

**ASHLAND CITY COUNCIL
BUSINESS MEETING
MINUTES
July 18, 2023**

I. CALL TO ORDER

Mayor Graham called the meeting to order at 6:00 p.m.

1. Land Acknowledgement

Councilor Hyatt read the land acknowledgement.

II. PLEDGE OF ALLEGIANCE

Councilor Kaplan led the pledge of allegiance.

III. ROLL CALL

Mayor Graham, Councilor Hyatt, Bloom, Dahle, Kaplan, DuQuenne, and Hansen were present.

IV. MAYOR'S/CHAIR OF THE COUNCIL ANNOUNCEMENTS

Mayor Graham pulled the **Early Childhood Affordability Grant Program** from **NEW BUSINESS** and the **Contract for an Electric Utility Master Plan with Stoddard Power Systems, LLC** from **ORDINANCES, RESOLUTIONS AND CONTRACTS** agenda items. Council agreed to the postpone both items no later than mid-August.

V. APPROVAL OF CITY COUNCIL MINUTES ***

1. Minutes of the June 20, 2023, Business Meeting

2. Minutes of the June 29, 2023, Special Business Meeting

Councilor Kaplan noted a typo on page 5 of the June 20, 2023, minutes, first paragraph, first sentence, changing "Marianne Bloom" to "Mariane Berry".

Councilor Hyatt/Bloom m/s to approve the minutes with the correction to the June 20, 2023, Business meeting. Roll Call Vote: Councilor Hyatt, Kaplan, Dahle, Hansen, DuQuenne, and Bloom, YES. Motion passed.

VI. SPECIAL PRESENTATIONS & AWARDS

1. City of Guanajuato, Mexico – Sister City Visit

Deputy City Manager Sabrina Cotta and Councilor Kaplan shared their experiences during their visit to Guanajuato. Cotta provided a presentation located here:

<https://acrobat.adobe.com/link/track?uri=urn:aaid:scds:US:a5a70597-5870-4d9f-80e6-6e4331e74e12>

2. Wildlife Crossing on I-5 in South Ashland

Amy Amrhein and Jack Williams from the Southern Oregon Wildlife Crossing Coalition provided background on the project and explained why the Mariposa Preserve at milepost 6 on I-5 was selected as the best location for a wildlife crossing. They wanted council to sign a letter of support for the project that would go to Secretary of Transportation Pete Buttigieg. Council supported signing the letter and would take it up later in the meeting under **OTHER BUSINESS FROM COUNCIL MEMBERS/REPORTS FROM COUNCIL LIAISONS.**

VII. CITY MANAGER REPORT

Deputy City Manager Sabrina Cotta reviewed the Look Ahead.

VIII. PUBLIC FORUM

Tish Way/Ashland/Spoke to the sewage spill that occurred October 2022 and invited council and city staff to survey the damage firsthand July 25, 2023.

JD Barons/Ashland/Shared her interaction with a family she met that were using the sunset to sunrise camping area at the Police Station and Chambers.

Paul Mozina/Ashland/Spoke on the Right of Way ordinance draft.

IX. CONSENT AGENDA

Councilor Hansen pulled consent agenda item #3 and Mayor Graham pulled #4.

- 1. Liquor License for Bird and Rye at 23 South 2nd St.**
- 2. Resolution 2023-21 Budget Supplemental for All-In Grant**
- 3. Resolution 2023-22 Budget Supplemental for Stracker Solar and ODOE Grant**
- 4. DLCDC Housing Grant Application Authorization**
- 5. Special Procurement of Software Services Contract with OpenGov, Inc.**

Councilor Dahle/Hansen m/s to approve Consent Agenda items #1, #2 and #5.

Roll Call Vote: Councilor DuQuenne, Bloom, Hansen, Dahle, Hyatt, and Kaplan, YES. Motion Passed.

Councilor Hansen explained a potential conflict of interest regarding consent agenda item #3. He was a solar contractor and asked to be recused from voting on the item.

Councilor Hyatt/Kaplan m/s to approve Councilor Hansen's recusal regarding item 3., Resolution 2023-22 Budget Supplemental for Stracker Solar and ODOE Grant.

