

City of Creswell  
City Council Minutes  
September 12, 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  
Layli Nichols  
Shelley Humble  
Ross Williamson  
Denise Walters  
Steven Dobrinich

City Administrator  
City Recorder  
Finance Director  
Airport Manager  
City Attorney  
City Planner  
RARE Intern

Council Absent: 0

Press: Creswell Chronicle – (2) – Helen Hollyer & Martha McReynolds, Jr.  
KEZI News – (1)  
Eugene Register Guard – (1)

Audience: 42

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

Mayor Hooker began the meeting by reading the following statement:

As Mayor of Creswell, in coordination with the Creswell School District and Lane County Sheriff Office, I would like to make a statement before the meeting begins.

If anyone is here to discuss the situation that occurred on Friday, September 9<sup>th</sup> involving a student at Creswell High School, please be advised that the City will not be addressing this tonight, as the matter is an ongoing criminal investigation. As a matter of record, the City of Creswell does not condone violence against any of our citizens for any reason including race, gender, age, sexual orientation, religion or disability.

Again, this matter is still under review by the Lane County Sheriff's Office and the Creswell School District. If anyone does have any information that would assist in the investigation, they should call Lane County Deputy Dan Olsen at (541) 682-4141. Any questions or media inquiries regarding this case should also be directed to the Sheriff's Office.

**1. Presentations**

**A. Planning – Denise Walters**

**i. Public Hearing – Cuddeback Plan Amendment & Zone Change – Ordinance 472 An Ordinance Amending the City of Creswell Comprehensive Land Use Plan Diagram and Creswell Development Code Zoning Map for Certain Land Within the City (Assessor's Map 19-03-14-12, Tax Lot 1200)**

Ms. Walters addressed the council stating the purpose of this Public Hearing and Ordinance adoption is to re-designate the assessors map for this lot from commercial to residential and to rezone it from general commercial to medium density residential.

Mayor Hooker opened the Public Hearing on the plan amendment, Case No. PA-2011-01 and polled the council for any ex parte contacts or conflicts. There being none, he asked for the applicant or the applicant's representative to come forward and testify.

Mary Bridget Smith, 188 West B Street, Building N, Springfield Oregon, Attorney and Personal Representative of Deborah Cuddeback (developer), addressed the council, speaking in support of the approval of the plan amendment. There being no other public testimony, Mayor Hooker closed the public hearing.

A.J. O'Connell moved Mike Anderson seconded the Creswell City Council approve the Comprehensive Plan Designation Amendment to change the Plan designation of Assessor's Map 19-03-14-12 Tax Lot 1200 from

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Commercial to Residential as described in the proposed findings of fact and final order. Voted on and carried unanimously.

Mayor Hooker opened the public hearing on the Zone Change, Case No ZC-2011-01 and polled the Council for any ex parte contacts or conflicts. There being none, he asked the applicant or their representative to come forward and testify.

Mary Bridget Smith, 188 West B Street Building N, Springfield, OR, Attorney and Personal Representative of Deborah Cuddeback, addressed the Council speaking in favor of the approval of the zone change. There being no other public testimony Mayor Hooker closed the public hearing

Bill McCoy moved Jean McKittrick seconded the Creswell City Council approve the Zoning District Change to change the zoning of Assessor's Map 19-03-14-12 Tax Lot 1200 from General Commercial to Medium Density Residential as described in the proposed findings of fact and final order. Voted on and carried unanimously.

**ii. Adoption of Ordinance 472 An Ordinance Amending the City of Creswell Comprehensive Land Use Plan Diagram and Creswell Development Code Zoning Map for Certain Land Within the City (Assessor's Map 19-03-14-12, Tax Lot 1200)**

A. J. O'Connell read twice by title and moved Mike Anderson seconded the City Council adopt Ordinance 472; An Ordinance Amending the City of Creswell Comprehensive Land Use Plan Diagram and Creswell Development Code Zoning Map For Certain Land Within the City (Assessor's Map 19-03-14-12, Tax Lot 1200). Voted on and carried unanimously.

**iii. Citizen Involvement Committee (CIC) Reappointment for Comprehensive Plan**

In 2007 the Citizen Involvement Committee was established to update the Creswell Comprehensive Plan. The committee consists of ten members: City Councilors (2), Planning Commissioners (2) and citizens at large (6). Since the inception of the committee there have been some membership changes and with the completion of the draft Wetland Inventory, the committee needs to regroup and resume working on the update. Ms. Walters has polled the current members of the committee and reports four vacancies need filled; one City Council member and three Citizens-at-Large. Troy Marquess has indicated he would be open to an appointment to the committee, filling one of the citizen vacancies. Ms. Walters feels he would be a good candidate because of his participation in the Interchange Area Management Plan and the North of Oregon Avenue Plan development that provided him experience with relevant planning documents and data, positioning him well to come up to speed quickly with the others serving on the CIC. Bob Hooker said he would like to appoint Mike Anderson as Council Representative to fill that vacancy.

