City of Creswell
City Council Minutes
February 9, 2015

Council Present:		Staff Present:	
Omar Bowles	Holly Campbell	Michelle Amberg	City Administrator
Richard Heyman	Adam Pelatt	Roberta Tharp	City Recorder
Ted Romoser	Dave Stram	Cliff Bellew	Public Works Director
Jane Vincent		Layli Nichols	Finance Director
		Shelley Humble	Airport Manager
		Maddie Phillips	Planning Technician
		Sgt. Billy Halvorson	Lane County Sheriff's Office

Council Absent: 0

Press: 1 – Creswell Chronicle – Scott Olson

Audience: 19

The regularly scheduled City Council meeting was called to order by Mayor Dave Stram at 7:01 pm and the Pledge of Allegiance was given.

Public Forum
Rick Higgins, Creswell resident, addressed the Council thanking the City for paving Scott Lane. He noted the VFW members appreciate it. He also thanked and commended Councilor Pelatt for a well done job on the Veteran Banners Project and encouraged the Council to support tonight's proposal from Councilor Heyman to recognize Duane Hodges.

Jurgan Ramil addressed the Council also praising the Oregon Avenue Veterans Banner project. He would like to have the banners displayed year round including the holidays.

Mayor's Report
Mayor Stram expressed condolences to Councilor Vincent on the recent loss of her brother.

Council Committee/Commissions and Board Appointments and Charges
With the Council's unanimous consent, Mayor Stram appointed Mark Murphy as the 2015 Parks Advisory Board representative to the Tree Board, the term expires on December 31, 2015.

With the Council's unanimous consent, Mayor Stram appointed Gary Ludeke as the 2015 Planning Commission representative to the Airport Commission, the term expires on December 31, 2015.

Mayor Stram asked Councilors Romoser and Heyman if they have found their community representative to serve on the Budget Committee. Councilor Romoser noted Pat Miller has submitted his application and Councilor Heyman noted Dr. David Calder, M.D. has submitted his application.

Discussion on New Work Session Format
Mayor Stram announced that he, Councilor Pelatt and Michelle Amberg have been discussing the idea of a new work session agenda format in order to help shorten the meetings. He proposed to begin the work sessions at 6:00 pm with the first forty five minutes scheduled for Committee Reports while the Council has their dinner. At 6:45 pm the agenda will move forward with presentations and discussion items. The goal is to adjourn work sessions by 9:00 pm. Mr. Heyman suggested holding work sessions at 6:00 am.

With the Council's unanimous consent, Mayor Stram moved agenda item 6 I; Approval of the Lane Library District's Proposal to operate the Creswell Community Center and Directing the City Administrator to prepare the Agreement forward on the agenda to be heard prior to 6 A; Resolution 2015-04 A Resolution Changing Appropriations Within the General Fund.

Councilor Romoser asked the Mayor to also split Agenda Item 5 Ai – Audit Presentation into two parts and then table any discussion and action the Council may want to have until the March 9th meeting. Mayor Stram asked Councilor Romoser to address his proposal when we get to that Agenda item.

Correspondence
Councilor Campbell commented that she likes the City of Creswell flyer in the packet. The flyer was created by RARE participant Maia Hardy to fulfill a request from Lane County Economic Development. They have a packet they distribute at various trade shows that highlight different aspects of Lane County. Ms. Hardy worked with Glenda Poling from Lane County Community and Economic Development to create the flyer that showcases Creswell for anyone looking to locate their business in Lane County.

Consent Calendar
Councilor Vincent asked to pull item 4 B – Approval of the January 2015 Bills from the Consent Calendar for a separate discussion.

Holly Campbell moved Jane Vincent seconded to approve item 4 A – Approval of Minutes as presented. Voted on and the motion carries unanimously.

Jane Vincent asked why check number 22107 to EPUD (Emerald People's Utility District) was voided. Ms. Amberg responded that during checks and balances of the payables prior to sending the checks out, it was determined that a past due amount included on a billing that had already been paid was being reissued; so check number 22107was voided and a check for the current amount due was reissued.

Ted Romoser moved Adam Pelatt seconded to approve item 4 B – Approval of the January 2015 bills on the consent calendar. Voted on and the motion carries unanimously.

Administrative Report
Administration
Audit Presentation – Richard Maxwell CPA, LLC
Mr. Maxwell addressed the council to report the City has achieved an unqualified opinion on the audit for the year ending June 30, 2014. He reported that he feels the City is now in good shape and has moved past some issues from the former qualified opinion. The audit has been submitted to the State in a timely fashion for the past couple of years.

