

Council Present:

David Case
Bob Hooker
Jean McKittrick

Jack Gradle
Bill McCoy

Staff Present:

Mark Shrives
Roberta Tharp
Layli Nichols
Roy Sprout
Shelley Humble
Denise Walters
Titus Tomlinson

City Administrator
City Recorder
Finance Director
Public Works Director
Airport Manager
Planner
RARE Intern

Council Absent Bob Millam & Jane Vincent

Press: 2

Audience: 19

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. St. Vincent de Paul – Ann Williams

Anne Williams, Housing Programs Director from St. Vincent de Paul Society of Lane County, Inc. addressed the Council to introduce and encourage the City to become involved in their Regional Housing Rehabilitation Loan Program. This program allows for providing community development block grants (CDBG) for owner occupied rehabilitation loans to low and moderate income families in rural and unincorporated communities. These loans help to correct hazards related to health and safety, structural defects and take steps to correct wasteful energy resources within the home. Ms. Williams said the city would need to join a consortium of small cities and agree to be the applicant of record, and St. Vincent de Paul would do a marketing blitz, identify eligible homeowners, an assessment of the scope of work, and complete all necessary paperwork as well as final inspections. A discussion ensued regarding other small cities in the area that have already joined the consortium and Mr. Shrives said he has discussed the program with Ms. Williams and in order to move forward the Council would need to direct staff to review and enter into an Intergovernmental Agreement and prepare a resolution allowing the City to join a consortium.

The council gave their consensus and directed Mark Shrives to move forward in reviewing the Intergovernmental Agreement and bring back a resolution to the November meeting.

B. Discussion of Land Use Fee Waiver Requests – Denise Walters

City Planner Denise Walters addressed the council asking for direction regarding the requests from non-profit groups to waive fees for Land Use issues. Ms. Walters said she cannot find any provisions on this and if the City is going to allow fees to be waived, some criteria would need to be established and followed as well as changes made to the development codes. Ms. Walters said she has researched this within other cities and Veneta, Coburg and Junction City do not allow fees to be waived while Cottage Grove waives only the temporary use permit fees for non-profit groups. A discussion ensued and the Council gave their consensus to leave the policy as it is and not waive land use fees for non-profit groups.

C. RARE Program – Introduction of Intern Titus Tomlinson

Mark Shrives introduced and gave a brief bio of Titus Tomlinsen RARE (Resource Assistance for Rural Environments) Intern from the University of Oregon. Mr. Tomlinsen addressed the Council and said he is picking up on the projects where Raja Shah (past RARE Intern) left off and is taking them to the next step. Mr. Tomlinsen said he will be working on the Cobalt building, a Community Assistance Program in order to increase

accessibility and availability of service providers to Creswell residents and a renewal energy plan for the City of Creswell. The Council welcomed Mr. Tomlinsen.

D. Ford Foundation Presentation – Garden Lake Bridge Project

Christopher Douglas, a member of the Ford Family Foundation addressed the Council to discuss the Garden Lake Bridge Project. Mr. Douglas said the Ford Family Foundation project includes two bridges at Garden Lake Park, the first being completed in November 2008 using grant money, class and leadership skills. The group received a \$5,000.00 grant during the summer to begin the second bridge. The second bridge located in the Emerald Valley area by the tennis courts has provided the group with some unforeseen problems in the bridge footings. After consulting with bridge experts and having to build the bridge footings larger than planned, the group feels they have a deficit of about \$3,100.00. With these adjustments the group has begun fundraising and feels reasonably sure they can raise \$1,500.00 of the additional \$3,100.00 they are short for project completion. Mr. Douglas said the Ford Family Foundation members would like to request funding help from the City for the bridge project completion.

A discussion ensued and Finance Director Layli Nichols said she budgeted for the Ford Family Foundation Grant to be expended, therefore a resolution would need to be presented for the Council's approval moving money from Capital Outlay to Parks within the General Fund. The Council gave staff direction to prepare a resolution to be presented to the Council for approval at the October 15th Joint City Council/Planning Commission meeting, moving an amount not to exceed \$3100.00 from Operating Contingency to Capital Outlay for Parks within the General Fund.

