

CITY COUNCIL MEETING AGENDA



January 23, 2025

6:00 PM

Central Point City Hall, Council Chambers

140 S 3rd St, Central Point, OR

www.centralpointoregon.gov

10. Meeting Called to Order

20. Pledge of Allegiance

30. Roll Call

40. Public Comments

The City Council sets aside 20 minutes for in-person public comments on non-agenda items. Comments are limited to three (3) minutes per individual, five (5) minutes per group or organization. Please complete a public comment form before speaking.

The City Council encourages written comments. Please submit your comments by regular mail to City Council, 140 S Third St, or by email to meetings@centralpointoregon.gov. Comments must be received by noon on the date of the meeting to be noted in the record. Please include the date of the Council meeting with your comments.

50. Consent Agenda

- A. Approval of January 9, 2025, Meeting Minutes
- B. Public Meetings Grievance Policy

60. Items Removed from the Consent Agenda

70. Public Hearing

Public comments will be allowed on items under this part of the agenda following a brief staff report presenting the item and action requested. The presiding officer may limit testimony.

For land use matters and other quasi-judicial appeals: Comments are limited to a total of 30 minutes for applicants and/or their representatives. They may request a 5-minute rebuttal time. Appellants and/or their representatives are limited to a total of 30 minutes and if the applicant is not the appellant they will also be allowed a total of 30 minutes. All other participants are limited to 4 minutes.

*For matters that are legislative or administrative and are not quasi-judicial:
Comments are limited to 4 minutes per individual, group or organization.*

Please complete a public comment form before speaking.

- A. Code Amendments to Allow Parklets in the Public Right of Way
Stephanie Powers, Planning Director
- B. Home Occupation Permit Renewal Fee
Stephanie Powers, Planning Director

80. Ordinances and Resolutions

- A. Parks Ordinance Changes
Sydnee Dreyer, City Attorney
- B. Resolution Adopting Council Rules of Procedure 2025
Sydnee Dreyer, City Attorney
- C. Resolution to Establish a Downtown Parklet Program
Stephanie Powers, Planning Director

90. Business

- A. 2025 City Council Committee & Board Assignments
- B. Election of 2025 Council President
Chris Clayton, City Manager
- C. Community Christmas Christmas Tree Location
Matt Samitore, Parks and Public Works Director
- D. City Council 2025-2027
Chris Clayton, City Manager

100. Mayor's Report

110. City Manager's Report

120. Council Reports

130. Department Reports

140. Public Agency Comment

150. Agenda Building

160. Executive Session

The City Council will adjourn to executive session under the provisions of ORS 192.660. Under the provisions of the Oregon Public Meetings Law, the proceedings of an executive session are not for publication or broadcast.

170. Adjournment

Individuals wishing to Zoom into the meeting or needing special accommodations such as sign language, foreign language interpreters or equipment for the hearing impaired must request such services at least 72 hours prior to the City Council meeting. To make your request, please contact the City Recorder at 541-423-1015 (voice), or by e-mail to meetings@centralpointoregon.gov.

Si necesita traductor en español o servicios de discapacidades (ADA) para asistir a una junta pública de la ciudad por favor llame con 72 hora de anticipación al 541-664-3321 ext. 201.

CITY COUNCIL MEETING MINUTES

January 9, 2025

6:00 PM

Central Point City Hall, Council Chambers

140 S 3rd St, Central Point, OR

www.centralpointoregon.gov



1 Meeting Called to Order

2 Pledge of Allegiance

3 Roll Call

The following members were present: Mayor Tanea Browning, At Large Rob Hernandez, At Large Michael Parsons, Ward II Kelley Johnson, Ward I Neil Olsen, Ward IV Brian Whitaker, Ward III Grey Zimmerman

The following staff were also present: City Manager Chris Clayton, City Attorney Sydnee Dreyer, Parks and Public Works Director Matt Samitore, Police Lieutenant Josh Abbott, Finance Director Steve Weber, Planning Director Stephanie Powers and City Recorder Rachel Neuenschwander

4 Presentation

A. Audit Presentation for June 30, 2022

Finance Director Steve Weber presented to the council an update on the June 30, 2022 audit report.

5 Public Comments

6 Consent Agenda

A. Approval of December 14, 2024, Meeting Minutes

B. OLCC Application Ferment & Fire LLC

C. 2025 Committee Re-Appointments

Motion: Approve

Moved By: Michael Parsons **Seconded by:** Kelley Johnson

Roll Call: Members Tanea Browning, Rob Hernandez, Michael Parsons, Kelley Johnson, Neil Olsen, Grey Zimmerman, Brian Whitaker voted yes. None voted no.

7 Items Removed from the Consent Agenda

8 Public Hearing

A. Resolution Setting Administrative Impound Fees

City Attorney Sydnee Dreyer presented to the council a resolution setting administrative impound fees. Pursuant to CPMC 10.04.380 the city may set a reasonable administrative fee to release a vehicle from impound. Historically the city has charged a fee of \$75.00, and is asking to increase this fee to \$100.00 to help cover city's administrative costs in addressing the release of impounded vehicles.

The council questioned the rate and the total cost to someone who has had their vehicle impounded. They also wanted to know if the city is breaking even with the costs. Staff responded that they are unsure of the total cost, as this was not discussed outside of increasing what the city is currently charging. The \$100 fee is what the Police Department is requesting. No study has been done to determine if this amount covers all costs.

Mayor Browning opened the public hearing. No one came forward and the public hearing was closed.

Motion: Approve

Moved By: Grey Zimmerman **Seconded by:** Michael Parsons

Roll Call: Members Tanea Browning, Rob Hernandez, Michael Parsons, Kelley Johnson, Neil Olsen, Grey Zimmerman, Brian

Whitaker voted yes. None voted no.

Grey Zimmerman moved to approve Resolution No. 1810 a resolution of the city of Central Point setting administrative fee for release from vehicle impoundment.

9 Ordinances and Resolutions

A. Parks Ordinance Changes

City Attorney Sydnee Dreyer presented an Ordinance Amending the Central Point Municipal Code about park rules to the council. These rules are currently contained in multiple chapters, and staff seeks to consolidate all park rules and regulations in one chapter. Additionally the ordinance contains a number of updates to the rules including clarification of parks reservations vs. special event permits, updating the tobacco free policy, updating regulations regarding e-bikes and e-scooters and similar equipment, and adding a new chapter regarding remedies for violation of parks rules.

The council had questions regarding the appeal process and who was responsible for the vandalism of the little libraries. Staff responded that appeals would go to the city council, and the little libraries were donated to the city. The council also questioned who was responsible for the vandalism of the little libraries. The libraries that are adjacent to city parks will fall under the vandalism section of the code.

The council also had a question regarding drones in parks. Staff will bring this to the Parks Commission at their next meeting, and their recommendations will be brought to the council at the proceeding meeting.

Sydnee pointed out to the council that the ordinance's reference to expulsion should have said exclusion; these corrections will be in the second reading.

Motion: Approve

Moved By: Rob Hernandez

Seconded by: Brian Whitaker

Roll Call: Members Tanea Browning, Rob Hernandez, Michael Parsons, Kelley Johnson, Neil Olsen, Grey Zimmerman, Brian

Whitaker voted yes. None voted no.

Rob Hernandez moved to forward the Ordinance amending the Central Point Municipal Code Title 4 to add new chapters 4.04 (rules and regulations of public parks--defining and punishing certain offenses against the public general welfare); 4.06 (Bear Creek Greenway); 4.08 (skate park guidelines rules); and 4.10 (park violation – expulsion remedy) and repealing chapters 9.68 (rules and regulations of public parks--defining and punishing certain offenses against the public general welfare); 8.69 (Bear Creek Greenway); and 8.36 (skate park guidelines and rules) to a second reading.

10 Business

A. Downtown Parking Additions

Parks and Public Works Director Matt Samitore presented the council's downtown parking additions and the proposal for delineating parking spaces on side streets between North Front and North 1st Streets, from Cherry to East Pine Streets. This initiative is driven by local businesses, who see a need for increased parking availability in the area. The proposed solution will help address parking congestion, improve pedestrian safety, and enhance the overall appeal of the district.

The council questioned the city's cost of these changes. Staff responded that it would be between \$3000 and \$5000 every couple of years.

The council had questions regarding ADA Compliance and whether these additional parking spaces will be ADA accessible. Staff responded that adding ADA-accessible parking is a more expensive and time-consuming process and that, at this time, we are trying to solve the current problem these businesses have.

The council agreed for staff to move forward with the expansion of the downtown district to include the area between N. Front and N. 1st Street from E. Pine to Cherry St.

B. Island Annexation Discussion

City Manager Chris Clayton presented to the council an update on the Island Annexations.

Council had concerns about whether the property owners are wanting to be annexed into the city. Staff responded that the city will be notifying all property owners of the public hearing that will allow them a chance to have a voice in the process.

Council is in agreement to move forward with the island annexations.

Rob Hernandez moved to direct staff to proceed with island annexations for properties as depicted in blue on the attached map;

11 Mayor's Report

Mayor Browning reported that:

- She attended the Community Light Parade.
- She educated an enthusiastic group of 5th grade on taxes.
- She met with the new council member Brian Whitaker.
- She attended the Oregon Sustainability board meeting.
- She attended the League of Oregon Cities board meeting.
- She completed her onboarding and first meeting as a City County Insurance trustee.
- She attended the Medford Chamber Forum.
- She was interviewed by Hunter, a Crater High School student for the school newspaper.
- She attended the OGEC public meetings law training.
- She attended the council lunch session discussing goal setting and council procedures.

12 City Manager's Report

City Manager Chris Clayton reported that:

- He sent out an email earlier this week, regarding former Mayor Hank Williams' wife Hope passing away.
- The Christmas tree outside has been removed this week and the city will be looking for options for next year.
- Monday night is the Council Study session where they will be

setting the council goals. The council had a lunch meeting on Wednesday where they briefly spoke on the subject.

- He spoke with the County Administrator today, the County Commissioners have already been on a tour of the Pandemic Relief center. He will work with them to setup a tour for council at a later date.
- He spoke about the tragedy of the fires in Southern California. Initial concerns regarding cost increases as a result from the fires.
- He mentioned that he had shared emails this week with the council between the reporter from KDRV and himself regarding the traffic issues on Pine and Haskell.
- The City has reached some resolution on 1361 Marilee; a while back some residents came in with concerns over a neighbor operating an auto repair business. The property owner states he has leased property out on Table Rock Rd to move his business to.
- RVCOC has received grant for fire alert cameras and one will be placed on the Water Reservoir on Old Stage Rd.

13 Council Reports

Council Member Brian Whitaker introduced himself as a new council member.

Council Member Grey Zimmerman reported that:

- He attended the council lunch meeting earlier this week.
- He is looking forward to Monday's session

Council Member Mike Parsons reported that:

- He attended the RVSS Board meeting.
- He attended the Oregon Government Ethics Commission training.

Council Member Rob Hernandez reported that:

- He attended the Oregon Government Ethics training.
- He attended the Council Lunch meeting.

14 Department Reports

Finance Director Steve Weber reported that it is time to start preparing the 2025/27 biennial budget, and he is working on the budget calendar and will be starting budget kick off meeting with department directors soon.

Police Lieutenant Josh Abbott reported that the police department is short staffed and they are in the process of conducting interviews to fill the vacancies.

Parks and Public Works Director Matt Samitore reported that:

- Community Development report for Stephanie Powers - the Urgent Care facility on Biddle withdrew their application with no explanation as to the reason.
- Community Christmas - he will be bringing back options, for future events: 1) City Hall 2) Community Center 3) Pfaff Park 4) Corner of 4th and Pine.
- The Community Center project has been delayed with all the rain.

15 Executive Session

16 Adjournment

Rob Hernandez moved to adjourn, all said aye and the meeting was adjourned at 7:18 pm.

The foregoing minutes of the January 9, 2025, Council meeting were approved by the City Council at its meeting of _____, 2025.

Dated:

Mayor Taneea W. Browning

ATTEST:

City Recorder



DEPARTMENT: Administration

MEETING DATE: January 23, 2025

STAFF CONTACT:

SUBJECT: Public Meetings Grievance Policy

SUMMARY AND BACKGROUND:

HB 2805 (2023), effective January 1, 2024, requires governing bodies to adopt a public meetings grievance policy for anyone who believes a governing body violated the meetings law. The city must provide information to the public regarding the grievance process, specifically who to submit grievances to and how to submit such grievances. This information will be available on the City's website, and the information sheet may also be distributed to anyone who requests a copy in person or by email or other reasonable means.

FINANCIAL ANALYSIS:

LEGAL ANALYSIS:

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

ATTACHMENTS/EXHIBITS:

1. Public Meeting Law Grievance Policy

STAFF RECOMMENDATION:

Approve the grievance policy.

RECOMMENDED MOTION:

City of Central Point Public Meeting Law Grievance Policy

HB 2805 creates new reporting duties for public bodies. In particular, it outlines a process for submitting, receiving, and responding to grievances regarding public meeting law violations.

Mission

The City of Central Point will follow the OGEC process for receiving and responding to grievances using the procedure below:

1. Written grievances of alleged public meetings law violations must be submitted in writing to the City Recorder's Office within 30-days of the date of the alleged violation using one of the following delivery options. No other staff may receive violations on behalf of the city:
 - a. By Email: City Recorder, Rachel Neuenschwander, at Rachel.Neuenschwander@centralpointoregon.gov
 - b. Mail: Office of the City Recorder, Rachel Neuenschwander (140 S. 3rd St., Central Point, OR 97502)
 - c. In Person at City Hall: (Second Floor at 140 S. 3rd St., Central Point, OR 97502) during regular hours of operation (Monday through Friday, 8 a.m. to 4 p.m.).
2. The written grievance must include: name of the submitting party, date grievance is being submitted, date on which the alleged violation occurred, contact information for the submitting party, and it must set forth the circumstances and facts of the alleged violation including the ORS (Oregon Revised Statute) that was violated.
3. Within 21 days the City of Central Point will respond to the grievance. This response will:
 - a. Acknowledge the receipt of the grievance; and
 - b. Include one of the following responses to the allegations:
 - i. Deny the facts and circumstances alleged in the grievance; then describe the public body's version of the facts and circumstances and explain why they do not violate Public Meetings Law; or
 - ii. Admit the facts and circumstances alleged in the grievance but deny that those facts and circumstances violate Public Meetings Law; or
 - iii. Admit the facts and circumstances alleged in the grievance and admit those facts and circumstances violate Public Meetings Law. Then explain the steps the public body will take to cure the violation, such as:
 1. Rescinding the decision taken by the governing body that violated Public Meetings Law; or
 2. Acknowledging (in a properly noticed and conducted public meeting held within 45 days of the original decision) that:
 - a. The original decision violated Public Meetings Law;
 - b. Good cause exists for the governing body not to rescind the decision; and
 - c. The governing body's practices will be modified to ensure future violations of Public Meetings Law do not occur.

4. Written responses will be sent to the individual submitting the grievance. In addition, the response and the original grievance will be sent to OGEc at pbgr@ogec.oregon.gov.
5. Should the City Recorder's Office find the situation uniquely challenging or beyond a simple response, they will submit this to the legal team for assistance.



DEPARTMENT: Planning

MEETING DATE: January 23, 2025

STAFF CONTACT: Stephanie Powers, Planning Director

SUBJECT: Code Amendments to Allow Parklets in the Public Right of Way

SUMMARY AND BACKGROUND:

The purpose of this item is to consider amending CPMC 12.20.020(A)(2) to allow parklets and other similar structures in the public right-of-way. At this time, the Code does not allow temporary or permanent structures to be placed in the public right-of-way. This is being presented because the City Council directed staff to prepare a Downtown Parklet Program at the August 8, 2024 meeting. The duly seconded motion specified that the program is to include guidelines, standards, application requirements, fees and necessary municipal code amendments for consideration at a future meeting.

The purpose of the Downtown Parklet program is to expand opportunities for downtown businesses to provide outdoor spaces within on-street parking spaces in the public right-of-way. These spaces are referred to as "parklets" and are an innovative and cost effective way to create open space amenities that can be used for outdoor dining, retail or community gathering space. In the next item on the agenda, staff will present the Downtown Parklet Program in greater detail. To allow Parklets, it is necessary to first amend the code.

FINANCIAL ANALYSIS:

There are no expenses associated with the proposed code amendments aside from in-kind staff contributions.

LEGAL ANALYSIS:

Chapter 12.20 provides regulations regarding the obstruction of streets and other public rights-of-way. Section 12.20.020(A)(2) lists exceptions to the structures, which does not include parklets or other similar items like sidewalk cafes, which are allowed per CPMC 5.10. The proposed amendment is necessary to allow certain items that are approved by the City and that provide a public benefit.

