

City of Creswell
Special City Council Meeting Minutes
February 20, 2013

Council Present:

Mike Anderson	Jacob Daniels
Jean McKittrick	A.J. O'Connell
Dave Stram	Nora Reynolds
Jane Vincent	

Staff Present:

Mark Shrives	City Administrator
Roberta Tharp	City Recorder
Shelley Humble	Airport Manager

Council Absent: 0

Press: 0

Audience: 7

The Special City Council meeting was called to order by Mayor Dave Stram at 11:00 AM and the Pledge of Allegiance given.

Public Forum – No public comments were given

Change Order No. 1 – Task Order No. 7 – Precision Approach Engineering – AWOS (Automated Weather Operating System) for Creswell Airport

Mayor Stram asked City Administrator Mark Shrives to provide the Council with an update regarding the events that have taken place since the February 11, 2013 meeting that relate to the AWOS. Mr. Shrives said he contacted John Shute, from Precision Approach Engineering to set up a meeting to go over the Council discussion/questions that occurred during the February 11th meeting. Mr. Shrives, Shelley Humble and John Shute met on Thursday, February 14th to discuss the process used by Precision Approach to determine a location for the AWOS placement and to address the questions and concerns of the Council. It was at this time Mr. Shute said Precision Approach Engineering has submitted a recommendation to the FAA for approval. Mr. Shute explained to Mr. Shrives the process used in determining the best location. The process identified five different locations on the Airport property; they analyzed each location and based on cost, electricity and different variables, it was determined each location required some sort of FAA exception. After further research, the placement recommendation was submitted to the FAA with the exception request and the FAA has approved the recommended site along with the exceptions submitted. The recommended placement site of the AWOS is located on the east side of the Airport near the PAPI (Precision Approach Path Indicator). Mr. Shrives asked Shelley Humble, Airport Manager to explain what a PAPI is. Ms. Humble explained a PAPI is a piece of equipment pilots use when landing their aircraft at night. It contains lighting to help indicate the direct path for a safe landing. Ms. Humble said she believes it was placed on the Airport in 1986 or 1987 when the runway was re-aligned.

Councilor Daniels asked if Precision Approach Engineering has decided on a location for placement of the AWOS. Ms. Humble responded that during the February 14th meeting, she and Mr. Shrives were told Precision Approach has submitted a request to the FAA and it was approved. Ms. Humble went on to say that out of the five sites identified, not one of them met all of the qualifications for the AWOS due to trees, terrain, or navigation reasons. When Precision Approach submitted their recommendation to the FAA, they had to request an exception in regards to the placement. Precision Approach reported to staff the FAA had reviewed the recommendation and were okay with the exceptions requested.

Mr. Shrives said at the conclusion of that meeting, he asked John Shute to prepare a report for the Council that outlines the five sites and discussion on the criteria used when determining a location and to address the Council's issues and concerns. Mr. Shrives said he received a phone call from Mr. Shute on Friday, February 15th, who explained that while reviewing the information for the requested report, it was determined by the engineers that this report would be time consuming for their staff and not included in the scope of work of their contract. The engineers did not want to move forward until a change order was approved by the Council for costs incurred in preparing the report.

Jane Vincent commented the contract states the City is allowed two meetings before a site is found and is wondering why one of the meetings had not been shared with the Council to approve the placement. Mr. Shrives responded the placement of the AWOS has always been the engineer's decision based on their process. Further discussion ensued regarding Exhibit A to Task Order No. 7 of the AWOS Improvements page A-1 Project Management Section; the contract states attend up to two pre-design meetings with owner. Mr. Shrives said we have had the pre-design meetings to discuss the project. The discussion moved to page A-2 - 8 (a)(ii) - Coordinate the site location with Owner, FAA, and manufacturer. Ms. Vincent said the Council should have had a meeting to go over the locations and she feels the Council should have been involved in that decision. Mr. Shrives went on to explain that in prior projects, the owner in contracts would be the project manager not the City Council. Once the Council approves a contract the owner becomes the administrator or his representative. He went on to say neither he nor the Council is qualified to make a placement recommendation that is why we use engineers.

Councilor O'Connell asked to have Shelley Humble identify the approximate area for the AWOS placement chosen by the engineers on a map. The discussion continued regarding the definition of owner used in the context of the contract.

