

City of Creswell
Council Minutes
July 13, 2009

Council Present:

David Case
Bob Hooker
Jean McKittrick
Jane Vincent

Jack Gradle
Bill McCoy
Bob Millam

Staff Present:

Mark Shrives
Roberta Tharp
Layli Nichols
Shelley Humble
Raja Shah
Christy Munson

City Administrator
City Recorder
Finance Director
Airport Manager
RARE Intern
City Attorney

Council Absent 0

Press: 1

Audience: 6

The regularly scheduled City Council meeting was called to order by Mayor Bob Hooker at 7:00 PM and the pledge of allegiance given.

1. Special Presentations

A. Garden Lake Final Report – Raja Shah

Raja Shah, RARE (Resource Assistant for Rural Environments) Intern addressed the council and provided a final overview of the Garden Lake Youth Pavilion Project. Mr. Shah thanked everyone who helped make this project possible both local and statewide. Mr. Shah said there are possibilities for future projects at the park including an internet connection to show the solar panel system's power output data on a website and to attach brochure holders to the concrete signage monuments. The Council thanked Raja Shah for his great effort and praised him for a job well done.

2. Comments from Mayor, Councilors and City Administrator

- A. Mayor Bob Hooker read a Letter of Resignation from Gary Ludeke, Planning Commission representative to the Airport Commission citing time commitment as a factor for his resignation. Mr. Hooker said he has visited with Planning Commission Member Alan Pointer and with there being no objections from the Council Mr. Hooker appointed Mr. Pointer to be the Planning Commission representative to the Airport Commission to fill out the term vacated by Mr. Ludeke.
- B. City Administrator Mark Shrives said the August 10, 2009 City Council meeting will be a joint meeting with the Planning Commission to discuss the downtown plan update completed by RARE Intern Raja Shah and volunteer Kyle Roberts.
- C. League of Oregon Cities Conference reminder, the early bird registration is coming to a close so if you are planning on attending please let the City Recorder know.

3. Correspondence

- A. Lane County Sheriff – Contract Report for May 2009
- B. Lane County Sheriff – Calls for Service Report – June 2009
- C. Chamber of Commerce Thank-you Letter
- D. Letter regarding Old School House – Jane asked for permission to clean up the yard at the old school house.
- E. Letter from Paul Preziose
- F. Letter from Jerry & Barbara Norcia
- G. Quarterly Public Official Disclosure E-mail

4. Public Forum

No public comments

5. Consent Calendar

A. Approval of Minutes – June 8, 2009 City Council Minutes

B. Approval of Bills – June 2009

Bob Millam moved Jack Gradle seconded to approve the consent calendar as presented. Vote on and carried unanimously.

6. Airport

Airport Manager Shelley Humble gave a brief update on the Airport Fire Suppression Project. An ad has been placed for the Invitation to Bid in the Daily Journal of Commerce, the Chronicle, and the Register Guard for the final phase of this project. An additive has been included whereas if the bidding comes in lower that we can go as far as we can possibly go for the final funding we will receive from the FAA. Bids will be open July 30, 2009 and will be brought before the Council at the August meeting.

A. Precision Approach Engineering Pay Request

Bob Millam moved Jack Gradle seconded that Council approve Invoice #1403 for Precision Approach Engineering in the amount of \$563.95 for the Fire Suppression Water Line to the Creswell Airport. Voted on and carried unanimously.

B. USDA – Rural Business Enterprise Grant Acceptance

Shelley Humble, Airport Manager said at the February 2009 City Council meeting, staff was directed to pursue funding to develop an Airport Feasibility Study and Business Plan for Hobby Field. In June 2009 the City was notified by the USDA Rural Development office that the City of Creswell has been granted a \$7,000.00 Rural Business Enterprise Grant (REBG). The project is estimated to cost about \$16,000.00, which will allow the city to meet the cash match requirement.

Jack Gradle moved Jean McKittrick seconded that the City Council accept the RBEG Grant to complete an airport feasibility study and business plan as presented. Voted on and carried unanimously.