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Goal 4: Manage Growth to provide places that are timeless and loved by the community.

Strategy 4: Develop a toolkit of incentives to leverage in exchange for more desirable community places that provide public amenities associated with housing, employment and other services, including but not limited to: public

plazas, open space, parks, affordable housing, value-added design to attract professional office and other uses that provide more living wage jobs.

Comment: Allowing features that provide amenities to support businesses and attract and serve business patrons better has been requested by downtown business owners. The proposed code amendment is necessary to consider establishing a trial Downtown Parklet Program to create innovative outdoor spaces for public gathering and dining, which would allow business owners or other sponsors increase investment, patronage, and a sense of community in the downtown. Adopting this change would allow use of the public right-of-way for a parklet when approved by the City, which is currently not allowed under the code.

ATTACHMENTS/EXHIBITS:

1. 01232025 Ordinance Amending Section 12.20.020(A)(2)

STAFF RECOMMENDATION:

Staff recommends that City Council consider the proposed Ordinance amending section 12.20.020(A)(2) of the Central Point Municipal Code to add a provision allowing parklets or other similar structures within the public right-of-way and forward it to a second reading without changes.

RECOMMENDED MOTION:

I move to forward the Ordinance amending section 12.20.020(A)(2) of the Central Point Municipal Code to add a provision allowing parklets or other similar structures within the public right-of-way and forward it to a second reading without changes.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING SECTION 12.20.020(A)(2)
OF THE CENTRAL POINT MUNICIPAL CODE TO ADD
A PROVISION ALLOWING PARKLETS OR OTHER SIMILAR STRUCTURES
WITHIN THE PUBLIC RIGHT-OF-WAY WHEN PERMITTED BY THE CITY**

RECITALS:

- A. Pursuant to CPMC, Chapter 1.01.040, the City Council may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- B. The City allows limited items within the public right-of-way. Specifically sidewalk cafes are allowed within sidewalks pursuant to CPMC Chapter 5.10 but there are no provisions allowing seating within city streets as many jurisdictions now allow.
- C. City Council directed staff to establish a Downtown Parklet Program to be adopted on a trial basis.
- D. Upon review, the staff and city attorney determined that amendment to the prohibited items in the public right-of-way is necessary to allow pedestrian-oriented amenities, such as parklets and other similar structures, when permitted by the City.
- E. Words ~~lined through~~ are to be deleted and words **in bold** are added.

THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Section 12.20.020(A)(2) of the Central Point Municipal Code is amended to read:

Chapter 12.20, Obstruction of Streets
12.20.020 Prohibited.

- A. It is unlawful for any person to place or allow in or over any alley, street or sidewalk, or any street or alley right-of-way, whether improved or not, any of the following:

***2. Any building, fence, or other structure, including items which are by design intended to be portable; provided, however, that:

- a. Fences (subject to subsection B of this section) and mailboxes may be placed in a right-of-way, at the owners' expense, if the same do not impede sight distance necessary for the safe use of the street, alley, driveway or sidewalk by vehicular or pedestrian traffic; and further provided, that the same shall be removed upon the request of the city;
- b. Rubber curb ramps may be placed in a right-of-way at the owner's expense; provided, that they shall be removed upon the request of the city;
- c. Rubber curb ramps are only allowed to be installed in areas of the city where rolled curbs are currently located;
- d. **Or any other parklet or other similar structure permitted by the City.**

SECTION 2. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Recitals A-D) need not be codified and the City Recorder is authorized to correct any cross-references and typographical errors.

SECTION 3. Effective Date. The City of Central Point City Charter states that an ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

PASSED by the Council and signed by me in authentication of its passage this _____ day of _____, 2025

Mayor Tanea W. Browning

ATTEST:

City Recorder

Pg. 2 Ordinance No. _____ (___/___/2025)



DEPARTMENT: Planning

MEETING DATE: January 23, 2025

STAFF CONTACT: Stephanie Powers, Planning Director

SUBJECT: Home Occupation Permit Renewal Fee

SUMMARY AND BACKGROUND:

On December 12, 2024, City Council approved Ordinance No. 2120 making various land development code amendments including changes to Home Occupation Permit requirements. As part of the amendments, Council established a one-year renewal period subject to payment of a renewal fee and verification of compliance with the requirements in CPMC 17.60.190. Currently there is not an adopted renewal fee for Home Occupation Permits. At this time, City Council is considering a \$65 annual renewal fee.

FINANCIAL ANALYSIS:

The adopted hourly rate for Planning staff is \$130/hour. The proposed fee covers 30 minutes of staff time to review the renewal request for code compliance, including a site visit.

LEGAL ANALYSIS:

Establishing the renewal fee implements recently adopted code amendments in CPMC 17.60.190.

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Strategic Priority: Vibrant Economy

Goal 5 - Support business development and entrepreneurship.

Strategy 1 - Update home occupation regulations to support home-based business growth by allowing one employee not related to or living at the home.

Comment: The proposed fee adoption is the final step to implement the recent update to the home occupation regulations that aim to support home-based business growth.

Strategic Priority: Responsible Governance

Goal 1 - Maintain a strong financial position that balances the need for adequate service levels and capital requirements against the affordability that is desired by our residents.

Comment: The proposed fee considers the demand for staff time to review applications and verify compliance with the home occupation permit regulations. Some applications may demand more time than 30 minutes; however, the estimated cost is based on the

average time it takes to process a permit, which strikes a balance between assuring continued service levels and affordability for all.

ATTACHMENTS/EXHIBITS:

1. Resolution Adopting Home Occupation Renewal Fee

STAFF RECOMMENDATION:

Staff recommends City Council consider and approve the Resolution of the City of Central Point setting a Home Occupation Permit annual renewal fee.

RECOMMENDED MOTION:

I move to approve the Resolution of the City of Central Point setting a Home Occupation Permit annual renewal fee.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF CENTRAL POINT SETTING HOME
OCCUPATION PERMIT ANNUAL RENEWAL FEE**

RECITALS:

- A. The City Council approved Ordinance No. 2120 including revisions to CPMC, Chapter 17.60.190 concerning Home Occupation Permit requirements. The changes include a requirement for annual renewal upon payment of an annual renewal fee, among other requirements.
- B. On December 1, 2023, City Council approved Resolution No. 1767 adopting business license fees including a \$146 Home Occupation fee.
- C. Council desires to establish an annual renewal fee for Home Occupation Permits as provided in Ordinance 2120.

The City of Central Point resolves:

Section 1. Annual Renewal fees for a Home Occupation Permit shall be \$65 unless adjusted by Council in the future.

Passed by the Council and signed by me in authentication of its passage
this _____ day of January 2025.

Mayor Tanea W. Browning

ATTEST:

City Recorder



DEPARTMENT: Administration

MEETING DATE: January 23, 2025

STAFF CONTACT: Sydnee Dreyer, City Attorney

SUBJECT: Parks Ordinance Changes

SUMMARY AND BACKGROUND:

Currently provisions regarding park rules are contained in multiple chapters of the municipal code. Staff seeks to consolidate all parks rules and regulations into a single chapter, Chapter 4. In addition, a number of changes were made to the parks rules for clarity and consistency, to clarify when a park reservation is required versus a special event permit, updating non-smoking rules for parks, and addressing the use of e-bikes, scooters, etc. Lastly, new provisions are proposed in Chapter 4.10 to allow city staff the ability to eject or exclude individuals from parks for repeated or extreme disruptive behavior.

At its meeting on January 9, 2025, Council moved to forward the Ordinance to a second reading.

FINANCIAL ANALYSIS:

LEGAL ANALYSIS:

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Community Investment Goal 4:

Manage growth to provide places that are timeless and loved by the community.

Strategy 5:

When developing new parks or updating features of our older parks, involve community places that provide public amenities associated with needed housing, employment, and other services, including but not limited to: public plazas, opens spaces, parks, affordable housing, value-added design to attract professional office and other uses that provide more living-wage jobs.

ATTACHMENTS/EXHIBITS:

1. Ordinance Amending Parks Ordinances

STAFF RECOMMENDATION:

Make a motion to approve the Ordinance.

RECOMMENDED MOTION:

I move to approve Ordinance No. _____ an Ordinance amending the Central Point Municipal Code Title 4 to add new chapters 4.04 (rules and regulations of public parks-- defining and punishing certain offenses against the public general welfare); 4.06 (bear creek greenway); 4.08 (skate park guidelines rules); and 4.10 (park violation – expulsion remedy) and repealing chapters 9.68 (rules and regulations of public parks-- defining and punishing certain offenses against the public general welfare); 8.69 (bear creek greenway); and 8.36 (skate park guidelines and rules).

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CENTRAL POINT MUNICIPAL CODE TITLE 4 TO ADD NEW CHAPTERS 4.04 (RULES AND REGULATIONS OF PUBLIC PARKS--DEFINING AND PUNISHING CERTAIN OFFENSES AGAINST THE PUBLIC GENERAL WELFARE); 4.06 (BEAR CREEK GREENWAY); 4.08 (SKATE PARK GUIDELINES RULES); AND 4.10 (PARK VIOLATION – EXPULSION REMEDY) AND REPEALING CHAPTERS 9.68 (RULES AND REGULATIONS OF PUBLIC PARKS--DEFINING AND PUNISHING CERTAIN OFFENSES AGAINST THE PUBLIC GENERAL WELFARE); 8.69 (BEAR CREEK GREENWAY); AND 8.36 (SKATE PARK GUIDELINES AND RULES)

Recitals:

- A. Pursuant to CPMC 1.01.040, the City Council, may from time to time revise its municipal code which shall become part of the overall document and citation.
- B. For consistency and consolidation of various provisions regarding City Parks, the City finds it in the public interest to consolidate parks ordinances and regulations in a single chapter.
- C. Cigarette and e-cigarette waste can pollute soil and waterways. Studies have also shown that cigarette and e-cigarette waste is harmful to wildlife.
- D. Fires can result when people leave campfires unattended, negligently discard cigarettes, or commit intentional acts of arson.
- E. Cigarette butts are the most frequently littered item. They do not bio-degrade and are costly for municipalities and property owners to clean-up.
- F. People who use smokeless tobacco spit everywhere, making the area unclean and contaminated, posing a severe threat to the ecosystem
- G. The city has experienced an increase in repeat offenders in city parks. Council finds it is in the public interest to establish a clear process for temporary ejection or exclusions from parks as an effective tool to immediately respond to more serious repetitive violations.
- H. In accordance with CPMC 2.18.020, the City of Central Point Parks Commission considered the proposed amendments at their meeting on _____, 2024 and recommended the City Council approve the amendments with minor adjustments incorporated herein.
- I. Words ~~lined through~~ are to be deleted and words **in bold** are added.

THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Chapter 9.68, Rules and Regulations of Public Parks--Defining and Punishing Certain Offenses against the Public General Welfare, is hereby repealed in its entirety.

SECTION 2. Chapter 8.69, Bear Creek Greenway, is hereby repealed in its entirety.

SECTION 3. Chapter 8.36, Skate Park Guidelines and Rules, is hereby repealed in its entirety.

SECTION 4. CPMC Title 4 is hereby amended to add Chapter 4.04, Rules and Regulations of Public Parks--Defining and Punishing Certain Offenses against the Public General Welfare, as set forth below:

Chapter 4.04
RULES AND REGULATIONS OF PUBLIC PARKS--DEFINING AND PUNISHING CERTAIN
OFFENSES AGAINST THE PUBLIC GENERAL WELFARE

Sections:

- 4.04.000 Purpose.**
- 4.04.010 Definitions.**
- 4.04.020 Child supervision.**
- 4.04.030 Fires.**
- 4.04.050 Games and other prohibited activities.**
- 4.04.060 Animals.**
- 4.04.070 Plants--Structures.**
- 4.04.080 Soil--Rock.**
- 4.04.090 Signs.**
- 4.04.100 Hours of operation.**
- 4.04.110 Authority to regulate occupancy and park closure.**
- 4.04.120 Criminal trespass on city property.**
- 4.04.130 Soliciting.**
- 4.04.140 Reservation system.**
- 4.04.150 Vehicles--Parking.**
- 4.04.160 Speed regulations.**
- 4.04.170 Dogs in parks.**
- 4.04.180 Depositing litter, rubbish, garbage or trash.**
- 4.04.190 Water pollution.**
- 4.04.210 Alcohol.**
- 4.04.220 Public nudity.**
- 4.04.230 Smoking in park facilities.**
- 4.04.240 Penalty.**

4.04.000 Purpose.

The city council has determined that it is necessary to adopt regulations in order to ensure the efficient operation, protection and maintenance of city parks and to protect the health, safety, and welfare of the people of the city and this chapter shall be liberally construed to effectuate this purpose.

4.04.010 Definitions.

2 – Ordinance No. _____; (Council Meeting __/__/25)

“Park or City Parks” means all parks and facilities managed by the parks and recreation department of the city of Central Point, including, but not limited to the Twin Creeks, Bear Creek Greenway and the Skate Park.

“Reservation” means, subject to park department rules and regulations for park use, a reservation for use of a park shelter area or athletic field pursuant to CPMC 4.04.140.

“Special event permit” means a special event permit issued under CPMC 5.42.

4.04.020 Child Supervision.

Children under the age of ten years are not allowed to come upon, use or play in the city’s parks without adequate supervision by a responsible older person.

4.04.030 Fires.

A. No person shall build, light or maintain any fire within a city park, as provided in CPMC 7.01.040(B)(4) and CPMC 4.06.050.H, except within bar-b-que or fire pits or similar receptacles provided by the City for this purpose in a City park, or unless authorized as part of a special event permit under CPMC Chapter 5.42.

B. No person shall leave a fire unattended while in a city park, and no person shall leave a city park before completely extinguishing any fire built, lighted or maintained by himself in any such park.

C. Any person using a City bar-b-que or fire pit, or other cooking device pursuant to a Special Event Permit under CPMC Chapter 5.42, must take reasonable precautions to ensure the fire is contained within the designated receptacle, take immediate action to carry out any fire control, and report a fire if it does escape.

4.04.050 Games and Other Prohibited Activities.

No person shall participate or assist others in the playing of any game or activity wherein any object such as a stone, arrow, javelin, model aircraft, model rocket, golf ball, or any other sharp or hard object or projectile is thrown or otherwise propelled except in areas specifically designated and posted for that use (in accordance with Section 8.06.010, Restrictions on flying model aircraft.) (Ord. 1899 §1(part), 2007).

4.04.060 Animals.

No person shall in any manner pursue, kill, injure, hunt or molest any bird or animal within any city park except for the control of predatory animals as may be ordered by the city council.

4.04.070 Plants--Structures.

No person shall pick, mutilate, dig or remove from a park any plant or plants or in any way deface or mutilate, burn, destroy, defile or remove any railing, building, seat, fence, park facility, other structure or tree within a city park or remove from the park any logs or wood.

4.04.080 Soil--Rock.

No person shall dig up or remove any soil, rock, stones or other substance whatever, make any excavation, quarry any stone, or lay or set off any blast, or cause or assist in doing any of said things within the limits of a city park without written approval from the parks and recreation department.

4.04.090 Signs.

No person shall erect signs, markers, or inscriptions of any type within the limits of a city park without written approval of the parks and recreation department.

4.04.100 Hours of operation.

A. All parks owned and/or operated by the city of Central Point or to be hereafter owned by the city shall be closed from ten p.m. one day to six a.m. the following day, with exceptions noted in subsection (B) of this section.

B. Exceptions. The park hours prohibitions listed above shall not apply to persons:

1. Attending events sponsored by the city parks and recreation department or events and activities conducted pursuant to a valid special event permit.

4.04.110 Authority to Regulate Occupancy and Park Closure.

A. The parks and recreation department may establish and post maximum occupancies for any park area or facility. Patrons shall not enter into or remain in an area or facility for which an occupancy limit has been established when such action will have the effect of exceeding the established occupancy limits.

B. Police officers of the Central Point police department are authorized to close all or portions of the city parks or city properties prior to or in lieu of any regular closure. The Central Point police department shall attempt to notify occupants of the closed area of the closure. This section shall not be construed to modify the unlawful entering or remaining in a building which is subject to state laws regarding burglary and criminal trespass.

4.04.120 Criminal Trespass on City Property.

A person commits the crime of criminal trespass on city property if the person enters or remains unlawfully in city parks or on other city properties:

A. After regular closure of the park or property, or after having knowledge of the closure provided in Section 4.04.110; or

B. While under the influence of intoxicants, as that condition is defined by the motor vehicle laws of the state of Oregon, after being advised to leave the park or property by a police officer of the Central Point police department; or

C. While continuing to operate any sound amplification system which is plainly audible from fifty or more feet (unless that system is being operated to request assistance or

warn of a hazardous situation), after being advised to cease said operation by a police officer of the Central Point police department.

