTATIONS & AWARDS**

Public Works Director Mike Faught and GIS Specialist Lea Richards spoke regarding the Ashland Map Project. The map was a collaborative effort involving the Chamber of Commerce, local photographers, the Ashland Forest Resiliency Project, and City staff. The Northwest GIS Conference hosted a map contest and the Ashland map won awards for best public services and cartographic design out of twenty maps entered. Ms. Richards went on to highlight efforts and services provided by the City's GIS program.

Wendy Siporen from THRIVE and Professor Vincent Smith from Southern Oregon University (SOU) provided a presentation on the Rogue Valley Food System Network governed by the Food System Council. Professor Smith explained how the Food System Council operated, who was involved and the mission. They highlighted projects, introduced their new website rvfoodsystem.org, described THRIVE's role with the Rogue Valley Food System Network and invited Council to join the Network as a partner.

**PUBLIC FORUM** None

**CONSENT AGENDA**

- 1. Approval of commission, committee, and board minutes**
- 2. Change order for asbestos removal at Ashland Creek Park**
- 3. Approval of an MOU between the City of Brighton Police Department and the Ashland Police Department to join the You have Options national program**
- 4. Downtown Parking Management and Multi-modal Circulation Advisory Committee Transportation Commission representative**
- 5. Ratification of three-year labor contract with Electrical Union, IBEW Local No. 659**
- 6. Appointment of Richard Newman to the Public Arts Commission**
- 7. Appointment of Bruce Moats, Stephen Gagné, and Ron Parker to the Wildfire Mitigation Commission**
- 8. Approval of a Special Contractor List for sludge hauling to the City of Medford Water Reclamation facility**

Council pulled Consent Agenda items 3, 4, 5, and 8 for further discussion.

Police Chief Terry Holderness clarified the memo of understanding (MOU) with the City of Brighton Police Department was not financially binding but affected the City through loss of staff time for a detective position. Staff would address this in the next budget cycle and were looking for ways to recover costs through grant and training opportunities. The Ashland Police Department received a nomination for the Webber Seavey Award for excellence in Law Enforcement and invitations to speak at various conferences nationwide due to the You Have Options Program. The department was anticipating up to sixteen training sessions in Ashland 2015.

Mayor Stromberg asked Council to approve Joe Graff to the Downtown Parking Management and Multi-modal Circulation Advisory Committee and Councilor Marsh and Councilor Rosenthal as the Council Liaisons.

Human Resource Director Tina Gray addressed the labor contract with the Electric Union and clarified the contract included a 2% cost of living wage increase. The Electric Union had one wage with cost of living increases and was in line with industry standards. Councilor Voisin expressed concern the Electric Department was not receiving a wage increase for three years. City Administrator Dave Kanner explained how the employees were compensated through other forms and both parties had agreed to the terms in the contract. Councilor Voisin would not support approving the labor agreement. Councilor Slattery thought it was inappropriate for Council to try to manage collective bargaining agreements. The Union itself participated in a series of meetings and came to an agreement with the City.

Public Works Superintendent Mike Morrison explained the special contractor for sludge hauling to the City of Medford Water Reclamation Facility would provide back-up service in the event one of two pieces of equipment failed while the other was going through maintenance.

**Councilor Marsh/Slattery m/s to approve Consent Agenda item #5. Roll Call Vote: Councilor Morris, Lemhouse, Slattery, Rosenthal, and Marsh, YES; Councilor Voisin, NO. Motion approved 5-1.**

**Councilor Morris/Lemhouse m/s to approve remaining items on Consent Agenda. Voice Vote: all AYES. Motion passed.**

**PUBLIC HEARINGS** None

**UNFINISHED BUSINESS**

**1. Continued discussion of an ordinance replacing Title 18 Land Use of the Ashland Municipal Code with a reformatted and amended Land Use Ordinance**

Development Director Bill Molnar and Planning Manager Maria Harris provided an overview of the remaining key amendments to the ordinance:

- **Residential buildings in mixed-use development in commercial and employment zones**

Council suggested adding up the grand floor and applying a standard there instead of moving to an area of lot coverage. The Mayor added if someone was in a target use that was commercial at the least the total square footage should be commercial.

