

Minutes of the Veneta City Council

April 24, 2006

Council: Mayor T. J. Brooker, Darrell Carman, Thomas Cotter, Marion Esty, and Sharon Hobart-Hardin

Other: Ric Ingham, City Administrator; Sheryl Hackett, City Recorder; Margaret Boutell, Community Services Director, Earle Ellson; Cathleen Coulson-Keegan; and Rob Lafferty, West Lane News

Mayor Brooker called the City council to order at 7:02 p.m.

1. **SWEARING IN CEREMONY**

Sharon Hobart-Hardin was sworn in as the newly appointed member of the Veneta City Council.

2. **PUBLIC COMMENT**

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

Ms. Coulson-Keegan said this past week in the West Lane News she read an article by guest columnist Mitch Rohse about property rights. Mr. Rohse points out in his article that "respecting private property rights" should not mean that every application should be approved to protect the applicant's property rights. The article points out that all development depends on public services such as roads and asks the question why people who might be harmed by one person's use of private land should have no voice in deciding the use. She said Mr. Rohse got both her attention and respect for the questions he asked in his article. She said the Eighth Street overpass and Jack Kelley Drive were constructed using grant funds and tax dollars. She said without those roads the property owners of the commercially zoned property would have no ability to develop their property; therefore, you cannot say that by not granting the variance it is taking anything away from them. She said development of the property will create problems for other property owners. She said Jack Kelley Drive serves as storage for flood and storm water runoff for Veneta. She said Veneta does not need another strip mall that does not connect with the downtown area. She said before spending tax dollars the City Council needs to ask the question, how does development benefit the citizens who are paying taxes.

2. **PUBLIC HEARING**

The public hearing for proposed amendments to the City's Greenway Subzone has been postponed until 7:00 p.m. on May 22, 2006.

3. **CONSENT AGENDA**

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

Vote: Marion Esty, aye; Thomas Cotter, aye; Mayor Brooker, aye; Sharon Hobart-Hardin, aye; and Darrell Carman, aye

The consent agenda as approved included minutes for the regularly scheduled Council meetings for March 27 and April 10, 2006, minutes of the joint meeting with the Veneta Planning Commission for April 10, 2005, bills paid for April 2006, the Civic Calendar for May 2006, and the annual liquor license renewals for local businesses.

4. DEPARTMENT REPORTS

a. FROM MAYOR/COUNCILORS

- (1) Report on law enforcement activities
Sgt. Harrold said Deputy Douglas has increased enforcement of DUI's. Deputy Donahue has asked to transfer to the main office for his last year before retirement. The transition with the new deputy should be complete by the end of June.

In response to a question from Thomas Cotter, Sgt. Harrold said they have received complaints about speeding on both Hunter Road and Eighth Street. He has been talking with the traffic team Sergeant about doing some patrols in Veneta using their hand-held radar.

Mayor Brooker asked Sgt. Harrold to ask his deputies to begin watching for vandalism and safety violations on bicycles and scooters which seem to increase as the weather improves and school lets out.

Ric advised the Council that he has been working on the possibility of reducing the speed limit on Perkins Road which is now posted at 45 mph. Without the signs the deputies would be able to issue citations for Violation of the Basic Rule for speeds more than 25 mph in a residential zone. Ric said he needs to seek an opinion from the City Attorney prior to removing the speed signs.

- (2) Mayor Brooker presented Earle Ellson with a plaque expressing the City's appreciation for his four years of service on the Veneta Park Board.

b. COUNCIL/COMMITTEE LIAISONS

Marion Esty (Region 2050) - Marion said she will be attending the meeting on Wednesday night.

Darrell Carman (LCOG Board) - Darrell will attend the LCOG Board meeting on Thursday night. Mayor Brooker said he wants to make sure the Council has a quorum for their special meeting this Thursday, April 27, 2006 at 5:30 p.m.; therefore, he asked Marion to attend the Council meeting.

Marion Esty (Community Partnership) - Only three people attended the last meeting. Marion said she will have a report on their status next month.

Mayor Brooker said because of Sharon's active involvement with the Park Board he would like to appoint her as the liaison so she can continue working with them. He said he would like Darrell Carman to act as a liaison to the Downtown Development group because of his experience and resources in the architectural field.

5. **STAFF REPORTS**

a. **COMMUNITY SERVICES DIRECTOR**

(1) **Southwest Area Plan amendments**

Ordinance 463 - AN ORDINANCE AMENDING ARTICLE 4, SECTION 4.14 SUBSECTION (7)(b) OF THE VENETA LAND DEVELOPMENT ORDINANCE 461. Second reading by title only and for final enactment

Margaret said the amending ordinance is being presented to the Council for second reading and final enactment. Sheryl Hackett explained that the City Attorney pointed out a formatting error and that the findings listed in the Ordinance have been moved to Section 1 and all of the other Sections have been renumbered. The change was not substantive and did not include any text changes; therefore, the City Council can approve it for second reading with the changes.

