

Council Present:

Omar Bowles
Richard Heyman
Jane Vincent

Holly Campbell
Adam Pelatt
~~Dave Stram-Excused~~

Staff Present:

Michelle Amberg
Cliff Bellew
James Piper
Maddie Phillips

City Administrator
Public Works Director
Finance Director
Planner

Staff Absent:
Shelley Humble
Maia Hardy
Roberta Tharp

Airport Manager
RARE Participant
City Recorder

Council Absent: 1- Dave Stram

Press: 0

Audience: 11

The regularly scheduled City Council meeting was called to order by Adam Pelatt at 5:00pm and the Pledge of Allegiance was given.

The meeting was recessed at 5:03pm for the group to walk over to the Schoolhouse at 2nd & D Streets.

Schoolhouse Field Trip/Discussion

Holly Campbell met the group at the Schoolhouse @ 5:10pm

The Schoolhouse committee (Verlean McCoy, Marge Williamson, Carol Campbell) met the Councilmembers and public in attendance at the Schoolhouse. The Schoolhouse committee led the group through the historic building, explaining what each area of the building was used for and what issues had arisen in the course of "Saving the Schoolhouse."

Holly Campbell moved to move item 3B up, to follow item F: Committee Reports. Council granted consensus.

1. Committee Reports/Council Dinner

A. Administration Committee Report – Adam Pelatt, Chair

i. Strategic Planning RFP – Update

Strategic Planning RFP went out. The timeline still intending to be completed by the end of the year. A meeting scheduled in a couple weeks, and will be discussed at the September Council meeting. Ms. Amberg added that the RFP is posted on the City's website; several inquiries have already been made.

B. Cultural Committee Report – Jane Vincent, Chair

i. Cultural Grants

Jane Vincent would like to bring to the next Council meeting that will seek approval for 5 grants. Due diligence has been completed, and now all that is needed is Council to approve them.

Holly Campbell cited the handout regarding the Creslane Clubhouse. The after school program at the elementary school. The scholarship seeking funding would help students who are unable to afford the tuition of the Clubhouse activities.

Ms. Campbell summarized another project regarding the requested funds for a Garden Stage project. The request is for \$2400 for outdoor performances next to the High School garden. The stage has not been built, and the date has been extended to December.

Ms. Campbell summarized a request by the Food Pantry for a capacity building website project to increase their funding capacity; the website will allow for donors to make secure donations online to the Food Pantry. Funding for this website is desired to get the website up and running by their Harvest Dinner event (middle of September).

Ms. Campbell highlighted a request by Tammy Roberts assuring that funding will go to Creswell kids.

Mr. Pelatt noted that if anyone has questions, they can be directed to committee members before August 17th.

C. Economic Development Committee Report, Richard Heyman, Chair

i. Airport

Richard Heyman reported on the most recent Airport Commission meeting, though much of that discussion has already been covered at a previous Council meeting.

Mr. Heyman has been developing a rapport with the Golf Course to coordinate a fly-in/golf/stay a few days at the hotel. Mr. Heyman has requested a meeting with Mr. Jim Pliska to coordinate such an event. Mr. Heyman described this as a “feeler” for an Economic Development proposal.

Adam Pelatt noted that Mr. Heyman may want to engage the Economic Development committee.

Michelle Amberg noted that the idea may be best moved through the Airport Commission since the event will likely include a fly-in. Jane Vincent concurred with Ms. Amberg.

Mr. Heyman continued to stress that time is of the essence, but noted he had not yet run it by the Airport Commission.

D. Finance Committee Report, Jane Vincent, Chair

Jane Vincent is the new Chair of this committee. The Mayor felt that meetings will begin around when the Audit begins in September.

E. Public Safety Committee Report – Omar Bowles, Chair

i. Policing Study Update

Omar Bowles has just received the final draft of the report produced by Portland State University.

A Public Safety Committee meeting will be scheduled soon. Mr. Bowles made some grammatical corrections. The report, in his estimation, is significantly better in terms of providing the information the City will need in order to understand the choices and prices of how the city can provide public safety to the community.

Ms. Amberg suggested that the Executive Summary be published online. A copy could be made available at City Hall. Discussion will continue through the Public Safety Committee before materials are made available to the community.

Ms. Vincent and Ms. Campbell requested a hard copy of the report, when it’s ready to be released. Ms. Vincent would like a hard copy of the final report.

