

Council Present:

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

Staff Present:

Michelle Amberg	City Administrator
Roberta Tharp	City Recorder
Cliff Bellew	Public Works Director
Shelley Humble	Airport Manager
Maddie Phillips	Planning Technician
Maia Hardy	RARE Participant
Dep. Scott Denham	Lane County Sheriff's Office
R. Scott Palmer	Municipal Judge
Clark Rasche	Municipal Pro Tem Judge
Jim Piper	Interim Finance Director

Council Absent: 0

Press: 1 - Creswell Chronicle – Scott Olson

Audience: 15

The regularly scheduled City Council meeting was called to order by Mayor Dave Stram at 7:02 pm and the Pledge of Allegiance was given.

Oath of Office

Municipal Judge R. Scott Palmer introduced Clark Rasche and administered the Oath of Office to Mr. Rasche as Creswell's Pro Tem Judge.

Public Forum

Carol Campbell, former member of Save the Schoolhouse Committee addressed the Council, giving an overview of the history of the old Library Building/Creswell Schoolhouse built in 1874 that currently sits on the corner of 2nd and "D" Street. Ms. Campbell noted that the building is deteriorating and wanted to know if there was any interest in reviving the Schoolhouse Committee to work on restoring/moving or selling the City owned building. Mayor Stram asked the City Administrator to place this agenda item on an upcoming work session for discussion.

Sheila Hale, addressed the Council to announce the inception of a group called "Creswell 1st, Our Community Foundation". They have formed a board, received an employee ID number, has a 501 C-3 status, and held their first project; the Downtown Beautification Project. Their mission statement reads: "Connecting people who care, with causes that matter to enrich the quality of life in the Creswell area". The group hopes to someday have scholarships or possibly endowments for larger projects.

Steve Carmichael, Creswell resident addressed the Council to announce the formation of a Political Action Committee named "Protect Creswell Water". The group formed to support ballot initiative 20-234 (City Council Referendum) that sets a process for raising city water rates, and to defeat ballot Initiative 20-233, submitted by citizen Jacob Daniels, that would limit the increase to the cost of living adjustments. Mr. Carmichael urged the Council to support the committee by purchasing tee-shirts and placing lawn signs that support measure 20-234. He also noted the committee is soliciting political contributions and thanked the Council for all the work they are doing for the community.

Mayor's Report

Mayor Stram reminded the Council that committee chairs need to get their meeting minutes turned in.

Mayor Stram read a blurb from the League of Oregon Cities May 29, 2015 edition regarding a Marijuana Update.

The senate voted 29-1 to approve SB 964, which seeks to regulate the supply of medical marijuana and limit its diversion into the illicit market. The bill now heads to the House,

where it is expected to be sent to the Joint Ways and Means Committee for additional consideration. SB 964 also establishes a "clean opt-out" allowing cities to ban medical marijuana dispensaries by passing an ordinance within 180 days of the bill's effective date. Mayor Stram noted that this topic will be scheduled for discussion in the near future at a work session.

Correspondence

Council Vincent commented that she would like to have higher criminal activities reported on the Calls for Service Report from the Lane County Sheriff's Office to use for statistics in the Policing Study that PSU is conducting. Councilor Bowles noted that if that sort of criminal activity is occurring, it would be listed on the report. As chair of the Public Safety Committee, he will clarify this with Sgt. Halvorson.

Councilor Bowles asked for clarification on Code Enforcement in regards to boats and trailers parked on the streets. Shelley Humble, (Code Enforcement Officer), commented that enforcement of the code is complaint driven and explained the process to file a complaint. She also noted that boats and trailers are considered the same as vehicles and must be moved every 48 hours.

