

City of Creswell
Council Minutes
March 12, 2007

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

Council Present:

Nathan Marple
David Case
Alan Brown
Bob Millam

Bill McCoy
Ron Petitti
Tim Demanett

Staff Present:

Mark Shrives
Carrie Connelly
Ken Jones
Megan Banks
Ron Staehlin
Roy Sprout
Shelley Humble
Layli Nichols

City Administrator
City Attorney
City Attorney
City Planner
City Engineer
Public Works director
Airport Manager
City Recorder

Council Absent: None

Press: 1

Audience: 24

1. Special Presentations:

A. Update regarding TGM Grant and Comp Plan Progress

City Planner, Megan Banks provided an overview regarding the City's progress on the Comprehensive Land Use Plan update. She also provided an update regarding the TGM grant, which is being used to update the Transportation System Plan needed for the Comprehensive Land Use Plan Update. Mrs. Banks noted the Citizens Involvement Committee has been finalized and their first meeting would be Thursday March 15, 2007.

B. Discussion of Storm Water Master Plan – Ron Staehlin

City Engineer, Ron Staehlin said the storm water master plan proposed covers the Harvey Road area between Nieblock Lane and Auburn Lane. Mr. Staehlin said a Capital Improvement Plan (CIP) needs to be approved, refer to pg 3. Harvey Road is the only area on the CIP at this time, and shows the estimated cost of \$326,700 and completion date in 2008.

Mr. Staehlin said the next calculation is to determine the cost to new growth. He said about 40% of a 6,000 sq ft lot with a single-family dwelling on it would be impervious. The total acreage is multiplied by this figure to determine a net area of pervious land. There would be approximately 6.9 remaining acres in the undeveloped area, which is then used to determine a cost per square foot for the proposed storm sewer project. The cost is 61 cents per square foot for the proposed mini district to install storm sewer infrastructure. A short discussion ensued and Nathan Marple asked if only new development would be paying the System Development Charge (SDC), and Mr. Staehlin explained that development completed prior to the implementation of the SDC, would not be obligated to pay the fee.

City Administrator Mark Shrives said that if the county had moved forward with the Harvey Road project, then they would have paid for some of the cost for upgrading storm sewer. Ron Petitti asked if pipe sizing would be adequate to accommodate additional growth. Tim Demanett asked if the \$184,200 figure is for the 42" or 36" storm sewer pipe. Ron Staehlin said that it is for the 36" pipe. Tim Demanett said he feels the City should complete an entire master plan for the whole City. City Attorney Carrie Connelly said the City should hold one or two public hearings within the 60-day review period to allow public input. Mr. Staehlin said

the time the jurisdictional boundaries need to be set is when the Council passes the resolution to adopt the mini-district. The choice is to either move forward with the mini-district, or wait for the entire storm water master plan to be completed. Council gave consensus to move forward with the mini plan as proposed by Ron Staehlin.

C. Information Regarding Fuel Dealers License Fee (Gas Tax) – Mark Shrives

City Administrator Mark Shrives said at the recent Council Work Session, he was asked to investigate the possibility of a gas tax for the City. He put together a power point presentation, and noted funding issues for street maintenance as result of losing the City-County Partnership funding from Lane County. He highlighted the need to adequately maintain city streets, and the difficulty the City would face if a durable funding source is not secured. David Case asked what percentage of the customers who buy fuel in Creswell are not citizens of Creswell. Mr. Shrives said there is no way to determine that figure. Mr. Case noted this tax would have those who use the roads, help to pay for maintaining them.

Discussion ensued regarding how to proceed with implementing a gas tax, and Mr. Shrives said there would need to be a public hearing, after an ordinance is drafted. Mr. Shrives noted that Cottage Grove, Veneta, Springfield, and Eugene contract with Oregon Department of Transportation to administer their gas tax. Ron Petitti noted the City of Creswell held off as long as possible from implementing a gas tax, but it has become necessary to find a replacement source of revenue.

Mayor Petitti opened Public Forum to receive comments on the proposed gas tax.

Bill Spencer of Creswell 76 addressed the Council regarding the gas tax. He said he understands the City is looking for funding for road maintenance. He does believe the issue is important and should be addressed at some time. He recognizes that one of the possible revenue sources is a fuel tax, but believes such a fuel tax would bring challenges to our City. He urged the Council to not hurry to make this decision. Please do not take a lead from the county and pass a tax without a community vote. He asked for the Council to give this issue more time, and he would do his best to work with the Council and community to continue to have a Creswell he can be proud of.