Mr. Bowles noted that a meeting will be scheduled in coming weeks in order for the PSU team to make their final presentation. Ms. Amberg noted that the document should be reviewed by Sergeant Halvorson for corrections before being released in final draft. Any further discussion about distribution of the document will be made at the next Public Safety Committee meeting.

F. Transportation and Public Works Committee Report, Holly Campbell, Chair

Holly Campbell noted that discussion of this committee will wait until after the September 15 election to meet again.

The Committee will meet next to begin development of a water rate methodology, depending on the outcome of the election. The Engineer of Record will be doing the next water rate study through the development of the Water Master Plan update. By using the same engineer, the City maintains consistency in the methodology with respect to water rates.

Old Schoolhouse/Library discussion: Schoolhouse Committee Discussion

Ms. Vincent noted that a lot of information is available regarding work done by previous Schoolhouse committee members, UO Historic Preservation Students, among others. She expressed her love for the building.

Ms. Vincent noted that the work put together by the Committee was tremendous. In her opinion, it is probably one of the best studies ever done for the City. It is the City’s obligation to go through this information to determine:

- Keep it;
- Give it to a non-profit;
- Move it; or
- Sell it.

Ms. Vincent stressed that what the City's options are will largely depend on how agreements granting City ownership were worded. Often these agreements have stipulations as to how the property may be used or transferred.

Carol Campbell added that the building is on the National Historic Register, necessitating additional review before the City does anything with the building. Ms. Campbell noted that the Committee met last 6 weeks ago (prior to the June Council meeting). The committee would be happy if the City said they had a purpose for the building. It was noted that the lack of parking was a detriment. Perhaps it could be sold, so long as a plaque would be included to identify the significance of the building.

Scott Olson from the Chronicle joined the meeting at 6:25pm.

Ms. McCoy noted that the building was deeded to the City by the Ladies' Auxiliary; Ms. McCoy would like the City to keep the building. She believes that even if there isn't a purpose currently, or the ability to spend the money, residents of Creswell in the future will likely be very appreciative that the City kept such an integral part of the city of Creswell.

Mr. Heyman asked if there were known costs to maintain the building. None were known. He asked if any application had been made to maintain the building through non-profit organizations for maintenance. Ms. Campbell noted that due to the bi-annual nature of grant opportunities, no applications have been made. Mr. Heyman noted that there may be significant damage to the building. It does not have a foundation and it may be quite costly to restore the building.

Mr. Bowles noted that there may be the ability to do anything from minimal maintenance (to prevent its total degradation) to full-restoration (for use as a visitor's center, or the like). He sees the benefits of maintaining historical buildings. His hometown community in Eastern Oregon (Union, OR) attracts people from all over the world to see the historical buildings – some even come on bicycles – and it brings significant revenue to the community.

Ms. Campbell supported Mr. Bowles' position, described how buildings were torn down in the place she is from, where residents regretted their destruction so much. She requested a ballpark estimate as to how much it would cost to stabilize the building. She suggested that perhaps a Facilities Committee may be warranted. It may also be possible, she noted, to remove the historic designation from the building. She likes the idea of keeping the building, to show a sense of stability of the community.

Mr. Heyman suggested speaking with Keith Kerr to determine the cost of stabilizing the old Schoolhouse.

Mr. Pelatt requested next steps: To refer this to a committee?

Ms. Vincent suggested mustering a core group that could put up a website to estimate community support and pick up where the Schoolhouse Committee left off.

A member of the audience is thinking of starting a naturopath/ancient medicinal clinic. "Live well in Creswell" may be our new "theme" of slowing down and living well. He wondered if the City would ever restore the building to be used, and lease it to a business like his prospective business. He discussed another historic restoration project in Spokane which reused an old mill building.

Ms. McCoy noted that it's been 4 years since the committee was active. Though the website was active, she is leery of going down that path again. Carol Campbell noted that the economy wasn't very good, so that may change the outcome. She left a box with Ms. Amberg containing minutes and documentation from the Old Schoolhouse Committee for the City to review and use.

Ms. Campbell noted that the area is very dynamic (proximity to the Creswell Bakery, Community Center). She would like to encourage discussion among committee groups.

Ms. Amberg noted that the City's resources are very thin, and the City is likely already doing everything it can to maintain the building, which is not much. She encouraged this discussion to be moved to the Strategic Planning process discussion. Regarding the Facilities management role: Public Works can only do so much. She would like to see this prioritized, and hopes that City Council's goals can be achieved. This process will help Ms. Amberg prioritize and allocate resources appropriately. Ms. Amberg noted that the building is covered by the City's insurance.

