

The regularly scheduled council meeting was called to order by Mayor Ron Petitti and the pledge of allegiance given.

Council Present:

Ron Hanson Cathy Morgan
Bob Millam Bill McCoy
Alan Bennett Tim Demanett

Council Absent: 0

Staff Present:

Mark Shrives City Administrator
Layli Nichols Finance Director
Roy Sprout Public Works

Press: 2

Audience: 26

1. Comments from Mayor, Councilors, and City Administrator

Mark Shrives, City Administrator stated he received a press release regarding a sexual assault at Holt Park and an investigation was ongoing.

Mayor Ron Petitti announced the Creswell Advisory Park Board Member appointments to be Jeff Gabriel, Ron Hanson, Shawn Hittenberger, Juli McLennan, A. J. O'Connell, Ann O'Connell, and Mayor Ron Petitti. Bill McCoy moved Bob Millam seconded to appoint the Creswell Advisory Park Board members as presented. Voted on and unanimously carried.

2. Special Presentations/Discussions

a. Update regarding City Hall Remodel

Ken Nagao of Nagao Pacific addressed the council and presented revised drawings for the City Hall remodel for review. He noted a site review plan has been submitted to the Planning Commission for approval and highlighted the following: Construction would occur in phases as the budget allows; The building shell would be two stories high in phase I; finishing of the 2nd story would occur in a later phase; there is a possibility of acquiring the England's Memorial building and Mr. Nagao showed floor plans with and without the additional space; Council and Court chambers would be housed on the 2nd story when complete; an emergency generator which could service City Hall and the Community Center is being planned; the gravel parking lot on 1st and C Street would be improved and the City hopes Lane Transit District will be willing to participate in the cost of those improvements. A short discussion ensued regarding the England Memorial Chapel building and time frame of construction. It was noted funds are committed in the 05-06 budget and the project should go out for bid before the end of the fiscal year.

b. Future status of Old Library Building and Neighborhood Watch Building

City Administrator Mark Shrives said Public Works Director Roy Spout inspected the Neighborhood Watch Building. Mr. Spout said a lot of vandalism occurs and feels the building condition is unsafe at this time. Mr. Spout asked two contractors for estimates on cost of bringing the building to ADA standards for public use. One estimate was for \$30,000 to \$35,000, another \$40,000-\$45,000. Mr. Spout asked Shawn Eaton, City Building Inspector, to check out the Old Library Building. It was noted in the inspection that the biggest issue was that the building did not have a foundation wall and that the total cost to convert the library from post to block foundation would be between \$6,000 and \$10,000. It was noted that the land is valued at \$25,000-\$35,000 at this time and that the land and building were donated to the City of Creswell by the Creswell Civic Club in 1980. Mayor Ron Petitti asked Mark Shrives, City Administrator, to evaluate the city's need for space and discussed the use of the building for storage for the city until the City Hall is expanded. Bill McCoy noted there is lead paint on the building and bats residing within the structure. Alan Bennett stated if the use of the building changes, the city must bring it up to ADA (American Disabilities Act) Standards. Ron Hanson said the Neighborhood Watch Building could be used for Food for Lane County at this time with very few upgrades. He noted there is an existing ADA Ramp but the back porch needs to be removed. A short discussion ensued regarding the buildings and Beth Bartell of Community Food for Creswell again voiced interest in the Neighborhood Watch building.

Ron Hanson moved Cathy Morgan seconded to authorize city staff to investigate costs for upgrading the Neighborhood Watch building for use by Community Food for Creswell. Voted on and unanimously carried.

Tim Demanett stated he would like to see the library building used for temporary storage for the City of Creswell so City Hall and employees can function properly until the remodel construction is completed. There was discussion concerning fire issues and a short discussion ensued regarding the document storage issues of the City. It was proposed to allow City Hall to use the building for temporary storage and form a committee to determine its long-term use. Pastor Jared Laskey, Creswell Christian Center, proposed using the Library building for a community activity center. He has items he is willing to donate to the center and noted and questions regarding the proposal could be directed to him.

3. Public Forum

Robert Edwards, AmeriCorp Volunteer at Creswell High School stated the first day of service, October 22, 2005, is make a Difference Day and had heard about the Garden Lake Park project and would like approval to conduct a project at Garden Lake Park on October 22, 2004. Mayor Ron Petitti stated he would plan the project out for them.

4. Correspondence

- a. Letter from David Calderwood regarding rabies vaccinations
- b. Letter from Roberta L. Boyden, DVM, regarding rabies vaccinations

Mark Shrives, City Administrator, stated two additional letters received had been handed out at the beginning of the meeting.