Councilor Heyman asked for clarification on how the city determines code violations. Ms. Amberg responded that it is the practice of the city that only ten percent of Ms. Humbles job is code enforcement and the cases we deal with are complaint driven. Mr. Heyman then asked about a backflow compliance letter he recently received. Public Works Director, Cliff Bellew responded that backflow compliance is a health division rule; two letters have been mailed out to those who have double check backflow devices on their sprinkler systems notifying customers of the requirement to have them tested. Mr. Bellew said the backflow program is administered through the Oregon Health Division. It has been in place in Creswell since 1993, but administered lightly. The city requires the backflow devices to be placed on hazards (underground sprinkler systems). The city has never had enough staff to administer the program correctly nor the software to track the devices. Each device has its own serial number and is required to be tested annually. During this past fiscal year, the city has hired an additional person on the public works staff and budgeted to begin administering the mandated OHA program.

Councilor Heyman also commented on the 4th of July Street Closures. He is concerned about emergency safety should we close the streets.

Councilor Campbell asked about the Planning Commission minutes in which Mr. Safley asked the Planning Commission to issue a letter of support to the OSP for relocating their services in the Old Ray's building and Mr. Oelke's concerns on how OSP would fit in with other commercial uses at the shops of Emerald Valley. Ms. Phillips noted Mr. Oelke pointed out that the addition of OSP to the old Rays Shopping Center would in fact be a use that is not necessarily commercial in nature and may change the look and feel of what was meant to be a primarily commercial center. He just wanted to be clear that he wasn't totally in favor of the use being changed on the center but any utilization of that building would be a positive impact.

Mayor Stram commented that he would be in favor of making a donation to the League of Oregon Cities Foundation. Their solicitation letter notes that they provide scholarships for officials to attend the League of Oregon Cities conference, Mayors to attend the annual Mayor's conference, as well as city officials to participate in Oregon Local Leadership Institute training workshops. Ms. Amberg noted we would have to look at the budget to see where we could take the funds from. Councilor Pelatt noted that the Council has benefited from the LOC conference and trainings and would not be opposed to donating \$250. After a brief discussion, the Council gave their unanimous consent to donate \$250 to the LOC Foundation.

Consent Calendar

Councilor Heyman asked for item C, SEED Community Garden Grant Award be pulled for separate discussion and consideration.

Adam Pelatt moved, Ted Romoser seconded to approve the consent calendar with the exception of agenda item C, Seed Community Garden Grant Award. Voted on and the motion carries unanimous.

Councilor Heyman asked for clarification on the SEED Community Garden Grant in regards to separation of church and state. Councilor Vincent, chair of the Cultural Committee responded that she went to the church and spoke with the pastor who graciously changed the wording on the grant application so that it did not give the impression that were using the SEED garden to draw folks into their church but as a project for the whole community. The Nazarene Church will be allowing community members to do garden beds on their property as well as beds for the food pantry.

Councilor Heyman reiterated that he still believes this is a violation of Church and State. Ms. Amberg responded that Attorney Ross Williamson provided the Council a memo stating it is his belief that the City could support this

community garden project with a donation without running counter to constitutional restrictions. The city must be cautious though and confirm that the project is not intended to be an evangelical religious outreach tool for the church and to clarify that the garden plots will be available to all members of the community without any preference or restrictions based upon church membership status. The City should also state that the money may not be used in furtherance of any discrimination on the part of the grant recipient.

Councilor Vincent moved, Councilor Pelatt seconded that the Council accept and award \$2800 to the SEED Community Garden Grant applicant. The motion carried with Councilors Bowles, Campbell, Pelatt, Romoser, Vincent and Mayor Stram voting in favor and Councilor Heyman voting in opposition.

Administrative Report

Administration

AWOS Timeline

Ms. Amberg presented and reviewed the timeline for the AWOS (Automated Weather Operating System) project for Hobby Field.

Ms. Amberg also reported that staff Sgt. Hanneman of the National Guard asked if there were any projects his unit could do to serve the community in substitution for their two week training time this summer. Ms. Amberg noted they will be helping Cliff Bellew, Shelley Humble and Maia Hardy with projects around the City as well as helping the Chamber of Commerce with the 4th of July Celebration.