Cliff Bellew suggested that the property be utilized like a commercial building – a tenacious interested party may be able to renovate the building in exchange for a long-term lease to use the building.

Ms. Campbell asked if the building is safe to stand near. Mr. Bellew noted that with the dry rot visible from a quick inspection may require an assessment. Ms. Campbell stressed a desire to ensure that the building is safe.

Ms. McCoy stressed the need to replace the skirting to avoid attractive nuisance, or risks of kids playing under the building.

Jack Gradle noted that knowing the age of the building, lead paint will be a real concern.

Consensus was granted by the Council to move the topic to the Strategic Planning Process.

2. Presentations

A. Marijuana – Ballot Measure and time lines – Ross Williamson

Ross Williamson provided published materials from the League of Oregon Cities. His presentation will ask three policy questions with respect to marijuana. He noted that a dual system is still present: Medical marijuana (regulated by OMMA, part of OHA) and Recreational/Retail marijuana (OLCC).

The Legislative session addressed the following topics with respect to medical marijuana:

- Taxation
- Local authority
- Timing issues (vote in 2016); some of these issues were solved, but more were created
- Terminology: Licenses, Producers (different from a grow site, etc.)

Land use regulations were enacted for medical marijuana in Creswell. Retail will require some land use regulations, but the city has time to consider these.

Retail license will begin to be issued in the 3rd Quarter of 2016. Applications can be made Jan 3, but won't be issued until later in the year. There is no need to fast track Land use regulation development.

Ms. Amberg asked about the timing of the election and the issue of banning marijuana sales from the City with regards to the timing of the election.

Once the City Council passes an Ordinance to ban recreational and/or new medical marijuana sales, OLCC and OMMA/OHA will suspend the issuance of licenses until after the election results come back.

Policy Question 1: Ban to the Voters

Mr. Williamson asked if the Council would be interested in limiting any of the following (6 types):

- Medical : Processors, Dispensaries
- Retail: Processors, Producers, Wholesalers, Retailers

If a ban passed, Creswell could limit all 6 types. Creswell did pass Measure 91 in 2014.

Council can pass an Ordinance up to September 2015 which would prevent OLCC from processing applications for retail facilities. This item can only be brought as a General Election item (November 2016).

Mr. Williamson noted that cities and counties were well-outnumbered in Salem, making these provisions challenging to implement.

Ms. Campbell brought up several items regarding grandfathering in existing retail facilities. Since none exist yet in Creswell, this is not an issue for this city. Further, an applicant would have to pursue a Conditional Use Permit process.

Ms. Amberg asked if this type of Ordinance could be considered an emergency. Mr. Williamson agreed that since this is not a tax related item, it could be considered an emergency and enacted immediately.

Mr. Heyman asked how Creswell voted on Measure 91. Ms. Phillips shared that Precinct 440 passed Measure 91 with a vote of 51.3% (941 votes) in favor, 48.7% (878 votes) opposed.

Mr. Bowles summarized a Facebook poll he administered. Those on the fence of the issue were interested in revenues and encouraging business.

Policy Question 2: Local Tax

Mr. Williamson described that a 17% Point-of-sale retail tax, to be collected by Department of Revenue, similar to the gas tax.

Currently tax benefits are based on population. Creswell could receive this revenue regardless of the number of licenses held in the city. That changes in July 2017 when tax revenue is distributed per number of licenses. If the

City bans marijuana, the city will not receive the tax benefit after 2017. Further, if the city enacts a ban, the city will not be eligible to receive tax revenue from marijuana at all.

The State Legislature allowed for a local option tax, similar to a gas tax, which could be levied at up to 3%. Again, Department of Revenue does the collection. Mr. Bowles inquired about Council's previous action on a taxation structure for medical marijuana. Mr. Williamson clarified that the city created a structure for enacting a tax, however it would likely need to be revised to reflect new legislative rules.

Council discussed the merits of banning marijuana and the realities of financial benefit/loss. Ms. Amberg noted that the local option 3% is all the City can count on, due to the other entities interested in those funds. She also noted some preliminary discussion about contributing the 3% option taxes to the justice system.