Staff would refine the suggestion and bring it back to Council for approval possibly after first reading.

- **Plaza/public space requirement for large-scale commercial development**

Council thought the plaza requirement was problematic for downtown development and needed further review. The Mayor suggested view corridors if they removed the plaza requirement. Other Council comments had issues with the fourth floor and noted the requirement applied to 10,000 square feet or greater and 100-foot long buildings and that made setbacks important.

Staff explained the fourth floor suggestion came from a focus group of design and development professionals as an option to maximize concentration of employment and jobs on transit lines to use commercial and employment land more efficiently. Council could approve fourth floors as a conditional use permit (CUP), or they could separate them and not have the requirement.

Council was interested in seeing something different for the downtown that possibly included the four-story standard and plaza standards.

- **Definitions of hotel and motel**

Council and the Mayor discussed whether the change in definition would allow short-term rentals in multiuse family areas and wanted more information. Council agreed to the updated definition of hotel and motel.

- **Effective date of Type II decisions**

Council supported the amendment.

- **Conditional use permit approval criteria**

Council had concern the proposed language for #7 inadvertently created a market of conditional use permits in certain situations. It was subjective, not measurable, and could be problematic. Council consensus did not support the proposed language in #7 regarding the cumulative effect of conditional uses.

**Councilor Marsh/Morris m/s to direct staff to bring back a revised draft with amendments for a continued Public Hearing and First Reading. DISCUSSION:** Councilor Morris stated that the amendments incorporated much needed changes. He also noted issues navigating the new format. Mayor Stromberg and council expressed thanks to Mr. Molnar and Ms. Harris for their work on the changes. **Roll Call Vote: Councilor Rosenthal, Lemhouse, Voisin, Marsh, Morris, and Slattery, YES. Motion passed.**

## **NEW AND MISCELLANEOUS BUSINESS**

### **1. Council adoption of strategic planning goals and objectives**

City Administrator Dave Kanner explained Council was working on strategic planning, goals, and objectives to determine long-range goals for the City over the next 5-6 years. Council identified seven broad goal categories containing 23 goals and 54 objectives or sub goals and the following 5 priority goals:

- Protect the integrity and safety of the watershed
- Market and further develop the Ashland Fiber Network
- Seek opportunities to enable all citizens to meet basic needs
- Evaluate real property and facility assets to strategically support city missions and goals
- Prepare for the impact of climate change on the community

The Parks and Recreation Commission would go through their own strategic planning process followed with a joint meeting with the Council to see how both sets of goals interconnected. The City's leadership team would also establish goals to determine administrative goals for the core functions the City already provided and would bring it back to Council as well.

**Councilor Slattery/Morris m/s to adopt the City Council strategic planning goals and objectives as agreed upon by the Council at the October 4, 2014 strategic planning session.**

**DISCUSSION:** Councilor Slattery expressed appreciation for the work Council did on establishing the

goals and added the need to maintain it as a living document. Councilor Morris agreed with Councilor Slattery and supported the motion. Councilor Marsh thought it was a good document, and commented on the process. Councilor Voisin thought Council did well establishing goals and expressed concern there was no dialogue or input from those affected by the goals and objectives.

**Councilor Voisin motioned to direct staff to develop a strategic planning session with City staff, Commissions, and the public to engage Council in the strategic plan. Motion died for lack of a second.**

**Continued discussion on main motion:** Councilor Rosenthal would vote for the motion and suggested having a next steps conversation once the motion passed. Councilor Lemhouse thanked staff for their efforts. He thought Council had come far in the goal setting process and stressed the need to review the goals regularly. He suggested changing the wording regarding goals not funded in the current budget cycle. **Roll Call Vote: Councilor Marsh, Morris, Slattery, Rosenthal, Lemhouse, and Voisin, YES. Motion approved.**

Councilor Rosenthal suggested adding a section to the Council and Commission Communication forms that identified the specific goal the item addressed. Councilor Lemhouse thought the community needed to understand the reasons why Council acted on items and the process.

