

# Minutes of the Veneta City Council

## January 9, 2006

### Council

Present: Mayor T. J. Brooker, Thomas Cotter, Darrell Carman, and Marion Esty

Absent: Fred Miller

Others: Ric Ingham, City Administrator; Margaret Boutell, Community Services Director; Sheryl Hackett, City Recorder; Joan Mariner; William Wright; Mona Linstromberg; Cathy Coulson-Keegan; Kathy Kirsh; Perry Burdon; Craig Harbison; and Jenece Jones, West Lane News

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Mayor Brooker called the City Council to order at 7:06 p.m.

### 1. PUBLIC COMMENT

#### **Joan Mariner; 25712 Cochran Court; Veneta, OR**

Ms. Mariner submitted written comments and photographs for the record. She said the latest hurricane disaster should be a lesson for developers to take nature seriously before it is too late. She said flooding is an issue in Oregon and that the most recent rains are not as heavy as those in 1996; however, the resulting flooding has been just as great. She attributed the increased runoff directly to recent development. She said the retention pond near Perkins Estates was spilling over into the Oak Island area, the Hunter Heights retention pond was overflowing, and the Trinity Terrace culvert was within inches of being full and water was spilling over the road into the nearby wetland. She said the culverts under Huston Road near Hunter were completely under water on December 28 and 30. She said when we do have above average rain the flooding will be intensified. She said the engineers for each new development have promised that no extra water will leave the properties during rains under the ten year flood event. She said the engineers have been wrong and it's time to stop listening to them. She said everyone wants what is best for the community even though their visions may differ. She said she is convinced that no one wants to feel responsible for floods that will result in property damage or potential loss of life. She said a one acre parking lot produces 16 more times the runoff than an undeveloped meadow. She said a single acre of wetland, saturated to a depth of one foot, retains 330,000 gallons of water. She submitted articles in support of that information and asked the City Council to look at the photos and protect the City's wetlands.

#### **William Wright; 25130 E. Broadway; Veneta, OR**

Mr. Wright submitted written comments for the record. He said trees have been cut on E. Broadway to clear a site for the maximum number of barracks style buildings. He said the process for approval was manipulative. He said the arborist's report was based on false information given to him by the developer. He said the report was based on the premise that the entry to the development between two trees was approved by the Planning Commission. He said the wishes of the Planning Commission, the Land Development Ordinance, and the tree cutting ordinance were voided by the process. In the future he said the Council needs to find a way to get reliable and helpful advice concerning future development decisions. He said Veneta's future is at stake.

**Cathleen Coulson-Keegan; 25130 E. Broadway Avenue; Veneta, OR**

Ms. Coulson-Keegan submitted written comments and photographs for the record. She suggested the Council look at the City's Comprehensive Plan long range plan. She said the Veneta code states that the maximum length for a cul-de-sac is 300' in length. She said E. Broadway is a dead-end street that is 1,500 feet in length; however, recently 30 housing units were approved for development. She said the ordinances also state that trees should be preserved to the fullest extent possible; however, trees have been cut to allow for that development. She said the arborist was told the entrance driveway was approved by the Planning Commission and recognizing the driveway would damage the roots of a heritage tree he recommended the tree be removed. She said she understands Veneta is growing; however, she asked that the Comprehensive Plan be followed to assure the growth is ethical, proud, and beautiful.

**2. CONSENT AGENDA**

**MOTION:** Thomas Cotter made a motion to approve the consent agenda.  
Marion Esty seconded the motion.

**Vote:** Marion Esty, aye; Thomas Cotter, aye; Mayor Brooker, aye; and Darrell Carman, aye.

The consent agenda as approved included the minutes for December 12, 2005 and December 20, 2005 and bills paid and payable for December 2005/January 2006.

**3. DEPARTMENT REPORTS**

Marion Esty (Park Board) - On Friday the Park Board will be taking interns from the University of Oregon Landscape Architecture Department on a tour of some of the City's current parks. The interns are working on a project that will lead to establishing priorities for future parks. Margaret Boutell said part of their project will be to do some new designs for the parks.

**4. STAFF REPORTS**

a. **COMMUNITY SERVICES DIRECTOR**

- (1) **Public Works Monthly Activity Report for December 2005**  
Margaret presented Kyle's monthly report. She said the City has been experiencing some computer software problems so no delinquent notices were mailed and there were no shut-offs for non-payment.

In response to a question from Mayor Brooker, Margaret said the City has been experiencing a good deal of Inflow and Infiltration from the recent rainfall. During the storm the public works crew was out responding to some flooding issues which included clearing plugged drainage-ways and detention ponds and posting high-water signs.

- (2) **Acceptance of Easements and Property Line Adjustment**  
(a) **Vloedman easements for public storm drains crossing their development site.**  
(b) **Trinity Terrace public drainage easement and property line adjustment to accommodate the rerouting of the pedestrian path to avoid wetlands.**

**MOTION:** Thomas Cotter made a motion to accept and authorize the Mayor to sign the drainage easements and Property Line Adjustment Deed. Darrell Carman seconded the motion.

