

Council Present:

Jane Vincent
Richard Zettervall
Gary Mounce – joined the meeting at 6:36pm
and apologized for his tardiness.

Richard Heyman
Dave Stram

Staff Present:

Michelle Amberg
Jennifer Gardiepy
Cliff Bellew
Maddie Phillips
Shelley Humble
James Piper

City Administrator
Receptionist
Public Works Director
Planner
Airport Manager
Finance Director

Council Absent: 0

Press: 1 – Scott Olson – Creswell Chronicle

Audience: 18

The City Council Work Session was called to order by Mayor Stram at 6:05 pm and the Pledge of Allegiance was given.

1. Mayor's Report

- A.** Discuss Joint Work Session with Creswell Chamber of Commerce for May Agenda – Mayor Stram and Council decided to make the May 23, 2016 Joint Work Session with the Chamber of Commerce a single-purpose session. They will discuss tourism, how to best-allocate the Transient Lodging Tax and tourism revenues, and hear two presentations: The Lane County Rural Prosperity Initiative with Lane County Administrator, Steve Mokrohisky presenting, and a presentation by The Regional Accelerator & Innovation Network (RAIN). The Council Committees will report at the June Work Session.

2. Committee Reports/Council Dinner

- A.** Administration Committee Report – Council President Vincent
No report was given.
- B.** Airport Commission – Councilor Heyman reported that during their last meeting, the Airport Commission made final revisions to the draft Airport Commission Enabling Ordinance. Councilor Heyman presented their recommended revisions and Council had a discussion. City Administrator, Michelle Amberg explained how some of the proposed revisions would affect the Commission. The draft will be presented to Council at the May 9, 2016 City Council Meeting for adoption.
- C.** Finance Committee Report – Councilor Mounce
No report was given.
- D.** Public Safety Committee Report – Councilor Zettervall reported that the Committee will meet for the first time on April 26, 2016 at 11:00 a.m. to discuss their charges:
 - FEMA Training Module – Councilor Zettervall asked Council what FEMA is requiring of Council for compliance and how far the City Councilors are in their ICS training. Ms. Amberg explained FEMA's expectations and the necessity for Councilors to complete the FEMA ICS Training.
- E.** Transportation and Public Works Committee – Councilor Heyman gave a progress report on the Airport Study being conducted by OSU. Ms. Amberg stated she was able to direct OSU to the state level to get more needed information to complete the study. Phase II is expected to be complete by June 1, 2016.
- F.** Parks and Tree Advisory Committee – Mark Murphy, Committee Chair, reported they have accomplished their first charge as given by Mayor Stram. The committee was given three design options to choose from to create a Pocket Park Shelter at South 1st and C Street. The committee recommends the option (number two) that allows for a gazebo and one picnic table, concrete flooring and concrete walkways (as opposed to gravel, in the original plan) to comply with ADA requirements. They would also like access to the existing electrical for special events. Everything listed is within the allotted budget of \$8,550. They also suggest relocating the existing plants. Discussion ensued with Council and it was decided the project will best-fit into the 2016-17 fiscal year budget. It will be presented to Council at the May 9, 2016 City Council meeting for a decision.

Mayor Stram noted there will be another joint meeting before the end of the year to hear recommendations on the City's Parks Master Plan and how it would coincide with the Strategic Plan. At the May 9, 2016 City Council Meeting, they will be reviewing a new applicant to the Parks and Trees Board.

At this time, Mayor Stram swapped items A & B on the agenda, allowing Westech Engineering time to set up their Power Point presentation. Mayor Stram called a brief recess at 7:08pm. Mayor Stram reconvened the work session at 7:16pm.

3. Presentations

A. Sewer Master Plan – Chris Brugato, Vice President and Denny Muchmore, Project Manager, both of Westech Engineering, the City's Engineer of Record, gave a Power Point presentation – An overview of the draft Wastewater System Facilities Plan. Mr. Brugato presented their findings and reviewed recommended options for improvements.