4.04.130 Soliciting.

No person, while in a city park, may operate a concession, either fixed or mobile, or engage in the business of soliciting, selling or peddling any liquids or edibles for human consumption, or hawk, peddle or vend any goods, wares or merchandise, unless approved as a special event permit under Chapter 5.42, as an approved seasonal vendor at Don Jones Park, or as otherwise approved in writing by the city.

4.04.140 Reservation System.

A. The use of the city parks shelter areas, athletic fields, and athletic courts may be reserved for private functions by individuals or groups. The city shall adopt policies establishing the reservation policy and individuals or groups may apply to reserve such shelter areas, athletic fields, or athletic courts pursuant to said policy.

B. A nonrefundable fee will be established by resolution of the city council and will be charged for reservation of a shelter, athletic field, or athletic court for private use. The fee may be waived by the city manager or his or her designee for public use.

C. It shall be unlawful for anyone to interfere with or prohibit the use of a park shelter, athletic field, or athletic court by the reserved party.

D. Dunk tanks, party ponies, petting zoos, or other similar structures or activities that increase liability to the city as solely determined by the parks and recreation department are prohibited in all parks. Jump/bounce houses may only be permitted as part of a city-sponsored event, in which the city hosts or co-hosts the event.

4.04.150 Vehicles--Parking.

A. No automobiles, trailers or other vehicles shall be driven or parked in any areas other than those provided, maintained or designated for such purposes.

B. No bicycles, motorcycles or other vehicles may be driven or parked upon a tennis court, basketball court, or pickle ball court.

C. No automobiles, trailers, recreational vehicles or other vehicles of any kind may be parked in a city park during hours in which the park is closed to the public.

4.04.160 Speed Regulations.

No person shall drive a vehicle within a city park at a speed greater than is reasonable and prudent having due regard for traffic, surface and strength of roadways, hazards at intersections and other conditions then existing. In no case shall a person operate a vehicle in speeds in excess of fifteen miles per hour, unless otherwise posted.

4.04.170 Dogs in Parks.

Dogs shall be allowed in parks on leash only (not to exceed six feet in length) with the exception of designated dog parks. Any excrement created by an animal shall be

immediately removed by the owner. Some areas in parks may be designated to prohibit dogs and will be posted accordingly. Dogs are prohibited from memorials, playgrounds, athletic courts, and spray parks.

4.04.180 Depositing Litter, Rubbish, Garbage or Trash.

A. No person shall leave any bottles, cans, ashes, waste paper, rubbish or garbage in a city park except in receptacles designated for that purpose.

B. It shall be unlawful for any person to haul household garbage, rubbish, or trash to the city park and deposit the same in the park or on public property.

4.04.190 Water Pollution.

No person shall wash any clothing or other material, or clean any fish in a lake or stream, nor in any way pollute any stream or lake in a city park. (Ord. 1899 §1(part), 2007).

4.04.210 Alcohol.

The possession and use of alcohol is prohibited in all public parks. Special Event Permits pursuant to Chapter 5.42 may be issued for special events involving alcohol when the applicant possesses a liquor license for special events issued by the Liquor Control Commission and otherwise meets the requirements for a special event permit.

4.04.220 Public Nudity.

It is unlawful for any person regardless of age to expose his or her genitals while in a public park. This includes use of water features in parks and is specifically implemented for the purposes of ensuring a hygienic environment for all patrons.

4.04.230 Smoking in Park Facilities.

A. Definitions. For the purposes of this section, and unless the context requires, the subject terms are defined as follows:

1. Tobacco-Free. Means that inhaling, exhaling, burning, or carrying any lighted, heated, or activated tobacco, nicotine, electronic smoking device, hookah, cannabis, or plant product, whether natural or synthetic, intended for inhalation, chewing, smoking in a pipe, absorbing, ingesting or by any other means is prohibited.

2. Parks and Park Facilities. All Parks and recreation department managed properties including but not limited to, playgrounds, athletic fields, athletic courts, walking/hiking/biking trails, maintenance support facilities, restrooms, spectator and concession areas, adjacent pedestrian right-of-way, sidewalks, parking lots and vehicles on the property.

B. All parks and park facilities managed and maintained by the parks and recreation department of the city of Central Point are tobacco free (Ord. 2103 § 3 (Exh. C), 2023; Ord. 1990 §1, 2014; Ord. 1958 §3, 2012).

C. Tobacco product does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act. Products approved by the U.S FDA are okay to use, such as Nicotine Replacement Therapies.

D. Smoking does not include the use of traditional, sacred tobacco as part of an Indigenous practice or a lawfully recognized religious, spiritual, or cultural ceremony or practice. Approval from city administration must be requested and received prior to the ceremony.

E. Appropriate signs to communicate the tobacco-free park policy shall be posted clearly and prominently at a height, and location easily seen by park visitors in all parks. For example, posted signs shall display words, “This is a tobacco-free park. This includes tobacco products, e-cigarettes, vapor and cannabis.”

F. In addition to the remedies set forth in Chapter 4.04.240 below, any person found violating this policy will receive a verbal warning to stop such use immediately. If the smoking or tobacco use continues, the person may be immediately ejected from the park.

4.04.240 Penalty.

A. Violation of this chapter shall be punishable under the general penalty, Chapter [1.16](#).

B. Any person who violates any of the provisions of this chapter may be ejected or excluded from the park per the provisions of Chapter 4.10.

SECTION 5. Title 4 is hereby amended to add Chapter 4.06, Bear Creek Greenway, as set forth below:

Chapter 4.06 BEAR CREEK GREENWAY

Sections:

4.06.010 Purpose.

4.06.020 Definitions.

4.06.030 Intended uses.

4.06.040 Authority--Closure of greenway--Use limitations.

4.06.050 Regulations--Prohibitions.

4.06.060 Severability.

4.06.070 Jurisdiction--Enforcement.

4.06.080 Violations--Penalty.

4.06.010 Purpose.

This chapter establishes the enforceable regulation of activities throughout that portion of the Bear Creek Greenway corridor which lies within the jurisdiction of the city of

Central Point. The provisions of this chapter, unless agreed otherwise, are not intended to preempt any other local government law, ordinance, rule, or regulation, or any property transaction, easement, covenants or similar agreement between any local government and those adjacent landowners with whom those agreements were made. (Ord. 1819 §1(part), 2001).

4.06.020 Definitions.

For the purposes of this chapter, unless the context requires otherwise, the following definitions apply:

“Bear Creek Greenway corridor (greenway)” means that publicly-owned 22-mile corridor of parks, trails, and adjacent land and waters that is located running north and south and includes sections of Bear Creek between the Table Rock Road Overpass in the city of Central Point and the Seven Oaks Interchange north of the city of Central Point.

“Bicycle” has the meaning given that term in ORS 801.150 and includes electric assisted bikes (e-bikes) as defined in ORS 801.258.

To **“Camp”** has that meaning provided in Section [7.01.020](#).

“Campsite” has that meaning provided in Section [7.01.020](#).

“Camping materials” has that meaning provided in Section [7.01.020](#).

“Destructive device” means any device with an explosive, incendiary or poison gas component, including but not limited to a bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or any combination of parts either designed or intended for use in converting any device into any destructive device described in this paragraph and from which a destructive device may be readily assembled.

“Firearm” has the meaning given that term in ORS 166.210.

“Fireworks” has the meaning given that term in ORS 480.111.

“Greenway authority” means the city of Central Point, its designees, or its employees, who have lawful control of regulating use of the greenway by nature of jurisdiction, ownership, tenancy, or official position.

“Horse,” in addition to its ordinary meaning includes mules, donkeys and other rideable animals.

“Keeper” means a person who owns, possesses, controls or otherwise has charge of a companion animal, as that term is defined in ORS 164.055(2)(a).

“Livestock” means equine, cattle, sheep, goats, llamas, alpacas and swine.

“Occupy” or **“occupancy”** means the purpose for which a premises or structure, or parts thereof, is used or intended to be used. The definition of **“occupy”** is not limited to

human or animal inhabitation and can include the improvement, development, or the placement of a structure or building on a premises, or any condition thereof.

“Open to the public” means premises that, by their physical nature, function, custom, usage, notice or lack of notice, or other circumstances at the time, would cause a reasonable person to believe that no permission to enter or remain is required.

“Possess” has the meaning given that term in ORS 161.015.

“Premises” includes any real property, facility, structure, shelter or building whether privately or publicly owned.

“Scooters/skateboards” includes non-motorized and motorized scooters, skateboards, Segways, and e-boards as defined in ORS 801.259.

“Skate” or “skating” means roller skating, skate boarding or roller blading, or otherwise the use or application of a similar contrivance propelled exclusively by human power and/or by use of electric or battery powered motors or similar propulsion device.

“Weapon” means any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury. A weapon includes any knife having a blade that projects or swings into position by force of a spring or by centrifugal force and commonly known as a switchblade knife, any dirk, dagger, ice pick, slingshot, metal knuckles, or any similar instrument by the use of which injury could be inflicted upon the person or property of any other person. A “deadly” weapon has the meaning given that term in ORS 161.015(2). (Ord. 1819 §1(part), 2001).

4.06.030 Intended Uses.

The greenway is intended for multiple use for recreational activities. None of the provisions of this chapter relieves the pedestrian or relieves the cyclist, skater, or equestrian from the duty to exercise due care concerning other users of the greenway or adjacent land owners. Recreational use of bicycles, skateboards, scooters, or similar devices are permitted provided they do not exceed a 15-mph speed limit.

A. All greenway users should maintain their own common or standard lane of travel without impeding travel of other users.

B. Bicyclists and skaters yield to all other trail users, and hikers yield to equestrians.

C. Unless otherwise marked, greenway users are permitted only on paths or paved trails specifically designed for such use.

D. Companion animals are allowed if on a leash no longer than six feet and in strict control of its keeper. Keeper shall remove the animal’s waste.

E. All users are expected to observe and obey all Oregon state and greenway traffic, as well as informational, warning, and closure signs.

F. All persons within the greenway will be held responsible for any damage they cause. Parents or guardians will be held responsible for the damage caused by their children

under the age of eighteen years old, whether or not the parent or guardian is present. (Ord. 1819 §1(part), 2001).

4.06.040 Authority--Closure of Greenway--Use Limitations.

A. The greenway authority is authorized to establish and post regulations governing the use of the greenway within its jurisdiction which promote public health and safety and the preservation of property.

B. The greenway authority is authorized to close to public use the greenway corridor or any portion thereof, restrict the times when the same shall be open to such use and limit or prohibit any recreational use whenever such action is necessary to protect the health or safety of the public or the safety of the greenway or its facilities. Causes for greenway closure or limitations on greenway use include, but are not limited to, scheduled public events, fire hazard, dangerous weather or water conditions, sanitary protection of the watershed, park construction or repairs, conservation of fish and wildlife, unsafe or overcrowded shoreline, ramp, parking or road conditions, the prevention of damage to the greenway or any of its facilities or any dangerous, unsafe or unhealthful condition.

C. Unless otherwise posted, greenway closure shall occur between the hours of ten p.m. and six a.m. except as follows:

- 1. Pedestrians crossing the greenway on a paved section of the path;**
- 2. Participants or spectators of an athletic contest or approved public event in greenway areas;**
- 3. Persons attending a scheduled event in a greenway building designated for community recreation or instruction; or**
- 4. Government employees during the course of official activities.**

4.06.050 Regulations--Prohibitions.

All regulations of the greenway shall apply to and be in full force and effect within the greenway area unless otherwise specifically authorized by this chapter.

A. Closure. No person shall enter the greenway or area which has been closed if notice of prohibited entry has been posted.

B. Basic Speed Rule.

- 1. A person commits the offense of violating the basic speed rule if the person bicycles, skates or rides a horse upon the greenway at a speed greater than is reasonable and prudent, having due regard to all the following:**
 - a. The traffic;**
 - b. The surface and width of the pathway;**
 - c. The hazard at intersections;**
 - d. Weather;**

e. Visibility;

f. Any other conditions then existing.

- 2. In no case shall a person ride a bicycle, skate or ride a horse in speeds in excess of fifteen miles per hour, unless otherwise posted.**

C. Obstruction of the Right-of-Way. No person, unless specifically authorized, shall:

- 1. Stand, gather with others upon any street, street crossing, sidewalk, trail or area within the greenway in a manner that obstructs free passage of users of the greenway; or**
- 2. Place, cause to be placed, or permit to remain on any street, sidewalk, trail or area within the greenway anything that obstructs or interferes with such area or interferes with the normal flow of users of the greenway.**

D. Vehicles/Horses.

- 1. No unauthorized person shall operate, park, stand or use any motorized vehicle, motorcycle, motor truck or motor home as those terms are defined in ORS Ch. 801, except in areas provided, maintained or designated for such purpose.**
- 2. Horses, regardless of whether they are ridden or led, are permitted only on posted equestrian trails, where located.**
- 3. The provisions of subsections (D)(1) and (2) of this section do not apply to governmental officials or their agents acting within their official capacity.**

E. Animals.

- 1. Companion animals are allowed if on a leash no longer than six feet and in strict control of its keeper.**
- 2. No person within the greenway shall allow any pet or animal in his or her custody:**
 - a. To annoy or molest any person; or**
 - b. To be tied up and left unattended; or**
 - c. Except for areas provided, maintained or designated for such purpose, to deposit its waste on any street, sidewalk, trail or managed landscape area unless the person immediately removes the waste from the area.**
- 3. No horse or pack animal shall be tied, secured or hobbled in such a manner as to injure any tree, shrub or greenway improvement.**
- 4. No person shall cause or knowingly permit livestock within the greenway.**

F. Access to Private Lands. No person shall use the greenway to gain unauthorized access to private property adjacent or otherwise to the greenway.

G. Property Destruction. No unauthorized person shall:

1. Pick, cut, mutilate, blaze, paint or remove any flowers, shrubs, foliage, trees or plant life, or property of any kind, within the greenway area without written permission therefor from the greenway authority;
2. Mutilate, deface, damage, move or remove any greenway equipment, including but not limited to streets, sidewalks, bicycle paths or any part of the public right-of-way, tables, benches, buildings, signs, markers, plaques, barriers, fountains, faucets, traffic recorders or other structures or facilities of any kind within the greenway area; or
3. Dig, dredge, deface or remove any dirt, stones, rocks, artifacts or other substances, make any excavation, quarry any stones or other objects or cause or assist in doing any of such things within the greenway area, except upon written permission from the greenway authority.

H. Fires.

1. Unless specifically authorized, no person shall build, light or maintain any fire, portable gas, gasoline or oil stoves or other portable cooking devices, or leave a fire unattended, throw or deposit any burning substance, or other substance capable of burning or combustion within the greenway.
2. A person shall be responsible for damage resulting from fires caused by such person and for the cost of suppressing such fires.

I. Offensive Littering.

1. No person shall:
 - a. Throw, dump, deposit or leave any trash, refuse, garbage, litter, cigarettes or tobacco products, or waste material within the greenway area, except in receptacles designated by the greenway authority for that purpose;
 - b. Bring into the greenway area any trash, refuse, garbage, litter, waste material or vehicle for the purpose of leaving it therein;
 - c. Wash any clothing or other materials in the waters of any pond or stream, or throw, dump or deposit into such waters, or onto the banks thereof, any trash, refuse, garbage, litter, waste material or other polluting product of any kind. Pollution and waste, for the purpose of this subsection I, are as defined in ORS [468B.005](#)(5) and (9).
2. In addition to any fine imposed for violation of any provision of this section, the violator is responsible for any and all costs resulting from necessary response, clean up, or damage caused by the act of offensive littering.

J. Campsites Prohibited.

1. As provided in CPMC Chapter 7.01.030, it is unlawful to sleep or store Camping Materials or similar Personal Property, as defined in Chapter 7.01, for any period of time in the greenway, unless authorized by law or by declaration of the City Manager.

2. Violation of subsection (J)(1) of this section shall be subject to enforcement as provided in CPMC 7.01.050.

K. Peddlers and Solicitors--Advertising--Signs.

1. Unless otherwise specifically permitted by the greenway authority, no person shall, within the greenway:
 - a. Operate a concession, either fixed or mobile, or engage in the business of soliciting, selling or peddling goods, wares, merchandise, liquids or edibles for human consumption;
 - b. Advertise in any manner, including but not limited to distributing circulars, or using fixed or mobile display; or
 - c. Erect any sign, marker or inscription.

