

City of Creswell
Council Work Session Minutes
February 23, 2015

Council Present:

Omar Bowles Richard Heyman
Adam Pelatt Dave Stram
Holly Campbell Jane Vincent

Staff Present:

Michelle Amberg City Administrator
Roberta Tharp City Recorder
Cliff Bellew Public Works Director
Kristy Wurster Budget Director
Sgt. Billy Halvorson Lane County Sheriff
Maddie Phillips Planning Technician
Maia Hardy RARE Participant

Council Absent: 1 – Ted Romoser – Excused

Press: 1 – Creswell Chronicle – Scott Olson

Audience: 3

The City Council work session was called to order by Mayor Dave Stram at 6:05 pm.

Mayor Stram announced that the first forty five minutes of every work session will be used as a roundtable for Council Committee Chairs to provide a report.

Mayor Stram noted the excused absence of Councilor Romoser from this meeting. He also noted that Councilors Campbell and Vincent are either running late or an unexcused absence will be noted.

Councilor Campbell entered the meeting at 6:08 pm.

Public Safety Committee

- Councilor Bowles reported the committee will be scheduling a meeting in the near future to discuss public safety funding.

Administration Committee

- Councilor Pelatt reported the committee met on February 12th to review applications received for the Judge Pro Tem position. On March 3rd the committee will be discussing IT (Internet Technology, Management and Human Resources). He also noted the City Administrator review is scheduled for March 9th and packets will be distributed next week.

Economic Development Committee

- Councilor Heyman reported the committee has not met. They will be meeting in the near future to discuss the Airport Sustainability Plan. Dr. Sally Duncan, Director of Public Policy Major at Oregon State University has expressed interest in the plan to use as a capstone project. She is proposing to send three students during the summer months (ten weeks) at a cost of \$5,000 per student to work on the sustainability plan. Ms. Amberg proposed budgeting \$30,000 in next fiscal year's budget for the project. Councilor Heyman noted he will be sharing this information with the Airport Commission.

Michelle Amberg introduced Christy Wurster to the Council, she will serve as the interim Budget Director until the end of the Fiscal Year.

Finance Committee

- In the absence of Councilor Romoser, Councilor Heyman presented the report for the Finance Committee: The committee has met and is recommending that a meeting with the Auditor's be held to discuss the audit prior to recommending approval to the Council.

Public Works and Transportation

- Councilor Campbell reported the committee has met several times and is working to create a water rate methodology. The committee is in need of policies, ones that govern the water funds and address items such as how much money is needed in the reserve funds and how much should be maintained, and also should we pay cash or borrow money when purchasing equipment. The committee meets again on

March 10th with Adam Sussman from GSI Water Solutions to talk about water stored in the Willamette Basin project.

Michelle Amberg presented a spreadsheet model of proposed rate increases. She noted the model reflects three sections; history or actual figures, the approved rate increases for 2014-2015 and future proposed rate increases.

Councilor Vincent entered the meeting at 6:28 pm.

The model also shows the total revenue, total expenses, operating income and ending fund balance which change when a different proposed increase is plugged in. The model shows that by the fiscal year 2018-2019 with proposed rate increases of 2 percent we begin to run into issues with the ending fund balance being below zero, this means the ending fund balance will be used to support operations. A four percent increase reflects that we are not meeting our debt obligations; our loans require us to maintain one hundred ten percent in our reserve (and at this time we are not meeting our obligation). A six percent increase to water rates leaves us with an ending fund balance that begins to look healthy. Ms. Amberg noted that according to this model, we would need a six to eight percent increase in water rates for the next few years and after that a five percent increase would carry us to where we need to be.

Ms. Amberg noted that the City will not be taking on any major projects that are not outlined in the Water Master Plan. At this time there is only one capital project in the plan that has not been completed, the reservoir. She explained that the City is in need of updating the Water Master Plan and may begin that process during the 2016-2017 fiscal year.

