

Council Present:

Richard Heyman  
Dave Stram  
Richard Zettervall

Gary Mounce  
Jane Vincent

Staff Present:

Michelle Amberg  
Roberta Tharp  
Shelley Humble  
Jim Piper  
Maddie Phillips  
Michael Dehart

Sgt. Denham

Lt. Halvorson

City Administrator  
City Recorder  
Airport Manager  
Finance Director  
Planner  
Economic Development  
Coordinator  
Lane County Sheriff's  
Office  
Lane County Sheriff's  
Office

Council Absent: 0

Press: 2 Creswell Chronicle – Scott Olson & Erin Tierney

Audience: 18

The regularly scheduled City Council meeting was called to order by Mayor Dave Stram at 7:00 pm and the Pledge of Allegiance was given.

**Appointment to City Council**

Mayor Stram provided a brief bio of Amy Knudsen, candidate interviewed to fill one of the vacancies on City Council. He noted that Amy would like to contribute to the community and be a good role model for her children.

With the Council's unanimous consent, Mayor Stram announced his appointment of Amy Knudsen to the City Council.

Councilor Zettervall moved Councilor Vincent seconded to appoint Amy Knudsen to fill the Council vacancy left by Patrick Miller for a term that expires on December 31, 2016. Voted on and the motion carries unanimously.

Ms. Knudsen will be sworn into office on September 26<sup>th</sup> at a Special Meeting.

**Public Forum**

- Sarah Cox and Dr. Damon Armitage introduced themselves to the City Council and announced their intention of opening a family medical clinic in Creswell. Dr. Armitage is invested in Creswell as he lives here, and his children attend school here. Dr. Armitage and Ms. Cox expressed interest in purchasing the old Public Works Shop for their new after the property is declared surplus.

Ms. Amberg noted that a discussion on the old Public Works facility is slated for the September Work Session Agenda.

**Mayor's Report**

- Mayor Stram reminded the Councilors that it is not too late to sign up for the League of Oregon Cities (LOC) Conference scheduled for the end of the month.
- Mayor Stram reported the final results of the July 2016 LOC Legislative priorities survey:
  - Property tax reform
  - Recreational immunity
  - Transportation funding
  - PERS reform

**Public Hearings**

The City Council held three Public Hearings, all of which have been properly noticed, and will be held in order for the Council to receive public comments and testimony.

Mayor Stram gave a brief description of each of the three items slated for Public Hearings prior to opening the hearings.

- i. Public Hearing for consideration of ANNEX-2016-02/ZC-2016-02 (83251 North 5<sup>th</sup> Street)

Mayor Stram opened the Public Hearing at 7:14 pm.

Jeanne Gaylord addressed the Council with concerns and questions regarding the development of the property to be annexed. She asked how many dwelling units were planned for this property and if they would be single or multi-family units. She also inquired about the impact of traffic, noise and lighting. City Planner Maddie Phillips responded that at this time there are no plans for development of this property, the annexation will bring the property into the city boundaries so that public services are delivered to the property.

There being no further public testimony, Mayor Stram closed the Public Hearing at 7:19 pm.

i. Ordinance 503 – An Ordinance Approving the Annexation of Certain Territory To The City of Creswell

Councilor Zettervall moved Councilor Vincent seconded to approve the findings of fact and authorize the Mayor to sign the final order as presented. Councilor Heyman declared a possible conflict of interest and disclosed that he has a relative that has a financial interest in the property. After a brief discussion and review of the Council rules, it was found that Councilor Heyman did not have an actual conflict of interest related to the annexation. There being no further discussion, the Council voted on the motion and it passed it unanimously (5-0).

Councilor Vincent moved and read twice by title Councilor Zettervall seconded to approve Ordinance 503, An Ordinance approving the annexation of certain territory to the City of Creswell. Councilor Heyman reiterated his possible conflict of interest. Voted on and the motion carries unanimously (5-0).

ii. Public Hearing for consideration of ANNEX-2016-03/ZC-2016-03 (33482 and 33492 Nieblock Lane)

At 7:31 pm, Mayor Stram opened the Public Hearing for the annexation of the Beswick property located on Nieblock Lane. There being no interested parties to provide comment or testimony, Mayor Stram closed the Public Hearing at 7:32 pm.

i. Ordinance 504– An Ordinance Approving the Annexation of Certain Territory To The City of Creswell

Councilor Zettervall asked about the boundaries on the north side of the proposed annexation not aligning with the neighboring properties. Ms. Phillips responded that this typically happens over historic periods of time. Sometimes property lines and rights-of-ways have different widths; sometimes it has to do with how the tax assessor draws the map or it could be how the property was divided. She also noted that this will not affect the properties. Councilor Zettervall then asked that when these properties are coming up for annexation, if a road will be placed in the space between the two homes. Ms. Phillips responded that at this time there is no proposal for any future development of the properties. The access for the two properties is on Nieblock Lane and will remain consistent. Ms. Phillips shared with the Council that part of the Sun Meadows subdivision will have a private driveway that will access the backside of those two properties.

