

City of Creswell
City Council Minutes
July 12, 2010

Council Present:

Jack Gradle
Bob Hooker
Jane Vincent

Bill McCoy
Jean McKittrick
Bob Millam

Staff Present:

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

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

Council Absent: 0

Press: 1

Audience: 7

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. City Council Appointment/Oath of Office

Bob Hooker said the City has received four applications to fill the vacancy on City Council created by the resignation of David Case. He has spoken to all four of the applicants and this being a tough decision, Mr. Hooker nominated Mike Anderson to fill the City Council position and asked if there were any other nominations. Jane Vincent moved to nominate Alan Pointer with the motion dying for a lack of a second.

Bob Hooker moved Jack Gradle seconded to appoint Mike Anderson to fill the vacancy on the Creswell City Council until the term ends on December 31, 2010. Voted on with Mayor Hooker and Councilors Gradle, McCoy, McKittrick, Millam and voting in favor with Councilor Vincent opposing.

Mayor Hooker presented the oath of office to Mike Anderson.

2. Special Presentations

A. Water Rights Presentation – Adam Sussman – GSI Water Solutions, Inc.

Mr. Shrives reported the Water Rights Project has been ongoing for approximately three years and the City has recently achieved all water rights being certificated. Mr. Shrives introduced Adam Sussman of GSI Water Solutions, Inc. who worked with City Engineer Ron Stahelin and Public Works Director Roy Sprout to complete this project. Mr. Sussman gave a brief Powerpoint presentation on Water Rights 101 and explained the terminology and process to reach the certificated status.

Mr. Sussman outlined the City's five Water Rights:

- Four Municipal Supply Water Rights
 - Two (2) Ground Water
 - Two (2) Surface Water and
- One (1) Municipal Fire Protection and Pollution Abatement Water Right

A discussion ensued regarding the terminology of "Use It or Lose It", and Mr. Sussman said being a municipal user of water, the City's water rights are locked down so "use it or lose it" will not apply. Mr. Sussman said the City of Creswell is in good standing with all water rights now certificated.

B. Tree City USA – Titus Tomlinson

Titus Tomlinson RARE (Resource Assistance for Rural Environments) Intern addressed the council giving a brief update on the Tree City USA project. Mr. Tomlinson thanked Councilor McCoy for all of his help on this project. Tree City USA is a program sponsored by the Arbor Day Foundation in cooperation with the USDA Forest Service, with fifty four cities in Oregon being recognized as a Tree City. Mr. Tomlinson has been working on

getting the application ready for submittal but would like direction from the Council as whether they want to move forward in having Creswell recognized as a Tree City community. To qualify as a Tree City USA community the City must meet four requirements:

- Establish a Tree Board or Department
- Adoption of a Tree Care Ordinance
- A Community Forestry Program with an Annual Budget of at Least \$2 Per Capita
- An Arbor Day Observance and Proclamation

A discussion ensued regarding the City meeting the requirements and the financial impact to the City. Mr. Tomlinson reported after researching he has found the City meets most of the requirements currently. The Council gave their consensus for Titus Tomlinson to move forward with the application process to have the City of Creswell be recognized as a Tree City USA community.

C. Cobalt Building Update – Titus Tomlinson

Titus Tomlinson, RARE Intern gave a brief update on the Cobalt Building Re-development Project. The Capital Campaign Committee met on June 30th with Rich Foster of Cascadia Consulting to discuss self-funding, local donation and grants, and various local fundraising strategies. Mr. Foster presented a budget to the committee outlining this project as a \$2,500,000.00 project which includes the value of the building, the land, feasibility study and all of the work that is going into the project. Mr. Tomlinson reported they are moving forward and are on track with the Cobalt Building Re-development Project.