C. Not Used

D. Airport Work Session Discussion

Mark Shrives asked for clarity from council on what they would like to discuss and accomplish with the Airport Commission during a joint meeting tentatively scheduled for August 24, 2009. Mr. Shrives said he has put together a list of airport topics and after some discussion the Council asked to review the list individually and each member prioritize and choose their top five topics they would like to discuss at the joint meeting and e-mail those back to Mr. Shrives by Friday July 17, 2009.

E. Skydiving Update

Mr. Shrives passed out a packet of materials that contain a letter received from Donna Taylor of the FAA on July 9, 2009 along with draft documents of plans, permits and agreements. Mr. Shrives introduced Attorney Christy Monson, who is working with City Attorney Ken Jones on various airport items. Mr. Shrives reviewed the FAA letter stating the FAA would like to receive a timeline that ensures a trial period of the drop zone begin no later than September 1, 2009. Mr. Shrives said he has been in contact with FAA and explained we are in the working stages of a concession permit and we need to wait to sign off on the permit and the Eugene Skydivers safety plan which could effect the overall timeline as these need to be in place before the City can move forward with any potential trial period.

Once the concession permit and safety plan are in place, insurance may continue to be a problem said Mr. Shrives. Attorney Ken Jones has met with Doug Minger (Attorney for Eugene Skydivers) and has provided him with draft copies of the permit and safety plan. Mr. Minger told Mr. Jones that currently insurance is not available. Mr. Shrives said at his meeting with the FAA in May and then re-confirmed again last Friday, Joelle Biggs told him the insurance is not an unreasonable request to make of the skydiving operations.

Attorney Christy Monson said Mr. Shrives asked her to develop a glider safety plan. After doing some research she began to develop a regulatory framework and decided maybe a concession permit should be required along with a safety plan for each aeronautical activity at the airport. This permit will grant people permission to operate their businesses at the airport, and as a part of the permit a safety plan would be required.

Ms. Monson passed out a draft copy of the Commercial Operations Permit and Safety Plan and reviewed it with the Council.

F. Approval of Airport Safety Consultant

Mark Shrives said he contacted Bob Nobel, retired manager of the Eugene Airport and currently executive director of the Oregon Airport Managers Association and explained he was looking for an Airport Safety Consultant. Mr. Noble recommended a consultant in Arizona he had previously worked with who in turn referred one of his associates in Montana who would have the experience the City is looking for. Mr. Shrives said it is his recommendation the city hires Tim Phillips as an Airport Safety Consultant. Mr. Phillips is a partner in the firm of Critical Path, Inc. and has thirty plus years experience in the aviation industry from fixed based operations, commercial airfield operations, planning and development of airport management and aviation consultant. He has directed and developed Airport infrastructure projects and coordinated and implemented planning studies. Mr. Phillips was directly responsible for compliance of Federal Aviation Regulation 139 (minimum standards of safety issues) at both Chicago and Salt Lake City airports and has been an airport consultant for the past eleven years.

Mr. Shrives said when speaking with Mr. Phillips he indicated he had coordinated and negotiated the use agreement for skydiving at the Salt Lake City's general aviation airport, coordinated the use and agreements of glider operations in Missoula, Montana but has not had any experience with banner towing. Mr. Phillips said he understands the issues related to safety and risk and how to mitigate issues involved with these types of activities. Mr. Phillips also added that Critical Path, Inc. focuses almost exclusively on airfield regulatory compliance/safety issues.

Mr. Shrives said a statement of work has been drawn up and is currently being reviewed by the city attorney and a draft budget is also included. The budget is broken down into two parts: the document, on-site review, and travel expenses has an estimated fixed cost of \$5,918.00, and the risk assessment would be completed at an hourly rate of \$125.00 which will provide the City with a risk analysis written report for each activity.

A discussion ensued and Bob Hooker moved Jack Gradle seconded to authorize staff to spend up to \$10,000.00 to hire Mr. Timothy Philips as an airport consultant to look into skydiving, banner towing and glider operations and provide the city with a written risk analysis. Voted on and carried unanimously.

7. Public Works

A. Approval of Buy-Sell Agreement for Public Works Facility

Mr. Shrives said this agreement was put together after Council directed him to research and negotiate a purchase for the property located at 83624 Highway 99, Creswell for use as a public works facility.