At 6:45 pm, Mayor Stram recessed the meeting for a brief break and reconvened the meeting at 6:56 pm.

The Pledge of Allegiance was given.

Brenda Wilson, Executive Director of LCOG (Lane Council of Governments) presented an overview/video of LCOG and the services they provide to communities. LCOG is one of the first Councils of Governments in the United States and they are celebrating their seventieth anniversary.

Heidi Leyba LCOG, Information Services Manager presented a brief overview /video of a new service called Mind Mixer. This program is a public engagement and involvement tool for cities that is like a virtual town hall. This service is available for all members of LCOG in order to help them reach a more diverse audience. The program will do instant polls, take surveys, ask citizens for ideas and implementation ideas. It will let you respond to specific topics/concerns and comments and contains GIS integration. LCOG members receive one free topic per fiscal year with trained staff available to administer your topics; additional topics average \$200 a piece. Mayor Stram encouraged the Council to be thinking how we can use the Mind Mixer program.

Gary Darnielle, LCOG Legal Program, Lane County's Hearing Official on Land Use, and City Attorney for four Oregon Cities presented an overview and history of the Oregon Planning Program and how it has developed over time.

At 7:56 pm Mayor Stram called for a brief recess and reconvened the meeting at 8:02 pm.

Public Safety Fee

City Administrator Michelle Amberg presented two spreadsheets to the Council to assist them with their conversation on the Public Safety Fee. The Spreadsheets, "2014/15 Policing Service Contract Costs" and "2015/16 Estimated Policing Service Contract Costs" showed comparable information on the cost of providing public safety under five different staffing scenarios. She reminded the Council that on June 30, 2015, the Public Safety Fee is scheduled to sunset.

Sgt. Halvorson also provided the upcoming fiscal year's budget numbers with coverage options that include three deputies and a third time sergeant as well as one for a half time sergeant. The numbers reflect a \$700 increase next year for the same amount of coverage we are currently receiving.

Ms. Amberg reviewed the different contract options available for next year:

- Three deputies and a 0.33 Sergeant - \$703,998
- Three deputies and a 0.50 Sergeant - \$735,497
- Two and a half deputies and a 0.50 Sergeant - \$628,355
- Two deputies and a 0.50 Sergeant - \$521,213

- Two deputies and a 0.33 Sergeant - \$489,714

Ms. Amberg reviewed the Public Safety Fee:

- \$1 per month would generate \$2,316 per month in Public Safety Fees
- \$2 - \$5 per month = \$4,632 to \$11,580/month in Public Safety Fees
- \$6 per month = \$13,896/ month in Public Safety Fees
- \$6.26 per month = \$14,475/month in Public Safety Fees
- \$6.50 per month = \$15,054/month in Public Safety Fees
- \$6.75 per month = \$15,633/month in Public Safety Fees
- \$7.00 per month = \$16,212/month in Public Safety Fees

A discussion ensued in regards to extending the sunset date to allow the Public Safety Fee to be continued on the Utility bill until we get the results from the Policing Study being done by Portland State University.

Further discussion continued on feedback to the Council from citizens in regards to the \$6 fee. Councilor Bowles stated he sees it as a large opportunity to have Sgt. Halvorson as a half time Sergeant; all the citizens he has spoken to aren't excited about paying more for Public Safety but want to have the protection.

Mayor Stram asked if there wasn't a way to find the funds in the budget to pay for Public Safety. Ms. Amberg responded that you would have to cut other programs such as the Cobalt Building, Community Center and supporting community grants.

A discussion ensued on the specifics of the Public Safety Fee Ordinance in regards to which properties the fees are applicable to. Mayor Stram recommended the Public Safety Committee review the Ordinance and follow up on what it says in regards to how fees are assessed for RV parks and hotels. Ms. Amberg noted the Council is pressed for time so she will look it up and respond by email to everyone.