Councilor Vincent expressed concern because as she understands, if the AWOS will cost \$348,744, lottery money will cover \$160,000 and the FAA is paying \$83,614 leaving a balance of \$105,130 for the city to come up with. Mayor Stram asked Ms. Humble to provide an explanation to Councilor Vincent. Ms. Humble responded the project will cost approximately \$200,000, and the amount that is confusing Ms. Vincent is the purchase price of the Airport property back in the 1980's, it is used under Other Matching Funds. It is used to show the Airport has more than twenty percent of the match for the project which allows for more points when identifying a project. There is no money that is coming out of the City of Creswell for the Airport AWOS project.

Councilor Daniels stated he is disappointed in the site chosen for the AWOS and would like to have more information provided to the Council when doing projects. He feels the AWOS will be a tremendous asset to the Airport.

Jacob Daniels moved A.J. O'Connell seconded the Council approve an expenditure in an amount not to exceed \$1,500 for a letter from John Shute of Precision Approach Engineering that details how the AWOS placement was determined based upon the five sites recommended at the Creswell Airport.

A discussion ensued regarding Mr. Shute addressing the Council during a meeting to answer questions instead of issuing a letter. Councilor Anderson stated he is detecting some conflict of interest in councilor actions and can't believe the Council is trying to micro-manage the professional engineer for this project.

Councilor Daniels asked Mayor Stram to allow Urban Moore to address the Council. Mayor Stram granted Mr. Moore two minutes to speak. Mr. Moore said the fence at the Airport can be an obstacle according to the new FAA ruling but he feels it is not an issue. Mr. Moore stated that putting a thirty foot tower inside the object free area of the Airport is prohibited by 6560.20(b) which outlines requirements of AWOS placements. He would be interested in knowing where the other four sites are and also addressed the wetlands on the adjacent city property next to the airport.

Mayor Stram granted Larry Lowenkron two minutes to speak.

Larry Lowenkron, Airport Commission chair, addressed the Council to state he believes the ruling Mr. Moore is referring to is known as an AC; a proposed airworthiness document and it has been held in advance. It is not a ruling, nor a regulation, AC's are an advisory - and to his knowledge the one referred to by Mr. Moore is not even in effect.

Mike Anderson asked Mr. Shrives to clarify when the FAA had approved the location placement of the AWOS. Mr. Shrives said he met with John on the 14th but does not know when the FAA approved the location site.

Mayor Stram reiterated the fact that Mr. Shrives and Shelley Humble met with John Shute on February 14th and it was that time the two of them were apprised of the five locations that had been looked at and of those, one had been selected, a recommendation had been made to the FAA by the engineer and approved by the FAA.

Jacob Daniels stated in moving forward he hopes there to be better communication between council and staff.

Voted on and the motion passes 4-3 with Councilors Daniels, O'Connell, Reynolds and Mayor Stram voting in favor and Councilors McKittrick, Anderson and Vincent voting in opposition.

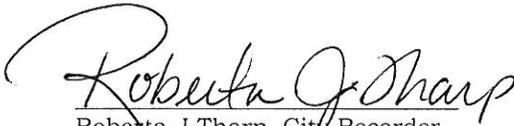
Mayor Stram announced Change Order No. 1 as outlined on the agenda will not be voted on. Mr. Shives reiterated the fact the Council just approved a brief summary statement in an amount not to exceed \$1,500 which will become change order number one replacing the one presented in the packet.

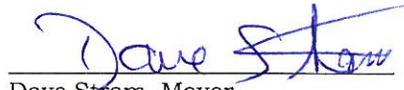
Councilor Vincent asked to see the paperwork that outlines the five locations. Mr. Shives said that is what the original change order in the amount of \$6,400.00 would have provided. He said he will ask Mr. Shute to include a map in his report. Ms. Vincent also asked if she could get a copy of the monthly reports.

Councilor Anderson asked if we could have further direction from the city attorney in regards to the conflict of interest and crossing the line of where we stand on the pending litigation. Mr. Shives said an executive session is planned for the March meeting and he will ask the attorney to address it at that time.

Adjournment

There being no further business to come before the Council, Mayor Dave Stram adjourned the regular meeting at 11:47 AM.


Roberta J Tharp, City Recorder


Dave Stram, Mayor