

Minutes of the Veneta City Council

December 14, 2015

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

Others: Ric Ingham, City Administrator; Ken Jones, Legal Counsel; Shauna Hartz, Finance Director; Kyle Schauer, Public Works Director; Darci Henneman, City Recorder; Liz Killam, Fire Chief Terry Ney, Karen McKenzie, David Vollbretcht, Robbie McCoy, Lane County Commissioner, Jay Bozviech, Don Morrill, Steve Reister, Lt. Halvorson, LCSO; and Joan Mariner, Fern Ridge Review

1. CALL TO ORDER THE VENETA CITY COUNCIL

Mayor Larson called the Veneta City Council to order at 6:31 p.m.

2. PUBLIC COMMENT

Liz Killam

Ms. Killam said she wants to urge the Council to approve Resolution No. 1184 to include Veneta in the special policing district. She said the policing district will provide better coverage and it will show citizens that they have the power to decide what our police force should look like.

3. CONSENT AGENDA

MOTION: Thomas Cotter made a motion to approve the consent agenda as presented. Tim Brooker 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 November 23, 2015 Work Session, Minutes for November 23, 2015, Accounts Payable - To be Paid – Payable through December 1, 2015

4. COUNCIL BUSINESS AND REPORTS

a. Business
None

b. Council/Committee Liaison Reports

Tim Brooker said the Lane ACT met and Veneta's project is the no. 1 project on the list. Lane County Commissioner, Sid Liken will become the LACT Chair in January and said he would push Veneta's project at the super ACT as well. Tim Brooker said he was elected Vice Chair of LACT also beginning in January. He said things look very good for Veneta and there was a good response to Veneta's proposal and everyone was impressed.

Mayor Larson said Senators Prozanski and Holvey testified on behalf of Veneta's project.

Victoria Hedenstrom said at the December 2nd meeting, the Park Board created event subcommittees and assignments. She said the West Lane Technical Learning Center had an open house during the Tree Lighting and the Park Board provided crowd control for the event which went very well. She said the Park Board approved an expenditure for the fall Tree City scavenger hunt. She said the Easter Egg Hunt eggs and candy need to be ordered soon and the egg stuffing will be at 10:00 a.m. on Saturday, March 19th at the Community Center and the Easter Egg Hunt will be Saturday, March 26th at Veneta Elementary. She said volunteers can arrive at 9 a.m.

Thomas Laing said the Mid Lane Health Clinic will be at the Methodist Church beginning January. He said they hired a doctor and Mary Jo Wade is resigning as Mid Lane Cares Treasurer. He said the next meeting is Thursday, December 17th.

Thomas Cotter said the Chamber of Commerce will vote in January to change their bylaws and also elect officers. He said the Veneta Economic Development Committee (EDC) will host an open house in the Konnie Room of the Fern Ridge Community Library on January 14th at 6:30 p.m.

Mayor Larson said the school district will revisit its wellness policy to focus on teachers. She said the School Board decided to raise the District's construction excise tax from \$1.05 to \$1.20 per sq. ft. of residential buildings. She said 90 plus high school students participated in drug testing and there were no complaints. She said it went well but they haven't received the results. Mayor Larson said the new class rooms at Veneta Elementary should be finished over the Christmas break. She said the modular buildings were constructed with many hazardous materials so they likely cannot be salvaged. She said the Garcia Center consists of two buildings so it was determined that it's not practical to try to save the building.

5. STAFF REPORTS

a. Finance Director.....Shauna Hartz

(1) Update Rates, Rules and Agreement for Use of Community Center

i. Agenda Item Summary

Hartz reviewed her AIS with the Council. She said the main objective of Resolution No. 1172 is to increase the deposit amount from \$30 to \$50 and to remove some language in the rules that wasn't practical for the City to enforce.

