

City of Creswell
Council Minutes
October 9, 2006

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

Council Present:

Nathan Marple
Tim Demanett
Bob Millam

Bill McCoy
Ron Petitti

Staff Present:

Mark Shrives
Ken Jones
Roberta Tharp

City Administrator
City Attorney
Utility/Court Clerk II

Council Absent:

Cathy Morgan
Ron Hanson

Press: 1

Audience: 9

2. Public Hearings

- A. Shawn Eaton, Building Inspector for The Building Department, LLC, presented a fee restructuring schedule, offsetting charges implemented by the Building Codes Division. The Building Codes Division is no longer allowing a charge for plan review on plumbing or mechanical permits. The proposed fee schedule for a new single family dwelling will increase approximately 5% from the current fees. The next public hearing on the fee schedule changes will be November 13, 2006, and at that time City Administrator Mark Shrives, will present an ordinance or resolution to adopt the new fee schedule. Councilor. Tim Demanett would like to see the fees reviewed on a more regular basis.

Mayor Petitti opened the public hearing. There were no comments from the public. Mayor Petitti closed the public hearing. No action was taken on this item tonight.

3. Special Presentations

- a. Region 2050 Endorsement Discussion (Byron Vanderpool – LCOG)

Region 2050 began in 1999 as a voluntary project, intended to take a 20 and 50 year look into the future of Lane County. The 2050 process has done several things: it has looked at likely growth and has developed studies and tools to guide growth and development; it is used as dialogue between cities, state agencies, Lane Transit District and Eugene Water and Electric Board, and has been mostly funded by the state. The state will use population projections to size key facilities such as roads, wastewater and drinking water facilities.

Mr. Vanderpool explained how these numbers were determined and stated they will be important in helping a community decide what it is capable of supporting in the terms of land use and service. City Administrator, Mark Shrives stated if the council endorsed the 2050 project, it would give the city a base number to begin with when the city begins working on the comprehensive plan update.

Tim Demanett moved Bill McCoy seconded to endorse the 2050 regional strategy as presented. Voted on and carried unanimously.

b. Update regarding I-5 Overpass Project (Oregon Bridge Delivery Partners)

Jake Edwards from Oregon Bridge Delivery Partners gave an update on the I-5 overpass replacement project. They project to pour the deck on the new bridge by late October and construct sidewalks and railings by the middle of November. Mr. Edwards reported there should be no traffic impacts during this time. By the first part of January 2007, traffic is expected to be switched to the new bridge, and the existing structure should be removed by mid-month. The freeway will be closed during de-construction. In February signals will be installed and activated at the northbound off & on ramps to the freeway and completion of this project is scheduled for June 2007 although the contract deadline is September 30, 2007. Councilor Tim Demanett would like to see traffic patrol increased in the work zone during construction.

4. Comments from Mayor, Councilors, and City Administrator

City Administrator Mark Shrives, updated the council that he is working on a Stormwater Master Plan. The city's topography maps have been located and City Engineer Ron Stahelin, is reviewing them. Mr. Stahelin feels that he will be able to use the maps rather than having new maps made and save the city \$10,000.00.

City Administrator Mark Shrives, reported that Creswell High School will be having a homecoming parade on October 20, 2006. Mr. Shrives and Lane County Deputy Pat O'Neill will be meeting with school and student representatives later in the week to establish a parade route.

City Administrator Mark Shrives reported the Land Use Board of Appeals has remanded the Fairways Development Application back to the city. City Attorney Ken Jones is reviewing the application and Mr. Shrives will report back to the council when Mr. Jones has completed the review.

Mayor Ron Petitti announced that the City of Creswell has received a grant in the amount of \$95,352.00 from the Oregon Watershed Enhancement Board. This grant is for watershed improvement and restoration at Garden Lake Park.

Mayor Ron Petitti followed up to the recent City meeting held on water issues and the possibility of Eugene and Water Electric Board exporting water to Creswell. He has met with Eugene Mayor, Kitty Piercy who has done some investigation on the city's behalf, to determine what is required and the process and procedures it would take to export water to Creswell. Dennis Taylor, Eugene City Manager told Ms. Piercy it may take an amendment to the metro plan which requires Eugene, Springfield and Lane County's approval of the exception to statewide land use planning goals. Mr. Taylor would also need to request extraterritorial extension of water pursuant to the provisions of the Eugene city code as well as action by the Boundary Commission. Mr. Petitti and Mark Shrives, City Administrator have met with EWEB & discussed the possibility of using Creswell as a pilot study for the feasibility of EWEB becoming a regional water supplier. Mr. Shrives reports Debra Brewer & Tom Buckhouse, representatives from EWEB are willing to go ahead and do the feasible study at their cost and if there should ever be a future agreement for EWEB to provide water service to Creswell the city would reimburse EWEB for half the study. Mr. Shrives stated this proposal will be discussed at the next water meeting.