Jane Vincent of 708 King's Row addressed the Council and asked if it is part of the City's consideration to replace old water and sewer pipes during road construction. Ron Petitti said the City does do that, each type of infrastructure is paid for from its own revenue source though.

Carol Ann Sudderth of 465 South 7th street said she thinks that some folks stop here because the gas is cheaper. She would like to see a balance with the tax, and not send drivers to Cottage Grove or Eugene to buy gas.

Discussion ensued regarding the gas tax proposal, how to proceed, and whether the issue should go to the voters. City Administrator Mark Shrives said he would create a sample Ordinance to present at the next meeting and could schedule a Public Hearing for April. If there is a lot of opposition, then another Public Hearing could be scheduled for the May Council meeting.

2. Comments from Mayor, Councilors, and City Administrator

David Case said he has discussed the Safe Routes to School grant program with School District Superintendent Dr. Rick Stuber, who has indicated he is back on board to participate in the program. The grant would be for engineering up to \$500,000.

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Bob Millam said that Ron Hanson has agreed to participate on the Budget Committee, and recommended him to fill the vacancy assigned to his council position.

Bob Millam voiced concern with House Bill 2011, which states the City of Creswell wants to break away from South Lane Rural Fire Protection District.

3. Old Business

A. Council goals

Ron Petitti said he would like to set a Work Session as soon as possible to discuss council rules and goals. Ron Petitti said he knows that we had previously worked on council rules. City Administrator Mark Shrives said the Council had adopted Governance Policies, but he would present examples of council rules from other cities. A special Council Meeting was scheduled for March 19 at 6:00 p.m.

B. Discuss South Lane Rural Fire Protection District

Ron Petitti gave a report on the last fire district meeting. He said he raised several issues with the Board of Directors at the February 7, 2007 meeting, one of which was the 9-1-1 dispatching services. Lane County Sheriff's Sgt. Harrold said the way the system currently works is with uhf (police) radios and vhf (fire) radios in the patrol cars. Deputies hear any fire call from Central Lane 9-1-1. When the district changes to Cottage Grove for dispatching services, it would be possible to reprogram the radios for a small cost, but they would have to delete an existing frequency to add the Cottage Grove frequency. Initially the cost would be for three vehicles, but eventually would like to see all deputy vehicles reprogrammed.

Mr. Petitti said the ISO report recently received, was only part one of three, and the Fire Department is still waiting for reports for Creswell and Cottage Grove. With regard to segregating from South Lane Rural Fire Protection District, he met with Lane County Commissioner, Faye Stewart, as well as Paula Taylor of the Lane County Boundary Commission. Mr. Petitti read aloud the letter received from Paula Taylor which outlined the process and complications of separating from the existing district and creating a new district. One issue would be experiencing a period of time with no fire protection services, as well as sorting out the property, equipment and other assets. Those agreements would have to be negotiated with the existing South Lane Rural Fire Protection District prior to generating a new district.

Ron Petitti said that there is one Creswell citizen running for the Fire Board, Cynthia Knight. Bill McCoy said there is one more position open on the board, which closes on the 15th.

Ron Petitti said there is a House Bill in Salem as a placeholder, he did not know existed until he received a call from the Fire Board last week. The bill essentially states the City of Creswell supports the separation from South Lane Rural Fire Protection District. He feels it is written poorly, and expressed that this bill was not initiated by the Creswell City Council. Bob Millam said he has a number of concerns regarding the bill such as, would this area continue to have uninterrupted fire services, would there be an area left uncovered if the City withdraws from the district, as well as financial issues surrounding the proposal.

Tim Demanett gave a report on the Public Safety Committee meetings. He noted there were two separate meetings; the goals of the Committee were to address the ISO report, the dispatching issue, neighborhood watch and lighting at Harry Holt Park. He said he was under the impression the Committee was to bring a resolution back to the Council for consideration. Instead, the meeting was turned into a public forum and the Committee Meeting got derailed.

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Mr. Demanett said the City does not have jurisdiction to make decisions for the Fire Department.

In the council packet, there is an application to participate on the citizen involvement committee. Ron Petitti said that he would like to participate on behalf of the City in this Committee. The purpose of the Issues Committee is to gain input from all areas of the fire district to address the problems they are facing. Bill McCoy moved Bob Millam seconded to appoint Mayor Ron Petitti as the spokesperson from the City of Creswell with the Issues Committee being formed by South Lane Rural Fire Protection District. Voted on and carried Nathan Marple, Bill McCoy, Bob Millam, Alan Brown and Tim Demanett voting yes, David Case voting no.

