

City of Creswell
City Council Minutes
August 8, 2011

Council Present:

Mike Anderson
Bob Hooker
Jean McKittrick
Jane Vincent

Jack Gradle
Bill McCoy
A.J. O'Connell

Staff Present:

Mark Shrives
Roberta Tharp
Roy Sprout
Shelley Humble
Ross Williamson
City Administrator
City Recorder
Public Works Director
Airport Manager
City Attorney

Council Absent: 0

Press: 2 – Creswell Chronicle – Helen Hollyer, Martha McReynolds Jr.

Audience: 11

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

1. Presentations

A. Airport Marketing Plan – Irina Pack

In 2010 the city received an RBEG (Rural Business Enterprise Grant) grant to complete an Airport Feasibility Study and Business Plan. As a result, it was determined a marketing plan for Hobby Field needed to be completed. Mr. Shrives introduced Irina Pack, a Masters of Business Administration student at the University of Oregon, who during her course of study at Lindquist Business College chose the Airport Marketing Strategy Plan as a class project.

Ms. Pack presented a brief power-point presentation on her findings for the marketing project. She said the challenge of the project was to create a marketing plan that promotes Creswell Hobby Field and also creates a set of strategies to stimulate the local economy by encouraging existing and attracting new customers to support local businesses and increase airport fuel sales.

Ms. Pack said she began the project by researching general aviation within the airport industry. She interviewed airport and city staff, regional tourism representatives and industry leaders. She read Creswell Airport studies and materials and conducted three different surveys of airport stakeholders.

Ms. Pack reported the tenant and current customer survey reflected eighty four percent of existing customers would recommend Hobby Field to others, seventy percent felt it was lacking in hangar space, instrument approach capability and an on site restaurant/cafe. The survey of current tenants who fly at Hobby Field responded they did so because of convenience, a non-towered/uncontrolled environment and friendly staff. Seventy five people from the Pacific Northwest responded to the potential customer survey citing fly-in events such as fishing, rafting, winery and golf would appeal to them. The surveys indicated most pilots fly for pleasure, business or just to keep their skills sharpened.

The 2011 Federal Aviation Administration factbook says the hours flown by a general aviation pilot is expected to increase 15.9 % during the next three years.

Results in the SWOT (Strengths, Weaknesses, Opportunities, and Threats) Analysis show Hobby Field strengths as a small economical, not too busy airport with a prime location that includes a courtesy car. Weaknesses at Hobby Field include visual fly-in only, facilities need maintenance and skydiving reputation discourages transient pilot use. Opportunities at Hobby Field are ideal for the outdoor enthusiast; there are newer business surrounding the

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Creswell Airport and currently there is very limited marketing directed at general aviation pilots. The threats include inconsistent fuel supply at fiscal year end, a few unhappy tenants and budgetary constraints for marketing.

Ms. Pack concluded her presentation with short and long term recommendations for a marketing strategy of Hobby Field.

Short Term Recommendations:

- Create a Hobby Field Airport Website to promote Airport Services
- Create updated Facebook and Wikipedia pages
- Develop a Press Kit that provides information about the Airport and different fly-in events
- Organize Fly-in events by creating Stay and Play packages
- Solve the fuel supply issue at fiscal year ends
- Publish press releases or work with local media to provide coverage of airport activities

Long Term Recommendations:

- Form a Friends of Hobby Field Airport group
- Build new T-hangars
- Restaurant/Café on Hobby Field property
- Improve airport appearance
- Establish bike rental
- Promote a positive view of the airport within the community

A brief discussion ensued regarding social media and the unknown cost of an instrument approach. The council gave their verbal consensus to move this marketing plan forward to the Airport Commission for review and recommendations.

2. Comments from Mayor, Councilors, and City Administrator

Bob Hooker reported he had the privilege of being an escort this past weekend in the 2011 Patriot Flag Tour.

Jane Vincent spoke in regards to beginning an emergency disaster plan.

