

City of Creswell  
City Council Minutes  
April 12, 2010

Council Present:

David Case  
Bob Hooker  
Jean McKittrick  
Jane Vincent

Jack Gradle  
Bill McCoy  
Bob Millam

Mark Shrives  
Roberta Tharp  
Layli Nichols  
Roy Sprout  
Shelley Humble  
Titus Tomlinson  
Denise Walters  
Sgt. Douglas Osborne  
Lissa Davis

City Administrator  
City Recorder  
Finance Director  
Public Works Director  
Airport Manager  
RARE Intern  
City Planner  
Lane County Sheriff  
Code Enforcement  
Officer

Staff Present:

Council Absent: 0

Press: 1

Audience: 22

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. Annual Creswell Municipal Court Review**

The Honorable Judge Palmer addressed the Council to give his Annual Municipal Court Review. Judge Palmer reported in the past year Creswell Municipal Court has had to postpone and re-schedule two court dates due to illness. He requested direction from the Council to compile a list of potential candidates of Pro Tem Judges for staff to review and appoint a Pro Tem for emergencies and vacations.

Judge Palmer reviewed the Court's diversion plan for first time offenders and reported due to County budget cuts the court is using Quality Research instead of Lane County Mental Health for drug and alcohol assessments. He also gave a quick overview of House Bill 2287, a temporary surcharge of \$45.00 to be added to actions filed on or after October 1, 2009 and before July 1, 2011. In all cases of conviction for the commission of a crime or violation, excluding parking violations, the court shall impose upon the defendant, in addition to any fine, cost or other monetary obligation imposed, an offense surcharge. Offense surcharges imposed in the municipal court shall be paid to the city treasurer.

In 2009 Creswell Municipal Court saw two hundred three cases and held eighteen trials. The court assessed \$60,958.42 in fines, assessments and fees and collected a total of \$49,049.62. Included in the amount collected \$21,817.00 was turned over from Professional Credit Services (Collection Agency) on delinquent accounts, and the City paid the State and County a total of \$12,000.00 in court assessments.

Judge Palmer acknowledged the court staff for a job well done and invited the Council to sit in on a court session.

The Council gave their consensus to direct Mark Shrives to work with Judge Palmer in finding a Pro-Tem Judge for Creswell Municipal Court.

**2. Public Hearing**

**Land Use Fee Update – Denise Walters**

City Planner Denise Walters addressed the Council and presented a brief overview of the Land Use Fee Update. The proposed changes to the Land Use Fee Schedule will transition flat fees to base fees in order to cover actual processing costs and reflect a more equitable rate structure, reduce some of the base fees for land use decisions, and establish a fee for an Extension of Tentative Partition and Subdivision Plat Approval.

A discussion ensued regarding the decrease in fees.

Ms. Walters said City staff received written comment today from the Home Builders Association of Lane County expressing concerns regarding land use fee increases. Her response to the letter is there are not any proposals for fee increases at this time.

Bob Hooker opened the public hearing on Resolution 2010-04 – A Resolution Establishing Lane Use and Planning. There being no public testimony Mr. Hooker closed the public hearing.

**A. Resolution 2010-04 – A Resolution Establishing Land Use and Planning Fees for the City of Creswell and Rescinding Resolution 2009-11**

Bob Millam moved Jean McKittrick seconded the City Council approve Resolution Number 2010-04, A Resolution Establishing Planning and Land Use Fees for the City of Creswell and Rescinding Resolution 2009-11. Voted on and carried unanimously.

**3. Youth Advisory Council Presentation – Titus Tomlinson/Ryan Dodson**

Ryan Dodson addressed the Council and gave a short powerpoint presentation on the Creswell Youth Advisory Council (CYAC). The CYAC has been working with Titus Tomlinson RARE (Resource Assistance for Rural Environments) and Laura Rariden of the Creswell Clubhouse to establish the CYAC Bylaws and a Memorandum of Understanding that defines the roles and responsibilities of the Partnership between the City and the Clubhouse. The mission of the CYAC is to provide local youth an active voice for the City of Creswell and to improve youth involvement in the community. The purpose of the CYAC is to educate youth, inspire and motivate youth, improve communications between youth and the City, advocate for the needs of youth and identify and carryout events that are important to our communities youth.

A discussion ensued regarding this as a great opportunity and Bob Hooker thanked them for all their hard work.

Bill McCoy moved David Case seconded that Council approve Resolution 2010-05 A Resolution Establishing the Creswell Youth Advisory Council and further acknowledge the CYAC as an advisory committee for the City of Creswell as presented. Voted on and carried unanimously.

**4. Comments from Mayor, Councilors and City Administrator**

Bob Hooker said he has been attending and participating in the Lane County Area Commission on Transportation meetings and hopes they will have their Bylaws completed next week.

Jane Vincent asked if the vacancy left by Martin Heymann's resignation on the Budget Committee had been filled. Mr. Shrives said he has never received a letter of resignation from Mr. Heymann but will follow up with him this week.