2. Unauthorized signing or trail marking is prohibited.

L. Alcoholic Beverages. Possessing or drinking alcoholic beverages within the greenway is prohibited.

M. Firearms, Air Guns and Other Weapons. No person, other than law enforcement officers performing their official duties, shall discharge any firearm, air gun, pellet gun, bow and arrow, slingshot or other projectile propelling device within the greenway.

N. Fireworks. No person shall possess or use fireworks or explosives of any type within the greenway.

O. Hunting. Unless specifically authorized, no person shall, or attempt, to pursue, hunt, trap, kill or injure any wild bird or animal within, into or out of the greenway area.

P. Noise. Loudspeakers, public address systems and amplified musical instruments are allowed within the greenway only upon approval from the greenway authority as part of a special event permit under CPMC 5.42.

4.06.060 Severability.

If any section, subsection, sentence, clause, phrase or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

4.06.070 Jurisdiction--Enforcement.

A. Persons are subject to the jurisdiction of the greenway authority for violations alleged to have been committed within that portion of the greenway that lies within the boundaries of the city of Central Point.

B. Enforcement of this chapter may be performed by any law enforcement officer or code enforcement officer designated by the greenway authority.

4.06.080 Violations--Penalty.

A. Violation of this chapter shall be punishable under the general penalty, Chapter 1.16.

B. Any person who violates any of the provisions of this chapter may be ejected or excluded from the greenway per the provisions of Chapter 4.10.

SECTION 6. Title 4 is hereby amended to add Chapter 4.08, Skate Park Guidelines and Rules, as set forth below:

Chapter 4.08 SKATE PARK GUIDELINES AND RULES

Sections:

4.08.010 General Guidelines and Policies.

4.08.020 Prohibited Acts/Regulations.

4.08.030 Penalties.

4.08.010 General Guidelines and Policies.

In addition to the rules generally applicable to city parks under CPMC 4.04, the following rules and guidelines apply to the use of the skate park:

A. This is an unsupervised park. All users of the skate park are deemed to use the park at their own risk. Inspect the surfaces before riding. Remove all trash, debris and objects that may prevent a smooth, safe ride. The City does not assume any responsibility for loss or injuries.

B. Users should refrain from using the park when the concrete skating/riding surfaces are either wet and slippery or damaged. Users observing damage should promptly notify city parks department at 664-3321 extension 265.

C. For the safety of park users, the city reserves the right to temporarily exclude users at such times as the city determines the park to be at full capacity.

D. The city reserves the right to subject the park to video surveillance at any or all times.

E. All organized events or formal contests must receive prior written approval from the city parks and recreation director or designee.

F. The city reserves the right to close the park in the event of violation of park rules or for any other circumstances deemed necessary including inclement weather.

4.08.020 Prohibited Acts/Regulations.

A. A safety helmet must be worn at all times by any person that is on the concrete skating/riding surface of the park. A "safety helmet" as used in this chapter means, at a minimum, a helmet carrying a sticker indicating that the helmet meets the standards established by the United States Consumer Product Safety Commission (CPSC). Higher

levels of safety certification such as the American Society for Testing and Materials (ASTM) or Snell Certification are also permitted.

B. No person shall enter or be inside the concrete skating/riding surface of the park, unless such person is wearing a safety helmet.

C. No person shall use the concrete skating/riding surface area of the park with any type of motorized vehicle or device. Skateboards, nonmotorized scooters (like razor scooters), BMX bikes, and inline skates are permissible as long as the individual is wearing a safety helmet and abiding by the rules of the park.

D. No person shall modify or attempt to modify any element, surface or area within the park.

E. All spectators must stand, sit or observe outside the concrete skating/riding surface of the park.

F. Spectators and park users are prohibited from standing, trampling or injuring in any way the shrubs, trees and bedding plants that are around the park.

G. No person shall use the Skate Park in a manner which is unsafe, physically intimidating, which places others at risk of physical harm, or which interferes unreasonably with the safe and enjoyable use of others.

H. Profanity is prohibited.

I. Trash containers will be furnished and must be used for disposal of waste. Littering is prohibited.

J. No person shall bring into the park or possess within the park any glass containers.

K. No person shall bring into or possess within the park any alcohol or controlled substances.

L. Use of tobacco products, marijuana or other inhaling device is prohibited as provided in CPMC 4.04.230.

M. The city reserves the right to limit the number of persons allowed inside the concrete skating/riding surface of the park at any given time.

4.08.030 Penalties.

A. Violation of this chapter shall be punishable under the general penalty, Chapter 1.16.

B. Any person who violates any of the provisions of this chapter may be ejected or excluded from the park per the provisions of Chapter 4.10.

SECTION 7. Title 4 is hereby amended to add Chapter 4.10, Park Violation – Ejection or Exclusion Remedy, as set forth below:

Chapter 4.10

PARK VIOLATION – EJECTION OR EXCLUSION REMEDY

4.10.010 Definitions

4.10.020 Ejection

4.10.030 Oral Warning

4.10.040 Exclusion

4.10.050 Knowingly Remaining in Park after Exclusion

4.10.060 Park Exclusion Process; Appeal

4.10.070 Penalty

4.10.010 Definitions.

For the purposes of this Chapter, the following definitions apply:

1. **Disruptive Activity.** Disruptive Activity is behavior, conduct or activity that obstructs, disrupts or interferes with the operation or business being conducted by the City, or authorized users, or other permitted activities at a Park.
2. **Ejection.** An ejection is an order given by an authorized park officer directing a person to immediately leave a park and not to return for the remainder of the day.
3. **Exclusion.** An exclusion is an order made by an authorized park officer prohibiting a person from entering or remaining at a park for a specified period of time.
4. **Park Officer.** Any peace officer, park official, or city code compliance officer.
5. **Park Violation.** Park Violation is behavior, conduct or activity at a park that would constitute a violation of:
 - a. Federal, state or local law.
 - b. Provisions of the code applicable to parks, including but not limited to Chapters 4.04, 4.06 and 4.08.
 - c. Any rule or regulation applicable to parks.

4.10.020 Ejection.

A. In addition to other remedies provided for violation of CPMC Chapters 4.04, 4.06 and 4.08, or any other provision of the municipal code, or of any of the laws of the State of Oregon, any park officer may issue an ejection to a person who engages in a disruptive activity or a park violation and direct that person to immediately leave the park for the remainder of the day. Nothing in this section shall be construed to authorize the ejection or exclusion of any person lawfully exercising free speech rights or other rights protected by the state or federal constitutions.

4.10.030. Oral Warning.

1. A park officer shall attempt to give a person who may be subject to an ejection or exclusion under this Chapter an oral warning and a reasonable opportunity to stop engaging in the disruptive activity or park violation; provided, however, failure to give an actual oral warning does not nullify the effectiveness or enforceability of an ejection or exclusion.

2. A park officer is not required to attempt to give an oral warning before issuing an ejection or exclusion where the behavior, conduct or activity constitutes one or more of the following:

a. A felony, misdemeanor, or motor vehicle offense.

b. A violation of Chapter 7.01, which shall be governed by the rules set forth in that Chapter.

c. Dangerous or threatening behavior. Behavior is dangerous or threatening if a reasonable person, exposed to or experiencing such behavior could believe that the person would be in imminent danger of physical harm. Actual bodily injury to a person is not required. The belief of a person engaging in self-harming behavior is not deemed reasonable.

4.10.040. Exclusion.

A. Except as provided in subsections B through D below, the length of exclusion from a park shall be for 30 days, unless:

1. The person to be excluded has also been excluded previously from any park for any reason within three years before the date of the present exclusion, then the exclusion shall be for 90 days.

2. The person to be excluded has also been excluded previously from any parks for any reason on two or more occasions within 3 years before the date of the present exclusion, then the exclusion shall be for 180 days.

B. The length of exclusion shall be 60 days if the disruptive activity or park violation giving rise to the present exclusion:

1. Constitutes child abuse under ORS Chapter 419B, elder abuse under Chapter ORS 124, or abuse of adults with mental illness or development disabilities under ORS Chapter 430, that may trigger mandatory reporting by a park officer or a “public or private official” under the mandatory reporting statutes;

2. Constitutes any offenses against persons under ORS Chapter 163;

3. Constitutes intimidation under ORS 166.155 or ORS 166.165; or

4. Results in property damage to a park of \$1,000 or more.

C. The length of exclusion shall be 120 days if the person to be excluded for a reason described in Subsection B has also been issued an exclusion for any reason previously from any park within 3 years before the date of the present exclusion.

D. The length of exclusion shall be 270 days if the person to be excluded for a reason described in Subsection B has also been excluded from any parks for any reason on two or more occasions within 3 years before the date of the present exclusion.

E. Location of Exclusion.

Except as otherwise provided in this subsection, the place of exclusion shall be the Park where the disruptive activity or park violation occurred. Where the behavior giving rise to the exclusion is a violation under subsection B.1 or B.2, the place of exclusion may be one or more parks.

4.10.050. Knowingly Remaining in Park after Exclusion.

No person shall knowingly enter or remain in any park at any time in violation of a park exclusion order as issued and served upon the person in accordance to the provisions of this section.

4.10.060. Park Exclusion Process; Appeal.

A. Written notice shall be given to any person excluded from any city park(s). Such notice shall specify the dates and places of exclusion, a brief description of the disruptive activity or park violation resulting in the exclusion notice, and information on right to appeal. It shall be signed by the issuing party; warning of consequences for failure to comply shall be prominently displayed on the notice. Such written notice shall be delivered in person, or by certified mail along with an additional copy by first class mail to the last known mailing address of said individual.

B. A person issued such notice may appeal in accordance with CPMC 1.04.060 to have the written notice rescinded or the period shortened. The appeal notice shall specify the relief sought and the reason for said relief. Pending the date of the appeal hearing, the exclusion shall be temporarily stayed.

C. The Council shall uphold the exclusion if, upon de novo review, the preponderance of the evidence convinces the Council that, more likely than not, the person in fact committed the crime or violation, and that the exclusion is otherwise appropriate as to purpose and length of exclusion.

4.10.070. Penalty.

In addition to the ejection/exclusion remedies in this Chapter:

A. Violation of this chapter shall be punishable under the general penalty, Chapter 1.16.

B. Any violation of 4.10.050 of this Chapter is deemed a Criminal Trespass II, a Class C misdemeanor.

SECTION 8. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Recitals A-C) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

SECTION 9. Effective Date. The Central Point City Charter states that an ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

PASSED by the Council and signed by me in authentication of its passage this ____ day of _____ 2025.

Mayor Taneea W. Browning

ATTEST:

City Recorder



DEPARTMENT: Administration **MEETING DATE:** January 23, 2025

STAFF CONTACT: Sydnee Dreyer, City Attorney

SUBJECT: Resolution Adopting Council Rules of Procedure 2025

SUMMARY AND BACKGROUND:

The City Council is required, by Section 10 of the City Charter to adopt rules governing its meetings. The Council rules were last amended in January 2021, via Resolution No. 1524. The Rules of Procedure currently in effect were adopted in 2019. The Council should review and discuss the existing rules and either adopt the current version or propose additions, deletions or amendments to the existing rules.

FINANCIAL ANALYSIS:

LEGAL ANALYSIS:

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Strategic Priority - Community Culture

STRATEGY 3 – Beginning with the city council and staff, Central Point should pride itself on civility in all of our public debates. Differences of opinion are welcome, but disagreement should never be a reason to treat others with disdain.

ATTACHMENTS/EXHIBITS:

1. RESO Council Rules Jan 2025
2. 2025 Council Rules

STAFF RECOMMENDATION:

Make a motion either to:

- 1) Adopt and approve the 2021 Council Rules of Procedure.
- 2) Direct staff to bring back revisions to the Council Rules of Procedure.

RECOMMENDED MOTION:

I move to approve Resolution No. _____, a Resolution approving the Rules of the City Council of Central Point, Oregon effective January 2025;
or

I move to direct staff to make the following revisions to the Rules of Procedure (*list revisions*) and bring back a revised draft for Council's consideration at a later meeting.

RESOLUTION NO. _____

A RESOLUTION APPROVING THE RULES OF THE CITY COUNCIL OF CENTRAL POINT, OREGON
EFFECTIVE JANUARY 2025

Recitals:

- A. The City Council is required, by Section 10 of the City Charter to adopt rules governing its meetings.
- B. It is established policy of the City Council of the City of Central Point, Oregon to review and adopt the Rules of the City Council following a general election.
- C. Council last amended its rules in January 2018. Council has directed a minor change to its Order of Business to allow for Public Agency Comments and Agenda Building.

The City of Central Point resolves as follows:

Section 1. Adopting Rules of City Council. The Rules of the City Council of Central Point, Oregon are hereby adopted in their entirety to read as set forth in Exhibit 1, attached hereto.

Section 2. Severability. If any section, sentence, clause, or phrase of this Resolution or any resolution adopted or amended hereby, should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phase of this Resolution..

Passed by the Council and signed by me in authentication of its passage this _____ day of January, 2025.

Mayor Tanea W. Browning

ATTEST:

City Recorder

RULES OF THE CITY COUNCIL CENTRAL POINT, OREGON

CHAPTER 1 – GENERAL GOVERNANCE

I. Rules of Procedure.

A. Unless otherwise provided by charter, ordinance or these rules, the procedure for Council meetings, and any subcommittee of a City Council, shall be guided by Robert’s Rules of Order, current edition.

B. Members of the Council are encouraged to avoid invoking the finer points of parliamentary procedure found within Robert’s Rules of Order when such points will obscure the issues before the Council and confuse members of the public.

C. Whenever these rules and Robert’s Rules of Order conflict, these rules shall govern.

II. Quorum. A quorum is required to conduct official City business.

A. The members of the Council are the City councilors and mayor. Fifty-percent plus one of the members of the Council shall constitute a quorum. Vacancies in office do not count towards determining a quorum.

B. In the event a quorum is not present, the members of Council present shall adjourn the meeting.

III. Presiding Officer.

A. The mayor shall preside over all meetings and have authority to preserve order, enforce the rules of Council and determine the order of business under the Rules of the Council. The mayor shall retain all rights and privileges of the office of the mayor as set out in the City charter when acting in this capacity.

B. In the mayor’s absence the president of the Council shall preside over the meeting. The president of the Council shall retain all rights and privileges of the office of the mayor as set out in the City charter when acting in this capacity

C. If both the mayor and the president of the Council are absent from the meeting, the following procedure shall be utilized to determine who is the presiding officer:

- 1.** The Presiding Officer shall call the Council to order and call the roll of the members.
- 2.** Those members of Council present shall elect, by majority vote, a temporary presiding officer for the meeting.

3. Should either the mayor or the president of the Council arrive, the temporary presiding officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.

4. The presiding officer shall retain all rights and privileges of a member of Council when acting in this capacity.

IV. Appointed Officers & Employee Duties.

A. City Recorder. The City recorder shall be the parliamentarian and shall advise the presiding officer on any questions of order. Additionally, the City recorder shall keep the official minutes of the Council.

B. City Manager. The City manager or his designee is required to attend all meetings of the Council and is permitted to participate in any discussion; however, the City manager has no authority to cast a vote in any decision rendered by the Council.

C. City Attorney. The City attorney shall, unless otherwise directed by the City Manager, attend any meeting of the Council, and will, upon request, give an opinion, either written or oral, on legal questions.

D. The Chief of Police. Unless otherwise directed by the Council, the Chief of Police or her designee may attend each Council meeting to serve as the Sergeant-at-Arms, and shall carry out all orders or instructions upon direction of the Presiding Officer or upon any other procedure specifically provided by these rules.

V. Agendas. The City manager shall prepare an agenda for every regular meeting, and, if requested by the presiding officer, for every special meeting.

A. Agendas and informational material for meetings shall be distributed to the Council at least seven (7) days preceding the meeting.

B. No Council approval shall be required for an agenda of any meeting.

C. The City manager may place routine items and items referred by staff on the agenda without Council approval or action.

D. The City manager may remove any items on the consent agenda, any item of old business, any resolution, or any ordinance placed for first reading from the agenda at any time prior to the time the meeting is convened. The presiding officer shall announce such removal under announcements/proclamations.

E. A member of the Council who wishes to have an item placed on the agenda shall advise the City manager at least one week prior to the meeting, or may request an item be included on an agenda during the Agenda Building portion of its Regular Meeting.

F. Agenda items that are of special importance to Council may be treated as Special Orders of Business. Special Orders of Business take precedence over all other items except the Pledge of Allegiance.

G. A request to add an item for Council consideration may be presented at the Council meeting but shall require a majority concurrence of the members present to be so added. These items are limited to emergency items.

