

the building use workshop. Mr. Shah said he has put together a service provider inventory list; a list of businesses and services located outside of the immediate area but provides services to local residents who may benefit from sharing local office space in the Cobalt building. The main consensus from the workshop was to make the building a multi use facility. Suggestions and ideas resulting from the workshop included classrooms, shared office space for social services, and a multi-purpose floor for open recreation such as sports, dance, aerobics. A community garden featuring classes on agriculture, gardening, food preservation and possibly housing a food pantry were also suggested.

Mr. Shah said the results from his local community survey concluded with the need for social services, recreation, programming and classes.

E. NEDCO (Neighborhood Economic Development Corporation) CDBG Grant Request – Sandy Halonen

Sandy Halonen addressed the council explaining in 2005 NEDCO was designated the Regional Housing Center for Lane County by Oregon Housing and Community Services (called the Homeownership Center of Lane County). With two full time homeownership counselors, support staff and volunteers they provide homebuyer education classes, one-on-one pre-purchase and foreclosure counseling, outreach, information and referral to about 1200 Lane County households each year.

Ms. Halonen said NEDCO is a non-profit organization which will not allow her to apply for a community development block grant (CDBG) and Lane County has too many open CDBG's making them ineligible to apply, therefore she would like the City of Creswell to be their applicant for this grant. She said the city would be a pass thru for this grant and it would require the city to notice and hold a public hearing

Mr. Shrives said we have done this in the past for other organizations, but it does provide extra work for staff and additional expenses for noticing and auditing, but because of the timeline the Council will need to make a decision either to support this or not this evening.

Discussion ensued regarding costs to the city for staff time, noticing, and auditing as this program serves a very small portion of Creswell citizens, the possibility of promoting and holding classes in Creswell and asking NEDCO for reimbursement of expenses. Ms. Halonen agreed to and said NEDCO would reimburse the city for their out of pocket costs if the city will invoice them.

David Case moved Bill McCoy seconded that the Council approve the agreement to be reimbursed the out of pocket expenditures, 85 percent of staff time, noticing and auditing, in sponsorship of the NEDCO grant request. Voted on with Councilors Bill McCoy, Jane Vincent, Bob Hooker, Jack Gradle and David Case voting in favor and Jean McKittrick opposed.

2. Comments from Mayor, Councilors and City Administrator

Mayor Bob Hooker said the 2009 "If I Were Mayor ..." Contest is moving forward. Bi-Mart has agreed to donate some of the prizes to be awarded to local winners.

Mr. Hooker also said he enjoyed visiting with Mr. Fenley's second grade students at Creslane Elementary who had written letters to him last month as part of a writing assignment.

David Case asked about the consultants response from the retreat held in March. Mr. Shrives said he just received the report from Rod Brown and hasn't had time to review it yet but will provide the Council with the information at the May meeting

Jane Vincent asked about code violations and how the city handles them.

3. Correspondence

- A.** Lane County Sheriff – Contract Report for February 2009
- B.** Lane County Sheriff – Calls for Service Report – March 2009
- C.** Statement of Economic Interest Reminder
- D.** Pacific Power – Certificate of Blue Sky Renewable Energy Support 2008
- E.** Chamber of Commerce Annual Awards Banquet-
- F.** Request for Creswell City Council – Sheila Hale

Sheila Hale who resides at 82540 River Drive, Creswell and serves on the Parks Advisory Board addressed the Council asking for the city to provide some sort of child care for parents with small children who are interested in serving on City committees. Discussion ensued regarding liability issues, insurance costs, if other cities provide child care for committee member's children while attending meetings and the use of commercial facilities and care providers. Ms. Hale will do more research these concerns and coordinate with Mr. Shrives.

G. March 29, 2009 Oregonian Newspaper Clipping – Visiting Creswell, Oregon

4. Public Forum

Dallas McCord & Pamala Palmer who resides at 240 Blue Jay Loop, Creswell addressed the Council asking for permission to use Harry Holt Park on August 1, 2009 for the Coast Fork Cowboy Festival. This is the 5th annual festival where local performers will provide entertainment.

Carol Campbell who resides at 82044 Mahr Lane, Creswell and is a member of the Creswell Library Board addressed the Council to discuss the old library building located at 195 South 2nd Street in Creswell. Mrs. Campbell said in 2008 the building was dedicated as a national historic site and over the years the building has served the community as a school, church, civic center and library. Mrs. Campbell passed out a report on restoration of the building that was completed with Joy Sears, Oregon State Restoration Specialist. Mrs. Campbell said there is a group of community members who would very much like to see this building restored, but no one has the funds to do this. Grants would be an option but grants of this sort are matching grants and maybe this project could be done in small amounts.