In response to questions from Mayor Larson, Hartz said the current language states the City requires \$1,000,000 in insurance which is not practical for everyone using the community center. She said she is proposing to change the language to require insurance on a case by case basis. Hartz said another change will require renters to pay the rental fee at the time of the reservation which is not currently required. She said in the past there has been some confusion for who has the use of the center if we had an application but not the payment and someone else called and requested it for the same day. Requiring payment at the time the application is submitted will make it exclusive to that renter and eliminate any confusion for who has exclusive right to rent. Hartz said also, from a liability standpoint, legal counsel suggested we remove language regarding compliance with state laws because we cannot enforce it.

In response to a question from Victoria Hedenstrom, Ingham said there is a higher impact to the center when a party of 50 use it verses a party of 10 so there is some direct correlation between the number of users and the impact to the building.

In response to a question from Mayor Larson, Ingham said when the Housing Authority deeded the property to the City, they required we offer a discount to seniors wanting to rent the center.

After a thorough discussion, it was the consensus of the Council to modify the language in section C of Exhibit A to Resolution No. 1172 to read as follows: "Non-profit organizations may submit written requests to the City for fee reductions or fee waivers for consideration by City staff or City Council".

ii. Public Comment

None

iii. **Resolution No. 1172** - A RESOLUTION ADOPTING RATES, RULES AND AGREEMENTS GOVERNING THE USE OF THE VENETA COMMUNITY CENTER AND REPEALING RESOLUTION NO. 827

MOTION: Thomas Cotter made a motion to approve Resolution No. 1172 to include the following modification to Section C of Exhibit A “Non-profit organizations may submit written requests to the City for fee reductions or fee waivers for consideration by City staff or City Council”. Tim Brooker seconded motion which passed with a vote of 5-0.

(2) Proposed Water Rate Increase

i. Agenda Item Summary

Hartz suggested for now, the City continue with the annual 2% increase to the water rates. She said the rate model she used was much simpler compared to the model created by FCS. She said in the future, the Council may direct staff to contract with FCS again but for now, she felt the 2% increase is adequate.

In response to a question from Mayor Larson, Hartz said projections for minimum fund balance are based on four months of operating expenditures which can fluctuate. She said she used flat percentages to predict the expenditure changes which averages out to a 2 to 3% annual increase.

ii. Public Comment

None

iii. **Resolution No. 1185** – A RESOLUTION ESTABLISHING WATER FEES AND RATES FOR USERS OF THE VENETA MUNICIPAL WATER SYSTEM AND REPEALING RESOLUTION NO. 1160

MOTION: Thomas Cotter made a motion to approve Resolution No. 1185. Tim Brooker seconded motion which passed with a vote of 5-0.

(3) Proposed Bulk Water Rate Increase

i. Agenda Item Summary

Hartz said in 2014 when the City purchased a bulk water station, staff decided to separate the bulk water rates from the municipal water rates because the rules and guidelines differ from one to the other. She said she is also proposing a rate increase for the bulk water rates in order to keep increases consistent.

In response to a question from Thomas Laing, Hartz said after a few kinks were worked out, the bulk water station is working very well.

ii. Public Comment

None

iii. **Resolution No. 1186** – A RESOLUTION ESTABLISHING BULK WATER FEES, RATES, POLICIES AND PROCEDURES AND REPEALING RESOLUTION NO. 1161

MOTION: Thomas Cotter made a motion to approve Resolution No. 1186. Thomas Laing seconded motion which passed with a vote of 5-0.

b. City Administrator.....Ric Ingham

(1) Formation of the Fern Ridge Community Policing District

i. Letter from Legal Counsel, Ken Jones

ii. Lane County Board of Commissioners Board Order

Ingham said before the Council is Resolution No. 1184. He said the City Council originally expected that tonight we would discuss some of the conditions and requests that we wanted included in future board orders. He said last Tuesday, December 8th, County legal counsel suggested the Board of Commissioners, (BOC) pass a Board Order suggesting that the formation process begin so they could set public hearing dates. He said that means we now

need to work on a co-adoption resolution with that Board Order earlier than we had planned.

