

City of Creswell
City Council Minutes
November 9, 2009

Council Present:

David Case
Bob Hooker
Jean McKittrick
Jane Vincent

Jack Gradle
Bill McCoy
Bob Millam

Staff Present:

Roberta Tharp
Layli Nichols
Roy Sprout
Shelley Humble
Sgt. Cliff Harrold

City Recorder
Finance Director
Public Works Director
Airport Manager
Lane County
Sheriff

Council Absent 0

Press: 1

Audience: 10

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. Sheriff Update from Sgt. Cliff Harrold of Lane County Sheriff's

Sergeant Cliff Harrold of Lane County Sheriff's Department addressed the Council to give a brief update on Public Safety. Sgt. Harrold reported LCSO received a federal grant which allowed for the creation of three positions, one allocated for a South Lane Resident Deputy. Deputy Duane Toman, Creswell resident has been assigned to that position which is basically covers from Creswell south to the Lane County border, east and west. Sgt. Harrold said Deputy Toman will be working out of the Creswell office which will increase the visibility presence of the Sheriff's department in Creswell.

Sgt. Harrold updated the Council on North 5th Street and Harvey Road speed limit. During construction a temporary speed reduction of 25 MPH was put in place by the County. Since the completion of construction the signs have been removed and the speed limit has resumed to its original speed. The Sheriff's department has submitted a speed survey request to Oregon Department of Transportation (ODOT). ODOT will determine what the average speed for the area is and entertain recommendation requests from local law enforcement to what they feel the speed limit should be. Sgt. Harrold said he and Ed Chastney, Traffic Engineer for Lane County, recommend maintaining the 25 MPH posted speed zone on North 5th Street from Oregon Avenue north to Morse Avenue, then convert to 35 MPH from Morse north to Auburn, except for the school zone and then from Auburn to outside of the city limits a 45 MPH transition zone. Sgt. Harrold said this process takes about two months.

Sgt. Harrold reported he and Mark Shrives have met with the Historical Society in regards to the theft and vandalism at Garden Lake Park. At that meeting it was discussed the reward money the society has earned be used as seed money to begin a mini crime stoppers program limited to Creswell. One suggestion was to open up a unanimous voice box tip line for citizens to call in information regarding criminal activity.

Sgt. Harrold said January will mark his 4th year as Contract Sgt. for LCSO, but has requested to go back to Main Office Patrol and will be turning the contracts over to Sgt. Doug Osborne effective January 2, 2010. Sgt. Osborne has been with LCSO for twelve years, nine of which he has been a sergeant, the past five years as a civil sergeant.

Finance Director Layli Nichols said in regards to speed limits, North 5th Street and Harvey Road is identified as a major collector street in the city's transportation plan. A major collector is intended to be a road that doesn't

necessarily always adhere to the residential zone by limiting ingress and egress points, for example the new construction in that area faces away from Harvey Road with residential access off of another street. Although it does provide for the requirement to have curb, gutters, sidewalks and bike lanes on the road and with the addition of those safety features, ODOT will probably take these factors into consideration along with local law enforcement recommendations when determining the speed limit.

Jane Vincent commented in regards to the striping of parking and bike lanes along West A Street between North 5th and North 8th Street.

B. Interchange Area Management Plan- Denise Walters

Due to illness this item is pending to the December 7th meeting. Bill McCoy said he would like to have other developed plans to show how they integrate with the Interchange Area Master Plan. Bob Millam moved Jack Gradle seconded to re-open and extend the written comment period until the December 7, 2009 City Council meeting. Voted on and carried unanimously.

2. Comments from Mayor, Councilors and City Administrator

Bob Hooker reported he attended the Lane County ACT (Area Commission on Transportation) meeting earlier this week. All areas in the state with the exception of Lane County have a commission which serves as advisory bodies or liaisons between city's, counties and The Oregon Department of Transportation regarding transportation issues. Lane County Commissioners have hired a consultant to put together an initial board for the formation of an ACT in Lane County.

Jane Vincent said she has received comments from citizens regarding the economic development story running on the City Website produced by Rick Dancer regarding the cost of the water treatment plant. Ms. Vincent said the story indicates the water treatment plant cost \$18,000,000.00. Finance Director Layli Nichols clarified the story says the new water treatment plant and the sewer plant combined cost around \$18,000,000.00 which is a pretty fair estimate.

Bill McCoy reported thirteen citizens attended his round table for the Emergency Management Kick Off and has completed his application for Neighborhood Watch Coordinator. Mr. McCoy said the school district is interested in creating a safe house and block home program in Creswell. Mr. McCoy also gave a report on the Emergency Management Class he attended in Newport saying the class was very informational and very interesting. Mr. McCoy also asked the status regarding the Code Enforcement Officer and the possibility of funding a few hours a month to work with Neighborhood Watch. Finance Director Layli Nichols said they have gotten through the paperwork and are beginning to put together a job description and Mr. Shives will report on the funding part next month.

