

Agenda

Tuesday, April 17, 2012

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MINUTES FOR THE REGULAR MEETING ASHLAND CITY COUNCIL April 17, 2012 Council Chambers 1175 E. Main Street

CALL TO ORDER

Mayor Stromberg called the meeting to order at 7:00 p.m. in the Civic Center Council Chambers.

ROLL CALL

Councilor Voisin, Morris, Lemhouse, Slattery, Silbiger, and Chapman were present.

APPROVAL OF MINUTES

The minutes of the Study Session of April 2, 2012, Regular Meeting of April 3, 2012, Executive Session of April 9, 2012 and Study Session of April 9, 2012 were approved as presented.

SPECIAL PRESENTATIONS & AWARDS

Mayor Stromberg presented the Annual Ragland Volunteer Spirit Award to Joan Spear.

The Mayor's proclamations regarding April 15 - 21 as Independent Media Week, April 20 as Ashland-Lithia Springs Rotary Day, and April 30 - May 6 as Mediation Week were read aloud.

Councilor Lemhouse introduced Tamara Anderson, the Math Teacher from Ashland High School who presented the top math students that participated in the Student Tutor Center.

CONSENT AGENDA

- 1. Approval of the minutes of the Boards, Commissions, and Committees**
- 2. Appointment of Mike Morris as Liaison to the Homeless Steering Committee**
- 3. Appointment of Colin Swales to the Transportation Commission**
- 4. Approval of a contract amendment in excess of 25% for the Bluebird Park Stairway Replacement Project**
- 5. Endorsement of SOPride event for the purpose of hanging a banner**
- 6. Approval of Recommendation of the Public Art Commission**
- 7. Acceptance of a Certified Local Government Grant from the State Historic Preservation Office for the continued operation of the City of Ashland's historic preservation program**
- 8. Approval of contract with Ausland Group for construction of Fire Station #2**

Councilor Lemhouse requested Consent Agenda Item number 6 and Councilor Morris requested Consent Agenda Item number 3 be pulled for discussion.

Councilor Slattery/Morris m/s to approve Consent Agenda items #1, 2, 4, 5, 7 and #8. Voice Vote: all AYES. Motion passed.

Councilor Lemhouse pulled the approval of the Public Art Commission recommendation to change the wording per City Attorney Dave Lohman's advisement. He added the bronze casting would replace the wood sculpture and the City would donate the wood sculpture to a government entity.

Councilor Lemhouse/Chapman m/s to accept the recommendation of the Public Art Commission to accept a gift of a bronze sculpture replica of the wooden sculpture "We Are Here" and donate the current sculpture to a government entity or non-profit. Voice Vote: all AYES. Motion passed.

Mayor Stromberg explained terminating and reappointing Colin Swales to the Transportation Commission was a special circumstance. The Mayor and Councilor Chapman wanted Mr. Swales to continue his work on the Transportation System Plan (TSP) even though he was absent from the Commission for two months.

Councilor Morris/Voisin m/s to approve Consent Agenda item #6. Voice Vote: all AYES. Motion passed.

PUBLIC HEARINGS

1. Adoption of a resolution levying special benefit assessments for the Liberty Street Local Improvement District No. 88 and adoption of findings.

Engineering Services Manager Jim Olson explained this was the concluding action for the Liberty Street Local Improvement District (LID). The Public Hearing provided an opportunity for the public to voice objections to the assessment and the assessment district. Following the Public Hearing, Council needed to approve the Resolution and Findings.

Public Hearing Open: 7:24 p.m.

Public Hearing Closed: 7:24 p.m.

Councilor Silbiger/Morris m/s to Resolution #2012-10. A Resolution Levying Special Benefit Assessments in the Amount of \$115,522.00 for the Liberty Street Local Improvement District for Improvements to Liberty Street Consisting of Grading, Paving, and Construction of Sidewalks, Curb, Drainage Improvements, and Other Associated Improvements. And adoption of Findings which will include the actions on April 17, 2012. Roll Call Vote: Councilor Voisin, Morris, Lemhouse, Slattery, Silbiger, and Chapman, YES. Motion passed.