5. Consent Calendar

- a. Acceptance of Permanent Public Utility and Public Access Way Easement

(Norburn and Anna Whittington)

- b. Acceptance of Temporary Permanent Public Utility and Public Access Way Easement (Norburn and Anna Whittington)
- c. Intergovernmental Agreement for Planning Assistance
- d. Liquor License Application, Chalice Vineyards, LLC
- e. Correction of reconciliation error
- f. Minutes from September 12, 2005 City Council Meeting
- g. Approval of Bills

Alan Bennett moved, Cathy Morgan seconded, to approve the consent calendar as presented. It was voted on and unanimously carried.

6. Old Business

- a. Requirement for veterinarians to report rabies inoculations (Mike Wellington of Lane County Animal Regulation Authority)

Resolution No. 2005-20, a resolution consenting to the application of Lane County Ordinance 19-04 inside the City Limits of the City of Creswell to require the filing of rabies vaccination certificates with the County Health Administrator.

Mike Wellington, Program Manager for LCARA (Lane County Animal Regulation Authority) gave a Power Point Presentation regarding LCARA and its function in the community. It was noted that LCARA has served Lane County since 1978 and its core duties are to provide direct public assistance, issue and track licenses, and return dogs to their owners. They also assist customers with questions, gather complaints, process adoptions, and monitor dangerous dogs. Mr. Wellington stated that 1242 adoptions were processed during the past year. He discussed Animal Welfare Officers, Animal Neglect and Abuse, Licensing requirements, and confidentiality of information. He stated that all information collected is not considered public record and would be protected under ORS 192.501(2), Ordinance 19-04. He said the only information stored in LCARA's system is the animal owners name, address, phone number, and information on the animal, i.e.: name, breed, color, age, veterinarian, rabies expiration date, and dates of renewal. He listed the benefits of rabies reporting and ended the power point presentation. There were no questions for Mr. Wellington. Discussion ensued and it was noted that the City of Creswell has a different fee schedule than the County fee schedule. It was stated that the City of Creswell charges \$4.75 for altered and senior, and \$9.75 for an intact dog. The matter then came open for discussion.

Rita Castillo, Springfield Budget Committee, Lane County Human Services Committee, is a proponent of the law and feels the county needs to be consistent in following the law. Ms. Castillo stated there is not a governmental body in the United States that has adopted this regulation that has decided to undo this law.

Lorraine Still, Creswell, OR, is opposed to this law. Mrs. Still feels all dogs should be licensed and vaccinated but mandatory requirements will push some owners to not vaccinate their dogs at all rather than become part of a database they fear will be misused. Mrs. Still reiterated that from a public health and safety standpoint, it is more important to vaccinate your animals from rabies than it is to license them. She again urged the City Council to not adopt this resolution.

Cynthia Sinclair, Central Lane Justice, and Judge for animal cases in Lane County stated she is puzzled as to why anyone would not want someone to know their dog had been vaccinated. She stated she is a proponent of this law and stated it is written to protect the licensing veterinarian

Sheri Schlorman, DVM – Creswell Veterinarian Hospital, stated that since the Council Meeting of September 2005, she has had several people from Eugene bring their animals to her for rabies shots. She noted those clients expressed they do not want their personal information released. Ms. Schlorman stated this code undermines her relationship with her clients and strongly opposes this ordinance.

Discussion ensued and Ron Hanson stated this is a tough situation and he understands both sides of the issue but felt we should not put our veterinarians in this position. Mr. Hanson noted he appreciates the working relationship the City has with LCARA and is very thankful for their help.

Mary Kirkpatrick stated she is in opposition and has received comments from three different veterinarians in our area and all are against mandatory licensing.

Debby Berry, Lane County, has attended the Task Force meetings and absolutely believes in licensing, but is opposed to this law due to personal experience in California with mandatory rabies reporting. She stated knowing people going out of state for vaccinations.

Ron Hanson moved Tim Demanett seconded to OPPOSE Resolution 2005-20. Voted on and carried unanimously.