Councilor Heyman moved Councilor Vincent seconded to approve the findings of fact and authorize the Mayor to sign the final order as presented. Voted on and the motion carries unanimously.

Councilor Heyman moved and read twice by title and Councilor Zettervall seconded to approve Ordinance 504, an Ordinance approving the annexation of certain territory to the City of Creswell. Voted on and the motion carries unanimously.

iii. Electronic Lien Search Fees

Jim Piper addressed the Council to provide a brief overview of a new program called Net Assets the City will be implementing for Lien Searches. This program has been recommended by the City Attorney. When properties are being sold, title companies conduct lien searches for outstanding monies owed against the property. By using this new program it will perfect the city liens so they can be collected. It is staff's recommendation to adjust the lien search fee to include the costs of filing the liens on an electronic lien docket. Currently the fee is \$15.00 and increasing it to \$25.00 will offset the costs.

Mayor Stram opened the public hearing at 7:40 pm; there being no public testimony Mayor Stram closed the public hearing at 7:41 pm.

i. Resolution 2016-20 – A Resolution Establishing Fees for Lien Searches and Rescinding Lien Search Fees in Resolution 2009-13

Councilor Heyman moved Councilor Vincent seconded that the City Council approve Resolution 2106-20, A resolution establishing fees for lien searches effective and rescinding lien search fees in Resolution 2009-13 as presented effective January 1, 2017. Voted on and the motion carries unanimously.

**Correspondence**

Lt. Billy Halvorson addressed the council outlining the recent changes to staffing at the Lane County Sheriff's Department. Lt. Halvorson was recently promoted from Sergeant to Lieutenant; Deputy Denham was promoted to

Sergeant and will be replacing Lt. Halvorson in his duties assigned to the Creswell contract; and Deputy Basanilli has been permanently assigned to Creswell as the evening deputy. Lt. Halvorson thanked the Council and noted that he appreciates the opportunity the City provided him to serve in the capacity of Sergeant.

Sgt. Denham addressed the council noting he is very happy to be back serving Creswell and filling the Sergeant position. He added that he will embrace the community policing model that has been established in Creswell.

Both Mayor Stram and Councilor Zettervall praised the Sheriff's Department for the great job they do in our community. Councilor Vincent recognized Lt. Halvorson and Sgt. Denham for all the help they have provided the Council on the Public Safety levy.

Councilor Heyman asked Lt. Halvorson if he could further break down the Sheriff's Calls for Service report into some monthly averages. He asked about the number of arrests, transport time for those arrested, service of subpoenas and civil deliveries, court attendance of officers, participation in trials and other numerous inquiries. Lt. Halvorson responded that he did not have that information with him this evening and it would require quite a bit of research. He directed Councilor Heyman to the Portland State University Policing Study where many of his answers could be found.

Code Enforcement Report – Councilor Heyman asked about the list of abandoned properties on the report. Shelley Humble explained that the homes fall within one of three categories: abandoned, in the process of foreclosure, or foreclosed. A discussion ensued on how these properties are a code enforcement issue due to crimes, noxious vegetation and squatters.

### **Consent Calendar**

Councilor Heyman indicated that he has some questions in regards to the status of items discussed throughout some of the meeting minutes. Ms. Amberg responded that Councilors are always welcome to visit with her about the status of items. All Council approved items are included in her work plan that is presented to the Council every quarter. She continued by saying that minutes are a reflection of what was discussed during meetings.

Councilor Zettervall moved Councilor Vincent seconded to approve the consent calendar as presented. Voted on and the motion carried unanimously.

### **Administrative Report**

#### Administration – Ms. Amberg

- August 2016 Bills
- Update on DeBerry Landfill

Some time ago a neighboring owner of the DeBerry Landfill came forward requesting to purchase the City property. Today there are about three interested groups wanting to purchase this parcel.