VI. Order of Business. The order of business for all regular meetings shall be as follows, however when it appears to be in the best interest of the public, the order of business may be changed for any single meeting by the City Manager or majority vote:

- I.** Call to Order
- II.** Pledge of Allegiance
- III.** Roll Call
- IV.** Announcements/Special Recognition (when appropriate)
- V.** Public Appearances
- VI.** Consent Agenda
- VII.** Items Removed from Consent Agenda
- VIII.** Public Hearings, Ordinances & Resolutions
- IX.** Business
- X.** Mayor's Report
- XI.** City Manager's Report
- XII.** Council Reports
- XIV.** Department Reports
- XV.** Public Agency Reports
- XVI.** Agenda Building
- XVII.** Executive Session
- XVIII.** Adjournment

A. Call to Order. The presiding chair shall call all meetings of the Council to order. The call to order shall note the date, time and location of the meeting so that it may accurately be reflected in the minutes.

B. Roll Call. The City recorder shall conduct a roll call to determine which members of the Council are present and which are absent.

1. The attendance shall be properly reflected in the minutes.

2. If roll call determines that a quorum is not present, the meeting shall be adjourned.

C. Announcements/Special Recognition. Announcements are intended to be procedural in nature, such as an item being removed from the agenda. Special Recognitions are awards or recognition of individuals by the Council.

D. Public Comment

1. Policy. The Council recognizes that public input into the governmental process is an invaluable aid to informed decision making. Therefore, it is the policy of the Council that all citizens shall have the right to speak before the Council on matters of public concern, but each citizen shall be responsible for abuse of such right. Consequently, to ensure that the greater public interest is fostered, each citizen or group of citizens who desires to speak before the Council shall have the duty to exercise this right in a manner which furthers the greater public interest.

2. Public Comment Generally. Any member of the general public wishing to address the Council on a matter of public concern may do so at the time set for public comments during each regular session of the Council. The Council, in its sole discretion, may extend this time, or may request further information be presented to the Council on such date and in such manner as it deems appropriate. Public comment is limited to items not on the agenda, or items on the agenda which are not public hearings.

If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker shall wait until that public hearing. Public comment shall not be used to testify about a quasi-judicial land use matter, or to provide or gather additional testimony or information on any matter after the official record has been closed on any matter which has been the subject of a public hearing.

Speakers are limited to three (3) minutes, for individuals and five (5) minutes for persons representing a group of two or more. Generally, the speakers will be called upon in the order in which they have signed in on the speaker's roster. Speakers shall identify themselves by their names and by their place of residence. The presiding officer may allow additional persons to speak if they have not signed the speaker's roster and sufficient time is left.

Councilors may, after obtaining the floor, ask questions of speakers during public comment. Councilors shall use restraint when exercising this option, and shall attempt to limit questioning to no more than three minutes. The presiding officer may intervene if a councilor is violating the spirit of this guideline.

Speakers may play electronic audio or visual material during the time permitted for their comment. Speakers may utilize City-provided audio or visual equipment located in the Council chambers as a part of their comment, but must provide the materials in a readable format to City staff prior to the meeting so that it may be installed on the City's equipment to avoid a delay or disruption of the meeting.

E. Consent Agenda. In order to expedite the Council's business, the approval of minutes and other routine agenda items shall be placed on the consent agenda.

1. All items on the consent agenda shall be approved by a single motion, unless an item is pulled for further consideration.
2. Any item on the consent agenda may be removed for separate consideration by any member of the Council.
3. For the purposes of this rule, separate consideration means any proposal to adopt a different course of action than that recommended in the staff report, a determination that debate on a proposed course of action is deemed desirable, any questions to staff on an item, and any item where a member of Council must declare a conflict of interest.
4. Examples of items for Consent Agendas include Council Committee Minutes, OLCC requests, temporary street closures, annual proclamations and routine housekeeping items.

F. Ordinances and Resolutions – See Chapter 3

G. Public Hearings Generally

1. A public hearing may be held on any matter upon majority vote of the Council. Public hearings may be held to consider legislative, quasi-judicial or administrative matters.
2. Persons wishing to speak shall sign the Sign-In Roster with the person's name and address prior to the commencement of the public hearing at which the person wishes to speak.
3. The Presiding Officer shall announce at the commencement of any public hearing the subject of the hearing as it is set forth on the agenda. The presiding officer shall then declare the hearing open.
4. Each person shall, prior to giving testimony, give his or her name, shall indicate whether they are a resident of the City, and may give their address. All remarks shall be addressed to the Council as a body and not to any member thereof.
5. Council shall set the time limits for the applicant, appellant, or other interested persons. Except as otherwise provided an applicant or appellant shall be provided fifteen minutes. Other interested persons shall be given three minutes for individuals and five minutes for a group of two or more.

6. Councilors may, after recognition by the presiding officer, ask clarifying or follow up questions of individuals providing testimony after that individual has completed his or her testimony. Questions posed by councilors should be to provide clarification or additional information on testimony provided. Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Councilors shall be expected to use restraint and be considerate of the meeting time of the Council when exercising this option. The presiding officer may intervene if a councilor is violating the spirit of this guideline.

7. Councilors may, after the presentation of testimony of all interested persons, ask clarifying or follow-up questions of staff. Questions posed by City councilors should be to provide clarification or additional information on testimony provided.

8. The presiding officer may exclude or limit cumulative, repetitious, or immaterial matter. The presiding officer may order the testimony, alternating those speaking in favor and those in opposition, or have all speaking in favor testify, followed by all those in opposition. The presiding officer, with the approval of the Council, may further limit the time and/or number of speakers at any public hearing; provided that the presiding officer shall announce any such restrictions prior to the commencement of the testimony. In the event of large numbers of interested persons appearing to testify, the presiding officer, to expedite the hearing, may in lieu of testimony call for those in favor of the pending proposal or those in opposition to rise and direct the City recorder to note the numbers in the minutes.

9. At the end of public testimony and questions of staff, the Council shall initiate deliberations by introducing a motion on the matter; continue the hearing; or keep the record open for additional written testimony. During deliberations, each member of the Council shall have the opportunity to comment on or discuss testimony given during the public hearing.

10. A copy of any written testimony or physical evidence, which a party desires to have introduced into the record of the hearing, shall be submitted to the City recorder at the time of the hearing. Communications concerning quasi-judicial matters received prior to the hearing are ex parte contacts, and a councilor receiving any such communication must disclose the fact that such a communication has been received, and the content of the communication.

11. Documents submitted to the City as evidence or written testimony during a public hearing are public records. If such a document contains the name, address, including email address, and telephone number of the person, then it will be included in the record of the proceeding. Because the name, address, including email address, and telephone number are part of a public record, this information will be generally disseminated to the public, and must be disclosed if a public records request is submitted for the documents. A person who believes such disclosure would present a danger to his or her

personal safety, and who wishes to exempt his or her address, including email address, and telephone number from disclosure must submit a written request for nondisclosure to the City recorder pursuant to ORS 192.455(1).

H. Conduct of Hearings on Land Use Matters – See Chapter 4

I. Written Communications to Council.

1. Unsolicited communications to the mayor and/or Council concerning matters on the agenda shall be forwarded to the Council in the agenda packet, if received at least 7 days prior to the meeting, but shall not be individually itemized on the agenda. If received less than 7 days prior to the meeting, such communications will be provided to Council at the meeting.

2. Unsolicited communications to the mayor and/or Council concerning matters that are not on an agenda shall be forwarded to the mayor and/or Council but shall not be included in the agenda packet.

3. The City manager may, in his or her discretion, bring any matter raised by an unsolicited communication to the attention of the Council as an agenda item, provided that such communication is accompanied by a staff report setting forth the reason the matter should be considered by the Council, and making a recommendation for Council action.

J. Anonymous Communications. Anonymous and unsigned communications shall not be introduced at Council meetings.

CHAPTER 2 – MEETING TIME, LOCATION AND FREQUENCY

I. Regular meetings. The Council shall meet the second and fourth Thursday of each month except in those cases where the Council finds it necessary to designate another date due to conflicts and with the exception of designated holidays and/or Council recesses.

A. Meetings shall begin at 7:00 p.m.

B. Meetings shall adjourn at 10:00 p.m., but may be extended upon a majority vote of the Council. In no event shall meetings extend beyond 11:00 p.m.

II. Special meetings. Special meetings may be called by the presiding officer, by request of three members of the Council, or by the City manager and must be approved by a majority of the Council.

A. Notice of the special meeting shall be given to each member of the Council, the City manager, and each local newspaper, and radio and television station which has on file a written request for notice of special meetings.

B. Notice of the special meeting shall be given to all members of the Council and the City manager via telephone and email.

C. Special meetings shall be noticed in accordance with Oregon's public meetings law, and, at a minimum, shall be noticed at least 24 hours prior to the meeting taking place.

III. Emergency meetings. Emergency meetings may be called by the presiding officer, by the request of three members of Council, or by the City manager.

A. Notice of the emergency meeting shall be given to each member of the Council, the City manager, and each local newspaper, and radio and television station which has on file a written request for notice of special meetings.

B. Notice of the emergency meeting shall be given to all members of Council and the City manager via telephone and email.

C. Emergency meetings are those meetings called with less than 24 hours' notice and the Council shall identify why the meeting could not be delayed 24 hours immediately after calling the meeting to order.

D. The minutes for any emergency meeting shall specifically identify why the meeting constituted an emergency and was necessary.

IV. Executive Sessions. Executive sessions may be called by the presiding officer, by the request of three members of Council, by the City manager or by the City attorney.

A. Only members of the Council, the City manager and persons specifically invited by the City manager or the Council shall be allowed to attend executive sessions.

B. Representatives of recognized news media may attend executive sessions, other than those sessions during which the Council conducts deliberations with persons designated to carry on labor negotiations, or where the matter involves litigation and the news media is a party to the litigation.

V. Study Sessions. Study sessions are permitted to present information to the Council so that the Council is prepared for regular or special meetings.

A. All study sessions are subject to Oregon's public meetings law and must be noticed accordingly.

B. Study sessions are intended to allow for preliminary discussions, and the Council is not permitted to take formal or final action on any matter at a study session.

C. Study sessions are to be scheduled by the City manager.

D. The City manager is to invite any relevant staff to study sessions so that the sessions are as productive as possible.

VI. Holidays. In the event a regular meeting falls on a holiday recognized by the City, the regular meeting for that week shall be cancelled.

VII. Location. Council meetings shall be held at city hall.

A. In the event City hall is not available for a meeting, the Council shall meet at a venue open to the public which is located within the jurisdictional limits of the City.

B. Training sessions may be held outside of the City's jurisdictional limits, provided no deliberations toward a decision are made.

C. Interjurisdictional meetings may be held outside of the City's jurisdictional limits, but should be held as close as practical to the City, and such meetings shall be located within the jurisdictional boundaries of the other government entity.

D. No Council meeting shall be held at any place where discrimination on the basis of an individuals' race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, sexual orientation, source of income or disability is practiced.

VIII. Notice. The City recorder shall provide notice of all meetings in accordance with Oregon's public meeting law.

IX. Attendance. Members of the Council shall advise the City manager if they will be unable to attend any meetings. Under the charter, a Council position becomes vacant if the member of Council is absent from the City for more than 30 days without Council permission or absent from all meetings of the Council within a 60-day period.

CHAPTER 3 – ORDINANCES AND RESOLUTIONS

I. Ordinances. All ordinances considered by and voted upon by the Council shall adhere to the rules outlined herein.

A. Preparation and Introduction.

1. All ordinances shall, before presentation to the Council, have been approved by the City manager, or the City attorney.

2. No ordinance shall relate to more than one subject, which shall be clearly expressed in its title, and no ordinance, or section thereof, shall be amended or repealed unless the new ordinance contains the title of the ordinance or section amended or repealed.

B. Calendar of Ordinance.

1. An ordinance is introduced for consideration by the Council for presentation for first reading. After introduction, the Council may direct that:

- a. A public hearing on the ordinance be held;
- b. Refer the ordinance to committee for review and recommendation;
- c. Refer the ordinance to the City manager or staff for further revision;
- d. Pass the ordinance to a second reading; or
- e. Reject the ordinance in whole or in part.

2. All ordinances when introduced for first reading shall be identified by title and number on a calendar of first reading and may be passed to a second reading as a group without further reference.

3. Except as otherwise provided by this section, on second reading all ordinances shall be placed by title and number on the agenda for second reading, and may be passed as a group, provided that such ordinances are placed by title and number on a calendar of second reading, and the vote for the passage of the calendar is unanimous. Should any member of the Council object to any ordinance at the time of second reading, that ordinance shall be removed from the calendar of second reading, and considered separately. Ordinances to be considered separately shall be read by title only.

4. When a calendar of second reading of an ordinance which is to be considered separately is placed before the Council for final passage, the City recorder shall call the roll and enter the ayes, nays and abstentions in the record.

5. All proposed amendments to an ordinance shall be in writing, and may be made by interlineation upon the ordinance.

6. The Council may adopt an ordinance at a single meeting by the approval of a majority of the Council, provided the proposed ordinance is available in writing to the public at least one week before the meeting.

7. An affirmative vote of at least a majority of the quorum shall be necessary to pass an ordinance.

II. Resolutions. All resolutions considered by and voted upon by the Council shall adhere to the rules outlined herein.

A. Preparation and Introduction. All resolutions shall, before presentation to the Council, have been approved by the City manager or the City attorney.

B. Calendar of Resolution.

1. A resolution is introduced for consideration by the Council at a single meeting. After introduction, the Council may direct that:

- a. The resolution be approved;
- b. A public hearing on the resolution be held; or
- c. Reject the resolution in whole or in part.

2. All resolutions when introduced for first reading shall be identified by title and number on a calendar.

3. All proposed amendments to a resolution must be read aloud or made available in writing to the public at the meeting before the Council adopts the resolution.

4. An affirmative vote of a majority of the quorum shall be necessary to pass a resolution.

CHAPTER 4 – LAND USE HEARINGS

I. General Conduct of Hearings.

A. Any party may speak in person, through an attorney or agent.

B. A copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing shall be submitted to the City recorder at the time the party makes his or her presentation. If the testimony or evidence is not submitted to the City recorder, it shall not be included in the record for the proceeding.

C. No person may speak more than once without obtaining permission from the presiding officer.

D. Upon being recognized by the presiding officer, any member of the Council, the City Manager, community development director or the City attorney may question any person who testifies.

E. Testimony shall be directed towards the applicable standards and criteria which apply to the proposal before the Council.

F. The presiding officer may exclude or limit cumulative, repetitious, or immaterial testimony. To expedite hearings, the presiding officer may call for those in favor and those in opposition to rise, and the City recorder shall note the numbers of such persons for the record in the minutes.

II. Quasi-Judicial Land Use Matters.

A. Conflicts of Interest.

1. A member of the Council shall not participate in a discussion or vote in a quasi-judicial land use proceeding if:

- a.** The member has an actual conflict of interest as defined by the Oregon Revised Statutes or the City charter.
- b.** The member was not present during the public hearing; provided, however, members may participate if they have reviewed the evidence, including recordings of the hearing, and declared such fact for the record.

2. Members of the Council shall reveal any ex parte contacts with regard to the proceeding at the commencement of any quasi-judicial land use proceeding. If such contact impairs the member's impartiality, the member shall state this fact and abstain from participation in the matter.

C. Burden of Proof. The proponent has the burden of proof on all elements of the proposal, and the proposal must be supported by proof that it conforms to all applicable standards and criteria.

1. The decision of the Council shall be based on the applicable standards and criteria as set forth in the City's municipal code, the City's comprehensive plan, and, if applicable, any other land use standards imposed by state law or administrative rule.

2. The proponent, any opponents, and/or City staff may submit to the Council a set of written findings or statements of factual information which are intended to demonstrate the proposal complies or fails to comply with any or all applicable standards and criteria.

D. Hearing Procedures. The order of hearings in quasi-judicial land use matters shall be:

1. Land Use Hearing Disclosure Statement. The presiding officer shall read the land use hearing disclosure statement, which shall include:

- a. A list of the applicable criteria;
- b. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which the person believes to apply to the decision;
- c. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and
- d. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.

2. Call for ex parte contacts. The presiding officer shall inquire whether any member of the Council has had ex parte contacts. Any member of the Council announcing an ex parte contact shall state for the record the nature and content of the contact.

3. Call for abstentions. The presiding officer shall inquire whether any member of the Council must abstain from participating in the hearing due to a conflict of interest or bias. Any member of the Council announcing a conflict of interest or bias shall state the nature of the conflict or bias, and shall not participate in the proceeding, unless the person's vote is necessary to meet a requirement of a minimum number of votes necessary to take official action; provided, however, that the member shall not participate in any discussion or debate on the issue of which the conflict arises.

