

Minutes of the Veneta City Council

October 12, 2015

Present: Sandra Larson, Tim Brooker, Thomas Cotter, Victoria Hedenstrom and Thomas Laing

Others: Ric Ingham, City Administrator; Kay Bork, Community Services Director, Shauna Hartz, Finance Director; Kyle Schauer, Public Works Director; Teresa Warrick, Office Specialist III; Darci Henneman, City Recorder; Joan Mariner, Fern Ridge Review; Dennis Paronto and Cat Amber, Mid Lane Cares; Ben Carlson; David Vollbrecht; Len Goodwin; and Sandra Lloyd

1. CALL TO ORDER THE VENETA CITY COUNCIL WORK

Mayor Larson called the Veneta City Council to order at 6:44 p.m.

2. PUBLIC COMMENT

Joan Mariner, 25712 Cochran Ct., Veneta, OR

Ms. Mariner commented on the proposed Policing District. She said she agreed it's badly needed but it's also expensive to cover law enforcement costs and she is concerned about the City's commitment. She said she has been working on creating a parks and recreation district which would provide healthy activities for our youth. She said she wants to make sure the City is not committing to a program that's so expensive and other City needs are neglected in the process.

Dennis Paronto, 25138 Legacy Ct., Veneta, OR

Mr. Paronto said he is Chairman of the Board of Mid Lane Cares. He said Mid Lane received a grant from Trillium Health Care to start a rural medical clinic that would provide a new level of care to our community. He said he is asking for some assistance from the City Council. He introduced Cat Amber, past Mid Lane Cares Executive Director and current Clinic Project Coordinator.

Cat Amber, 2281 Wisconsin St., Eugene, OR

Ms. Amber said she has worked for Mid Lane Cares for the last seven years. She said they are looking forward to opening the clinic in February 2016. She said the need for a clinic is well documented in our area. She said regionally, the Fern Ridge area should be able to schedule 36,000 appointments per year but currently only 12,000 appointments are scheduled annually. She said a physician will be moving to the area and begin working on November 1, 2015 in order to get the clinic open by February. She said Mid Lane needs to secure another site because they are not allowed to provide services to anyone under 62 years of age at the Service Center. She said the new clinic will provide every patient with a care plan. She said on behalf of Mid Lane Cares, she is requesting the Council approve City staff and architect time or inspection services to review the sites that are most viable. She said they would like to begin offering services on November 1st.

In response to a question from Thomas Laing, Ms. Amber said they are looking at three clinic sites: 1) the previous location of True Value Hardware on W. Broadway; 2) the previous location of West Lane Fitness in the Fern Ridge Shopping Center; or 3) placing modular buildings behind Lane Fire Authority. She said options 1 and 2 both require a building inspection for occupancy readiness.

Ingham said the Council can discuss this request later in the meeting under "Other".

Ben Carlson, 25138 E. Bolton Rd., Veneta, OR

Mr. Carlson said he has been very vocal about the E. Bolton sewer project. He said he doesn't think the cost estimates are equitable. He said he and his wife have talked to their neighbors and many of them don't understand the process. He said he wants to know if the properties that were removed from the E. Bolton Local Improvement District (LID) are paying for an assessment. He said there's a difference between hooking up and being assessed for a hook up. He said some property owners hooked up from the back side of their property which they have not been assessed for. He said he should have the same right but he wants to know why is he being assessed fully and others aren't. He would like to see all the original properties be included in the LID and pay their portion of the assessment regardless of where or how they hooked up. He said the

number of assessed properties dropped from 31 in 2006 down to 18 in 2015 which spreads the assessments on fewer property owners. He said originally his estimated assessment costs were 4% of the total assessment but now he's paying 16.95% of the total assessment.

David Vollbrecht, 25228 Arcane Ave., Veneta, OR

Mr. Vollbrecht said he didn't plan on speaking tonight but he is very upset about walking in and finding a meeting he knew nothing about. He said the newsletter didn't mention tonight's meeting. He said he asked a number of people and they didn't know about tonight's work session. He said he was surprised at the number of cars in the parking lot and if there's a work session, then there should be a cross section of residents here and not a select few. He said open meetings are very important and all citizens have a right to be notified and attend. He said he doesn't think residents are being informed about all that's going on at the City.

3. CONSENT AGENDA

MOTION: Thomas Cotter made a motion to approve the consent agenda as presented.

Thomas Laing seconded motion.

VOTE: Thomas Laing, aye; Thomas Cotter, aye; Sandra Larson, aye; Victoria Hedenstrom, aye; Tim Brooker, aye.