Ms. Campbell asked about the impact to grow sites. Cities may not ban, according to the legislative rules, medical marijuana grow sites. Currently there is no taxation of medical marijuana, because there is no exchange of money for medical marijuana that patients are prescribed. Each person can have 6 plants. There is no revenue *per se*.

Policy Question 3: Ban on Early Sales

The local option window for medical marijuana dispensaries to sell recreational dry leaf marijuana and immature plants is from October 1, 2015 through December 30, 2016 when the recreational program comes online. A local option exists to ban this early sale of recreational marijuana in medical facilities. It is moot at this time, because Creswell currently does not have such a facility, yet.

If Council takes action before October 1, it puts people on notice that Creswell does not want this type of facility located in Creswell. Mr. Williamson recommended early action via Ordinance to make this statement.

Direction was given to Mr. Williamson to draft two Ordinances: One Ordinance to ban sales of all 6 marijuana licenses (or a subset) to put out to a vote in November 2016; and a second Ordinance to ban the early sales window which is slated to begin in October 2015. An Ordinance will be brought to the August Council Meeting, to be held August 17.

Ms. Amberg inquired about the previously-passed tax ordinance. Mr. Williamson noted he will be reviewing Creswell's and other cities' taxation ordinances.

Ms. Campbell asked if there is opportunity for public input on this decision. Mr. Williamson noted that the item would be open to public comment period prior to the meeting. Ms. Vincent suggested that the Chronicle could run some of this information as well.

B. Door to Door Solicitation – Ross Williamson

An Ordinance exists on the books that cannot be enforced as it exists (1959) based on a model used by many Oregon cities. It was declared unconstitutional in 1988. It is still on the books in Creswell.

A company asked two years ago whether the Ordinance would be enforced. It is not unconstitutional to keep it on the books. Mr. Williamson noted that there is no harm in leaving it, but it is cleaner to remove it.

Mr. Williamson discussed Oregon's definition of commercial free speech. The City of Albany created a business license to require that door-to-door salespeople register and purchase a license, however they already have a business license program. Ms. Amberg asked if such a process could be established to discriminate against one type of business. Mr. Williamson noted that a business license program would have to be established for all businesses. Also, business licenses are not insignificant in terms of requirements on staff.

Mr. Williamson noted that many cities are pursuing time, place, and manner regulations and that something of this nature could be put in effect in Creswell. Regulation of hours of business, and if there is a "No Solicitation" sign a salesperson may not knock.

Ms. Vincent described federal law related to leaving leaflets.

Mr. Bowles noted the harassment of residents by salespeople, noting that this is a significant topic. He suggested that having a required check-in at City Hall might be a good start. Mr. Williamson noted that due to free commercial speech, if residents have a door open to the right-of-way (no fence/gate), a person is allowed to knock. Suggestions were made that Mr. Williamson noted would be too restrictive to maintain adherence to commercial free speech protections.

Ms. Vincent noted that she often has kids visiting her door that may have legitimate causes to collect for. There is no ability to differentiate between sales and fundraisers. Mr. Pelatt concurred and provided other examples. Ms. Campbell clarified the function of "No Solicitation" stickers.

Council gave consensus for Mr. Williamson to draft a time, place, and manner Ordinance regarding door-to-door sales that provides for ability of kids to still do fundraisers.

3. Discussion Items

A. July 4th Celebration Debrief with Chamber of Commerce

Joel Higdon, President of the Chamber of Commerce, joined the conversation at 7:45pm.

Mr. Bowles noted the inconvenience of traffic control. Streets were closed too early, in his opinion, and many visitors (including two tour busses) turned around because of frustration in getting around town.

Mr. Pelatt requested that more notice/advertising be put in the Register-Guard newspaper. Mr. Heyman echoed this point.

Ms. Campbell noted that Travel Lane County and others may be able to connect with tour bus drivers with alternate routes.

Mr. Higdon noted the process they undertook, in conjunction with Lane County Sheriff, to close the street. The School District is the only available parking place; Ray's may be occupied next year, and Bald Knob is not easily managed for parking and will probably not be available. There is discussion at the Chamber to coordinate parking and shuttling. The Airport was suggested as a parking location, while LTD could help with shuttling.

Richard Zetterval noted that South Mill Street closure was a big complaint. Mr. Higdon noted that the car show is not affiliated with the Chamber and the permit. Mr. Pelatt encouraged other entities to expand activities, however he emphasized that all have to work in concert.

