

City of Creswell  
Council Minutes  
January 9, 2006

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
Nathan Marple	

Council Absent: 0

Staff Present:

Mark Shrives	City Administrator
Layli Nichols	Finance Director
Shelley Humble	Airport Manager
Roy Sprout	Public Works
Megan Banks	LCOG/City Planner

Press: 2

Audience: 11

1. Public Hearings

- a. A petition by Pacific West Engineering, on behalf of Ross Murry, for a public road right-of-way vacation commencing at the northwest corner of Parcel 2 of Land Partition Plan No. 2000-P1366; then along the boundary of said Parcel 2, North 89 degrees 01'21" West 84.44 feet to the point of beginning; thence South 11 degrees 06'12" East 96.03 feet; thence North 89 degrees 51'53" West 10.20 feet; thence leaving said Parcel 2 boundary, North 11 degrees 06'12" West 96.18 feet to a point intersecting an extension of the north boundary of said Parcel 2; thence South 89 degrees 01'21" East 10.23 feet to the point of beginning.

(1) Consent Form for Vacation of Unimproved Right-of-Way

Megan Banks, City Planner, stated this is approximately 9500 square feet, with a portion the City Council recommended turning into a linear park. Ms. Banks noted East West Lane will dead end. She also noted there will be trees, shrubs, benches, trash receptacles, lighting, and that emergency vehicles will be able to go through it. There is staff recommendation to approve the request and noted the ordinance is included in the packet.

Mayor Ron Petitti opened the Public Hearing.

Nolan Booher, 78 Sandalwood Loop, stated his concern for homeowners and wanted to know if they would be able to access their lots after the park strip is completed. Megan Banks, City Planner, stated that the existing road would stay as it is and there would be no block offs.

After no further comments, Mayor Petitti closed the Public Hearing.

Mark Shrives, City Administrator, stated the city is one of the property owners and the city should consent to vacate as property owner and then move forward. Bob Millam moved Bill McCoy seconded to approve Consent Form for Vacation of Unimproved Right-of-Way. The motion failed for lack of majority. Bob Millam moved Cathy Morgan seconded to approve the Consent Form for the Vacation Request submitted by Ross Investments

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Inc., for the vacation of East West Lane Public Right-of-Way as described. It was voted on and unanimously carried.

- (2) ORDINANCE NO. 432, AN ORDINANCE VACATING A PORTION OF EAST WEST LANE, EAST OF FIRST STREET, AND PROVIDING AN EFFECTIVE DATE.

Cathy Morgan read Ordinance No. 432 twice by title and so moved to adopt Ordinance No. 432, Vacating 9,478 Square Feet of Public Road Right-of-Way known as East West Lane as described in the legal description. Ron Hanson seconded. It was voted and unanimously carried.

b. A petition by Olson & Morris, on behalf of Todd Alberts, for public easement vacation commencing at the southeast corner of Lot 18 of CRESWELL MARKETPLACE, as platted and recorded in Lane County Oregon Plat Records, said point being on the Northerly right-of-way of Melton Drive; run thence along said right-of-way along the arc of a 375.00 foot radius curve to the right, the long chord of which bears South 66 degrees 01'25" East 54.84 feet; thence leaving said right-of-way North 0 degrees 17'10" West 537.37 feet; thence North 89 degrees 08'00": West 50.01 feet; thence South 0 degrees 17'10" East 515.84 feet to the Place of Beginning, in Creswell, Lane County, Oregon.

- (1) ORDINANCE NO. 433, AN ORDINANCE VACATING AN IMPROVED PUBLIC EASEMENT LOCATED IN LOTS 16, 18, 19, 20, 21 AND 22 OF THE CRESWELL MARKETPLACE AND PROVIDING AN EFFECTIVE DATE.

Mayor Ron Petitti opened the Public hearing. No comments were made. Mayor Petitti closed the Public Hearing.