Councilor Voisin noted the process the Fire Department used for their strategic planning that not all of Council attended. Councilor Slattery took issue with Councilor Voisin commenting on who attended. Councilor Voisin called for a point of order. Councilor Slattery stated he was out of order. Mayor Stromberg explained Councilor Slattery might have been making a point of order regarding Councilor Voisin's statement on who attended the meeting. Councilor Voisin continued describing the Fire Department's process and Councilor Slattery explained during that he received reports from the Fire Chief. Mayor Stromberg granted both points of order. Councilor Voisin went on to suggest using a similar process the Fire Department used for their strategic planning she had found effective that involved community, staff, and commissioners from various commissions.

Councilor Rosenthal thought it was important to have a deadline for the input Council was seeking. Another suggestion was producing a booklet of the goals. Councilor Lemhouse commented citizens had several months to provide feedback on the goals. Councilor Marsh thought it was appropriate for Council put together something that led the community.

**Councilor Rosenthal/Lemhouse m/s to add a category to Council and Commission Communication forms that includes a section on Council Goals. DISCUSSION:** Councilor Rosenthal explained the form would include a section that indicated the goal the Council Communication pertained to knowing in some cases it would not be applicable. Councilor Lemhouse emphasized that a Council or Commission Communication form would not always apply to a goal. Councilor Slattery liked the suggestion. **Roll Call Vote: Councilor Marsh, Morris, Slattery, Rosenthal, Lemhouse, and Voisin, YES. Motion approved.**

Mr. Kanner confirmed the feedback Council sought from the boards and commission was how they could support the goals not how they could amend, rewrite, or supplement the goals. Nor were boards and commissions supposed to be limited by the goals.

## **2. AFN Business Plan approval and funding options**

Director of Information Technology and Electric Mark Holden explained staff sought Council approval on the AFN business plan and to direct staff to develop implement funding for the business plan. During the October 6, 2014 Study Session Council expressed a preference that staff implement the internet

project and the fiber based services project. In the plan, they identified funding as a reduction in service fees. Currently there was a window of opportunity for AFN to gain momentum in the market place. Staff proposed the following funding options to fund the plan in the 2014-15 budget cycle and over a three-year period that would total approximately \$600,000:

1. Using economic development funds
2. Using the Reserve Fund
3. Reduce AFN's annual debt service payments

Council thought increasing the marketing budget from \$26,000 to \$40,000 was too low considering the competition. Mr. Holden explained AFN marketed directly to anyone who received a bill from the City plus branding, and would leverage with the ISP partners. City Administrator Dave Kanner added \$40,000 could go a long way in a small community since the majority of marketing went through the utility bills. Council had options regarding moving funds from the Reserve Fund and the role of the Budget Committee.

Mayor Stromberg thought Council should consider taking the \$100,000 from Central Services instead of using economic development funds. It was noted that in 2024 the debt services payments would end and AFN would be close to recovering costs and positioning itself in the best possible way. AFN needed \$600,000 dollars to compete and recover costs.

Administrative Services Director Lee Tuneberg explained in the current budget process the City had already loaned some of the \$1,000,000 in the Reserve Fund for the Health Benefit Fund that would not be paid back until the next budget period. Using funds from Central Services or the Equipment Fund would require further analysis.

Council agreed AFN needed to move forward on increasing internet bandwidth now and look at potential organizational changes next year. Council had issues with the strategic plan and the City's ability as a government entity to compete in the private sector.

