

## OFFICIAL MINUTES

### CITY COUNCIL, CITY OF MADRAS NOVEMBER 10, 2009

#### **I CALL TO ORDER**

The City Council meeting was called to order by Mayor Melanie Widmer at 7:01 p.m. on Tuesday, November 10, 2009 in the Madras City Hall Council Chambers.

#### **CITY COUNCIL MEMBERS IN ATTENDANCE WERE:**

Mayor Melanie Widmer, and Councilors Kevin O'Meara, Royce Embanks Jr., Walt Chamberlain, Tom Brown, and Bob McConnell.

#### **ABSENT WERE:**

Councilor Benjamin Keeton.

#### **STAFF MEMBERS IN ATTENDANCE WERE:**

City Attorney, Robert S. Lovlien, with the firm of Bryant, Lovlien and Jarvis, PC; Public Works Director, Gus Burrell; Police Chief, Tom Adams; Community Development Director, Nick Snead; Finance Director, Brenda Black; Assistant City Engineer, Travis Wells, and Golf Course Superintendent / Parks Supervisor, Jonathan Burchell.

#### **ABSENT WERE:**

City Administrator, Mike Morgan, and City Recorder, Karen J. Coleman.

#### **VISITORS IN ATTENDANCE WERE:**

Therese Helton; Redmond City Council member, Ed Onimus; Chet Antonsen, PacWest; Wayne Pearson, Jefferson County Manager Economic Development for Central Oregon (EDCO); Airport Manager, Rob Berg; Melissa Shapiro; Lorene Forman; Steve Fisher, and Holly Gill, News Editor, with the Madras Pioneer.

#### **II PLEDGE OF ALLEGIANCE AND PRAYER**

Mayor Widmer asked Councilor Embanks to lead the Pledge of Allegiance to the Flag of the United States of America and Councilor Chamberlain to lead the prayer, which they did.

#### **III CONSENT AGENDA**

All matters listed within the Consent Agenda have been distributed to each member of the Madras City Council for reading and study, are considered to be routine, and will be enacted by one motion of the Council with no separate

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discussions. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by request.

- A. Approval of Vouchers
- B. Approval of Minutes From the October 13, 2009  
City Council Meeting
- C. Approval of Contract Change Order No. 3 - Jack Robinson and Sons  
Airport Way Improvements  
Heavy Aircraft and Engine Maintenance Facility Project
- D. Intersection of Oak and Kinkade Streets
  - 1) Acceptance of Temporary Construction &  
Permanent Slope Easement  
BLM Properties, LLC. to City of Madras
  - 2) Acceptance of Deed of Dedication for Public  
Public Road & Public Utility Purposes  
BLM Properties, LLC. to City of Madras
- E. Appointments to City Planning Commission
  - Richard Ladeby     City Resident  
Completion of Unexpired Term - Expires December 31, 2009
  - Joe Krenowicz     County Resident (3 Miles)  
Completion of Unexpired Term - Expires December 31, 2011
- F. Reappointment to City Planning Commission
  - Michelle A. Varley   County Resident (3 Miles)  
Reappointment to December 31, 2012
  - Richard Ladeby     City Resident  
Reappointment to December 31, 2012
- G. Approval of Contract Change Order No. 1 - Culver Electric  
Additional Electrical Services  
Buff Street Pedestrian Bridge and Trail Connection Project

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- H. Approval of Letter of Support for the Central Oregon Intergovernmental Council's ConnectOregon III Application to the Oregon Department of Transportation for Construction of a Cascades East Transit Regional Vehicle and Maintenance and Operations Center
- I. Design Assistance for Path to Net Zero Design Charrette Owner / Architect Agreement for City of Madras Police Station Steele Associates Architects, LLC

The following changes were made to the meeting agenda:

- ▶ The addition of PacWest as Section VI.
- ▶ The addition of Employee Appreciation Banquet.

Council offered no objections to the requested additions to the meeting agenda.

**A MOTION WAS MADE BY COUNCILOR WALT CHAMBERLAIN AND SECONDED BY COUNCILOR ROYCE EMBANKS THAT THE CONSENT AGENDA BE APPROVED, AS WRITTEN. THE MOTION PASSED UNANIMOUSLY, 5/0.**

#### **IV VISITOR COMMENTS**

Mayor Widmer provided those in attendance with an opportunity to present comments at this time.

There were no comments offered.

#### **V PROCLAMATION PROCLAIMING 2010 AS THE YEAR OF THE VOLUNTEER**

Ed Onimus, member of the Redmond City Council, introduced Therese Helton, a member of the Volunteer Services in Jefferson County, to the City Council at this time. He read a quote from Payton Conroy March, World War I General, who said that there is a wonderful mythical law of nature that the three things we crave the most in life, happiness, freedom, and peace of mind, are always attained by giving them to someone else.

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This past September the Redmond City Council adopted a resolution declaring 2010 as the "Year of the Volunteer". In meeting one of their city goals and creating a community service initiative, the Council also recognizes the importance of volunteers in meeting the needs of the community. When Redmond volunteers; all of Redmond benefits.

He said that they are trying to reach out to those that do volunteer, but are especially trying to reach out to those who don't. Studies show that three out of four Americans, ages 16 and over, do not formally volunteer. What he means by formally volunteer is that they do not volunteer for an organization, like Big Brothers, Big Sisters, the United Way, etc.

What is your passion? What moves you? What drives you? What brings a tear to your eye? What compels you to say "that is not fair, something should be done"? Is it homelessness? Is it poverty? Is it hunger, illiteracy, the arts, the environment, the teen and youth issues? He mentioned the need to pick their passion, get involved, and become a volunteer because the reality is that the need for volunteers transcends beyond Redmond. It goes beyond the County. It goes throughout the United States.