A. J. O'Connell spoke in regards to disaster planning.

Mark Shrives said at some point the Council should look into scheduling a work session in order to define what kind of disaster plan needs to be developed.

Mark Shrives reported Lane Council of Governments has received a second Environmental Protection Agency grant that will allow the city to continue with the local wetland work.

3. Correspondence

No comments were received on Correspondence.

4. Public Forum

Doug Dawson – 136 Cresview Terrace, Cottage Grove addressed the Council to introduce himself as the new interim South Lane Fire Chief. Mr. Dawson welcomes any thoughts and concerns the council may have.

Jennifer Clemo who resides at 956 Odom Lane, Creswell addressed the council on behalf of the Creswell Library Foundation asking for permission to hold the second annual Campfire and Storytelling Event on Friday, September 30th at Garden Lake Park. Mayor Hooker said she should set up a meeting with Mark Shrives to work out the details.

John O'Connell who resides at 98 North 7th Street, Creswell spoke in favor of the Hobby Field Airport Pilots participation in the 4th of July parade and celebration. Mr. O'Connell suggested maybe having the airplanes available at the Airport during the celebration next year for the public viewing.

5. Consent Calendar

Mike Anderson moved Bill McCoy seconded to approve the Consent Calendar as presented. Voted on and carried unanimously.

6. Airport

A. Pay Request #5 – Precision Approach Engineering Task Order No. 6 (Fence Improvements)

Jack Gradle moved A.J. O'Connell seconded that Precision Approach Engineering, Inc. Invoice No. 2070 in the amount of \$6,335.76 be approved. Voted on and carried unanimously.

B. Pay Request #5 – Precision Approach Engineering Task Order No. 6 (Obstruction Removal)

Bill McCoy moved Mike Anderson seconded that Invoice No. 2071 from Precision Approach Engineering, Inc. in the amount of \$2,677.45 be approved. Voted on and carried unanimously.

7. Public Works

No agenda items for Public Works.

8. City Administration

A. Pay Request – Nagao Pacific Architecture and Planning PC –(Inv 11-132) – City Hall 2nd Floor Project – Mark Shrives

Bill McCoy moved Jean McKittrick seconded that Council approve Invoice #11-132 from Nagao Pacific Architectural and Planning P.C. in the amount of \$7,074.45 for services on the City Hall 2nd Floor Project. The motion passed with Councilors Anderson, Gradle, McCoy, McKittrick and Mayor Hooker voting in favor and Councilors O'Connell and Vincent opposing.

9. Clerk's Report

10. Executive Session – Per ORS 192.660 (2) (b) To Hear Complaints Against A Public Official, A.J. O'Connell

A.J. O'Connell asked to have the executive session hearing as per ORS 192.660 (2)(b) To Hear Complaints Against A Public Official, be held in open session. Bill McCoy moved Mike Anderson seconded to waive the attorney client privilege to hear complaints against a public official, City Councilor O'Connell. Voted on and carried unanimously.

City Attorney Ross Williamson addressed the council to explain the procedure for hearing complaints against a public official as per the Council Rules for the City of Creswell and present the facts. Mr. Williamson said under Section 7.1 and 7.2 of the Rules of the Council (Resolution 2011-07), they allow the Council to investigate and judge violations of the City Charter and Council Rules. Mr. Williamson read Council Rules Section 7.1, and Section 7.2, and explained each rule to the Council and outlined what they need to look for to determine if Councilor O'Connell is in violation of the Council Rules.

