

# Minutes of the Veneta City Council

## June 27, 2016

resent: Sandra Larson, Thomas Cotter, Thomas Laing, Laura Ruff, and Tim Brooker

Others: Ric Ingham, City Administrator; Shauna Hartz, Finance Director; Kyle Schauer, Public Works Director; Claudia Denton Economic Development Specialist; Julie Reid, Emergency Operation Specialist; Darci Henneman, City Recorder; Judy Klupenger, Carol LaRue, Jeff Benson, Laurel Laing, Frank Wend; Julilah McAdams; Chris Hogander; Sgt. Billy Halvorson, LCSO; 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 6:33 p.m.

### 2. PUBLIC COMMENT

#### **Judy Klupenger, 88126 Ruby Jean Ln., Veneta, OR**

Ms. Klupenger said she is opposed to constructing a fence around the community garden boxes behind the Community Center and at the end of Ruby Jean Lane. She said is concerned how that large of a fence will impact the area. She said the garden boxes have been there for three years but they're overgrown with thistles and it looks abandoned. She suggested cages or wiring be placed over each individual box to keep the turkeys out. She said she sweeps her sidewalk and driveway daily because the turkeys scratch in her bark she asked if the turkeys could be penned up and relocated.

#### **Carol LaRue, 88114 Ruby Jean Ln., Veneta, OR**

Ms. LaRue said she feels the same way that Ms. Klupenger does. She said they don't want a fence there and the turkeys are a nuisance, they dig in her yard and make a mess.

#### **Jeff Benson, 88125 Ruby Jean Ln., Veneta, OR**

Mr. Benson said he's is attending tonight's meeting for the same reason. The fence they want to put up will be an enormous eye sore and it will look like an industrial area. He said a huge fence will affect the value of the homes and with all the trees gone, it will be a more viewable, unaesthetic area.

#### **Laurel Laing, 88120 Ruby Jean Ln., Veneta, OR**

Ms. Laing said she too is here for the same reason. She is opposed to a fence being built around the garden boxes. It would be an eye sore and it would obstruct her view of a beautiful park. She said neighbors who could not attend tonight's meeting, signed a petition opposing the fence, which Ms. Laing gave to City staff. She said if they get fences to keep out deer and turkeys then everyone should have a fence to protect their yards.

#### **Frank Wend, 88800 Cheryl Ln., Veneta, OR**

Mr. Wend said he is from the Veterans of Foreign Wars local post 9448. He said they are working on getting a Veteran's Memorial built and asked the Council if the City could donate the land for a memorial.

In response to a question from Mayor Larson, Ms. Laing said if the City donated land for the memorial, Post 9448 would apply for grants to fund construction of the memorial.

#### **Julilah McAdams, 88138 8<sup>th</sup> St., Veneta, OR**

Ms. McAdams said she understands the City wants to put sewer lines in 8<sup>th</sup> St. and she wanted to know what made the City to decide to do this project now.

Mayor Larson suggested she come into talk with City staff and they can answer her questions.

**Chris Hogander, 25561 Hwy 126, Veneta, OR**

Mr. Hogander said he represents High Cascade Marijuana Dispensary. He said he's happy to be here and thanked the Council for the warm greeting he and his partners received from the City. He said he is in favor of the marijuana tax going to the voters. Currently the State of Oregon taxes marijuana dispensaries 25% of all retail sales. He said he would like to see some of that revenue go back into the community.

**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; Laura Ruff, aye; Tim Brooker, aye.

The consent agenda as approved included Minutes for June 13, 2016, Accounts Payable - To be Paid - Payable through June 21, 2016, Civic Calendar for July, 2016, Public Works Activity Report for May, 2016.

**4. COUNCIL BUSINESS AND REPORTS**

**a. Business**

**(1) Lane County Sheriff's Office Activity Report**

Ingham said Sgt. Halvorson must have had an emergency because he was not at the meeting when this agenda item came up.

In response to a question from Thomas Cotter, Ingham said deputies are getting out of their cars and self-initiating calls so there was a high number of calls (21) but those types of calls do not get issued a case number.

