ASHLAND CITY COUNCIL
BUSINESS MEETING MINUTES
June 4, 2024

I. CALL TO ORDER

Mayor Tonya Graham called the meeting to order at 6:05 pm.

1. Land Acknowledgement**

Councilor Kaplan read the land acknowledgment.

II. PLEDGE OF ALLEGIANCE

Councilor Hyatt led the pledge of allegiance.

III. ROLL CALL

Mayor Graham, Councilors Hyatt, Dahle, Kaplan, DuQuenne and Hansen were present. Bloom was absent.

IV. MAYOR'S / CHAIR OF THE COUNCIL ANNOUNCEMENT

Graham announced that fire season has begun (June 1, 2024) and referred residents to the new website for information on how to prepare one's home and property for wildfire prevention and for evacuation.

1. Flag Day Proclamation

Mayor Graham read the proclamation into the record.

V. APPROVAL OF MINUTES

1. Minutes of the May 20 - Study Session Meeting
2. Minutes of May 21 - Business Meeting

Councilor DuQuenne/Dahle m/s approve the minutes.
Roll Call Vote: Councilors Hyatt, Kaplan, DuQuenne, Dahle and Hansen, YES. Motion passed.

VI. SPECIALPRESENTATIONS

VII. CITY MANAGER REPORT

Cotta announced the new website launched May 22, 2024, with ongoing updates. All committee information will be moved to Laserfiche. The June 2024 Newsletter has been published. the City will be looking for a new Band Director as the current director has taken another position. Call for artists is out for a decorative crosswalk that will be near the entrance to Lithia Park. Fire Season began June 1, 2024 and it is expected to hotter and drier this summer- please see the website for tips on ways to prepare.

VIII. PUBLIC FORUM

15 minutes – Public input or comment on City business not included on the agenda

Paul Mozina/Ashland - Mozina spoke of the recently amended telecommunications ordinance. He found no consideration of the health and safety impacts of RF radiation where sensitive people tend to congregate.

Jackson Bangs/Medford - Spoke in favor of the Ashland Climate and Clean Air Policy Package. He urged the City to include a carbon pollution fee for connecting new homes to gas hookups, a low nitrogen oxide emission standard for appliances in new homes, a provision to stop the expansion of new gas pipes in rights of way by the end of 2025 when the franchise agreement with Avista is up for renewal.

Jacki Rosen/Ashland - Spoke in support of the Climate and Clean Air Policy Package. Rosen urged the Council to direct City staff to draft policy language for each element of the package for the August 5, 2024, study session.

Flavia Franco/Ashland - Spoke in support of the Climate and Clean Air Policy Package. Franco mentioned the Green Energy Institute has already drafted language so the City does not have to start from scratch.

Sitka Moss/Trail - Moss asked again for a resolution for a ceasefire in Gaza and asked for passage of a resolution by Council to consider and talk about these issues.

Ancient Hatfield/Ashland- Spoke in favor of a resolution for a ceasefire in Gaza. Hatfield asked the Council to join the rest of the world in saying this genocide must end now by creating a resolution or receiving help to draft one.

Tony Foster/Ashland- Foster read from section 1091 of Title 18, United States Code that prohibits genocide into the record. Foster encouraged the City to pass a ceasefire resolution along with the International Criminal Court and the International Court of Justice.

Gavin Borgias/Ashland- Spoke in favor of a ceasefire resolution. Borgias spoke that this genocide has gone on long enough without opposition from the highest levels.

CONSENT AGENDA

1. Recology Resolution
2. Affordable Childcare Ad Hoc Committee Appointment
3. Liquor License Approval for Cafe Lumina LLC
4. Liquor License Approval for Rogue Valley Roasting Company

Kaplan asked to remove Item #4 from the Consent Agenda.

Hyatt/ Kaplan m/s - approval of the consent agenda as proposed for items one through three. No discussion.

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

Kaplan spoke with respect to Item #4, approval of the liquor license for the Rogue Valley Roasting Company. Kaplan disclosed his role as a board director and one of over 13,000 owners of the Ashland Food Coop which purchased the Rogue Valley Roasting Company. Kaplan did not believe his association with the Ashland Food Coop prevented him from making an independent decision on this application, but on advice from the City Attorney, he recused himself from discussion or voting on this item. Hyatt spoke that she would also have a potential conflict of interest as a member of the Coop. DuQuenne spoke that she had a conflict of interest and would recuse herself, as her son works for the Ashland Food Coop. Hansen spoke that he is a member of the Ashland Food Coop. City Attorney McGeary reviewed State Ethics law prohibiting elected officials from using their office to influence decisions that may benefit their business associations. He encouraged Council members with potential conflict not to discuss or try to otherwise influence others voting on the matter. DuQuenne asked to remain recused, while other members stated their conflict did not interfere with their ability to make an independent decision from their own personal interests.

