

Council Present:

Omar Bowles Patrick Miller
Richard Heyman Dave Stram
Jane Vincent

Staff Present:

Michelle Amberg City Administrator
Roberta Tharp City Recorder
Cliff Bellew Public Works Director
Jim Piper Finance Director
Sgt. Billy Halvorson Lane County Sheriff's Dept.
Ross Williamson City Attorney
Maddie Phillips Planner

Council Absent: 0

Press: 1 – Scott Olson – The Chronicle

Audience: 11

The City Council work session was called to order by Mayor Stram at 6:32 pm.

Councilor Bowles read a statement tendering his resignation as a City Councilor effective March 22, 2016. Mayor Stram directed staff to advertise the two vacant Council positions and noted the vacancies will be open until filled.

Committee Reports

- Airport Commission - Progress on update/revisions to enabling ordinance (Ord No. 309)

Councilor Heyman handed out a revised draft copy of an ordinance that establishes the Airport Commission. The commission was charged with reviewing and revising Ordinance No. 309 adopted by the Council in 1988 that established the Airport Commission. The committee has met and reviewed the Ordinance and is presenting the revisions in a new ordinance for Council review. Ms. Amberg noted that the proposed ordinance has been reviewed by the City Attorney as well as staff.

Mayor Stram explained that since the Airport Commission has reviewed the proposed ordinance, he would like to receive their comments prior to this coming before the Council for adoption.

Ms. Amberg pointed out a few of the proposed additions:

- Section 4 - #5 – One ex-officio youth (18 years of age or younger) may be appointed by the Mayor, without regards to jurisdictional restrictions, to serve a term of one year. The youth shall participate in discussions but shall not be a voting member.
- Section 5 – Airport Commission Meetings – The Commission shall meet on the third Wednesday every other month for its regular meeting and may meet at such other times as determined by the chairperson or by the written request of three members of the Commission.

Mayor Stram commented that this draft does not include a representative of the Planning Commission to serve on the Airport Commission. Ms. Amberg responded that requirement was removed as the Planning Commission had met and didn't quite understand why they had a representative on the Airport Commission; their feeling was they didn't have the expertise to serve and asked that a change be made. Mayor Stram asked that the Council to review the proposed Ordinance and be ready to discuss at the April work session.

- Parks and Tree Advisory Committee – Report on Pocket Park Gazebo

Councilor Vincent reported the committee met for the first time today. Mark Murphy was elected as Chair and Al Bennett is Secretary. They reviewed the content of the Park and Tree Committee binders. They reviewed the Pocket Park information and began making plans to move forward with this project.

Ms. Amberg explained that the committee made a formal recommendation on the Pocket Park; move forward with option #2; a gazebo that includes a concrete floor and walkway, to investigate the installation of an electrical receptacle that could be secured, one picnic table and one trash can. The next meeting is scheduled for April 18th at 12:30pm.

- Administration Committee – Municipal Judge and City Attorney Contracts and Work Expectations
Councilor Bowles reported the committee met on March 4th and began reviewing the Municipal Judge and City Attorney’s contract and expectations. The Judge’s contract expired quite some time ago and the committee is recommending a sub-committee be formed to negotiate a new contract; the sub-committee should include the Mayor and the Chair of the Finance Committee. The Attorney’s contract seems to be up to date and the Administration Committee recommends continuing services with Speer Hoyt as they seem to meet our needs. Mayor Stram noted he will place this on the April agenda for Council action.

- Finance Committee – Recommendations regarding audit findings
Councilor Miller reported that enclosed in the packet is a letter from the auditor containing the findings of the recent audit and a letter from the Secretary of State. The Secretary of State has reviewed Isler CPA’s submission and reported we need to review the way we report the State Revenue Sharing Fund, continue our progress on Information Technology by a third party service provided (Stepper Consulting); and become compliant with the legal requirements pertaining to the awarding of public contracts and the construction of public improvements. Jim Piper explained that we are in the process of moving forward to clean-up these concerns.

- Public Safety Committee
Councilor Zettervall reminded the Council that at the March 7th Council meeting, Mayor Stram amended the committee’s charge for FEMA certificates and those are due from all councilors before the June 27, 2016 work session.

