

# Minutes of the Veneta City Council

## February 8, 2016

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; Kay Bork, Community Development Director, Darci Henneman, City Recorder, and Joan Mariner, Fern Ridge Review

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### 1. CALL TO ORDER THE VENETA CITY COUNCIL

Mayor Larson called the Veneta City Council to order at 6:30 p.m.

### 2. PUBLIC COMMENT

None

### 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 January 25, 2016 and Accounts Payable To be Paid – Payable through February 2, 2016.

### 4. COUNCIL BUSINESS AND REPORTS

#### a. Business

None

#### b. Council/Committee Liaison Reports

Tim Brooker said the Lane ACT will meet February 10<sup>th</sup>. He said he was not able to attend last month's Super ACT meeting but he heard from Ingham, who did attend, that it went well. He said 150% of the projects were funded except for the Springfield Moe Mountain Path.

In response to a question from Mayor Larson, Ingham said there isn't a priority list because each County (Lane, Linn, Benton, Lincoln,) wanted to keep their own priority projects, but the list may be prioritized when it's sent on to the Oregon Transportation Commission (OTC). He said ODOT Region 2 will begin the process of scoping each project.

Victoria Hedenstrom said the Park Board met last Wednesday. The agenda included a reminder for Park Board members to complete timesheets so staff can report the hours for workers compensation coverage. Pat Coy spoke to the Park Board about reconvening the Pool Committee to initiate possible fundraising for construction of the kiddy pool. Joan Mariner talked to the Board about creating a Parks and Recreation District. The Easter Egg Hunt will be at Veneta Elementary on Saturday, March 26<sup>th</sup> from 10:15 to noon and Earth Day will also be at Veneta Elementary on Friday, April 15<sup>th</sup> from 11 to 2.

Mayor Larson said the School Board discussed reconfiguring the grade schools; kindergarten through second grade at one school and third through fifth grade at the other. They also discussed the loss of enrollment district wide which they felt was mainly due to parents of young children commuting to Eugene/Springfield for work. She said providing after school care will take a community effort. Mayor Larson said School Board member Morton is excited about applying for grant funds for a garden at Veneta Elementary as the program pilot school. She said that would tie in with the City's HEAL City status and maybe that's something the City should have a role in. She said School Board member

Soderberg is very interested in getting more wellness opportunities for students and staff. Women's Space is hosting their annual breakfast on March 2<sup>nd</sup>.

**STAFF REPORTS**

a. Community Development Director.....Kay Bork

(1) Amendments to Veneta Municipal Code

i. Agenda Item Summary

ii. **Ordinance No. 526** – AN ORDINANCE AMENDING VENETA MUNICIPAL CODE CHAPTERS 8.05 AND 12.10 REGARDING SIDEWALK REPAIR OBLIGATIONS

Bork said Ordinance No. 526 is being proposed to clarify who's responsible for repairing damaged sidewalks. She said the Sidewalk Inventory provided by Pavement Services, Inc. recommended several sidewalk improvements but staff realized that the City's intent to require property owners to make those repairs wasn't clarified in Veneta Municipal Code (VMC). She said Section 8 and Section 12 of VMC will be amended to include clarification that sidewalk repairs will be assumed by property owners.

In response to a question from Thomas Laing, Bork said removal of vegetation growing along curbing is covered under the nuisance vegetation section of our code.

Victoria Hedenstrom said she's concerned that if property owners are responsible for repairing sidewalks that the repairs won't be consistent with one another.

Bork said if property owners are required to replace a sidewalk, they would still need to follow and comply with City standards, including obtaining a permit and an inspection by the Public Works Director.

In response to a question from Thomas Cotter, Bork said approximately eight projects were identified that are in need of repair but it is not necessary to adopt Ordinance No. 526 by emergency, however, if there is a unanimous vote to adopt the ordinance, it can be read for first and second reading tonight and enactment 30 days from today.

In response to a question from Mayor Larson, Bork said it is very typical that property owners are responsible for sidewalk maintenance.

In response to a question from Thomas Cotter, Bork said we don't have a specific plan to address the sidewalk projects but the Council could direct staff as to how we should address them.

In response to a question from Tim Brooker, Ingham said once someone purchases a home, they purchase the landscaping which include street trees near or adjacent to sidewalks that could potentially cause damage to their sidewalk.

In response to a question from Thomas Cotter, Ingham said rather than replacing entire sections, Schauer has looked into renting buffing equipment to address sidewalk cracks and lifts in Fern Meadows subdivision and areas of Territorial Rd. He said there may be some projects that City staff will take on before the property owner has to completely replace a sidewalk.

In response to a question from Thomas Laing, Ingham said the sidewalk around Territorial Skate Park as he understands it, are the responsibility of the City and not ODOT's. He said he will confirm with Schauer whose responsibility they are.

In response to a question from Thomas Laing, Bork said the area between the grass strip between the curb and the sidewalk is the responsibility of the property owner but falls under a

different code provision. She said street trees are also the responsibility of the property owner.

Mr. Jones said it's a common practice for municipalities to obligate property owners for sidewalk repairs.

**MOTION: Thomas Cotter made a motion to approve Ordinance No. 526 for first reading by title only. Thomas Laing seconded motion which passed with a vote of 5-0.**

Ordinance No. 526 was read into the record for first reading by title only.