PUBLIC FORUM

Ken Khosroabadi/2371 Ashland Street/Explained he was a business owner and was incredulous the City had sent him several letters regarding a banner at one of his businesses and frustrated when he tried but was unable to meet with City staff regarding the issue.

Mayor Stromberg assured Mr. Khosroabadi the City Administrator would meet with him.

Lisa Beam/21 South 2nd Street/Represented the Ashland Chamber of Commerce and submitted a report of responses from the survey the Chamber conducted of downtown businesses and their experience with transient and panhandling behavior. She also submitted an email into the record from a visitor that intended to move to Ashland and open a small business but did not because of the aggressive behavior of transients and panhandlers she experienced during her past three visits.

Allen Drescher/21 South 2nd Street/Spoke as the attorney for the Ashland Chamber of Commerce, submitted a letter into the record supporting the Chamber's survey, and compared his experiences dealing with transients as a Judge in 1975 to present times. He asked Council to take the survey seriously and alleviate the problem.

NEW AND MISCELLANEOUS BUSINESS

1. Award of 2012 Community Development Block Grant Funds

Housing Program Specialist Linda Reid explained Ashland participated in the Community Development Block Grant (CDBG) program administered by the Department of Housing and Urban Development (HUD). The City received an annual allocation of funds to support activities that predominantly benefit low and moderate-income populations within the community. For 2012, the City received an allocation of \$164,556 and four applications in response to their Request for Proposal (RFP), 2 applications for Social or Direct Service activities and 2 applications for Capital Improvement projects.

Exclusive of CDBG funds used for program administration, the City could award the total remaining allocation of \$131,645 to capital improvement projects. Of the total allocation, the City could award up to 15% or \$24,000 in support of Public Service activities. The Housing Commission recommended the following awards:

1. \$14,000 to St. Vincent DePaul Home Visitation proposal to fund emergency rental assistance.
2. \$10,000 to Maslow Project for outreach and case management of homeless youth enrolled in the Ashland School District.
3. \$80,000 to Living Opportunities ACES remodel Capital Improvement proposal.
4. \$87,000 to Ashland Emergency Food Bank (AEFB) pending result of their fundraising efforts that will include a second application for the 2013 CDBG RFP.

The Housing Commission was asking Council to amend the 2010-2014 Consolidated Plan to allow three projects in a program year instead of two. Staff recommendation varied from the Housing Commission and reflected the Consolidated Plan policy of one Public Service and one Capital Improvement activity. Staff recommended awarding the entire Public Service amount to St. Vincent De Paul rather than splitting the Public Service funds between the two applicants. The remainder of staff's recommendation was consistent with the Housing Commission.

Councilor Lemhouse recused himself due to conflict of interest regarding the Ashland Emergency Food Bank and left the room at 7:43 p.m.

Housing Commission Chair Regina Ayars explained the Commission split the funds to support the Maslow Project and encourage social service agencies operating in Ashland to apply for CDBG funds.

Rich Hansen/Representing St. Vincent DePaul/Thanked the Council for past grant awards and shared how the money assisted families in Ashland and helped three families transition out of homelessness. He went on to explain their services and the processes used assisting people in need.

Jim Gochenour/Steve Daws/Representing Living Opportunities/Mr. Gochenour introduced himself as the Director of Development for Living Opportunities, shared their mission to support people with developmental disabilities, and provided background on Ashland Community Employment Services (ACES). The \$20,000 award would help remodel their building. Mr. Daws, Director of Employment Services added they were serving approximately 22 individuals through ACES currently employed in Ashland.

Lacey Renae/Representing Maslow Project/Explained she was the Mental Health Counselor and Art Therapist for the Maslow Project. The Maslow Project provided youth ages 0-21 and their families with basic needs, support services, and assisted 2,050 individuals and 5,700 visits to the Drop-In Center during the past year. The \$10,000 grant award would allow Maslow Project to expand hours of services.

Cate Hartzell/892 Garden Way/Encouraged Council to find a way to distribute funding to all the applicants.