Mayor Hooker contacted Mr. Williamson and asked him to begin the process of investigating potential violations of the City Charter and Council Rules as a result of some recent actions of Councilor O'Connell. Mr. Williamson said the complaint being whether Councilor O'Connell interfered with staff operations related to the RARE (Resource Assistance to Rural Environments) intern program and the city's relationship with Willamalane Parks and Recreation District by contacting them. Staff at both RARE and Willamalane said they felt the conversations they had with Councilor O'Connell; he was actually speaking for the City and communicating a change of policy. The Council rules provide that the Council is the rule maker and staff operates on that policy. It is not the place of an individual councilor to interfere with staff's operation of the policy. The City Council acts as a body and does not allow an individual to act on behalf of the city unless you are implementing a council rule or policy. A copy of the pertinent Council Rules and relevant e-mail correspondence and memorandums that reflect Councilor O'Connell's interaction with RARE and Willamalane Parks and Recreation District were distributed to the Council. Mr. Williamson said the issue at hand is whether Councilor O'Connell stepped over the line between policy makers and administrators and put that policy into action. The potential violations against Councilor O'Connell fall under Section 8.3 Code of Ethics, Section 9.2, 9.3 and 9.4 Council Relations with City Staff, for contacting staff from both outside agencies and interfering with staff's implementation and operation of city policies and goals.

At this point Mr. Williamson turned the discussion over to the Council to determine whether the facts presented constitute violation of the Council Rules and if so by a majority vote the next step would be to decide if or what sanction should be imposed.

Discussion ensued regarding the good relationship Wes Johnson has with Willamalane.

Mark Shrives said on July 18th Wes Johnson sent an e-mail to City Councilors to respond to a question presented at the July City Council meeting regarding the Willamalane survey. On July 19th, Councilor O'Connell replied to the e-mail in a sense of asking for comments or opinions. Mr. Shrives then asked Mr. Williamson to send a reminder to Councilors regarding public meetings law. On July 20th, Wes Johnson replied to Councilor O'Connell's remarks to providing clarification and factual responses regarding the survey. Mr. Shrives said within the next couple of days he received telephone calls from staff at both RARE and Willamalane questioning why Councilor O'Connell was contacting them and if there was any change to the city's policy and direction.

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Councilor O'Connell said he objects to this matter being brought up; he needs to be given all materials prior to meetings with sufficient time to review. Mayor Hooker responded by saying he has been in possession of the materials since July when they were sent to him via e-mail except for the two memorandums Mr. Shrives put together to confirm telephone conversations with RARE and Willamalane.

Councilor O'Connell asked Mark Shrives if he had Wes Johnson author the memo dated July 20, 2011 regarding the Willamalane Survey and did he feel the memo is a part of the duties and qualifications of a Community Development Coordinator. Mr. Shrives said he asked Mr. Johnson to present the facts. Mr. O'Connell said he does not agree with any of this.

A.J. O'Connell moved Jane Vincent seconded this matter be postponed indefinitely until Councilor O'Connell can review said statements and also if necessary retain personal legal counsel. The motion failed with Councilors Vincent and O'Connell voting in favor and Councilors Anderson, Gradle, McCoy, McKittrick and Mayor Hooker voting in opposition.

A.J. O'Connell asked to have the record show he does not have legal counsel present. Mr. Williamson said Mr. O'Connell is not in any jeopardy of anything other than a violation of Council Rules with a potential of public reprimand.

Jane Vincent asked once the vote has taken place and things are settled that there will not be further carry on in the newspaper, just discuss the issue and put it away. Councilor McCoy reminded her that Councilor O'Connell requested the hearing to be heard in open session, therefore the council does not have any control over the media.

Bob Hooker read allowed Council Rule 8.3 which provides that communication of personal opinions and comments should not be accompanied by any statement of the author's status as a member of the Council. Mr. Hooker said staff from RARE and Willamalane believed Councilor O'Connell was speaking on behalf of the Council. Mr. Hooker read aloud Council Rule 9.4 which requires Council members not attempt to change or interfere with the operation or practice of any City department or personnel except by directing their concerns to the City Administrator, which in this instance he took them directly to staff at RARE and Willamalane. It also appears that Section 9.2 of the Council rules has been violated by Councilor O'Connell interfering with staff implementation of policies set by the City Council.

A discussion was held by the Council on Wes Johnson's letter and the relationship between the City and Willamalane.

A. J. O'Connell moved Jane Vincent seconded that the two memorandums from Mark Shrives dated July 25, 2011, be stricken from the records; the main issue being there is no corroboration from the individual that is quoted here. The motion failed with Councilors O'Connell and Vincent voting in favor and Councilors Anderson, Gradle, McCoy, McKittrick and Mayor Hooker voting in opposition.