- At this time, the City has an extremely limited wastewater disposal capacity, operated under permit from the Department of Environmental Quality (DEQ).
- The City has a Mutual Agreement Order (MAO) with the DEQ allowing relaxed temporary permit limits in exchange for a commitment from the City to make improvements. The City completed Phase I of a two-phase project in 2009. The DEQ would like to renegotiate the MAO with the City. At this time, the current MAO is paused, awaiting DEQ approval of Total Maximum Daily Load (TMDL) for receiving stream. When the DEQ is done with the TMDL, it may affect the City's permit.
- There is a separate, privately-owned system on the east side of Creswell, referred to as the Emerald Valley System, owned by McDougal Brothers. There are two main problems with that system. In the draft Wastewater System Facilities Plan, it is recommended that, should the City ever acquire the system, it be kept as a separate system.
 - i. According to the DEQ, the Emerald Valley system does not meet state laws right now. If the City were to acquire it, we should only consider taking over the system if treatment and disposal capacity are included.
 - ii. It is alleged that effluent is leaking into the ground. Their permit with the DEQ states the effluent should be going out onto the golf course.
 - iii. McDougal Brothers' permit with the DEQ is expiring soon.
- Westech gave three improvement options and recommendations for the Airport to be included in the draft Wastewater System Facilities Plan:
 - i. A pump to the City's System costing \$950,000.
 - ii. A gravity flow to the Emerald Valley System for \$870,000.
 - iii. A commercial on-site system for \$1.1 million.They recommend option two for \$870,000, however, this depends upon taking over the Emerald Valley System in the future.
- Westech did a collection system analysis and gave recommended improvement options. First, our existing wastewater system is very old, built with concrete pipe in the 1960s, jointed every four feet. The pipes leak, have deteriorated over time, and Westech recommends the City get aggressive about replacements. They recommend choosing from the following, to address the aging infrastructure:
 - i. Collection System Improvement projects totaling \$9.3 million.
 - ii. Increase funding for annual spot repair program to \$18.5 thousand.
 - iii. Establish an annual repair program at \$175,000 per year over a thirty year period.
- There is the option to use Phase II to get back in compliance with the City's DEQ permit. Here are some alternatives to consider:
 - i. Technology that will clean up the lagoon effluent totaling \$11.3 million
 - ii. A second type of technology to clean up the lagoon effluent for \$13.6 million.
 - iii. Activated sludge plan totaling \$11.4 million
 - iv. Talk to the DEQ about acquiring a new permit to move our effluent discharge stream to the Coast Fork of the Willamette, increasing our mass load. This would cost \$8.8 million.

Westech recommends option four and believes that if the City approaches the DEQ with this plan, the DEQ may work with the City to find a solution.

In closing the presentation, Westech suggests prioritizing. They suggest focusing on priority one (near term) and priority two (intermediate term) projects totaling \$15.1 million. These are outlined in the draft Wastewater System Facilities Plan.

Mayor Stram opened the floor for public comment at 7:46 pm.

A group of Creswell residents, representing the east side of Creswell, were present. Representing The Emerald Valley Villas was Jim Mercer and representing the Emerald Valley West Homeowners' Association was Jenny Carmichael. Others that spoke were Kathy Nichol森, Karl Nichol森, and Ted Romoser. They receive sewer service from McDougal Brothers and they are very unhappy with this and want to be connected with the City of Creswell's sewer system on the west side. They have been trying to achieve this goal for over thirty years. They are now addressing the Council as the Council is reviewing a twenty-year draft Wastewater System Facilities Plan for adoption.

Ms. Carmichael addressed the council. They recently sent a letter to the Council expressing their desire to be connected to the City's Sewer System. She stated they met with the DEQ recently to discuss their options, knowing that McDougal Brothers' permit with the DEQ will soon expire. The DEQ explained to them that since 1983, there has been a repeated failure on behalf of multiple government agencies to require connection to the City's system on the west side. They were told that the owners of McDougal Brothers would hand their system over to the city, if the city would just ask for it. She stated that Lane County approved the development at Emerald Valley, with the requirement that it be connected to the City's sewer system and that any future property annexed into the city also be connected to the City's sewer system. Since then, development has continued, but they remain disconnected to Creswell's system. Now, they see that the City is ready to adopt a twenty year sewer master plan and Ms. Carmichael urged the council not to accept this plan, simply because it does not include all of Creswell. She stated it does not fix any of their problems and leaves out one-third of Creswell residents. They would like to see a substantial revision to include the east side before a long-term plan is adopted. Ms. Carmichael stated they believe the City has a legal obligation to provide sewer service to them.

Jim Mercer stated the east side is part of Creswell and should be considered when moving forward with a workable plan. He would like to see that plan unify the sewer system east to west. Mr. Mercer asked the Council to please represent all of the citizens of Creswell, not just the west side.

Michelle Amberg, City Administrator confirmed that, on many occasions, over many years, the City has met with Mr. McDougal and asked for the Emerald Valley system and the answer has been no. Mr. McDougal is asking \$2 million for his system. She stated that when those living on the east side of Creswell moved in, they signed a contract with McDougal Brothers as their sewer service provider. The City has no jurisdiction there and though the City has asked for jurisdiction, it has not been granted. Ms. Amberg explained that the twenty-year draft plan they are reviewing at this time, is for the rate payers that have paid into this system and this is their system upgrade.

Jim Mercer stated they recently found an agreement from 1983 that basically said McDougal Brothers was supposed to turn their sewer system over to the City, once they recouped their costs for system set up. Mr. Mercer wanted to know why the City's attorneys are not forcing the issue, since Mr. McDougal signed off on this agreement.