5. Consent Calendar

A. Approval of Minutes – March 9, 2009 City Council Minutes & March 14 City Council Retreat Minutes

B. Approval of Bills – March 2009

Bill McCoy moved Jack Gradle seconded to approve the consent calendar as amended. Voted on and carried unanimously.

6. Airport

A. David Evans & Associates Pay Request – Airport Water Line Project

Bill McCoy moved Jane Vincent seconded to approve invoice #268093 for David Evans & Associates in the amount of \$2,066.00. Voted on and carried unanimously.

B. H & J Construction Pay Request #3 – Airport Water Line Project

Jack Gradle moved Jean McKittrick seconded that pay request estimate #3 for H & J Construction in the amount of \$28,078.04 be approved. Voted on and carried unanimously.

7. Public Works

A. CH2MHill Pay Request (Invoice 3693491) WTP Project

David Case moved Jean McKittrick seconded that council approve the pay request for CH2MHill, Invoice #3693491 in the amount of \$21,188.11, for the water treatment plant project as presented. Voted on and carried unanimously.

B. Contractors Incorporated Pay Request #9 – WTP Project

David Case moved Jean McKittrick seconded that council approve pay request #9 for Contractor's Inc., in the amount of \$384,436.00 for the water treatment plant improvement and expansion project as presented. Voted on and carried unanimously.

C. Harold Primrose Excavating LLC Pay Request #6 – WTP Project

Jack Gradle moved Jean McKittrick seconded that pay request #6 for Harold Primrose Excavating, LLC for the Waterline Improvement project in the amount of \$25,190.00 be approved. Voted on and carried unanimously.

D. Harold Primrose Excavating LLC Agreement for Public Improvement under \$50,000.00 – 5th Street Project

Mr. Shrives said at the February 9th meeting the City Council approved the water line work to be completed on North 5th Street. If time allowed public works was going to complete the entire project, but based on time availability the City has negotiated a portion of the project work to be completed by Harold Primrose Excavating LLC, the contractor who was awarded the bid on the Waterline Project. Mr. Shrives said the City Attorney has reviewed the agreement and all City Contracting rules have been met.

Jack Gradle moved Bill McCoy seconded that council approve The Contract Agreement for Public Improvements between Primrose Excavation LLC and the City of Creswell for the 5th Street Project in the amount of \$9,004.00. Voted on and carried unanimously.

E. LID Resolutions for 5th Street Reconstruction Project

Finance Director Layli Nichols said the purpose of the following resolutions is to complete the next two steps in the process outlined by Ordinance 249 to create a Local Improvement District for improvements necessary as outlined in Resolution 2009-07 passed at the March 2009 City Council meeting. The proposed project will include the reconstruction of North 5th Street from Scott Avenue to A Street, and on A Street from North 5th to North 7th Street. The improvements will include complete street reconstruction, bike lanes, curb, gutter and sidewalks in the project area. The project will be bid to include North 5th Street improvements as the primary bid, with A Street improvements included as an alternate bid.

i. Resolution 2009-08 – A Resolution Approving Engineer Estimate and Report for Proposed Curb, Gutter and Sidewalk Improvements

Bill McCoy moved Jack Gradle seconded to approve Resolution 2009-08, A Resolution approving engineer estimate and report for proposed curb, gutter and sidewalk improvements as presented. Voted on and carried unanimously.

ii. Resolution 2009-09 – A Resolution Proclaiming the City;s Resolve to Construct Curb, Gutter and Sidewalk Improvements

Bill McCoy moved Jack Gradle seconded to approve Resolution 2009-09, A Resolution proclaiming the City's Resolve to Construct Curb, Gutter and Sidewalk Improvements as presented. Voted on and carried unanimously.

F. Contractors Incorporated Change Order #22 – WTP Project

Change Order #22 is for the installation of flexible piping at the suction and discharge of the chemical pumps. This change order also allows for a one day time extension to the project.

David Case moved Jean McKittrick seconded to approve change order #22 in the amount of \$950.65 from Contractors Incorporated for the water treatment plant improvement and expansion project. Voted on and carried unanimously.

G. Contractors Incorporated Change Order #23 – WTP Project

Change order #23 adds Vanstone flanges to the overflow piping and modifies drain piping at the four membrane tanks. The tanks were provided with unplumbed connections and these modifications will correct the issue. CH2MHill and Pall Corporation have agreed to split the cost of this change order. Pall Corporation has a credit being presented under item 7-H and CH2MHill will provide a credit in the April billing. The cost of this change order is \$6,676.68 and a six day time extension.

Jack Gradle moved Jean McKittrick seconded to approve change order #23 in the amount of \$6,676.68 from Contractors Incorporated for the water treatment plant improvement and expansion project. Voted on and carried unanimously.