Legal Counsel Ken Jones said the resolution tonight accomplishes one basic thing which is necessary so formation of the District can move forward and that is to include the boundaries of the City of Veneta within the proposed District. The second item in the resolution is a listing of items that the City Council wanted to include in the information sent to the County for consideration. He said the BOC will hold public hearings on January 12th and February 9th. The Lane County Board Order can be modified to include important issues which would be the same types of things the City requested the County to consider. In past discussions, even though those things are in the Board Order, and not in the ballot, the County is not obligated to do any of those things, as the governing body, if the District is formed. He said the analogy and process is in place but it is not guaranteed. Politically it's guaranteed but from a legal standpoint it probably is not. He said this changed the order of how it was presented to the Council and adopting the Board Order allows this to proceed, and Lane County had to adopt the Board Order when they did in order to meet the public hearing dates.

In response to questions from Mayor Larson, Mr. Jones said he cannot guarantee it will be modified. He said we are asking the BOC to modify the Board Order and it can be modified. He said informal discussions have indicated our requests will be considered but no one is bound at this point. Mr. Jones said the political guaranty would apply realistically to future BOCs but as this entity moves along, there will be obvious changes made over time to stay fluid and address issues that we haven't even thought of that may occur.

In response to a question from Mayor Larson, Commissioner Boziviech said the idea of an Advisory Committee was presented in the first request by the citizens to start this process. He said having an Advisory Commission has always been on the Board's mind.

In response to a question from Victoria Hedenstrom, Mr. Jones said there is a section in the statutes that allow citizens to petition for dissolution but it would have to go through an election process.

Mayor Larson said if for some reason, the BOC decided not to honor the City's requests in the Board Order, before the election, then the City would not support the District but it's unlikely that will happen.

Mr. Jones said the City's most recent resolution was reviewed and included a few recommended changes by County counsel and we're comfortable it will meet the County's needs.

iii. Public Comment

Terry Ney, Lane Fire Authority Fire Chief

Chief Ney said this is a unique opportunity for the City to improve services and tax rates for citizens. The benefit to citizens of Veneta and surrounding community is that we can do something about crime in our area and increasing our patrol hours is only a part of it. He said this proposal brings so much more to the table. He said Lane Fire Authority believes this adds tremendous value to our community.

Karen McKenzie

Ms. McKenzie said she is proud to live in Veneta but Veneta has the perception of high taxes, high water bills, and high crime. She said it makes her nervous that there are so many bold crimes being committed. She supports the District and asked the Council to support it as well.

David Vollbrecht

Mr. Vollbrecht said Chief Ney spoke for the entire community. He said the City has an opportunity to provide police presence and also do something with the criminals once they're caught. He said he had two incidents in the two years he has lived in Veneta and the response was good but it could have been better.

Robbie McCoy

Ms. McCoy said she owns a business in Veneta which has been broken into twice and vandalized several times. She urged the Council to approve the resolution.

Jay Boziviech

Commissioner Boziviech explained why the BOC passed the Board Order before the timeline indicated it would. He said legal counsel tried to define the difference between ORS Chapters 451 and 198 which defines the public hearing process. He said these two ordinances are the most amended sections of state statute. He said the BOC determined that conducting the public hearings is the most conservative way to get this on the ballot. He said the City Council needs to adopt the order of formation to ensure the BOC has worked the Council's requests in the order.

Don Morrill

Mr. Morrill asked the Council to adopt Resolution No. 1184, to also work with the District, and to publically state the roll back amount to residents. He also cautioned the Council to consider not including the 2% water rate increase because it may look deceiving. He said he hopes the Council pays attention because it going to take all of us to get this to go through.

Steve Reister

Mr. Reister said Chief Ney stated it best and the City should have an open dialogue with residents about what needs to be done. He said the roll back needs to be significant enough that the citizen's trust the City and he said we should avoid any arguments that makes us look distrustful.

MOTION: Thomas Cotter made a motion to approve the revised Resolution No. 1186. Thomas Laing seconded motion which passed with a vote of 5-0.

iv. Resolution No. 1184 – A RESOLUTION APPROVING THE INCLUSION OF THE BOUNDARIES OF THE CITY OF VENETA WITHIN THE BOUNDARIES OF THE PROPOSED SPECIAL LAW ENFORCEMENT DISTRICT

In response to questions from Victoria Hedenstrom, Ingham said we really can't address the roll back and fee issue prior to budget season. He said the final decision would be made in May, during the budget process, with the 10 member budget committee which coincides with the ballot measure. Staff will have some meetings to solicit direction from Council but in the end, the Budget Committee makes that final decision.

