

City of Creswell
Council Minutes
November 7, 2005

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

Council Present:

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

Council Absent:

Ron Hanson

Staff Present:

Mark Shrives	City Administrator
Layli Nichols	Finance Director
Shelley Humble	Airport Manager
Roy Sprout	Public Works
Megan Banks	City Planner/ (Lane Council of Governments - LCOG)

Others Present:

Ken Nagao, Nagao Pacific
Steve Celest, West Yost & Associates

Press: 2

Audience: 11

Public Hearing – Case No. ANNEX-2005-04, a request by Geomax, Inc., on behalf of Valley Development LLC, to bring approximately 20 acres (Assessor’s Map 19-03-13-00, tax lot 2500, 2504, 2506 and Assessor’s Map 19-03-13-24 tax lot 900) into the city of Creswell corporate limits. The site is currently zoned and designated Residential. The application will be reviewed under Sections III.C.1, 2, 9 and 10 of the Creswell Comprehensive Plan, Statewide Planning Goal 14 (Urbanization) and any applicable sections of the Creswell Development Code.

City Planner, Megan Banks reviewed the request for annexation of 20 acres owned by Valley Development LLC located south of Emerald Valley Golf Course and north of Cloverdale. The northern section abuts city limits. The developmental goal of annexation is residential. Mrs. Banks stated all policies are within the comprehensive plan regarding annexations and this property adheres to statewide planning goals and meets annexation criteria and requirements. It was noted there is no public sewer available to this site and the applicant would like to cross connect with the west side of I-5 pumping along Cloverdale Road and under I-5. The applicant has been in discussion with ODOT (Oregon Dept. of Transportation) regarding boring under I-5. It was noted the line must be at least 10 feet deep and out of the ODOT right-of-way. Should the development move forward, the City must enter into a maintenance agreement with ODOT. The applicant must submit an application and gain approval from the Lane County Boundary Commission.

Mayor Ron Petitti opened the Public Hearing.

Ron Rice of GEOMAX Engineering represented property owner Valley Development LLC. Mr. Rice feels it is possible to service sewer to this area and recommends annexation of this property to the City.

Don Bowers, 34184 E. Cloverdale Road, lives south of this area. Mr. Bowers expressed concerns of development within a floodway. Megan Banks stated that no development has been planned for the property at this time so flood concerns have not been discussed.

No further comments were received and Mayor Ron Petitti closed the Public Hearing.

1. Comments from Mayor, Councilors, and City Administrator

No comments were received

2. Special Presentations/Discussions

- a. Update Regarding City Hall Remodel

Ken Nagao, Nagao Pacific, addressed the council noting he has created a new drawing including the remodel of the Sheriff's Office and the addition of the England's Memorial Chapel lot. Mr. Nagao explained it would be more cost effective to demolish the existing building versus reusing the existing structure. He said there are several different design scenarios to consider. Mr. Nagao suggested creating a work-session to discuss the options. Mr. Nagao noted the potential design changes of incorporating the Sheriff's Office space in the building design and relocating this space to the northwest corner of the proposed new structure. He further noted the 2nd floor would house the council chambers and would be completed during a future phase of the project. Mayor Petitti scheduled a work-session to review design options for November 17, 2005 at 6:00 p.m. The intent is to submit development plans to be reviewed at the December 15th Planning Commission meeting.

3. Public Forum

No comments

4. Correspondence

- a. Project Approval for Special City Allotment Grant

- b. Letter from John Hammer regarding Water Usage

City Administrator Mark Shrives explained a request had been received by Mr. Hammer to credit his water bill due to a leak in the irrigation meters on Melton Rd. Finance Director Layli Nichols explained the City had reduced Mr. Hammer's water bill two years ago as it was being turned on by someone other than the City or Mr. Hammer. Last year Mr. Hammer came back with the same issue and public works installed locks on all of his meters and they remained dormant from September of 2004 until the billing cycle of August 2005. She noted that at the time the locks were placed, just after the billing cycle of September 2004, there was residual usage but not much and the locks stayed in place until Mr. Hammer requested the city remove them. Ms. Nichols quoted different meters and readings in comparison and noted they did not show excessive usage. Mayor Ron Petitti suggested sending a letter to Mr. Hammer explaining the consumption and that the bill needs to be paid. Council gave consensus for Mr. Shrives to respond to Mr. Hammer's request, noting the charges as shown are due and payable.