The discussion continued about how much policing coverage there is in the County. Mayor Stram has heard that due to the lack of timber dollars, at times there is only one deputy to cover the entire Lane County. Sgt. Halvorson noted at times the County has no coverage or deputies on staff.

After reviewing the Public Safety Fee Ordinance, Ms. Amberg clarified that the ordinance outlines two types of units: Non-residential and residential. She explained that if you have tenants, they would receive a monthly \$6 fee. Transient lodging does not constitute a charge for each space or room, however the park/hotel would receive a monthly \$6 fee.

Further discussion continued about moving money from one fund to another (street to parks). Ms. Amberg cautioned the Council that you must follow state law when moving money and the best way to do this would be to limit how much money you transfer from the general fund to certain funds.

Councilor Campbell asked for clarification on the Sheriff's coverage for the County. Sgt. Halvorson explained that the Sheriff's as well as OSP have twenty hour a day coverage; leaving four hours each day when there is no one on duty. Ms. Campbell asked if we contract with the County for Policing, are the contract staff available to Creswell before any other demand. Sgt. Halvorson said Creswell would be served by the deputies they contract for.

Ms. Amberg and Sgt. Halvorson explained that the decision on the amount of coverage also affects Veneta. Veneta has agreed and is willing to share the cost of a half time sergeant with Creswell; but it all comes down to what Creswell decides as to how this will turn out. If Creswell chooses not to fund the half time sergeant, then Veneta will not be able to contract that way.

A Public Forum will be held on March 9th beginning at 6:00 pm to hear public input on Public Safety and the associated fee. It will be placed on the regular meeting agenda for council action.

Marijuana dispensary Regulations

Maddie Phillips presented the Planning Commission's findings of fact and the proposed text amendments regarding Medical Marijuana facilities. She noted she will be presenting an Ordinance for Council action in the very near future. The Ordinance will contain two exhibits:

- Exhibit A - Findings of Fact
- Exhibit B contains the proposed code amendments

She presented a city map that delineates two zones that the Planning Commission feels would be appropriate to allow the location of Medical Marijuana facility; general industrial and general commercial. Planning Commission recommends that the Downtown Zone and the Resort Commercial Overlay Zone be classified as restricted areas. A 1,000 foot buffer surrounds school properties, both public and private as required by the Oregon Health Authority (OHA).

The Planning Commission has recommended that a medical marijuana facility shall go through a conditional use permit process prior to becoming eligible to locate in the two zones. This process is a Type III Review; Quasi-Judicial decision that will come before Planning Commission. Exhibit B of the proposed Ordinance includes a set of standards/text amendments that will be included in the Development Code that reflect perimeters and rules that the Planning Commission has suggested.

Ms. Phillips noted there are two types of medical marijuana facilities; retail (store) and industrial (grow sites). OHA law states that grow sites for medical marijuana must be an indoor facility. It is the Planning Commission's concern that Creswell is a location that could be viable an industrial scale grow operation. Planning Commission recommended that a definition for Industrial Medical Marijuana Facility be developed. Ms. Phillips noted that definition is included in Exhibit B.

Ms. Phillips reviewed some of the other criteria for facilities:

- Facilities must not locate within a thousand feet of another facility
- No drive up windows
- Public entrance within ten feet of the street
- No bars on windows

Councilor Heyman asked Ms. Phillips if she has consulted with the City's attorney. Ms. Phillips noted that the attorney has reviewed and approved the documents. The perimeters added to adjust the development code do not take action of any kind; one must apply to open a facility and must meet the criteria.

Ms. Phillips noted that a Public Hearing will be held on March 9, 2015 prior to the Council taking action on the proposed Ordinance.