Bill Mccoy introduced Carol Kelch, Martha McReynolds, Jr., Lois Schriber and Carol Vandervort to the Council. This group presented a quilt made community members who have spent the last two and a half years designing and sewing based on the history of Creswell to display in the New City Hall. The group received a quote for a display case from Advanced Cabinet in the amount of \$1850.00. Mr. Shrives said he will include the cost of the display case in the 2010-11 budget.

**5. Correspondence**

- A. Lane County Sheriff – Contract Report for February 2010
- B. Lane County Sheriff – Calls for Service Report – March 2010
- C. Resignation Letter from Johnson, Montgomery, & LaVassaur, P.C.

Mr. Shrives said Mr. Montgomery has been providing auditing services to the City since 1988 and a number of his staff is retiring, therefore, they will not be providing municipal auditing in the future. The City will need to put out a Request for Proposal for a new auditor.

- D. Save the Schoolhouse Committee Minutes – March 24, 2010
- E. Charter Communications Price Adjustments

**6. Public Forum**

There were no public comments presented.

**7. Consent Calendar**

- A. Approval of February 8, 2010 City Council Meeting Minutes

**B. Approval of Bills – February/March 2010**

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

**8. Airport**

**A. Pay Request – Pacific Excavation, Inc. – Waterline Improvement Project**

Jack Gradle moved Bob Millam seconded to approve final pay request from Pacific Excavation, Inc. – Release of Retainage in the amount of \$4,729.90. Voted on and carried unanimously.

**B. Pay Request #6 for Task Order #4 – Precision Approach Engineering (Inv. 1599)**

Jack Gradle moved Jean McKittrick seconded that Council approve Invoice #1599 from Precision Approach Engineering in the amount of \$2,079.45 for the Airport Waterline Improvement Project as presented. Voted on and carried unanimously.

**C. Pay Request #1 for Task Order #5 – Precision Approach Engineering (Inv. 1600)**

Bill McCoy moved Jack Gradle seconded that Invoice #1600 from Precision Approach Engineering in the amount of \$2,108.50 for the Airport Capital Improvement Project be approved. Voted on and carried unanimously.

**D. Pay Request – Final Task Order #4 (Inv. 1625) Precision Approach Engineering**

David Case moved Bill McCoy seconded to approve Invoice #1625 from Precision Approach Engineering in the amount of \$510.25 for the Airport Fire Suppression Waterline Extension Project. Voted on and carried unanimously.

**9. Public Works**

**A. Water/Wastewater Position Discussion**

During the budget process last year, a second water/wastewater plant operator position was included in the budget to allow the City to have an operator at each facility. The City is now ready to advertise for this position but the job description will need to be approved before we can move forward. The intent of having two operators are for each person to have primary duties at one facility but then have the ability to cross train to cover in the absence of the other.

Bill McCoy moved Jack Gradle seconded the City Council adopt the Water/Wastewater Treatment Operator Job Description as presented. Voted on and carried unanimously.

**B. Contract Amendment to Water Improvement Project**

The City contracted with the State of Oregon in order to fund the Water Improvement Project. The contract has been previously extended two years beyond the original completion date and requires another extension to allow for the performance testing period required as part of the PALL Corporation Contract.

Mr. Shrives reported the testing period for this project is anticipated to be completed in September but in order to continue to receive funding from the state we will need to amend the contracts that will carry us through to the end of the year and the completion of the project.

Amendment Number 3 from the Creswell's Safe Drinking Water Revolving Loan Fund and Amendment Number 4 from the Water/Wastewater Financing Program, allows additional time for final system testing and closeout activities for the Water Improvement Project. Also included is an amended Promissory Note for the State of Oregon Business Development Department which requires the payment of accrued interest in December 2010.

Bob Millam moved Jack Gradle seconded to approve the State of Oregon Business Development Department Contract Amendment Number 3 for the Creswell Water System Improvement Project. Voted on and carried unanimously.

Jack Gradle moved Jean McKittrick seconded to approve the State of Oregon Business Development Department Contract Amendment Number 4 for the Creswell Water System Improvement Project. Voted on and carried unanimously.

Jean McKittrick moved Bill McCoy seconded to approve the amended promissory note between the State of Oregon Business Development Department and the City of Creswell for the Creswell Water System Improvement Project. Voted on and carried unanimously.

**10. Administration**

**A. Sanipac Rates – Resolution 2010-06 A Resolution Adopting A New Rate Structure for Solid Waste Disposal Services Proposed by Waste Connections (SaniPac), for the City of Creswell and Rescinding Resolution 2009-34**

Bill McCoy moved Jack Gradle seconded to approve Resolution 2010-06, A Resolution Adopting A New Rate Structure for Solid Waste Disposal Services Proposed By Waste Connections (SaniPac), for the City of Creswell and Rescinding Resolution 2009-34 as presented. Voted on and carried unanimously.