Roll Call Vote: Councilor Hyatt, Dahle, Bloom, Kaplan, and DuQuenne, YES.

Councilor Hansen left the room.

Councilor Bloom/Hyatt m/s to adopt Resolution No. 2023-22 authorizing a 2023-25 BN supplemental budget. Roll Call Vote: Councilor DuQuenne, Kaplan, Hyatt, Bloom and Dahle, YES. Motion passed.

Councilor Hansen returned to the meeting.

Community Development Brandon Goldman provided background on the DLCD Housing Grant application authorization.

Cynthia Dettman/Ashland/Lived in Wingspread mobile home park and supported the zoning change for manufactured homes the city was considering.

Councilor Hyatt/Bloom m/s to authorize staff to prepare and submit an application for the planning grant from the Department of Land Conservation and Development to hire a consultant to assist the city in drafting a Manufactured Park Zone ordinance.

DISCUSSION: Councilor Hyatt explained how Dettman, and her team worked with Councilor DuQuenne and herself on the matter several months before. Councilor Bloom noted passing this would make things move faster. Councilor DuQuenne appreciated the collaboration. Mayor Graham thanked Goldman and his team. Ashland was the first community to complete the housing production strategy. This grant was the first implementation of that strategy. **Roll Call Vote: Councilor DuQuenne, Dahle, Hyatt, Kaplan, Hansen, and Bloom, YES. Motion passed.**

X. PUBLIC HEARINGS - None

XI. UNFINISHED BUSINESS - None

XII. NEW BUSINESS

1. Acquisition of the Tuttle Property (Taxlot 391E08DD -TL400) for the Open Space Park Program

Deputy Parks Director Rachel Dials provided background, described the property, and explained the benefits it would provide. Council noted an issue with the tax lot and acreage amount and expressed concern that it might be subdivided.

Councilor Hansen/Hyatt m/s to approve the acquisition of the 4.16acre(approx.) portion of the Tuttle Property known as 391E08DD -TL400 for the price of \$125,000.

DISCUSSION: Councilors expressed concern voting when the acreage was not clear.

Councilor Hansen withdrew the motion with Councilor Hyatt's consent.

Council discussed the matter further and moved the agenda item to the end of the meeting so Dials could get information on the acreage and subdivision.

Dials was able to produce another map (see attached) that resolved the discrepancy. The property would be subdivided. Parcel 1 was the 4.16-acer piece that city would purchase.

Parcel 2 was the owner's home and not included in the sale. The city would also acquire the .2-acre easement.

Councilor Hansen/Bloom m/s to approve the acquisition of the 4.16-acre (approx.) portion of the Tuttle Property known as 391E08DD -TL400 for the price of \$125,000.

DISCUSSION: Councilor Hansen explained how the property was a key connector for the trail system. He thanked the Parks Commission and the Tuttle family for selling it to the community and encouraged citizens and visitors to visit the area. He thanked Councilor Dahle for catching the discrepancy and appreciated Dials' efforts to resolve the matter. Councilor Bloom commented that the land was at an incredible price for an incredible value. He thanked Dials for her dedication to the position and in resolving the matter. Councilor Dahle also thanked Dials. **Roll Call Vote: Councilor Dahle, Kaplan, Hansen, Hyatt, and Bloom, YES; Councilor DuQuenne, NO. Motion passed 5-1.**

2. Early Childhood Affordability Grant Program

Item postponed to a future meeting.

XIII. ORDINANCES, RESOLUTIONS AND CONTRACTS

1. Ratification of a 3-Year Labor Agreement with the International Association of Firefighters (IAFF) Local 1269

Deputy City Manager Sabrina Cotta, Interim Human Resources Director Molly Taylor, and Fire Chief Ralph Sartain spoke on how neither group was able to come to a complete agreement. Cotta confirmed it went through arbitration and seeking council approval was a formality.

Councilor Bloom/Hyatt m/s to approve the three-year labor agreement with the IAFF and authorize the City Manager and Mayor to sign the three-year agreement.