Airport

No report was given

Finance

No report was given

Public Works

No Report was given

Council Action Items

Selection of Financial Audit Firm

On March 5, 2015 the City received a letter of resignation from Maxwell and Company as the City's auditor. An RFP (request for proposal) was developed, advertised and issued. The City received five proposals from qualified firms which were reviewed by the Finance Committee. Two of the firms were invited to appear before the Council for interviews that were held in the Special Meeting just prior to this meeting. Ms. Amberg noted that at this time staff is looking for direction as to who they would like offer a contract to for auditing services. Mayor Stram asked for Council input on their choice for auditor.

Councilor Vincent responded that she is in support of the Isler Company. She noted they have more years of experience, will keep the finance committee informed during the audit, they feel they can meet the timeline to have the audit completed and sent to the state before the due date, they have done some bigger projects and she feels the other company is too small.

Councilor Romoser moved, Councilor Heyman seconded that the City Council select Isler Company as the City's audit firm and authorize the City Administrator to execute all documents associated with this appointment.

Councilor Pelatt said it is his preference to select Accuity; they are a smaller company and work with smaller cities. He would like to see the Council choose a firm that will focus on small City's needs; he also appreciated the fact that their goal is to avoid high costs and would work with staff through communication to address issues. He also feels that they will be able to work well with not only the Finance Committee but also the Finance Director and the Council.

Councilor Heyman noted that all five applications received were outstanding. He liked that Isler Company would have an audit report approved by the Finance Committee before sending the audit to the state.

Councilor Campbell voiced her preference for Accuity. She noted they are small by design and feels Creswell would not get lost in the shuffle. She also noted that because of being a small company, we would not see junior auditors by the second or third year.

Ms. Amberg noted that Accuity is a mid-sized firm that specializes in small cities, while the Isler Company has a much larger base and organization.

Voted on and the motion carries with Councilors Vincent, Romoser, Heyman and Mayor Stram voting in favor and Councilors Pelatt, Campbell and Bowles voting in opposition.

Resolution No. 2015-13 - A Resolution for a Supplemental Budget Changing Appropriations for the Fiscal Year 2014-2015 Budget

Jim Piper addressed the council to explain that this resolution will change appropriations within the building department fund, water fund, sewer fund and the airport fund. It will reduce the Operating Contingency from each of those funds and increase the materials and services in the building department fund and increase personal services in the water, sewer and airport fund. A new appropriation authority is needed for materials and services in the building fund as a result of unanticipated building and electrical permit activity during the course of the fiscal year. The unanticipated revenues received have associated expenditures which would exceed the appropriation authority with materials and services of the building department fund. A new appropriation authority is needed for personal services as a result of unanticipated payroll expenditures related to the resignation of the City's Finance Director.

Omar Bowles moved, Jane Vincent seconded that the City Council adopt Resolution 2015-13, A Resolution for a Supplemental Budget Changing Appropriations for the Fiscal Year 2014-2015 Budget. Voted on and the motion carries unanimously.

At 8: 27 pm Mayor Stram recessed the meeting for a short break, reconvening the meeting at 8:34 pm.

Resolution 2015-14 – A Resolution Adjusting the Basic Rental Fees Set Forth in the Existing Airport Leases between the City of Creswell and Individual Lessees of Property located on Hobby Field

Jim Piper addressed the Council to note this is an annual resolution to increase the rental fees at Hobby Field. Section 6.1 and/or 6.2 of the lease agreements state "The basic rent shall be increased or decreased, as of the rent for the month of January of each year, by a percentage equal to the increase or decrease in the Consumer Price Indexes for All Urban Consumers (Portland, Oregon) as published by the U.S. Department of Labor. The charge shall be determined by comparison of the figure for January 1989 with that of January of each succeeding year. The CPI adjustment will also apply to any renewal term." This resolution reflects a 2.3 percent increase.