Mr. Heyman suggested using the vacant field south of Bi-Mart/Rays to park cars and shuttle folks. He noted concerns about candy being thrown along the parade route and kids running in front of large trucks. There were complaints regarding unwanted water play.

Scott Olson noted that Scott Green from Cascade Home Center made a presentation to the VFW.

Linda Warner suggested running shuttles from locations north of town, routing visitors on Highway 99 through Goshen. Ms. Campbell reinforced the shuttling idea.

Councilors discussed compressing the parade, or shifting its route, and the participation of entries. Ms. Campbell noted the great success of the sidewalk chair regulation. Councilors discussed the merits of charging an entry fee for the parade. The Chamber of Commerce will continue to review parking, street closures, and possible relocation of the Car Show to the Airport, among other improvements for next year.

Cliff Bellew provided feedback on the idea of parking cars in vacant fields (hot mufflers, fire danger). He offered the suggestion of parking behind the Super 8 Motel in the gravel lot.

The Young Eagles program flew over 100 kids, root beer floats were a big hit from Farmlands Market. The Grange continued the quilt show, 142 people visited the show. Sales of blueberries and other treats did well. Donations amounted to about \$50; Food sold outside was pretty much sold out. Ms. Campbell suggested moving the quilt show to the Community Center.

Mr. Higdon noted that the Chamber's contract with the fireworks/pyrotechnics is up. They are shopping for a new contract currently. He confirmed that the Chamber was able to cover their costs for the fireworks this year.

B. PERS Unused Sick Leave Program – Draft Resolution

Michelle Amberg noted that the City already does this function of PERS. The Council is recommended to pass the suggested Ordinance; there is no additional cost, we already pay into it, and Tier 1 retirees would get to count sick leave toward their retirement.

C. Public Facilities Naming Policy – Draft Resolution

Mr. Williamson read over the policy and had no particular objection to it.

Mr. Heyman noted Section III, Line 83, regarding distinguishing one's self in military service – one could have other types of service worthy of distinction. The intent, based on the rest of the section, Mr. Pelatt replied, is that there are a number of ways one can be distinguished. Ms. Campbell suggested that military service is one type of distinction.

Mr. Heyman expressed strong support for expanding the scope of what a person may be recognized for. Ms. Amberg suggested making a change to include areas beyond Creswell by adding another category in this area (Item 8) to recognize someone from Creswell who goes on to do "great things;" the individual may be from Creswell, but their impact may be greater or pertain to a different geography.

Ms. Vincent noted the option to be able to name streets, as well as buildings.

Fees for those requesting recognition are administered by City Council. Any additional fee would be the responsibility of the applicant to, say, put up a plaque.

City Council gave consensus to move this policy to the next City Council meeting.

D. Committee Reorganization

Mr. Pelatt noted that the workload may be discouraging participation in City Council, and is stretching the resources available at City Hall. Economic Development and the Cultural Committees would be reduced and redistributed to other committees, or items would be brought directly to City Council. Ms. Vincent confirmed that the work of these committees will continue. Councilors agreed this shift would increase efficiency of requests, shortening the time between requests to Council response/action.

Mr. Heyman expressed frustration with the scope of work given to the Economic Development committee, noting its limitations.

E. Budget Discussion

James Piper drafted an article, for general distribution that is easy to understand, showing how the City uses funds in the operating budget. Future articles will include topics such as how a tax dollar is spent.

Ms. Campbell asked who Mr. Piper's audience is. Mr. Piper noted that he's working on reducing the technicality of the material so that it is easily understandable.

Ms. Amberg noted that this article provides simplified answers to common questions, for example the amount of money spent on debt service. Mr. Pelatt agrees and supports continuing these articles, such as how a tax dollar is spent. He suggested doing an article on where City funds come from, noting how surprised he was to know how little money in the city's Budget comes from property taxes. Ms. Campbell provided another example, regarding water service.

Mr. Pelatt suggested a topic regarding fixed and regulated costs vs. optional/discretionary costs. Ms. Campbell provided an example from Hawaii, noting that this type of simplification can provide clarity.

Mr. Heyman asked about repairs or new lining having to be put in the lagoons. Mr. Bellew noted that no such repairs were happening at this time.

4. Adjournment

There being no further business to come before the council, Mayor Stram adjourned the meeting at 8:53 pm.


Roberta J Tharp, City Recorder


Dave Stram, Mayor

Minutes submitted by Madeline Phillips