Dahle/Hansen m/s to approve the liquor license for Rogue Valley Roasting Company
No Discussion.
Roll Call Vote: Hyatt, Dahle, Kaplan, Hansen, YES. DuQuenne, abstain. Motion passed.

Hyatt/ Dahle m/s to approve Councilor DuQuenne's recusal on this item.
No Discussion.
Roll Call Vote: Hyatt, Dahle, Kaplan, Hansen, YES. Motion passed.

IX. PUBLIC HEARING

1. First Reading – ORD 3237 An Ordinance Relating to Amending AMC 2.28 to add the Department of Innovations and Technology (DoIT)

McGeary spoke of the need for this resolution.
Councilor Hyatt/Hansen m/s approval of first reading of Ordinance #3237, An Ordinance Relating to Amending AMC 2.28 to add The Department of Innovation and Technology. Scheduling of its second reading for June 18, 2024.
Discussion: Hyatt spoke that it seemed prudent and was happy to make the motion. Hansen spoke of his support in the creation of this department
Roll Call Vote: Hyatt, Kaplan, DuQuenne, Dahle, and Hansen, YES. Motion passed.

Mayor Grahm opened the public hearing. Not comments. Closed the public hearing.

2. First Reading - ORD 3240 An Ordinance for Right of Way Vacation of a Portion of Fern Street

Scott Fleury, Public Works director, provided the background information on the vacation of this portion of Fern Street. Council approved this request in December of 2023, and the City has moved forward with requirements to vacate the right of way. This includes a Planning Commission meeting with a recommendation to Council, development of the ordinance language, creation of the right of way boundary, and a map of survey. The recommendation from the Planning Commission was to include a pedestrian and utility access easement overlay, which has been included in the map of survey. Notification was provided as required by Oregon Revised Statute, which included noticing the agenda and at the street location. Kaplan asked about the pedestrian easement. Fleury clarified this is not listed in the ordinance language which defines the vacation of right of way but is provided in the separately recorded map of survey.

Councilor Hansen/Kaplan m/s to approve Ordinance Number 3240 an Ordinance relating to the vacation of a portion of Fern Street as amended to not read Otis Street but correctly Fern Street.
Discussion: Hansen thanked the City for its efforts. McGeary noted as this is the first reading there needs to be a public hearing.
Hansen withdrew his motion.
Mayor Graham opened the public hearing. No comments. Closed the public hearing.

Councilor Hansen/Kaplan m/s to approve Ordinance Number 3240 an Ordinance relating to the vacation of a portion of Fern Street as amended to correct the reference from Otis Street to Fern Street.
Hansen again thanked the City for its work benefiting these residents.
Roll Call Vote: Hyatt, Kaplan, DuQuenne, Dahle, and Hansen, YES. Motion passed.

3. First Reading - ORD 3241 An Ordinance for Right of Way Vacation of a Portion of Meadows Drive

Fleury spoke that this right of way was reserved for a future street connection in that neighborhood which is no longer needed or warranted. Property owners asked the City to vacate the right of way, which the Council approved in December of 2023. Since then, the Planning Commission met and provided a recommendation to Council. The City has since created the ordinance and legal exhibit language of the area to be vacated on Meadows Drive. Hansen asked about the sidewalk, and Fleury confirmed it would no longer be a City project, but a Meadows Homeowners Association project.

Mayor Graham opened the public hearing. No comments. Graham closed the public hearing.

Councilor Dahle/Hyatt m/s to approve Ordinance Number 3241, an Ordinance relating to the vacation of a portion of Meadows Drive
Discussion: Dahle thanked Fleury and the Planning Commission. Hyatt did likewise.
Roll Call Vote: Hyatt, Kaplan, DuQuenne, Dahle, and Hansen, YES. Motion passed.

4. Approval of Resolutions 2024-15, 2024-17, and 2024-18 Related to the Annual Budget Declarations for Property Tax, State Revenues, Ashland Services for FY 2025

Mariane Berry, Finance Director, provided information about the three budget-related resolutions: the first for levying taxes, the second certifying City of Ashland services, and the third for declaring the City's election to receive state revenues for liquor and marijuana. Mayor Graham opened the public hearing. No comment. Graham closed the public hearing.