3. Correspondence

- A. Lane County Sheriff – Contract Report for September 2009
- B. Lane County Sheriff – Calls for Service Report – October 2009
- C. Creswell School District Letter on Cross Walk Safety
- D. Parks Advisory Board Meeting Minutes – September 17, 2009
- E. Letter of Intent to apply for a Recreational Trails Grant

A discussion ensued with the council giving their consensus to move forward with the Recreation Trails Grant.

- F. Save the Schoolhouse Fundraising Letter – Mission Statement – Meeting Agenda

4. Public Forum

Carolanne Sudderth, residing at 465 South 7th Street, Creswell, addressed the Council asking about the Recreational Trails Grant for Garden Lake Park. Ms. Sudderth also volunteered to help with the Neighborhood Watch program.

5. Consent Calendar

- A. Approval of Minutes – October 12, 2009 City Council Meeting
- B. Approval of October 15, 2009 Joint City Council/Planning Commission Meeting Minutes
- C. Approval of Bills – October 2009

Jane Vincent asked to have the October 15th Joint City Council/Planning Commission Meeting Minutes amended to reflect her absence. Bob Millam stated he also was not in attendance and asked to have the October 15th minutes amended to reflect his absence.

Bob Millam moved David Case seconded to approve the consent calendar as amended. Vote on and carried unanimously.

6. Airport

A. Pay Request #1 – Precision Approach Engineering – Airport Waterline Improvement Project – Shelley Humble/Mark Shrives

Bob Millam moved Jack Gradle seconded that Invoice #1493 in the amount of \$3,162.28 from Precision Approach Engineering for the Airport Waterline Improvement Project be approved. Voted on and carried unanimously.

B. Rural Business Enterprise Grant Proposal Award – Shelley Humble/Mark Shrives

Bob Hooker asked Finance Director Layli Nichols to present the RBEG Proposal Award agenda item for Mark Shrives. During last fiscal year the Council directed staff to pursue funding to develop an Airport Feasibility Study and Business Plan for Creswell Hobby Field. In June the City was notified by the USDA Rural Development Office it had been granted a \$7,000.00 RBEG. Ms. Nichols said funding for this grant was declared, discussed and approved during the budget process and to be paid for from State Revenue Sharing funds. During the budget process, the City was under the impression the RBEG would be a dollar for dollar match and after receiving the grant documents back, with the approval of the grant, it says the funding they will provide in terms of the grant is \$7,000.00 requiring a \$9,000.00 match from the City. During the budget process it was discussed expending \$7,000.00 not \$9,000.00 from State Shared Revenues for the purpose of this match. This would allow \$16,000.00 to complete the study and plan. The RFP received from Elesco Limited, One of the Sunriver Group of Companies is for a fixed price of \$15,000.00 to complete the study and plan. A discussion ensued as to the urgency to act upon or pend this agenda item to the next meeting. Ms. Nichols said the Council could approve it pending resolution of funding sources. Ms. Nichols said she is not sure if the proposal total of \$15,000.00 will decrease the grant amount or the city's participation amount.

Bill McCoy moved Bob Millam seconded that the City Council accept the RFP from Elesco Limited, One of the Sunriver Group of Companies to complete an Airport Feasibility Study and Business Plan for the fixed price of \$15,000.00, pending resolution of funding sources for the establishment of additional funds in the amount of \$2,000.00. Voted on and carried unanimously.

C. Airport Consultant Update – Mark Shrives

Bob Hooker said the last report he received was that Mr. Phillips has not gotten a response from the FAA in regards to questions he has asked of them and Mr. Shrives has instructed him to submit a second request.

7. Public Works

A. Contractors Inc. Pay Request #16 – Water Treatment Plant

Jack Gradle moved Jean McKittrick seconded that Council approve pay request No. 16 from Contractors Inc. in the amount of \$47,830.00 for the Water Treatment Plant Improvement and Expansion Project as presented. Voted on and carried unanimously.

B. Eugene Sand Construction Pay Request #3 – 5th & “A” Street Improvement Project

David Case moved Jean McKittrick seconded that Council approve pay request #3 from Eugene Sand Construction in the amount of \$57,372.00 for the North 5th & “A” Street Improvement Project as presented. Voted on and carried unanimously.

8. Administration

A. Resolution 2009-33 – A Resolution Formalizing City of Creswell Membership in the Lane County Regional Housing Rehabilitation Consortium by Entering into an Intergovernmental Agreement.