Bob Millam, City Councilor asked if there was going to be a change in the easements for the public right-of-way. Megan Banks, City Planner noted it was going to be moved, including utilities, sewer, and water. Ron Hanson read the Ordinance No. 433 twice by title and so moved to adopt Ordinance No. 433, an ordinance vacating an improved public easement located in Lots 16, 18, 19, 20, 21 and 22 of the Creswell Marketplace and providing an effective date as presented. Bob Millam seconded. It was voted on and unanimously carried.

## 2. Special Presentation - Update regarding South Lane Rural Fire District)

Fire Chief Dan Olsen addressed the council upon the invitation of Mayor Ron Petitti, and gave an update on the South Lane Rural Fire and Rescue District. Mr. Olsen began by stating he understands there is a building moratorium at the Creswell Airport and regarding fire protection, he feels there is a solution. He recommended that the city extend their time frame to allow for future development of water suppression and allow for development of hangar construction to generate income. Mr. Olsen also noted the destroyed Fire Truck is in an assembly line for repairs and will be stationed back at the Creswell Station upon completion. Mr. Olsen then stated he is working on a Residential Volunteer Program to be housed out of the Saginaw station, noting it has housing facilities and is currently not being used. It was noted that this station could accommodate up to 6 people and could possibly add up to 3 more beds but not for long term. He noted it would be similar to dorm conditions. He then noted he is hoping to see an expansion to Station 3 (Creswell). Mr. Olsen discussed the possibility of constructing a new station, what would happen to the existing station, and how much money should be spent updating the current station knowing it could be replaced. He noted construction of a new station would require a General Obligation Bond to make it happen. Mr. Olsen said he wants to make sure that the Creswell Station is a good station and has concerns regarding the amount of money needed to upgrade and maintain it until it is replaced. The discussion then turned to the Cloverdale property that was purchased by Creswell Fire District before the South Lane Rural Fire District (SLRFD) was formed. Mayor Petitti asked for full disclosure on this property purchase and Mr. Olsen stated he would get it to him hopefully within a week. Mr. Olsen stated there had been a new agreement signed by the property owners and that it would be included in the packet submitted. Mr. Olsen then discussed the financials of the SLRFD. He discussed the issue of the General fund, the Building fund, and the Equipment Fund. A Line item budget detail for this current budget year was

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handed out. He noted the Building fund (\$200,000) balance in reserves was for future expenditures. The Equipment fund (\$294,711) balance in reserves was for future expenditures. Mr. Olsen then handed out the monthly financials. The discussion then turned to the future construction of a Fire Station in the Creswell Area. Mr. Olsen stated it could possibly be somewhere between 2006 and 2008. He noted the Creswell Fire Board purchased property, approximately 3 acres, with the intent of building a new station. He asked if the council would be interested in forming a sub-committee of members of the council, business members, and community members of Creswell to work with the Fire Board to discuss choosing a location for a new Fire Station. Discussion ensued and City Council Ron Hanson asked about the board being elected at-large. Mr. Hanson noted that in the future, Creswell would not have representation on the board and wondered if the board was discussing this issue. Mr. Olsen stated he is aware of the zones and wards being discussed. Mayor Petitti thanked Dan Olsen and asked for an update in 3 to 6 months.

3. Comments from Mayor, Councilors, and City Administrator

Ron Hanson, City Councilor, thanked the Council and Staff for a job well done in 2005. Mark Shrives, City Administrator, stated he had met with a representative of the Lane Transit District (LTD) and discussed the parking lot. Mr. Shrives stated that LTD is committed to putting an upgrade at the current location of the Park & Ride and that they are willing to discuss the possibility of a short route going to Rays Food Place in the future. It was noted that LTD will be putting benches and lighting at the Park & Ride and that they are very impressed with the rider-ship from Creswell. LTD noted there are approximately 58 riders per day. Tim Demanett, City Councilor, would like to do something to formally thank the Ford and Autzen Foundations for their generosity and support to Creswell projects. Mayor Petitti feels this is an excellent idea and asked for the city staff to discuss what would be appropriate. Mr. Demanett feels a plaque would be in order, Nathan Marple, City Councilor, stated submitting photographs of what they helped accomplish should be submitted.