Councilors Hansen/Dahle m/s to approve Resolution 2024-15 Levying Taxes for the Fiscal

Year July 1, 2024 through June 30, 2025, Such Taxes in the Levy Rate of $4.2865/$1,000 Assessed Value Upon All the Real and Personal Property Subject to Assessment and Levy Within the Corporate Limits of the City of Ashland, Jackson County, Oregon. And the City Council also levies a tax for the repayment of General Obligation Debt in the amount of $215,815.
Discussion: Hansen thanked Berry for the communication that the general obligation debt was for Fire Station Number 2. Dahle thanked Hansen for the clarification on that. DuQuenne spoke that she will not support this, as she did not vote for the budget.
Roll Call Vote: Hyatt, Kaplan, Dahle, and Hansen, YES. DuQuenne, NO Motion passed. 4-1

Councilor Kaplan/Hyatt m/s to approve a resolution: Resolution 2024-17 Certifying City of Ashland Services
Discussion: Hyatt spoke in favor of this motion as it is important and progress to the subventions motion. If the City does not certify that Ashland provides services such as Police and Fire, it would be unable to then approve the receiving of State funds.
Roll Call Vote: Hyatt, Kaplan, Dahle, and Hansen, YES. DuQuenne, NO Motion passed. 4-1

Councilor Hyatt/Hansen m/s to approve a resolution titled: Resolution 2024-18 Declaring the City's Election to Receive State Revenues.
Discussion: Hyatt spoke that her previous remarks stand. Hansen agreed.
Roll Call Vote: Hyatt, Kaplan, Dahle, and Hansen, YES. DuQuenne NO. Motion passed. 4-1

Graham thanked Berry for her work that allowed the City to receive the funds that pay for things in the general fund such as Police and Fire. Hyatt added that these funds also pay for the City's Housing Fund, such as the marijuana revenues that allow the City to have the Housing Trust Fund.

5. Public Hearing - Termination of Electric Service

Kolodzinski spoke that this item was pulled from the agenda at this time. It may come back at a later date.

X. UNFINISHED BUSINESS

1. Shelter Goals

Graham brought this forward in relation to the ad hoc committee that was formed to develop the master site plan for the 2200 Ashland Street facility. Graham along with Councilors Kaplan and DuQuenne have been working on the development of that committee. Graham asked for general guidance for this committee. Kaplan spoke to the third goal that talks about a pathway to long-term housing in Ashland for those experiencing homelessness and asked about the possibility of including shelter at that location. Graham did not intend to exclude this, but assumed it was included as being in the range from shelter on through to other types of housing. Kaplan suggested adding it in the language, which Graham noted. DuQuenne added that the second bullet point could be a broader conversation. Graham asked if the broader discussion of South Ashland at Council was something Councilors would like to see on the agenda and asked Cotta to note to add this to a future agenda. Hyatt spoke in support of the goals as they have been articulated. Hansen agreed that the goals were broad enough to promote robust conversations. Dahle asked when the Council will hear back from this committee. Graham spoke to two community engagements for this project, the first for the end of August and the second toward the end of September. Graham clarified that first the committee will take the parameters from Council and process the options before the first community engagement. DuQuenne spoke that it was appropriate for the committee to meet at the property.

Councilor Hyatt/Kaplan m/s approval of the community goals for the 2200 Ashland Street property as amended.
Discussion: no discussion
Roll Call Vote: Hyatt, Kaplan, DuQuenne, Dahle, and Hansen, YES. Motion passed.

XI. NEW BUSINESS

XII. ORDINANCES, RESOLUTIONS AND CONTRACTS

1. Community Center and Pioneer Hall Construction Contract

Fleury spoke about this request to approve a construction contract with Outlier Construction LLC for the rehabilitation of the Community Center and Pioneer Hall. The base bid covers all the major structural issues for both buildings that were defined in previous conversations with Council. These include roof live and dead load, floor live and dead load, primary ADA accessibility issues. The alternative bid structure includes additional ADA accommodations, removal and replacement of the kitchen in the Community Center to make it ADA compatible, painting and finishes, and replacing the HVAC in both facilities. There is also a provision to consider rectifying potential damage to other parts of the buildings that may occur during this type of renovation. The expectation is for the work to begin in July or August 2024 and to be completed in early 2025 for both buildings.