Bob Millam moved Jean McKittrick seconded to approve the buy-sell agreement for the property located at 83624 Highway 99, Creswell Oregon in the amount of \$1,000,000.00 as presented. Voted on and carried unanimously.

B. Contract Award for N 5th & A Street Improvement Project

Mr. Shrives said the bids for the North 5th & A Street Improvement Project were opened on July 2, 2009. The bids were as follows:

BIDDERS	BASE BID	ALTERNATE BID
1. Eugene Sand Construction	\$302,735.00	\$432,981.60
2. Kerr Contractors	310,048.00	434,088.00
3. Delta Construction	280,240.00	473,668.00
4. Kipco, Inc.	360,437.00	511,840.00
5. Knife River	372,007.20	524,005.24
6. Wildish Construction	394,269.00	557,234.00

City Engineer Ron Staehlin has reviewed the bid proposals and recommends the City award the contract to the lowest responsible bidder, Eugene Sand Construction.

Mr. Shrives said based on where the bids came in, it may be a possibility to implement a portion of the Holt Park Master Plan on A Street between 4th & 5th Streets. The parks master plan along that section includes the street and approximately eighteen parking places among a few other things. Mr. Stahelin estimated the design, construction and oversight for this additional work would cost approximately \$120,000.00.

Bob Millam moved David Case seconded that the City of Creswell award the contract for the North 5th & A Street Improvement Project to Eugene Sand Construction in the amount of \$432,981.60 as presented. Voted on and carried unanimously.

The Council gave Mr. Shrives consensus and direction to add the street and parking improvements as shown in the Holt Park Master Plan on A Street between 4th and 5th Street to the North 5th & A Street Improvement Project as a change order.

C. CH2MHill Pay Request – Water Treatment Plant Project

Mark Shrives gave an update on the progress of the water treatment plant project stating the plant should be making water on September 1, 2009 and the projected completion date is in November.

Jack Gradle moved Jean McKittrick seconded that Council approve the pay request for CH2MHill, Invoice no. 3706744 in the amount of \$14,873.00 for the water treatment plant project as presented. Vote on and carried unanimously.

D. Contractors Inc. Pay Request – Water Treatment Plant Project

David Case moved Jean McKittrick seconded that Council approve pay request #12 for Contractors Inc. in the amount of \$222,609.00 for the water treatment plant improvement and expansion project as presented. Voted on and carried unanimously.

E. Contractors Inc. Change Order #27 – Water Treatment Plant

Jack Gradle moved Jean McKittrick seconded to approve change order #27 in the amount of \$4,506.52 from Contractors Incorporated for the water treatment plant improvement and expansion project. Voted on and carried unanimously.

F. Contractors Inc. Change Order #28 – Water Treatment Plant

Jean McKittrick moved Jack Gradle seconded to approve change order #28 in the amount of \$2,284.28 from Contractors Incorporated for the water treatment plant improvement and expansion project. Voted on and carried unanimously.

G. Contractors Inc. Change Order #29 – Water Treatment Plant

Bob Millam moved Jean McKittrick seconded to approve change order #29 from Contractors Incorporated for the water treatment plant improvement and expansion project as presented. Voted on and carried unanimously.

8. Administration

A. Food Pantry Discussion

Mr. Shrives said there are two issues that involve the Green House Food Pantry that currently is located on the Oregon Avenue Public Works facility property. The first being on Feb 11th 2008 the council approved a temporary use permit for the greenhouse that was good for a period not to exceed eighteen months. In August the permit will expire and there isn't any provision for renewal. Mr. Shrives said he will issue a letter to Marge Williamson or Patti Bond to notify them of the permit expiration. The second issue is the City Council just approved the purchase of a public works facility on Highway 99, and once they have vacated the old site along Oregon Avenue where the greenhouse currently sits, the City should probably sell that piece of property. Mr. Shrives went on to explain the Food Pantry located in the old neighborhood watch building is okay to stay, the temporary use permit was for the greenhouse only.