In Central Oregon we have over 2,200 people that are classified as homeless; 40% of these are children. These are our friends, our neighbors, and quite possibly our families. In Central Oregon we have youth in need of big brothers and big sisters, mentors, people who care, and a place to go. In Central Oregon we have families who are hungry. In Central Oregon, in the winter, we have families who are cold. We have children who do not read to their grade level. In Central Oregon we have needs that cannot be met by Redmond alone. We need all of Central Oregon to help. When Central Oregon volunteers; all of Central Oregon benefits.

As was known by Payton March, volunteers benefit by their services. Studies show that volunteers are healthier, happier, and live longer. In the words of Booker T. Washington, if you want to lift yourself up, lift up someone else.

He told the Council that he is here to invite Madras to join Redmond in declaring 2010 as the Year of the Volunteer. He said that he invites the citizens of this community to increase volunteer service in 2010, and if you do not normally volunteer, pick your passion, get involved, and become a volunteer.

Councilor Chamberlain pointed out that the City Council members are volunteers.

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Mayor Widmer asked Mr. Onimus what kinds of things they are doing to encourage the effort.

Ed Onimus explained that he is involved with the Steering Committee for Volunteer Connect, which is Central Oregon's affiliation of volunteer insights, is on the Tri-County Committee for the 10-Year Plan to End Homelessness, and is on several other steering committees as well. He said that he also gets involved in various activities. He mentioned that he had assisted the City of Pasco with Project Connect this past September.

**A MOTION WAS MADE BY COUNCILOR KEVIN O'MEARA AND SECONDED BY COUNCILOR WALT CHAMBERLAIN THAT THE CITY COUNCIL OF THE CITY OF MADRAS HEREBY PROCLAIM 2010 AS THE YEAR OF THE VOLUNTEER. THE MOTION PASSED UNANIMOUSLY, 5/0.**

#### **VI PAC WEST**

City Attorney Lovlien told the Council that he would like to apologize for the late notice; however, they just got the signed agreement yesterday. He mentioned that he had signed the agreement this evening, approving it as to form. He said that he is asking that the Council authorize Mike Morgan, as City Administrator, to sign the agreement.

This was brought before the Council during an Executive Session about six weeks ago and the staff report that he sent out goes through a little bit of the history. Staff is recommending that the Council approve a new Condition No. 1(c) which was contained within the original findings and decisions for the approval of Willow Brook.

He reminded the Council that he had gone over those Conditions of Approval at the Executive Session, and what he has here is setting out exactly what that condition would be. The Settlement Agreement is confidential because they do not necessarily want that entered into the record, but what it does is basically reiterate what is in the staff report, and how Mr. Antonsen, as the Principal of PacWest, can extend the approval of the subdivision, if necessary. It reiterates what his rights are under the existing zoning and subdivision ordinances.

Staff is asking that the City Council approve the new Condition No. 1(c), the Findings and Decisions attached as Exhibit "A", and that the City Administrator be authorized to sign the Settlement Agreement with PacWest.

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He told the Council that he will represent to them that City Administrator Morgan has reviewed the Settlement Agreement, and has approved it as to content and form.

He mentioned that Mr. Antenson was in attendance and suggested that the Council welcome any comments that he might like to make.

Mayor Widmer provided Mr. Antenson with the opportunity to comment.

Chet Antenson indicated that he had no comments at this time.

City Attorney Lovlien advised Council that he appreciates Mr. Antenson coming in tonight to hear this. Council spent quite a bit of time in the Executive Session going over this and he believes that both sides feel good about where we are at.

Councilor O'Meara wanted to know if he should abstain from voting on this issue.

City Attorney Lovlien responded by saying "no".

**A MOTION WAS MADE BY COUNCILOR WALT CHAMBERLAIN AND SECONDED BY COUNCILOR ROYCE EMBANKS THAT COUNCIL APPROVE THE FINDINGS AND DECISION ATTACHED HERETO AS EXHIBIT "A" AND RECOMMEND ALSO THAT THE COUNCIL AUTHORIZE THE CITY ADMINISTRATOR TO SIGN THE CONFIDENTIAL SETTLEMENT AGREEMENT WITH PAC WEST II, LLC. THE MOTION PASSED UNANIMOUSLY, 5/0.**

[Note: Exhibit "A" mentioned in the motion is attached to the November 10, 2009 staff report which had been prepared by City Attorney Lovlien and distributed to the City Council. The subject staff report will not be attached to the minutes; however, a copy of the staff report will remain in the permanent record file at the Madras City Hall for review by the public upon request.]

#### **VII PARK PLANNING AND DEVELOPMENT DISCUSSION**

Mayor Widmer explained that this is something that she wanted to add, and that was to talk about park planning and development. She said that we have had a lot of discussion over the last several weeks about the need for more parks on the west side, which is hard to deny.

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She mentioned that she wanted to start discussion about how we can get there from here. She indicated that she was in hopes that Parks Supervisor Burchell would be in attendance, and he is. She asked if Public Works Director Burril or Parks Supervisor Burchell would prefer to talk about what we are currently doing on the west side regarding parks.

Public Works Director Burril advised Council that they met earlier this afternoon to kind of brainstorm and make sure we are all thinking about what is going on over on the west side. The City adopted the 2004 Parks and Open Space Master Plan. He pointed to Westside Elementary School and the Madras Bike and Skate Park on the map and noted that three dots show up between them. This indicates that there are definitely plans and acknowledgement that we should be planning a west side park in that area.

There was a soccer park planned on the corner of Fairgrounds Road and the Culver Highway, the area now being proposed for use by the Historical Society. The Culver Highway is a future Expressway. The City has made a commitment to keeping the football field and track at Westside Elementary open to the public, but the City has limited control of the area at this time. Whatever we do in that area to try to enhance that further would have to be approved by the Jefferson County School Board.