Mr. Maxwell asked the Council if there were any questions relating to the Audit. Councilor Vincent asked about the management letter and if things are cleared up why do they need to be part of the letter? Mr. Maxwell explained that standards require they take a matter or item discussed from a previous year and give it a status in the report in order to clear it out so it is no longer applicable. Councilor Vincent also mentioned payroll processing. Mr. Maxwell went on to point out that in the past the letters have had several different findings included in them but this year it is pretty clean. Mr. Maxwell noted that it looks as though staff is working on a travel/meal policy for Council. Finance Director, Layli Nichols noted that the Council's travel policy was adopted earlier this year and staff's policy has stayed the same.

Mr. Maxwell noted the discussion on the letter regarding the estimates made on water and sewer inventories. This was primarily addressed due to the data converted from the old system to the Caselle system being incomplete and a lot of research was required. A discussion ensued regarding the possibility of the information being on old invoices. Mr. Maxwell explained that some items in the inventory that have been around for quite some time and could possibly be obsolete. He said those older parts come in handy when the old systems may need them. He believes that they are materially correct and the estimates are reasonable.

Mr. Maxwell touched on the DeBerry Landfill being mentioned but explained that this project is on the horizon and there is no way to estimate the impact it may have.

The next Finance Committee meeting is scheduled for March 5th at 2:00 pm to meet with the auditors.

Policing Update – Sgt. Billy Halvorson
Sgt. Billy Halvorson addressed the Council providing a brief update. Sgt. Halvorson reported he held the first "Meet the Sergeant" gathering at the Library on January 31st. It is his hope that once word gets out there will be more participation. Deputy Denham is working with the School District on the Violent Intruder Training and will continue over the next two months. Sgt. Halvorson and Michelle Amberg attended the "Catalyzing Community Prosperity" training last week. He found it very worthwhile and noted one big take away of the session was to

involve the youth. It is his intention to start working more with the schools to incorporate this through the Government Class at the High School or a leadership program.

Next "Meet the Sergeant" session will be held on February 22nd between 10:00 am and 12:00 pm at the Creswell Library.

Airport

No report was given

Finance

December 31, 2014 Financial Summary
December 31, 2014 Financial Statement

Mayor Stram inquired about the Airport section of the Financial Summary. He asked for an explanation of the $500 budgeted for Other Revenue (Total Actual) and the $492,063 Revenue (Total Budget). He also asked to have the Materials and Services line ($(220,826.70) –Total Actual and $(416,255) – Total Budget) explained as well as Capital Outlay ($(900) Total Actual and $(364,500) Total Budgeted. Finance Director Layli Nichols explained:

- Other Revenue – is comprised of donations /contributions, grant money and transfers from other funds. The anticipation in the budget was that the AWOS (Automated Weather Operating System) would be built and completed by the end of this fiscal year. The majority of the Other Revenue is grant money. $21,000 worth of contributions, State of Oregon and FAA grant money – approximately $200,000 and the remaining balance stems from two transfers: one from the General Fund and one from the Revenue Sharing Fund.
- Materials and Services – the majority of the materials and services in this line item is fuel. Most of the fuel is sold during the warm months. Maintenance can include grounds maintenance including runway and taxiway, lighting, and facility maintenance.
- Capital Outlay – the majority of this fund is for the AWOS. The project has gone out for bid but the bid has not been let yet and construction has not begun.

Councilor Heyman asked about legal services in the Airport fund. Ms. Nichols explained that the legal services expenses have tapered off here recently but there are always ongoing legal services for standard business such as leases and contracts.

Councilor Campbell inquired about the Bike/Ped Path Fund. Ms. Nichols explained that it is entirely funded by contributions from the State Highway Street Fund. State statute says that you can set aside in a separate fund, one percent of your Highway User Revenue which equates to about $3500 or less per year. The statue also provides that the money has to be spent within ten years of receiving the money. The City typically uses it for striping of bike and pedestrian pathways around town. Historically we try to use this fund to save enough money to complete a project.

Public Works

No report was given

Council Action Items

Agenda Item 6 I - moved forward by the Council.

Approval of the Lane Library District's Proposal to operate the Creswell Community Center and Directing the City Administrator to prepare the Agreement – Michelle Amberg

Michelle Amberg reported that the Council has been discussing the possibility of drafting an agreement between the City and the Lane Library District to have them take over the operations of the Community Center. The Library has been looking at remodeling their building and have been contemplating the addition of a community center. That raised some questions as to why they would add a community center when there is already one right down the street they could use for their programming. Ms. Amberg presented a six month trial period proposal submitted by Library Director Su Liudahl.

