

City of Creswell
Council Minutes
March 13, 2006

The Regularly Scheduled Council Meeting was called to order by Mayor Ron Petitti and the pledge of allegiance given.

Council Present:

Ron Petitti, Mayor	Nathan Marple
Tim Demanett	Bill McCoy
Ron Hanson	Cathy Morgan
Bob Millam	

Staff Present:

Mark Shrives	City Administrator
Layli Nichols	Finance Director
Roy Sprout	Public Works Director
Shelley Humble	Airport Manager
Carrie Connelly	City Attorney
Paul Thompson	LCOG

Press: 3

Audience: 44

1. Public Hearing – System Development Charges

Mayor Petitti opened the public hearing to receive public input with regard to the proposed system development charges for transportation and parks.

Paul Thompson, from Lane Council of Governments (LCOG) gave a background on the proposed Parks and Transportation SDCs. It was noted that Parks SDC's would be assessed only to residential property owners and Transportation SDC's would be assessed to all new development in the City and to any increased or changed usage of property within the City.

No further testimony being offered, Mayor Petitti closed the Public Hearing.

- a. Ordinance No. 434 – An Ordinance amending Ordinance No 417, authorizing the establishment of SDC's for the City of Creswell and declaring an emergency

Councilor Ron Hanson read Ordinance 434 twice by title and moved to adopt proposed Ordinance No. 434 as stated above; Council Bob Millam seconded the motion. The proposed ordinance was read by title twice as no one present wished it read in its entirety. Voted on and unanimously carried.

- b. SDC Resolution (Parks) No. 2006-04

City Attorney Carrie Connelly reviewed proposed Resolution No. 2006-04. Following discussion, Councilor Ron Hanson moved to adopt Resolution No. 2006-04 establishing System Development Charges for Parks as outlined above and declaring an emergency. Councilor Cathy Morgan seconded the motion. Voted on and unanimously carried.

- c. SDC Resolution (Transportation) No. 2005-05

City Attorney Carrie Connelly reviewed proposed Resolution No. 2006-05. Councilor Tim Demanett moved to adopt Resolution No. 2006-05 as proposed and declaring an emergency. Councilor Bob Millam seconded the motion. Voted on and unanimously carried.

- d. Resolution No. 2006-06 – A Resolution classifying certain fees and charges as not subject to the limitations of Article XI, Section 11b of the Oregon Constitution (Measure 5)

City Attorney Carrie Connelly stated this is a conservative step in the effort to limit the amount of time that SDC's can be challenged in the court as taxes. It was noted that the City deems these charges as fees and not taxes. Councilor Cathy Morgan moved to adopt Resolution No. 2006-06. Councilor Tim Demanett seconded the motion. Voted on and unanimously carried

2. Special Presentation – Alan Bennett

- a. Mayor Ron Petitti thanked former City Councilor Alan Bennett for his outstanding service to the City of Creswell and the Council. Mayor Petitti said it was a pleasure and honor to present Mr. Bennett with a plaque for his tenure as a City Councilor.

- b. Region 2050 Update

Carol Hinkle from Lane Council of Governments (LCOG) gave an update on Region 2050 including a Technical Report, Regional Growth Concept, and a Region Growth Management Strategy. The information included an update on the process, interim products, and a brief highlight on what it all means to our community. Ms. Hinkle noted that further information regarding Region 2050 is available on the website. Further discussion ensued and Mayor Petitti stated there has been a lot of progress made on this plan and appreciated all Ms. Hinkle's work.

3. Comments from Mayor, Councilors, and City Administrator

- a. 2006 Committee Assignments

Mayor Petitti reviewed his annual Committee Appointments and pointed out that he had reappointed Dennis Grice to another 4-year term on the Planning Commission. He advised the Council there were two vacancies on the Airport Commission – a Council Member and a Planning Commission Member. Councilor Millam agreed to be reappointed the Airport Commission.

- b. Graffiti Discussion

Councilor Tim Demanett stated he has noticed a number of commercial buildings in the City being tagged. He would like to discuss an ordinance which would limit the time a business would have to cover the graffiti before the City painted over it and bill the business owner. Mayor Petitti stated this was a very difficult problem to police and resolve and feels the City should look into an ordinance. Councilor Tim Demanett and City Administrator Mark Shives will research graffiti ordinances and bring them back for Council review and adoption.