DISCUSSION: Councilor Bloom appreciated the process and effort made. Councilor Hyatt expressed gratitude to IAFF, Local 1269 and the management team for navigating the process in a respectful and collaborative manner. Councilor DuQuenne noted council was not present during the negotiation and that was a misstep. Moving forward, she wanted council included in the next negotiation process. Councilor Kaplan was a strong supporter of unions and the collective bargaining process. He would support it even though the negotiation position of city was not achieved and thanked the team for negotiating. Councilor Hansen supported unions and firefighters and understood council was not allowed in these negotiations. Councilor Dahle noted the professionalism of both sides and the pressure to come to an agreement. Mayor Graham clarified council was consulted regarding the bargaining during executive sessions and had provided direction to staff on the negotiation process. **Roll Call Vote: Councilor Hansen, Dahle, Bloom, Kaplan, and Hyatt, YES; Councilor DuQuenne, NO. Motion passed 5-1.**

2. Contracts for Police and Fire Emergency Dispatch Services with Emergency Communications of Southern Oregon (ECSO)

Police Chief Tighe O'Meara explained that every 911 call went through the Emergency Communications of Southern Oregon (ECSO). It was the best model and functioned well. Costs had increased and ECSO was revisiting the manner of how fees were calculated. ECSO used a fee model on how long it took for a police call to be generated and finalized. For Fire, it was from the time of the call to when firefighters were back in quarters. Chief O'Meara was on the board of directors at ECSO. He was not supportive of the annual increase that at times depended on assessed property values that could increase police and fire user fees. ECSO capped it at 3% and staff pushed back as much as they could.

Chief O'Meara explained ECSO provided dispatch services for every fire and police department in the county except for the state police. ECSO's first line supervisors, managers and the director were very responsive to complaints. ECSO was the only emergency communications facility in the area. He noted a typo to the amendment extending through June 30, 2024.

Central Point had a comparable population to Ashland and paid \$200,000 less because the Ashland Police Department received more calls and demands on staff time. Central Point did not have the same call volume.

Councilor Kaplan/Bloom m/s to approve contracts between the police department and ECSO and the fire department and ECSO. Roll Call Vote: Councilor DuQuenne, Kaplan, Hansen, Dahle, Bloom and Hyatt, YES. Motion passed.

3. Contract for an Electric Utility Master Plan with Stoddard Power Systems, LLC

Item postponed to a future meeting.

4. Contract for Briscoe School Roof Replacement

Jeff Lowry from the Oregon Child Development Coalition (OCDC) described the program operating out of Briscoe School. Public Works Director Scott Fleury explained the city would use grant money for the school's roof replacement, floor replacement and asbestos mitigation. Any remaining funds would go to HVAC system improvements. They were currently coordinating with OCDC staff on when to begin construction. They were not sure the new roofing structure would bear the weight of solar panels. They were using a membrane instead of asphalt. OCDC was more concerned with replacing the roof and floors than updating the HVAC systems.

Councilor Hyatt/DuQuenne m/s to award a public improvement contract to C&R Homes and Construction Services LLC for Project No. 2019-27, Briscoe School Roof Replacement, in the amount of \$648,830. DISCUSSION: Councilor Hyatt thanked Representative Pam Marsh, and

former Interim City Manager Gary Milliman for their roles in the process. She thanked staff. Councilor DuQuenne agreed and thanked the collaborative effort that worked.

Roll Call Vote: Councilor Hyatt, DuQuenne, Hansen, Dahle, Bloom and Kaplan, YES. Motion passed.

5. Contract Change Order with Pilot Rock Excavation for Wastewater Treatment Plant Outfall Relocation Construction Project 2013-21

Public Works Director Scott Fleury explained this authorized a change order for Pilot Rock excavation for the outfall relocation. He shared details of the project and thanked Chance Metcalf, the project manager for the project and his actions that had reduced expenses.

Councilor Hansen/Dahle m/s approval of Change Order #3 with Pilot Rock Excavation in the amount of \$588,601.41 to complete the construction of the WWTP Outfall Relocation Project.