4. Public Forum

Sheila Hale of 82540 River Drive, Creswell, requested on behalf of the Creswell Library permission to block city streets on February 25, 2006. The Library is planning a book transfer, from the old library on 2<sup>nd</sup> Street to the new library on Oregon Avenue, as part of their Grand Opening. She noted that Al January had already agreed to do traffic control. Mrs. Hale noted this would probably take approximately 20 minutes to complete. Cathy Morgan moved, Ron Hanson seconded, to allow street closure as presented. It was voted on and unanimously carried.

Natalie Marshall, 145 N. Second St. stated she would like the council to consider pro-rating city water bills. She feels it would be a great benefit to the low-income families. Mark Shrives, City Administrator, stated the city has had discussion regarding this issue and that the resolution needs to be reviewed and this would be one of the recommendations in the update. It was noted the resolution does not currently allow pro-rating. It is hoped that this issue would be brought to the council in the near future.

5. Correspondence

- a. Letter from Oregon Economic and Community Development Department regarding Creswell Water System Improvements Project

Mark Shrives, City Administrator stated that an awards letter in the amount of \$10,325.000 was received from the Oregon Economic and Community Development Department for Creswell Water System Improvements. Tim Demanett, City Councilor, noted a correction should be made on page 2, section 9 of the Summary Award that it should state Scott Avenue, not Scott Street.

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b. Letter from Department of Environmental Quality regarding Solid Waste Grant

City Administrator Mark Shrives said a grant application approval letter was received from the Department of Environmental Quality for funding by the DEQ Solid Waste Program. The \$15,550 grant would provide 1,430 bins for new curbside recycling. Mr. Shrives noted he will be meeting with P & J Disposal to come up with a plan to implement.

c. Letter to Fire Marshall regarding Airport Water Line

6. Consent Calendar

a. Modification to Agreement regarding Sheriff Contract

Sgt. Byron Trapp addressed the council regarding the amendment to the agreement changing the supervisory peace officer (sergeant) coverage from 33% to 50% for the period from January 1, 2006 through June 30, 2006. It was noted that Mark Shrives, City Administrator, and the City Manager from the City of Veneta would sit in on the interviews of the candidates for the position. This position will be full time between the two cities of Creswell and Veneta. All of the documents reflect the change beginning January 1, 2006 and will only affect the time used under the current billing system until the new person is on board. The new contract will take affect July 1, 2006. Sgt. Byron Trapp will be going to the Marine Board, leaving this position open. Sgt. Trapp will be at the next council meeting to make the introduction of the new Sergeant.

b. Liquor License Application-Boutique Hospitality Management Group LLC

c. Approval of Bills for Payment

d. Approval of November 7, 2005 City Council Minutes

e. Approval of December 12, 2005 Joint City Council and Public Contract Review Board Minutes

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

7. Old Business - none

8. Airport

a. Land Lease CPI Adjustment

Shelley Humble, Airport Manager, stated she is hoping to adjust the Consumer Price Index (CPI) for the land leases at the City Airport on July 1, 2006 noting it would allow the city to use the CPI percentage for all of 2005 and have the increase coincide with the budgeting system already in place. Mrs. Humble stated she would double check the current leases to make sure they do not need to be adjusted in January. She noted the airport needs to get on a cycle that fits with the city's budget year. Mrs. Humble stated she has been working with the Roseburg Airport Manager and noted that the city is well with the range of other airport leases. Mark Shrives, City Administrator, stated this would need to come back before the city council as a resolution regarding this item.

b. Resolution #2006-01, A resolution concerning adequate Fire Protection to be provided to Creswell "Hobby Field" Airport

