

Minutes of the Veneta City Council

January 22, 2007

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

Absent: None

Others: Ric Ingham, City Administrator; Margaret Boutell, Community Services Directory; Darci Henneman, Assistant City Recorder; Jerri Moore, Finance Director; Jerry Elliott, City Engineer; Ben Carlson; Judy Stetzler; Beverly Wrotenbery; Russ Brown; Irene Jasper; Jay Lloyd; Christi Till; Carol Welch; Doug Moore; Judy Hayes-Ebert; Howard Hayes-Ebert; Mona Linstromberg; Joan Mariner; and Jeneca Jones, West Lane News

Mayor Brooker called the Veneta City Council meeting to order at 7:03 p.m.

1. PUBLIC COMMENT

Ben Carlson, 25138 E. Bolton Rd., Veneta, OR;

Mr. Carlson said he would like to see the speed limit on E. Bolton reduced from 35mph to 25mph on the entire street. He said both vehicle and pedestrian traffic has increased as a result of the new residential construction. There are no sidewalks on E. Bolton. He said the speed limit on Cheney and Hunter is 25mph and both have sidewalks. He asked if letters from residents to the Council would help change the speed limit.

Mr. Carlson spoke about the maintenance of the Greenway streams. He said some neighbors are confused as to who is responsible for maintaining them. He suggested creating an ordinance to clarify responsibility for the maintenance. He said when one neighbor doesn't clean their area, the water backs up on the adjoining properties.

In response, Margaret said staff has discussed the issue but nothing has been clarified. Mayor Brooker suggested talking about it at Saturday's Retreat.

Ric said ODOT controls the speed limit on E. Bolton Rd. and the process to reduce the speed limit is lengthy.

Judy Stetzler, 25230 E. Bolton, Veneta, OR;

Ms. Stetzler spoke in opposition to the proposed E. Bolton sewer LID. She was glad to get the FAQ sheet but wanted to know if this is the first LID to be used to fund a sewer improvement. She asked about comparative costs to other similar LIDs. She said the FAQ sheet referred to ORS 224.040, which stated "council may provide for and make a local assessment for benefits". She said she will not benefit from the sewer LID because her residence is already connected to sewer and she pays \$42. She said according to the State of Oregon, she should not be assessed. She said the irrevocable petition, attached to her property, is of questionable legality according to the State of Oregon. She said number 2 of the FAQ sheet "fairness of cost", states, "City code sets the assessment

boundaries at 100 ft. from the right-of-way containing the improvement". She wanted to know why she, along with her neighbors, are being assessed and not 25221 E. Bolton. She said that property is a large parcel located on the SE corner of E. Bolton, Pine and Trinity, well within the 100' ft. boundary and closer to the intersection than her property. She said the FAQ sheet stated that construction costs are rising. She felt the housing boom is over and contractors will be eager to work and bid-low on jobs and suppliers will have high amounts of inventory, therefore, the price of materials will be cheaper. She said the City had not completely explored grant funds or researched other funding possibilities. She asked the Council to be fair to residents and not rush into the LID.

Mayor Brooker told the audience no additional testimony will be taken on the E. Bolton LID project. He said there will be a public comment session held at a future meeting and comments can be submitted by mail. He said tonight's meeting is for the Council to decide whether or not to initiate the process by requesting an engineering report from the City Engineer. Mayor Brooker asked the audience if they wished to speak about the E. Bolton LID, to please hold their comments.

An unidentified woman asked if the E. Bolton residents would receive additional information in the mail.

Mayor Brooker said updated, refined estimates may be mailed if the Council decided to go forward with the LID project.

Judy Stetzler, 25230 E. Bolton, Veneta, OR;

Ms. Stetzler referred to the "E. Bolton LID, review of frequently asked questions" which was on tonight's agenda and asked why public comments were not allowed on this subject.

Mayor Brooker replied that it is a review for the Council only.

A unidentified woman asked what the Council will be basing its decision on and if public comments will make a difference.