City Council Governing Rules

Mayor Stram handed out revisions he and Councilor Vincent are proposing in updating the Governing Rules. Mayor Stram noted this item will be placed on the March 9th agenda for Council action. He reviewed some of the recommended changes:

- Meetings will be held in the McCluskey Chambers
- The inclusion of Council Work Sessions (Section 4.3)

Councilor Heyman called for a point of order. Councilor Heyman noted that at the last meeting he had asked the Mayor for time to review the Governing Rules as he just recently was elected to the Council. Mr. Heyman stated he has reviewed the rules and has some proposed changes he would like to recommend as well; he passed out his recommendations. The Council took a few moments to read through the recommendations.

Councilor Heyman reviewed his suggestions:

- The Friendly City should be prominent in the declaration
- Section 1.1 and 1.2 could be combined and extra verbiage could be removed
- Section 1.3 and 1.4 could be combined
- Parliamentary procedures are needed – Robert Rules, Section 11 is for small councils like ours
- Order of Business – Old and New Business should be used
- Mayor and Council should get permission from City Administrator to talk with staff
- Section 11 – Press Releases are to be managed by Mayor and City Administrator – He feels this is taking away his civil rights by not allowing him to have interviews with the media

A discussion ensued regarding the Council vs Individual authority.

After a brief discussion, Mayor Stram announced that he will bring the rules back to the March 9th meeting for Council action.

AWOS (Automated Weather Operating System)

Shelley Humble provided the Council with a brief update on the AWOS (Automated Weather Operating System) project.

The bid opening was held on January 22, 2015.

| Name of Bidder | Base Bid Schedule AWOS AV | Additive Bid Schedule A - AWOS II | Additive Bid Schedule B - AWOS III | Totals |
|---------------------|------------------------------|---|--|--------------|
| EC Company | \$193,175.60 | 3,000.40 | 16,230.00 | \$212,406.00 |
| PCR, Inc. | \$206,089.00 | 2,350.00 | 20,000.00 | \$228,439.00 |
| Signal Construction | \$231,820.00 | 3,000.00 | 15,000.00 | \$249,820.00 |
| Engineers Estimate | \$154,160.00 | 6,500.00 | 18,000.00 | \$178,660.00 |

The bids received were higher than expected and the Airport is short on funding to complete the project. The engineer has reviewed the bids and recommends the City consider awarding the contract to EC Company.

Ms. Humble noted that since we are short on funding, she has spoken with the FAA (liaison for the AIP program) and they have reviewed the documentation and has submitted a request to ask for an additional \$75,000 to cover the project. The match for the City would be \$0 as it will come out of the Connect Oregon 4 grant. In order for the FAA prepare for the additional grant we will need to direct Ms. Amberg to write a concurrence letter to Andrew Edstrom from the FAA stating that once we receive the additional funds a notice to proceed will be issued to the contractor. The City should be given notice in April or May that we will receive the additional \$75,000 at which time we would sign the contracts and begin the project.

Ms. Humble reported the construction time line is sixty days. EC Company is in a holding pattern and we have sixty days from the bid opening to give them notice to proceed. The engineers are in communication with EC Company.

Elections

Mayor Stram passed out page twelve of the Elections Manual. He explained that a ballot initiative has been filed with the City. This initiative is a charter amendment that will be included on the ballot in the near future. Election Law states that the initiative will be presented to the Council (at the March 9th meeting) for either adoption of the measure, rejection of the measure, and/or choose to draft a competing measure for the ballot.

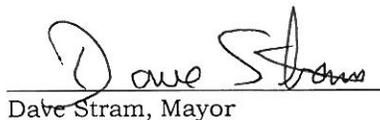
Ms. Amberg reminded the Council of the upcoming Chamber of Commerce Awards Banquet.

Mr. Heyman asked if his request for the Cobalt Building name change is still in the works. Ms. Amberg noted she was directed to present that at the March 9th meeting.

Adjournment

There being no further discussion Mayor Stram adjourned the work session at 9:56 pm.


 Roberta J Tharp, City Recorder


 Dave Stram, Mayor