- Transportation Committee
Councilor Heyman reported that he has spoken with Michelle Amberg in regards to scheduling a joint meeting between the OSU students and the Airport Commission to discuss the Airport Sustainability Plan.

Presentations

- Strategic Planning – Moss Adams (Mark Steranka and Colleen Rozillis)
At the end of February, Council prioritized and finalized objectives under each goal. Staff has completed worksheets that contain actions that will be needed to fulfill the objectives. This session is for Council to review and provide input in order to put the final touches on the plan.

- Strategic goals
 - Accountable Government – The Council reviewed the three goals they chose as priorities. Ms. Amberg noted she will be providing a quarterly report to the Council on strategic plan accomplishments. A discussion ensued regarding timeframes of the objectives and actions.
 - Economic Development – A question was asked about revitalizing the downtown and what area it contains. Ms. Amberg explained that it can be defined by the Council but reminded them that from Interstate 5 to Front Street is ODOT’s jurisdiction. Councilor Zettervall asked about the performance measure, retail and office vacancy rate and the city unemployment rate. A discussion ensued regarding vacancy rates amongst the businesses in town. The Council recommended that City unemployment rate be replaced on the performance measure with transient room tax.
 - Safety and Preparedness - Councilor Miller expressed his concerns regarding establishing a public safety district. A discussion ensued about keeping the word “exploring” as part of our options in objectives and actions. The consensus of the Council was to leave the “exploration of establishing a public safety district” in the strategic plan.
 - Quality of Life – The Council had no additional comments
 - Community Engagement – The Council had no additional comments

The Mayor directed staff to include a final review of the Strategic Plan on the agenda for the April work session and adoption in May.

At 7: 44 pm Mayor Stram recessed the meeting for a brief break. The meeting was reconvened at 7:49 pm.

- Results from Bald Knob Vision to Action Exercise
Leslie Owen a consultant from Ecology and Environment addressed the Council to give a brief presentation on the Vision to Action Community Engagement Exercises held on Wednesday, January 27, 2016. There were two sessions held, one at Creswell High School which was attended largely by students from environmental and leadership classes as well as other representatives from local government agencies and an evening workshop held at the Community Center comprised of residents and business owners from the community.

The Vision to Action exercise asked participants to draw in color and without words, their personal vision of Bald Knob for the future. Afterwards they shared and combined their vision with other members participating in the

workshop. This kind of process begins with no predetermined solutions and then sets the stage for future discussion on development.

Ms. Owen noted that the participant's ideas from the High School were mainly recreation and a distribution center.

From the vision drawings, four boards were created:

- Commercial and Recreational Uses
 - Farmers Market/Food Co-op
- Streetscape
 - Pedestrian and Bikes
- Active Recreation/Sports Complex
 - Ball Fields/Skate Park/Basketball Courts
- Waterway/Green Space
 - Water healthy for Fishing/Canoeing/Kayaking

Ms. Owens presented the boards to the Council noting that these are the beginning steps that open the door for discussion to the future for the Bald Knob property.

A discussion ensued amongst the Council on how the property can either be kept zoned as industrial or use the presented visions of the community to begin work on the property in another direction. Councilor Zettervall noted that the one concept he heard at both workshops was to make it have a positive and attractive look so it can be visible from Interstate 5. Councilor Heyman expressed his concerns on keeping some industrial zoned property in the area.

- Citizen Proposal to City Council – Arts, Crafts and Food Faire – Judy Surface

Judy Surface addressed the Council to propose a one day event that will provide a place for local artists to display and sell their creations. She explained that she wants to make this an annual event, starting small and growing it in the future. She has reserved the Community Center for Saturday, September 17th; the event is scheduled from 9 am to 4 pm and she is running out of space. To date there are twenty one vendors and two community groups who have committed to participating in the event. She cited that the group's most critical need at this point is additional space. She asked if the Council would grant her permission for the use of the area in and around the parking lot at the back of the Community Center. She asked to also include the lawn space right along the side of the building as well as between the parking lot and North 2nd Street for vendors to set up. She assured the Council that the sidewalks would be kept clear. Furthermore, she asked the Council to waive the special permit fees and be covered under the city's liability insurance.

A discussion ensued and Ms. Amberg noted that the city cannot extend their liability insurance; they will fall under the umbrella of the city's liability insurance inside the Community Center but the parking lot and grassy strips are rights-of ways and the coverage would not apply there.