Mayor Brooker said yes, public comment will make a difference and some of the information already received by the Council is from residents. He said tonight's meeting is only a Council discussion to initiate the process, which will be to get an engineering report and cost estimates in order to decide whether to go ahead with the project. He said throughout this process there will be opportunities for public comment and the Council will not be responding to public comments about the E. Bolton LID project.

Beverly Wrotenbery, 25184 E. Bolton Rd., Veneta, OR;

Ms. Wrotenbery, said there is a company in Roseburg (Orengo) that designs community septic systems. She thought the City was proposing a septic treatment plant below Trinity Terrace subdivision. She said the City should look into the Orengo system which is environmentally friendly and low cost. She said the City of Elkton used this company to provide their sewer system because they are so close to the Umpqua River.

Margaret said the City is proposing a lift station not a treatment facility at Trinity Terrace.

Russ Brown, 25184 E. Bolton Rd., Veneta, OR;

Mr. Brown is a disabled person and wanted to know if the new pool would be ADA approved. He said it would be convenient for him to swim in Veneta and not have to go to Eugene to swim. He also asked if creating a Parks and Recreation District will delay the construction of a new pool and if a new pool would be indoors.

Mayor Brooker said the new pool will be ADA approved.

Irene Jasper, 25131 E. Bolton Rd., Veneta, OR;

Ms. Jasper spoke about the LID project and thanked staff for the FAQ sheet. She is opposed to the project. She said if DEQ has determined if the existing systems are hazardous. She felt there is more time to look at alternatives. She said panhandle lots aren't being assessed at the same rate as people who have more street frontage. The amount is very high to her and her neighbors. She said even if the funding were at zero percent, it would still be hard for some residents to make the payments. She would like to see an investigation of other funds.

She also spoke about the speed limit on E. Bolton being dangerous and high. She said people drive 10 to 20 miles over the posted limit. She said traffic has increased due to the construction. She said the road is dangerous for pedestrian traffic. She would like to go on record to have something done about the speed and traffic before an incident happens.

Jay Lloyd, 25137 E. Bolton Rd., Veneta, OR;

Mr. Lloyd, felt the neighbors' voices about the LID will not matter. He said the assessed amounts are unreasonable and asked why should the people that have large parcels need to pay for it now. They should pay for it when and if they develop.

Christi Till, 25177 E. Bolton Rd., Veneta, OR;

Ms. Till has been an E. Bolton resident for three years. She said the speed is too high. She said there have been two hit and run accidents and three animals killed in the last year. She spoke to Lane County Deputy Sheriff who told her a request to reduce the speed limit needed to come from the residents. He told her because of neighbor complaints on Hunter Rd., the speed limit on that road was reduced to 25 mph.

She said she doesn't understand how the LID project works but she is opposed to it because of the high cost. She said she agrees with Mr. Lloyd's comments.

Mayor Brooker said if the audience felt the Council wasn't hearing them, please be assured the Council members are listening and if residents don't have the information they need, please let staff know. He said the Friday before the Council meeting the packet is made available in the front lobby at City Hall and the Fern Ridge Library for public review. Mayor Brooker said the LID project will be expensive but a decision will not happen tonight.

Carol Welch, 25181 Cheney Dr., Veneta, OR;

Ms. Welch said she lived in Oakland at the time a public sewer system was created. She said residents were required to empty and fill their septic tanks with rock. She said it was expensive to do that and the City of Veneta hasn't talked about that extra expense for residents.

Doug Moore, 25771 E. Bolton Rd., Veneta, OR;

Mr. Moore said he works from his home and has outside cameras. He said most speeding offenders are connected to the new construction at the end of E. Bolton. He said his neighbor to the west of him has the biggest street frontage. He asked why not charge based on capacity/use or benefit instead of lot frontage? He said in order to base the charges any other way, City code needs to be changed. He said the statement sounded like it is difficult if not impossible to do. He asked where the funding for the engineering study is coming from.

Mayor Brooker said the City is paying for the engineering study.