Ward Wilson/Introduced himself as a Board Member of the Emergency Food Bank, provided history and statistics that included serving 15,000 individuals each year, and distributing 30,000 pounds of food per month for Ashland and Talent. The cost of the building was \$475,000, and the Food Bank was in the process of raising funds. He added it might be necessary to come back to Council the following year and ask for another grant award.

Ms. Reid explained the Food Bank had a fundraising schedule to apply for grants and staff would set a date to determine whether they should apply in 2013 to close any gaps. If they did not meet that target day of July 2013, staff would reallocate the funds.

Councilor Voisin/Slattery m/s to approve the amendment of the 2010-2014 Consolidated Plan to allow CDBG funds to be awarded to up to three projects in a given program year.

DISCUSSION: Councilor Silbiger stated that the Consolidated Plan had the deliberate limitations of two projects for good reasons and Council should not change it. Ms. Reid noted it would be a slight administrative burden to have more than two projects but the change could set

precedence for the future that might entail more of a burden to staff. Council could readdress the change for the 2015-2019 Consolidated Plan. Councilor Chapman was not comfortable changing the plan. Councilor Voisin wanted to change distribution amounts. Mayor Stromberg commented the Housing Commission supported this change due to the desperate situations some youth were encountering.

Roll Call Vote: Councilor Slattery, Voisin and Morris, YES; Councilor Silbiger, and Chapman, NO. Motion passed 3-2.

Councilor Voisin motion to award CDBG funding for the 2012-2013 Program year as follows:

- \$19,000 to the St. Vincent De Paul Home Visitation Program;
- \$5,000 to the Maslow Project;
- \$20,000 to Living Opportunity's Ashland Community Employment Services building remodel;
- The balance of the funds (est. \$87,646) be placed in reserve for the Ashland Emergency Food Bank site acquisition project contingent upon successful fundraising being completed by March 2013 and in recognition that the AEFB may apply for additional CDBG funds in the 2013 CDBG program year as needed to complete the acquisition.

Motion died due to lack of a second.

Councilor Slattery/Silbiger m/s to award CDBG funding for the 2012-2013 Program year as follows:

- **\$14,000 to the St. Vincent De Paul Home Visitation Program;**
- **\$10,000 to the Maslow Project;**
- **\$20,000 to Living Opportunity's Ashland Community Employment Services building remodel;**
- **The balance of the funds (est. \$87,646) be placed in reserve for the Ashland Emergency Food Bank site acquisition project contingent upon successful fundraising being completed by March 2013 and in recognition that the AEFB may apply for additional CDBG funds in the 2013 CDBG program year as needed to complete the acquisition.**

DISCUSSION: Councilor Chapman questioned having four projects when the motion passed allowed three. Ms. Reid clarified the AEFB project would not take place until 2013 when they drew on the funds to acquire the building and would require Council approval at that time. Mayor Stromberg summarized three projects would receive funding through the normal routes and the fourth was a conditional allocation and a reservation. Council Voisin commented that the community would receive more services with St Vincent De Paul and strongly supported increasing their funding. **Roll Call Vote: Councilor Silbiger, Chapman, Slattery, Voisin, and Morris, YES. Motion passed.**

Councilor Lemhouse returned to meeting at 8:24 p.m.

2. Approval of the Internet Service Provider Annual Contract Agreement

Interim Assistant City Administrator Lee Tuneberg explained the draft Internet Service Providers (ISPs) contract followed the 2005 contract, agreed with items proposed in the business plan and provided guidelines for partnership and reseller relationship. On page 3 of the agreement, 7. Termination, section 7.4 staff replaced “VOIP” with “ISP.”

Councilor Silbiger/Slattery m/s to approve the Internet Service Provider Annual Cooperative Agreement. Voice Vote: all AYES. Motion passed.