There is property located next to the Madras Bike and Skate Park that could potentially be a land acquisition or an area to think about for expansion to provide a larger, wider, open space. He said that their conversations kept returning to the need to go to the community in that area and survey as many people as possible, even if it were to mean going door to door, to find out what the desire, wants, and needs of that part of town are. What do they desire? Would it be soccer fields? Would it be more playground equipment for the smaller children? Would it be picnic areas? The list goes on.

The City does have an adopted plan for this side of town. The goal for a neighborhood park would probably be a 1/4 mile radius. He indicated that they also discussed strategies.

Councilor Chamberlain mentioned that he had heard a comment, and correct him if he is wrong, that the property that is adjacent to the Fairgrounds that is located just north of the area being looked at by the Historical Society and kind of connected to that field there is about 2 1/2 acres or 3 1/2 acres which the City might be able to access for park.

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Public Works Director Burril agreed that this could be an option. He pointed out that it would be a Fair Board consideration as to whether they would allow use of the property or whether they would agree to allow the City to buy it. There is even an overlay of a pre-existing Federal Grant on some of that old park area.

Councilor Chamberlain wanted to know if that property belongs to the County or the Fairgrounds.

Public Works Director Burril said that it is either the County or the Fairgrounds.

Councilor McConnell asked if he was talking about where the old baseball fields had been located.

Councilor Chamberlain responded by saying "yes".

Councilor O'Meara told the Council that he knows that some of the County Commissioners are in favor of that.

Councilor Brown reminded Councilor O'Meara that a Fair Board decision is different than the County Commission.

Councilor Embanks said that it would only enhance the area for the Fair and he cannot see how they could be against that unless they have some other future plans for it. He mentioned that it seems like partnering with the County or the Fair Board might be a doable project.

Councilor Chamberlain pointed out that this is one large open area that is not developed that might be targeted.

Councilor McConnell mentioned that it would definitely be big enough.

Public Works Director Burril said that he thinks that this is good discussion and that they can start the list of potentials. He reiterated that this should be discussed with the community in that area to determine what the majority would really like to have in a park. If they hear that individuals are concerned about the Culver Highway or scared of this or that, all of this should be considered in the decision making process.

Councilor Brown indicated that being inland from the highway would be a definite safety factor.

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Councilor O'Meara pointed out that Expressways will be fenced. He asked Public Works Director Burril if he is saying that we should go door to door and take a survey.

Public Works Director Burril told Councilor O'Meara that he believes that this would be a good idea.

Councilor Embanks agreed that this really should be door to door as the Council heard over and over again that people did not attend the meetings and did not get anything out of the newspaper, and this would certainly provide them with an opportunity to comment. The City has done more than what we have usually done in the past. In his opinion, we would get a lot more input because people just do not go to meetings that much.

Mayor Widmer mentioned that another course that she would also like to talk about is the possibility of using the process that was used on the Madras Bike and Skate Park where we had a lot of citizens involved in fund raising. The Skate Park Committee applied for a bunch of grants from funding sources that the City hasn't traditionally used. This might get a park built faster than it would in just relying on our traditional sources.

She suggested the need to try to get the word out, get some folks involved, and form a committee that is willing to put a little leg work into it and make it happen a little quicker. She requested clarification as to whether we should survey neighborhoods about what they are looking for in a park, or look for a location first.

Councilor Brown said that if you look at what the neighborhoods want, it might dictate that one piece of land would be better than another.

Councilor O'Meara suggested that if you conduct a survey, you would find out what they are using now and where they are located, so you would have some idea of their travel distance. If they are willing to go a mile or two, then it creates a different situation than if it is only a few blocks.

Councilor Brown mentioned that he believes that the intent is to keep it in the core area of the apartment complexes as there are a lot of children in that area. There is not that many on the north side of "H" Street. "M" Street is going to be a main entry into there once the ODOT Grant goes through. Once the ODOT project is done, "M" Street is going to be the last west bound exit before "J" Street, so the people down there will probably take that to get back into that apartment area.

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Mayor Widmer said that she does not know if this is something that staff can handle or if we need to find a consultant.

Public Works Director Burril told Mayor Widmer that with the survey, we would need an individual that was bilingual at a minimum. There are firms that specialize in this (e.g. Central Oregon Intergovernmental Council). We have used them before to conduct surveys on Community Development Block Grants. He suggested that staff could do some research into what they would charge to help the City with this. He said that if there is more than one firm out there we would get two or three quotes.

He indicated that his understanding is that they have some guidance for a one to two acre neighborhood park. He mentioned that he is not sure that there is that much available land in some of those already developed areas. If we are looking for vacant land, from a prospect standpoint, he can start to push toward the open parcels. There are some on the west side.

Mayor Widmer agreed that this gives us a good place to start and move forward.

#### VIII CONNECT OREGON III - GRANT SUBMISSION AUTHORIZATION AIRPORT IMPROVEMENTS

Public Works Director Burril asked Rob Berg, Airport Manager, to come forward to assist him with some of the terminology.

The City did not do a ConnectOregon I Grant as we needed to line up projects that we thought were feasible and would give the City the best chance for the effort involved. When you start this process, you turn it in, in November, but you do presentations in January, February, and March, are attending meetings in April and May, and then about June 1, they tell you if you got the grant award or not. Our agreement kicks off some time around August 1<sup>ST</sup> and then the project takes off.

In this particular project there is about five items listed, The AWOS, ramp improvements, ramp lighting, taxiway lights, and installation of the REIL System.

Airport Manager Berg noted that AWOS stands for Automated Weather Observation System for the Airport, something we do not have at this time. He said that we fought over the last couple of years to get an instrument approach system here at the Airport where business and commercial aircraft could access

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the Airport during bad weather, which we couldn't do before. We were referred to as a VFR Airport which stands for Visual Flight Rules; good weather flying basically. We finally fought and got an approach over the last two years.