Mayor Stram noted he has some concerns that the City would continue to fully fund the costs associated with the center. He reviewed the proposal noting the Library would take over scheduling and have the ability to waive rental fees resulting in the loss of revenue for the City, as rental fees collected will be issued back to the City. He expressed his concerns and stated that he feels the Library should continue to allow usage of the center according to the City policy during the trial period if the City is going to fund the Community Center and noted that maybe they should take over the janitorial duties during that period since they will be the ones using the building.

Councilor Heyman noted that he would like to see the Library take the responsibility for liability insurance.

Councilor Campbell expressed support for a trial period to see if they can handle operating the building and also feels the janitorial duties should be the Libraries responsibility. This will provide them with a true picture of the costs of operating the building.

Councilor Vincent noted that if we turn the center over to the Library, it will save city staff time by releasing the scheduling and operation duties of the building to the Library volunteers. She voiced her support for a six month trial period with the condition that it is defined what group's rental fees will be waived prior to turning it over to them.

Councilor Romoser asked how large of an impact this would be for the city in usage fees. Ms. Nichols responded that the city collects approximately $1,400 for rental fees during a six month period.

Public Works Director Cliff Bellew was asked to provide a definition of basic janitorial duties at the Community Center. He responded his staff visits the center every day, they sweep, mop and clean the restrooms, clean up the stove and kitchen, provide lawn care – mowing, weeding and leaf pick up and have the floors professionally cleaned once a year. They spend approximately one hour each day at the center on maintenance. A discussion ensued on the cleaning deposits collected and the level of cleaning done by groups who rent the facility.

Further discussion continued about the costs associated with and what it takes to maintain the building and how the City would be saving money by not having to put out that extra money should the Library decide to take it over after the trial period. At the current time, the operation costs outweigh the rental fees collected.

Ms. Amberg noted there are many options for agreements to enter into with the Library; rental/lease/or sale. She also noted we could enter into an agreement similar to that of the Cobalt Building that spells out who would be responsible for what.

Mayor Stram proposed that language be included in the service agreement that if the Library waives fees they need to be responsible for their own basic janitorial services.

Adam Pelatt moved Jane Vincent seconded the Council direct the City Administrator to draft and enter into a short term rental/service agreement with the Lane Library District for the management of the Community Center for a six month trial period.

Mr. Heyman restated that he would like to see the library provide the liability insurance. Michelle Amberg noted that our current policy is that groups using the facility will need to provide their own liability insurance. Discussion ensued regarding liability and building insurance. The proposal calls for the Library to follow the City's current policies.

Voted on and the motion carries unanimously.

Resolution 2015-04 A Resolution Changing Appropriations Within the General Fund – Layli Nichols/Michelle Amberg

Finance Director Layli Nichols addressed the Council to explain that this Resolution addresses the need to move money and change appropriations within the General Fund to cover the cost of the Policing Study and Staff Training. This resolution will reduce the transfer from the General Fund to increase Materials and Services within the same fund (General Fund).

Michelle Amberg explained that there is currently a transfer from the General Fund to the Airport Fund and instead of transferring the money between funds, staff will instead re-appropriate the money to Materials and Services and use that money to cover the cost of the policing study $32,580, and staff training and coaching $9,780, both of which have received Council approval.

These items were not budgeted for therefore, this Resolution will not make the transfer to the Airport Fund and then at the end of the year if we need to transfer funds to the Airport we will do so then.

Ms. Nichols went on to explain that during the budget process, a transfer from the General Fund to the Airport Fund in the amount of $90,000 was budgeted for. This Resolution will reduce that transfer by $42,330 to pay for the policing study and staff training/coaching and leaving $47,670 in the General Fund available to be transferred to the Airport Fund later in the fiscal year if need be.

Holly Campbell moved Omar Bowles seconded that the City Council adopt Resolution No. 2015-04 A Resolution Changing Appropriations Within the General Fund as presented. Voted on and the motion carries unanimously.

Approval of FY 2013/14 Audit

Councilor Romoser, Chair of the Finance Committee asked to have this Agenda item tabled until the March 9th meeting. This will allow the committee to follow policy and meet with Auditors prior to Council approving the audit. Mayor Stram read from the Council Rules Section 4.4 and asked if there were three Councilors who wanted to postpone this agenda item to March. All six Councilors were in favor of tabling this until March.