**(2) Lane County Sheriff's Office Contract Policing Goals and Expectations**

In response to a question from Thomas Laing, Ingham said the training is not expected to have any financial impact.

Mayor Larson said she likes the "develop relationship contacts" section that deputies are getting out of the cars and are more visible to the community.

Sgt. Halvorson arrived at 8:00 p.m. and reviewed his goals. He said now that school is out and the weather is getting nicer, we're seeing more people using the skate park. He also wanted to let the Council know that they are on top of the graffiti in the area and they do have someone in mind but want to make sure it's followed up correctly.

Sgt. Halvorson said he and Ingham continue to update the game plan. He said his memo is an excerpt from an email that he sent to all his Veneta and Creswell deputies. He said community policing is throughout the message which includes increasing deputy face time rather than car time, establishes a presence and to develop relationships and contacts. He said hopefully this approach will work the same way a school resource officer would in building relationships and trust with students. He said he wants to emphasize how important community policing is to the City and Lane County Sheriff's Office. Three neighborhood watch groups are up and running; in Shalimar, the Fern Meadows subdivision, and the third is the Veneta Patrol group, which is a group of volunteers that drive around the community to cover a larger area. He said all three have been a tremendous asset by getting information back to the deputies which in some cases has deterred incidents from happening. He said he, Ingham, and Mayor Larson met with School District officials. He said from now on school principals will contact him directly about any issues they may have. Another goal he's been working on is to increase community awareness and decrease community apathy. He said ultimately as the City grows, he would like to see 24 hour coverage and he feels that works hand in hand with economic growth.

In response to a question from Mayor Larson, Sgt. Halvorson said the City of Creswell supports a community policing district. He said the City of Creswell contracted with Portland State University to prepare a policing report for the City which addressed community policing and how to incorporate it into the community. He said Creswell has also added a \$6.25 public safety fee to the monthly utility bills that will fund a third deputy. He said there's been a strong movement to get 24 hour coverage in Creswell and the City Administrator feels the lack of coverage has negatively impacted their growth.

In response to a question from Thomas Laing, Sgt. Halvorson said Creswell is looking at an increase of \$1.85 per thousand to cover the cost of six deputies and a lieutenant.

Ingham said Creswell's total assessed value is \$2.84 per thousand and ours is \$5.62 per thousand.

(3) Letter of Support for City of Florence (Handout)

Ingham said the City of Florence is applying for Coast Guard City status. He said all small city mayors were asked by Florence Mayor, Joe Henry to write a letter of support. He said it's more about what the community gives to Coast Guard members and families so he wrote the City's letter in a way that shows support for the men and woman manning the Guard station in Florence.

It was the consensus of the Council for Mayor Larson and Ingham to sign the letter and forward it to the City of Florence.

(4) League of Oregon Cities 2017 Legislative Priorities

Ingham said at the June 13, 2016 meeting, he provided the Council with the League of Oregon Cities legislative recommendation materials for the 2017 session and asked Council members to review the material and pick their top six priorities and return their results to him by June 20<sup>th</sup>. After receiving everyone's recommendations, he tallied the results and the following topics will be forwarded to the League on behalf of the City. 1) Property Tax Reform – Market Value/Local Control, 2) Property Tax Reform – Fairness and Equity, 3) Mental Health Investments; and 4) Transportation Funding and Policy Package.

b. Councilor/Committee Liaison Reports

Thomas Laing said Mid Lane Cares prepared a diversity statement and the Benefit by the Glass fundraising event was very successful. He said the event raised about \$19,680 which will be distributed to three different entities: the Love Project, Emergency Fund, and the Maintenance Fund, and to cover the cost of a new circuit board for walk-in freezer. A new board member was added, Kim Lawrence, who is from Seattle. He said they're asking everyone to donate their Fred Meyer points to Mid Lane. He said they're also gearing up for Zumwalt but they are not providing food because its not cost effective.