Judy Hayes-Ebert, 25106 E. Bolton Rd., Veneta, OR;

Ms. Hayes-Ebert felt based on resident research, it was obvious the City will do what it wants regardless of what residents say and how they are allowed to talk in the process. She said E. Bolton residents have worked harder than City staff. She said she was told the LID project was postponed until tonight and now the Council doesn't have time to listen to residents. She protested the time and energy she has put into the LID project.

Howard Hayes Ebert, 25105 E. Bolton Rd., Veneta, OR;

Mr. Hayes Ebert referred to the section of the VMC that instructed the Council to adjust assessments in a fair and reasonable manner. He urged the Council to follow that code. He felt the assessment is not fair or equitable and it doesn't demonstrate tax equity concerning the Oregon Constitution. He said if the Irrevocable Petitions are enforced, it will upset E. Bolton residents and fuel a large continuation of anger that is currently growing in Veneta. He said there is a large frustration with how the City is growing and how the Council chooses to act in this matter will affect how citizens feel in the future.

2. CONSENT AGENDA

MOTION: Thomas Cotter made a motion to approve the consent agenda.

Sharon Hobart-Hardin seconded the motion.

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

The consent agenda as approved included minutes for January 8, 2007 and bills paid for January 2007

(1) Law Enforcement Activity Report - Sgt. Cliff Harrold

Sgt. Harrold said he wrote a ticket for a resident on E. Bolton for doing 60 mph on that road. He said he has been working with City staff to address excess speed on E. Bolton, Perkins Rd. and other residential streets that are being impacted by new development.

He said the packet included the December 2006 activity report and he is confident most of the data entries had been completed. He said all three of the deputies attended a one day training program at the Police Academy. He said scholarship funds covered the cost for the three deputies. He said it was a day of free training on sexual assault.

Marion commented on the high speed on 8th Street.

An unidentified woman in the audience asked if Sgt. Harrold had noticed an increase in home invasions. She said someone tried to break into her house during daylight hours.

Sgt. Harrold said home break-ins have decreased in the last six months. The deputies have identified four individuals who may have been responsible for area break-ins. He provided the resident with a contact number to call if they would be interested in organizing a neighborhood watch.

Mayor Brooker said there are three openings for the budget committee and asked the audience to participate.

3. PUBLIC HEARING - Custodial Amendments to the Veneta Land Development Ordinance No. 461 and Land Division Ordinance No. 462

- a. Open Hearing: Mayor Brooker opened the public hearing.
- b. Declaration of Conflict of Interest or Ex-Parte Contacts: None
- c. Staff Report (Brian Issa)

Prior to the staff report, Margaret gave the Council a brief summary of why the ordinances are being amended at this time. She said when the Parks Dedication Ordinance was passed, it included language requiring the City to have appraisals done on every property to be dedicated. She said some of these properties were very small and it wasn't cost effective to appraise all of them. In order to avoid the expense of the appraisals, the Code required changes. Margaret said the code amendment will now allow the Council to pass a resolution setting a fixed appraised amount designated per acre. This amendment will save the City from having to pay for appraisals that could cost more than the property is worth. Margaret said another reason for the update is the variance criteria, which is currently set up for subdivisions only, it doesn't address situations where someone may want to add a structure to an existing property. Margaret said the existing Code does not allow the City to grant such variances with the criteria available. Margaret said Brian has done research and developed better criteria. The proposed amendments have already been approved by the Planning Commission and legal counsel. Margaret said staff has been tracking ordinance amendments and made a list of potential amendment changes.

Brian Issa said in addition to the major changes to the variance criteria and to the Parks Dedication Ordinance, a number of minor amendments have been proposed to clarify existing codes or policies. The intention of any new code language is to implement the existing Comprehensive Plan goals and policies. Brian said it is not impossible to change

City code, but it is a lengthy process. He said some of the amendments were pointed out to staff by legal counsel. City staff started the process in October, 2006. On January 2, 2007, the Planning Commission recommended adoption of the proposed changes. Brian reviewed the amendments in the staff report with the Council.

In response to questions about detention ponds, Brian said the amendments relating to detention ponds affect only new ponds. Ric clarified that existing ponds have already been accepted as public improvements and it is the City's responsibility to make any future changes or improvements to those ponds.