H. Pall Corporation Change Order #4 – WTP Project

Pall Corporation is providing a credit of \$3,338.34, half the cost of Contractors Incorporated Change Order #23 as outlined in 7-G.

Bill McCoy moved and Jack Gradle seconded to approve Pall Corporations change order proposal #4, for the water treatment plant crediting the City, \$3,338.24 half the cost of Contractors Incorporated change order #23 as presented. Voted on and carried unanimously.

8. Administration

A. Intergovernmental Agreement with Lane Council of Governments for 2009 Website Maintenance

Mark Shrives said during the 2008/09 fiscal year, the city budgeted \$4,500.00 for website maintenance provided by Lane Council of Governments. As more information becomes available to be placed online, the need for management of this information also increases. Updates and changes including initial work on re-vamping the appearance and functionality of our website have added additional cost for the current year. An additional \$1,300.00 is required to continue website maintenance through June 30, 2009, the end of the fiscal year.

David Case moved Jean McKittrick seconded to approve amendment #5 to the website maintenance Intergovernmental Agreement between Lane Council of Governments and the City of Creswell as presented. Voted on and carried unanimously.

B. Intergovernmental Agreement with Lane Council of Governments Contract Amendment for Planning Assistance

Mark Shrives said due to a number of unanticipated tasks that have occurred throughout the fiscal year requiring the use of planning assistance via the City's Planning Assistance contract with Lane Council of Governments, the City of Creswell has a total of twelve hours remaining in its LCOG unfunded account to last until June 30, 2009 or the end of the fiscal year. Based on expenditures to date and work remaining, an additional \$20,000.00 needs to be added to the contract to cover planning work tasks until the end of the fiscal year based on historic and anticipated expenditures.

Bill McCoy moved Jack Gradle seconded to approve amendment #5 to the planning assistance Intergovernmental agreement between Lane Council of Governments and the City of Creswell as presented. Voted on and carried unanimously.

Bill McCoy moved Jack Gradle seconded to approve Resolution No. 2009-10, A Resolution Changing Appropriations Within the General Fund as presented. Voted on and carried unanimously.

Mayor Hooker called for a 5 minute recess at 8:25 PM

C. Not Used

D. Lane Transit District (LTD) Parking Facility Agreement

Mr. Hooker reconvened the meeting at 8:30 PM.

Mark Shrives said the parking lot located at 1st and C Street, across from the Community Center has been used as an unofficial LTD Park and Ride lot for many years. LTD has asked the City to enter into a formal agreement and as part of that agreement LTD will provide signage along Oregon Avenue and at the Park and Ride Lot. Phase II of the City Hall project includes the paving of the parking lot, in which the preliminary design accounts for ten designated park and ride spaces.

Jack Gradle moved Jean McKittrick seconded to approve the Lane Transit District Parking Facility Agreement between Lane Transit District and the City of Creswell as presented. Voted on and carried unanimously.

E. Old Library Building Discussion (195 South 2nd Street)

Mark Shrives said in 2007/08 when Jamon Kent was the interim City Administrator, permission was granted to allow the Campus Life group to store some of their belongings in the old library building. Since that time the leader of the group has moved out of the area, the key has been passed on and the building has been turned into a meeting facility to a number of different groups. Mr. Shrives had the building inspector conduct a structural inspection of the building which came back as an unsafe building for occupancy. A discussion ensued about the liability issues, the work done on the roof in 2000, the brown bats who arrive every May and leave in the fall, and donating the building to an organization such as the Historical Society or the Library. Consensus of the Council was to change the locks on the building and ask everyone to remove their belongings.

F. Code Enforcement Issues

Mark Shrives said the City addresses code violations on a complaint driven process. Mr. Shrives asked Creswell Deputy Alysoun House to make a list of code violations the Sheriff's department has responded to within the past few months. Deputy House's list included junk/nuisance complaints, storage of vehicles on the streets, parking, animal and noise complaints, and RV trailers being used as residences in both residential and commercial areas of the city. Deputy House said as she patrols the streets of Creswell she sees many more violations. Discussion ensued regarding the failure of code enforcement will run the city down and how we need to treat everyone in the community equally to provide structure within the city.

G. Edward Byrne Memorial Grant

Mark Shrives said The City of Creswell has been awarded \$17,853.00 for the Edward Byrne Memorial Justice Assistance Grant. Mr. Shrives said he feels the best use for this funding that meets the grant criteria would be to put in place a code enforcement officer. Discussion ensued regarding the coordination with the sheriffs department and some of the code violations the city is seeing more of during these hard economic times. Council gave their consensus to move forward with the grant application and hold a public hearing at the May Council meeting.

H. Creswell Coffee Company Inc. Liquor License Application

The Creswell Coffee Company Inc. currently has a limited on-premises liquor license for serving wine on the premises. This application for license would allow the Creswell Coffee Company to hold wine tasting events and be able to sell sealed bottles of wine to customers for future consumption.