In response to a question from Laura Ruff, Thomas Laing said the fence residents referenced during the public comment session, if built, would be around the 15 garden boxes behind the Community Center. He said the boxes are 3 ft. by 8 ft. and can be rented for \$10 per year. He said the community garden organizers want to put up a 10 ft. high chain linked fence to keep the animals out. He said the fence was donated by the School District which was around the tennis court, north of the Veneta Elementary School parking lot. He said Ruby Jean dead ends at the Community Center. He said the fence wouldn't block the walk way but it would be a visual obstruction.

Ingham said Kim Kaufman came before the Council in June 2015 and asked if the Council would support a community garden. Mid Lane provided a sketched map of where the boxes would be located and the Council approved the garden. He said Mr. Kaufman approached the School District about donating the fence. Ingham said Mr. Kaufman was asked to submit a drawing of the fenced area to City staff prior to it being brought to the Council for approval, but he and/or Schauer have yet

to see anything. He said the City Council will have a final say about the fence and staff is not in support of a 10 ft. fence around the garden boxes to keep turkeys and deer out.

Ingham said Mid Lane is not providing the food for Zumwalt Campground other than providing ice and brownies. He said none of the service groups (Kiwanis, Lions Club) are providing food for Zumwalt.

Thomas Cotter said he attended the last Chamber meeting. He said the Wineries without Walls program is no longer operating. He said the Veneta Business Community Connect presentation on June 23<sup>rd</sup> was very well attended and, lastly the Chamber is gearing up for the Harvest Festival.

In response to a question from Thomas Cotter, Denton said about 40 people attended the event and after the main presentation, everyone voted for their top two issues, out of seven, that they felt were most important. The top three issues were Work Force, Business Infrastructure, and Business Tools and Resources. She said they brainstormed different ideas on what is possible in connection with those key issues. She said there was a lot of discussion and engagement as well as some networking among community members.

Ingham said hopefully this is the beginning of the next process. He said the Economic Development Committee (EDC) will refine those three focus areas and at the EDC meeting, a strategic plan or action plan will be created, around those three focus areas and in conjunction with the Veneta Business Connect Program.

Laura Ruff said she was excited to see so many people attend the Community Development meeting and the brainstorming process was key to implement the sense of working together.

Ingham said a full report will be presented at the August Council meeting.

**STAFF REPORTS**

a. Economic Development Specialist.....Claudia Denton

(1) Business Assistance Fund Program Update

Denton highlighted the changes to the Business Assistance Loan/Grant Application Packet. She said if all goes as planned a resolution adopting the updates will be brought to the Council at the next meeting.

Thomas Cotter complimented Denton on a job well done.

In response to a question from Laura Ruff, Denton said she should be here through the month of August.

There was a consensus of the Council to move forward with the resolution to adopt the updates to the application packet.

b. Emergency Operation Specialist.....Julie Reid

(1) Community Emergency Notification System

Reid said currently if there were to be an emergency in the City, the City Council or City Administrator would contact the dispatch center and they would send out a message through the Integrated Public Alert Warning System (IPAWS). She said this is kind of a catch all and includes the Emergency Alert System which is the one that is broadcast over the television and radio and the Wireless Alert System is sent through satellites and pings cell phones in the cell towers' area. National weather alerts will also be sent out. She said what we're proposing is a community emergency notification system which would not replace anything but add to the IPAWS. She said this service will be free and tied to your home address and cell numbers can be included so you don't have to be home to receive the message. She said once people sign up for the service, it can be customized to fit their needs to proactively stay in touch and receive emergency notifications.

Ingham said Lane County purchased the AlertSense System program a couple of years ago and posted it on their website. She said this a better way to locate and notify people because you don't have to be at home, near a radio, or in the local area to get the information. He said Reid is making great process. He said we'll have a couple months to advertise and get residents signed up for this service.

Reid said the system is County wide and free. She said the flyer will go out in the City's newsletter. Information will also be on the City's Facebook page when it's up and running. She said it would also build some redundancy because land lines are becoming obsolete.