DISCUSSION: Councilor Hansen understood construction errors and the hard work the department put in to find other cost savings. Councilor Dahle agreed and thanked the team and Chance Metcalf. Councilor DuQuenne noted the city had the opportunity to connect with Rogue Valley Sewer Services twice. She wanted to look at the cost in the long term. She would not support the motion and questioned how this was sustainable. Councilor Bloom noted Rogue Valley Sewer Services just lost a \$300million lawsuit for spillage into the river. Mayor Graham clarified council did a deep dive into wastewater treatment, the effluent, and piping it. The cost of energy would become a problem. Given climate realities, it was prudent to hold on to water. **Roll Call Vote: Councilor Hyatt, Bloom, Hansen, Kaplan, and Dahle; Councilor DuQuenne, NO. YES. Motion passed 5-1.**

6. Resolution: 2023-31 Approving an Amendment to the Loan Ceiling of the Clean Water State Revolving Fund Loan R11755 for the Wastewater Treatment Plant Outfall (WWTP) Relocation Project

Public Works Director Scott Fleury explained this item was tied to previous one. This was an amendment to the existing document. It required council to approve the resolution and allow the city manager to sign a loan document as well. He confirmed the interest rate was 1% per year and the fee was .5 percent on the balance unpaid. They were ahead in the project and would finish early. He confirmed there were no plans to rebuild the wastewater treatment plant. Staff were maintaining what they had.

Fleury confirmed these were federal law permits under the environmental protection agency. The city was maintaining compliance with the federal law. Noncompliance would result in financial liabilities to the public and criminal penalties.

Councilor Kaplan/Bloom m/s to approve "A Resolution Authorizing and Approving an Amendment to Clean Water State Revolving Fund Loan Agreement No. R11755," and further authorize the City Manager to sign the loan documents for the new loan amount. Roll Call Vote: Councilor Hansen, Dahle, Hyatt, Bloom and Kaplan, YES; Councilor DuQuenne NO. Motion passed 5-1.

7. Second Reading of Ordinance 3223 Creating AMC 14.10 – Stormwater Discharge and Quality Control

Public Works Director Scott Fleury explained the only change that had occurred was renumbering the last 4-5 bullets. He thought the fiscal impacts in the storm drain budget was \$1.3million annually. Deputy City Manager Sabrina Cotta would send out that information.

Councilor Bloom/Dahle m/s to approve second reading of Ordinance 3223, titled “Stormwater Discharge Quality Control” creating section 14.10 – Stormwater Discharge Quality Control of the Ashland Municipal Code. Roll Call Vote: Councilor Dahle, Bloom, Hyatt, Hansen, DuQuenne and Kaplan, YES. Motion passed.

8. Second Reading of Updated AMC 2.04 – Rules of the City Council ORD 3224

Acting City Attorney Doug McGeary explained the ordinance was not to form because it lacked a placement for the ordinance number and signatures. These were items that could be added afterwards and would not impact the vote. He described the changes to the ordinance.

Mayor Graham addressed **2.04.030 Agendas (G)Time Limits**, explained why it should be removed and offered the following new language instead, **“The Mayor shall hold discussion to within the scheduled time frame, unless the consensus of the Council...”**

Councilor Bloom/Hansen m/s to approve for Second Reading of 3224, the update to AMC 2.04 Rules of the City Council as amended. DISCUSSION: Councilor Hansen liked the additions and the clarification. **Roll Call Vote: Councilor Kaplan, Hyatt, Hansen, Bloom, Dahle and DuQuenne, YES. Motion passed.**

XIV. OTHER BUSINESS FROM COUNCIL MEMBERS/REPORTS FROM COUNCIL LIAISONS

1. Wildlife Crossing Pilot Program (WCPP) Grant Application Support Letter

Council noted the population number was incorrect. Mayor Graham would correct that in the letter.

Councilor Hyatt/DuQuenne m/s approval of the proposed letter, Wildlife Crossing Pilot Program, WCPP Grant Application support for the Oregon 1-5 wildlife overcrossing project reconnecting the Cascade Siskiyou National Monument and in support of total grant application as presented at the beginning of this evening’s meeting.