Bill McCoy moved Jack Gradle seconded that the City Council approve Resolution 2009-33 A Resolution Formalizing City of Creswell Membership in the Lane County Regional Housing Rehabilitation Consortium by Entering Into an Intergovernmental Agreement. Voted on and carried unanimously.

B. Letter of Resignation Creating a Vacancy on the Parks Advisory Board

David Case moved Bill McCoy seconded the Council accept Deb Jolda's resignation from the Parks Advisory Board and direct staff to advertise and accept applications for the vacant position. Voted on and carried unanimously.

C. Not Used

D. Request for Rate Increase by P & J Disposal

Bob Hooker asked Finance Director Layli Nichols to review this agenda item due to the absence of Mark Shrives. Ms. Nichols said the information presented tonight is provided as reference material only and this will be considered as the 60 day notice requirement for proposed rate increase as per Ordinance 305. A draft copy of a new Ordinance is attached that includes information added per the request of the franchise holder, requirements of the State due to the recycling program and additional language recommended by the City Attorney. The Council needs to review, discuss and come to a consensus on this draft ordinance to incorporate any changes or deletions so the final copy can be presented at the December Council meeting. A discussion ensued with the following changes being made to the draft ordinance:

1. Page 10, Section 5 – Replace City of Oakridge with City of Creswell
2. Page 3, Section 8 – insert 150 pounds in loaded weight

3. Page 2, Section 1 – should read ORS 466.005
4. Page 2, Section 1 – replace the word another with a governmental unit having jurisdiction
5. Page 3, Section 3 – replace every seven days with monthly bases provided that it is kept in a sealed container
6. Page 3, Section 8 – include plastic behind the word rigid
7. Page 5, Section 7 – renewed for an additional 5 year term,
8. Page 5, Section 7 – Ms. Nichols will review wording with City Attorney
9. Page 3, Section 5 – As an exception, a permit may be issued in accordance with Local Ordinance.
10. Page 6, Section 7 – Addition to paragraph – Payments of Franchise Fees to the City must be accompanied by the appropriate paperwork showing gross receipts for quarterly franchise amounts. Mr. Johnson asked if the paperwork could be exempt from public record, Ms. Nichols said she would check in to this.

Mr. Johnson owner of P & J Disposal said he had a question in regards to Page 8, Section 121, #3 – Who determines a reasonable rate of return if there is not a fixed amount in place? Ms. Nichols said she received correspondence from the attorney and read the section pertaining to this question. In summary, the City Attorney does not recommend that an exact percentage be placed in the ordinance, but if the Council wishes to place a definite percentage value on the rate of return it could also place a “no less than” standard into this section. Discussion ensued with the Council asking to hear from legal counsel to ensure they are completing this properly. Ms. Nichols said she will e-mail Speer Hoyt with the Councils questions and then forward the legal recommendations to Councilors before the next meeting.

Jane Vincent declared a conflict of interest being that her grandson is employed by P & J Disposal.

A discussion ensued regarding a 20 percent rate increase for garbage collection services, with the last resolution for a rate increase being passed in 2006, that provides for an annual CPI of 2 percent from that point forward. Bob Hooker asked Mr. Johnson how they completed their comparisons and Mr. Johnson replied a rate study with comparable cities.

The Council gave their consensus to incorporate the proposed rates into a resolution and bring back to the December City Council meeting.

E. Liquor License Application – Heidi Tunnell’s Catering Company

David Case moved Jack Gradle seconded to approve the Limited On-Premises Sales and the Off-Premises Sales Liquor License Application for Heidi Tunnell Catering Company as presented. Voted on and carried unanimously.

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

Jack Gradle moved Jean McKittrick seconded that Council approve invoice #8-316 from Nagao/Hansen Architects P.C. in the amount of \$727.00 for services on the City Hall project as presented. Voted on and carried unanimously.

A discussion ensued regarding the move to the new City Hall.

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

Jack Gradle moved Jean McKittrick seconded that Council approve Invoice #8-317 from Nagao/Hansen Architects P.C. in the amount of \$1,501.25 for additional services on the City Hall Project as presented. Voted on and carried unanimously.

9. Clerk’s Report – None

10. Upcoming Meetings

- November 11, 2009 – Veteran’s Day – City Hall Closed
- November 13, 2009 – Save the Schoolhouse Committee – 10:00 AM – Creswell Library
- November 19, 2009 – Parks Advisory Board Meeting – 6:00 PM – Community Center
- November 26th & 27th – Thanksgiving Holiday – City Hall Closed.

11. Adjournment

There being no further business to come before the council, Mayor Robert Hooker adjourned the meeting at 8:23 PM.

Robert A. Hooker, Mayor

Roberta J Tharp, City Recorder