2. Comments from Mayor, Councilors and City Administrator

A. Parks Advisory Board – Mayor Bob Hooker

Mayor Hooker said he and City Administrator Mark Shrives attended the last Parks Advisory Board meeting and asked the board to provide a list of ideas for projects they would like to work on to the City Council for consideration and direction. A discussion ensued with Council presenting their ideas as to what they feel is important for the board to work on such as continue working at Garden Lake Park, the Tree City USA program, more ball fields for youth recreation, and to implement the pocket park that was presented to the Council in August by RARE Intern Raja Shah and volunteer Kyle Roberts. Mr. Shrives said as a long term project he would suggest the board look into would be forming a parks district in order to possibly implement and/or fund some of the larger projects that were highly suggested on the parks survey conducted by Raja Shah.

B. Public Safety Committee Meeting – Chairman Bill McCoy

Bill McCoy chairman of the Public Safety Committee reported the committee met on September 24th to plan a kickoff event for the city wide neighborhood watch program scheduled for October 24th at the Community Center. Lane County Sheriff Deputy Hollis attended the meeting and provided some good information. Mr. McCoy said there is community interest in getting this program up and running but they will need a program coordinator who is crucial for the success of the program. Mr. McCoy said he would like to discuss the possibility of giving a portion of the coordinator duties to the code enforcement officer the city will be hiring. A discussion ensued in supporting the Neighborhood Watch Program but the coordinator could not be paid with JAG funds, they would have to come from city funds. Mr. Shrives said he should have the requirements for funding sorted out this month for the JAG grant and should be hiring a code enforcement officer by the first of the year. Mr. McCoy said the Lane County Sheriff's office has quit funding the Neighborhood Watch Program therefore there isn't any support or training. Finance Director said the City has never financially supported Neighborhood Watch but has provided them with a place to meet. Mr. Shrives said he will research what the county will and will not do or provide, look at what equipment is needed and the cost to the City to pay the Code Enforcement Officer wages for the duties of the Neighborhood Watch Program Coordinator and bring it back to the November meeting.

David Case commented in regards to e-mail correspondence from a concerned citizen to Mayor Hooker regarding tree removal during the 5th & A Street. Mr. Case suggested maybe the City could make it a policy to replace trees removed during street construction. Mr. Shrives said the trees that were removed for the project were within the City's right-of-way and now that area is curb gutter and sidewalks.

Bill McCoy said maybe the City could develop a tree ordinance and look into becoming a Tree City, USA.

David Case complimented Public Works and the contractors for a job well done on the North 5th & A Street Project and the City Staff on the great newsletter. Mr. Case also inquired into the length of time for investigations of fatalities at the airport, skydiving, and asked to re-open the airport access fees discussion. A poll was taken and all other Councilors present were not in favor of bringing the issue back up.

Bill McCoy asked if there were any policies regarding City Councilors attending additional classes other than the League of Oregon Cities Conference as there was an emergency management class he would like to attend. Discussion ensued and it was determined that there were funds available in this years budget to allow for the emergency management class to be attended by Bill McCoy and Jane Vincent. Mr. Shrives said we will need to set some guidelines and policies to allow for additional training for City Councilors.

Mark Shrives said the Oregon Government Ethics Commission has sent out a reminder that City Councilors are required to only file an annual report, not quarterly as in the past.

3. Correspondence

- A. Lane County Sheriff – Contract Report for August 2009
- B. Lane County Sheriff – Calls for Service Report – September 2009
- C. Letter regarding Homecoming Parade from Sophomore Class President Sam Shrives
- D. Parks Advisory Board Meeting Minutes from September 17, 2009

4. Public Forum

Dennis Lyons who resides at 134 Sunday Drive, Creswell addressed the Council and thanked Mayor Bob Hooker and City Administrator Mark Shrives for attending the last Parks Advisory Board meeting and helping the board define their positions and offer direction.

5. Consent Calendar

- A. Approval of Minutes – September 14, 2009 City Council Meeting
- B. Approval of Bills – September 2009

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

6. Airport

- A. **Re-Acceptance of Airport Waterline Grant Resolution 2009-29 – A Resolution Accepting Federal Aviation Airport Improvement Project Grant #3-41-0083-007 Amendment No. 1; And Changing Appropriations Within the General Fund**

Airport Manager Shelley Humble said this is the acceptance of Airport Improvement Program Grant #3-41-0083-007 Letter Amendment No. 1 which allows the City to utilize the unexpended funds in the -007 grant that was accepted in 2008 to cover the final phase of the Airport Waterline Project.

David Case moved Bill McCoy seconded to approve Resolution 2009-09, FAA Airport Improvement Program Grant #3-41-0083-007, Letter Amendment No. 1 for project costs for work on the Airport Waterline Project in an amount not to exceed \$140,780.00 as presented. Voted on and carried unanimously.