D. CYAC – Creswell Youth Advisory Committee Update – Ryan Dodson

Ryan Dodson, President of the Creswell Youth Advisory Council (CYAC) addressed the Council providing a brief update of the recent activities of CYAC. Prior to the 4th of July festivities, they joined efforts with the Creswell Clubhouse and cleaned up Harry Holt Park by picking up trash and re-painting the picnic tables and gazebo. Mr. Dodson said on July 17th they will be assisting the Kiwanis Club of Creswell in their annual “Run for the Kids” road race, and are working with the Library on an upcoming dance later in the month. Mr. Dodson also reported CYAC has also developed a Facebook page on the internet.

3. Comments from Mayor, Councilors and City Administration

Jane Vincent commented she was reprimanded a while back for speaking out about the cost of the New City Hall being \$2,000,000.00 and wished to reiterate the fact that she still believes this to be true. Bob Hooker asked her to explain where she is getting her information and Ms. Vincent replied the Oregon Department of Revenue (DOR). Ms. Vincent said she contacted the DOR after reviewing the proposed budget for the next fiscal year following the budget hearing, with complaints focusing mainly on the new City Hall and the Water Treatment Plant. (A copy of a letter addressed to Ms. Vincent from Lee Peterson, DOR in response to complaints filed against the City regarding budgeting issues is included in Correspondence 4-J).

When asked, Ms. Vincent said she choose to contact the DOR instead of contacting staff because she feels she has been unjustly reprimanded for speaking out about the cost of the New City Hall. The response letter from DOR reflects of the fifteen complaints filed, fourteen were unfounded.

Finance Director Layli Nichols said she and Mark Shrives have had telephone conversations with Lee Peterson from DOR to review the filed complaints. It was determined a clerical error had been made, which has since been corrected to reflect the appropriate numbers. Ms. Nichols asked Mr. Peterson if another budget hearing was needed and he did not feel that was required.

A discussion ensued regarding the purpose of budget meetings and addressing issues at those meetings, the responsibilities of budget committee members, contacting staff or City Auditor with questions before going to outside sources, and attending budgeting classes yearly provided by the Department of Revenue.

Mark Shrives reported Lissa Davis, Code Enforcement Officer has set a meeting for July 19, 2010 to discuss the sign ordinance. She has asked various business owners and Councilor Jack Gradle to attend the meeting to provide input for the revision of the ordinance. At the June meeting the City Council placed a moratorium on the sign codes until a committee could review and revise the ordinance. Ms. Davis will be bringing the proposed revisions before the Council at the September meeting.

Mark Shrives reported the Homeowners Association at Emerald Valley has come up with a short term solution for their irrigation water. At the June City Council meeting, representatives from the Homeowners Association addressed the Council in regards to entering a lease agreement with the City for use of a well at Emerald Valley for irrigation purposes. The association is concerned about the length of time it will take to get the lease in place and are working with McDougal Brothers for a temporary solution. Mr. Shrives said the Council will probably revisit this topic at a later date.

Mark Shrives reported the City has begun interviews for the 2010-2011 RARE Intern. A total of seven applicants are being interviewed by Mark Shrives, City Planner Denise Walters and Titus Tomlinson to fill the position.

4. Correspondence

All Comments for Correspondence were given under Comments from Mayor, Councilor and City Administration.

5. Public Forum

No public testimony was given.

6. Consent Calendar

- A.** Approval of February 23, June 1, 7, 21, 2010 City Council Meeting Minutes
- B.** Joint City Council/Airport Commission April 15, 2010 Meeting Minutes
- C.** Approval of June 2010 Bills

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

7. Airport

A. Capital Improvement Project (CIP) – Shelley Humble/Mark Shrives

Airport Manager Shelley Humble addressed the Council to present and review a revised CIP list for submittal to the FAA. The previous list included hangar construction and she has been informed the FAA will not fund hangars. The revised list does not include hangars.

Bill McCoy moved Jean McKittrick seconded that Council approve the Revised 2011 Capital Improvement Plan (CIP) Project List and associated FAA required forms as presented. Voted on and carried unanimously.

