



TALENT CITY COUNCIL  
REGULAR COUNCIL MEETING AGENDA  
TALENT COMMUNITY CENTER  
March 7, 2012 – 6:30 P.M.

*Study Session and Regular Council meetings are being digitally recorded and will be available on the City website: [www.cityoftalent.org](http://www.cityoftalent.org)*

The City Council of the City of Talent will meet on Wednesday, February 15, 2012 in a Regular Council session at 6:30 P.M. in the Talent Community Center, 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.

**REGULAR COUNCIL MEETING- 6:30 PM**

*Anyone wishing to speak on an agenda item should complete a Public Comment Form and give it to the City Recorder. Public Comment Forms are located at the entrance to the meeting place. Anyone commenting on a subject not on the agenda will be called upon during the "Citizens Heard on Non-agenda Items" section of the agenda. Comments pertaining to specific agenda items will be taken at the time the matter is discussed by the City Council.*

**1. Call to Order/Roll Call**

Mayor Cecil called the Council Meeting to order at 6:35 P.M.

**Members Present**

Mayor Cecil  
Councilor McManus  
Councilor Cooke  
Councilor Auer  
Councilor Glendenning  
Councilor Brown

**Members Absent**

Councilor Lamb

**2. Pledge of Allegiance**

**3. Mayor Announcements**

Mayor Cecil announced that he attended the Talent Café for the soup kitchen. He expressed that he hopes it works out well.

**4. 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 which will allow for public input at the announced time.*

4.1 None

**Mayor Cecil switched agenda items 5 and 6.**

**6. Citizens Heard on Non-Agenda Items**

Roslyn O’Riordan- 303 West Main Street, Talent-Ms. O’Riordan explained she lives next to 301 West Main and in June of 09 there was an electrical fire which destroyed 3 out of the 4 apartments. She stated that people have started to come and go to the abandoned front apartment. She expressed her concern and wanted staff to address the issue.

Wendy Siporen- 300 West Main, Talent. Ms. Siporen spoke on behalf of 301 Main Street as well. She expressed her concerns and would like the issue addressed. City Manager, Tom Corrigan spoke that he would follow up with this issue.

Katherine Harris-2210 Zemke Road, Talent. Ms. Harris spoke that the Historical Society would like to thank the City for putting lights in the back alley between the Historical Society and the Community Center. She also thanked the City for getting the new stove and refrigerator in the Community Center. She spoke on behalf of the Home Extension women.

Councilor Cooke thanked Council for all the condolences during her hard time and she thanked Talent Police Department for having the medication drop off. She also thanked Lester Naught for filling in for her on the Greenway Committee.

## 5. Public Presentations

*Items that do not require immediate Council action, such as presentations, discussion of potential future action items.*

### 5.1 Michael Cavallaro-RVCOG Annual Overview

Michael Cavallaro distributed the Rogue Valley Council of Governments (RVCOG) program and financial update. (See attached). He gave an overview of the financial update. Mr. Cavallaro also handed out the updated catalog of professional services. (see attached). City Manager, Tom Corrigan expressed that RVCOG meetings are very useful with information and interactions.

## 7. Consent Agenda

*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 City Council Minutes for February 15, 2012
- 7.2 Acknowledge of Receipt Together for Talent Minutes January 10, 2012
- 7.3 Acknowledge of Receipt Planning Commission Minutes January 26, 2012
- 7.3 Acknowledge Receipt of Payables – Denise Woodman

**City Recorder, Melissa Huhtala announced that there were some grammar errors and would like to add Alice Burnettes name in reference to the 96 year old woman's birthday celebration. Councilor Brown moved to approve the minutes as amended. Councilor Glendenning seconded. Discussion: None. All Ayes. Motion passed unanimously. Councilor Cooke abstained due to absence.**

## 8. Regular Agenda

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

### 8.1 Waiver for excavation

City Engineer, Jeff Ballard presented the staff report for excavation. Mayor Cecil suggested there be a motion that states each gas line replacement needs to be approved on a case by case basis. Mr. Corrigan discussed the possibility of charging a fee to those who request an excavation in the future. Mr. Ballard explained that this is a common practice and is fair of the city to ask the individual for a fee instead of the tax payers. Councilor Cooke questioned how the fee is determined. Mr. Ballard answered it is a flat fee.