Now that we have an approach system here, they are using Redmond's weather. Anyone that has lived around Central Oregon for any amount of time knows that Redmond's weather and Madras's weather can be two totally different systems so they have given us a 1,000 ft. ceiling on the approach coming into the Madras Airport. This is the highest minimum almost throughout the state, but it is because we do not have an automated weather system. They do not have any basis to prove what the weather is going to be like when they get here.

Now that we have the approach, we have this system in place that is kind of archaic. Even though the approach is new, it is a very old set up. When people file to fly to the Madras Airport they cannot use Madras as their original destination. For example, if they are flying here to do business with Bright Wood they cannot file Madras as their primary destination because they do not have the automated weather. They have to file for Redmond and then file the approach into Redmond, and then hope that the weather is good enough to come up here.

They are spending money the whole time their engines are running, so by the time they shot the approach into Redmond, they just land there and drive up. Again we have inconvenienced and made it a harder place to do business instead of an easier place to do business. With the advent of Butler Aircraft coming in here with these heavier airplanes, we will be into this again. The weather is such that they could land, but legally they cannot use it because we do not have the automated weather system. This is why this is one of the number one things on the top of the list, as instead of encouraging airport use we are pushing it away and making it harder to do business here.

Public Works Director Burril mentioned that the next item on the list is ramp improvements and those have been targeted very near the General Aviation Building. He said that they had done some in 2005 for a specific area, but there is more need there. This would target some improvements to allow more staging of planes there. He told the Council that he personally witnessed where we had them all balled up very close together and they were worrying about hitting each other's wings. The other concern is broken up gravel.

Airport Manager Berg explained that the old surface back from WWII is broken up and modern aircraft cannot taxi or use that as one small pebble into a jet engine would cost them \$300,000. He said that he can guarantee that if this

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were to happen; they would be calling and asking why they have to deal with that here.

Public Works Director Burril told the Council that he is not up there every week. The day he was there they had three company jets sitting there and a dozen folks in suits walking out. Business is occurring up there. You do not realize this unless you are there every day.

Airport Manager Berg mentioned that this is becoming a weekly problem for them. He said that he appreciated being able to show Public Works Director Burril, from the City's aspect, where they already had three business jets sitting on a ramp and a fourth one come in. He did not have any place to park it. They had to move them over and block the fuel pump area so now we are inhibiting the rest of the airport area because we just do not have any place to park airplanes when they come in.

Public Works Director Burril advised Council that there is a lot of area up there but where they need to park is a little tight. The third item on the list is called the ramp lighting.

Airport Manager Berg referred to the ramp lighting system. He explained that the new building that was built several years ago, is wonderful, and gets comments from all over the state. One of the problems that came up when it was put in, is that two of the posts that were there were taken out as part of that project. Now when they operate with Life Flight up there at night, and are transferring patients, they are doing the whole thing using flashlights in the middle of the night.

Any airplanes that come in here at night are operating completely in the dark. There is no lighting out there whatsoever. He said that they haven't had any issues yet, but that this is something that is a real safety item for them. Before something happens he would like to plan ahead and make sure that we alleviate the problem. This facilitates more nighttime operations for safety and for ramp security. In this day and age, lights keep bad things from happening. This is a proven fact. He told the Council that they have been extremely lucky in that they haven't had any issues.

Public Works Director Burril mentioned the taxiway lights.

Airport Manager Berg explained that the taxiway lighting will be a separate project. The runway is lit so when people land at night there are runway markers down each side of the runway, but once they turn off of the runway they are completely in the dark again. They are following reflectors on each side and

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hoping that their lighting systems can illuminate the reflectors to keep them on the taxiways and get them the mile that it takes from the end of the runway all of the way back to the ramp area of the General Aviation Building.

He said that they had two occurrences over the last year, at night. Both of them were aircraft systems failures. They lost electrical systems trying to taxi in without their aircraft lights. The airport didn't have any taxiway lighting, so they taxied into the wrong areas where they got stuck. He mentioned that they had to get cranes out to get the airplanes out. Again this is another one of those safety issues. He pointed out that we are making it harder to do business at the airport instead of easier.

Public Works Director Burril referred to the REIL System.

Airport Manager Berg told the Council that a REIL System is the Runway End Identifier Lighting System. This is basically a very small but very bright strobe light system that mounts on the end of the runway. Just two of them pointed up at traffic that are on approach to the Madras Airport, guides them right to the end of the runway. Other than that they help them land.

He said that they actually fought for this system and got it donated to the Airport through the Federal Aviation Administration when Bend put in their \$10 million dollar improvements. The Madras Airport got the system which Bend had only had in for a short amount of time. The problem is that the cost of installing the system became more than the Airport budget could afford.

Public Works Director Burril explained that he wanted to clarify that the apron improvements near the General Aviation Building had been a specific project and that there is Heavy Aircraft Taxiway and Apron Improvements down by Butler Air. He mentioned that we have the old WWII concrete areas which are approximately 70 ft. by 70 ft.

Airport Manager Berg added that they are actually 75 ft. by 75 ft.

Mayor Widmer asked if they were referring to the big squares that you can see in the aerial photos.

Airport Manager Berg indicated those are what they were referring to.

Public Works Director Burril explained that the apron improvements will tie into those leading up to Butler Air's hangar. His understanding is that Butler Air wanted to stage airplanes on those from time to time.

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Mayor Widmer requested confirmation from Public Works Director Burrell that he had said that the match for this was coming from the Federal Entitlement dollars that we would get.