Brian said the current Cash in Lieu of Dedication language should be amended. He said now the City has the option of accepting payment of a fee in lieu of a land dedication if the City finds it to be in the best interest of the City. The proposed amendment clarifies how the cash in lieu of dedication is calculated.

In response to a question from Darrell, Margaret said if the resolution is adopted the Council would set a fee per acre which could be updated as needed.

Darrell said he is concerned that by having a set fee per acre the City may be asking contractors and developers to give more cash than the property is actually worth. He said the developer/contractor may want an appraisal. He said there should be an option that allows the developer to get an appraisal. He said there should be language that the City would accept an appraisal from a developer.

Mayor Brooker agreed. In response, Margaret said if the developer wanted to pay for the appraisal the City could allow it but it would still have to be based on a certain size of lot. She explained that the purpose of cash in lieu of dedication is to make sure the City gets land that is usable park space and not a lot of small slivers of land. She said the amount of land required for dedication is based on the number of persons served by a subdivision. Small subdivisions would only be required to dedicated small slivers of land which would not be usable. She said those are the cases where the City would ask for cash in lieu of. She said it would be difficult to set an appraised value for the specific piece of land because it would have no value on size alone. Brian said it could also have the reverse affect if the parcel was too small for a park but large enough for a house. He said once the property is improved the appraised value would be higher than if it were based on a formula established on vacant, unimproved land.

Darrell suggested setting a minimum size if it was less than an acre, at a flat rate. If the developer wanted to pay for an appraisal for more than that, it seemed equitable.

The Council agreed as long as the City was not paying for the appraisals, the appraisals came from a reputable company, and the property would be property the developer is developing. Mayor Brooker said a minimum size acreage should be designated.

Margaret said if a several lot subdivision is being developed, and some lots are of lesser value than the others, which lot would be appraised and would the developer pick the lot.

Mayor Brooker said he understands the reason for not identifying the dedication and the

need for using the chart of averageable appraisals. He said it wouldn't be open for additional negotiations whether the dedicated lot is of higher value and the other could possibly be wetlands. Obviously, some lots are more valuable than others.

There was a discussion among the Council about the sizes of lots and values of lots to be dedicated. In response to a question from Sharon, Brian said the proposed code language was modeled after the City of Sandy, which based the appraised value on finished lots. Brian said by using averages, the values would be more accurate.

In response to a question from Tom, Ric said a finished lot is one that is ready for development with sewer and water available. Mayor Brooker said the object of the resolution is to collect funds and acquire park lands, not necessarily in every subdivision..

Darrell and Mayor Brooker said after hearing Margaret's explanation, they withdrew their objections.

Darrell pointed out a typographical error on page 16 of Brian's report. There were two paragraph 5's.

d. Public Testimony

Mona Linstromberg, 87140 Territorial Rd., Veneta, OR;

Ms. Linstromberg said she had been present at all deliberations on the proposed changes and was most interested in the variance decision. She felt the recommendation by staff is an adequate alternative to the existing one. She said the proposed regulations for hillside development have been postponed on recommendation by the city attorney and should be decided soon. She said stormwater drainage issues should require a developer to have a meeting with area neighbors. She said Hayden Homes had two meetings with neighbors and their plan changed due to those meetings. She said St. Vincent DePaul contacted Neighbors 4 Responsible Growth about their development plan. She recommended the amendments be adopted as proposed.

e. Questions from the Veneta City Council

In response to a question from Tom, Brian said the City currently requires the dedication of park land at a ratio of .00840 acres per person, which is a state standard. Brian said the amount of cash in lieu of land dedication will be determined based on a certified appraisal performed by an individual selected and paid for by the City and acceptable to the developer. Brian said currently it isn't very clear if the appraisal is to be based on new or undeveloped land. He said because the required amount of land to be dedicated could be a fraction of an acre, as Margaret said, the appraisal may cost more than the land is worth. He said the new language would set the amount by resolution adopted by the Council and should be based on average market value of undeveloped land between one and 10 acres in size. The required fee in lieu of dedication would then be calculated by multiplying the acres required for dedication by the dollar per acre amount set by resolution.