A discussion ensued as to the Audit being due to the State in late December and being sent prior to the Finance Committee's review. Councilor Vincent noted that last year Councilor Gifford put together a policy and timeline for the audit process and would like to continue with that practice. Councilor Campbell asked if the State requires the Council to accept the audit and Ms. Amberg replied that there is not any requirement for Council action before it is turned into the State but at some point after review, Council should accept it. The Auditor is a third party, independent contractor that plays a watchdog role.

Potential Abatement of Property located at 233 West A Street – Shelley Humble/Michelle Amberg

Code Enforcement Officer Shelley Humble provided an abatement update on 233 West A Street. As of last Friday at 4:30 pm, most of the trash has been removed, vehicles have been removed, all the windows have been boarded up again and the driveway has been swept. That being said, there is nothing left to abate and the tenants have moved to the KOA. Councilor Campbell thanked everyone involved in this process.

Councilor Romoser asked what the status on the sale of the property is. Councilor Bowles noted for the record "that with exhibit E and with discussion in this where his name is mentioned in email correspondence – as his name is presented it is <u>not</u> as Councilor Bowles, it is as an individual under his employment and as a representative of the court of Lane County in these actions – in the postings and things". He went on to explain that the property was posted with a court notice for a February 20th Final Eviction Hearing. Normal protocol for those kinds of hearings is as such that the owners of the property are ordered to appear and the Judge issues an Eviction Order usually giving them twenty four to forty eight hours to vacate the property. Councilor Campbell and Romoser asked what the next step will be. Ms. Amberg noted this would be a policy question for the Council. Ms. Humble has been working with the bank trying to get them to demolish the building. There has been some work on the banks part to hire someone to tear down the building, but if we are unsuccessful in negotiating that process, City Council may have to take further actions that would require legal advice.

Jane Vincent left the meeting at 8:43 pm and re-entered the meeting at 8:45 pm.

Ordinance No. 485 – An Ordinance Amending Ordinance 264 An Ordinance Amending Ordinance 139, Pertaining to Planning Commission Meetings and Declaring an Emergency – Madeline Phillips

Madeline Phillips addressed the Council to explain that proposed Ordinance 485 will clear up a noted issue with Ordinance 139 that outlines the Planning Commission. Ordinance 139 was amended on two occasions in 1972 to maintain compliance with State of Oregon land use law codified through Senate Bill 10 (1969). Section 2 of Ordinance 269 repeals all details of the Planning Commissions' composition, purpose and duties. Staff believes this was not the intent of those who composed and/or attested to the passage of Ordinance 264.

Omar Bowles moved and read twice by title, Holly Campbell seconded that the Creswell City Council adopt Ordinance 485, An Ordinance Amending Ordinance 264 - An Ordinance Amending Ordinance 139, Pertaining to Planning Commission Meetings and Declaring an Emergency. Mr. Heyman asked why we don't just get rid of the amendments and write a new Ordinance. Ms. Phillips and Ms. Amberg stated a new one will be forthcoming. Voted on and the motion carries unanimously.

Resolution 2015-05 - A Resolution Amending Section 9 of Resolution 2014-25 – Michelle Amberg

Ms. Amberg explained that Council had directed her to draft an amendment to Resolution 2014 25, Section 9, that would replace the language which establishes an eight percent (8%) annual increase on both the flat rate and the additional consumption rate starting July 1, 2016 with on indicated end date. The proposed language amendment in Resolution 2015-05 would direct the City to evaluate water rates on an annual basis and adjust rates utilizing a methodology developed and adopted by the City Council before March 2016.

Ted Romoser moved Adam Pelatt seconded the City Council adopt Resolution No. 2015-05 - A Resolution Amending Section 9 of Resolution 2014-25 Regarding Annual Water Rate Adjustments for the City of Creswell as presented. Councilor Romoser noted this amendment will help the Council look at water rate changes in the future in an organized method. It is also his hope this will allow for more communication with the community as

to what water rates consist of, why they change and what they are based on. Voted on and the motion carries unanimously.

Resolution 2015-06 - A Resolution Amending the City of Creswell Employee Handbook to Add Provisions Regarding Management Leave – Michelle Amberg

Michelle Amberg presented an amendment to the Employee Handbook that will provide a new benefit for employees who are exempt from overtime leave. The new benefit is called Management Leave and it will recognize the additional amount of time that is put in by employees who are not compensated for the number of hours they put in.

Holly Campbell moved Jane Vincent seconded that the City Council adopt Resolution 2015-06, A Resolution Amending the City of Creswell Employee Handbook to Add Provisions Regarding Management Leave as presented. Voted on and the motion carries unanimously.