3. Adoption of Water and Wastewater Master Plans.

Ashland Water Advisory Ad Hoc Committee (AWAC) member Pat Acklin introduced members and provided Committee history. Committee member Donna Rhee explained the major problems the Committee addressed were redundancy in the water supply and water treatment. Committee member John Williams shared potential solutions:

- **Options Considered**
- **Options Recommended – Potential Solutions**
 1. Add a second WTP: \$12M
 2. New Reservoir-Water Tanks: \$8.7M
 3. Pipe TID: \$1.1M
 4. Emergency Only TAP: \$2.1M
 5. Maintenance: \$6.6M
- **Rate Options**
- **Final AWAC Recommendation – Advance Funding**

By 2018, the current Wastewater Treatment Plant will be unable to meet the 7.5 million gallons a day capacity needed during the summer. The water supply itself would not be enough by 2038.

Joe Graff presented on the Wastewater Treatment Plant:

Wastewater System Improvements & Wastewater Financial – \$10.8M Total Cost:

- A. \$1.7M - Tree Plantings will protect Bear Creek from solar exposure and offset the warmer water that is reintroduced to the creek.
- B. \$4.1M - Additional pipes will parallel Bear Creek and aid future capacity and needs.

- C. \$4.1M - Extra Oxidation ditch to handle expected increase in wastewater flow.
- D. \$.9M - Cleaned water outfall relocated from Ashland Creek to Bear Creek, where it can mix with a greater volume of water.

Four Person Family Scenarios

- 2012 May Water: \$73, Wastewater: \$23
- 2014 May Water: \$89, Wastewater: \$28
- 2016 May Water: \$106, Wastewater: \$34
- 2018 May Water: \$113, Wastewater: \$39
- 2020 May Water: \$120, Wastewater: \$43
- 2021 May Water: \$123, Wastewater: \$45

Councilor Lemhouse/Slattery m/s to adopt the Water and Wastewater Master Plan as recommended by AWAC and the Wastewater Technical Review Committee.

DISCUSSION: Councilor Lemhouse thanked the Committee for their efforts. Even though the increases were painful, it was important that Council take responsible action. Councilor Voisin added the Master Plans enabled the City to apply for grants that could reduce fees and thanked AWAC, consultants, and staff. Councilor Chapman did not think raising the base rate was the fairest route. Councilor Silbiger thought Council should discuss base rates and the impact on conservation later. Councilor Morris wanted to see the maintenance and repair side of the plan accelerated, and postpone the construction of new facilities. **Roll Call Vote: Councilor Voisin, Slattery, Lemhouse, Morris, Chapman and Silbiger, YES. Motion passed.**

4. Discussion of possible wildlife no-feed ordinance.

Dr. Frank Lang, Professor Emeritus of Biology at Southern Oregon University (SOU) and Dr. Michael Parker, Professor and Department Chair of Biology at SOU spoke as citizens concerning potential solutions regarding feeding wildlife. They recommended Council investigate a no feed ordinance for wildlife within city limits. The number one recommendation from State wildlife organizations was not feeding wildlife.

They shared statistics from the Street Department regarding Dead on Road (DOR) incidents over the past 10 years along with deer-vehicle collision costs. The Missoula MT ordinance language seemed best suited for Ashland. Enforcement would be complaint driven and initially educational. Controlled hunts were ineffective but Great Falls MT had a 40% reduction culling their deer population by baiting, caging, and euthanizing them.

Alison Laughlin/717 Roca Street/Submitted written comment to the record. She observed over time, deer exhibited less wild animal behavior and were becoming aggressive. She supported a ban on deliberate feeding and education on non-deliberate feeding.

Don Rhoades/51 Scenic Drive/Urged Council to go forward with an anti-feeding ordinance and shared his personal experience with a neighbor who feeds the deer and the negative impact it has on his property.

Councilor Lemhouse/Morris m/s to direct staff to draft an ordinance that restricts intentional feeding of wildlife. DISCUSSION: Councilor Lemhouse had concerns with over regulating behavior and wanted an ordinance that dealt directly with intentional feeding of wild animals that was educational. Additionally, he wanted options on culling deer herds. Councilor Chapman wanted the ordinance to be short and concise. City Attorney Dave Lohman clarified an ordinance directed at all wildlife was more complicated. City Administrator Dave Kanner noted State law prohibited feeding wildlife but it did not extend to deer. Councilor Lemhouse would be willing to look at an ordinance directed specifically at deer. Councilor Silbiger summarized the ordinance would not include people with gardens, compost piles, fruit trees, and plants, and would only address a small portion of the actual problem. **Voice Vote: all AYES. Motion passed.**