Mayor Ron Petitti opened the floor for public comment regarding South Lane Rural Fire Protection District.

Frank Beltran of 82422 Nth Bear Creek Road said he does not understand how Cottage Grove assumed the equipment once owned by Creswell Rural Fire Protection District. Ron Petitti said that when the new entity was formed, all assets from all districts being combined were assumed by the newly formed district. Mr. Beltran said the City is growing and we have a part time Sheriff and a part time fire department. He feels the City should have a full time police and fire department.

Bob Millam said it is true that we do not have ambulances, but still have basically all the same equipment located in Creswell that existed prior to the merger. Mr. Beltran asked how many volunteers there were, and Mr. Millam responded that there were about 40 volunteers with a waiting list, now there are about twenty. Mr. Millam said this is the first time the fire department has lost the trust of the people, and it saddens him.

Cynthia Knight 82405 River Drive addressed the Council and stated she is running for the Fire Board. She would like to speak to each and every one of you on the board, and to each and every citizen, as she has a strong opinion on the 911 dispatching services. Her phone number is 895-4480, and email is, cynthiak@centurytel.net.

Chris Beltran 82422 Bear Creek Road addressed the Council and asked Ron Petitti if he is the representative would he be representing the whole area. Ron Petitti said he hopes to represent everyone in the north part of the district.

Lane County Commissioner Faye Stewart said he would like to offer his help in any way possible. He would assist with the suggestion from Paula Taylor of Lane County Boundary Commission if the City decided to move forward with that. He would work with the Mayor to draft a letter to address the issues.

Don Grousebeck 82216 Nth Davission Road said the people that have been on the fire department in the past, have done a wonderful job. He commended Ron Petitti for his efforts. He is concerned about the fire department, and he said that people are loyal to their community, and does not know what the solution is, but wanted to express his concern.

Tom Carroll 82361 Davission Road said he feels the Committee that was set up to address this issue failed. Ron Petitti said that the committee was given specific tasks, and that the committee failed due to misunderstandings about what the committee was to accomplish. Mr. Carroll said that in lieu of that, there has been a group formed called the Creswell Area Citizens for Public Safety. He has full expectations of dealing with issues such as police, neighborhood watch, ambulance services etc. The fire department was the topic of their first meeting, and feels they accomplished a great deal. He is also aware that the City has no jurisdiction.

Mr. Carroll said he feels he is not being represented for the dollars he is putting out. He feels that the merger would have passed overwhelmingly had it been put to a vote when the merger occurred. He believes that there are only about 5 or 6 volunteers who show up on a regular basis. When he sees the three prior fire chiefs express their views the way they do, he feels the fire department is broken. He personally believes that with five new board members and a new chief, it would still be broken. Mr. Carroll said that he received a letter from Roy Palmer, who was working with the fire department when Dan Olson was asked to bow out, and when Mr. Olson was hired back, Roy Palmer bowed out. He read aloud the letter from Mr. Palmer. Ron Petitti said while Mr. Palmer is a great asset for when a new fire department needs start up help, he may not have the expertise they are looking for. David Case said it would be good to hear from him regarding budget issues etc. Mr. Case feels that there is an overwhelming sense of disrespect, and that South Lane Rural Fire Protection District is not looking out for the best interest of the citizens of Creswell.

Tom Carroll said he was a volunteer for about eight years, he has entertained running for one of the board positions. He does not know if he would be very productive in that position. Bob Millam said that Mr. Carroll should run for the other open position, if he is concerned about the district, he should get involved.

David Case said he thinks the Mayor should bring a list of expectations that the Council approves to the Issues Committee. Bob Millam said he has no problems with the expectations Bill McCoy said he is comfortable with Ron Petitti representing the City's expectations. City Administrator Mark Shrives said if the Council makes a committee appointment, Council should vote on the expectations.

C. Approval of Harvey Road Capital Improvement Plan Intergovernmental Agreement

City Administrator Mark Shrives said he did not bring the IGA, because there are changes to the agreement that need to be made. County Commissioner, Faye Stewart said the County is going to get a one-year extension on the rural schools funding, and he would push for the Harvey Road Project as much as possible with the County. He knows the County has talked about a countywide gas tax for unincorporated areas of the County. Mr. Stewart said that he would bring the topic to the Roads Advisory Committee.

A short discussion ensued regarding the I-5 Overpass project, and safety concerns with signage, visibility, and striping in the area. Lane County Sheriff's Sgt. Cliff Harrold said he spoke to Ken Holstein of Oregon Bridge Partners, and determined that the only way to effectuate a change in striping or signage is to effectuate a change order for the project. Mark Shrives said it is his intention to include a letter to the director of ODOT, and attach the proposed change order to the letter.