Pay Request #11 for Task Order No. 7 Professional Engineering Services to assist the City of Creswell Airport in preparing documents for bid for the Installation of an AWOS "A" Weather System and to provide Construction Administration Services during the project.

Airport Manager Shelley Humble explained this invoice is for the construction portion of our contract with Precision Approach. It detailed gathering bid documents and reviewing them. The bids came in higher than were expected and we do not have enough funding at this point. Ms. Humble, John Schute, and Andrew from the FAA are working together to get another grant in place for the additional fund that are needed for the completion of the project. Mayor Stram asked for an explanation of why we ran short of money to complete the project. Ms. Humble noted we applied for the grant in the 2011/2012 Connect Oregon program. At that time a Super AWOS (plug and play system) was certified by the FAA; fifteen to eighteen months later when we were approved for the grant, the FAA had decertified the Super AWOS. That being said we need to work towards installing an FAA certified AWOS. In doing so we ended up having to complete several different studies; Streaked Horn Lark study, Wetland Delineation, and a Cultural study. So by the time we were able to go out for bid, the costs were quite a bit higher. Councilor Vincent asked if these grants need to be expended within three years. Ms. Humble explained that through the AIP money, Creswell is eligible for $150,000 per year and if you don't enter into a grant within a three year time frame you will lose the money. At this time we are looking at the 2013/2014 funding to use on this project.

Omar Bowles moved Richard Heyman seconded that the Council approve invoice #3110 for Precision Approach Engineering in the amount of $834.75 for services performed in accordance with task order no 7 as presented. Voted on and the motion carries unanimously.

Pay Request #3 – Knife River (City Hall Parking Lot) – Cliff Bellew/Michelle Amberg

Ms. Amberg noted this invoice is for the paving and final lighting for the parking lot.

Holly Campbell moved Adam Pelatt seconded the City Council approve Pay Request #3 from Knife River for work completed to date on the City Hall Parking Lot Project in the amount of $1,995.00 as presented. Voted on and the motion carries unanimously.

City Councilor Future Agenda Items

Renaming the Cobalt Building – Councilor Richard Heyman

Mr. Heyman presented a proposal to rename the Cobalt Building to the Duane Hodges Building. Mr. Heyman introduced Roy Hodges (Duane Hodges brother) and his wife Virginia. Mr. Hodges is a Veteran of the Marine Corp. Jurgan Ramil presented Mr. Hodges with a flag pin that worn during combat in Afghanistan by Mr. Ramil's son.

Duane Hodges was born and raised in Creswell and after high school he enlisted in the US Navy. On January 23, 1968 aboard the USS Pueblo, Petty Officer Hodges lost his life to North Korean forces who captured and boarded the ship. He was awarded posthumously The Silver Star, (3rd Highest Military award for Valor in Combat) and the Purple Heart for Death of injuries sustained in combat actions.

Councilor Heyman moved Jane Vincent seconded to change the name of the Cobalt Building to the Duane Hodges Building. Mr. Heyman noted he would like the City place a bronze plaque on the building also.

Mayor Stram read page two of the Council Governing Rules: When we have a new item brought by a Councilor, the process is that at the first hearing, the Council decides to proceed with the item or not. If the Council decides

to proceed, then at the next meeting the City Administrator will present an analysis on the project. At that time the Council will need to decide if they want to continue with the proposal and if so, then the Council would determine at a future meeting to take it up again. Following this process, Mayor Stram asked the Council if they would like to continue this item and direct it to the Administrator for an analysis at the March meeting. The Council gave their unanimous consensus to have the Administrator bring back an analysis. Councilor Pelatt would like the analysis to show that it will allow the Council to go about renaming the building so it is binding and lasting; to do it the right was as well as an honorable way. Councilor Campbell noted we should look to see if there is anything written already in the agreements for the gift of the building and make it happen. Councilor Vincent voiced her support. Councilor Heyman commented that this should have been done many years ago. Mayor Stram feels it is very important to honor our men and women. He would like to have the Administrator to see if there are any existing policies already established on naming of Public Buildings. If there is none, conduct research amongst other cities on their policies for naming of public buildings. He asked Ms. Amberg to place this on the March 9th meeting agenda.

Adjournment
There being no further business to come before the Council Mayor Stram adjourned the meeting at 9:20 pm.

Dave Stram

Dave Stram, Mayor

Roberta J Tharp

Roberta J Tharp, City Recorder