DISCUSSION: Councilor Hyatt explained the effort was necessary not only for biodiversity but for the safety of those traversing 1-5. Councilor DuQuenne agreed and appreciated what was being done for the four leggeds and pollinators. Councilor Hansen thought it was a great step improving the habitat. They owed it to the world to make the human impact lighter. Councilor

Dahle was proud to be a leader here for this kind of initiative. **Roll Call Vote: Councilor Hansen, Dahle, DuQuenne, Kaplan, Hyatt, and Bloom, YES. Motion passed.**

Councilor Kaplan attended the Ashland Senior Advisory Committee and saw a presentation by Age Plus regarding an affordable housing project in the city of Talent for seniors and low-income individuals with support from Neighbor Helping Neighbor. It will be 20-40 units per development. He shared statistics about aging in Jackson County.

XV. ADJOURNMENT OF BUSINESS MEETING

Councilor Bloom/DuQuenne m/s to adjourn the meeting at 8:48 p.m. Voice Vote: ALL AYES.

Meeting adjourned at 8:48 p.m.

Respectfully Submitted by:

Attest:



Clerk of the Council Pro Tem Dana Smith



Mayor Tonya Graham



Exhibit A:
 Red: Proposed Boundary Line Adjustment
 Green hash: Proposed Maintenance Easement via driveway access for APRC, 14' wide O.C., and access, pkg. areas as shown on map
 Blue line: TID-Ashland Canal
 Yellow line: Trails

Tuttle Property/ Proposal - PLA
 391E08DD TL:400

Speaker Request Form
THIS FORM IS A PUBLIC RECORD
ALL INFORMATION PROVIDED WILL BE MADE AVAILABLE TO THE PUBLIC

- 1) Complete this form and return it to the City Recorder prior to the discussion of the item you wish to speak about.
- 2) Speak to the City Council from the table podium microphone.
- 3) State your name and address for the record.
- 4) Limit your comments to the amount of time given to you by the Mayor, usually 3 or 5 minutes.
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- 7) Speakers are solely responsible for the content of their public statement.

Tonight's Meeting Date 07/18/2023
Name JD Barons (please print)
Address (no P.O. Box) Ashland
Phone _____ Email _____

Regular Meeting

Agenda topic/item number _____ OR
Topic for public forum (non agenda item) Housing for Families

Land Use Public Hearing
Please indicate the following:
For: _____ Against: _____
Challenge for Conflict of Interest or Bias
If you are challenging a member (a city councilor or a planning commissioner) with a conflict of interest or bias, please write your allegation complete with supporting facts on this form and deliver it to the clerk immediately. The Presiding Officer will address the written challenge with the member. Please be respectful of the proceeding and do not interrupt. You may also provide testimony about the challenge when you testify during the normal order of proceedings.
Written Comments/Challenge: _____

The Public Meeting Law requires that all city meetings are open to the public. Oregon law does not always require that the public be permitted to speak. The Ashland City Council generally invites the public to speak on agenda items and during public forum on non-agenda items unless time constraints limit public testimony. No person has an absolute right to speak or participate in every phase of a proceeding. Please respect the order of proceedings for public hearings and strictly follow the directions of the presiding officer. Behavior or actions which are unreasonably loud or disruptive are disrespectful, and may constitute disorderly conduct. Offenders will be requested to leave the room.

Comments and statements by speakers do not represent the opinion of the City Council, City Officers or employees of the City of Ashland.

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Tonight's Meeting Date 7/18/23
Name Tishway

Regular Meeting

Agenda topic/item number _____ OR
Topic for public forum (non agenda item) 236 N 1st

Land Use Public Hearing
Please indicate the following:
For: _____ Against: _____
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Tonight's Meeting Date 2/10/23
Name DAUL MOZINA

Regular Meeting

Agenda topic/item number _____ OR _____
Topic for public forum (non agenda item) ROW ORDINANCE

Land Use Public Hearing

Please indicate the following:
For: _____ Against: _____

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Tonight's Meeting Date _____
Name CYNTHIA DALLMAN

Regular Meeting

Agenda topic/item number grant for OR Consent #4
MH zoning change
Topic for public forum (non agenda item) _____

Land Use Public Hearing

Please indicate the following:
For: _____ Against: _____

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