**MOTION: Thomas Cotter made a motion to adopt and promote the use of AlertSense as the City's community emergency notification system. Thomas Laing seconded motion which passed with a vote of 5-0.**

c. Finance Director.....Shauna Hartz

(1) Adoption of Updated Classification and Compensation Plans for Regular Positions

i. Agenda Item Summary

Hartz said Resolution No. 1197 adopts an updated classification and compensation schedule. She said it is the only compensation package change proposed this year and it was included in the approved budget. However, the City Council has the final say on cost of living increases.

ii. **RESOLUTION NO. 1197 – A RESOLUTION UPDATING THE COMPENSATION SCHEDULE FOR REGULAR POSITIONS OF THE CITY OF VENETA FOR FISCAL YEAR 2016-17 AND REPEALING RESOLUTION NO. 1179**

**MOTION: Thomas Cotter made a motion to adopt Resolution No. 1197. Tim Brooker seconded the motion which passed with a vote of 5-0.**

(2) Adoption of Fiscal Year 2016-17 Budget

i. Agenda Item Summary

Hartz said in order for the City to continue to operate after June 30, 2016, the budget needs to be adopted. After the budget is approved, the City Council is required to hold a public hearing, which took place on June 13<sup>th</sup> and no public comments were received. She said a change is being proposed from the approved budget to add \$30,000 materials and services in the Storm Water Fund. She said this would decrease the unappropriated, so the total budget amount would not change. She said the City has an opportunity to secure professional services to develop a Storm Water Master Plan which staff would like to do. She said we likely won't use all of the \$30,000.

ii. **Resolution No. 1198 – A RESOLUTION ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2016-17; SPECIFYING APPROPRIATIONS; IMPOSING TAXES; AND CATEGORIZING TAXES IMPOSED**

**MOTION: Thomas Cotter made a motion to adopt Resolution No. 1198. Thomas Laing seconded the motion which passed with a vote of 5-0.**

(3) State Revenue Eligibility for Fiscal Year 2016-17

i. Agenda Item Summary

Hartz said Resolution Nos. 1199 and 1200 are required in order for the City to remain eligible to receive state shared revenue. The two required public hearings were held; one at the Budget Committee meeting and one at a Council meeting. She said the resolutions verify that we provide four or more services to residents and that we want to continue to receive our share of highway, liquor and cigarette tax. She said no public comments were made or received at either of the public hearings.

In response to a question from Thomas Laing, Hartz said the marijuana tax is not included.

- ii. **Resolution No. 1199** – A RESOLUTION CERTIFYING THAT THE CITY PROVIDES FOUR OR MORE MUNICIPAL SERVICES

**MOTION:** Thomas Cotter made a motion to adopt Resolution No. 1199. Laura Ruff seconded the motion which passed with a vote of 5-0.

- iii. **Resolution No. 1200** – A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE SHARED REVENUES

**MOTION:** Thomas Cotter made a motion to adopt Resolution No. 1200. Thomas Laing seconded the motion which passed with a vote of 5-0.

In response to a question from Mayor Larson, Ingham said if the voters were to pass a marijuana tax, it would be separate from the share of highway, cigarette and liquor taxes we receive.

In response to a question from Thomas Laing, Ingham said if a marijuana tax is passed, we would likely see around \$10,000 to \$15,000 annually.

(4) Classifying the Transportation Utility Fee (TUF)

i. Agenda Item Summary

Hartz said this is the last step needed to implement the TUF. The ordinance and resolutions have been adopted and now since we're enacting a new fee, it needs to be classified and is a requirement of the Oregon Revised Statutes (ORS) to make this classification. The TUF is an incurred charge and is not subject to the Measure 5 limits. She said once passed, the notice is published and the public has 60 days to challenge that classification.

- ii. **Resolution No. 1201** – A RESOLUTION CLASSIFYING CERTAIN FEES AND CHARGES AS NOT SUBJECT TO LIMITATIONS OF ARTICLE IX, SECTION 11b OF THE OREGON CONSTITUTION (MEASURE 5)

**MOTION:** Thomas Cotter made a motion to adopt Resolution No. 1201. Tim Brooker seconded the motion which passed with a vote of 5-0.

