

City of Creswell
Council Minutes
October 13, 2008

Council Present:

Bill McCoy
David Case
Jack Gradle

Robert Hooker
Bob Millam
Jean McKittrick

Mark Shrives
Roberta Tharp
Roy Sprout
Layli Nichols
Shelley Humble
Denise Walters
Carrie Connlley
Karen Parker
Jenny Walton
Raja Shah
(Resource Assistance for Rural
Environments)

City Administrator
City Recorder
Public Works
Finance Director
Airport Manager
City Planner
City Attorney
Receptionist
A/P /Court Clerk
Rare Intern

Staff Present:

Council Absent 0

Press: 1

Audience: 6

The regularly scheduled City Council meeting was called to order at 7:00 PM by Acting Mayor Bob Hooker and the pledge of allegiance given.

1. Special Presentations

A. Introduction of New Employees

Mark Shrives introduced the new employees, Jenny Walton, Karen Parker and Raja Shah

**B. Public Hearing – Creswell Veterinary Clinic Rezone
Plan Amendment 2008-01 and Zone Change 2008-01**

City Planner Denise Walters said the city is initiating a corrective action to an error that occurred during the development of the 1982 Comprehensive Plan. Ms. Walters said prior to the 1982 Comprehensive Plan the property located at 345 West Oregon Avenue, currently the Creswell Veterinary Clinic was designated Commercial and zoned Downtown Commercial, but during the process of developing the 1982 Comprehensive Plan the property was erroneously designated Residential and zoned Low Density Residential. Ms. Walters explained the re-designation and re-zoning are consistent with existing and surrounding uses, the Creswell Downtown Plan, and have met the required state wide planning goals.

Acting Mayor Bob Hooker opened the public hearing on the Creswell Veterinary Clinic Rezone.

Sherry Schlorman, owner of Creswell Veterinary Clinic located at 345 West Oregon Avenue, Creswell spoke in favor of the zone change.

There being no other testimony Bob Hooker closed the public hearing.

C. Ordinance No 457 An Ordinance Amending the City of Creswell Comprehensive Land Use Plan and Creswell Development Code (Ordinance No. 449) to Change the Comprehensive Plan and Zoning Designation of Certain Land within the City (Assessors Map 19-03-14-23, Tax Lot 10200) From a Residential (R) Designation with Low Density Residential Zoning to a Commercial (C) Designation with Downtown Commercial Zoning

City Planner Denise Walters asked to have corrections made to the wording on the last page of the proposed ordinance. Ms. Walters asked the wording be read adopted by the common Council from passed by the common Council and also to correct Robert Hooker, Acting Mayor's name.

Bob Millam moved and read twice by title, David Case seconded the council adopt Ordinance No. 457 – An Ordinance amending the City of Creswell Comprehensive Land Use Plan and the Creswell Development Code (Ordinance 449) to change the Comprehensive Plan and Zoning Designation of certain land within the city (Assessors Map 19-03-14-23, Tax Lot 10200) from a residential ® designation with low density residential zoning to a commercial © designation with downtown commercial zoning as amended. Voted on and carried unanimously.

D. Legacy Youth Grant Power Point

City Administrator Mark Shrives said the City has been awarded a \$50,000.00 Legacy Grant from Oregon Parks and Recreation for the construction of a pavilion at Garden Lake Park. Mr. Shrives showed the powerpoint presentation he presented to the committee with Past Mayor Ron Petitti being the inspiration. The grant is being managed by the Oregon 150 Committee as part of Oregon's 150th Birthday and focused on Youth Back to Nature. The grant will allow the City to build a pavilion and education center with signage. Mr. Shrives thanked Ken Nagao for the donation of time to create a sketch design of the pavilion, Helen Hollyer, owner of the Creswell Chronicle, Denise Walters of Lane Council of Governments and Pam Reber from the Coast Fork Watershed Council for providing the pictures used in the presentation.

E. Comprehensive Land Use Plan and Related Projects Update

Mark Shrives said there are a lot of projects going on and asked Denise Walters to give us an update on them so the Council can tackle some of the issues at a Council retreat after the beginning of the year.

City Planner Denise Walters addressed the Council and said there are four big projects that are being worked on. The first being a revision of the Comprehensive Plan that began in 2007. With the completion of Phase 1 the State Department of Land Conversation and Development decided they wanted to do a Local Wetland Inventory that included a number of jurisdictions which in turn would provide a lot of data to help with Phase 2 of the revision, but the grant did not get funded and we were advised to try again.