ORDINANCES, RESOLUTIONS AND CONTRACTS

1. **Second Reading of ordinance titled, “An Ordinance Amending the Site Design and Review Chapter (18.72) of the Ashland Land Use Ordinance to Exempt Solar Energy Systems Meeting Specific Standards from Site Review Requirements”**

And,

2. **Second Reading of ordinance titled, “An Ordinance Amending the Definitions Chapter (18.08) and General Regulations Chapter (18.68) of the Ashland Municipal Code and Land Use Ordinance as amended.”**

And,

3. **Second Reading of ordinance titled, “An Ordinance Establishing Provisions for the Keeping of Chickens Within Residential Districts, and Repealing Fence Provisions Within the Health and Sanitation Chapter 9.08) of the Ashland Municipal Code”**

Senior Planner Brandon Goldman explained there were no changes to the ordinance amending the Site Design and Review Chapter 18.75. The ordinance amending Definitions in Chapter 18.08 and general Regulations Chapter 18.68 allowed eave extensions up to three feet into required setbacks, and removed the word “gutters” in Chapter 18.08. Changes to Chapter 18.68 regarding fence provisions eliminated the 2X2 structural supports in front yards so someone could use 4X4 supports, added in the 85% visibility through front yard fence, 80% in side and rear yard, open mesh no greater than 1.5 inches in the front yard. For rain barrels, staff removed the size limitation, required 6-foot maximum height in the setback areas, three-foot minimum clearance and a new provision that secured rain barrels to a foundation or platform.

The ordinance establishing provisions for the keeping of chickens in Chapter 9.08 Health and Sanitation changed the distance to neighboring dwellings from a 75-foot setback to 20-feet. It retained the number of chickens to five but added the stipulation that properties greater than 5,000 square feet, could add an additional chicken per 1,000 square feet. The ordinance would allow the

direct sale of surplus eggs but kept the wholesale restriction. Coop size changed to 40 feet or 4 square feet per bird whichever was greater. Chicken runs were now 100 feet or 10 feet per bird whichever was greater. Airtight non-combustible containers for manure storage were required. The ordinance also removed the prohibition of outdoor slaughtering. Coops were required to protect chickens from predators at night but the birds were not required to be in them at night.

Mr. Goldman noted the proposed ordinance would require storing feed in a raccoon proof container, manure in airtight non-combustible containers, and new provisions that related to the attracting predators and rodents. Enforcement was complaint driven. Changing the 75-foot setback to 20-feet would allow more households to keep chickens. Bell lamps housed above combustible materials did not meet code and extension cords could not substitute a permanent installation or serve as a regular electric use.

Amy Haptonstall/341 Beach Street/Submitted a letter into the record and expressed concern the ordinance for keeping chickens was too restrictive and not friendly enough. The potential problems of sanitation, noise, coop and run measurement requirements invited an enforcement nightmare.

Andrew Kubik/1251 Munson Drive/Shared his concern of salmonella incidences with baby chicks and larger chickens. He supported a 75-foot setback from an inhabited home. He referenced the recent chicken coop fires, and explained how a 75-foot buffer would provide space to deal with a coop fire and protect homes.

Barbara Christensen/759 Willow Street/Submitted a letter into the record and explained she had lived in her neighborhood for the past 25 years and noticed an abundance of rats that coincided with the increase in people keeping chickens. No matter how well a person took care of the feed and manure, rats came with chickens. She supported the 75-foot buffer. She urged Council to retain the current ordinance as it was.

Mr. Goldman explained Council could modify distance from adjoining properties to 20-feet from an adjoining dwelling or 20-feet from a property line.

Councilor Lemhouse/Slattery m/s to approve Second Reading of an Ordinance titled “An Ordinance Establishing Provisions for the Keeping of Chickens Within Residential Districts, and Repealing Fence Provisions Within the Health and Sanitation Chapter (9.08) of the Ashland Municipal Code.”