4. Staff summary. Planning staff shall present a summary and recommendation concerning the proposal.

5. Presentation of the Case.

- a. Proponent's case. Twenty minutes total.
- b. Persons in favor. Five minutes per person.
- c. Persons opposed. Five minutes per person.
- d. Other interested persons. Five minutes per person.
- e. Rebuttal. Ten minutes total. Rebuttal may be presented by the proponent. The scope of rebuttal is limited to matters which were introduced during the hearing.

6. Close of hearing. No further information shall be received after the close of the hearing, except for specific questions directed to staff. If the response to any such questions requires the introduction of additional factual evidence, all parties shall be afforded an opportunity for simultaneous written rebuttal.

7. Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.

8. Findings and Order. The Council may approve or reject the proposal.

- a. The Council shall adopt findings to support its decision.
- b. The Council may incorporate findings proposed by the proponent, the opponent or staff in its decision.

E. Continuances. Only one continuance is available by right. However, nothing in this section shall restrict the Council, in its discretion, from granting additional continuances. Any continuance shall result in a corresponding extension of the 120-day time limitations imposed by the Oregon Revised Statutes.

III. Legislative Land Use Matters.

A. Hearings Procedures. The order of procedures for hearings on legislative land use matters shall be:

1. Call for abstentions. Inquire whether any member of the Council wishes to abstain from participation in the hearing. Any member announcing an abstention shall identify the reason therefor and shall not participate in the proceedings.

2. Staff summary. Staff shall present a statement of the applicable criteria, and a summary and recommendation concerning the proposal.

3. Presentation of the Case.

- a. Proponent's case. Twenty minutes total.
- b. Persons in favor. Five minutes per person.
- c. Persons opposed. Five minutes per person.
- d. Other interested persons. Five minutes per person.

4. Close of hearing. No further information shall be received after the close of the hearing, except for responses to specific questions directed to staff.

5. Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.

6. Reopening hearing. Prior to second reading of an ordinance relating to a legislative land use matter, and upon majority vote of the Council, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements shall be met for the reopened hearing as were required for the original hearing.

CHAPTER 5 – MOTIONS, DEBATE, PUBLIC COMMENT AND VOTING

I. Motions. All motions shall be distinctly worded.

A. The following rules shall apply to motions:

1. If a motion does not receive a second, it dies.
2. The Council will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
3. Any motion shall be reduced to writing if requested by a member of the Council.
4. A motion to amend can be made to a motion that is on the floor and has been seconded.
5. No motion shall be received when a question is under debate except for the following:
 - a. To lay the matter on the table;
 - b. To call for the previous question;
 - c. To postpone;
 - d. To refer; or
 - e. To amend.
6. A motion may be withdrawn by the mover at any time without the consent of the Council.
7. Amendments are voted on first, then the main motion if voted on as amended.
8. A member of the Council may have a motion which contains several elements divided, but the mover shall have the right to designate which element will be voted on first.
9. A call for the question is intended to close the debate on the main motion; does not require a second and is not debatable.
 - a. A call for the question fails without a majority vote.
 - b. Debate on the main subject resumes if the motion fails.
10. A motion that receives a tie vote fails.
11. The presiding officer shall repeat the motion prior to a vote.

12. A motion to adjourn cannot be amended.

B. Motion to Reconsider. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.

1. No motion shall be made more than once.

2. The motion shall be made before the final adjournment of the meeting when the item goes out of possession of the Council.

II. Debate. The following rules shall govern the debate of any item being discussed by the Council:

A. Every member desiring to speak shall address the presiding officer, and, upon recognition by the presiding officer, shall confine him/herself to the question under debate, refrain from impugning the motives of any member's argument or vote, and at all times act and speak in a respectful manner. No member shall address the presiding officer or demand the floor while a vote is being taken.

B. Members shall limit their remarks to five minutes unless granted additional time by the majority of the Council. No Council Member shall be allowed to speak more than once upon any one subject until every other member choosing to speak thereon has spoken.

C. A member, once recognized, shall not be interrupted when speaking unless called to order by the Mayor or Presiding Officer, or unless a point of order is raised by any Council Member while he or she is speaking, in which case said member shall cease speaking immediately until the point is determined. If ruled to be in order, said member shall be permitted to proceed; if ruled to be out of order, said member shall remain silent or shall alter his/her remarks to comply with the ruling.

D. The member of the Council moving the adoption of any ordinance or resolution shall have the privilege of closing the debate.

III. Public Comment. The public shall be entitled to comment on all matters before the Council that require a vote.

A. Public comment shall occur either during the public comment portion of the meeting, or at Council's election, after the matter up for vote has been presented by City staff and before the Council takes any formal action on the matter.

B. Each member of the public is entitled to comment on the matter before the Council for three minutes.

C. Public comment is a time for comment, it is not a time for debate, nor is it a time for members of the public to ask questions of and receive answers from the Council or City staff.

D. Each person desiring to give public comments shall provide the Council with his or her name and address prior to giving comment. This information shall be used to ensure the minutes of the meeting properly reflect those persons who provided public comment.

IV. Voting. The following rules shall apply to voting on matters before the Council, unless amended in the manner outlined in Chapter 4 of these Rules.

A. The following require a majority of the quorum to pass.

i. **Reports.** (No vote is required if the report is only for informational purposes).

ii. **Consent Agenda.**

iii. **Resolutions.**

iv. **An Ordinance Involving a Fee or Fine.**

v. **An Ordinance Not Involving a Fee.**

vi. **Emergency Ordinance.**

vii. **Budget.**

viii. **Franchise.**

B. Suspension of Rules. A unanimous vote of all members of the Council present shall be required to suspend or rescind a rule contained in these rules of procedure, however, rules in this chapter which also appear in the City's charter shall not be suspended or rescinded.

C. Votes must be Recorded. All votes shall be recorded in the minutes.

D. Ties. Tie votes shall indicate a denial of the proposal. If the tie is a matter that has been appealed from a lower City body or commission, a tie shall render the lower body's decision approved.

E. Effective date.

1. A resolution shall become effective upon adoption unless otherwise stated in the resolution.

2. Emergency ordinances shall take effect immediately upon their passage:

3. All other ordinances shall take effect thirty days after passage unless a later date is fixed on the ordinance, in which event it shall take effect at the later date.

4. The filing of a referendum petition shall suspend the effective date of an ordinance.

CHAPTER 6 – MINUTES

I. Generally.

A. All minutes shall be in written form, with an electronic copy of the meeting maintained by the City recorder in accordance with the appropriate record retention schedule.

B. The minutes shall contain the following information:

1. The date, time and place of the meeting;
2. The members present;
3. The motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
4. The results of all votes and the vote of each member by name;
5. The substance of any discussion on any matter; and
6. A reference to any document discussed at the meeting.

II. Approval. The Council shall approve all minutes of any Council meeting.

A. All minutes shall be approved within ninety days of the meeting having occurred.

B. The draft minutes shall be submitted to the Council as part of the Council's packet prior to the meeting where they will be discussed.

C. Any member of the Council may request an amendment or correction of the minutes prior to a final vote being taken on the minutes.

D. Grammatical changes that do not alter the substance of the minutes may be submitted directly to the city recorder and do not require a motion to amend.

CHAPTER 7 – APPOINTMENTS

I. Appointments of City Staff. The Council appoints and can remove the City manager and municipal judge as per the City's charter. All appointments require a majority vote of the entire Council.

A. Reviews. Any person appointed by the Council may be subject to an annual review by the Council.

B. Removals. All appointed persons may be removed by a majority vote of the entire Council.

C. Interference. If the Council appoints a municipal judge, the Council may meet with the judge, but in no instance shall the Council be permitted to interfere with the judge's exercise of judicial authority or discretion.

II. Appointment of Members to Commissions, Committees and Ad Hoc Committees.

A. City Commissions, Committees and Ad Hoc Committees. Unless otherwise provided by statute, ordinance or resolution, the following shall be the procedure for the creation of and appointments to all City Commissions, Committees and Ad Hoc Committees:

1. Creation and Dissolution. At any time, the Council may, by ordinance or resolution, establish any City Commissions, Committees and Ad Hoc Committees deemed necessary and in the best interests of the City, other than the Planning Commission. Unless otherwise provided, all Commissions, Committees and Ad Hoc Committees so created shall sunset at the end of their mission, but in all events shall be reviewed yearly from the date of initial creation, and at such time shall either be preauthorized or dissolved.

2. Qualifications. All appointees to City Boards, Commissions, and Lay Committees shall be registered electors and shall reside in the City of Central Point for a period of one year. No appointee may serve on more than two City Boards, Commissions, and/or Lay Committees at any one time.

3. Term. The term of all appointments shall be for one year or less, unless otherwise stated, beginning with the first Council meeting in January. Appointments may be renewed for any number of terms.

4. Vacancies. Any qualified citizen may submit a letter of interest for any open position on a City Board, Commission, or Lay Committee. Vacancies shall be advertised in the local media and letters of interest shall be received only during the time set forth in the advertisement.

5. Nomination and Confirmation. Except as otherwise provided by Code or the Charter, nominations for positions on City Boards, Commissions, and Lay Committees may be made by the Mayor or by any two Council Members, and shall be subject to confirmation by the Council.

6. Notification of Expiration of Terms. The City Manager shall give written notice to the Council of the expiration of the term of office of all members of City Boards, Commissions, and Lay Committees at least thirty (30) days prior to expiration date of any appointee's term of office.

7. Removal. All lay members of City Boards, Commissions, and Lay Committees serve at the pleasure of the Council and may be removed at any time for any reason whatsoever upon motion and vote by a majority of the Council.

All Council Member seats on the City Boards, Commissions, and Lay Committees are reserved for sitting Council Members and upon expiration of any Council Members term, or upon resignation, removal, or death, the Council Member's seat on any City Boards, Commissions, and Lay Committees occupied by that person shall be immediately declared vacant, and a sitting Council Member appointed as a replacement.

B. Council Committees.

1. Creation and Dissolution. Council Committees may be created at any time by resolution or motion. All Council Committees shall have a Chairperson and Secretary, who may be either appointed by the Mayor, or by a majority vote of the members of the committee in the absence of such appointment. Such committee shall report to the Council without unnecessary delay upon matters referred to them. All Council Committees, so created, shall sunset at the end of their mission, but in all events shall be reviewed at the first Council meeting of January each year for preauthorization, and at such time shall either be preauthorized or dissolved.

2. Membership. Membership on such Council Committees shall include only sitting Council Members, who shall be appointed by the Mayor or Presiding Officer, subject to confirmation by the Council. Council Committee appointments shall be for a term of one year, unless otherwise stated, and Councilors may be reappointed for an indefinite number of terms.

3. Meetings. Council Committee meetings may be called by the Chairman, or by any two members. A majority of the members of a Committee shall constitute a quorum to do business.

C. Meetings Subject to Oregon Open Meetings Law. All meetings of any City Boards, Commissions, and Lay Committees or Council Committees shall be subject to and comply with the Oregon Public Meetings Law, ORS 192.610-192.710.

D. Quorums. A majority of the sitting members of any City Boards, Commissions, and Lay Committees or Council Committees shall constitute a quorum to do business.

E. Registry. The City Recorder shall prepare, keep current, and retain on file in the Office of the City Recorder a list of all appointees to all City Boards, Commissions, and Lay Committees, the date of their appointment, the length of their unexpired term, and their addresses and phone numbers. All Council Members shall be given a copy of this list at least

once yearly or upon any substantial change in membership of any City Board, Commission, and Lay Committee.

CHAPTER 8 – ETHICS, DECORUM, OUTSIDE STATEMENTS

I. Ethics. All members of the Council shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all members of the Council shall refrain from:

- A.** Disclosing confidential information.
- B.** Taking action which benefits special interest groups or persons at the expense of the City as a whole.
- C.** Expressing an opinion contrary to the official position of the Council without so saying.
- D.** Conducting themselves in a manner so as to bring discredit upon the government of the City.

II. Decorum.

- A.** The presiding officer shall preserve decorum during meetings and shall decide all points of order, subject to appeal of the Council.
- B.** Members of the Council shall preserve decorum during meetings, and shall not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the presiding officer or these rules.
- C.** Members of the City staff and all other persons attending meetings shall observe the Council's rules of proceedings and adhere to the same standards of decorum as members of Council.

III. Rules of Conduct at City Council Meetings, Ejection and Exclusion.

- A.** To preserve order and decorum, the presiding officer or designee may direct that any person who disrupts any Council meeting, or any person who engages in dangerous or threatening behavior, after first having been warned to cease and desist from such disruption or dangerous or threatening behavior, be ejected or excluded from Council Chambers or such other place as the Council may be in session.
- B.** For purposes of this Section, an ejection is an order made by the presiding officer to immediately leave the meeting, and an exclusion is an order made by a majority of the Council prohibiting a person from entering or remaining at future meetings for a specified period of time.

C. Ejection or exclusion shall be issued in the following manner:

1. The presiding officer or designee will give a warning to the person engaging in disruptive, dangerous or threatening behavior. If the person engaging in disruptive, dangerous or threatening behavior does not cease that behavior following the warning, the presiding officer or designee will issue an ejection. An ejection shall be for the remainder of the session at which the disruptive, dangerous or threatening behavior has occurred.

2. For purposes of this Section, a person disrupts a meeting of the Council if the person engages in any conduct that obstructs or impedes the orderly carrying on of the business of the meeting. Such conduct includes, but is not limited to: any conduct that substantially prevents any other person from hearing, viewing or meaningfully participating in the meeting including booing or speaking out from anywhere other than the designated podium; carrying or displaying signs; any conduct that substantially interferes with ingress or egress to or free movement within the Council Chambers; shouting over, or otherwise disrupting, any person who is recognized by the presiding officer; any conduct that substantially interferes with City business conducted by City staff present at the session; or failure to obey any reasonable direction of the presiding officer.

3. A direction of the presiding officer is reasonable if it is reasonably related to maintaining order and decorum. A direction of the presiding officer is not reasonable if it is directed to speech or conduct the right to engage in which is, under the circumstances, protected by the federal or Oregon constitution.

4. For purposes of this Section, behavior is dangerous or threatening if a reasonable person, exposed to or experiencing such behavior, could believe that the person was in imminent danger of physical harm from the behavior. Notwithstanding the provisions of this Section, if the presiding officer reasonably believes that a person's dangerous or threatening conduct constitutes an emergency, the presiding officer is not required to give the person a warning before ordering the person ejected.

D. If a person has previously been ejected for dangerous or threatening behavior before the Council within 1 year before the date of the present ejection, or for disruptive behavior on three or more separate occasions within 1 year before the date of the present ejection, the person shall be excluded from Council meetings for 30 days. Written notice of such exclusion shall be given as provided in the Central Point Municipal Code.

IV. Statements to the Media and Other Organizations

A. Representing City. If a member of the Council, to include the mayor, appears as a representative of the City before another governmental agency, any City board or commission,

the Council, the media or an organization to give a statement on an issue, the member may only state the official position of the City, as approved by a majority of the Council.

B. Personal Opinions. If a member of the Council, to include the mayor, appears in their personal capacity before another governmental agency, City board or commission, the Council, the media or an organization to give a statement on an issue, the member must state they are expressing their own opinion and not that of the City before giving their statement.

CHAPTER 9 – INTERACTIONS WITH STAFF & CITY ATTORNEY

I. Staff. All members of the Council shall respect the separation between the Council's role and the City's manager's responsibility by:

A. Not interfering with the day-to-day administration of City business, which is the responsibility of the City manager.

B. Refraining from actions that would undermine the authority of the City manager or a department head.

C. Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff's day-to-day responsibilities. Questions of a more complex nature shall be directed to the City manager.

1. Questions from individual members of the Council requiring significant time or resources (two hours or more) shall normally require approval of the Council.

2. Members of the Council shall normally share any information obtained from staff with the entire Council. This section is not intended to apply to questions by members of the Council acting in their individual capacities rather than as members of the Council, nor to questions regarding conflict of interest or similar issues particular to a member of the Council.

II. City Attorney. In general, Council questions for the City Attorney should be directed to the City Manager, unless the City Manager authorizes the Council to proceed directly to the City Attorney.

CHAPTER 10 – CENSURE [AND REMOVAL]

I. The Council may enforce these rules and ensure compliance with City ordinances, charter and state laws applicable to governing bodies. If a member of Council violates these rules, City ordinances, the City charter or state laws applicable to governing bodies, the Council may take

action to protect the integrity of the Council and discipline the member with a public reprimand or removal as provided for in the city charter.

- II.** The Council may investigate the actions of any member of Council and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the City charter or state laws applicable to governing bodies has occurred. Sufficient notice must be given to the affected member to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).

CHAPTER 11 – AMENDMENT AND REPEAL

I. Amendment. These rules of procedure are subject to amendment by the Council in accordance with the rules noted herein.