Interchange Area Management Plan and the Transportation System Plan updates are currently underway, and have generated a quick response grant for a specific study area of the north side of Oregon Avenue I-5 interchange.

The Population Projection is Lane County and cities within that county are supposed to coordinate on the populations in each jurisdiction, but there are some differences of opinions as to what the appropriate numbers are supposed to be. The City of Creswell has submitted an application to Lane County to ask them to consider a higher number based on an analysis the city did. Ms. Walters said this is crucial for planning in terms of the number of people and the amount of land to accommodate that amount of people. City Attorney Carrie Connelly said the cities action has been taken and now it is in the hands of Lane County. A hearing has been scheduled on the population projection in front of the Lane County Planning Commission on November 18, 2008.

Ms. Walters said she is working on updating the Public Facilities Plan that includes water, sewer and stormwater.

2. Comments from Mayor, Councilors and City Administrator

Acting Mayor Bob Hooker suggested installing a time capsule in the New City Hall to include items from the City, the schools, and local businesses. Discussion ensued regarding the formation of a committee and staff support. David Case volunteered to work with Mark Shrives to obtain objects from individual community organizations to be placed in a time capsule at the New City Hall. Helen Hollyer of the Creswell Chronicle said she will run an ad for interested citizens to contact David Case.

City Administrator Mark Shrives said City Hall receives a lot of mail for councilors that are sometimes time sensitive; therefore mailboxes have been placed in City Hall for each councilor in order for them to stop by and pick up mail at their convenience.

3. Correspondence

- A.** Lane County Sheriff – Contract Report for July 2008
- B.** Lane County Sheriff – Calls for Service Report – August 2008
- C.** Charter Communications Price Adjustment Notification

D. Oregon Government Ethics Commission Quarterly Report Reminder

E. Formal Request from Creswell High School for Homecoming Parade

City Administrator Mark Shrives said he along with Lane County Sheriff Sgt. Cliff Harrold and Public Works Director Roy Sprout have met with the officers of the sophomore class to discuss the parade route, and doesn't think there are any issues. Bob Millam moved Bill McCoy seconded to approve the request from Creswell High School to hold a Homecoming Parade as presented. Voted on and carried unanimously.

F. City Hall Day Reminder

G. Proposed Safe Harbor Population Forecast for Eugene and Springfield

4. Public Forum

Jerry Settlemyer, Board member of South Lane Fire and Rescue who resides at 78778 Cedar Park Road, Cottage Grove addressed the Council asking for support of the five year option levy that is on the November 4th general election ballot. Mr. Settlemyer said as community leaders, the Council's voice of support will help to provide additional staffing and training for members of South Lane Fire and Rescue allowing them to provide better service to the community of Creswell and its citizens. Mr. Settlemyer strongly encouraged everyone to support the ballot measure.

Bob Millam declared a conflict of interest as he serves as a volunteer for South Lane Fire and Rescue. Bob Hooker moved Bill McCoy seconded the City Council support the fire levy on the November 4th ballot. Voted on with Councilors Case, Gradle, McCoy, McKittrick voting in favor of and Councilor Millam abstaining.

5. Consent Calendar

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

6. Airport

A. Pay Request – David Evans & Associates – Water Line Improvements AIP Project No. 3-41-0083-006

Airport Manager Shelley Humble asked to have her Agenda Item Summary corrected to read for work during construction instead of continued design work. Mrs. Humble said this is part of the contract that was signed to oversee the installation of the fire suppression waterline at the Airport. Mr. Shrives said this phase of the Airport Water Line Improvement Project should be completed in approximately one week. Bob Hooker moved Bob Millam seconded to approve Invoice #256500 from David Evans & Associates in the amount of \$5335.27 be approved as presented. Voted on and carried unanimously.

B. Pay Request #1 - H & J Construction - Shelley Humble/Mark Shrives

Shelley Humble said this invoice is for installation work performed by H & J Construction on the Airport Water Line Project up to September 30, 2008.

Bill McCoy moved Jack Gradle seconded to approve pay request #1 from H & J Construction in the amount of \$73,791.25. Voted on and carried unanimously.