Bob Hooker moved Jean McKittrick seconded the City Council re-appoints the former CIC members: Bill McCoy, Lloyd Safley, Blake Oelke, Carol Campbell, Sheila Hale, and Kathy Thompson; with the addition of Troy Marquess, Citizen at Large and Mike Anderson, City Councilor. Voted on and carried unanimously.

**B. Golf Proposal – Mick Humphreys**

Mick Humphreys, 4046 Northcliff, Bend Oregon addressed the Council to present a proposal he and Mark Shrives have been discussing and are seeking council support to move forward and begin negotiations on the proposal.

Mr. Shrives said Mr. Humphreys is represented by Speer Hoyt Law firm and the City is represented by the Local Government Law Group of Speer Hoyt therefore, both parties have signed a waiver for conflict of interest with the attorneys.

Mr. Humphreys said he represents a group of individuals who are working to create a golf course for the University of Oregon athletics program. The site identified for the proposed stand alone golf course lies on property Derrick Sawyers owns at the end of Sher Kahn Road between Eugene and Creswell. The proposal includes an ingress/egress that will move golf course traffic through the center of Creswell and are currently working with Lane County on the zoning of the property. Peter Jacobson, U of O alumni and famous golfer along with Tom Fazio, the number one golf course architect in the world have formed a partnership to be the architects for this project. Mr. Humphreys said he has been discussing with Mark Shrives the potential of utilizing Creswell's reclaimed water surplus for irrigation purposes. He would like permission to negotiate an agreement with the City through Mark Shrives for the reclaimed water.

A very brief discussion ensued regarding the wetlands in that area, water being used for irrigation purposes only and this is being a no cost project to the city as any attorney or staff time expenses will be reimbursed by the group that is working on the project.

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Bob Hooker moved Jean McKittrick seconded the council authorize Mark Shrives to negotiate an agreement with Mick Humphreys and his group to supply reclaimed water for the golf course. Voted on and carried unanimously.

**C. Willamette Water Company – Request for Letter of Support – Larry Gildea**

Mark Shrives said The Oregon Water Resources Department (OWRD) has granted Willamette Water Company (WWC) a new water right to take water from the McKenzie River for quasi-municipal uses and has received a request for a letter of support from them. Mr. Shrives said he drafted a letter of support acknowledging the fact that as we look at future growth of the City, there may be a need for additional water. Mr. Shrives said although we have our perfected water rights, this could serve as an additional potential source for supplying water should the need arise.

Mr. Shrives passed out a letter he received today from WaterWatch of Oregon who is currently appealing the Willamette Water Company's permit approval for the McKenzie River water rights at the state level.

Mr. Gildea, representative of Willamette Water Company addressed the Council stating Lisa Brown's WaterWatch letter does not really speak to the issues raised in WWC's request for a letter of support. Mr. Gildea said they currently have a water right that allows 4cfs from the McKenzie River and have been recently granted a new permit allowing an additional 34 cfs with conditions set in place for taking precautions to protect the salmon and other fish species. Mr. Gildea said after Waterwatch's appeal has been decided and WWC receives the water right, they plan to build a water treatment plant in the future. Mr. Gildea said it will be approximately ten years before they begin using the water right and just wants Creswell to know that water is available if they want it; they aren't asking us to buy it or commit to it, they just want acknowledgement that it is available if there is ever a need for it.

Further discussion ensued regarding Creswell's projected population being 11,000 in the year 2030, and how other aspects of this water right will affect the habitat. Mr. Gildea said every aspect of how this water right will affect the habitat was thoroughly examined in the process and reports on it are available through OWRD.

A.J. O'Connell moved Jane Vincent seconded to postpone this matter until all documentation can be provided to City Council. The motion failed with Councilors O'Connell and Vincent voting in favor and Councilors Anderson, Gradle, McCoy, McKittrick and Mayor Hooker voting in opposition.

Bob Hooker moved Jean McKittrick seconded to approve the letter of support for Willamette Water Company as presented. The motion passed with Councilors Anderson, Gradle, McCoy, McKittrick and Mayor Hooker voting in favor and Councilors O'Connell and Vincent opposing.

**2. Correspondence**

Bill McCoy asked if the City would be participating in the National Drug Take Back Day. Mark Shrives said he is working with Sgt. Doug Osborne to coordinate the October 29<sup>th</sup> event.