B. Ford Family Foundation Grant Agreement – Garden Lake Park Bridge

Mr. Shrives said this agreement is a carry over from the Ford Family Foundation group that built the Garden Lake Park Bridge. The group was not able to complete their project by July 1, 2009 so they went back to the Ford Family Foundation and secured an additional \$5,000.00 funding which they need to run through the City.

Bob Hooker moved Jean McKittrick seconded to approve the Ford Family Foundation Grant in the amount of \$5,000.00 for the Garden Lake Park Bridge Project as presented. Voted on and carried unanimously.

C. Resolution 2009-25 – A Resolution Appropriating Ford Family Foundation Grant Funds Within the General Fund

Jack Gradle moved Bob Millam second to approve Resolution 2009-25 – A Resolution Appropriating Ford Family Foundation Grant Funds Within The General Fund. Voted on and carried unanimously.

Mark Shrives gave a quick update on the city hall project. The building should be completed around the second week of August. They are currently painting inside and will be installing the case work and ceiling tiles in the near future. Mr. Shrives said the building does not have power at this time and is waiting on the easement between Centurytel and Pacific Power.

D. Nagao/Hanson Architects Pay Request – City Hall Project

Jean McKittrick moved Jack Gradle seconded that Council approve invoice #8-258 for Nagao/Hansen Architects P.C. in the amount of \$1,426.25 for services on the City Hall project as presented. Voted on and carried unanimously.

E. Nagao/Hanson Architects Pay Request – City Hall Project

David Case moved Jean McKittrick seconded that Council approve invoice #8-259 for Nagao/Hansen Architects P.C. in the amount of \$527.50 for additional services on the City Hall Project as presented. Voted on and carried unanimously.

F. Essex Construction Pay Request – City Hall Project

Bob Millam moved David Case seconded that Council approve pay request #9 for Essex General Construction Inc. in the amount of \$143,251.61 as presented. Voted on and carried unanimously.

G. Essex Construction Change Order #25 – City Hall Project

Jean McKittrick moved Jack Gradle seconded that Council approve construction change order #25 for Essex General Construction Inc. in the amount of \$5,667.83 as presented. Voted on and carried unanimously.

H. Essex Construction Change Order #26 – City Hall Project

Jack Gradle moved Jean McKittrick seconded that Council approve construction change order #26 for Essex General Construction Inc. in the amount of \$2,941.71 with a credit in the amount of \$200.00 as presented. Voted on and carried unanimously.

I. Essex Construction Change Order #27 – City Hall Project

Bob Millam moved Jane Vincent seconded that Council approve construction change order #27 for Essex General Construction Inc. in the amount of \$3,711.71 as presented. Voted on and carried unanimously.

J. Essex Construction Change Order #28 – City Hall Project

Jean McKittrick moved David Case seconded that Council approve construction change order #28 for Essex General Construction Inc. in the amount of \$2,749.22 as presented. Voted on and carried unanimously.

K. Essex Construction Change Order #29 – City Hall Project

Jack Gradle moved Jean McKittrick seconded that Council approve construction change order #29 for Essex General Construction Inc. in the amount of \$1,321.08 as presented. Voted on and carried unanimously.

L. Essex Construction Change Order #30 – City Hall Project

Jack Gradle moved Jean McKittrick seconded that Council approve construction change order #30 for Essex General Construction Inc. in the amount of \$806.05 as presented. Voted on and carried unanimously.

M. Essex Construction Change Order #31 – City Hall Project

Bob Millam moved Jack Gradle seconded that Council approve construction change order #31 for Essex General Construction Inc. in the amount of \$2,897.88 as presented. Voted on and carried unanimously.

N. Essex Construction Change Order #32 – City Hall Project

David Case moved Jean McKittrick seconded that Council approve Request for Information #20 for Essex General Construction Inc. in the amount of \$0.00 as presented. Voted on and carried unanimously.

9. Clerk's Report – May 2009

10. Upcoming Meetings

- A. **Joint City Council/Airport Commission Meeting – Proposed Date August 24th**
- B. **City Council Meeting – Augusts 10, 2009**

11. Adjournment

There being no further business to come before the council, Mayor Robert Hooker adjourned the meeting at 8:07 PM.

Robert A. Hooker, Mayor

Roberta J Tharp, City Recorder