- B. **Airport Consultant Tim Phillips – Critical Path, Inc. Update**

Mark Shrives said he received a memo from Airport Consultant Tim Phillips updating his progress to date. On September 4th, Mr. Phillips posed three questions to the FAA and is waiting for their response before he can complete his report. Mr. Phillips said he has had correspondence from Mr. Marc Miller, the Acting Regional Compliance Manager and had anticipated a reply before October 2, 2009 but has not yet heard anything to date. Mr. Phillips said he can deliver his report within five working days after receipt of the FAA's comments.

- C. **Not Used**

- D. **Precision Approach Engineering Pay Request #6**

Jack Gradle moved Jean McKittrick seconded that Invoice #1467 from Precision Approach for the Airport Waterline Improvement Project in the amount of \$118.06 be approved. Voted on and carried unanimously.

- E. **Precision Approach Engineering Pay Request #11**

Jean McKittrick moved Jack Gradle seconded that Invoice #1468 from Precision Approach Engineering for the Airport Waterline Improvement Project in the amount of \$2361.50 be approved. Voted on and carried unanimously.

7. Public Works

- A. **CH2MHill Pay Request**

Bill McCoy moved David Case seconded that Council approve Invoice No. 3719543 in the amount of \$30,495.80 from CH2MHill for the Water Treatment Plant Project a presented. Voted on and carried unanimously.

- B. **Contractors Inc. Pay Request #15 – Water Treatment Plant**

Jack Gradle moved Jean McKittrick seconded that Council approve pay request #15 from Contractors Inc. in the amount of \$45,906.00 for the Water Treatment Plant Improvement and Expansion Project as presented. Voted on and carried unanimously.

C. Contractors Inc. Change Order #36 – Water Treatment Plant

Jean McKittrick moved Jack Gradle seconded to approve change order #36 in the amount of a credit to the City of \$426.30 from Contractors Incorporated for the Water Treatment Plant Improvement and Expansion Project. Voted on and carried unanimously.

D. Contractors Inc. Change Order #37 – Water Treatment Plant

Bill McCoy moved Jean McKittrick seconded to approve change order #37 from Contractors Incorporated for a credit of \$7,247.10 for the water treatment plant improvement and expansion project as presented. Voted on and carried unanimously.

E. Eugene Sand Construction Pay Request #2 – 5th & “A” Street Improvement Project

David Case moved Jean McKittrick seconded that Council approve pay request #2 from Eugene Sand Construction in the amount of \$264,468.00 for the North 5th & “A” Street Improvement Project as presented. Voted on and carried unanimously.

8. Administration

A. Adoption of Downtown Plan Update

Mark Shrives said at the request of the Council during the September meeting he has had Volunteer Kyle Roberts review and insert sub area three into the Downtown Plan Update Volume Two.

David Case moved Bill McCoy seconded to adopt the Downtown Plan Update Volume Two dated September 2009 as presented. Voted on and carried unanimously

B. Resolution 2009-30 – A Resolution Changing Appropriations Within the General Fund

Mark Shrives said this resolution will move the funds for the video project the City is working on with Rick Dancer Media Services approved at the September meeting.

Bill McCoy moved Jack Gradle seconded that the Council approve Resolution 2009-30, A Resolution Changing Appropriations Within the General Fund. Voted on and carried unanimously.

C. Local Government Law Group Annual Fee Increase

Mark Shrives said the contract we currently have with Speer Hoyt LLC is outdated due to a name change and a rate increase. Mr. Shrives passed out a new contract that will be renewable every year instead of just a letter informing the City of changes. The rate increase this year for legal services is three percent.

Bill McCoy moved Jack Gradle seconded to approve the City of Creswell Attorney Fee Agreement between Local Government Law Group, A Member of Speer Hoyt LLC and the City of Creswell as presented. Voted on and carried unanimously.

D. Resolution 2009-31 – A Resolution Affirming the City of Creswell’s Support of and Partnership with the 2010 Census

Jack Gradle moved Jean McKittrick seconded that Council Approve Resolution 2009-31, A Resolution Affirming the City of Creswell’s Support of and Partnership with the 2010 Census as presented. Voted on and carried unanimously.

E. Request for Rate Increase by P & J Disposal

Mark Shrives said he has been approached by P & J Disposal owners Mark and Andrea Johnson with a request to review and increase rates for the collection and disposal of solid waste. Mr. Shrives said there is a sixty day notice requirement in Ordinance 305 and this serves as that notice. In addition to the rate increase they have also requested changes be made to Ordinance 305 which Mr. Shrives and the City Attorney will be working on and bring a draft copy to the November meeting. Mr. Shrives said at the December meeting the Council will need to decide to adopt the new City Ordinance and adopt, modify or deny proposed rate increases.