5. Correspondence

- A. Letter from Mark Shrives to South Lane County Fire and Rescue subject: Construction of Additional Bay Space
- B. ORS TORT Claim Act Notice Against the City of Creswell, Mark Shrives, Shelley Humble, filed by Douglas Minger on behalf of Eugene Skydivers

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- C. AMENDED ORS TORT Claim Act Notice Against the City of Creswell, Mark Shrives, Shelley Humble, filed by Douglas Minger on behalf of Urban Moore, Eugene Skydivers
- D. Letter from FEMA regarding City of Creswell Community Assistance Visit
- E. Creswell Sheriff, monthly activity
- F. Letter from Charter Communications dated September 29, 2006

6. Public Forum

Phil Barnhart, State representative from house district 11 which includes Creswell spoke in regards to Creswell's water issue. Mr. Barnhart explained the municipal water issue is a state wide problem, not just in Creswell. Mr. Barnhart stated Eugene's water reservation on the McKenzie River is the only substantial water right in this part of the valley that is not being fully utilized. He supports regionalization of EWEB water system as well as restoring water rights. Mr. Barnhart is also in favor of streamlining the permission system in order to allow EWEB to export water to Creswell, specifically the review of the boundary commission. Mr. Barnhart would like to help with the Creswell's needs to provide services to the community.

7. Consent Calendar

- A. Vacation of Construction Easement – Swale Ridge
- B. Bi-Mart Liquor Application
- C. Warranty Deed Accepting Parcels A & B of Hazelwood Terrace (Donating Building)
- D. Approval of Bills
- E. Minutes from August 7, 2006 Council Meeting

City Administrator Mark Shrives pointed out one correction on item C - Warranty Deed Accepting Parcels A & B of Hazelwood Terrace, it should read lot 68 instead of Parcels A & B.

Bob Millam moved Tim Demanett seconded to approve the consent calendar as amended. Voted on and carried unanimously.

8. Airport - None

9. Public Works

- A. Eugene Sand and Gravel, Contract Modification Change Order No. 1

City Administrator Mark Shrives explained change order 1 in the amount of \$17,367.96 was due to over excavation required on the 7th & C Street improvement project. Bill McCoy moved, Nathan Marple seconded to approve the Eugene Sand and Gravel Contract Modification change order No. 1. in the amount of \$17,367.96. Voted on and carried unanimously.

- B. Pay Request for Eugene Sand and Gravel

City Administrator Mark Shrives explained the final pay request is the same as the previous change order no. 1 that was just approved as the contract amount has already been paid. Bob Millam moved Bill McCoy seconded we approval the final pay request to Eugene sand & gravel in the amount of \$17,367.96. Voted on and carried unanimously.

10. City Administration

- A. Ordinance 439 Non Exclusive Franchise – Emerald People's Utility District
City Administrator Mark Shrives explained this ordinance is to increase the franchise fee from 3% to 5%. Tim Demanett read ordinance 439 twice by title and moved Bill McCoy seconded to approve Ordinance 439 Non Exclusive Franchise, an ordinance granting a nonexclusive electric utility franchise to Emerald People's Utility District (EPUD), an Oregon People's Utility District,

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Organized under ORS Chapter 261 and fixing terms, condition, and compensation of such franchise repealing Ordinance No. 282. Voted on and carried unanimously.

11. Clerk's Report – None

12. Other Business

A. Work Session for Water Project –

A work session for the Water Project has been scheduled for October 23, 2006, 6:30 PM at the Community Center.

B. Work Session to discuss sidewalks (pending)-

13. Executive Session – Per ORS 192.660 (2) (f) Exempt public records, and ORS 192.660 (2) (h) Consult with legal counsel

Mayor Petitti called a two-minute recess before entering into Executive Session per ORS 192.660 (2) (f) & (h)

Mayor Petitti closed the Executive Session and reconvened the regularly scheduled Council Meeting.

14. Response to Informal FAA Compliance Complaint Concerning Skydiving Operations at Creswell Airport

Bill McCoy moved Bob Millam seconded to approve the draft response to the informal FAA Compliance complaint as corrected. Voted on and carried unanimously.

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

Ron Petitti, Mayor

Layli A. Nichols, City Recorder