Mayor Hooker conducted a poll of the Council to see who felt violations of the Council Rules 8.3, 9.2, and 9.4 had occurred. The poll revealed that five councilors felt violations had occurred while two did not.

Mike Anderson moved Jean McKittrick seconded that Pursuant to Council Rule 7.1 the City Council finds Councilor O'Connell's actions constitute substantial violations of the Council Rules and that the Council censure Councilor O'Connell for Council Rules violations in the following particulars:

1) Councilor O'Connell did violate Council Rule 8.3 by interacting with staff for RARE and Willamalane Parks and Recreation District such that the staff for those outside agencies believed Councilor O'Connell's comments represented the position of the City and the City Council when in fact Councilor O'Connell's comments did not represent the position of the City or the City Council.

2) Councilor O'Connell did violate Council Rule 9.2 by interfering with staff's implementation and operation of city policies and goals set by the City Council through Councilor O'Connell's contacts made with staff for RARE and Willamalane Parks and Recreation District such that the staff for those outside agencies believed that the City's operations with those agencies may be changing when in fact no such change in City policy or goal related to the agencies had been established by the City Council.

3) Councilor O'Connell did violate Council Rule 9.4 by interfering with the operation of the City's relationship with RARE and Willamalane Parks and Recreation District by directly contacting staff from both outside agencies,

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making statements about the City's relationship with the outside agencies, and making the agency staff believe that he was speaking on behalf of the City and City Council when in fact Councilor O'Connell's comments did not represent the position of the City or the City Council.

As a result of these violations, Councilor O'Connell shall be publicly reprimanded by the City Council. The Mayor shall read into the record a public reprimand of Councilor O'Connell for the above referenced Council Rule violations. The motion passed with Councilors Gradle, Anderson, McCoy, McKittrick and Mayor Hooker voting in favor and Councilors O'Connell and Vincent voting in opposition.

Mayor Hooker read aloud a Public Reprimand.

Pursuant to Council Rule 7.1, on August 8, 2011, the City Council for the City of Creswell determined that Councilor O'Connell acted in a manner constituting substantial violations of the Council Rules. The city Council has voted to censure Councilor O'Connell by public reprimand.

The City Council hereby publically reprimands Councilor O'Connell for the following violations:

1) Councilor O'Connell did violate Council Rule 8.3 by interacting with staff for RARE and Willamalane Parks and Recreation District such that the staff for those outside agencies believed Councilor O'Connell's comments represented the position of the City and the City Council when in fact Councilor O'Connell's comments did not represent the position of the City or the City Council.

2) Councilor O'Connell did violate Council Rule 9.2 by interfering with staff's implementation and operation of city policies and goals set by the City Council through Councilor O'Connell's contacts made with staff for RARE and Willamalane Parks and Recreations District such that the staff for those outside agencies believed that the City's operations with those agencies may be changing when in fact no such change in City policy or goal related to the agencies had been established by the City Council.

3) Councilor O'Connell did violate Council Rule 9.4 by interfering with the operation of the City's relationship with RARE and Willamalane Parks and Recreation District by directly contacting staff from both outside agencies, making statements about the City's relationship with the outside agencies, and making the agency staff believe that he was speaking on behalf of the City and City Council when in fact Councilor O'Connell's comments did not represent the position of the City or the City Council.

11. Other Business

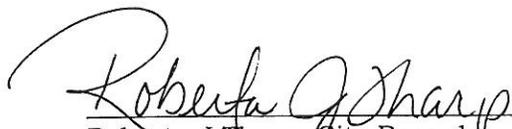
No other business was presented.

12. Upcoming Meetings

A. August 18, 2011 – Planning Commission – Community Center at 7:00 p.m.

13. Adjournment

There being no further business to come before the council, Mayor Robert Hooker adjourned the meeting at 8:29 PM.


Roberta J Tharp, City Recorder


Robert A. Hooker, Mayor