**Councilor Brown moved to issue a waiver for the road work to be done by Avista Gas Line Replacements as approved by the City Engineer. Councilor Auer seconded. Mayor Cecil repeated the motion. Discussion: Councilor McManus questioned what happens if this does not get approved. Mr. Ballard answered they could not proceed. Councilor Glendenning questioned if the streets should be named in the motion. Mayor Cecil answered it could leave it open for now in case there are changes. All Ayes. Motion passed unanimously.**

### 8.2 Water Commission Grant Recommendation

City Engineer, Jeff Ballard discussed the memo that was submitted by Public Works Management, Joe Strahl. He gave a brief overview of the joint grant application with the Medford Water Commission. He explained that they made it through the first round and recommendation for approval has been forwarded on. Results should be known in April. He expressed that this is a great opportunity for the Valley. He explained that appointments to the Technical Advisory Committee and Policy Committee are needed. The decisions of each City will be presented to the Medford Water Commission on March 21, 2012. The Council discussed options of who the best candidate would be. The Council expressed that Councilor Lamb would be a good candidate and that Joe Strahl or Jeff Ballard should represent the Technical Advisory Committee. Mayor Cecil explained if Councilor Lamb could not be on the Policy Committee then he would. Mayor Cecil suggested that Jeff Ballard be on the Technical Committee. There was Council consensus to the appointments. Mr. Ballard gave a brief overview of the funding referred to in the memo.

8.3 Adopt Resolution 12-873-R Establishing the City of Talent Arts Committee (Corrected Resolution will be distributed early next week).

Council discussed how nice it is to have a Talent Public Art Committee and that the Resolution looked great. Mayor Cecil thanked Councilor Glendenning and Councilor McManus for helping the Art Committee through this process.

**Councilor Glendenning moved to adopt Resolution 12-873-R, a Resolution establishing the City of Talent Arts Committee and repealing Resolution 06-727-R. Councilor McManus seconded. Mayor Cecil repeated the motion. Discussion: None. All Ayes. Motion passed unanimously.**

### 8.4 Letter of Censure (no documents available at this time)

Councilor Auer proposed an amendment to the first whereas to read "WHEREAS, Councilor McManus was convicted of a DUII misdemeanor in 2011 during his public service and was jailed shortly thereafter for violating his DUII probation; and,"

Councilor Brown spoke to her reason on why she doesn't agree with a censure resolution. She read her statement (see attached).

Councilor Glendenning spoke that she does not agree that a censure is the way to go and explained her reasons why.

Councilor Cooke explained that she is fine with the changes Councilor Auer proposed. Councilor Auer explained that initially he was open to other options. He spoke that the censure resolution came about through suggestions from legal representatives of League of Oregon Cities (LOC) and the CIS attorney. Councilor Auer questioned what the legal opinion was from the City Attorney. Mayor Cecil explained that they did not hear much from the City Attorney. Mr. Corrigan spoke that the attorney did say that a censure resolution is one of the ways to go and needed to be worded correctly. Councilor Auer spoke that it would be appropriate to have a thorough legal review before the document is voted on and he spoke to his concerns that there has been no legal review to the document. Mr. Corrigan explained that the City would have to go out and bid for legal opinion on one document. He explained that CIS and LOC will not give a legal opinion. Councilor Cooke questioned why staff was unable to get a legal opinion from the City attorney. Mayor Cecil answered that staff attempted to get a response.

Councilor Auer questioned Mr. Corrigan's opinion regarding the best options. Mr. Corrigan spoke his opinion that the document would pass in a legal opinion but we can request further opinion on the document.

Councilor McManus spoke that he agreed to a letter of censure but had a conflict with the censure resolution and gave his reasons why. He spoke that he would be abstaining from this vote. Mr. Corrigan explained that censure by resolution was the suggested way by more than one attorney.

Council discussed options on how to go forward. Councilor Auer spoke that a legal review is important and would like to get one for this document. He questioned if it would be best to approve the document pending a positive legal review or get the legal review and then bring it back to Council. Mr. Corrigan answered that it depends on how many changes are made after a legal review.