The consent agenda as approved included Minutes for September 14, 2015 Work Session, Minutes for September 14, 2015, Accounts Payable -To be Paid – Payable through October 6, 2015, and the Public Works Activity Report for September, 2015.

4. COUNCIL BUSINESS AND REPORTS

a. Business

(1) Request from S.A.N.T.A Project to waive Community Center Rental Fee

MOTION: Thomas Cotter made a motion to waive the community center rental fee for the S.A.N.T.A project. Tim Brooker seconded motion which passed with a vote of 5-0.

(2) Request from Fern Ridge Gleaners to waive Community Center Rental Fee

MOTION: Thomas Cotter made a motion to waive the community center rental fee for Fern Ridge Gleaners on the 2nd, 4th and 5th Fridays only beginning October 12, 2015 through September 30, 2016 upon availability. Additional dates will require full payment. Tim Brooker seconded the motion which passed with a vote of 5-0.

b. Council/Committee Liaison Reports

Tim Brooker received his packet for LACT and it included the proposed STIP road improvement projects. He said Lane County, the Cities of Creswell, Eugene, Florence, and Veneta all have projects vying for STIP funding. He said ours looks good and we received support and encouragement from ODOT to get the project included on the STIP. He said Ingham will make a presentation to LACT on October 14th.

In response to a question from Mayor Larson, Tim Brooker said this is the pre-proposal phase and hopefully we will be invited to submit a full application.

Victoria Hedenstrom said she attended the October 7, 2015 Park Board meeting where they discussed the upcoming Tree City Celebration scheduled for Saturday, October 17th from 10:00 a.m. to 1:00 p.m. at the Community Center. She said there are no plans to plant trees but Arborist, Matt Horowitz will talk about creating defensible space around homes. She said the event is advertised and event costs will be paid from the City's Tree Fund. She said the Tree Lighting event will be held at the Fountain area at West Lane Shopping Center on Thursday, December 3, 2015. She said Santa will arrive at 6:00 p.m. and tree lighting ceremony will be at 6:30 p.m. The light parade will be Thursday, December 10, 2015. She said she was not able to attend the webinar on October 8th. She said Park Board members also

discussed the Elmira Multi-use path and the possibility of lighting the skate park which would also welcome nightly use.

Bork said Park Board member Robert McCarthy and Mayor Larson attended the Creating Parks for All webinar on October 10th provided by Healthy Eating Active Living (HEAL) Cities campaign.

Thomas Laing said Mid Lane Cares met last week and will meet again Thursday, October 15th. He said they received a substantial grant from Trillium to establish a clinic. He said Mid Lane would like the City to provide architectural services or building inspections on the potential sites.

Thomas Cotter said the Economic Development Committee (EDC) had it's first meeting on September 30, 2015. He introduced Mr. Goodwin to the Council as the EDC chair.

Len Goodwin, 89570 Sheffler Rd., Elmira, OR

Mr. Goodwin said the next EDC meeting will be on October 21st. He said they have outlined a vigorous schedule. He said a uniform and common thread is to increase business in Veneta by supporting current businesses and bring both small and large businesses to Veneta. He said they have yet to look at specific projects. However, he met with City of Springfield Mayor, Christina Lundberg, and he would like to see a bicycle path from Chateau Lorane to Benton County. He said they are looking for another member to join the committee - hopefully from the business community. He said they are looking for solid input from current businesses. He said Thomas Cotter will provide updates to the Council and he thanked the Council for resurrecting the Committee.

Mayor Larson thanked Len Goodwin for volunteering to be on the Committee.

Mayor Larson said the Writers and Wine event was held at the Fern Ridge Community Library. She said we have a remarkable number of talented writers in our community and two local authors read from their books. She said she attended the HEAL webinar on Thursday which was very good. She said Noti Elementary has officially been sold. She said details about the sale haven't been released.

5. STAFF REPORTS

a. City Administrator..... Ric Ingham

(1) Fern Ridge Community Policing District

Ingham said he would like to know if the Council wants to direct staff and legal counsel to work through some of the large issues in order to move forward with the District. He said there will be a number of opportunities to weigh in or opt out of the discussions. He said this will consume a lot of his and Hartz's time but staff needs to hear whether or not this is something the Council wants to commit resources to.

Mayor Larson said we need to invest the time in order to make an adequate decision.

Tim Brooker said he just wants to make sure we don't lose control of what's going on as things progress. He said a lot of staff time will be needed and he's concerned the City's interests could be pushed to the back burner. He said we need to watch the process closely and make sure our needs are met as well as the needs of our rural county residents. He said he doesn't have a problem adding more staff time because it will be a win/win for the Fern Ridge community.