Public Works Director Burrell said that the last "whereas" paragraph on page 1 and 2 indicates that the City must provide at least a 20% match. He explained that staff has been in touch with the Federal Aviation Administration. The City receives entitlements each year. He assured the Council that we have available 20% match in entitlements through FAA dollars. Those are entitlement dollars for taking care of and improving the airport, and being responsible for managing the airport.

Staff is seeking approval to apply for the grant which is due in Salem by November 20, 2009. He advised Council that they have been consulting with Century West, the company that is doing our Airport Master Plan, to make sure that we are on the right track dollar wise and in prioritizing our needs.

The Airport and Industrial Site Commission is wholeheartedly behind the proposed project.

This is an economic benefit grant, essentially lottery backed funds, which cities, counties, and private business can apply for. They are going to give some to rail, some to transit, some to marine harbor type activities and some to airports. This will be an 80% grant. The 20% match is available through FAA dollars. In his opinion, this puts us in a good position.

Councilor McConnell wanted to know if the project total contains contingency dollars.

Public Works Director Burrell assured him that we have a 20% contingency on this particular project. The breakdown on this is approximately 2.1 million of construction. We included 20% design and construction services in there.

Councilor McConnell inquired about the value of the REIL System that was donated. He asked if this could be used as part of our leverage dollars.

Public Works Director Burrell advised Councilor McConnell that staff noted the value at around \$140,000. It is their understanding that the City cannot use this as part of our matching funds. He explained that staff is still going to list it in our application.

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Councilor O'Meara wanted to know if the City didn't have some type of a bad weather system installed at one time. It was supposed to remain and didn't remain.

Airport Manager Berg indicated that he was not involved with management of the Airport at that time, but that he does know that the system he is referring to is the Transponder Landing System that a company was developing. The agreements were in place. They were supposed to give the City a great deal on that when they left and leave the system in place but the deal that they offered was in the multi-million dollars. Even though that was a reduction from what they would have gotten on the retail market, it was not realistic for the City.

#### **IX RESOLUTION NO. 19-2009**

A resolution authorizing the City of Madras to apply for a ConnectOregon III Grant, in the amount of \$1,704,477, from the Oregon Department of Transportation's ConnectOregon III Program for the Airport Intermodal Safety Enhancements Project.

**A MOTION WAS MADE BY COUNCILOR ROYCE EMBANKS AND SECONDED BY COUNCILOR WALT CHAMBERLAIN THAT COUNCIL APPROVE RESOLUTION NO. 19-2009. THE MOTION PASSED UNANIMOUSLY, 5/0.**

Public Works Director Burril asked Mayor Widmer if it would be possible for her to sign the resolution this evening.

Mayor Widmer acknowledged that she would.

#### **X AIRPORT ENGINEERING SERVICES FOR MADRAS MUNICIPAL AIRPORT CENTURY WEST ENGINEERING**

Public Works Director Burril advised Council that in order to do construction work on the Airport and add Federal Entitlement Funds, the Federal Aviation Administration requires the City to first have on-hand a qualified engineering firm. They want the City to go through the process of selecting a firm that is qualified to do business and that has experience in doing FAA Airport projects.

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The City solicited and had two firms submit proposals. He said that they established a committee, and that Airport Manager, Rob Berg, had been part of the committee that went through and scored the two proposals based upon some specific criteria. The scores came back that Century West had received the highest score according to that criteria.

Staff needs the Council to formally approve this. We will then notify the Federal Aviation Administration that we have approved this firm to enter into negotiations on any design and construction service work.

Councilor O'Meara requested clarification from Public Works Director Burril that he had said that the City had two proposals submitted by these companies. He wanted to know if what the Council just voted on would be part of the proposal.

Public Works Director Burril agreed that this would be part of the things that they would be designing and engineering.

Councilor O'Meara wanted to know if this was the big part of it, or if there is a lot more to it than that.

Public Works Director Burril explained that their contract would be in effect for up to five years; however, the City can choose to cancel the contract and back out and select somebody else. He told the Council that they would not be committed to any dollar amount. What would happen is that staff would negotiate a "Scope of Work" and then bring that before the Council for review and approval on a project by project basis.

Essentially they are available to do business for the City now in the Federal Aviation Administration's eyes. He said that if the work exceeds \$100,000, he believes that the City is required to get an independent audit to verify that this is a fair and reasonable amount for the work that is being proposed.

Councilor O'Meara told Public Works Director Burril that it seems backwards to him to pick a firm before you give them a "Scope of Work".

Public Works Director Burril advised Councilor O'Meara that we do not do this with our local work. We just say here is the work, put it out to bid, and make sure that we have a qualified firm through the process, but in this particular case we are following Federal requirements.

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A MOTION WAS MADE BY COUNCILOR WALT CHAMBERLAIN AND SECONDED BY COUNCILOR ROYCE EMBANKS THAT COUNCIL APPROVE THE SELECTION OF CENTURY WEST TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH THE CITY OF MADRAS, AND AUTHORIZE THE PUBLIC WORKS DIRECTOR, WITH GUIDANCE FROM LEGAL COUNSEL, TO CREATE AN AGREEABLE CONTRACT. THE MOTION PASSED UNANIMOUSLY, 5/0.

#### XI PUBLIC CONTRACT REVIEW BOARD

Mayor Widmer closed the City Council meeting and opened the Public Contract Review Board meeting at 7:44 p.m.

##### A. Land Appraisal Services Contract Appraisal Group of Central Oregon, LLC Willow Creek to Madras Bike and Skate Park Trail Connection Project

###### 1) Staff Report

Public Works Director Burril told Council that the City has received funding from the Oregon Parks and Recreation Department for the past three years. We are essentially connected now at "J" Street with our grants to the mouth of the Willow Creek Canyon. He said that he would now like to turn and place our focus on bringing the west side back in and around.