In response to a question from Tom, Margaret said a study will be conducted to determine the average value and because it will be set by resolution it can be changed as often as needed. Ric said it may be possible to use the appraisals the City has already done for acquisition of the TSP and Well 10 properties as part of the average.

Mayor Brooker said the Council will need to review the amount of cash in lieu of on a regular basis to make sure the values are kept current.

Tom said he still is not convinced that the appraisal costs would be more than the value of the land. In response, Margaret said the City has to use a MIA certified appraiser which is more expensive than a residential real estate appraiser.

Mayor Brooker said the Council will need more discussion when drafting the resolution. He said the purpose of the amendment is to reduce costs and expedite the process.

Sharon said it made sense to approve the amendment and review the issue again at the time the Council considers adopting the resolution. She also suggested a one year review to see if they are satisfied with how the cash in lieu dedication is working.

f. Deliberation and Decision

The Planning Commission and staff recommended the Council adopt the proposed amendments to clarify the existing code and improve consistency.

g. Close of Public Hearing: Mayor Brooker closed the public hearing.

h. Discussion by Council

MOTION: Darrell Carman made a motion to approve and adopt the proposed minor amendments to the Veneta Land Development Ordinance No. 461 and Land Division Ordinance No. 462. Sharon Hobart-Hardin seconded the motion.

4. PUBLIC HEARING - Parks Systems Development Charges & Administrative Fee

a. Open Public Hearing: Mayor Brooker opened the public hearing

b. Declaration of Potential Conflict of Interest and Ex-parte Contacts: None

c. Staff Report (Margaret Boutell)

Margaret said the Council approved a Parks System Development Charge (SDC) Methodology and Capital Improvement Plan (CIP) on August 14, 2006. The Council then directed staff to include reimbursable costs related to the skateboard park and basketball court in Territorial Park. Margaret said the January 22, 2007 Council meeting is one of the last steps in the process of providing notice and allowing public comment. All notice requirements have been completed.

Margaret said the SDC adopted in August, 2006 is \$2,997. With the addition of reimbursable costs, the proposed park SDC would be \$3,100. This is part of the Capital Improvement Plan which is a basis for the Systems Development Charge. Margaret said since the adoption in August, part of the methodology included an annual indexing which increased the parks SDC. Margaret said with the annual increase the SDC will be a little higher than the \$3,100 figure.

The Council was asked to direct staff to prepare two resolutions, one for the adoption of the Capital Improvement Plan and one for adoption of the Parks System Development Charge Methodology.

d. Proponents

Mona Linstromberg, 87140 Territorial Rd., Veneta, OR;

Ms. Linstromberg said the City needs park lands and recommended adopting the resolutions. She said she would like to see a park in the E. Bolton area and suggested to the audience members that those residing in that area create their own neighborhood group to help make that happen.

Joan Mariner, 25712 Cochran Ct., Veneta, OR;

Ms. Mariner recommended adopting the resolutions.

e. Opponents: None

f. Questions from the Council

In response to a question from Tom, Margaret said the City has never charged Park SDCs to business or commercial properties.

Darrell asked if this was due to businesses not having a number of residents per unit. Mayor Brooker asked is it because businesses don't use parks.

Marion said a lot of people who work in the area but live outside the City use the swimming pool. She thought the idea of businesses paying Parks SDC's should be looked into.

Tom said he thought it is something the City could explore; however, he said the City needs to be able to attract new businesses to the area and he doesn't want them to feel like they are being penalized. Margaret said the Council can amend the SDC resolution in the future.

g. Close of Hearing: Mayor Brooker closed the public hearing

h. Decisions on the Issue

MOTION: Thomas Cotter made a motion to direct staff to prepare a resolution to adopt a new Capital Improvement Plan. Sharon Hobart-Hardin seconded the motion which passed with a vote of 5 to 0.

