

**MINUTES FOR THE STUDY SESSION  
ASHLAND CITY COUNCIL  
Monday, March 6, 2017  
Siskiyou Room, 51 Winburn Way**

Mayor Stromberg called the meeting to order at 5:32 p.m. in the Siskiyou Room.

Councilor Morris, Rosenthal, Seffinger, Slattery, and Darrow were present. Councilor Lemhouse arrived at 5:34 p.m.

**1. Public Input**

**Huelz Gutcheon/2253 HWY 99/**Supported passing the Climate Energy Action Plan, hiring a new staff position, and forming a commission. He explained the carbons in the atmosphere stayed there for hundreds of years and the 8% average reduction per year might need to change. He went to address the 10x20 ordinance and appreciated how Council handled the discussion.

**Brent Thompson/582 Allison/**Explained when the Downtown Beautification Committee addressed the Plaza, they approved low fencing, landscape upgrades, and settled on three planters but preferred more. Some planters could accommodate trees, not just bushes. Work on the Plaza was an ongoing process. He thought the discussion on the trees was good. Planters would punctuate areas for sitting. Regarding extending water outside the city limits, he had never been able to find a good reason to extend City services outside city limits.

**2. Look Ahead review**

Interim City Administrator John Karns reviewed items on the Look Ahead.

**3. City Recorder/Treasurer appointment process**

City Recorder Barbara Christensen explained she would retire April 30, 2017. She put together some options for Council to consider regarding her replacement. Council needed to determine whether they wanted to appoint someone prior to her leaving for training purposes or within the 60 days following her retirement.

The two requirements for placement were being registered to vote and living within the city limits. However, there were certain qualifications for filling the position. Ms. Christensen shifted a portion of banking tasks to the Finance Department over the past year and now managed minimal financial duties. The City Treasurer along with the Finance Director managed City investments. After she left, the Finance Director could take the lead as the investment officer.

City Attorney Dave Lohman explained some of the Recorder/Treasurer duties could shift within the Ashland Municipal Code (AMC) and City Charter but not all. Council could set any criteria they wanted for the interim position. The elected position did not have required skills or qualifications.

Councilor Seffinger noted the City Recorder ad hoc Committee had devised a list of duties and a potential job description for the Recorder/Treasurer position. Councilor Rosenthal commented the job description from the ad hoc Committee was for an appointed position and not elected. Mr. Lohman clarified the Charter did not specify work hours for an elected position. The elected Recorder could work a couple days a week as long as he or she was able to fulfill their duties. Changing the Charter required a vote to the citizenry.

Council approved proceeding with hiring an interim replacement for the position with the Assistant to the City Recorder as a possible 60-day or less back up if the position was still open May 1, 2017. Ms. Christensen would provide Council with a short list of the most important duties and qualifications at the Council meeting the next night. The qualifications would appear in an ad that would run in both newspapers. Ms. Christensen would keep Council apprised of the applications received. If there were many, Council would select a small pool of candidates to interview during a special meeting. Ms. Christensen would train the new Interim City Recorder/Treasurer late April.

#### **4. Plaza tree donation**

Greg Trunnell, the spokesperson for the proposal explained the project would remove and repurpose three existing trees on the Plaza and replace them with larger, more sustainable trees. They would replant the three existing trees in City parks and Southern Oregon University. The trees would come from Plant Oregon, and Solid Ground Landscape, through a zero-sum contract would maintain the trees for eighteen months. The project was time sensitive and the trees needed to be planted no later than the middle of April or they would have to wait until late fall in October or November.

Tree Commissioner Mike Oxendine reviewed the proposal, met twice with the Tree Commission, and inspected the quality of trees at Plant Oregon. The selected trees were high quality and raised in a unique manner that would minimize transplant shock and stimulate growth.

Councilor Seffinger talked to the Parks Commission, Interim Superintendent Jeff McFarland, and Arborist Peter Baughman from the Parks and Recreation Department. They would meet the next morning to review the project. Their concerns were mostly if the trees would need support ropes and cable. Commissioner Oxendine explained the trees would not require cable support. Stakes inhibited the trees ability to grow and root properly or establish the stress woods needed while growing. The root base for the selected trees was substantial enough to hold the tree in place. They could correct a tree that started to lean.

Commissioner Oxendine also addressed the prior limitation of planting mature trees during the Plaza Redesign due to an asphalt road and bricks buried in the location. He explained even with large trees, 95% of tree roots were in the top 26-inches of soil. Engineering Services Manager Scott Fleury had reviewed city utility lines with Mr. Trunnell and confirmed they were three to four feet deep and would not interfere with the roots. Council noted in addition to that limitation, they were informed at the time that smaller trees took root faster and outgrew larger trees over time. The Plaza Redesign encountered asphalt during excavation and dug up a pit of bricks. Commissioner Oxendine was confident planting the large trees where the current trees were would work.

Council was interested in moving forward with the project. They would add it to the agenda at the Council meeting the next night. Council directed staff to develop and research a policy regarding gifts of donor-chosen civic features.

**Councilor Lemhouse stepped out of the meeting 6:58 p.m. and returned at 7:05 p.m.**

#### **5. Continued discussion of water connections outside city limits**

City Attorney Dave Lohman provided the background on water connections outside city limits. Currently, there were 57 users of water outside the City, most grandfathered in. The ordinance had specific requirements for extending water outside city limits.

Public Works Director Mike Faught explained the issue first arose regarding a property owner who was using City water for a marijuana grow on property outside the city limits. This lead to a discussion concerning properties situated within city limits and on Jackson County land. There were 1,900 acres of properties bordering county land or half county, half city. There were five steps in Resolution 1997-27

regarding extending water beyond city limits. Mr. Faught did not recommend changing the rules and thought the City should continue reviewing requests on a case-by-case basis.

Mayor Stromberg wanted the resolution clarified that meeting the conditions in the resolution, Council still had to decide whether it was in the best interest of the community to grant the connection.

Mr. Lohman proposed clarifying the current criteria in Ashland Municipal Code (AMC) 14.04.060 for obtaining permission to use City water outside city limits. It would have to come back for first and second reading. He noted representatives from the Benson family testified at an earlier Council meeting, they cut off water to their marijuana grow and was still interested in using City water outside the urban growth boundary (UBG) for their shrubbery. The City responded to the Benson's use of water due to complaints received.

**David Lemmett/1090 South Mountain/**Explained he lived next door to the Benson's who used City water for a use not allowed city limits. Mr. Benson was growing 40 marijuana plants on county property. The public interest was not allowing someone to use City water for a use that would be illegal within city limits. A Jackson County enforcement hearing resulted in the Benson's potentially facing a \$10,000 fine. They reached an agreement where in exchange for a reduced fine they would never grow marijuana on county property again.

Council directed staff to clarify the ordinance further, maintain the existing regulatory structure, and bring it to Council at a future meeting for first reading.

#### **ADJOURNMENT**

Meeting adjourned at 7:20 p.m.

Respectfully submitted,  
Dana Smith  
Assistant to the City Recorder