Discussion: In response to a question from Mona Linstromberg, City Recorder Sheryl Hackett explained that the acceptance is only for the easements on which the public improvements are located and is not an acceptance of the public improvements for the Trinity Terrace Subdivision.

**Vote:** The motion passed with a vote of 4-0.

- (3) Wastewater Facility Plan Funding.  
Margaret reminded the Council that on December 12, 2005 they directed staff to begin work on a supplemental budget or budget transfer to update the Wastewater Facilities Plan and Transportation SDC. Because of the changes in the Finance Department and the audit situation, the City is not in a position to do a supplemental budget or budget transfer for several months. She asked the Council to authorize spending the \$7,500 budgeted for the Wastewater rate and SDC analysis to begin the update.

**MOTION:** Thomas Cotter made a motion to approve the use of the \$7,500 already budgeted for wastewater analysis to begin the wastewater plan update. Darrell Carman seconded the motion which passed with a vote of 4-0.

- (4) Effluent Expansion Design - Sewer Lagoon  
Margaret said a wetland delineation shows a lot of wetlands on the property reserved for the poplar plantation. She said staff has had discussions with DEQ about what needs to be done if the City can't get approval to discharge into the river in May and October when it is too wet to use the poplar plantation. Mr. Kennedy at DEQ suggested using the existing decommissioned lagoon which is about 6 acres in size. The Division of State Lands looked at the site and has determined it to be jurisdictional wetlands which can be maintained for five years without mitigation because of its existing use. The treatment plan was completed in October 2001; therefore, the five years will expire this October. That does not give the City a lot of time.

Mayor Brooker said he thinks it is a good idea to put the lagoon back into use for storage; however, he said that doesn't solve the problem of producing more water than can be pumped onto the poplar plantation.

Ric said there may be other ways to reduce the acreage of poplars that will be needed over the years. One is to upgrade the wastewater plant to a level four facility.

Jerry Elliott said the key right now is to get the required documents to DSL

before the five year window expires. He said it may save costs in the long run.

In response to a question from Mayor Brooker, Ric said the funds are the first to come out of the \$30,000 budgeted for expansion and design of the effluent site.

**MOTION: Marion Esty made a motion to approve funding for Environmental Solutions to begin the prep work for submitting the permits for maintenance of the decommissioned sewer lagoon in an amount not to exceed \$4,570. Thomas Cotter seconded the motion which passed with a vote of 4-0.**

- (5) Wastewater Connection Extension  
Margaret presented a memorandum requesting the Council to authorize a request by a property owner on Hunter Road to grant an extension of the time-line for her to connect to the public sewer system. That applicant had been sent a notice to connect to the City's sewer line on Hunter Road within one year. The property owner lives in California and has just recently hired a contractor to do the work. The contractor has asked if the work can be postponed because of the weather. The Veneta Municipal Code has a provision which allows the Council to grant extensions if there are circumstances they feel are appropriate. Staff recommended granting an extension until June 30, 2006 to allow the contractor to do the work in dry weather. In response to a question from Thomas Cotter, Margaret said the Council can impose a penalty up to \$400/day if the work is not done. Ric said the staff would not be making the recommendation if there was any indication the septic system was not working properly.

**MOTION: Thomas Cotter made a motion to grant an extension until June 30, 2006 with the provision a penalty be attached for failure to connect by that date.**

Discussion: In response to a question, Ric said by ordinance a penalty would not be automatically assessed unless directed by the Council.

**Vote: Marion Esty seconded the motion to grant an extension subject to assessing a penalty if the owner fails to connect by June 30, 2006. The motion passed with a vote of 4-0.**

- (6) Enforcement Update - W. Broadway  
Margaret advised the Council that all of the cars stored outdoors have been removed. In response to a question about whether or not to impose a penalty, Darrell Carman said it was his understanding that the Council agreed to not assess a penalty if the owner complied with the abatement order. Mayor Brooker said he would like to revisit the penalty issue until

staff has an opportunity to follow-up on whether or not cars have been left parked in the street.

b. CITY ENGINEER

(1) Well 10 update

Jerry Elliott said the project is behind schedule due to the well driller having difficulty removing the casing because the platform around the well is sinking. Jerry said he went ahead and issued an informal bid to purchase filter equipment using a conservative number for how much water the well will produce. He said he will bring forward a proposed contract at the next Council meeting to get the equipment ordered. Jerry said Margaret will be making sure the site plan gets reviewed.

In answer to a question from Mayor Brooker, Jerry said he does not know if the delays will have an affect on the date the well can be brought on line. Mayor Brooker said he wants both the well and treatment plant on line for the summer. In response, Jerry said he is sure the well will be ready but he is not sure about the treatment facility.

(2) Pine Street proposal

Jerry presented a revised proposal for the design engineering for Pine Street. He said the City received a \$25,000 grant from ODOT that needs to be used or lost. The project has been delayed because of the wetlands. The proposal is for a prefabricated bridge that can span up to 25 feet. If a larger span is required, a structural engineer will need to be involved which would double or triple the engineering costs. Jerry said a wetland permit for a culvert crossing was secured as part of the Hunter Heights development. That permit has been transferred to the City and Jerry said he feels confident that the permit will be honored since the bridge will have less impact than a culvert. The City will need to have the wetlands next to the lift station reevaluated and included in the report to DSL.