This first proposal would extend from the mouth of the Willow Creek Canyon, up over the "M" hill and drop down by the Madras Bike and Skate Park. It is about 1.3 miles or so.

Mayor Widmer asked if it was going to go all of the way to the top of that plateau.

Public Works Director Burril indicated that it would. He mentioned that staff is proposing a viewpoint in there that would be similar to the one that is off of Pilot Butte. It would not be as big and vehicles would not be able to drive to it.

Councilor O'Meara wanted to know if he was proposing to use the switch back that is already on there.

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Public Works Director Burril responded by saying "yes".

He said that he has been in conversations with both property owners; one of the land owners (Sun Ridge - PacWest) is willing to donate property and the other land owner is agreeable to a land acquisition to purchase. He told the Council that we can do that through our grants.

If one pulls out, we would set it up as a stand-alone project and do one leg of it. Right now our proposal would be to leverage the trails grant with the local government grant. They are within about three months of each other and we can use them together. He mentioned that we would not be the first entity to try it and use it that way. If one or the other doesn't award funding, then we would just be supporting it with the one grant. This would be about a \$450,000 project.

The Recreational Trails Grant normally maxes out at around \$130,000 to \$150,000. A local government can compile that with a force account effort from their crews (e.g. in-kind, cash). They will match it 50%, so if you have \$200,000 for example, they will put \$200,000 in. This is how the Madras Bike and Skate Park got a lot of additional improvements. He said that we used that on the Sahalee Park Expansion Project as well.

He explained that he went to the Oregon Parks Trail Program and in order for this to flow as proposed we have to go through a land appraisal process that follows the Federal Yellow Book Standards for appraisals. They look at other like kind sales. They walk the property to make sure that they are familiar with whether it is improved or unimproved, how many utilities are available, and so forth.

He reported that staff went through and contacted three firms. The following quotes were received:

Appraisal Group of Central Oregon, LLC . . . . .	\$ 8,000
H & S Appraisal, LLC . . . . .	\$ 10,000
Bratton Appraisal Group, LLC . . . . .	No Bid

He told the Council that staff would be bringing a resolution before them before they apply for the grant.

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Councilor Chamberlain wanted to know where they would connect to the Culver Highway.

Public Works Director Burril indicated that this would connect at "H" Street.

Mayor Widmer added that it would be at the Skate Park.

Councilor Chamberlain asked if it would eventually go on down the Culver Highway.

Public Works Director Burril agreed that this would be an option. It will either go down the Culver Highway or down through these properties including the Fairgrounds.

Councilor Chamberlain mentioned that he was having a hard time orienting himself to the map that was attached to the agreement.

Public Works Director Burril helped Councilor Chamberlain make sense of the map.

Councilor Brown inquired about the Historical aspect as this is part of the old Oregon Trunk Railroad.

Public Works Director Burril explained that we will have to investigate that. We will check the registers and hire a firm to go through and do an Environmental Survey similar to what was done with the City Hall property to make sure that there are no cultural resources there. Those trail dollars are Federal dollars so at a minimum you have to go through that process.

Councilor McConnell wanted to know if any of the other potential bidders or service firms are from Jefferson County and Madras, or if they are all from out-of-town.

Public Works Director Burril told Councilor McConnell that staff contacted some local contacts and found that there are apparently not many of these firms that are willing to deal with Federal standards. Staff tried to find three firms that were willing to do the appraisal. He

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explained that they contacted a local realtor and asked them who they had that was doing Federal work or would be qualified for that, and these are the names staff received.

Councilor McConnell mentioned that it seems like they always end up out-of-town.

Public Works Director Burril said that they do not know what the appraised value is yet, so there are some things to work through.

#### 2) Public Comments

Mayor Widmer provided those in attendance with an opportunity to present comments at this time.

There were no comments offered.

#### 3) Council Deliberations

Council presented no additional comments at this time.

#### 4) Council Takes Formal Action

**A MOTION WAS MADE BY COUNCILOR TOM BROWN AND SECONDED BY COUNCILOR WALT CHAMBERLAIN THAT COUNCIL APPROVE THE PROFESSIONAL SERVICES CONTRACT WITH APPRAISAL GROUP OF CENTRAL OREGON, LLC IN AN AMOUNT NOT TO EXCEED \$8,000 TO PERFORM APPRAISAL SERVICES FOR ACQUISITION OF BIKE AND PEDESTRIAN TRAILS ACROSS MAP #11-13-11, TAX LOTS #105 AND #200, AND MAP #11-13-11 AB, TAX LOT #300. THE MOTION PASSED UNANIMOUSLY, 5/0.**

Mayor Widmer closed the Public Contract Review Board meeting and re-opened the City Council meeting at 7:52 p.m.

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#### XII TRAFFIC SIGNAL AT FAIRGROUNDS ROAD

Councilor Chamberlain explained that he had a discussion with City Administrator Morgan about this again and that they are aware of the fact that in the State of Oregon there are ODOT Highways that have "T" intersections, like the Fairground / Highway 97 Intersection, that do have traffic lights. We have typically been told in the past that when this street goes on through and connects with South Adams Drive then at that point in time the Oregon Department of Transportation would consider a traffic light.

He said that he and City Administrator Morgan are in agreement that they would like to continue to try to put pressure on ODOT to consider lighting that intersection and not waiting for that highway to punch through.

He asked for a consensus or motion from the Council to direct City Administrator Morgan to write some letters or put whatever pressure we possibly can on ODOT to reconsider putting a light at that intersection.

Mayor Widmer told Councilor Chamberlain that this was a really good point. After working on the pedestrian improvements on that end of town, you can walk down the street, but you still cannot get across it, so we still have a ways to go.

Councilor Chamberlain mentioned that it is going to get more difficult with the improvements that are going to be north of Fairgrounds Road, with all of the pedestrian access that the sidewalks are going to provide. It is going to make it even more dangerous with those improvements. Given all of those things that are going to happen, we would like to put pressure on ODOT as much as we possibly can.