Hyatt reflected to the ad hoc committee's consideration in June of 2021 which looked at cost effective solutions. At that time, Council was presented with a Moment Frame option that was not included in the current bid. Fleury spoke that the only firm to respond to the solicitation presented a different solution that was more robust as they would be carrying the liability. Dahle asked for clarification that the engineering firm accepted the bid based on these changes, and Fleury confirmed. DuQuenne reflected on the ad hoc committee work of 2021 and asked about the current bid amount of $1.7 million. Fleury clarified that the base bid is for just over $1 million, with the $0.7 million adding the alternative modifications to the package for both buildings. DuQuenne asked about the difference between the $350,000 amount proposed for both buildings in 2021 and the current bid. Fleury explained the 2021 bid did not include the HVAC system, full ADA accommodations for both facilities, some of the fit and finishes, or mitigation of the loading conditions for the facilities themselves. This resolves more issues than were considered by the ad hoc committee. DuQuenne recalled a previous Councilor's suggestion in 2021 to complete the first portion of the project, and fund raise for the rest which she agreed with. Hyatt summarized that prior to the ad hoc committee it was just over $400,000 for each building for a total of about $800,000 to do them both. The subsequent ad hoc committee solution was $350,000, and now the menu presented is as high as $1.7 million. Fleury spoke that the current bid includes all of the ad hoc committee recommendations and includes the ADA modifications and other elements described. Graham asked Fleury to elaborate on the cost difference between residential and commercial renovations. Fleury explained the higher cost for renovations versus new buildings, and the increase of 30-40 percent over the last few years for labor and cost of goods. He added that working with the City requires a high level of liability insurance which add up. DuQuenne asked about the range of costs available to the Council, and Fleury clarified that the base bid will cover all necessary structural issues, and the alternative additions are open to Council discretion. Fleury added this project has been approved by the Historic Preservation Committee.

Councilor Dahle/Kaplan m/s to award a public improvement contract to Outlier Construction LLC for Project No. 2020-15 and 16 Community Center and Pioneer Hall Rehabilitation including all bid schedule alternatives, except 4, in the amount of $1,722,490.
Discussion: Dahle mentioned Council had just over 2.3 million budgeted for in the 2023-25 capital allocation. This project is $400,000-500,000 less than that and includes $250,000 of contingencies just in case something is found during construction. Final cost could come in well below the $1.7 million. Kaplan agreed, and thanked Fleury. Hansen shared his child spent mornings in this building and many residents have memories there. Hansen spoke in support of the more complete renovation. DuQuenne feels the Community Center needs to be open and hopes it will be open to all people. DuQuenne mentioned this could have been completed three years ago and will vote no. Hyatt thanked the team for including the ADA requirements that have been built into this estimate that will open the doors wide to all that would like to use it. Graham spoke that public investments are different from residential investments, and the community will have these buildings for a long time and is looking forward to the buildings being open.
Roll Call Vote: Hyatt, Kaplan, Dahle, and Hansen, YES. DuQuenne NO. Motion passed. 4-1

Recess taken from 7:26 to 7:35 pm

2. Special Procurement Contract - Chemicals

Fleury spoke about the need for this special procurement to allow the City to use Nielson Research for all water quality testing requirements for the parks system, wastewater system, and water system. The City is mandated to complete regulatory testing for each of these systems. The City has used Nielson Research before, and this special procurement would be for a five-year period starting from July 1, 2024. Hansen recalled this item being discussed last year, and asked how this is different so that it does not have to come back each year. Fleury clarified this would be for a five-year term, so it would not have to come back as a contract renewal. Hyatt asked about the quality of work this laboratory has provided. Fleury spoke to the quality experienced so far and elaborated on potential of streamlining in the future. Kaplan asked about fund tracking and Fleury clarified each department will code those in their respective budgets.

Councilor Hyatt/DuQuenne m/s to approve the Council acting as the contract review board to award a contract-specific special procurement facilitating public contracts for water quality testing services to be directly awarded to Neilsen Research
Discussion: Hyatt spoke the community deserves quality water, and this is an appropriate sole-source and is happy to make the motion. DuQuenne agreed.
Roll Call Vote: Hyatt, Kaplan, DuQuenne, Dahle, and Hansen, YES. Motion passed.