Bill McCoy moved Jack Gradle seconded to approve the Off-Premises Sales Liquor License Application for Creswell Coffee Company, Inc. as presented. Voted on and carried unanimously.

I. Essex Construction Change Order #12 – City Hall Project

Change order #12 will provide all materials, equipment and labor to connect five rain drains from building to locations per Site Utility Plan for the new City Hall building.

Jack Gradle moved Jean McKittrick seconded that council approve Contractor Change Order #12 for Essex General Construction, Inc. in the amount of \$3,888.71 as presented. Voted on and carried unanimously.

J. Essex Construction Change Order #13 – City Hall Project

Change order #13 will add three doors; create a hallway and a low wall at the reception area of the new City Hall building.

Jack Gradle moved Jean McKittrick seconded that council approve contractors change order #13 for Essex General Construction Inc. in the amount of \$11,440.84 as presented. Voted on and carried unanimously.

K. Essex Construction Change Order #14 – City Hall Project

Change order #14 will install a new custom gutter on the CenturyTel/City Hall building.

Bill McCoy moved Jack Gradle seconded that council approve contractors change order #14 for Essex General Construction Inc. in the amount of \$3,568.31 as presented. Voted on and carried unanimously.

L. Essex Construction Change Order #15 – City Hall Project

Change order #15 will provide all materials, equipment, and labor to install one additional course of brick to brick veneer for the new City Hall building.

Jack Gradle moved Jean McKittrick seconded that council approve contractors change order #15 for Essex General Construction Inc. in the amount of \$1,533.93 as presented. Voted on and carried unanimously.

M. Essex Construction Change Order #16 – City Hall Project

Change order #16 allows for the provision of all materials, equipment and labor to install ceiling joists in three rooms, as well as install #1 Douglas Fir headers in all exterior window and door openings in the new City Hall building.

Jack Gradle moved Jean McKittrick seconded that council approve contractors change order #16 for Essex General Construction Inc. in the amount of \$3,755.16 as presented. Voted on and carried unanimously.

N. Essex Construction Change Order #17 – City Hall Project

Change order #17 from Essex Construction allows for all materials, equipment and labor to install three Simpson HGUS beam hangers near the main entry of the new City Hall building.

David Case moved Jack Gradle seconded that council approve contractors change order #17 for Essex General Construction Inc. in the amount of \$370.38 as presented. Voted on and carried unanimously.

O. Essex Construction Pay Request #6 – City Hall Project

Bill McCoy moved Jack Gradle seconded that council approve pay request #6 for Essex General Construction Inc. in the amount of \$175,028.83 as presented. Voted on and carried unanimously.

P. Nagao/Hansen Architects Pay Request #8-199 City Hall Project

Jack Gradle moved Jane Vincent seconded that council approve invoice #8-199 for Nagao/Hansen Architects P.C. in the amount of \$392.50 for additional services on the City Hall project as presented. Voted on and carried unanimously.

Q. Nagao/Hansen Architects Pay Request #8-210 City Hall Project

David Case moved Jack Gradle seconded that council approve invoice #8-210 for Nagao/Hansen Architects P.C. in the amount of \$2,448.75 for additional services on the City Hall project as presented. Voted on and carried unanimously.

R. Nagao/Hansen Architects Pay Request #8-211 City Hall Project

Bill McCoy moved Jack Gradle seconded that council approve invoice #8-211 for Nagao/Hansen Architects P.C. in the amount of \$738.75 for additional services on the City Hall project as presented. Voted on and carried unanimously.

S. Energy Trust Reimbursement

Mark Shrives said the Energy Trust of Oregon will be issuing incentive dollars to the City of Creswell for the energy efficient lighting being installed in the new Creswell City Hall Building. The anticipated dollar amount being issued for the lighting design and installation is \$2,095.00.

9. Clerk's Report for February 2009

10. Upcoming Meetings

- A. Cultural Committee Meeting – April 14, 2009 – 6:00 PM**
- B. Airport Commission Work Session – April 16, 2009 - 4:00 PM**
- C. Planning Commission – April 16, 2009 – 7:00 PM**
- D. Parks Advisory Board Meeting – April 16, 2009 – 6:00 PM**
- E. Finance Committee Meeting – April 16, 2009 – 6:30 PM – (Due to conflicts this meeting will need to be rescheduled).**
- F. Public Safety Committee Meeting – May 6, 2009 – 7:00 PM**

11. Adjournment –

There being no further business to come before the Council, Mayor Robert Hooker adjourned the meeting at 9:00 PM

12. Executive Session – ORS 192.660 (2) (e) & (f)

Robert A. Hooker, Mayor

Roberta J. Tharp, City Recorder