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

(1) Award of Contract for the City of Veneta 2016 Pavement Preservation Projects

Schauer said in 2014 the City contracted to do a pavement condition survey that rated all paved surfaces in City limits. He said from that we developed a six year maintenance plan to follow to bring all City streets to compliant levels. He said this project will include overlays on Parkside Drive from 8<sup>th</sup> St. to 10<sup>th</sup> St., Broadway Ave. from 4<sup>th</sup> St. to 6<sup>th</sup> St., 5<sup>th</sup> St. from McCutcheon to Broadway Ave., East Broadway from Territorial Rd. approximately 400 feet east, and Cheney Dr. from Territorial Rd. to East Bolton Rd. He said we received three responses, one from Knife River Corporation, Eugene Sand and Gravel Co., and Wildish Construction Co. The City Engineer recommends we move forward and award the contract to Wildish Construction Co. with a 10% contingency the contract amount will not exceed \$225,000.

In response to a question from Thomas Laing, Schauer said the bids were all fairly close but because Wildish is already out here working on projects, we're not paying to mobilize the crew and to get equipment out here. He said Wildish has the contract with ODOT to pave Highway 126 from Cornerstone to Torrence Rd. in Noti and they are ready to get started on our project.

In response to a question from Thomas Cotter, Schauer said we gave them a deadline date of

October 15th.

**MOTION: Thomas Cotter made a motion to authorize City staff to enter into contract with Wildish Construction Co. to construct the 2016 Pavement Preservation Projects for an amount not to exceed \$225,000. Thomas Laing seconded the motion which passed with a vote of 5-0.**

Schauer said the original plan had us spending about \$400,000 per year so he's working on possibly getting another project done in this summer cycle. He said lower oil costs is one reason why we're seeing lower bids this year, as well as last year. Also the other projects Wildish is doing in the area makes it easy for them to mobilize their crews. He said we may also get a good bid on the 2<sup>nd</sup> and 3<sup>rd</sup> St. improvements.

e. City Administrator.....Ric Ingham

(1) Repealing Prior Recreational Marijuana Tax Ordinance No. 515

i. Agenda Item Summary

Ingham said at the June 13<sup>th</sup> meeting, Council directed staff to work with legal counsel to prepare all the material to place a 3% recreational marijuana tax on the November 8<sup>th</sup>, 2016 general election ballot. He said in order to do that, legal counsel recommended we repeal Ordinance No. 515 because based on House Bill 3400, there is no way to implement the ordinance. He said Ordinance No. 535 would repeal Ordinance No. 515.

In response to a question from Thomas Cotter, Ingham said if we did not repeal Ordinance No. 515, there would be some conflicting language with an ordinance allowing the tax if voters approve it on the November 8<sup>th</sup> ballot. So Ordinance No. 515 needs to be repealed before the marijuana tax is placed on the November ballot.

Laura Ruff thanked Mr. Hogander for supporting the City placing the 3% recreational marijuana tax on the November ballot.

ii. **Ordinance No. 535 – AN ORDINANCE REPEALING ORDINANCE NO. 515**

**MOTION: Thomas Cotter made a motion to adopt Ordinance No. 535 for first reading by title only. Thomas Laing seconded the motion which passed with a vote of 5-0.**

Ordinance No. 535 was read into the record for first reading by title only.

(2) Adopting a Resolution Calling on Election for a Tax on Recreational Marijuana Sales

i. Agenda Item Summary

Ingham said based on Council direction at the June 13<sup>th</sup> meeting, Resolution No. 1202 has been prepared to refer a recreational marijuana tax to the November 8<sup>th</sup>, 2016 ballot. He said the ordinance attached to Resolution No. 1202 will be enacted if the voters approve the tax.

ii. **Resolution No. 1202 - A RESOLUTION CALLING AN ELECTION ON NOVEMBER 8, 2016, TO REFER TO THE VOTERS OF THE CITY OF VENETA, OREGON, A THREE PERCENT TAX ON RETAIL SALES OF RECREATIONAL MARIJUANA IN THE CITY OF VENETA AND ADOPTING A BALLOT TITLE AND EXPLANATORY STATEMENT**

**MOTION: Thomas Cotter made a motion to adopt Resolution No. 1202. Tim Brooker seconded the motion which passed with a vote of 5-0.**

(3) Process for Conducting City Administrator's Evaluation

Ingham reviewed the evaluation process with the Council. He asked that the Council return their evaluations to Hartz and she can compile the information and provide a summary for an

executive session after the August 8, 2016 Council meeting. He said the July 11<sup>th</sup> meeting is cancelled and he will be out of town for the July 25<sup>th</sup> meeting.