B. Courtesy Car Discussion – Shelley Humble/Mark Shrives

Mark Shrives said during Airport meetings the topic of a courtesy car has come up on several occasions. The Airport has been given the opportunity to receive a donated 1996 Volvo wagon for the use of a courtesy car. Mr. Shrives said he has talked this over with Attorney Ken Jones and also with the risk manager at City Insurance Services (CIS) and they will cover the liability on a courtesy car but there is no coverage for the person driving the car. Mr. Shrives is in the process of drafting a form for the use of the Courtesy Car if the Council would like him to move forward with this opportunity.

Discussion ensued with the Council giving their consensus to accept the donated 1996 Volvo wagon to be used as a courtesy car at the Airport and continue working out the details.

8. Public Works

A. Pay Request – CH2MHill – Water System Improvement Project

Jean McKittrick moved Jack Gradle seconded that Council approve Invoice No. 3754619 in the amount of \$13,147.58 from CH2MHill for the Water Treatment Plant Project as presented. Voted on and carried unanimously.

9. Administration

a. Intergovernmental Agreement – Lane County Animal Contract

Jean McKittrick moved Jane Vincent seconded to approve the Intergovernmental Agreement with Lane County for Animal Control Services for the fiscal years of 2010-2013. A brief discussion ensued regarding the contract being pretty much the same as before except it includes updates to the Lane County Animal Code. Voted on and carried unanimously.

b. Not Used

c. Acceptance of Speed Zone Investigation on Harvey Road from Goshen-Divide Hwy (OR 99) to West Oregon Avenue

Jack Gradle moved Bill McCoy seconded that Council accept the Speed Zone Investigation conducted on Harvey Road from Goshen-Divide Hwy. (OR 99) to West Oregon Avenue (Request ID 6598) and direct the City Administrator to notify the State Traffic Engineer. Voted on and carried unanimously.

d. League of Oregon Cities – Legislation Survey

A discussion ensued regarding the League of Oregon Cities Legislation Survey for the 2011 Legislative Agenda for the upcoming conference. Mark Shrives gave his recommendation of the four issues he felt would be most beneficial for the City of Creswell as:

- Community Development – Population Forecasts
- Finance & Taxation – State Shared Revenues

City of Creswell
City Council Minutes
July 12, 2010

- Telecommunications – Tax Equity Issues of State Telecommunications laws
- Transportation – Resolve the disconnect between the Transportation Planning Rule and other statewide land use planning goals.

Bob Hooker moved Bob Millam seconded to respond to the League of Oregon Cities Legislative Survey by marking B) Community Development – Population Forecasts, G) Finance & Taxation - State Shared Revenues, R) Telecommunications and S) Transportation. Voted on and carried unanimously.

e. Liquor Licenses Applications

i. Creswell Coffee Company

Bob Millam moved Jack Gradle seconded to approve the Liquor License for the Creswell Coffee Company. Voted on and carried unanimously.

ii. Round-up Tavern

Bob Millam moved Jack Gradle seconded to approve the Liquor License for the Round-up Tavern. Voted on and carried unanimously.

f. LOC Conference Early Bird Registration

Mr. Shrives asked the Council to have their registration for the League of Oregon Cities Conference in to Roberta Tharp by Friday, July 16th in order to take advantage of the price break on early registration.

Mark Shrives announced the city has received an Intent to Appeal to LUBA (Land Use Board of Appeals) by the developer of a single family residence on Kings Row. Mr. Shrives said once it has been filed he will have Attorney Carrie Connelly present the Council with an update if need be.

10. Clerk's Report – May 31, 2010

11. Upcoming Meetings

1. August 9, 2010 – Creswell City Council Meeting
2. August 13, 2010 – Save the Schoolhouse
3. August 23, 2010 – Joint City Council/Airport Commission Meeting

12. Adjournment

There being no further business to come before the council, Mayor Robert Hooker adjourned the meeting at 8:08 PM.

Robert A. Hooker, Mayor

Roberta J Tharp, City Recorder