**MOTION: Thomas Cotter made a motion to approve Ordinance No. 526 for second reading, by title only, and final enactment. Tim Brooker seconded motion which passed with a vote of 5-0.**

Ordinance No. 526 was read into the record for second reading, by title only, and for final enactment of March 9, 2016.

b. Finance Director.....Shauna Hartz

- (1) Update on Workers' Compensation
  - i. Agenda Item Summary

Hartz said state law allows Cities to provide workers compensation coverage for volunteers which the City has done for many years. She said our insurance provider also allows coverage as long as specifics about volunteers are outlined in a resolution. She said with the reconvening of the Economic Development Committee (EDC), a new resolution is needed to include those members in that coverage.

In response to a question from Mayor Larson, Hartz said the amount of coverage is laid out by state statute and for our own records, staff tracks the hours Councilor's spend in meetings.

- ii. **Resolution No. 1188** –A RESOLUTION EXTENDING WORKERS' COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF VENETA AND REPEALING RESOLUTION NO. 1140

**MOTION: Thomas Cotter made a motion to approve Resolution No. 1188. Victoria Hedenstrom seconded motion which passed with a vote of 5-0.**

c. City Administrator.....Ric Ingham

- (1) FRCPD Update

Ingham said legal counsel is continuing to work with County counsel on the Lane County Board of Commissioners (BOC) Board Order as part of the BOC public hearing tomorrow night. He said the District proponents requested the City assist them by publishing a press announcement stating 1) The Council will continue to support the District, 2) The tax rollback at this time would be \$1.67; 3) The Council will not identify any rollback amount beyond the \$1.67 and the Budget Committee would discuss any possible future rollback during development of the 2016-17 Fiscal Year Budget; and 4) Any net proceeds would be used in the Street Fund to offset revenue lost by not implementing the Transportation Utility Fee (TUF), second, to the Law Enforcement Fund to fund additional law enforcement activities and lastly to the Parks and Recreation Fund with the intent to enhance youth and recreational activities in the community.

There was Council consensus that the press announcement would include the four items listed above.

Ingham said Lane County is working on the fourth or fifth draft Board Order. He said Section 6 of the Board Order stated the City would provide the facility and funding for a .5 FTE which was

identified as a short fall. He said legal counsel suggested we needed some assurance that the contract would identify that the City is paying for the .5 FTE.

Mr. Jones said he and Ingham are hopeful that tomorrow they will receive documents they are comfortable with. He explained that it's very difficult for the City to provide a facility for an entity that doesn't exist yet. He said we're all trying to get to the same place but everyone involved is having some difficulty with the language. He said everything is contingent but we can't meet the contingency until after the District is formed. He said it may result in an amendment to the Board Order.

In response to a question from Mayor Larson, Mr. Jones said the City and Lane County are working in good faith and trying to make it as clear as possible but the wordsmithing needs to be agreed upon. He said conceptually, we all agree, we just need to get it on paper. He said some assumptions will be included, but if they're different from the County's, we may not have the authority to include them. He said we need to protect the City by addressing as many issues as possible.

In response to a question from Mayor Larson, Ingham said staff will bring two resolutions to the Council at the February 22<sup>nd</sup> meeting. One resolution will be in support of the Board Order and the other will provide direction to the Finance Director.

## 6. OTHER

Ingham reminded the Council that the Oregon Government Ethics Commission has moved to an electronic filing system for filing annual Statements of Economic Interest (SEI). He said the SEI forms are due to the Ethics Commission by April 15, 2016. He reminded Councilors to please contact Darci if they wish to attend the annual LCOG appreciation dinner.

Mayor Larson reminded everyone how fortunate we are to have a wonderful source of good, clean, dependable water. She said the situation in Flint, MI is terrible and asked if there was something we could do for the residents of Flint.

Ingham said staff could inquire with the League of Oregon Cities to find out what, if anything, individual cities could do. He said that is a topic Mayor Larson may want to discuss at the next Mayor's Roundtable meeting.

In response to a question from Tim Brooker, Ingham said staff has converted the February 22<sup>nd</sup> work session to a regular Council meeting and staff will start reconfiguring the agenda to carry over items to the March 14<sup>th</sup> meeting.

Mayor Larson said the Oregon State University Dept. of Anthropology offered an Ethnographic Field School focused on rural Oregon. Participants in the field school worked in teams to conduct research on three Oregon communities, including Veneta. As they practiced the methods of cultural anthropology, the students also learned about rural resilience—the ability of communities to respond to external forces in ways that maintain balance of economic, cultural, and ecological functions. Team Veneta is pleased to report on its findings at the February 22<sup>nd</sup> meeting.

Ingham said the Lane County Board of Commissioners (BOC) is holding a public hearing tomorrow night at Deep Wood Events Center in Elmira to decide whether or not to move forward with the FRCPD. It's recommended that you arrive early if you wish to make a public comment.

Steve Reister said proponents of the FRCPD are requesting Mayor Larson address the BOC after FRCPD proponents. He said Lane County Sheriff Byron Trapp will also address the BOC.

In response to a question from Tim Brooker, Ingham said tomorrow night's BOC public hearing is not considered a public meeting of the Veneta City Council, however, he reminded the Council to please not

discuss any issues with one another at the meeting. He said Mayor Larson will be speaking on behalf of the entire City Council when she addresses the BOC.

Victoria Hedenstrom said she is not able to attend the meeting but she is in support of the FRCPD.

**7. ADJOURN**

Mayor Larson adjourned the Veneta City Council at 7:36 p.m.

  
Sandra H. Larson, Mayor

ATTEST:

  
Darci Henneman, City Recorder  
(Minutes prepared by DHenneman)