After a brief discussion, there was a consensus of the Council to turn in their evaluations to Hartz and the executive session will be August 8<sup>th</sup> after the regular meeting.

(4) Questions from Councilors

In response to a question from Thomas Cotter, Ingham said we think the tagging on the bridge happened Sunday. He said Deputy Nelson made the report and he doesn't feel it's related to last month's tagging. He said after photos were taken it was removed.

In response to a question from Laura Ruff, Schauer said any time you see road hazards like the broken glass she was referring to, please call City Hall and public works will clean it up.

**6. OTHER**

Ingham said with regard to the Community Garden and the fence, Mr. Kaufman was told to prepare a site map and design of what the proposed fencing would look like but he has yet to do that. He said staff is doubtful we'll see anything from Mr. Kaufman this year but he may likely submit something for next year's garden season.

Ingham briefly touched on the following items: staff outreach to the 8<sup>th</sup> St. residents continues, received Oregon Country Fair (OCF) tickets for Council members. The next Council meeting is July 25<sup>th</sup>. For clarification St. Vincent/DePaul did not receive funding for a multi-use building in Veneta. The City received a second year appointment from the Resource Assistance for Rural Environments (R.A.R.E.) program. Staff will conduct interviews for that position in mid-July for a start date in September. Claudia Denton has accepted a full time job at the City of Eugene. She will be working part time with us and part time with the City of Eugene.

Ingham said in regards to a VFW Memorial, he's not sure what the Council wants to do with that. He said we could look at the current work plan for possible modification.

In response to a question from Mayor Larson, Ingham said the first step would be to meet with the Post Committee to see how large of an area they're looking at. He said Bork would look into any zoning issues. He said the post wants a fairly visible location so there's a lot to work through. He said if it's the consensus of the Council to do so, we can meet once in August and again in September and move forward from there.

We received a full subdivision plan for the development off of Cherry St., which includes the property the wigwam is located on.

Mayor Larson said she would like to somehow incorporate the wigwam into Oak Island Park if the owner is willing to work with us.

In response to a question from Mayor Larson, Ingham said we're pretty sure we'll get a second year of funding for the business retention program through RDI.

Hartz said the auditors will be here Thursday and Friday, June 27<sup>th</sup> and 28<sup>th</sup>.

In response to a question from Mayor Larson, Schauer said it's a slow process getting the wastewater plant healthy again. He said one pond was getting better but now both ponds are not doing well at all. He said samples were taken on June 24<sup>th</sup> and he's in touch with DEQ.

In response to a question from Laura Ruff, Schauer said he's not sure what caused it, the way it came in, it seems as though a very toxic substance was dumped into the collection system and turned a very healthy plant into a very sick plant.

In response to a question from Thomas Laing, Schauer said we have not had an accidental discharge. He said we're certainly having issues and we've gone beyond permit limits, but that's out of our control. He said his staff is working very hard to get this fixed.

In response to a question from Tim Brooker, Schauer said there's really no way to monitor the plant with a surveillance system. He said when the problem was first detected, he contacted Biolac and their findings were that something was dumped and we need to get rid of it. He said everything they suggested, we've already tried. He said there's no danger of polluting the Long Tom and he'll keep the Council in the loop. He said we can't say for sure what caused it, it could just be the system reacting to the work they've been doing.

**7. ADJOURN**

Mayor Larson adjourned the Veneta City Council at 8:36 p.m.

  
Sandra H. Larson, Mayor

ATTEST:

  
Darci Henneman, City Recorder  
(Minutes prepared by DHenneman)