Jason Craft of Waste Connections, Sanipac addressed the Council saying there is a small legal issue they are working out and expect to close the deal with the next two weeks.

**B. Not Used**

**C. Pay Request – Nagao/Hansen Architects P.C. (Inv. 10-26)**

Jean McKittrick moved Bob Millam seconded that Council approve Invoice #10-26 from Nagao/Hansen Architects P.C. in the amount of \$1,151.25 for Services on the City Hall Project as presented. Voted on and carried unanimously.

**D. Pay Request – Nagao/Hansen Architects P.C. (Inv. 10-27)**

Bob Millam moved Jean McKittrick seconded that Council approve Invoice #10-27 from Nagao/Hansen Architects P.C. in the amount of \$587.50 for services on the City Hall Project as presented. Voted on and carried unanimously.

**E. Cascadia Consulting Contract/Task Order #1**

As directed at the March 8, 2010 meeting Mr. Shrives presented the Contract for Consulting Partnership for the Cobalt building project with Cascadia Consulting and Task Order #1 – Capital Campaign Planning Initiation. Task Order #1 will begin to move the Cobalt Building Project forward by starting a Capital Campaign Plan in order to find potential funding for the project.

Bob Millam moved Jack Gradle seconded to approve the Professional Services Agreement between the City of Creswell and Cascadia Consulting Partnership for the Cobalt Building Project. Voted on with Councilors Case, Gradle, Hooker, McKittrick, McCoy and Millam voting in favor and Councilor Vincent opposing.

Jean McKittrick moved Jack Gradle seconded to approve Cascadia Consulting Task Order #1 in an amount not to exceed \$5,700.00. Voted on with Councilors Case, Gradle, Hooker, McKittrick, McCoy and Millam voting in favor and Councilor Vincent opposing.

**F. Federal Emergency Management Agency (FEMA) ICS 100 Training**

Mr. Shrives said he was contacted by Joe Raade of South Lane Fire and Rescue in regards to a FEMA ICS 100 training session he was conducting. This course is designed to help elected officials become NIMS (National Incident Management System) certified which is required for grant funding. A discussion ensued regarding the need to take the 700 & 800 series courses and Councilor Millam encouraged other Council members to participate even if taking the courses online.

**G. Code Enforcement Discussion**

Mr. Shrives introduced Lissa Davis, Creswell's newly hired Code Enforcement Officer. Ms. Davis addressed the Council giving a brief bio and said in her two weeks on the job she has met with Mark Shrives, Lane County Sheriff's, Roy Sprout and City Planner Denise Walters to discuss priorities for code enforcement violations. The group identified a list of initial code enforcement priorities as follows: Encroachments of Right-of-ways abandon vehicles, abatement issues, signs, and sight visibility issues. Mr. Shrives said it is the intention to construct public education and outreach through the City newsletter and newspaper with the overall goal being permanent voluntary compliance.

**H. Parks Advisory Board Recommendations**

Park Advisory Board Chair Sheila Hale addressed the council and presented four recommendations to the City Council from the Parks Advisory Board.

- Develop a Town Square in the block that encompasses Oregon Avenue, Front Street, South First and C Streets
- Completion of Harry Holt Park
- Purchase land for new parks and
- Continue with Ad Hoc Work Groups

A discussion ensued regarding the purchase and development of property owned by Bill Spencer for a Town Square. Mr. Shrives said the Parks SDC's would be the funding source for the purchase of the property in which Mr. Spencer isn't opposed to selling but he would like to see some designs before pursuing a deal. Mr.

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Shrives said he can possibly work on the design portion of the project when he is working on the design for the second floor of City Hall.

Discussion ensued regarding the completion of Harry Holt Park by reclaiming the old parking areas and replanting with grass, parking on 5<sup>th</sup> Street for the Museum, and cost estimates for the improvements to the park. Mr. Shrives said he would bring cost estimates back to the Council for the recommended completion list for Holt Park.

**I. Council Committee Discussion**

A discussion ensued regarding clarification of Council committee duties. Mr. Hooker said these are standing committees that don't necessarily have a function until something comes up that needs to be looked into. The committees are advisory committees that make recommendations to the City Council.

Further discussion ensued regarding the creation of the Parks Advisory Board in 2005 after Resolution 2004-02 A Resolution Creating Council Committees was adopted.

Mr. Shrives reported the contract for the elevator in City Hall has been drawn up, the drawing have been completed, manufacturing time is an eight to ten week process and should be installed sometime in July.

**11. Clerk's Report** – None

**12. Upcoming Meetings**

- A. March 11, 2010 – Airport Commission – 6:30 PM Community Center
- B. March 12, 2010 – Save the Schoolhouse – 10:00 AM Creswell

Mr. Shrives distributed the materials for the Joint City Council/Airport Commission April 15<sup>th</sup> Work Session.

**13. Adjournment**

There being no further business to come before the council, Mayor Robert Hooker adjourned the meeting at 8:12 PM.

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Robert A. Hooker, Mayor

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Roberta J Tharp, City Recorder