Ms. Amberg stated the City asked if McDougal Brothers has collected enough money to recoup their costs, but the City has not been given any proof of that.

Cliff Bellew, Public Works Director confirmed Ms. Amberg's statements to be true. He stated there has been no negligence on the City's part to attempt to acquire the Emerald Valley system from Mr. McDougal. Mr. Bellew stated that after sitting in on meetings with McDougal Brothers, spanning well over fifteen years and six different City Administrators, where both sides had their respective attorneys present, no legal date has been set for McDougal Brothers to give their system to the City. Once again, McDougal will only sell the system to the City for \$2 million. Another point Mr. Bellew made was regarding alleged leakage of effluent into the ground. The DEQ is a regulatory agency and has been closely monitoring that situation and their tests have never found any effluent contamination in the ground water or around the wells.

After extensive discussion regarding the issues brought to Council, Mayor Stram confirmed hearing an urgent need from the east side and the City wants to help. Mayor Stram stated the City will make it a priority to get with our attorneys again and see if there is more we can do.

Mayor Stram adjourned the work session for a brief recess at 9:00pm. Mayor Stram reconvened the work session at 9:18pm.

Once the work session began again, Mayor Stram closed the floor for public comment and continued discussion with Westech Engineering about the draft Wastewater System Facilities Plan. Mayor Stram asked Westech Engineering to provide further explanation of repair recommendations and options. They reviewed major points of the Power Point presentation with Council and a discussion ensued.

In conclusion to the discussion, Mayor Stram and Council agreed to include an addendum to the draft Wastewater System Facilities Plan, stating the City will amend this plan should the City take over the privately-owned Emerald Valley system in the future. In addition, they directed City staff to contact the City's attorney to inquire whether there are additional actions the City can take to acquire the Emerald Valley System. Mayor Stram urged Jenny Carmichael and Jim Mercer to stay in touch with the City, as representatives of the east side of Creswell. The City Council will discuss adoption of the draft Wastewater System Facilities Plan at the June Work Session.

City Administrator, Ms. Amberg stated that, regarding the Creswell Airport in the plan, the City received an economic development grant to develop a portion of the sewer system at the airport and it could have an expiration of 2017. A plan needs to be approved by the DEQ before Sept 2017. Airport Manager, Shelley Humble explained where, at the airport, the need is greatest for restrooms. Ms. Amberg stated it could be looked at and discussed again at the May work session.

Mayor Stram thanked Westech Engineering for their presentation and wrapped up the discussion at 10:12pm.

- B.** CIS Risk Management Movie - The Council viewed a fifteen minute video on the City's Insurance Provider, CityCounty Insurance. By watching the movie, the City qualifies for a discount on insurance rates.

4. Discussion Items

- A.** Strategic Plan – Michelle Amberg presented the draft Strategic Plan to Council for final review. There was discussion on final wording. Mayor Stram and Council decided it is ready to go to the May 9, 2016 City Council Meeting for adoption.
- B.** Employee Handbook – Michelle Amberg presented the draft Employee Handbook to Council with few recommended changes: Strike limitation on overtime pay, because that does not fall in line with our current practices. Ms. Amberg recommended adding to the overtime section: On-call time and Call-out pay. Mayor Stram asked if anyone had questions or concerns. Councilor Zettervall stated on page 19, line 475, regarding vacation leave, there is no limit stated on length of employee vacations. He believes there should be a stated limit on how long an employees' vacation can be. The office is small and an extended vacation could cause hardship for the other employees. Ms. Amberg explained that employees have a right to use their vacation for up to twelve weeks under the Oregon Family Leave Act (OFLA). Councilor Zettervall also had a concern on page 52, regarding confidentiality for customers' private information and thinks we should be concerned about employees being able to access customers' private information. Ms. Amberg explained that the City has a Red Flag Policy that all City employees follow. The draft Employee Handbook will go to the May 9, 2016 City Council meeting for adoption.
- C.** Creswell Beautification Project – Through Creswell First, this organization is asking the City to grant \$5,000 for twelve self-watering planters, soil and plant materials. The planters will be placed along Oregon Avenue. Mayor Stram instructed the Council to review the information for discussion at the May 9, 2016 City Council meeting.
- D.** Hope Restored Project – Ms. Amberg explained the Hope Restored Project. They are asking the City to allow road closures, waive permit fees, and forego the City's Noise Ordinance for seventy-two hours while they work. The City Council will consider this and look at it further at the May 9, 2016 City Council Meeting.

5. Adjournment - Mayor Stram adjourned the work session at 11:01pm.

Signature on File

Dave Stram, Mayor

Signature on File

Roberta J Tharp, City Recorder