Mr. Johnson addressed the Council saying the recycling program started by the City from grant funds has been very costly to their business. He said the rate increase is very minimal and will allow for them to provide other services. Mr. Johnson said the state will require them to mandate yard waste removal once the population of Creswell reaches 10,000.

F. Advanced Strategies Group Costing of Police Servicing Report

Mark Shrives said in March of 2009 the City Council held a workshop to discuss the cost of police servicing. Mr. Rod Brown of Advanced Strategies led the workshop and provided the City with a feasibility study. In the conclusion of the study, Mr. Brown said it was his professional opinion that the City of Creswell not pursue the creation of their own police department at this time due to cost, nothing of significance discovered during the workshop that would indicate any changes needed from the current arrangement and in his opinion the future of law enforcement in Oregon will see more consolidations of police departments and regionalization under one authority.

David Case moved Jack Gradle seconded Council accepts the feasibility study prepared by Advanced Strategies Group for Costing of Policing Services dated March 30, 2009. Voted on and carried unanimously.

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

Jack Gradle moved Jean McKittrick seconded that Council approve invoice #8-307 for Nagao/Hansen Architects P.C. in the amount of \$1,730.75 for services on the City Hall project as presented. Voted on and carried unanimously.

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

Jack Gradle moved David Case seconded that Council approve Invoice #8-308 for Nagao/Hansen Architects P.C. in the amount of \$2,075.00 for additional services on the City Hall Project as presented. Voted on and carried unanimously.

I. Not Used

J. Essex Construction Change Order #42 – City Hall Project

Bill McCoy moved David Case seconded that Council approve construction change order #42 in the amount of \$3,872.72 from Essex General Construction Inc. for the City Hall Project as presented. Voted on and carried unanimously.

K. Essex Construction Change Order #43 – City Hall Project

Jean McKittrick moved Jack Gradle seconded that Council approve construction change order #43 in the amount of \$2,401.73 from Essex General Construction Inc. for the City Hall Project as presented. Voted on and carried unanimously.

L. Essex Construction Change Order #44 – City Hall Project

Jack Gradle moved Jean McKittrick seconded that Council approve construction change order #44 in the amount of \$539.84 from Essex General Construction Inc. for the City Hall Project as presented. Voted on and carried unanimously.

M. Essex Construction Change Order #45 – City Hall Project

Jean McKittrick moved Jack Gradle seconded that Council approve construction change order #45 in the amount of \$188.90 from Essex General Construction Inc. for the City Hall Project as presented. Voted on and carried unanimously.

N. Essex Construction Change Order #46 – City Hall Project

David Case moved Jean McKittrick seconded that Council approve construction change order #46 from Essex General Construction Inc. in a credit to the City of \$1,250.00 for the City Hall Construction Project as presented. Voted on and carried unanimously.

O. Essex Construction Change Order #47 – City Hall Project

Jean McKittrick moved Jack Gradle seconded that Council approve Construction Change Order #47 in the amount of \$203.19 from Essex General Construction Inc. for the City Hall Project as presented. Voted on and carried unanimously.

P. Pay Request Essex General Construction – City Hall Project

David Case moved Jean McKittrick seconded that Council approve Pay Request #11 in the amount of \$93,101.93 from Essex General Construction Inc. for the City Hall Project as presented. Voted on and carried unanimously.

Q. Creswell Chamber of Commerce Greet and Treat

Mark Shrives said in the past the city has co-sponsored with the Chamber of Commerce the Annual Greet and Treat. This event will be held on October 30th and allows Creswell businesses and clubs the opportunity to meet community members and allow youngsters a safe place to trick or treat and play games. The Council gave their consensus to the continued partnership of this event and provide the use of the community center.

9. Clerk's Report – None

10. Upcoming Meetings

- October 14, 2009 – Parks Advisory Board Meeting – Community Center – 6:00 PM
- October 15, 2009 – North Oregon Avenue Study – Joint Meeting – Planning Commission/City Council – Community Center – 6:30 PM
- October 24, 2009 Public Safety Committee Kickoff Event – Community Center – 2:00 – 4:00 PM
- November 12th Airport Commission Meeting – 6:30 PM

11. Adjournment

There being no further business to come before the council, Mayor Robert Hooker adjourned the meeting at 8:43 PM.

Robert A. Hooker, Mayor

Roberta J Tharp, City Recorder