Mayor Widmer said that it would be nice to give ODOT a list of the specific examples of the "T" intersections that Councilor Chamberlain mentioned so they cannot use that excuse.

Councilor McConnell suggested that they video tape it on a Friday afternoon in the sunlight, and that would be evidence enough. He said that you cannot turn left there.

Councilor Chamberlain mentioned that he is extremely grateful for what ODOT has done in that intersection as in his opinion they have made it extremely safer than it was a year ago, but we still have a long ways to go.

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Councilor Brown wanted to know if there was anything in the City's Transportation System Master Plan that would give us some assistance with that intersection.

Councilor McConnell asked how the "J" Street change is going to affect that, as it is within a couple of blocks.

Mayor Widmer requested clarification that he was referring to the realignment.

Councilor McConnell indicated that he was. He suggested the possibility of tying this into that project as it is only a few blocks. It would provide breaks in the traffic because you do not have that now. There is a steady stream of traffic, especially on the weekends.

Councilor Chamberlain noted that this is an intersection that has had a tremendous number of accidents so they cannot say that it doesn't require some safety measures.

Councilor Embanks suggested the possibility of asking the County for a letter as that road goes to the Fairgrounds.

Councilor Brown added that we should ask the County and the Fair Board both.

Councilor Chamberlain said that we have asked ODOT to come in before and they have very graciously talked about several areas of town where we had been concerned about safety issues and they have done some good things for us. They have been responsive. He mentioned the need to keep that dialog open and apply all of the pressure we can. He suggested that the Council not accept that they will consider this when the road is pushed on through to South Adams Drive.

Mayor Widmer asked if Community Development Director Snead had taken a picture of some people that were trying to cross the highway.

Community Development Director Snead indicated that he had.

Mayor Widmer mentioned that Council will direct City Administrator Morgan to follow-up with ODOT. She thanked Councilor Chamberlain for bringing this issue up.

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#### **XIII EMPLOYEE APPRECIATION BANQUET**

Councilor Chamberlain reported that during the last City Council meeting we brought up the fact that we are anticipating our third annual City of Madras Employee Appreciation Banquet, and he wanted to let the Council know what has happened. He said that they picked Friday, December 11, 2009 as the date for the banquet, from 6:00 p.m. to 9:00 p.m., in the conference room downstairs at the Inn at Cross Keys, and that this date had been confirmed.

He told the Council that he is getting bids for the caterer. He said that he has received one bid and that he should have the second bid within a day or two. Both caterers are local. There are only two caterers that he knows of in Madras; one is Madison Street Coffee and the other one is Great Earth. He mentioned that he prefers to stay local with the caterer.

He explained that they have been working on getting some appreciation gifts for the employees. He advised Council that he basically wanted them to know what the date was so they could put it on their calendar, because they invite all of the employees. There is 36 city employees and with their spouses, significant others, or dates or whatever, double that number and add Council to this, and they estimate that we will have somewhere in the neighborhood of 70 people again, like we did last year.

He said that the thing that he is not working on is any kind of a program. The first year it had been really nice as we had a slide presentation that Jason Hale had put together. He mentioned that he does not know if our Mayor would like to put something like that together.

Mayor Widmer agreed to take this on as she is technologically challenged.

Councilor Chamberlain said that we probably do not want to let all of the Department Directors talk as much as they want to. He then pointed out that everyone was looking at Public Works Director Burrell, and laughed.

#### **XIV ADDITIONAL COMMENTS, ANNOUNCEMENTS, & DEPARTMENT REPORTS**

- ▶ City Attorney Lovlien reported that like everybody else they are waiting for the economy to turn around.

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#### ► Finance Department Report

Mayor Widmer welcomed Finance Director Black back from her vacation and announced that Finance Director Black had made a decision to retire.

Councilor Chamberlain asked Finance Director Black when she will actually be leaving the City.

Finance Director Black mentioned that her last day will be December 15, 2009, but that she may be back a couple of times.

Councilor Chamberlain told her that she would be missed. He wanted to know if she had a good replacement for her position.

Finance Director Black said not yet, but the City has ads out. The closing date is November 23, 2009.

#### ► Community Development Department Report

Community Development Director Snead advised Council that he is applying for several grants.

Mayor Widmer asked Community Development Director Snead to update the Council on the Charrette and on net zero energy. She said that she thought that the presentation had been very interesting.

Community Development Director Snead mentioned that there was a staff report in the Council packet about it. They were talking about energy efficiency and building design. What we were really talking about is how do we utilize the assets of the site to lower our energy needs? City Administrator Morgan has established a goal and that is that the new building, which is double in size, needs to use less energy than our current building. Discussion revolved around some general principles that could reduce our energy demand to the extent that we could secure grant funding for that.

He said that Scott Steele was in attendance along with one of his staff members, his mechanical engineer out of Portland, that speaks around the world on mechanical engineering, green energy, and green building design, and another representative from the Oregon Energy Trust.

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► **Economic Development for Central Oregon Update**

Wayne Pearson, Jefferson County Manager, Economic Development for Central Oregon, reported that the Education Council is starting work on the needs analysis for the advanced education types of courses that we want in this area. As you know the bond measure passed. They have an Economic Development Administration Grant for the campus that is pending and are in hopes that this grant comes through.

He said that there is an organization known as the Oregon Open Campus which is basically the Oregon State University Extension combined with the Central Oregon Community College where we can literally get some classes started very, very soon and identify up to three different classes that would be necessary for businesses in this area to really enhance the education of their people.

The other thing they are working on is to identify Jefferson County as a Rural Renewable Energy Development Zone. This is similar to an Enterprise Zone, but it is for the County as a whole, so when developers are interested in either putting in solar or putting in power they can have enterprise zone type benefits for them.