MOTION: Thomas Cotter made a motion to approve Ordinance 463 by title only and for final enactment. Sharon Hobart-Hardin seconded the motion which passed with a vote of 5-0.

Ordinance 463 was read as follows:

Ordinance 463, an ordinance amending Article 4, Section 4.14, Subsection (7)(b) of the Veneta Land Development Ordinance 461.

Sheryl Hackett advised the Council that the ordinance will become effective 30 days from the date it is signed by the Mayor.

(2) **Ordinance 464** - AN ORDINANCE AMENDING THE VENETA TRANSPORTATION SYSTEM PLAN AND COMPREHENSIVE PLAN ORDINANCE 416, AND DECLARING AN EMERGENCY. First reading by title only. Second ready by title only and for final enactment.

Margaret said Ordinance 464 is the final step for amending Veneta's Transportation System Plan (TSP). The ordinance also amends four of the maps in the Veneta Comprehensive Plan by replacing four existing maps with the updated versions. The Exhibits attached to the Ordinance include the findings adopted by the Council, the TSP in its final form, and the updated transportation maps for the Comprehensive Plan. The ordinance is being presented for adoption by emergency and will take effect immediately.

City Recorder Sheryl Hackett explained the same formatting change has been made to Ordinance 464 as was made to Ordinance 463. The findings have been moved to Section 1 and the other sections in the ordinance have been renumbered accordingly. No text changes were made.

MOTION: Thomas Cotter made a motion to approve Ordinance 464 for first reading by title only. Marion Esty seconded the motion which passed with a vote of 5-0.

Ordinance 464 was read as follows:

Ordinance 464, an ordinance amending the Veneta Transportation System Plan and Comprehensive Plan Ordinance 416, and declaring an emergency.

MOTION: Thomas Cotter made a motion to approve Ordinance 464 for second reading by title only and for final enactment. Marion Esty seconded the motion which passed with a vote of 5-0.

(3) Hunter Road Overlay Budget Proposal

Margaret presented a request for approval to contract for a 2" asphalt overlay for the portion of Hunter Road between Lindsey Lane and Huston Road, a project that was budgeted for this fiscal year at \$20,000. The improvements will not include sidewalks but will include adding some gravel to the shoulders of the road. The quotes to-date have come in at approximately \$57,000 which is over the budgeted amount. Staff has proposed using the additional \$35,500 that was not needed for the light at 8th Street and Hwy 126 and the \$4,500 from the W. Broadway trees to make up the difference. Staff proposes postponing tree planting on W. Broadway until utilities have been under grounded.

Staff proposes to wait until after the infill development along Hunter Road and Territorial takes place before improving the entire road to City standards with sidewalks and storm sewers. The overlay should hold up for about five years and keep that section of Hunter Road from further deterioration. The section of Hunter between Lindsey and Huston does not have sewer services and is less likely to have development that would require street cuts.

MOTION: Sharon Hobart-Hardin made a motion to authorize the funding for the East Hunter Overlay project in an amount not to exceed \$60,000. Thomas Cotter seconded the motion.

Discussion: In response to a question from Darrell Carman, Ric explained that the reason the costs exceed the budgeted amount by about 70% is because the project has been postponed for about three years due to staff changes, other projects taking priority, and waiting until some of the new subdivisions causing heavy construction traffic were completed.

Vote: The motion passed with a vote of 5-0.

(4) Poplar Plantation Pipe Purchase/Exemption

Margaret explained to the City Council that the aluminum piping which delivers effluent to the existing poplar plantations has been corroding and exhibiting numerous leaks. Staff has determined that PVC pipe and

sprinkler heads are the solution to a longer life, reduced maintenance, and greater flexibility. Presently the City has a quote from Pacific Ag Systems in the amount of \$40,924 which includes materials and installation for all currently planted zones. In response to a question from Darrell Carman, Margaret said the existing aluminum pipes can be sold as scrap metal to recoup some of the costs and Pacific Ag is willing to purchase some of the coupling connections.

Margaret explained the budget line items that staff is proposing to use for the funding and requested approval of an amount not to exceed \$41,000.

MOTION: Darrell Carman made a motion to authorize replacing the poplar plantation pipes in an amount not to exceed \$41,000. Sharon Hobart-Hardin seconded the motion which passed with a vote of 5-0.

(5) Cell Phone Tower Proposal

At the Council meeting January 23, 2006 the Council approved a request by Verizon to access two city properties to determine their suitability for a cell tower site. After conducting a study, Verizon has notified the City that they would like to lease a portion of the City's reservoir site at the top of Bolton Hill. Verizon is drafting a lease agreement that staff will have the City Attorney review before presenting it to the Council. If approved, Verizon will have to go through the planning process. Due to the controversial nature of the last cell tower approved for Veneta, staff would recommend holding a public hearing. The City has already had pre-development conferences concerning properties on Bolton Hill that are likely to develop in the near future.