MOTION: Sharon Hobart-Hardin made a motion to direct staff to prepare a resolution to establish a revised Parks System Development Charge. Thomas Cotter seconded the motion which passed with a vote of 5-0.

5. **DEPARTMENT REPORTS**

a. FROM MAYOR/COUNCILORS

Sharon said the second Progress Board meeting will be at the fire department on

Wednesday, January 24, 2007 at 7:00 p.m. She said community partners will be there, including library personnel, Kiwanis and the Chamber of Commerce. She said this is an opportunity to see what other organizations are involved in and how to coordinate and cooperate with one another. She encouraged all to attend.

Darrell asked about the LCOG meeting that is to be held at City Hall in February. He asked if food will be provided and wanted to know what was on the agenda. Ric said food will be provided.

b. COUNCIL/COMMITTEE LIAISONS

6. STAFF REPORTS

a. FINANCE DIRECTOR

(1) Draft Budget Calendars

Jerri provided two calendar formats for the Council to look over and to decide on a date for the compensation committee. Jerri said the key items on the calendars are the selection of budget meeting dates. The meetings are tentatively scheduled for May 3, 2007 and May 17, 2007. She asked the Council to confirm their attendance at the meetings.

Mayor Brooker asked members to look at the calendars and get back to staff.

(2) Financial & Audit Status

Jerri said staff is working on the fiscal 2005/06 audits. Jerri said she received a draft of the urban renewal audit report and didn't see a problem with having the audit report submitted by the due date. The audit team concluded the data collection for the annual report on Friday January 19th. A draft of the City audit report should be ready for review by mid-February. Jerri said she will then prepare the "Management's Discussion and Analysis" portion of both reports and coordinate with the auditors to submit the report by the February 28, 2007 due date. She informed the audience of the three vacancies on the budget committee and encouraged people to get involved.

In response to a question from Darrell, Jerri said the notice of should be published in the West Lane News within the next couple of weeks.

b. COMMUNITY SERVICES DIRECTOR

(1) E. Bolton LID - Review of Frequently Asked Questions (FAQ)

Margaret provided the Council with the FAQ questionnaire sent to residents on E. Bolton on January 12th, their responses, a map, and the LID process. Margaret said the reason for notifying residents ahead of time is so the Council wouldn't initiate the LID prior to property owners being informed. She said the first step to be decided is whether the Council wants to initiate the LID. If so, the Council would make a motion to direct the City Engineer to make a survey and written report of the project to be filed with the City Recorder. The engineer's report would include maps of the work to be done, cost estimates, a recommendation on the method of assessment to be used, descriptions and assessed values of each lot or parcel that would benefit from the LID, and a statement of outstanding assessment against the property to be assessed. Margaret said with the

engineer's report, the Council would have an opportunity to abandon the project, request additional information, modify the project, or approve the report and pass a resolution declaring the intention of making the improvements. Margaret said publishing the notice is required, as well as holding public hearings. If Council decides to move forward with the LID, the bidding process would begin. Margaret said the City engineer's estimate is conservative but the true cost of the project will not be known until the Council puts the project out to bid. Margaret said the actual bid comes late in the process.

Mayor Brooker said all bids would be reviewed but felt he didn't want to change the process. He said the Council wouldn't approve the LID if the cost is higher than what has already been provided by the city engineer.

Margaret said the project is in the budget but the revenues are from the identified assessment. Margaret said if the Council chooses to move forward, the City would pay the engineer to complete the estimate.

Marion said the map is from 1997. She said the housing development behind City Hall and the draining system wasn't on the map. She said if work is proposed in the E. Bolton area these things should be included. Staff should not be giving the Council a map of 1997, which is so out of date, considering all the development in Veneta. She said they have no idea what the overall conception is.

Margaret said the map she is referring to is a copy of the map that is part of the waste water facility plan. The purpose of providing the map was to show the service area that was identified.

Marion said if the City is making improvements, a current map should be available. (The audience applauded).

Ric said normally a bid map would be provided when an update is requested. He said the map was used because it indicated what areas are currently served and by what sewer lines. Ric said the map didn't leave much out.