C. Through the Fence Permit

Mark Shrives said at the September Council meeting the Council adopted a Through the Fence (TTF) Access Fee to be charged for access to the Airport from adjacent landowners with approved agreements with the City. The Council also approved a TTF permit for Brian McBeth, which an agreement has been drawn up and presented for signatures. City Attorney Carrie Connelly said she has been informed by Mr. Van Vactor, Mr. McBeth's attorney that he will not be executing the TTF permit authorized by Council and understands this will result in the withdrawal of the approved permit.

Bill Kelly airport user, residing 1498 North 8th Street, Springfield, OR, addressed the Council with concerns regarding the TTF permit fees vs. Airport User fees.

Bob Hooker moved Jack Gradle seconded to withdraw Brian McBeth's Through the Fence permit application for Creswell Airport Hobby Field. Voted on and carried unanimously.

7. City Administration

A. Old Business

- **Response to Councilor Bill McCoy's question regarding Fire Hydrants at the Airport**

Mark Shrives handed out a Fire and Life Safety Inspection Notice from the State of Oregon Fire Marshal dated May 14, 2001 in response to Bill McCoy's question at last month's meeting regarding the lifting of a building moratorium on the airport if two hydrants were placed within 400 feet of any outside wall of any building. Mr. Shrives said he has met with Dave Nielsen, South Lane Fire Chief and says the way he interrupts this report is: The project comes in three phases with the first stage being the portable tanks placed to assist the fire department in case of fires. The second stage being the installation of two hydrants placed on the airport property for the purpose of fighting fire and the third stage is to install a loop system and Mr. Nielsen said until that is complete he will not authorize any further expansion be allowed on the airport property.

Mr. Shrives said it is very hard for smaller projects to receive the Connect Oregon grants but Creswell was very close, a Connect Oregon 3 Grant is coming up and it is a possibility they will give some of those projects a priority status. Mr. Shrives said if we do receive the connect Oregon 3 Grant next year and obtain another \$150,000.00 AIP grant we could bank that and then basically start another phase. A discussion ensued regarding AIP grant projects being done in stages and putting alternate bids in so if we come in with some better bids we could take advantage of the better alternates.

Paul Preziose who resides at 35787 Enterprise Road, Creswell OR, asked if the loop system has to tie into another source like over by Dale Kuni. Public Works Director Roy Sprout said it is fed from two separate sources.

- **Resolution 2008-23 – A Resolution Supporting Ballot Measure 20-142, A Measure to Renew a 15 Year bond for Lane Community College for the purpose of Construction and Repairs**

Bob Hooker said at the last meeting the Council gave their consensus to support the Lane Community College bond measure that will appear on the November ballot. Mr. Hooker said it has been brought to his attention that the Council will need to approve a proclamation instead of a resolution; therefore the proclamation before them is not any different than what was discussed at the last meeting.

Bill McCoy moved Bob Millam seconded to approve the proclamation to support Ballot Measure 20-142, a measure to renew a 15 year bond for Lane Community College, and to have the City of Creswell and October 13th inserted in the appropriate places. Voted on and carried unanimously.

- **Resolution 2008-24 – A Resolution Establishing Public Records Request Policies and Procedures for the City of Creswell**

Finance Director Layli Nichols said statues have changed how public entities handle public records request. Last month the Council approved a newly created Public Records Request Form and this Resolution outlines the rules that would apply to the public records request form which addresses the new statute requirements and regulations and puts in place policies and procedures for staff in fulfilling the request. A discussion ensued regarding fees charged for copying and research by staff as well as recouping actual costs. Mark Shrives said he would like to change the last sentence in Section 3 (Timely Response) (3) to read, The material to be released will be reviewed by the Department Head for accuracy, City Recorder and/or City Attorney for compliance with Federal, State, and City guidelines.

Bill McCoy moved Jack Gradle seconded to approve Resolution 2008-24, A Resolution Establishing Public Records Request Policies and procedures for the City of Creswell as amended. Voted on and carried unanimously.

- **City Hall Construction Update**

Mark Shrives said destruction of the old City Hall building was to begin on October 6th but has been postponed to October 20th due to an electrical issue with the street lights on Oregon Avenue.