Mark Shrives, City Administrator, stated that by extending the public water system to the airport property line within one year, the City could lift the building moratorium and would further agree to immediately plan for extension of water supply and fire hydrants within 5 years to meet the requirements of the 2003 International Fire Code, 2004 Oregon Fire Code Amendments Section 508 & Appendix B. Shelley Humble, Airport Manager, stated she has found a program that could possibly help pay for the expansion, and feels that the City could qualify for these funds. It was noted there are additional AIP funds available for this project and noted that the City could possibly use the Connect Oregon Grant as a match for the AIP funds. This would amount to paying 10% of the 5% of \$20,000. Mrs. Humble stated the grant needed to be submitted by February 17<sup>th</sup>, 2006. It was recommended that the Director of Public Works and City Administrator be added to the Resolution, in an amendment. Ron Hanson moved, Bob Millam seconded, to approve Resolution #2006-01, a resolution concerning

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adequate Fire Protection to be provided to Creswell "Hobby Field" Airport as amended. It was voted on and unanimously carried.

9. Public Works

a. Pay Request - Eugene Sand and Gravel for Nieblock Interceptor

It was noted this is Standard Pay Request #5 for Eugene Sand and Gravel. Tim Demanett moved Bill McCoy seconded to approve pay request #5 for Eugene Sand and Gravel in the amount of \$103,160.67, as reviewed and approved by the City's Engineer, Director of Public Works, and City Administrator. It was voted on and unanimously carried.

b. Change Order #2-Eugene Sand and Gravel

Walt Meyer of West Yost and Associates addressed the council. Mr. Meyer explained the change order and stated that at the Grassland pump station the water line came closer to the interceptor than any other area and the water line trench collapsed. He noted that Eugene Sand and Gravel lost 3 weeks of work while getting the water line repaired. Mr. Meyers feels this is a legitimate request and stated Eugene Sand and Gravel is requesting a 45-day extension to complete the contract. Ron Hanson, City Councilor asked how the city sits financially. Mark Shrives, City Administrator, stated there is still \$300,001 left unspent and feels the city is still in a comfortable range. Cathy Morgan moved Ron Hanson seconded to approve Change Order #2 for Eugene Sand and Gravel as presented. It was voted on and unanimously carried.

c. West Yost and Associates Pay Request for Engineering Services for the Nieblock Interceptor

Cathy Morgan moved Bill McCoy seconded to approve pay request, Invoice #2009638 for \$18,501.13 for West Yost and Associates. It was voted on and unanimously approved.

d. West Yost and Associates-Task Order #7 (Legal Assistance Services)

Mark Shrives, City Administrator, stated this contract goes back several years and if work is added it is done via a task order. Mr. Shrives noted the dollars are not budgeted or anticipated leaving the contract opened ended and used as needed. He stated these funds would be used for legal issues. Bob Millam moved Bill McCoy seconded to approve Task Order No. 7 between West Yost Associates, Inc. and the City of Creswell. It was voted on and unanimously carried.

10. City Administration

a. Methodology: City of Creswell Parks System Development Charges and City of Creswell Transportation System Development Charges

Paul Thompson, Lane Council of Governments (LCOG) addressed the council regarding the first draft of Methodologies and Rate Structures for Transportation and Parks. Mr. Thompson began by noting the rate structure for Parks is based on the recently adopted Parks Master Plan through the year 2025. He noted the SDC (Systems Development Charge) is normally passed to residential members. Mayor Petitti asked if SDC's have been researched at other parks in communities of our size. A spreadsheet was handed out with the information requested. It was noted that the SDC's were based on population as opposed to actual land accumulation and would be paid at the time of issuing a building permit.

Mr. Thompson then discussed the Transportation SDC and stated it is based on the 1998 Transportation System Plan (TSP). He noted the revenue from the SDC's, except for administrative fees, and is comprised of two components, an improvement fee, and a reimbursement fee. The improvement fee revenue may be spent only on capacity increasing capital improvements or debt related to such improvements. The reimbursement fee revenue may be spent only on capital improvements associated with the systems for which the fees are assessed and debt related to such improvements. The SDC's are estimated and calculated on the type of growth listed and based on the capacity at peak trip hours between 4 PM and 6 PM, not on daily rates. The average trip length is 4.6 miles. Discussion ensued regarding types of businesses affected and discounted SDC's to businesses in core downtown area. It was then noted that the Methodologies Draft would be available for public review and the City is required to hold one Public Hearing, but could hold more if necessary.