The City received a \$100,000 grant from the DEQ to complete an environmental assessment on the landfill. The assessment has been completed and the report received. Ms. Amberg is happy to announce that no further action is necessary for clean-up. She will be bringing the no further action notice before Council for review and approval. A thirty day public comment period conducted by the DEQ will take place in which the public will be able to provide their concerns/comments. The DEQ has placed three stipulations to follow the property until a time the DEQ releases the requirements:

- Whoever owns this property must grant access to the DEQ upon their request
- Access to the property needs to be limited because there are materials buried there that could create voids – No disturbance (removal or construction)
- The property must continually be disclosed as a previous landfill use

Once the comment period has been completed the City can move forward and begin the process identifying this as surplus property. A discussion ensued on different options for selling the property. Ms. Amberg recommends a sealed bid process marking the property with a for sale sign. She also noted that she could bring in the City Attorney to discuss various options for selling the property. Discussion will be slated for the September 26<sup>th</sup> work session.

- Small Cities Meeting – November 4, 2016 – Creswell is Hosting

### **Council Action Items**

- A. LOC Voting Delegate Appointment for the Annual Membership Meeting – Roberta Tharp/Michelle Amberg

Mayor Stram moved Councilor Vincent seconded that the Council designate Councilor Heyman as the Voting Delegate and Councilor Mounce as the alternate Voting Delegate for the City of Creswell at the League of Oregon Cities membership meeting to be held in September at their conference. Voted on and the motion carries unanimously.

**B. Final Pay Request #5 for E-C Company for the Installation of the AWOS Weather System Project – Shelley Humble/Michelle Amberg**

Shelley Humble addressed the Council noting this is the final payment for the AWOS project. The total project cost approximately \$312,000. All the money for this project came from two FAA grants and one Connect Oregon grant.

Councilor Vincent moved Councilor Zettervall seconded that Council approve Final Pay Request #5 to E-C Company in the amount of \$14,266.45 as presented. Voted on and the motion carries unanimously.

**C. Authorization to Close 1<sup>st</sup> Street from Oregon Avenue to C Street and the City Hall Parking Lot for a Fire Safety Fair on September 16, 2016 – Michelle Amberg**

Michelle Amberg reported that every year the fire department hosts a safety fair. They have submitted an application and are looking for approval to close 1<sup>st</sup> Street from Oregon Avenue to C Street.

Councilor Vincent asked if there was some way that the Council could waive the \$75 Special Event Fee. Ms. Amberg explained that the idea behind the fee is to cover staff time for processing the application, although the Council does have the ability to waive the fee.

Councilor Vincent moved Councilor Heyman seconded that the City of Creswell give South Lane Fire and Rescue \$75 so they can have their event for free.

A discussion ensued regarding policies and protocols and if the Council begins waiving fees why was a policy established and how is the Council going to determine who pays and who doesn't and be fair about it. Ms. Amberg explained that she thought what Councilor Vincent is suggesting is that this money come out of the Community Service Grants. Ms. Amberg continued by saying that there will be two more permits later this year; Veterans Day ceremony and the Street Lighting ceremony and would the Council be willing to waive those fees.

Councilor Vincent noted that she would ask the Fire Department fill out an application for a service grant and rescinded her motion. Councilor Heyman noted that he was not willing to rescind his second. The Council voted on the motion and the motion failed with Councilors Mounce, Vincent, Zettervall and Mayor Stram voting in opposition and Councilor Heyman voting in favor.

Mayor Stram moved Councilor Mounce seconded that the City Council approve the closure of 1<sup>st</sup> Street between Oregon Avenue and C Street From 5:30 pm to 10:30 pm on September 16, 2016 for the South Lane County Fire and Rescue Safety Fair and Family movie night, and that the Council grant exclusive use of the City Hall Parking Lot to the Fire District during these same hours. Voted on and the motion carries unanimously.

Mayor Stram recommended and the Council give their unanimous consent to having the October 24th work session be held at the Cobalt Building. A tour of the building will be conducted and an invitation to School District Administration will be extended. The tour will begin at 5:30 pm with a work session immediately following the tour.

Scott Olson introduced his new reporter for the Creswell Chronicle, Erin Tierney to the Council.

**Adjournment**

There being no further discussion Mayor Stram adjourned the meeting at 8:52 pm.

\*Signature on File

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Roberta J Tharp, City Recorder

\*Signature on File

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Dave Stram, Mayor