Thomas Cotter agreed but he doesn't want to compromise what the City currently has. He said our contract with LCSO renews annually so there's no guaranty it will be renewed next year. He said a long term contract may be the way to go but he doesn't see all of this happening in 11 months. He said he liked Joan Mariner's suggestion to create a parks and recreation district and he's concerned about armed resource officers in our schools.

Thomas Laing said he's fine with moving forward as long as it doesn't deter from the level of service residents are receiving.

Mayor Larson said the group is going full speed ahead and the way we can have impact and input is to ask staff to move forward.

After a brief discussion, it was the consensus of the Council to direct staff to move forward with discussions regarding the proposed Policing District.

b. Community Development Director.....Kay Bork

(1) Assessment of Apportionment of Costs for East Bolton Rd. Sewer Improvements

i. Agenda Item Summary

Bork said prior to adopting Ordinance No. 524 for first reading, staff would like the Council to consider the written objections included in tonight's packet. She said after the Council approved the apportion amounts, the figures were provided to property owners who were then asked to submit written objections by October 6, 2015. She said staff received two objections; one from Mr. Carlson and one from Lilly Crowheart. She said the Council has the option to adopt the assessments presented or to modify or revise the assessments.

In response to questions from Victoria Hedenstrom, Bork said in regards to Mr. Carlson's comment that people currently hooked up to sewer did not pay an assessment, she said she's not sure where that is coming from because there have been no other LIDs in that area. She said no one is being assessed other than the current E. Bolton benefitted properties. She said seven lots in the Ernest Acres subdivision and a few properties on Applegate Ct. are hooked up to a separate sewer line. Bork said the developer of Ernest Acres subdivision paid to provide sewer service to those seven lots.

ii. Consideration of Written Objections

Ingham said state statute does not allow us to include non-benefitted properties in an LID. He said the three properties referred to in Mr. Carlson's letter hooked up to the Applegate Ct. manhole in 2006 so they are not considered benefitted properties. He said had the City gone through with the original E. Bolton LID in 2006, they would have been benefitted properties.

Schauer said the three lots on Applegate Ct. paid their assessments indirectly when they purchased their homes. He said the folks across the street and one house that had septic issues, paid to connect, just like any other sewer system. Also, a private sewer line was installed for a three lot subdivision.

In response to a question from Mr. Carlson, Schauer said the Ernest Acres subdivision was developed 2006 and the developer paid for the infrastructure for all six lots which are all connected to the existing infrastructure on the other side of the street

In response to a question from Victoria Hedenstrom, Ingham said we can postpone adopting Ordinance No. 524 for first reading and have Mr. Branch attend the next Council meeting to respond to the questions. But at this point, if we start subtracting from one place it will need to be apportioned to another. It doesn't change the total assessment amount.

Mayor Larson said we are still committed to use the 2009 project cost.

iii. **Ordinance No. 524 - AN ASSESSMENT ORDINANCE DECLARING THE APPORTIONMENT OF THE COSTS INCURRED FOR WASTEWATER COLLECTION IMPROVEMENTS; DIRECTING THE PUBLICATION OF NOTICE OF APPORTIONMENT AND ASSESSMENT UPON THE REAL PROPERTY BENEFITTED; GIVING NOTICE TO THE OWNERS, IMPOSING A LIEN UPON ALL REAL PROPERTY UPON WHICH THE ASSESSMENT IS NOT PAID; DIRECTING THE DOCKETING OF LIENS IN THE CITY LIEN DOCKET; FOR FIRST READING BY TITLE ONLY**

MOTION: Thomas Cotter made a motion to approve Ordinance No. 524 for first reading, by title only. Tim Brooker seconded motion which passed with a vote of 5-0.

Ordinance No. 524 was read into the record for first reading by title only.

Sandra Lloyd, an E. Bolton resident, said she was under the impression she was supposed to attend tonight's meeting to hear what she needs to do. She said she is very frustrated.

Hartz said she would be happy to meet with Ms. Lloyd to explain the process. She said on September 12, 2015 the proposed assessment notices were sent certified mail and after the second reading of Ordinance No. 524, the certified assessments will be mailed.