Economic Development for Central Oregon is working on their Strategic Plan. This will be beneficial to Jefferson County because it is a Central Oregon wide Strategic Plan for Economic Development.

► **Council Comments**

Councilor Brown mentioned that with the appointments tonight we now have a full Planning Commission, which doesn't often happen. These are good people, very into the community, and are willing to learn.

Mayor Widmer thanked Councilor Brown for all of the years he has served on the Planning Commission, for his leadership, and for continuing to serve on the Planning Commission even after he became a City Council member.

Councilor Chamberlain asked Community Development Director Snead if there had been any progress made on the A-frame proposal at the Gospel Mission.

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Community Development Director Snead explained that staff has been discussing this with the Jefferson County Health Department. We unfortunately do not currently have the process or regulatory regulations in place to site those.

Councilor Chamberlain wanted to know if one of the A-frames had showed up in town anywhere.

Community Development Director Snead told Councilor Chamberlain that he had been driving around in places where he thought that they might have been able to locate them, but he hasn't seen one yet. He said that he does not know what they look like and has never seen a picture.

Councilor Brown said that the bottom line is that no one has applied.

Community Development Director Snead pointed out that they are free. To his knowledge no one has placed one here in town.

Mayor Widmer read that the Rajneesh Ranch has donated 160 tiny A-frame cabins to Central Oregon to potentially be used for homeless shelters. They have electricity but no plumbing. She said that there are assorted issues surrounding this.

Community Development Director Snead mentioned that he, City Administrator Morgan, and the County Building Official has been talking about this. Right now we do not have the ability to site one of these. He said that his concern is that if we went out there and found a way to allow one of these A-frames to be sited, that the Council Chambers would be filled with people in opposition. This tells him that we have not engaged the city enough or the residents enough on the regulations and process for operating a temporary homeless shelter or temporary housing.

He explained that this is in fact what he is intending to do and will do. In January and February he will be working with the Planning Commission to develop a process and regulations for this.

Councilor O'Meara wanted to know what they would have to do right now, as a Council, to approve a temporary site and have an end date. Would they need a resolution?

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Councilor McConnell pointed out that by the time they get done in February the cold weather will be starting to subside.

Community Development Director Snead noted that Council does have the ability to amend the ordinance as an emergency. He told the Council that he would have to look at that and get back to them.

Councilor O'Meara mentioned that right now they wouldn't get anything done until December 2009 at the earliest.

Community Development Director Snead responded by saying "unless the Council called a special meeting for that".

Councilor Chamberlain explained that siting one of the A-frames is not going to solve anybody's problem.

Councilor O'Meara agreed. He said that he thinks that if you get one down here, then people can at least see what they look like.

Councilor Chamberlain indicated that he was hoping to have one on the ground somewhere in town where the Council could look at it.

Community Development Director Snead mentioned that the Deschutes County Administrator had contacted him last week about this. They are going to store one in their Public Works yard. He told the Council that he believes that he could call him back and have their Public Works Director or one of their staff send a picture.

Councilor McConnell said that this would be nice.

Wayne Pearson advised Council that they could probably get one down here, if we could identify a place to put it, so people can look at it.

Councilor Chamberlain wanted to know if we could place one of them at the Public Works Department somewhere, not for anyone to live in, but just for the Council to look at.

Public Works Director Burril indicated that they could.

Councilor Brown pointed out that no one has applied.

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Councilor Chamberlain wanted to know if Madras Gospel Mission had applied.

Mayor Widmer told Councilor Chamberlain that they called and asked about it, but she does not know that it went any further than that.

Community Development Director Snead explained that the bottom line is that he does not have the ability to make an administrative decision right now.

Councilor Chamberlain reassured Community Development Director Snead that Council was not asking him to do that.

Community Development Director Snead told the Council that he is very cautious about that, because once you stick your neck out like that there are some ramifications that he is not sure that Council will want to deal with.

Councilor McConnell wanted to know who the City's Code Enforcement Officer is.

Community Development Director Snead advised Councilor McConnell that city staff does the code enforcement. There is no predictability. How do we know that one site is going to work better than another site?

Councilor O'Meara said that this is why he thinks that we need to get something down here temporarily, at least to see it. Maybe those problems won't develop. Maybe there are other problems that we are not thinking about that will develop.

Councilor Embanks mentioned that at this point we do not know if they are adequate for a family, one person, or whatever. We do not know anything about the insulation or if the wiring is up to code. We could be getting a shack and we do not need to put shacks out.

Councilor Chamberlain noted that the description he had been given was that they were extremely well insulated, are all electric, are carpeted on the inside, and are very nice.

Council members agreed that it would sure be nice to see one.

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Councilor McConnell suggested the possibility of driving out there to look at them.

Someone in the audience wanted to know why they are donating them.

Councilor Chamberlain explained that they read the article about the number of homeless people in Central Oregon and wanted to help.

Community Development Director Snead told Mayor Widmer that he would like to clarify something. He said that he would really like to find a way to get this done. He indicated that he is working as fast as he can with the Planning Commission to get the process and regulations in place so we will never have to say no again.


Councilor Embanks said that we are assuming that we are going to put these in the City. He suggested that the counties should be working together as a tri-county organization to help the homeless. These do not have to be sited on City property. They can be sited outside the City limits and this would alleviate some of our problems.

Mayor Widmer indicated that she is in hopes that there can be a regional approach to this so we will not have to all reinvent the process. If there is a way that this will work, let someone figure it out and the City can hopefully adopt that policy.

**XV ADJOURN**

The City Council meeting was adjourned at 8:20 p.m.

  
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Karen J. Coleman, City Recorder

  
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Melarie Widmer, Mayor