4. Public Forum

Bob Clack of 31 Honer Loop, Creswell addressed the Council with the proposal for an award to city residents for having a "Lawn of the Month" and "Lawn of the Week". No action was taken by the Council at this time.

5. Correspondence

The correspondence was reviewed by the Council. Mayor Petitti stated there would be no discussion this evening regarding the Drop Zone issues pending legal review.

6. Consent Agenda

Councilor Ron Hanson moved and Councilor Morgan seconded to approve the consent agenda as submitted. Voted on and unanimously carried.

7. Old Business

a. Final Design for City Hall

Ken Nagao of Nagao Pacific gave a presentation on the construction process for the New City Hall and showed sketches of different building types and styles. There was discussion regarding the mortuary building adjacent to City Hall. City Administrator Mark Shrives stated he has a handshake deal with the owner, Larry Heater, and is waiting on the paper work. Additional discussion ensued regarding the cost of construction and Mr. Nagao stated there are no final figures at this time as the city needs to agree on plans. A work session has been scheduled for March 27th to confirm plans with the Council.

b. Staff Relocation during City Hall Construction

City Administrator Mark Shrives stated the original plan was to move City Hall to the old library building on 2nd Street. Upon further investigation and the need for addition staffing as recommended by the city auditor, it was found that the old library was not suitable. Suitable office space is available in the Cascade Hardware Complex on Mill Street. City Administrator Mark Shrives recommended a lease agreement be negotiated for that site. Discussion ensued and Mayor Petitti requested City Staff proceed with negotiations for that site.

c. Request for grant sponsorship from Sandy Halonen representing NEDCO

City Administrator Mark Shrives stated this item had been presented at January's Council Meeting. He stated that sponsorship for this program would cause additional audit and added cost to the City. Mr. Shrives stated it is the staff recommendation not to serve as sponsor for the Regional Housing Center Grant. There was Council consensus.

d. Appeal of the Creswell Planning Commission's approval of a request by EGR Engineering, on behalf of Phil Velie, for a 19 lot residential subdivision (Case No. SUB-2005-01)

Mayor Ron Petitti excused himself due to a personal conflict. Councilor Cathy Morgan also declared a conflict due to her husband being chair of the Planning Commission and her absence at the last meeting. Councilor Ron Hanson presided over this agenda item. Councilor Bill McCoy moved and Councilor Tim Demanett seconded to affirm the Planning Commission's decision regarding the preliminary 19-lot subdivision and adopt the revised findings. The motion carried unanimously by those present.

e. Appeal of the Creswell Planning Commission's approval of a request by EGR Engineering, on behalf of Phil Velie for a planned unit development (Case No. PUD-2005-01)

Councilor Bob Millam moved and Councilor Bill McCoy seconded to affirm the Planning Commission's decision regarding the Planned Unit Development and adopt the revised findings. Motion carried. Tim Demanett, Ron Hanson, Bob Millam, Bill McCoy, and Nathan Marple voted in favor of the motion. Mayor Ron Petitti and Councilor Cathy Morgan abstained from voting.

f. 7th Street Construction Project – Update

City Administrator Mark Shrives gave an update on the 7th Street Reconstruction Project. The engineers estimate is \$140,000 to reconstruct 7th Street from A Street to Oregon Avenue. Mr. Shrives also recommended adding one block of C Street from 2nd to 3rd Street in the construction bid. Discussion followed regarding sidewalks, curbs, and gutters. It was Council consensus to add the C Street Project to the bid.

8. Airport

a. Land Use Permit Update with Oregon Department of Transportation

City Administrator Mark Shrives explained the City has a permit from Oregon Department of transportation (ODOT) for the property located just north of the Airport, used as the drop zone. ODOT issues two permits for use of this 40 plus acre parcel each year, the other being Harrold's Dairy. Mr. Shrives said in reviewing the permit agreement several questions arose and his recommendation is to take no action until he receives further clarification from ODOT.

b. Update on Airport Master Layout Plan

Airport Manager Shelley Humble explained that David Miller of Century West Engineering has submitted a Preliminary Alternatives Evaluation to the Master Layout Plan for Council review. She stated the evaluation is informational only however would like to hear council comments to take back to the Airport Commission. The advisory committee is working with the planner and will make recommendations to the Airport Commission which will be taken to City Council for consideration.