Mayor Stram directed staff to place this item on the April meeting agenda for action.

- Community Food for Creswell – Donation Request

Susan Blachnik, Manager of the Creswell Food Pantry addressed the Council requesting some emergency funding. In October 2015 the three-door freezer became irreparable; the seal around the door collects ice and has changed the structure of the door. She is requesting an emergency grant of \$2,500 from the city to help with the replacement the freezer which costs \$10,815. She has applied for other grants but has not yet heard back. In the meantime she has been using two small freezers and will continue to do so until they can get the funds to purchase another freezer.

The Council suggested they take out a loan, rent a freezer or contact Creswell First Community Foundation; Ms. Blachnik noted that she had started a go-fund me page.

A discussion ensued on how this meeting is a work session and decisions cannot be made during these types of meetings. Further discussion continued on the rules regarding the Community Service Grants. The Council gave their consensus to place this item on the April meeting agenda.

At 9:00 pm, Mayor Stram called for a brief recess; he reconvened the meeting at 9:06 pm.

Discussion Items

- 225 West F Street – Ross Williamson, City Attorney

Ross Williamson addressed the Council asking for direction/advice on a code enforcement issue.

Mr. Williamson explained that a code enforcement complaint has been filed by a neighbor of the occupants residing at 225 West F Street. A covered porch structure was built too close to the property line and water runoff is encroaching on to the neighbors. The city investigated and determined that it not only was built too close to the property line but it was also built without a permit. A building permit is required by code for any porch structure over 200 square feet. Staff has met with the owner and provided multiple notices and asked for permanent solutions to the drainage issue and to comply with the permitting process. To date the owner has implemented a temporary solution and the neighbor continues to complain. Mr. Williamson continued what we are dealing with is a reluctant property owner and the next step from a code enforcement perspective is very expensive. Most code enforcement is solved by compliance; and Creswell's code does not have a defined program for this type of violation. He explained that he could file a civil action in municipal or circuit court or institute daily fines allowed by code. Mr. Williamson asked at what point do you spend city resources on attorney time to settle a dispute between neighbors on building code violations. He went on to say what the City is lacking is a defined program for code violations that fall outside things other than dangerous buildings or nuisances. He continued by saying other cities have come up with overall code enforcement policies that fall into two primary models; civil complaint utilizing municipal court; or a staff civil process with a formal notice of violation, fines and includes an appeal process. Ross said Veneta uses the municipal court process while Eugene and Lane County use the civil staff process.

Councilor Miller asked Attorney Williamson what he suggests for Creswell to do policy wise. Mr. Williamson recommended that the Council come up with a policy that staff can use to implement the code for the future; he noted that Veneta's process works very well for a small town. He also recommended that the policy outline the prioritization of cases.

A discussion ensued regarding the establishment of criteria that staff can apply to create a priority list within the code. A question was posed about the city being sued by the complainant because the homeowner won't comply.

Mayor Stram asked Mr. Williamson for his recommendation: The City needs a policy; assign this to a committee to look at the two different models and decide what is best for Creswell, work through prioritization complaints. To take this case further will be an excessive expenditure of city resources that will benefit one taxpayer. The city has put forth a reasonable effort to solve the issue and Mr. Williamson doesn't believe that the City would be liable if the parties were to sue the City as we have done our due diligence and good documentation.

The council gave unanimous consensus to put this issue on hold until a policy is developed and directed the City Administrator to provide the Council with a report at the April meeting on the two separate policy models for code enforcement.

- IGA with ODOT Fund Exchange – Jim Piper

The City currently participates in the ODOT (Oregon Department of Transportation) Fund Exchange. Creswell's funding from ODOT is comprised of the State Highway Street Tax and Federal Surface Transportation Program (STP) funds. Annually the US Department of Transportation allocates STP funds to Cities and Counties based on population figures. Through an agreement with the League of Oregon Cities (LOC), ODOT can exchange State Highway Funds for Federal STP dollars. The exchange rate is \$0.94 in state funds for every one dollar of federal funds. The 2014 Fund Exchange Agreement in the amount of \$52,806 is set to expire on May 5, 2016. ODOT has prepared an amendment to extend the expiration date two calendar years (May 5, 2018). Additional funding for 2015 is also available in the amount of \$56,827.57. In order to receive the 2015 funding the City must apply to ODOT for the funds. In the application process, the City must identify a project that the funds will be used for. Improvements on North 5th Street from Oregon Avenue to West A Street have been identified as the project area. The exchange funding for this project is estimated to be \$109,633.02 and it is typical for a City to carry forward exchange amounts annually and accumulate funds to support the project. Mr. Piper will be formally asking the Council for approval of the amendment to extend the IGA with the ODOT Fund Exchange at the April meeting.