4. Correspondence

- A. Letter dated February 19, 2007 from organization "Stand for Peace"
- B. Creswell School District Information (upcoming agenda)
- C. Copy of a letter sent to Lane County Boundary Commission by Calvin Taylor
- D. Sheriff Contract Report
- E. Sheriff Contract Report

City Administrator Mark Shrives said he received a call from Stand for Peace representative, Scott Berquin about holding a vigil on 1st and Oregon Avenue. Brady Hendricksen wrote a letter to ask for speed bumps on 7th, 8th & 9th streets, he feels that it would help to calm traffic. Bill McCoy would like to see traffic tables, David Case would like to see him come to the next council meeting.

5. Public Forum

Lane County Sheriff Sgt Harrold said that speeds on Nth 1st street have been an issue over the past year, and receives calls from time to time. He is open to suggestions, and would like the council to know the deputies have been patrolling 1st heavily. Obviously there cannot be a car on 1st street all the time, but they have not been very successful at writing citations on that street. He was successful in getting the mileage cart up there, and will encourage the deputies to patrol the area.

Sgt. Harrold said a search warrant was served at a residence on Nth Pacific Hwy last week, which was drug related. Sgt. Harrold also said Deputy Pat O'Niell is back on duty today, after being absent on a job related injury.

6. Consent Calendar

- A. Council Minutes of February 12, 2007
- B. Council Minutes of February 26, 2007
- C. Approval of Bills

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

7. Airport

A. Airport Improvement Program (AIP) Grant Options

Airport Manager Shelley Humble covered the cost and options for providing fire suppression services to the airport. The cost is \$410,000 and with the grant money, the City would be responsible for 10% or \$41,000. Mrs. Humble said she would apply for a Federal Aid to Municipalities (FAM) grant of \$25,000, which could be used as a match to the AIP grant, leaving 17,250 for the City to expend.

Mrs. Humble explained the AIP money previously awarded would be available and would not be lost should the Council choose to wait for the next years' grant awards. She explained that the Council has two choices, build the project this year, and fall short of the total project goal, or wait until the next budget cycle and wait for the AIP award of \$150,000.

Bill McCoy said he thinks we ought to wait for the additional funding. Bob Millam said he is concerned about the security of the funding available, and about the increasing cost of building supplies. Discussion ensued and Mark Shrives asked if the City would have enough money to build the project, Public Works Director Roy Sprout said that if some changes were made to the project it might be able to happen. Discussion ensued regarding putting the project out for bid and Ron Petitti said he would like to have more information on Monday at the Council Meeting on March 19, 2007. Council gave consensus to bring the issue back next week with more information.

B. Pay Request from David Evans and Associates

Tim Demanett moved Bob Millam seconded to approve David Evans and Associates Invoice No. 216385 in the amount of \$1,098.80. Voted on and carried unanimously.

C. Airport Community Day

Airport Manager Shelley Humble said at the last Airport Commission Meeting a couple of airport users wanted to look at the feasibility of doing a flying flea market. The day would start off with a pancake breakfast, and there would also be a barbeque. The idea is to include other

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airports, and fly from place to place to garage sale. Mrs. Humble is trying to work with Independence and other airports to organize the event.

8. Public Works - None
9. City Administration
- A. Ordinance 443 – An Ordinance Recognizing the Office of the City Administrator, Appointment Thereof and General Duties of the City Administrator Are Now Incorporated Within the Creswell City Charter, and Repealing Ordinance 410.

Bob Millam moved to adopt Ordinance 443 and read the Ordinance twice by title. Bill McCoy seconded. Voted on and carried unanimously

- B. Budget Committee appointments

Bob Millam said his replacement for the Budget Committee is Ron Hanson. David Case said his replacement is Pete Nelson. It was suggested that Pete Nelson fill out an application form for the Budget Committee and the Council would make the appointments at the next Council Meeting on March 19, 2007.

- C. Project Playground

Finance Director Layli Nichols explained that the invoices received for Project Playground exceed the expected amount. She asked the Council for approval to pay the invoices, and use General Fund monies to make up the difference. Part of the issue is a response from the Weyerhaeuser grant application was expected, and to date no response has been received. Faye Stewart suggested that a grant application be submitted to his family's foundation for the difference. Council gave consensus to pay the outstanding invoices for Project Playground.

10. Clerk's Report

The Council reviewed the combined financial statement for the period ending February 28, 2007.

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

Ron Petitti, Mayor

Layli A. Nichols, City Recorder