**3. Public Forum**

Misa Joo residing at 2327 Jefferson Street, Eugene, Oregon addressed the Council regarding concerns about student and school safety in relation to the Friday afternoon assault incident that happened on a trail at the end of 6<sup>th</sup> Street in Creswell.

Christina Fernandez who resides at 422 North 6<sup>th</sup> Street, Creswell, Oregon, mother of the victim in Friday's incident spoke in regards to educating the community on racism.

Tom Scott who resides at 363 West Oregon Avenue, Creswell, Oregon spoke in support of Jonah Scott.

Abrella Luvert, PO Box 5037, Eugene, Oregon spoke in support for Jonah Scott.

Patti Scott who resides at 83554 N 6<sup>th</sup> Street, Creswell, Oregon addressed the Council speaking in support of her grandson, Jonah Scott and all the children of the community. She also cited concerns about a group of older teens who hang out at Harry Holt Park and cause problems.

John O'Connell who resides at 98 North 7<sup>th</sup> Street, Creswell, Oregon voiced concerns about the "smoker's trail" that runs between the School District Property and the end of 6<sup>th</sup> Street.

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Jonah (Scott) Fernandez who resides at 422 N 6<sup>th</sup> Street, Creswell, Victim of the assault incident, spoke about his families concerns for him and his concerns for the younger children of this community and finding resolution.

Jenna Williams who resides at 490 south 2<sup>nd</sup> Street, Creswell, addressed the Council with concerns about crimes and bullying.

Mayor Bob Hooker thanked everyone for attending the meeting and reiterated the fact that the City does not condone this kind of act in anyway shape or form regardless of who it is, we all feel for you tremendously and the City will do what it can to help resolve the issues along with the Sheriff's department and School District.

**4. Consent Calendar**

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

**5. Airport**

**A. Airport Marketing Plan Recommendations**

Airport Manager Shelley Humble said the Airport Commission met on September 1<sup>st</sup> to review the draft Marketing Plan for the Airport and voted to recommend its approval by the City Council.

Bill McCoy, Council representative to the Airport Commission reported said the commission is concerned about the number of reports and plans that have come through without any apparent action and feels the Council should approve the Marketing Plan and get started on Phase I.

Bill McCoy moved Jean McKittrick seconded the City of Creswell, in concurrence with the Airport Commissioners, adopt the Creswell Hobby Field Marketing Plan as presented at the August 8, 2011 City Council meeting. Voted on and carried unanimously.

**6. Public Works**

No agenda items for Public Works.

**7. City Administration**

**A. Proclamation – September 2011, Look Me In The Eye Month**

Bob Hooker moved A.J. O'Connell seconded to proclaim September 2011 as Look Me in the Eye Month in Creswell. Voted on and carried unanimously.

**B. H2O (Help To Others) Program**

Mark Shrives said he is looking for Council direction to work with Community Sharing and the City of Cottage Grove to create a local Help to Others (H2O) Program. Executive Director of Community Sharing Mike Fleick has proposed to the City of Cottage Grove and Creswell to begin a round-up program that will provide assistance to low-income families for utility bills and other essential items. Mr. Shrives said Creswell currently houses a satellite office of Community Sharing in the Community Center. He also reported that the City of Cottage Grove is ready to move forward with the project but in order for Creswell to do so, it would require some changes to the online bill payment program and consent from the Council.

Bob Hooker moved Jean McKittrick seconded to direct staff to make the necessary changes to the utility billing system in order to participate in the Help To Others (H2O) program with Community Sharing. Voted on and carried unanimously.

**8. Clerk's Report**

**9. Comments from the Mayor, Councilors, and City Administrator**

Bill McCoy suggested scheduling a joint work session with the Chamber of Commerce Board to discuss economic development. The Council gave their consensus to the idea.

Jane Vincent spoke about beginning work on an emergency preparedness plan. Mark Shrives said we talked about scheduling a work session at the last meeting.

A.J. O'Connell moved Jane Vincent seconded the City Council direct City Staff to work with any applicable Civil Rights organizations within the region, Lane County, to develop a City Proclamation stating the City of Creswell

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is a Racism Free Zone. The motion failed with Councilors O'Connell, Vincent and Anderson voting in favor and Councilors Gradle, McKittrick, McCoy and Mayor Hooker voting in opposition.

A.J. O'Connell commented on disaster planning.

**10. Upcoming Meetings**

- A.** September 14, 2011 – Municipal Court – Community Center – 7:00 PM

**11. Adjournment**

There being no further business to come before the council, Mayor Robert Hooker adjourned the meeting at 8:18 PM.

  
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Roberta J Tharp, City Recorder

  
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Robert A. Hooker, Mayor