Mr. Holden clarified fiber optic base services would happen in 2017. AFN could update the cable plan to 200 megabytes with the \$100,000 investment but needed the bandwidth to deliver it. AFN would also provide competitive speed and bandwidth to Comcast by the time it had completed \$250,000 of the \$600,000. The fiber investment would get fiber to the premise.

Council comments supported the strategic plan and using economic development funds for funding but the majority did not agree on using that option. Other comments preferred using the Reserve Fund, involving the Budget Committee, and noted the need for structural changes in AFN in order for it to compete in a private industry. Some wanted more discussion on the fiber optic project and suggested taking the next six months to create an AFN working group comprised of two Councilors, staff and three-four members of the community to look into possible structural changes.

**Councilor Marsh/Lemhouse m/s to create an AFN working group to identify and analyze possible alternative organizational structures for operation of the City fiber network. The alternative would be intended to retain City ownership of the infrastructure and retain public oversight but allow AFN the operational flexibility to move quickly and act strategically.**

**DISCUSSION:** Councilor Lemhouse supported the idea and motion. Councilor Rosenthal added if nothing changed at least Council was open to change by approving the motion. Councilor Slattery supported the motion and thought it could answer questions regarding the competitive market place and how the City does business. Councilor Voisin thought it was premature and that Council should follow the strategic plan set out by staff that knew the market, and knew AFN's capabilities. Taking time to form a committee would make AFN lose their competitive edge. Councilor Marsh clarified Council

would move ahead with the \$100,000 investment. Councilor Morris supported the motion AFN needed a different management structure. He also supported going forward with funding.

**Roll Call Vote: Councilor Marsh, Lemhouse, Morris, Slattery and Rosenthal, YES; Councilor Voisin, NO. Motion passed 5-1.**

**Councilor Slattery/Lemhouse m/s to take \$100,000 from this funding cycle out of the Reserve Fund.**

**DISCUSSION:** Councilor Slattery thought it was short sighted to take the \$100,000 out of economic development fund. Councilor Lemhouse supported using the Reserve Fund for the initial \$100,000 and involving the Budget Committee. Councilor Rosenthal questioned whether the funds would be allocated during the annual budget process and not be immediately available. Mr. Kanner explained using the Reserve Fund required a resolution that stated the requirements of the Reserve Fund would be established as part of the annual budget process as approved by the Budget Committee. Council had the discretion to establish another process for taking money out of the Reserve Fund and recommended consulting with the Budget Committee. Mayor Stromberg added that was why he suggested taking money from the Central Services Ending Fund Balance (EFB), and convene the Budget Committee for their advice. Councilor Lemhouse responded reconvening the Budget Committee could be done easily.

**Roll Call Vote: Councilor Marsh, Lemhouse, Morris, Slattery, and Rosenthal, YES; Councilor Voisin, NO. Motion passed 5-1.**

Mayor Stromberg confirmed the Budget Committee would be convened prior to taking funds out of Reserve Fund. Council clarified the AFN working group would focus on changing the form of the company, not the strategic business plan.

**ORDINANCES, RESOLUTIONS AND CONTRACTS** None

**OTHER BUSINESS FROM COUNCIL MEMBERS/REPORTS FROM COUNCIL LIAISONS**

Councilor Slattery and Rosenthal noted election results and congratulated Councilor Marsh, Councilor Morris, Stefani Seffinger and the City Recorder.

Councilor Lemhouse spoke regarding the Civic Virtue Project at the Ashland Middle School and its success.

Councilor Voisin announced training for winter shelter volunteers November 5, 2014 at the Presbyterian Church. Options for Homeless Residents in Ashland (OHRA) was sponsoring a Sleep Out 2014 November 8, 2014 at the old Lincoln School field ending November 9, 2014. OHRA Homeless Options was taking donations for the event.

**ADJOURNMENT OF BUSINESS MEETING**

Meeting adjourned at 9:51 p.m.

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Barbara Christensen, City Recorder

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John Stromberg, Mayor