- A.** Any proposed amendment to these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed, and open for comment by the public.
- B.** All amendments to these rules require a majority vote of the entire Council and shall be adopted by resolution.
- C.** Amended rules shall not go into effect until the meeting after the rule was approved.

II. Repeal. These rules of procedure are subject to repeal and replacement by the Council in accordance with the rules noted herein.

- A.** Any proposed repeal of these rules shall be accompanied by a proposed replacement.
- B.** Any proposed repeal and replacement of these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed, and open for comment by the public.
- C.** Any repeal and replacement of these rules requires a majority vote of the entire Council.
- D.** Any repeal and replacement of these rules shall not go into effect until 30 days after the replacement rule was approved.



DEPARTMENT: Planning

MEETING DATE: January 23, 2025

STAFF CONTACT: Stephanie Powers, Planning Director

SUBJECT: Resolution to Establish a Downtown Parklet Program

SUMMARY AND BACKGROUND:

Pursuant to City Council's direction at the August 8, 2024 meeting, staff is presenting a Downtown Parklet Program to be established on a trial basis from April 1, 2025 and sunsetting on December 31, 2029. The Program purpose is to increase opportunities for pedestrians, businesses and their patrons to enjoy outdoor spaces called "parklets." These are features that extend the sidewalk area into adjacent on-street parking spaces to provide space for outdoor dining, retail sales and community gathering. Allowing parklets in select areas within the downtown aligns with the City's vision to make our downtown a destination. For these features to be successful, they need to be located and designed to be safe, durable, accessible and visually appealing. Provided below is a summary of key components to the program.:

- **Location.** Parklets may only be considered on 1st through 6th Street within the Employment Commercial zone and subject to requirements to assure accessibility and avoid negative impacts to storm drainage. The eligibility area reflects the need to be close to the main business hub along Pine Street but to be on streets with less traffic volume and speed. A map of the eligibility area is shown in Attachment 3.
- **Safety.** Due to their location in the public right-of-way, standards include installation of safety barriers, buffer zones, and reflective materials. For pedestrian safety, the access platform must be flush mounted to the curb to avoid tripping and the floor surface must be slip-resistant.
- **Accessibility.** To assure equitable access for all, parklets must be designed to provide accessible access and seating area.
- **High Quality Design.** Parklets will be highly visible and they are located in the Transit Oriented Development (TOD) Overlay. This area requires high quality design, including prohibition of certain lower quality materials. This list has been expanded in the Downtown Parklet Program to align with the TOD Overlay standards. Additionally, the program emphasizes the use of planters, public art and quality design practices necessary to make any parklets in the downtown an amenity rather than the alternative.
- **Maintenance.** As part of the application process, Parklets must provide a written operations and maintenance plan that describes how the facility will be kept clean, functional, visually appealing. Additionally, the plan must address after hours security measures that will be put in place to deter crime.

At the January 23, 2025 meeting, staff will present the program requirements and application for consideration by Council. At the conclusion of the meeting on this issue, staff is seeking a decision to approve the Resolution establishing the trial Downtown Parklet Program with or without revisions.

FINANCIAL ANALYSIS:

There are no immediate financial impacts associated with approving the proposed program except for in-kind contributions of staff. However, if approved, staff will bring back a resolution to set an application and renewal fee for parklets.

LEGAL ANALYSIS:

The City Council can adopt the Parklet Program by Resolution as a trial program before making broader changes to the municipal code. However, based on review of the existing code, it will be necessary to modify CPMC 12.20.020(A)(2). In the event these amendments are not approved, the Parklet program cannot take effect due to a conflict with existing regulations.

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

The City's Strategic Plan establishes the community's vision to be a, "...safe, family-friendly, livable community that cultivate its small-town feel by managing growth and inspiring meaningful connections between people and places." To accomplish this there are five (5) Strategic Priorities. A review of the Strategic Plan finds the following priorities and goals to be most relevant to Council's consideration of a Parklet Program:

Strategic Priority – Community Investment

Goal 4: Manage Growth to provide places that are timeless and loved by the community.

Strategy 4: Develop a toolkit of incentives to leverage in exchange for more desirable community places that provide public amenities associated with housing, employment and other services, including but not limited to: public plazas, open space, parks, affordable housing, value-added design to attract professional office and other uses that provide more living wage jobs.

Comment: Establishing a trial Parklet Program to create innovative outdoor spaces for public gathering and dining would allow business owners or other sponsors increase investment, patronage, and a sense of community in the downtown. By its enactment alone, the program would allow use of the public right-of-way for a parklet, which is currently not allowed under the code.

Strategic Priority - Community Engagement

Goal 1: Build strong relationships between government and its citizens.

Strategy 3: Communicate, collaborate and partner with other governmental agencies, public and private enterprises to pool and/or leverage resources to achieve optimal outcomes for the City.

Comment: The Parklet Program reflects communication between government staff and citizens in the business community who expressed a desire to allow parklets. The program responds to the need for more outdoor community gathering space and a desire to continue making the downtown a destination.

ATTACHMENTS/EXHIBITS:

1. Resolution to Establish the Parklet Program
2. Downtown Parklet Program Requirements and Application
3. Parklet Program Eligibility Map

STAFF RECOMMENDATION:

Staff recommends the City Council approve the Resolution to establish a temporary parklet program in the public right-of-way with or without revisions to Exhibit A (Attachment 2).

RECOMMENDED MOTION:

I move to approve the Resolution to establish a temporary parklet program in the public right-of-way

RESOLUTION NO. _____

**A RESOLUTION TO ESTABLISH A TEMPORARY PARKLET PROGRAM IN
THE PUBLIC RIGHT-OF-WAY**

RECITALS:

- A. Revitalizing the downtown and promoting destination businesses is part of the City's strategy to foster a more vibrant economy in Central Point.
- B. Providing an opportunity for businesses to expand their operations outdoors or provide outdoor gathering space either in the public right-of-way or private property will generate greater pedestrian activity and help increase patronage and overall interest in the area.
- C. A Parklet is an on-street parking space that is converted to an outdoor seating or community gathering space. A parklet can include seating, plants, tables/chairs, public art and other approved amenities.
- D. To be successful, parklets must adequately address infrastructure, be tied to a specific location, be safe for public use, be easily maintained by the permittee and be capable of easy and fast installation and removal.
- E. At the August 8, 2024 meeting, the City Council considered the merits of establishing a temporary parklet program as a pilot and directed staff to prepare program guidelines, design standards, application requirements, fees and necessary municipal code amendments.
- F. The Parklet Program is contingent upon Council adopting an ordinance amending the Central Point Municipal Code to allow such structures in public right of way, which Council considered at its regular meeting on January 23, 2025.

The City of Central Point resolves:

Section 1. The City Council adopts Exhibit A, the Downtown Parklet Program ("Program"), which establishes the area of eligibility within the Employment Commercial Zone within the right-of-way on 1st through 6th Streets. Additionally, the Program establishes requirements for parklets including but not limited to location, amenities, prohibited items, dimensional standards, accessibility,

platform materials, safety, drainage, sidewalk encroachment, waste removal, maintenance, shade coverings, vertical elements and signage.

Section 2. The Program will take effect on April 1, 2025 and will sunset on December 31, 2029 unless extended by Resolution of the Council or codified as a permanent use.

Passed by the Council and signed by me in authentication of its passage this _____ day of January 2025.

Mayor Taneea W. Browning

ATTEST:

City Recorder



Downtown Parklet Program

Requirements & Application Form

WHAT IS A PARKLET?

A parklet is an on-street parking space that is converted to an outdoor seating or community gathering space. They can include seating, plants, tables/chairs, public art and other approved amenities. During the COVID-19 pandemic parklets were an innovative approach used by many communities to help restaurants stay open. It is being considered at the request of a business owner in Central Point to help create more spaces in the downtown where patrons can gather while fostering a more enjoyable shopping, dining and recreation experience.

PROPOSED AREA OF ELIGIBILITY

Parklets are only allowed within the downtown Central Point Central Business District adjacent to the Employment Commercial (EC) Zone on 1st through 6th Street.



LOCATION REQUIREMENTS

The parklet must be located adjacent to the associated business it serves and may not be used for retail purposes.

A parklet may occupy up to two (2) on-street parking spaces except that accessible spaces may not be used.

Only one (1) parklet per block on each side of the street may be allowed.

Parklets may not be located in front of fire facilities or hydrants, over manhole covers, curb inlets or other public utilities. The parklet shall not impede drainage or obstruct a traffic control device (e.g. street light, flashing beacon, street sign, etc.)

AMENITIES



Lighting - Low voltage, self-contained lighting elements are allowed (i.e. battery operated or solar powered). Power via extension cords or connecting to the electrical system or tree well receptacles or generators is prohibited. Lighting may be extended from an approved electrical outlet on the building and across the sidewalk as long as a 10-ft clearance is maintained at all times.

Plants - Planter boxes and potted plants are allowed provided that the planting medium is contained.

Tables/Chairs/Seating - Built-in seating and/or removable furniture can be incorporated into the parklet. The proposed number of tables and chairs shall be approved by the City. Furniture must be able to accommodate those with disabilities, wheelchairs or mobility devices.

Heating Devices - Certified devices are allowed as permitted by the Building Department and Fire District #3.

Umbrellas/Shade Coverings - Umbrellas or other shade coverings shall not block other business storefronts or building signage without consent.

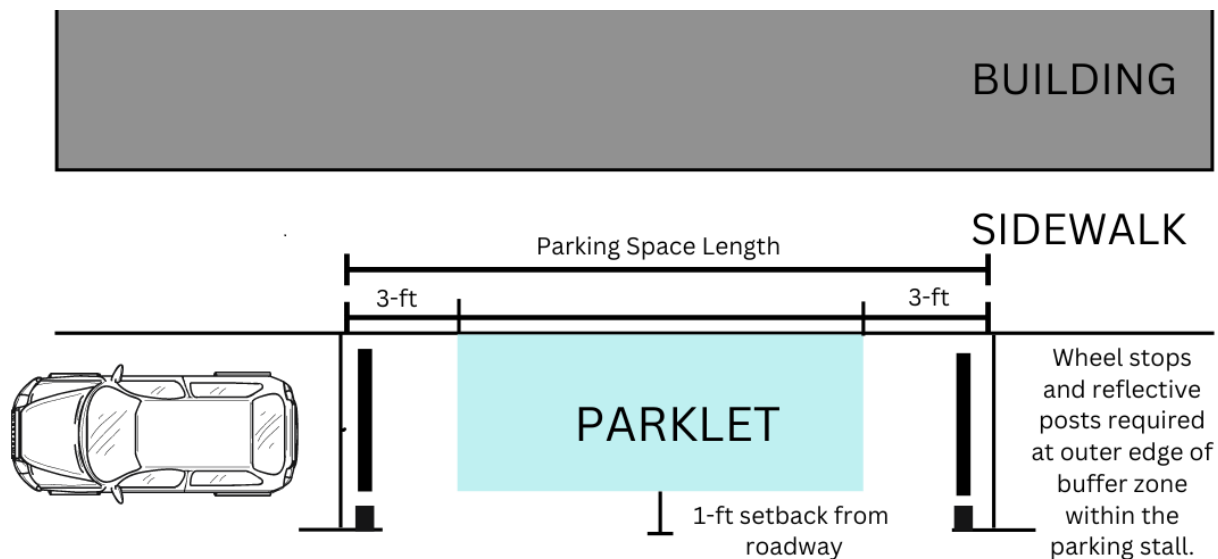
Public Art - Displays of art are allowed to be incorporated into the parklet design.

PROHIBITED ITEMS

- Objects that distract or otherwise cause hazards for drivers, such as balloons or flashing lights;
- Pop-up tents
- Vinyl fencing, plastic, jersey barriers, wood pallets.

DIMENSIONAL STANDARDS

Each parklet, including buffer space, must be fully within the designated parking space(s). A one (1) foot setback is required between the adjacent bicycle or vehicle travel lane and the parklet as shown in the diagram below.



ACCESSIBILITY

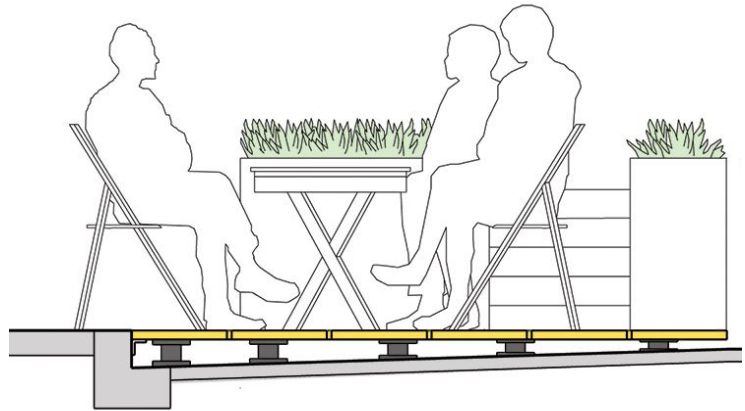
The parklet must be ADA compliant. A platform is required for each parklet that is flush mounted with the curb (no more than a ½ inch gap) to be level with the adjacent sidewalk.

PLATFORM MATERIALS

The platform must be constructed with durable materials capable of withstanding the effects of weathering. Wood pallets are not allowed.

Surface materials shall not include loose particles, such as sand or loose stone. A non-slip surface is required.

The parklet platform may not be attached to or damage the street and must be easily assembled and disassembled. Any damage to the street is the responsibility of the applicant.



PARKLET PROTECTION

Design - Parklet design must include a 3-ft tall continuous physical barrier along the street while maintaining clear visual sightlines to the street. Examples include planters, fencing, or railings. Appropriate buffer materials include treated wood, wrought iron or other finished metals. Prohibited materials include jersey barriers, plastic and vinyl fencing.

Safety Barrier - Wheel stops and delineator posts must be installed at both ends of the parklet in accordance with the following standards:

- Each wheel stop shall be located 3-feet from the parklet structure and 1-foot from the curb within the parking space boundary.
- Each wheel stop must be 4-6 feet wide, mounted with three (3) butyl (rubber) pads.
- A reflective delineator post must be placed at the outer corner of the parking space six (6) inches from the wheel stop.
- Delineator posts must be 36 inches tall, cylindrical white Safe-Hit® posts and must include reflective striping. Posts should be attached to the street with a butyl (rubber) adhesive pad.

DRAINAGE

The platform must be designed to allow for water flow along the curb and from the street. Covering or obstructing a storm drain inlet or basin is prohibited.

SIDEWALK ENCROACHMENT

Sidewalk encroachment is not permitted unless authorized by a Sidewalk Café permit in accordance with CPMC 5.10.

WASTE REMOVAL

Waste from the parklet must be removed each day by the business or sponsor operating the parklet.

MAINTENANCE

Parklets must be kept clear of debris. Maintenance shall be performed to keep it safe and sanitary. The facility shall be secured after hours to deter crime.

SHADE COVERINGS

Shade coverings may include umbrellas or structured covers, such as nylon or other durable material. Pop-up tents and tarps are prohibited. Placement of umbrellas or other shade elements must be contained within the parklet and maintain adequate sightlines.

VERTICAL ELEMENTS

Vertical elements shall be no higher than 10-feet and must consist of quality materials, such as treated wood, wrought iron or other finished metals. Elements made out of plastic or vinyl are prohibited. Applicants must demonstrate that vertical elements do not obstruct adjacent business storefronts and signage. If there is any obstruction, the proposed vertical element may only be allowed with written consent of the adjacent business.

SIGNAGE

One (1) sign that is no more than 2 square feet in size is permitted on the sidewalk side of the parklet to identify the business or sponsor operating the parklet.

PROPERTY OWNER:

Name: _____

Company: _____

Mailing Address: _____

City, State, Zip: _____

Phone: _____

Email: _____

BUSINESS INFORMATION:

Business Name: _____

Mailing Address: _____

City, State, Zip: _____

Phone: _____

Email: _____

Website: _____

PARKLET INFORMATION:

Review the Downtown Parklet Program Guide and complete the application form.

☐ New ☐ Renewal

Describe the parklet location and design concept in the space below:

Check all that apply:

- | | | |
|---|---|--|
| ☐ Slip-resistant surface | ☐ 1-ft travel lane setback | ☐ Buffer zone safety barrier |
| ☐ ADA Access Point | ☐ 3-ft buffer zones provided | ☐ Vertical elements < 10-ft |
| ☐ Approved materials | ☐ 3-ft tall continuous barrier | ☐ 10-ft overhead lighting clearance |
| ☐ Reflective measures | ☐ 1 sign no more than 2 SF | ☐ Trash receptacle |

Submittal Checklist

- ☐ Complete application form, including applicant's signature
- ☐ Application fee
- ☐ Site Plan (i.e. bird's eye view of the property and existing and proposed parklet.) Include the location electrical outlets, fire hydrants, curb inlets, or other utilities; location of the safety barrier, the proposed parklet including the buffer zones and setbacks from the adjacent bicycle or vehicle travel land, points of access, parking spaces to be occupied and those adjacent to the parklet and any other information needed to demonstrate compliance with the Downtown Parklet Program requirements.
- ☐ Design Plans and Renderings with details that identify the building materials, colors, design elements, platform materials, etc.
- ☐ Written Maintenance and Operations Plan.
- ☐ Property Owner Consent Form (signed), if applicable.