Councilor Brown expressed she does not agree with the censure resolution. Councilor Glendenning expressed she does not feel comfortable spending money for legal review. Councilor Brown agreed with Councilor Glendenning.

**Councilor Auer moved to have Resolution 12-874-R, a Resolution to censure Councilor McManus as amended to receive legal review. Councilor Cooke seconded.**

**Discussion: Councilor Glendenning questioned if the resolution on an ethical issue and if Councilor McManus allowed to vote. Councilor McManus expressed he would abstain from voting due to personal conflict.**

**Roll Call Vote: Councilor McManus: Abstain. Councilor Cook and Councilor Auer, YES; Councilor Glendenning and Councilor Brown, NO. Mayor Cecil broke the tie with a YES vote. Motion passed 3-2.**

Mr. Corrigan explained the vote will not pass and needs 4 votes in the affirmative to pass a Resolution. The Council discussed the voting issue. Mayor Cecil announced that the vote would stand until further research. If the vote turns out to be legal it will pass 3-2, if not it will be brought back to Council.

## **9. Other Business**

Councilor McManus spoke to the Public Arts budget request for the remainder of the current fiscal year. Mr. Corrigan explained that he had discussed things with the Chair of the Arts Committee in regards to the budget.

Councilor Brown suggested to put on the agenda for the next Council meeting special events such as the Harvest Festival regarding staff support and budget. Mayor Cecil suggested Councilor Brown bring her ideas to the City Manager and then bring it back to Council.

Councilor Brown moved to bid out the contract for City Attorney. Mayor Cecil explained that is already in progress. Councilor Brown withdrew her motion.

Councilor Brown suggested having study sessions reviewing contracts. Councilor Glendenning explained that the budget is coming out and that would be a good time to have these discussions.

Councilor Auer suggested that any budget questions should go to the City Manager which can be sent to the Department Head so everyone get the information and be prepared.

Mr. Corrigan announced that after reviewing rules and procedure it states the concurrence of a majority of those present and a quorum being present the vote regarding the resolution of censure would pass. Mayor Cecil spoke that he would still like to look into it further to be sure.

## **10.1 State of the Cities**

10.2 Letters Submitted from Citizens

## **11. Mayor and Councilor - Committee Reports and Councilor Comments**

Rogue Valley Area Commission on Transportation – (Mayor Cecil)

Together for Talent Committee – (Mayor Cecil)

Metropolitan Planning Organization – (Mayor Cecil)

Planning Commission – (Auer & Lamb)

Public Art Advisory Committee – (McManus)

Parks Commission – (Glendenning & McManus)

Traffic Safety & Transportation Commission – (Cooke)  
Urban Renewal Agency – (Brown, Cooke & Lamb)  
Rogue Valley Council of Governments – (McManus)  
Medford Water Commission – (Lamb)  
Bear Creek Greenway Committee – (Cooke)  
Talent Historical Society – (Glendenning)

Councilor McManus announced he attended RVCOG and gave updates. He also announced that he attended the Talent Public Arts Committee and they did a great job working on the Resolution. He thanked the Together for Talent Committee and Staff for putting together the Emergency Preparedness Forum. He also announced that he went on drive around with Mark Knox to view drive-ups.

Councilor Auer attended the Planning Commission meeting and announced they elected a Vice Chair and discussed the planning code.

Councilor Cooke announced Greenway updates.

Councilor Glendenning announced that she attended the celebration for Alice Burnette and expressed it was a great turnout.

Councilor Brown announced she attended the Alice Burnette party and agreed it was a great turnout. She also announced that the backside of the old theater is going to be moved.

Mayor Cecil announced that the Historical Society did a great job for the Alice Burnette celebration. He also announced that Together for Talents Emergency Preparedness forum was well attended. He announced The Food Project had an appreciation reception and expressed it went well.

## 12. Adjournment

The Council Meeting was adjourned at 8:30 PM

Respectfully submitted,



City Recorder, Melissa Huhtala

Attest:

  
City Manager, Tom Corrigan

**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](http://www.cityoftalent.org)) in advance of each meeting.**