Councilor Campbell moved Councilor Vincent seconded that the City Council adopt Resolution 2015-14, A Resolution Adjusting the Basic Rental Fees Set Forth in the Existing Airport Leases Between the City of Creswell and Individual Lessees of Property located on Hobby Field Airport. Voted on and the motion carries unanimously.

Resolution 2015-15 - A Resolution Charging Off Delinquent Utility Accounts

Jim Piper addressed the Council and noted this is an annual resolution. The accounts are a result of bankruptcy or the customer is deceased.

Councilor Bowles moved, Councilor Pelatt seconded that the City Council adopt Resolution 2015-05, A Resolution Charging off Delinquent Utility Accounts. Voted on and the motion carries unanimously.

Bid Award for Phase 1 Environmental Assessment

Maia Hardy addressed the Council to report that she issued a Request for Qualifications (RFQ) to eleven environmental engineering firms throughout the state requesting submittal of proposals for environmental services to complete a Phase 1 assessment for the Bald Knob site. Ms. Hardy noted that she received two proposals back; one from Environmental Technologies Group and another from Amec Foster Wheeler.

In scoring the criteria on the two proposals, Ms. Hardy noted that the Environmental Technologies Group did not complete their proposal based on the RFQ criterion, nor did they specify whether they had experience working with OHA (Oregon Health Authority) on brownfield redevelopment projects. Amec Foster Wheeler has experience working with Business Oregon Brownfield Redevelopment Grants and OHA. They have a one hundred percent success rate on EPA assessments and clean up grant applications (should the city need further services in the future). Ms. Hardy also noted that she has spoken to a reference for Amec Foster Wheeler who noted they have exceptional experience with public engagement in the brownfield redevelopment. Ms. Hardy reported it is her recommendation to award the bid to Amec Foster Wheeler.

Councilor Campbell reported that a letter of intent was signed today by the landowner of the Bald Knob Site that will grant the City site access as well as the release of all environmental information they may have.

Councilor Bowles, moved Councilor Pelatt seconded that the City Council authorize the City Administrator to negotiate a contract with AMEC Foster Wheeler to complete a Phase 1 Environmental Assessment for the Bald Knob site. Voted on and the motion carries unanimously.

Resolution No. 2015-16 - A Resolution Supporting the City of Creswell's Proposal for a Transportation Growth Management Grant

Madeline Phillips addressed the Council to present a resolution as required of the grant proposal for a Southwest Industrial Area Plan to refine the City's vision and infrastructure needs specific to redevelopment of the former Balk Knob mill site by future industrial users. The Transportation Growth Management Grant (TGM) is a joint effort by the Department of Land Conservation and Development and ODOT intended to respond to immediate, pressing situations that either result from either growth or encourage cities to grow smarter. The grant as proposed would provide the city with up to \$196,000 and require between six to twelve percent match (depending on whether we qualify for a waiver). This match is proposed to be met entirely by staff in-kind contributions.

Councilor Romoser asked what the grant money would be spent on. Ms. Phillips said that she is not sure how much the City will receive, but the largest amount would go to a transportation analyst, looking specifically at the intersections that will abut the area. After that, connections, evaluation of the wetlands, market analysis and an evaluation of the infrastructure needs will be considered. Councilor Romoser inquired as to whether or not we have the staff to complete this work. Ms. Phillips noted that a large percentage of TGM grant work goes to a consultant.

Councilor Campbell moved, Councilor Vincent seconded that the City Council adopt Resolution No. 2015-16, A Resolution Supporting the City of Creswell's proposal for a Transportation Growth Management Grant as presented. Voted on and the motion carries unanimously.

Chamber of Commerce 4th of July Proposed Road Closures, and Cars & Stripes Proposed Road Closure
A discussion ensued related to the correspondence from Ms. Heymann (included in the correspondence section of the agenda), owner of several properties on Mill Street who expressed her concerns in regards to access by emergency vehicles during the period of street closure. Ms. Phillips noted she has discussed this issue with South Lane Fire Chief John Wooten and the sponsor of the Car Show. The outcome of the discussion was that this was more like a soft closure where emergency vehicles could move barricades to respond if needed. The Council reviewed the map and street closures.