Signatures

By signing, I certify that the information provided in this application for a Home Occupation Permit is complete and accurate to the best of my ability.

Printed Name

Signature

Date





DEPARTMENT: Administration

MEETING DATE: January 23, 2025

STAFF CONTACT: Chris Clayton, City Manager

SUBJECT: 2025 City Council Committee & Board Assignments

SUMMARY AND BACKGROUND:

It is time to formalize committee, commission, and board assignments for the upcoming year. This is a chance for Council Members to change their preferences regarding which organization they would like to participate in as a representative of the City of Central Point. Each of these assignments represents an important opportunity for the City of Central Point to exert influence and maintain relations with regional agencies and partners.

FINANCIAL ANALYSIS:

LEGAL ANALYSIS:

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Proactive Government and Citizen Involvement: Goal 1- Build strong relationships between government and its citizens.

Strategies: a) Initiate effective communication by implementing varied methods to reach as many citizens as possible (e.g. Town Hall meetings, social gatherings, reestablish gathering places (businesses/homes), build upon existing, events, set up kiosks, local newspaper/newsletter/website, marketing/advertising, personal contact);

b) Collaborate with other governmental agencies, public and private enterprises, pooling resources (e.g. School District #6, RCC/SOU, Library, Theater, RVCOG, Chamber of Commerce);

c) Regularly survey the needs of citizens.

ATTACHMENTS/EXHIBITS:

1. Local Committee Representatives 2024

STAFF RECOMMENDATION:

Review and discuss the attached Committee and Boards list.

RECOMMENDED MOTION:

City Council Representatives

Boards, Commissions, Committees, Foundations

2024

1. **RVCOG Board of Directors Meetings**, Kelley Johnson
4th Weds, monthly, 11:45 a.m.
Contact: 664-6676 ext. 202
2. **Jackson County Expo Board**, Mayor Williams,
3rd Tuesday each month, 6:00 p.m. Fair Board Room
Contact: Helen Funk, 541-774-8270
3. **So. Oregon Regional Econ. Dev. Inc. (SOREDI)**, Tanea Browning
1st Tuesday each month, 3:30 alternating between Medford and G.P
Contact: Angie 773-8946
4. **School District No. 6 Board Meeting**, Melody Thueson
2nd and 4th Tuesday of each month, 7:30 p.m. Location varies
Contact: Amy Shipley 541-494-6202
6. **Medford Water Commission**, Kelley Johnson, Chris Clayton
1st and 3rd Wednesday each month, 12:30 p.m. Lausman Annex.
Contact: Medford Water Commission 774-2430
7. **Transportation Advocacy Committee (TRADCO)**, Rob Hernandez
2nd Tuesday each month, 12:00 p.m. Jackson County
Contact: Kim Parducci 774-2100
8. **Airport Advisory Committee**, Rob Hernandez
3rd Monday of each month, Noon at Airport Terminal
Contact: Carrie Andries 541-776-7222
9. **Rogue Valley Area Commission on Transportation, (RVACT)** Mike Quilty
2nd Tuesday each month, 9:00 a.m. Location varies
Contact: Stephanie Thume 423-1368
10. **Jackson County Fire District No. 3 Board**, Rob Hernandez
3rd Thursday each month, 5:15 p.m. White City Station
Contact: Margie Calvert 541-826-7100
11. **RVTD Board Meetings**, Melody Thueson, Tanea Browning
Last Wednesday of the month 5:30 p.m. at Medford Court House
12. **Visitor Information Center**, Tanea Browning
4th Thursday each month, 12:00 p.m.
Contact: Chamber 664-5301
13. **Commission on Access, Diversity, Equity & Inclusion**, Kelley Johnson
3rd Tuesday each month 5:00 p.m.
Location may vary
Contact: Bonnie, HR Director
14. **Rogue Valley Sewer Systems**, Mike Parsons

3rd Wednesday each month, 11:30 Lunch 12:00 – 1:30 meeting.
138 W. Vilas Road
Contact: Carl Tappert 541-779-4144

15. **Central Point Citizens Advisory Committee**, Mike Parsons, Melody Thueson (backup)
6:30 p.m. 2nd Tuesday - January, April, July, October (Subject to Change) Contact: Stephanie Holtey 541-664-3321 ext. 244
16. **Parks and Recreation Commission**, Mike Parsons
Quarterly, Council Chambers
Contact: Dave Jacobs 541-423-1042
17. **Parks and Recreation Foundation**, Mike Parsons
Meetings vary Contact: Dave Jacobs 541-423-1042
18. **Planning Commission**, Neil Olsen
Meetings 1st Tuesday of the month,
Contact: Karin Skelton 541-664-3321 ext 292
19. **Jackson County Local Public Policy Coordinating Council**, Mike Parsons
Meeting 4th Tuesday of the month,
Contact: Brittany Whitemore 541-774-4990
20. **Jackson County Fire District 3 Civil Service Commissioner**, Mike Parsons
Meeting Quarterly
Contact: Marisa Lehnerz 541-831-2739
21. **Steering Committee for Community Center**, Rob Hernandez
TBD on meeting date/time and contact person.
22. **Arts Commission**, Taneea Browning
Meeting Quarterly
Contact: Nikki Petersen 541-664-3321 ext. 234

2019 Transportation Representative Mike Quilty appointed on 1/10/2019

1. **Metropolitan Planning Organization (RVMPO) Policy Committee**,
Representative Mike Quilty, Hank Williams,
2. **Oregon Rail Leadership Group**,
3. **Oregon Metropolitan Planning Organization Consortium**
4. **Oregon Freight Advisory Group**
5. **Oregon State Transportation Improvement Program Stakeholders Group**
6. **West Cost Corridor Coalition**
7. **Rogue Valley Area Commission on Transportation (RVACT)** as
representative of RVMPO
8. **LOC Transportation Policy Committee**



DEPARTMENT: Administration

MEETING DATE: January 23, 2025

STAFF CONTACT: Chris Clayton, City Manager

SUBJECT: Election of 2025 Council President

SUMMARY AND BACKGROUND:

Chapter 3, Section 9, of the City of Central Point Charter, states the following: "Council President. At its first meeting each year, the council must elect a president from its membership. The president presides in the absence of the mayor and acts as mayor when the mayor is unable to perform mayoral duties."

FINANCIAL ANALYSIS:

LEGAL ANALYSIS:

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

ATTACHMENTS/EXHIBITS:

None

STAFF RECOMMENDATION:

Staff recommends the City Council discuss, debate, nominate and elect a City Council President for 2025.

RECOMMENDED MOTION:

I move to approve _____, as the 2025 City of Central Point Council President.



DEPARTMENT: Public Works

MEETING DATE: January 23, 2025

STAFF CONTACT: Matt Samitore, Parks and Public Works Director

SUBJECT: Community Christmas Christmas Tree Location

SUMMARY AND BACKGROUND:

Last week, the tree at City Hall, which was the "Community Christmas Tree," had to be removed because of significant root upheaval and leaning. The Tree was less than five feet away from the power line, and Pacific Power and our Arborist weren't sure it would last another season without hitting the power lines. City staff sent the public options for alternative locations, including Pine Street, City Hall, Pfaff Park, and the new Community Center location at the Jackson County Expo. All locations have positives and negatives.

Pine Street

Pros:

- **High Visibility:** Pine Street is likely a well-traveled thoroughfare, ensuring maximum public exposure for the tree.
- **Daily Viewing:** Residents and visitors could enjoy the tree throughout the holiday season.
- **Historical Significance:** Previous successful installations in the 80s and 90s create a nostalgic connection and may resonate with community members.

Cons:

- **Land Ownership:**
 - The primary hurdle. Lack of land ownership necessitates acquiring a permanent easement, which can be costly and time-consuming.
 - Potential for legal complications and ongoing negotiations with property owners.
- **Tree Viability:**
 - Planting a live tree may not be feasible due to soil conditions, tree species limitations, or other environmental factors.
 - Relying on an artificial tree could diminish the charm and authenticity of the tradition.

Logistical Challenges:

- Separating the tree lighting from the parade and other events could create confusion and logistical difficulties.
- This separation might require additional staffing and resources to manage multiple locations effectively.

City Hall

Pros:

- **Established Tradition:**
 - This location's 15 years of successful history creates a strong sense of tradition and community ownership.

Event Centralization:

- The parade concludes at City Hall, seamlessly integrating the tree lighting with the parade festivities.
- Santa Claus visits and other activities naturally converge at this central location.
- **Suitable Space:**
 - Ample space allows for comfortable tree placement and accommodates surrounding activities.

Cons:

- **Lower Visibility:**
 - Being one block off Pine Street might reduce the tree's visibility to passing traffic and casual observers.

Pfaff Park

Pfaff Park, while having some similarities to City Hall, presents additional challenges:

Pros (Similar to City Hall):

- **Established Park Setting:** Provides a natural and potentially more appealing backdrop for the Christmas tree.
- **Space for Activities:** Offers ample space for the tree, surrounding events, and potentially even a small village-like atmosphere.

Cons:

- **Parade Route Disruption:** Shifting the parade route would necessitate significant planning, potentially impacting businesses along the current route and alienating some community members.

Santa Claus Logistics:

- The lack of an enclosed indoor space for Santa's visit could pose challenges in inclement weather.
- Creating a suitable and secure area for children to meet Santa might require additional infrastructure.
- **Visibility Concerns:** While potentially more scenic, Pfaff Park might not have the same level of visibility from significant thoroughfares as City Hall.

Community Park

Pros:

- **Long-Term Vision:** The most significant advantage is the potential to create a dedicated "Christmas Plaza" within the park. This could involve a permanent structure, improved lighting, and dedicated spaces for vendors, entertainment, and Santa's visit.
- **Ample Space:** Provides the flexibility to design a truly unique and engaging holiday experience.
- **Parking & Accessibility:** Offers ample parking and potentially better accessibility for some residents than centrally located sites.
- **Historical Significance:** As the previous parade's start/finish point, it holds a degree of historical significance for the community.

Cons:

- **Low Visibility:** Four blocks off Pine Street reduces the tree's visibility to passing traffic and casual observers. This is the most significant drawback.
- **Distance from Downtown:** This could reduce foot traffic and casual visitors compared to more centrally located options.

Staff will provide a PowerPoint with visuals of each of the locations at the Council Meeting.

FINANCIAL ANALYSIS:

A new 25-30' Spruce tree is cost \$8,000 to purchase for a local nursery.

LEGAL ANALYSIS:

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

GOAL 1 - Celebrate Central Point's unique identity and way of life through community events (public or privately sponsored), such as the 4th of July Parade, Community Christmas, Battle of the Bones, Battle of the Food Trucks, Made in Southern Oregon, the Cheese Festival, and include Expo events such as the Wild Rogue Pro Rodeo.

STRATEGY 1 – Continue to provide high-quality events that are historically recognized in the City of Central Point. When considering the addition of new events, staff and council should be thoughtful of existing partnerships, and prioritize quality over quantity.

STRATEGY 2 – Community events should be planned to enhance the family-friendly, safe, and small-town quality of life that is valued in Central Point. These events should also celebrate the unique cultural elements of our community.

STRATEGY 3 – Event programming should target a truly generational and varied audience that provides a welcoming atmosphere to all segments of the Central Point population.

ATTACHMENTS/EXHIBITS:

None

STAFF RECOMMENDATION:

Staffs recommendation is to keep it at City Hall until a Public Plaza can be obtained on Pine Street.

RECOMMENDED MOTION:

N/A



DEPARTMENT: Administration

MEETING DATE: January 23, 2025

STAFF CONTACT: Chris Clayton, City Manager

SUBJECT: City Council 2025-2027

SUMMARY AND BACKGROUND:

On Monday, January 13th, the Central Point City Council held their monthly study session to establish goals for the upcoming 2025-2027 budget cycle. Following the session, staff prepared draft language for each goal, which is included as an attachment to this agenda item. Staff recommends that the City Council review the draft language and discuss any necessary changes, amendments, additions, or deletions.

FINANCIAL ANALYSIS:

LEGAL ANALYSIS:

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

The direction provided in the foreword of the 2040 City of Central Point Strategic Plan: *"We understand that typically, strategic plans are designed for 3, 5, and 10-year timelines. However, the Central Point City Council felt with our last strategic plan spanning 13 years; a 20-year strategic planning horizon was within reach. Moreover, the City Council acknowledged that our past practice has been to use budgetary goals on two-year intervals to achieve short-term goals and objectives while relying on a long-term, overarching strategy to remind the Council, Staff, and Community of our "why."*

ATTACHMENTS/EXHIBITS:

1. City Council Goals

STAFF RECOMMENDATION:

Staff recommends that the City Council review the draft goals and provide direction on any necessary amendments. Once revised and finalized, the goals will be presented to the Council for final approval through a resolution.

RECOMMENDED MOTION:

I move to direct City Staff to make the following amendments to the 2025-2027 City Council goals...

Draft City Council Goals

City of Central Point
2025-2027 Budget Cycle

Mission Statement

Creating a family-friendly community that provides a better experience for those living, working and doing business in Central Point.

Vision Statement

Central Point is a safe, family-friendly, livable community that cultivates its small-town feel by managing growth and inspiring meaningful connections between people and places.

Strategic Goals and Objectives

Goal 1: Youth Education and Involvement

Strategic Priority 2040 Strategic Plan: Community Engagement

Source: Mayor Tanea Browning

Goal Description:

Engage and inspire local youth to develop an interest in local government through programs that provide education, leadership opportunities, and pathways for future involvement. Cultivating youth engagement today will help build the next generation of leaders and policymakers for Central Point.

Goal 2: Fiscal Responsibility

Strategic Priority 2040 Strategic Plan: Responsible Governance

Source: Councilmen Neil Olsen

Goal Description:

Ensure a sustainable financial future by balancing the delivery of essential services, funding capital projects, and maintaining affordability for our citizens.

Goal 3: Active Transportation

Strategic Priority 2040 Strategic Plan: Community Investment

Source: Councilmen Neil Olsen

Goal Description:

Develop a connected and accessible active transportation network to enhance health, sustainability, and mobility throughout the community.

Goal 4: Community Policing and the “Central Point Way”

Strategic Priority 2040 Strategic Plan: Responsible Governance

Source: Councilmen Mike Parsons

Goal Description:

Continually enhance the sense of safety in the Central Point community by expanding and fostering the City’s community policing program. By policing the “Central Point Way,” the City will promote small-town values, approachability, and dedication to service, creating a welcoming and secure environment for all residents.

Goal 5: Public Engagement and Transparent Communication

Strategic Priority 2040 Strategic Plan: Community Engagement

Source: Councilmen Mike Parsons

Goal Description:

Foster transparency and increase public participation by enhancing communication between the City and its residents. By proactively engaging the community, the City will ensure citizens are informed, involved, and empowered to participate in local decision-making.

Goal 6: Government Efficiency and Effectiveness

Strategic Priority 2040 Strategic Plan: Responsible Governance

Source: Councilmen Rob Hernandez

Goal Description:

Promote efficient and effective governance by fostering collaboration between the City Council and staff, ensuring major capital projects such as the community center and Little League fields are delivered on time, within budget, and with maximum community benefit.

Goal 7: Economic Development

Strategic Priority 2040 Strategic Plan: Vibrant Economy

Source: Councilmen Grey Zimmerman

Goal Description:

Foster economic growth by streamlining the planning process and implementing strategic land use zoning to encourage free-market development. Support the local business community through professional resources and grant opportunities that enhance their success and sustainability.

Goal 8: Supporting Marginalized Communities and Accessibility

Strategic Priority 2040 Strategic Plan: Community Engagement

Source: Councilmen Brian Whitaker

Goal Description:

Foster an inclusive and supportive community by addressing the needs of marginalized populations,

enhancing ADA accessibility, and ensuring equitable access to resources and opportunities for all residents.

Goal 9: Enhancing Equity and Opportunity

Strategic Priority 2040 Strategic Plan: Responsible Governance

Source: Councilmen Brian Whitaker

Goal Description:

Promote equity and opportunity across the community by ensuring fair treatment, fostering inclusion, and supporting efforts to improve public services and local business opportunities.