Councilor Lemhouse/Slattery m/s to amend the motion that the original 75-foot buffer be reinstated within the ordinance. DISCUSSION: Councilor Lemhouse clarified the intention was to retain the remaining changes to the ordinance but reinstate the 75-foot setback. Mr. Goldman further clarified the change would apply to 18.68.140 (C. 4-A) and 9.08.040 (C-6), with the setback from a dwelling and not a property line.

Councilor Voisin motioned to amend the main motion and in Chapter 9.08 Section C-4 delete: “...and not for the commercial exchange of goods or commodities...” so the sentence read

“In residential zones chickens shall be kept for personal use only with the exception of the sale of surplus eggs directly end consumer.” **Motioned died due to lack of a second.**

Mr. Goldman read the following section changes to the ordinances:

Ordinance amending the Definitions Chapter 18.08 and General Regulations Chapter 18.68 of the Ashland Municipal Code and Land Use Ordinance.

- **18.08.616 Rain Barrel:** A barrel used to collect and store rainwater runoff from rooftops via rain gutters for non-potable use.”
- **18.68.010(D) Deer Fencing:**

1. Deer fencing may be attached to a permitted front, side, or rear yard fences provided the area in excess of the allowable fence heights per 18.68.010 is designed and constructed to provide a clear view through the fence.

a) Within required front yards at least eighty five percent (85%) of the surface shall be unobstructed to both light and air when viewed perpendicular to the plane of the fence.

b) Within required side and rear yards at least eighty percent (80%), of the surface shall be unobstructed to both light and air when viewed perpendicular to the plane of the fence.

2. Deer fencing shall have a minimum height of six and a half feet (6 ½’) and shall not exceed eight feet (8’) above grade.

3. Permitted deer fencing materials may include, woven wire fencing, field fence, “hog panels,” wire strand or polypropylene mesh net that is open and visible through the material. Within front yards all mesh material shall have a minimum open diameter of one and a half (1 ½) square inches.

4. Deer fencing shall be supported by structural supports, or tension wires, that runs along the top of the fence to prevent sagging.

5. Chain link fences shall not be considered to be deer fences under this section even if they meet the criteria above.

18.68.040 Yard Requirements: Add: Eaves and awnings may intrude three feet (3’) into required yards.

18.68.140(C) Accessory Buildings and Structures.

A chicken coop and a chicken run may be maintained accessory to a single-family dwelling in a residential district provided the following conditions are met:

- 1. No more than five (5) chickens shall be kept or maintained on properties of less than five thousand (5000) square feet in area;**
- 2. No more than one (1) chicken for each one thousand (1,000) square feet of lot area, up to a maximum of twenty (20) chickens, shall be kept or maintained on properties greater than five thousand (5000) square feet in area,**

3. **No roosters shall be kept on the property at any time.**
4. **Chicken coops and chicken runs shall be constructed as follows:**
 - a) **they shall be located within a side or rear yard only, and shall be at least seventy-five (75) feet from dwellings on adjoining properties.**
 - b) **structures shall not exceed six (6) feet in height.**
 - c) **chicken coops shall not exceed forty (40) square feet in area, or four (4) square feet per chicken, whichever is greater.**
 - d) **chicken runs, as enclosed outdoor structures, shall not exceed one hundred (100) square feet in area, or ten (10) square feet per chicken, whichever is greater.**
5. **The keeping of chickens, and the maintenance of their environment, shall be in accordance with Keeping of Animals chapter of the Ashland Municipal Code (Ch. 9.08.040).**

18.68.140(E) Accessory Buildings and Structures

Rain barrels may be located within required side or rear yards provided such installation and operation is consistent with other provisions of this Title or the Ashland Municipal Code, and as follows:

1. **Rain barrels shall not exceed six (6) feet in height; and**
2. **Rain barrels shall be located so that a minimum clear width of three (3) feet is provided and maintained between the barrel and property line; and**
3. **Rain barrels shall be secured and installed on a sturdy and level foundation, or platform, designed to support the rain barrel's full weight.**
4. **Every attempt shall be made to place rain barrels so that they are screened from view of adjacent properties and public streets.**

Ordinance establishing provisions for the keeping of chickens within residential districts, and repealing fence provision within the Health and Sanitation Chapter 9.08 of the Ashland Municipal Code.