- c. League of Oregon Cities Conference Highlights

d. Letter from Tree Lighting Committee

This letter is a request from the Creswell Holiday Tree Lighting Celebration committee for funding of a street banner promoting the Annual Holiday Tree Lighting Celebration in the amount of \$447. Bob Millam moved Cathy Morgan seconded, to approve the purchase of a banner for the Creswell Holiday Tree Lighting Celebration in the amount of \$447.00 as presented. Voted on and carried unanimously.

e. Letter of Resignation from Alan Bennett

Mayor Ron Petitti thanked Councilor Alan Bennett for all of his hard work, and expressed appreciation for all he has done for the City of Creswell. Mayor Petitti then asked for recommendations to fill the vacancy. It was suggested the Councilor position be open to the public by advertising and bring recommendations back to the December council meeting.

f. Memo from League of Oregon Cities Director Ken Strobeck

5. Consent Calendar

- a. Minutes from October 10, 2005 City Council Meeting
- b. Approval of Bills for Payment

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

6. Old Business

a. Future Use of Neighborhood Watch Building

City Administrator Mark Shrives stated he met with Councilor Ron Hanson, Public Works Director Roy Sprout, and Beth Bartel from Food for Creswell. It was suggested the City of Creswell donate \$2,500 for electrical and structural repairs to the Neighborhood Watch Building for use by Food for Creswell. Mr. Shrives recommended Food for Creswell should pay for utilities and provide a general liability insurance policy to the city for \$500,000. Jeff Walsh, President/Chairman of Food for Creswell stated the recommendation sounds fair and does not feel paying utilities would be a problem. It was noted that the cost for a handicap ramp is included in the \$2500 donation. Bob Millam moved Cathy Morgan seconded to approve the use of the Neighborhood Watch Building by Food for Creswell and a donation of \$2,500 to complete needed repairs of the structure. Voted on and unanimously carried.

7. Airport

a. Pay Request for David Evans and Associates (Airport Waterline Extension)

Cathy Morgan moved Alan Bennett seconded to approve payment of invoices #175920 and #179956 in the amount of \$6,302.35. Voted on and unanimously carried.

b. Final Pay Request 2G Construction (Airport Fence Project – AIP No. 3-41-4100-18)

Alan Bennett moved Bob Millam seconded to approve the final pay request as submitted by 2G Construction in the amount of \$11,640. Voted on and unanimously carried.

8. Public Works

a. Pay Request – Eugene Sand and Gravel for Nieblock Interceptor Project

It was noted that completion of this project is one week behind the original schedule. There will be a change request coming for additional cost due to rock they ran into during construction. Bob Millam moved Cathy Morgan seconded to approve pay request #3 for Eugene Sand and Gravel in the amount of \$341,345.44 submitted. Voted on and unanimously carried.

- b. Not used
- c. Not used
- d. Resolution #2005-25, a Resolution Adopting the 2002 APWA/ODOT Oregon Standard Specifications and Drawings for Construction

Steve Celeste of West Yost & Associates addressed the council and explained that the APWA standards govern how infrastructure is built and stated the current version of standards were developed in 2002 and include improvements in technology. Mr. Celeste recommended the City adopt the 2002 standards and stated that contractors and developers are using the 2002 standards and most importantly reflect the current standards of materials. Discussion ensued regarding possible amendments to the standards. Roy Sprout, Public Works, stated that Ron Staehlin, City Engineer, had already begun the process of addendums. Bill McCoy moved Cathy Morgan seconded to adopt Resolution #2005-25 which adopts the 2002 APWA/ODOT Oregon Standard Specifications and Drawings for Construction. Voted on and unanimously carried.

- e. Pay Request West Yost and Associates (WWTP Project)

Alan Bennett moved Tim Demanett seconded to approve pay request for West Yost and Associates invoice #2009464 in the amount of \$2,996.98. Voted on and unanimously carried.