Councilor Campbell moved, Councilor Romoser seconded that the City Council approve road closures proposed by TUP-2015-02 for the Chamber of Commerce Parade and events at Holt Park on July 4, 2015. Voted on and the motion carries with Councilors Campbell, Pelatt, Heyman, Romoser, Vincent and Mayor Stram voting in favor and Councilor Bowles voting in opposition.

Councilor Vincent moved, Councilor Pelatt seconded that the City Council approve road closures proposed by TUP-2015-03 for the Cars and Stripes Car Show on July 4, 2015.

The Council reviewed and discussed the placement of barricades and closure of South Mill Street that may affect other business owners and residential units. Ms. Phillips noted that part of the process for a Temporary Use Permit requires that affected property owners have to be notified of the closure and they were, no one other than Ms. Heymann responded. Councilor Heyman noted that he doesn't feel the road needs to be barricaded at all and expressed his opposition. Ms. Amberg noted that the City is not planning to close a portion of Hwy. 99 like last year to improve the flow and accessibility of traffic during the celebration. Councilor Pelatt called the motion to question. Councilor Heyman called for a point of order. Voted on and the motion carries with Councilors Campbell, Pelatt, Romoser, Vincent and Mayor Stram voting in favor and Councilors Heyman and Bowles voting in opposition.

Intergovernmental Agreement (IGA) between the City of Creswell and Lane County for Law Enforcement Services

Ms. Amberg presented the IGA for policing services noted that there has been a considerable amount of discussion surrounding the amount of coverage needed for the City. The IGA reflects a half time Sergeant and three Deputies. Ms. Amberg reminded the Council at the request of Councilor Romoser that this contract is paid for out of the General Fund. The Public Safety Fee is a revenue stream into the general fund.

Councilor Bowles moved, Councilor Campbell seconded that the City Council authorize the City Administrator to execute an Intergovernmental agreement with Lane County for law enforcement services during the fiscal year July 1, 2015 through June 30, 2016 as presented. Voted on and the motion carries with Councilors Bowles, Pelatt, Romoser, Stram, Vincent and Mayor Stram voting in favor and Councilor Heyman voting in opposition.

Resolution No. 2015-17- A Resolution Accepting FAA AIP Grant NO. 3-41-0083-011, Installation of an AWOS (Automated Weather Reporting System) on the Creswell Airport

Councilor Pelatt moved, Councilor Campbell seconded that the Council accept the FAA AIP Grant Award, Number 3-41-0083-011, in the amount of \$75,000 as presented. These funds will be used for the installation of an Automated Weather Observing System for the Airport and I also move that we give the City Administrator approval to sign the grant paperwork when received. Voted on and the motion carries unanimously.

Councilor Pelatt moved Councilor Campbell seconded that he Council adopt Resolution 2015-17, A Resolution Accepting Federal Aviation Airport Improvement Program Grant #3-41-0083-11-2015. Voted on and the motion carries unanimously.

Pay Request #15 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 - Precision Approach (Inv. No. 3188)

Councilor Campbell moved, Councilor Pelatt seconded that the Council approve invoice #3188 for Precision Approach Engineering, Inc. in the amount of \$480.18 for services performed in accordance with Task Order No. 7 as presented. Voted on and the motion carries with Councilors Bowles, Campbell, Heyman, Pelatt, Vincent and Mayor Stram voting in favor and Councilor Romoser voting in opposition.

Liquor License Application Approval

City Recorder Roberta Tharp noted that she has not received a recommendation/denial from the Sheriff's Office on the applicant by the time of the meeting.

After a brief discussion, Councilor Pelatt moved, Councilor Bowles seconded to table this agenda item until the July meeting. Voted on and the motion carries unanimously.

Adjournment

There being no further discussion, Mayor Stram adjourned the meeting at 9:39 pm.


Dave Stram, Mayor


Roberta J Tharp, City Recorder