9. Public Works

a. Pay Request – Eugene Sand and Gravel

Cathy Morgan moved Ron Hanson seconded to approve pay request # 7 to Eugene Sand and Gravel for the Nieblock Interceptor project in the amount of \$74,194.17 as presented. Voted on and unanimously carried.

b. Amendment No. 5 to Engineering Services agreement for Wastewater System Improvements

Cathy Morgan moved Tim Demanett seconded to approve amendment No. 5 to engineering services agreement with West Yost & Associates for the Wastewater System Improvements as presented. Voted on and unanimously carried.

c. West Yost & Associates Pay Request – Nieblock Interceptor Project

Ron Hanson moved Bob Millam seconded to approve West Yost & Associates Pay Request Invoice # 2010180 for \$15,708.00 as presented. Voted on and unanimously carried.

d. Eugene Sand & Gravel Change Order No. 3 – Nieblock Interceptor Project

Cathy Morgan moved Bill McCoy seconded to approve Change Order No. 3 to Eugene Sand & Gravel for a total credit to the City of Creswell in the amount of \$11,824 as presented. Voted on and unanimously carried.

e. Nieblock Interceptor Project – Acceptance of Substantial Completion

Bill McCoy moved Bob Millam seconded to accept the Engineer's Certificate of Substantial Completion for the Nieblock Interceptor Project between the City of Creswell and Eugene Sand & Gravel date February 23, 2006 as presented. Voted on and unanimously carried.

f. West Yost & Associates Pay Request – Wastewater System Improvements

Bob Millam moved Cathy Morgan seconded to approve West Yost & Associates pay request invoice No. 2010179 in the amount of \$819.00 as presented. Voted on and carried unanimously.

10. City Administration

a. Presentation Regarding Periodic Review/ Comprehensive Land Use Plan Update

City Planner Megan Banks presented a plan for periodic review and distributed a Comprehensive Plan Update and the Oregon Statewide Planning Goals. Mrs. Banks addressed and prioritized each goal noting state funding does not become available until July 1, 2007. She explained this is a multi-year process which could take between two and three years optimistically. Discussion ensued regarding the availability of funding for the project and Ron Hanson said he would like to receive a financial proposal from city staff before proceeding.

b. Administration Personnel Proposal

City Administrator Mark Shrives said per his conversation with the City Auditor, it was deemed necessary to add additional personnel to City Hall staff. Mr. Shrives recommended segregating positions and have a Financial Director, add a new City Recorder/ Admin Aide position, modify the Utility Billing/Court Clerk I & II positions and add a receptionist. Ron Hanson asked when these changes would take effect. Mr. Shrives noted he would develop job descriptions and would like to be in the hiring process by May or June 2006. He also stated he would like to be in the new temporary offices by June and would like to have the new employees come on board at that time. It was the consensus of the council to move forward with the additional staffing recommendation.

c. National Incident Management System (NIMS) Compliance

NIMS is a program through homeland security which calls for implementation of an incidental management system providing a consistent nationwide approach for federal, state, tribal and local governments to prepare for and respond to all hazards including acts of terrorism. City Administrator Mark Shrives explained if the City intends to become NIMS compliant the City is required to submit a self-certification letter to Lane County. Bob Millam stated this is a result of Hurricane Katrina and recommended the City complete the letter. Council gave consensus to proceed.

11. Clerk's Report

Finance Director Layli Nichols reviewed the Financial Statement through the period ending February 28, 2006.

12. Other Business

a. Work-session – East Side Sewer Service

City Administrator Mark Shrives said a work-session to discuss sewer service east of I-5 has been scheduled for March 27, 2006 at 6:30 p.m.

b. Standards and Practices Statements of Economic Interest

City Administrator Mark Shrives reminded the Council that Statements of Economic Interest are due April 15, 2006 and should be completed by all Council, Planning Commission members and some City staff. He noted they should be turned into City Hall or mailed. If mailed, Finance Director Layli Nichols should be advised.

13. Executive Session per ORS 192.600 (2) (h) and ORS 192.600 (2) (f)

There being no further business to come before the council, Mayor Petitti adjourned the meeting before entering into executive session and called for a two-minute recess.

Ron Petitti, Mayor

Layli A. Nichols, City Recorder