7. Airport

a. Update of User Agreement and Letter regarding Enforcement of Safety Plans

Mark Shrives, City Administrator stated the Airport Commission meeting was to be rescheduled as no quorum was at the previously scheduled meeting. Mr. Shrives stated that ODOT is going to require the city to provide liability insurance for the use of the Skydiving Drop Zone. It was noted that the Skydiving schools would possibly have problems getting the liability coverage to provide to the city. Tim Demanett stated that if ODOT is requiring the city to name them as a secondary insured, then the city should require the Skydiving schools to provide insurance liability naming the city as a secondary insured. Mr. Demanett stated he purchased a \$1,000,000 insurance policy for 48 hours when he organized the Day on the Green Car Show and did not ask the City to cover him. He stated the City of Creswell is unique in that there are only two other cities in the state of Oregon that provide skydiving activities. Mr. Shrives stated the Safety Plan is nearing completion and the only thing missing were the hours of operation.

b. (Motion) – Fence Improvement Project #AIP 3-41-4100-18, Change order #1

It was noted that an addition of property was required for this change order. Cathy Morgan moved Bob Millam seconded to approve Change Order #1 for AIP Project 3-41-4100-18. It was voted on and unanimously carried.

8. Public Works

a. West Yost & Associates – Pay request Nieblock Interceptor

Ron Hanson moved Cathy Morgan seconded to approve pay requests Invoice #2009295 for #19,970.39, for West Yost and Associates, as reviewed and approved by the City's Director of Public Works and City Administrator. It was voted on and unanimously carried.

b. West Yost & Associates – Pay request Wastewater Project

Cathy Morgan moved, Alan Bennett seconded to approve pay request for West Yost and Associates invoice #2009294 in the amount of \$8,735.92 as reviewed and approved by the City's Director of Public Works and City Administrator. It was voted on and unanimously carried.

c. Pay request – Eugene Sand & Gravel for Nieblock Interceptor project

Bob Millam moved Alan Bennett seconded to approve pay request #2 for Eugene Sand and Gravel in the amount of \$378,298.08 as reviewed and approved by the City's Engineer, Director of Public Works, and City Administrator. It was voted on and unanimously carried.

d. Acceptance of Quote for Heating System Upgrade in Community Center (no agenda item, will be discussed by Roy Sprout)

Ron Hanson moved Bill McCoy seconded to approve the purchase of two (2) heat pumps for the Creswell Community Center. It was voted on and unanimously carried.

e. Request for temporary pole placement by EPUD in Garden Lake Park (no agenda item, will be discussed by Roy Sprout)

Mark Shrives, City Administrator stated this is a temporary situation and a pole is to be set in place by EPUD in the Garden Lake Park area. Discussion ensued regarding the placement of the pole. The council gave consensus to allow placement of a temporary pole by EPUD.

9. City Administration

a. Appointments of Parks Board Advisory committee Members (Mayor Petitti)

This item was taken out of order and introduced under #1 on the Agenda. Mayor Ron Petitti read the names of the appointed Creswell Advisory Park Board to be Jeff Gabriel, Ron Hanson, Shawn Hittenberger, Juli McLennan, A. J. O'Connell, Ann O'Connell and Ron Petitti. It was moved, seconded, and unanimously carried. Refer to item #1 on the Agenda.

b. Resolution No. 2005-23, A Resolution expressing support for recommendations made by the Lane County Public Safety Task Force (Mayor Petitti)

Mayor Ron Petitti stated the goal of this Task Force is to fix the Public Safety issue in Lane County. Mayor Petitti noted that Lane County's tax base is 35th lowest in the State of Oregon at \$1.28 per thousand and after identifying the goal the next issue was to tackle the budget. He stated many items were eliminated and many more could not be funded at this time but the Task Force came up with a program and recommendations to the County Commissioners. Mayor Petitti said numerous funding sources have been looked at but noted there would not be enough money to provide all of the necessary services. The county is asking for a three-year period to show the people what can be done. Two funding sources are being considered at this time, a 1% sales tax, or a Business Gross Receipt Tax of 1%. All monies would be dedicated to Law Enforcement with a 1% cap. Ron Hanson asked Mayor Petitti what his recommendation is, Mayor Petitti responded that he is in favor of the 1% Sales Tax and he feels that the Gross Receipt Tax unfairly targets business. Ron Hanson moved Alan Bennett seconded to approve Resolution No. 2005-23 as presented. It was voted on and unanimously carried.

10. Clerk's Report – none

11. Other Business

- a. Work session to discuss the sewer service area East of I-5 (October 24, 2005)
- b. RTMP (Rural Tourism Marketing Plan) Grant for Creswell Chamber of Commerce in the amount of \$10,032. Alan Bennett moved Ron Hanson seconded to approve the application for the RTMP Grant between the City of Creswell and Lane County to be passed through to the Creswell. It was voted on and unanimously approved.

12. Adjournment

There being no further business to come before the council, Mayor Petitti adjourned the meeting.

Ron Petitti, Mayor

Layli A. Nichols, City Recorder