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Administration fees were then discussed and it was stated that fees are 5% if based on a percentage, \$80.00 if based on a flat rate, not to exceed a maximum amount of \$30,000. Mark Shrives, City Administrator, stated that with this draft, this begins the 60-day review period and recommended a work session with the Council to discuss the Methodology and potential changes to the draft. Further discussion ensued regarding scheduling of the work session and it was finalized and scheduled for January 19<sup>th</sup>, 2006 at 6:00 to discuss the Transportation Safety Plan SDC's.

b. Deed Gap

Mark Shrives, City Administrator, stated there is an 18' Deed Gap that runs down the backside of Canary Avenue with property owners receiving 9'. Property owner Mr. Whittington has asked the city if they would forego their 9' and give it to him so he would have 18' for future development. Mr. Shrives stated the city has the easement and access to this area and suggested relinquishing this property to Mr. Whittington. The council gave consensus to allow Mark Shrives to pursue the relinquishment of the easement to Mr. Whittington.

c. Blue Jay Loop Partial Property Annexation

Megan Banks, City Planner, referred to a map showing the city limits and affected properties. Ms. Banks noted the vacated piece of land was originally planned for an extension of Front Street. She asked the Council for direction to annex the portion of the vacated street right-of-way and the east property lines of those properties along Blue Jay Loop that was part of the approved subdivision but never brought into the city limits. Discussion ensued regarding a portion of tax lot 1600 and it was suggested the City work with the owner of this property regarding the vacated portion of this lot. Ron Hanson moved, Nathan Marple seconded, to recommend that City Staff continue with the annexation process for lands east of Blue Jay Loop adjacent to the railroad. It was voted on and unanimously carried.

d. Acceptance of Autzen Foundation Grant for Project Playground

Cathy Morgan moved, Bob Millam seconded, to accept the Autzen Foundation Grant in the amount of \$10,000 for Project Playground. It was voted on and unanimously carried.

e. Resolution #2006-02, A resolution appropriating the Autzen Grant funds within the General Fund

It was noted there was a typo in the Resolution stating the Capital Outlay Proposed Change should be \$10,000 not \$20,000 as stated. Bob Millam moved, Cathy Morgan seconded, to approve Resolution 2006-02, a resolution appropriating the Autzen Grant funds within the General Fund as amended. It was voted on and unanimously carried.

f. Planning and Large-Scale Capital Improvement Projects

Megan Banks, City Planner, addressed the council and gave a summary of the high-level projects the city is working on, has worked on, or will be working on. Ms. Banks this is an annual summary and for information purposes only.

g. Acceptance of Rural Tourism and Marketing Program Agreement

It was noted that these funds are passed through the City to the Chamber of Commerce. Cathy Morgan moved, Bob Millam seconded, to accept the Rural Tourism Marketing Agreement as submitted. It was voted on and unanimously carried.

h. Resolution #2006-03, A resolution appropriating Rural Tourism Marketing Program (RTMP) Grant Funds within the General Fund

Cathy Morgan moved, Tim Demanett seconded, to approve Resolution \$2006-03, a resolution appropriating Rural Tourism Marketing Program (RTMP) Grant Funds within the General Fund. It was voted on and unanimously carried.

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11. Clerk's Report - none

12. Other Business

- a. Notice of Public Hearing on January 23, 2006 regarding 19-lot residential subdivision/PUD at Emerald Valley Gold Course.
- b. Work session scheduled for January 19<sup>th</sup>, 2006 to discuss the East side sewer service
- c. Work session to discuss sidewalks (pending), no action taken at this time.
- d. Layli Nichols, Finance Director, stated that City Utility Clerk Michelle Simmons has been employed by the city for 6 month and has successfully passed her probationary period.

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

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Ron Petitti, Mayor

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Layli A. Nichols, City Recorder