9.08.040(C) Keeping of Animals:

No person shall keep or maintain poultry within seventy-five (75) feet of another dwelling, “except that chickens may be kept or maintained provided each of the following requirements is continuously met inside the buffer zone:

1. **No more than five (5) chickens shall be kept or maintained on properties of less than five thousand (5000) square feet in area;**

2. **No more than one (1) chicken for each one thousand (1,000) square feet of lot area, up to a maximum of twenty (20) chickens, shall be kept or maintained on properties greater than five thousand (5000) square feet in area,**
3. **No chickens shall be allowed on properties containing multi-family complexes, including duplexes;**
4. **In residential zones, chickens shall be kept for personal use only and not for the commercial exchange of goods or commodities with the exception of the sale of surplus eggs directly to the end consumer.**
5. **No roosters shall be allowed;**
6. **Chickens must be secured at all times and located at least seventy five feet (75') from dwellings on adjoining properties:**
 - a. **During non-daylight hours a secure chicken coop shall be provided to protect chickens from predators;**
 - b. **During daylight hours, chickens shall be located in a chicken run that meets the requirements of AMC 18.68.140(C)(2) or in a securely fenced backyard;**
7. **To protect public health, the areas in which chickens are kept must be maintained in compliance with AMC 9.08.060 and the following requirements:**
 - a. **Chicken feed must be kept in rodent- and raccoon-proof containers;**
 - b. **Chicken manure must be collected, stored, and removed from the property on a regular basis in accordance with the following requirements:**
 - i. **All stored manure shall be within a non-combustible, air-tight, container and located in accordance with the Oregon Fire Code relating to the outdoor storage of combustibles;**
 - ii. **No more than one 20-gallon container of manure shall be stored on any one property housing chickens; and**
 - iii. **All manure not used for composting or fertilizing shall be removed;**
8. **Chicken coops and runs shall be built in compliance with AMC 18.68.140(C)(2) and with all applicable building and zoning codes;**
9. **The requirements of AMC 18.20.020(D) regarding of the keeping of livestock shall not apply to the keeping of chickens or the buildings and structures that house chickens.**
10. **Noise resulting from the keeping or maintaining of chickens must not exceed the limitations set forth in AMC 9.08.170.”**

Roll Call Vote on the Amendment: Councilor Voisin, Lemhouse, Slattery, YES; Councilor Morris, Silbiger, and Chapman, NO. Mayor Stromberg broke the tie with a YES vote. Motion

passed 4-3.

Roll Call Vote on main motion for the Keeping of Chickens, repealing Fence Provisions in Chapter (9.08) of the Ashland Municipal Code as amended. Councilor Slattery, Lemhouse, Morris, and Silbiger, YES; Councilor Chapman and Voisin, NO. Motion passed 4-2.

Councilor Morris/Slattery m/s to approve Ordinance #3058 Amending 18.72 Solar Energy Systems.

Roll Call Vote: Councilor Silbiger, Chapman, Voisin, Slattery, Morris and Lemhouse, YES. Motion passed.

Councilor Morris/Slattery m/s approve Second Reading of an ordinance titled, An Ordinance Amending the Definitions Chapter (18.08) and General Regulations Chapter (18.68) of the Ashland Municipal Code and Land Use Ordinance as amended. Roll Call Vote: Councilor Morris, Silbiger, Lemhouse, and Slattery, YES; Councilor Voisin, and Chapman, NO. Motion passed 4-2.

4. Second Reading of an ordinance titled, “An Ordinance Repealing AMC Chapter 10.24 Fireworks and Amending AMC Chapters 15.28.070 Amendments to the Oregon Fire Code and 15.28.100 Penalties”

Councilor Voisin/Silbiger m/s to approve Ordinance #3059. Roll Call Vote: Councilor Silbiger, Lemhouse, Slattery, Voisin, Morris and Chapman, YES. Motion passed.

ADJOURNMENT

Meeting adjourned at 10:30 p.m.

Barbara Christensen, City Recorder

John Stromberg, Mayor