Ric explained that the original ODOT grant was for road improvements to upgrade Pine Street from gravel to City standards. As part of the Hunter Heights Subdivision the developer deposited funds with the City to complete the extension of Pine Street across the wetlands within the subdivision. The developer had applied for a variance. The original variance approval was appealed to LUBA and subsequently the application was remanded back to the City. The City hoped to resolve the issues through the East Veneta Study; however, the ODOT funds will be lost if the project is not done before the City finishes the project.

In response to a question, Sheryl Hackett explained that the developer did not construct the Pine Street extension because the variance was remanded back to the City. The City felt the Pine Street crossing was important but could not use that as a basis to deny the subdivision; therefore, the developer was required to dedicate the right-of-way and deposit funds with the City to pay for future construction of the street.

Ric explained that the City needs to begin the project this year in order to use the ODOT funds and to utilize the existing DSL and Corp permit.

Jerry said the proposal includes \$1,000 to cover the cost to have Nancy Holzhauser do a delineation for the City and to confirm whether or not the permits are still valid.

**MOTION: Thomas Cotter made a motion to authorize Jerry Elliott to begin the work on the Pine Street extension with \$12,000 of the cost transferred from the Hunter Heights in-lieu of construction funds. Darrell Carman seconded the motion which passed with a vote of 4-0.**

In response to a question about the recent flooding on Trinity Street, Jerry said all of the catch basins have been fitted with a fiber mat for erosion control during construction. The mats catch sediment from backfill which caused the water to back up. Kyle removed a couple of the mats to allow the stormwater to go through the piping system.

Ric said the City staff needs to be diligent in checking detention basins and other areas to see what contributing factors are causing flooding, both from a maintenance and an engineering standpoint.

Mona Linstromberg said some large tree stumps and brush piles have been pushed into the wetlands on the north side of Trinity Terrace and south side of Hunter Heights that have degraded the wetlands.

Mayor Brooker said the Council will continue their discussions to find ways to further enhance the storm drainage system.

b. CITY ADMINISTRATOR

(1) Approval of ODDA Contract

The City received proposals for a Downtown Development Plan from the Oregon Downtown Development Association (ODDA) and Lane Council of Governments (LCOG). At their last meeting the Council directed the subcommittee to meet and decide which proposal was best. Although both proposals had strong merits, Ric said the committee recommended the ODDA proposal because they felt it did more to embrace the stakeholders. Ric said it will be a funding challenge to get the work done. Staff recommended allocating \$5,000 from the City's Planning Assistance Contract Services and \$5,000 from the Economic Development Contracted Services, both from the General Fund. Staff also recommends \$20,500 be allocated from the Urban Renewal Fund which requires action by the Urban Renewal Agency. He said the remaining funds will need to come from the DLCDD Technical Assistant grant the City hopes to receive.

In response to a question from Marion, Ric said surrounding communities have been included in the ODDA work plan to help determine the market readiness for the larger demographic area. They want to get a sense of the

overall service district for the downtown area.

**MOTION:** Darrell Carman made a motion to approve the ODDA contract dated December 21, 2005 for development of a Downtown Master Plan with the funding as outlined in the memorandum from Ric Ingham dated January 5, 2006. Thomas Cotter seconded the motion which passed with a vote of 4-0.

Ric said ODDA proposes to hold their first town hall meeting on January 26, 2006.

- (2) Strategic Planning Application - Ford Family Foundation  
The Strategic Planning Action committee formed in mid-December has met and worked on getting letters of support from 8-10 stake holders. City Staff will pull together an application and act as the fiscal agent. The application is to the Ford Family Foundation. The request is for \$5,000 to pay rural development initiative staff time and part of that is requesting funds from other stakeholders, for a minimum of 10% match. The City can make 1/5 of the match, about \$100. Tomorrow's meeting is at 5 p.m. and the hope is to get commitment to submit it to the Ford Family Foundation.

Ric said both Joan and Mona took a nice lead to form an overall letter and also worked with trying to get the school district more involved. Mona said Fern Ridge Chamber called but have not yet made connections. The group is trying to get the support of the school board but does not want to go around the superintendent. They would like to get positive participation.

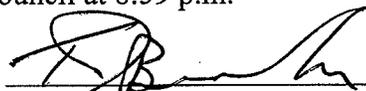
**MOTION:** Thomas Cotter made a motion to authorize submittal of the Strategic Planning Application and for the City to provide match funds in the amount of \$100.00. Marion Esty seconded the motion which passed with a vote of 4-0.

5. **OTHER**

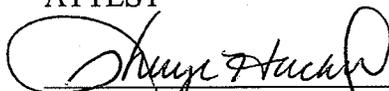
Ric said LCOG is scheduled to be in Veneta tomorrow at 11:00 a.m. to try and solve the problems with the City's accounting software.

6. **ADJOURN**

Mayor Brooker adjourned the City Council at 8:59 p.m.

  
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Mayor T. J. Brooker  
Veneta City Council

ATTEST

  
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Sheryl Hackett, City Recorder