In response to a question, Ric said some of the issues to be considered are public safety, impact on the view shed and residential properties in the area, and security for the City's water reservoir. He said the Fire District uses Verizon and they have experienced some difficulty with reception in some areas of Veneta. The Council was in favor of holding a public hearing.

The Council reached a consensus to direct staff to move forward with the process and bring a lease agreement back for their review.

Mayor Brooker said security measures should be addressed in a lease agreement.

(6) Pool Fees

At the direction of Council at their last meeting, Margaret presented a proposal that increases only the out-of area pool fees for Aerobics and swim lessons. No other fee increases are being proposed at this time.

The Council agreed with staff that the City may need to consider increasing fees in the future to show on grant applications that they can support a new pool.

By consensus the Council directed staff to bring back a resolution to increase the pool fees as recommended in the staff memo.

b. CITY ADMINISTRATOR

(1) Cornerstone Project

- a. Resolution 911 - A RESOLUTION OF THE CITY OF VENETA AUTHORIZING A LOAN FROM THE SPECIAL PUBLIC WORKS FUND BY ENTERING INTO A LOAN CONTRACT WITH THE OREGON ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT.

Ric explained to the Council that Resolution 911 authorizes the City to receive loan funds from the Special Public Works Fund for the Veneta Business Park by entering into a loan contract with the Oregon Economic and Community Development Department. He said the final breakdown of the project is on the back page of the State of Oregon Grant Agreement for Old Growth Diversification Fund Grant Agreement which has been included in the Council packet for acceptance. The Cornerstone Project will open up a new access off of Highway 126 for a total of 12 shovel ready lots for the Veneta Business Park located in the Northeast Employment Center.

MOTION: Thomas Cotter made a motion to adopt Resolution 911 authorizing the City to receive loans from the Special Public Works Fund by entering into a loan contract with the Oregon Economic and Community Development Department. Marion Esty seconded the motion.

Discussion: In response to a question from Darrell Carman, Ric said the grant dollars are tied to job creation. The Holte Manufacturing Company will provide 18 jobs and the developers have committed to creating an additional 18 jobs over the next two years.

Vote: The motion passed with a unanimous vote of 5-0.

- b. Acceptance of Old Growth Funds for the Cornerstone Project. Ric said the grant fund amount is \$49,950 and will help close the gap for construction costs.

MOTION: Thomas Cotter made a motion to accept the Old Growth Funds for the Cornerstone Project and authorize the Mayor to sign the documents. Sharon Hobart-Hardin seconded the motion which passed with a unanimous vote of 5-0.

Ric reminded the Council that a special meeting with the City Council and Public Contract Review Board will be held at 5:30 p.m. on Thursday, April 27, 2006 at City Hall to adopt a resolution exempting the Cornerstone public improvement project from competitive bidding requirements. The contractors have agreed to honor their bids from last fall through the end of April. At that same meeting the Council will also be asked to authorize the signing of the joint agreement between the City and business partners in the project. Ric said he expects construction to begin the first part of May.

(2) The Child Center Request

Ric provided the Council with a request from The Child Center to provide family information and services twice a month in conjunction with the Food for Lane County summer lunch program at the City Park. The group is sponsored through the Lane County Commission on Children and Families.

(3) Perkins Road Speed Limits

Ric said after the Business Park and budget projects have been finalized he will make the speed limit on Perkins Road a priority.

(4) Lane Community College Budget

Ric said LCC is facing a \$6 million deficit for the next biennium and currently proposes to eliminate all of its learning centers, including the one located at Elmira High School. The City considers the learning center an important part of its economic development efforts for job creation. Ric said he will write a letter on behalf of keeping the center open and he asked the Councilors to do the same.

The Council agreed that the City should show support for the learning center.

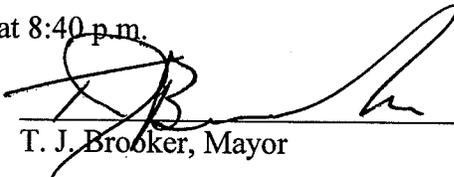
7. **OTHER**

Request by League of Oregon Cities for PERS legal fund: The City has been asked for a small contribution of \$70.00. Ric said the amount has been incorporated into the budget for next year with the League dues.

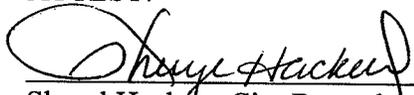
City-wide Clean-up: The cleanup is scheduled for May 6, 2006. He encouraged the Council members to participate that day as a show of community pride.

8. **ADJOURN**

Mayor Brooker adjourned the City council at 8:40 p.m.


T. J. Brooker, Mayor

ATTEST:


Sheryl Hackett, City Recorder