3. Resolution 2024-16 Budget Supplemental to Recognize Timber Sales Revenues BN 23-25.

Marianne Berry spoke about this item as it relates to revenues for the timber sales of the Ashland Forest Lands Climate Adaptation Project presented to Council in March and April of this year. The Fire department budgeted for receiving $686,000 in timber sales, and this represents the first payment towards that in the amount of $153,000 to be recognized as revenue. Hansen spoke that we don't know the final number as the project isn't complete, but that this is the first payment of several to come. Kaplan asked about the timing of receiving additional payments. Cotta and Berry anticipated receiving the remainder within the next several months, as the timber is processed.

Councilor Hansen/Kaplan m/s to adopt Resolution 2024-16 authorizing a 2023- 2025 Biennial Supplemental Budget.
Discussion: Hansen thanked the Ashland Forest Climate Adaptation Program and Berry with her team. Kaplan agreed.
Roll Call Vote: Hyatt, Kaplan, DuQuenne, Dahle, and Hansen, YES. Motion passed.

4. Resolution 2024-19 to Approve Allocation of Transient Lodging Tax Proceeds to Travel Ashland

Marianne Berry spoke about this annual resolution. This is to allocate $517,000 of the Transient Lodging Tax proceeds to the Ashland Chamber's subsidiary Travel Ashland for fiscal year 2025. Graham confirmed this was in line with the budget, to which Berry affirmed. DuQuenne asked what happens to the remainder of this tax. Berry spoke the remaining funds are allocated for business facade improvements, event needs, beautification of downtown, wayfinding signs and upgrades for waste removal in core areas.

Councilor Kaplan/Dahle m/s to approve a Resolution to Approve Allocation of Transient Lodging Tax Proceeds to Travel Ashland
Discussion: no discussion
Roll Call Vote: Hyatt, Kaplan, DuQuenne, Dahle, and Hansen, YES. Motion passed.

Discussion on process related to changing a prior vote. DuQuenne would like to change her vote to the affirmative on Resolution 2024-17 and 2024-18.

Hansen/Hyatt m/s to give Councilor DuQuenne reconsideration opportunity to vote again for Resolution 2024-17.

No Discussion

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

Kaplan/Hyatt m/s to approve Resolution 2024-17 Certifying City of Ashland Services.

No Discussion

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

Dahle/Kaplan m/s for reconsideration for Resolution 2024-18.

No Discussion

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

Hyatt /Kaplan m/s to approve a resolution titled Resolution 2024-18 Declaring the City's Election to Receive State Revenues

No Discussion

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

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

Hansen spoke of receiving information that Mount Ashland is starting construction on the new beginner lift. He spoke of a Transportation System Distribution bike tour with County officials last month and was able to see how the City of Central Point worked with the County and State to make their bike transportation system more comprehensive.

Kaplan spoke about the Housing and Human Services Advisory Committee meeting. There were excellent presentations. The first was on the Rural Development Home Loan Program as another assistance for low-income buyers to the USDA. The second was about the long history of accessory dwelling units (ADU) in Ashland. The last presentation was about all of the long-range planning work that is underway.

Dahle spoke of appreciating the discussion about the Historic Preservation committee, the preservation of Pioneer Hall, a ribbon cutting at railroad park, and the unveiling of the historic medallions along the walk they went on. Three houses received historic preservation awards. Dahle spoke of the Social Equity and Racial Justice Committee's (SERJAC) social gathering. Co-Chair Precious Yamaguchi opened up SOU's Hawk dining hall so that the committee could meet in person. Dahle spoke of Airport Day and thanked all the work from all the departments on this event.

Hyatt spoke that Southern Oregen Regional Economic Development Inc. (SOREDI) is getting ready for its next membership year and will hear from the executive director on July 16, 2024. As Council Liaison to the Planning Commission, Hyatt was very thankful for the ongoing good work and attention to that work.

DuQuenne spoke the collaboration between the Historic Preservation Committee and the Public Arts Committee is inspiring, and she has seen people stop and look at the medallions. DuQuenne appreciated SOREDI's involvement with walking through the old Ashland Cinema and looks forward to the students who have submitted proposals for that space.
Graham spoke of meeting with Kaplan and OSF leadership. The new gift shop is open and doing brisk business, and the outdoor theater and green shows are open.
DuQuenne spoke that on June 11, SOU will raise the flag at Churchill Hall and on June 15 Black Alliance Special Events (BASE) will host a Juneteenth event at Pear Blossom Park.

XIV. ADJOURNMENT

Meeting adjourned at 8:08 pm.

Respectfully Submitted by:

City Recorder Alissa Kolodzinski

Attest:

Mayor Tonya Graham