- f. Pay Request West Yost and Associates (Nieblock Interceptor Project)

Cathy Morgan moved Alan Bennett seconded to approve pay request invoice #2009465 for \$14,232.75 for West Yost & Associates. Voted on and unanimously carried.

- g. Interest Payment to Slayden Construction

City Administrator Mark Shrives stated there is a \$6,452.38 remaining interest balance on contract payments. Mr. Shrives recommended payment of the interest and noted the remaining issues are going to mediation. Bob Millam moved Alan Bennett seconded to approve interest payments to Slayden Construction in the amount of \$6,452.038 as presented. Voted on and unanimously carried.

9. City Administration

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

Mayor Petitti stated that most of the members were appointed at the November 2005 Council meeting and would like to finish the appointments by appointing Dennis Lyons and Jason Blazer to the committee. Alan Bennett moved Tim Demanett seconded to approve the appointments. It was voted on and unanimously carried.

- b. Donation of Parks/Recreation Building and Open Space

City Administrator Mark Shrives distributed a map of the Hazelwood Terrace Conceptual Open Area East of First Street. Discussion ensued regarding the dead end area of E. West Lane, with discussion of a Linear Park along the street. It was noted that the property owner is willing, as part of their donation of open space to install landscaping, trees, vandal-proof benches, low level lighting, and a small park area. Mr. Shrives stated he would like a recommendation from the City Council to the Parks Committee regarding this open space. It was noted there would be no parking in this area and that it would be a walking area only. The council gave consensus to proceed with the discussion.

- c. Qwest Litigation Contribution

Mark Shrives, City Administrator, feels there is a valid point regarding Qwest and the telecom issues and recommends approval of the request by League of Oregon Cities for Cities to contribute to a continuing litigation fund for the final phases of litigation with Qwest. Bob Millam moved Alan Bennett seconded to approve the litigation contribution of \$365.62 as requested by the League of Oregon Cities. It was voted on and unanimously carried.

- d. Resolution #2005-24, a Resolution supporting the Property Owner-Initiated Annexation of Territory to the City of Creswell

It was noted that a Public Hearing was held at the beginning of this council meeting. Bob Millam moved Alan Bennett seconded that Resolution 2005-24 be adopted subject to a completed annexation agreement, (including applicant and city signatures). It was voted on and unanimously carried.

10. Clerk's Report – July 2005 Financial Report

Layli Nichols, Finance Director stated there were a couple more changes forthcoming and then she will be up to speed.

11. Other Business

- a. Work Session to discuss East Side Sewer Service (Pending)

Mark would like to leave this pending until a work session is scheduled and a draft annexation agreement is put together.

- b. Special City Council Meeting

Item deleted.

City Councilor Alan Bennett discussed the South Lane County Fire & Rescue District, noting when it was created, there were no wards, zones, or sub-districts within the district, and feels this is a problem. Mr. Bennett proposes the Council support a resolution to implement a ward system within the South Lane Fire District. Bob Millam declared a conflict of interest with the Fire Department.

Mr. Bennett suggested using the following verbiage:

Be it resolved the Common Council of the City of Creswell supports implementation of a ward system within the South Lane County Fire and Rescue District in order to ensure fair and adequate representation on the South Lane County Fire & Rescue District board.

Alan Bennett moved Cathy Morgan seconded to direct staff to prepare a resolution as requested above. Voted on and unanimously carried.

City Administrator Mark Shrives requested to move forward with the purchase of a grader (CAT N40G) not to exceed \$30,000. Mr. Shrives stated there is money in the budget for this purchase. The City is not required to put this out for bid as the item would be purchased from another government agency. Alan Bennett moved Tim Demanett seconded to approve the purchase of a CAT N40G Grader not to exceed \$30,000. Voted on and unanimously carried.

City Administrator Mark Shrives suggested holding a work-session to discuss the condition of sidewalks throughout the city and where the city would like to go with this issue.

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

Ron Petitti, Mayor

Layli A. Nichols, City Recorder