B. Park Committee Discussion

Mark Shrives said the parks committee has gone a little bit dormant and with the Legacy Grant coming up he feels the Council should discuss the parks committee. Mr. Shrives distributed a copy of Ordinance #431 - An Ordinance Creating an Advisory Park Board to Develop, Plan For, and Maintain Parks, Open Space, and Recreation Facilities and Programs for the City of Creswell.

Sheila Hale, current Parks Advisory Board Member who resides at 82450 River Drive, Creswell addressed the Council, passing out a Status of Creswell Parks she has comprised and spoke in support for Creswell parks.

Mr. Shrives suggested we contact members of the Park Committee to see how many of them are still interested in serving and then place an advertisement in the Chronicle to fill the vacancies. Discussion ensued regarding a lot of interest in the Creswell parks in the near future with the Legacy Grant project at Garden Lake Park and the skate park.

C. City Staff Projects List

Mark Shrives passed out a current list of projects City Staff is working on. Mr. Shrives asked for Council consent to continue closing City Hall on Fridays through the end of the year to train new staff and get caught up from moving. Mr. Shrives said the staff has begun staggering lunch hours to stay open to the public during lunch. Discussion ensued regarding customer service. Council gave their consensus to allow City Hall to remain closed to the public on Fridays until the end of 2008.

D. City of Creswell's 100th Birthday

City Administrator Mark Shrives asked the Council to be thinking of suggestions for a celebration of Creswell's 100th Birthday in August of 2009.

8. Public Works

A. Pay Request – CH2MHill Water Treatment Plant Project

Bob Millam moved Jack Gradle seconded that council approve CH2MHill pay request, Invoice No. 3669751 in the amount of \$43,792.32 as presented. Voted on and carried unanimously.

B. Project Change Order #5– WTP Project

Mr. Shrives explained this change order modifies a manhole PD-1 from a precast manhole to a larger cast in place vault, yard piping modifications to the drain lines around the membrane building, the 16" finished water line and the process drain lines to the backwash ponds. This work is required to accommodate the larger than originally defined backwash flows from the membrane system equipment and to avoid conflicts within the yard. The work generated from this change order will increase the project by \$34,816.75 and add an additional six days to the construction schedule.

Bill McCoy moved Jean McKittrick seconded to approve change order #5 for the Water Treatment Plant Project in the amount of \$34,816.75 as presented. Voted on and carried unanimously.

C. Project Change Order #6 – WTP Project

Mr. Shrives said approval of Project change order #2, for Modifications to the Septic System it has been reviewed and discussions with representatives at Lane County it has been decided to defer the work, and city crews will complete the work at the end of the project saving the City \$32,813.16.

Bob Millam moved Jean McKittrick seconded to approve change order #6 crediting \$32,813.16 back to the water project budget as presented. Voted on and carried unanimously.

D. Project Change Order #7 – WTP Project

Mr. Shrives said this change order would include adding conduit to the electrical ductbank system for future equipment. The cost for this change order is \$7,248.91 and does not require any additional time added to the project for completion of this work.

Bill McCoy moved Jean McKittrick seconded to approve change order #7 in the amount of \$7,248.91 as presented. Voted on and carried unanimously.

E. Project Change Order #8 – WTP Project

Mr. Shrives said during tank fabrication, the equipment vendor determined the inlet nozzle location needed to be moved, which resulted in a longer piping run. This change order includes additional piping to the XR tank at a cost of \$1226.00 with no additional time required to complete the work.

Bob Millam moved Jean McKittrick seconded to approve change order #8 for the water treatment plant project in the amount of \$1226.00 as presented. Voted on and carried unanimously.

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F. Project Change Order #9 – WTP Project

Mr. Shrives said change order #9 includes the addition of a hub drain and funnel to catch water spillage from the backflow preventer at a cost of \$3649.45. Mr. Shrives and Public Works Director Roy Sprout recommended this change order be pulled.

G. Pay Request #3 WTP Project – Contractor’s Inc.

Bill McCoy moved Bob Millam seconded to approve pay request #3 from Contractor’s Inc. in the amount of \$407,695.00 as presented. Voted on and carried unanimously.

- 9. Clerks Report
- 10. Upcoming Meetings
 - A. Airport Commission Meeting – October 30, 2008
- 11. Adjournment

There being no further business to come before the council, Acting Mayor Robert Hooker adjourned the meeting at 9:11 PM.

Robert A. Hooker, Acting Mayor

Roberta J Tharp, City Recorder