Bork said Ms. Lloyd, or any other property owner, can contact her if she would like to discuss the LID process or contact Hartz if she has questions about the lien process.

c. Office Support Specialist IIITeresa Warrick
(1) Proposed Amendments to Veneta Municipal Code Chapter 9.25 - Marijuana

i. Agenda Item Summary

Warrick said at the September 14, 2015 Council Work Session, legal counsel Lauren Sommers and Municipal Court Judge Alan Leiman provided information about amending the current Veneta Municipal Code (VMC) 9.25 – prohibiting marijuana, to align with current Oregon law. She said because the Council had several questions, adopting Ordinance No. 522 was postponed and since that time, legal counsel and staff met and refined Ordinance No. 522 to mirror ORS 153.020. Staff is asking the Council to adopt Ordinance No. 522 by emergency.

ii. **Ordinance No. 522 – AN ORDINANCE AMENDING CHAPTER 9.25 OF THE VENETA MUNICIPAL CODE; AND DECLARING AN EMERGENCY**

MOTION: Thomas Cotter made a motion to approve Ordinance No. 522 for first reading, by title only and declaring an emergency. Thomas Laing seconded motion which passed with a vote of 5-0.

Ordinance No. 522 was read into the record for first reading by title only.

MOTION: Thomas Cotter made a motion to approve Ordinance No. 522 for second reading, by title only, and final enactment, and declaring an emergency. Thomas Laing seconded motion which passed with a vote of 5-0.

Ordinance No. 522 was read into the record for second reading by title only, and final enactment, and declaring an emergency.

In response to a question from Mayor Larson, Bork said growing marijuana would be addressed in the land use code.

d. Public Works Director..... Kyle Schauer

(1) Wastewater Master Plan Update

Schauer said staff is requesting the City Engineering firm of Civil West Engineering Services, Inc. to perform a Wastewater Master Plan (WWMP) update. He said the current Plan was completed in 2009 and since then growth has slowed. Projects listed in the Plan were based on a growth projection. He said Civil West would like to review the Plan to see where our facilities are - capacity wise to determine if those projects are viable at this time. He said we may determine that some are not viable and can be removed from the Plan or postponed. He said a review of the Plan was identified in the Work Plan and budgeted within the materials and services classification of the budget.

In response to a question from Thomas Laing, Schauer said the WWTP was designed to handle 1.25 million gallons per day. The flow on a typical rainy day is close to that. In the summer it's only about 300,000 gallons per day. He said we've spent a lot of money on Inflow and Infiltration (I & I) within the sewer system to keep the ground and rain water out and we haven't taken that into consideration in the capacity evaluations.

In response to a question from Mayor Larson, Schauer said capital improvement projects that were scheduled in 2014/15, we didn't see the need to do them at this time. He said the current Plan is a 20 year plan but it's easy to lose a decade if we're not looking at it every few years. He said this is not a full revamping of the Plan.

MOTION: Thomas Cotter made a motion to authorize staff to enter into agreement with Civil West Engineering Services Inc., to complete an update to the Wastewater Master Plan for an amount not to exceed \$34,000. Tim Brooker seconded the motion which passed with a vote of 5-0.

e. City Administrator..... Ric Ingham

(1) Questions from Councilors

In response to a question from Thomas Cotter, Schauer said the public works crew rarely has to clean up after the community center has been rented. He said if a returning group leaves a huge mess we let them know about it. He said individual rentals are more of an issue than entities that rent the center on an ongoing basis.

6. OTHER

Ingham said Mid Lane Cares didn't have an identified building for the clinic when they received the grant funds. He said the City didn't want to see them walk away from the grant just because they didn't have a site location in mind. He said we don't want to help them evaluate all three sites but if they zeroed in on one site, we would use our architect to address compliance issues. He said he talked with the building inspector today to work through ADA and other requirements but he wants to make sure the City doesn't get too involved. He said Bork agreed to work with the architect and Mid Lane to hopefully get through the design phase and the building owner can bring the building to where it needs to be. He said we should have more information to the Council in three to four weeks.

In response to a question from Joan Mariner, Ingham said Mid Lane received a \$285,000 grant from Trillium Health Care. He said they were also awarded a couple of smaller grants.

In response to a question from Mayor Larson, Ingham said the Urban Renewal Agency can offer assistance in \$1000 increments to cover architectural time just as long as Mid Lane realizes it's not an unlimited pot of funds.

In response to an audience question, Mayor Larson said the new clinic will not be in competition with the other medical clinics because those clinics do not see new Medicare or Medicaid patients.

Ingham reminded everyone that the Tree City Celebration is Saturday, October 17th from 10:00 a.m. to 1:00 p.m. at the community center.

Hartz said the auditors will be here October 26th through October 28th to complete the field work. She said she will provide a report to the Council.

7. ADJOURN

Mayor Larson adjourned the Veneta City Council at 7:58 p.m.


Sandra H. Larson, Mayor

ATTEST:


~~Darcil Henneman, City Recorder~~
(Minutes prepared by DHenneman)

Shauna Hartz, Finance Director