- City Phone System – Jim Piper

Jim Piper addressed the Council explaining that the phone system we currently use in City Hall is no longer manufactured by the vendor. The system was put into place in 2008 and has a depreciable life of five years. Parts are available only through the secondary market and many of them are refurbished. The second story of City Hall was not wired for telephone. Mr. Piper presented a proposal to upgrade the system to an NEC SV9100. This system design would include moving from an analogue system to an Internet Protocol based system. He noted that there would be a significant savings on the phone bill also. The quoted price for this system is approximately \$10,500. Mr. Piper explained that this is an information piece and no action to this request is required by the Council. He will be including this in the next fiscal year's budget for the budget committee to address.

- Public Safety – Michelle Amberg

Ms. Amberg presented three Turn Key Incremental Models for policing services for discussion. The three models include:

- Current Model – Funded by General Fund and Public Safety Fee at an estimated cost of \$573,933
 - 140 hours a week coverage
 - .05 County Sheriff Sgt.
 - 3 – County Sheriff Deputies
- Expanded Model – Funded by General Fund and Public Safety Fee and/or levy at an estimated cost of \$826,631
 - 200 hours a week coverage
 - 1 – Sergeant
 - 4 – County Sheriff Deputies
- Wilsonville Based Model – Public Safety Levy and some General Fund dollars at an estimated cost of \$1,007,965
 - 24/7 Coverage (guaranteed)
 - 1 - Dedicated Lt. with Chief title
 - 4 – County Sheriff Deputies – Patrol
 - 1 - County Sheriff Deputy – School Resource Officer

Sgt. Halvorson explained that Wilsonville’s ratio is one officer to every one thousand citizens; population of Wilsonville is around 20,000. He continued by saying he does not want to have to re-invent the wheel but is curious how they do their contract with the County, how the City Administrator plays into this and how the Chief became the Chief.

A discussion ensued on enacting the expanded option for a five year levy and then from there move forward with the Wilsonville model for the next five years.

Councilor Bowles expressed support for the Wilsonville model but cutting the school resource officer. He continued by saying he feels we should leave the officers to protect the City and if there is a problem at one of the schools, an on duty officer could handle the call.

After further discussion, the Council gave their consensus to have Ms. Amberg, Sgt. Halvorson and the chair of the Public Safety Committee travel to Wilsonville to do some research. The group will report back to the Council and then the next steps will be determined.

- RTMP Grant for Creswell Chamber of Commerce – Don Amberg

Annually the City budgets for and receives an RTMP (Rural Tourism Marketing Program) Grant from Lane County. The City acts as a pass through for this grant and awards it to the Chamber of Commerce to help with tourism in Creswell. For the fiscal year 2015/16, the City budgeted \$16,234 in revenues and related expenses. The actual amount received from the County was \$18,880, a difference of \$2,646. The Chamber has submitted a report and request for the additional monies. The Council will be asked to pass a Resolution to amend the budget and grant the request to the Chamber for the additional \$2,646.

- Airport Fuel RFP –

Ms. Amberg explained that in January we issued an RFP (Request for Proposal) for an Aviation Fuel Supplier for the City of Creswell Hobby Field. We received two proposals; EPIC Aviation and World Fuel Services. Jim Piper and Shelley Humble reviewed and rated the proposals based on the RFP criteria; EPIC scored an 88 and World Fuel Services scored a 93. Based on the rating system and information included in the proposals, staff recommends the award of the RFP to World Fuel Services. This will be on the April meeting agenda for Council action.

Adjournment

There being no further discussion, Mayor Stram adjourned the work session at 10:35 pm.

*Signature on File

Dave Stram, Mayor

*Signature on File

Roberta J Tharp, City Recorder