Ingham said staff will likely create two budgets; one if the District passes and one if it doesn't pass.

There was a thorough discussion about the roll back.

In response to a question from Mayor Larson, Hartz said management starts the budget process in mid-January for the upcoming fiscal year.

Mr. Jones said the utility fees are not covered by the general fund and the City is required to maintain certain reserves to pay back bonds and other obligations.

In response to question from Mr. Vollbrecht, Mr. Jones said the City's current public safety contract with Lane County Sheriff's Office is paid from the City's general fund and not from water revenue. He said the Lane County Assessor's office and the citizen group provided the budget and the County came up with the probable figure of \$1.80 per thousand for the FRCPD rate.

There was a general consensus of the Council to cancel the December 28, 2015 meeting and to direct staff to provide information at the January 11, 2016 meeting regarding policy decisions for the FRCPD.

Mayor Larson said it's important that the City's intent be as clear and transparent as possible.

In response to a question from Tim Brooker, Commissioner Boziviech said the BOC will adopt the order of formation at the January 12th BOC meeting at Harris Hall and sometime after that but before the February 9th meeting, the City Council will adopt the ordinance then at the February 9th public hearing the BOC will co-adopt the ordinance.

6. OTHER

Ingham asked Schauer to provide the Council with an update on the damage around town from last week's storm.

Schauer said Thursday's storm caused a lot of personal property damage but City facilities fared very well. He said there was no damage to any City facilities but there were a few near misses. He said the wastewater plant and emergency systems functioned very well. He said City Park lost 18 trees and a very large pine had to be removed because the roots pulled out of the ground. The very old swing set and monkey bars sustained substantial damage. We lost a significant tree in Fern Park which fell on the property line fence but no structures were damaged. He said the large amount of debris caused some flooding and the public works crew spent a lot of time keeping the water flowing. He said Sertic Rd. was closed because of downed trees in roadway. He said 430 dumpsters of yard debris were filled and many citizens assisted with the clean-up.

Ingham said the first call went out at 12:30 a.m. and continued throughout the night. He said the City's current system and backup generators allow crews to be out assisting with the storm and rather than trying to get the plant up and running which, a few years ago, was the case. Ingham said the Council should have a discussion on the condition of City Park. He said since we lost so many trees, the ones still standing will likely come down in high winds. He said we may want to think about removing all of the trees to create larger open grassy area.

Tim Brooker said a tree fell on his truck and it was a mess.

Ingham asked for Council direction to begin drafting an ordinance to require tobacco and e-cigarettes retailers to be licensed and work with County staff to enter into a Memorandum of Understanding (MOU) for enforcement. He said as Tim Brooker mentioned earlier, it was a major coup for the City that our Veneta Elmira multi-use path project ranked as the top priority project and will be carried to the Region 2 Super Act level. He said from there, hopefully it will be referred to ODOT staff and then on to the Oregon Transportation Commission for a final decision this next fall. If all goes well, we could be in a position to have construction beginning 2018 and hopefully no later than 2020. He said Kay Bork and many others played a hand with this project, including several letters showing support for the project. He said he will continue to work with Mayor Larson but it doesn't look like there will be a Council meeting on December 28th. He said the parade was a great success.

Hartz said staff has contacted all but a couple of the E. Bolton residents regarding payment arrangements for their sewer improvement assessments. She said a few paid their entire assessment but most signed an installment agreement and will make payments. She said only three residents applied for and received two deferrals.

Schauer said the S.A.N.T.A Giveaway is Saturday December 19th at Veneta Elementary.

7. ADJOURN

Mayor Larson adjourned the Veneta City Council at 8:12 p.m.


Sandra H. Larson, Mayor

ATTEST:


Darci Henneman, City Recorder
(Minutes prepared by DHenneman)