Marion said she was nervous about not providing more detail if it is available.

Margaret wanted to clarify the 100 ft. frontage issues. She said 100 ft. by 60 ft. is the approximate size of a 6,000 sq. ft. lot. She said that is where the 100 ft. and 60 ft. figures were derived from. If one of the larger properties is subdivided, the developer will be required to install additional sewer lines to serve those lots.

In response to a question from Darrell, Margaret said there would be no additional SDC charges for properties that are already connected to city sewer.

In response to a question from Marion if there is a possibility of getting state agencies involved in the process so the Council knows how their process works. She said she felt uncomfortable telling residents "yes" or "no" and then a state agency saying "no, that's not right". She referred to the question on remonstrating. Margaret said that is a City issue. The City has its own Code regarding remonstrating. Margaret said the City

doesn't have to abandon or delay a project if remonstrances are the over-riding issue.

In response to a question from Marion on the document provided from the League of Oregon Cities. Margaret said that is a state issue which applied to owners who had been assessed more than 33% of the total amount of the assessment.

Marion asked if there was anything the Council and staff could provide that would clarify the way state, county and local agencies interact with each other. Margaret said Oregon Revised Statutes (ORS) set broad rules about assessments, but the City had set the 100 ft. frontage criteria and the number of remonstrances that can delay a project.

Mayor Brooker thanked staff for providing the FAQ sheet and commended them on the excellent job of putting all the information together.

In response to a question from Darrell regarding Ms. Stetzler's statement that her neighbor was not being assessed, Margaret said the 100 ft. is from the property line adjacent to the right-of-way in which the sewer line is to be installed. She said the property Ms. Stetzler spoke about, 25221 E. Bolton, is served from Trinity Street.

Judy Stetzler, 25230 E. Bolton, Veneta, OR;

Ms. Stetzler said she lived south of the E. Bolton sewer line and she is being assessed.

Margaret said Ms. Stetzler lived in Earnest Acres which had an Irrevocable Petition attached to the property.

There were several audience members speaking to Margaret as she was trying to answer questions. Mayor Brooker stopped the public comment and said further questions will be answered at another time.

Tom said the Council should initiate the process in order to get the report from the City Engineer.

MOTION: Thomas Cotter made a motion to direct staff to initiate the process for the E. Bolton Road Sewer LID. Sharon Hobart-Hardin seconded the motion.

Darrell opposed the motion because he felt the cost figure should be provided to the public before a public hearing is held. He felt the Council should take more time to see if this process can be changed.

Tom asked how the Council could get the cost figure before initiating the process. In response, Sharon said the LID process would need to be changed.

Mayor Brooker said the Council will provide the cost figure to the public but the process requires initiation before the cost figure is known. Tom agreed.

In response to a question from Darrell, Ric said if the Council directs staff to initiate the engineer's report, which would include a refine cost estimate, the public hearing would be

held after the report is prepared.

There was much discussion among Council members whether to initiate the process as it stands or change the process to provide the final cost figure prior to the public hearing. After further discussion.

MOTION: Thomas Cotter repeated his motion to direct staff to initiate the process for the E. Bolton Road Sewer LID. The motion was seconded by Sharon Hobart-Hardin and passed with a vote of 5 to 0.

Ric suggested the Council make a motion to request a bid from the engineer prior to receiving the engineering report.

MOTION: Thomas Cotter made a motion to direct the City Engineer to provide an engineering cost bid on the E. Bolton Road Sewer LID. Sharon Hobart-Hardin seconded the motion which passed with a vote of 5 to 0.

(2) Pool Update

Margaret said Robertson/Sherwood Architects have been engaged to complete the project as directed by the Council. City staff will have the first meeting with the architects on February 14, 2007. Margaret said 60 days from that meeting, a Council work session could be held and the schematic would be available.

In response to a question from Mayor Brooker, Margaret said funding issues could be discussed at that time.

In response to a question from Sharon, Margaret said the work session could be open to the public.

Mayor Brooker asked if the Park Board will have an opportunity to review the data prior to the Council receiving it. Margaret said yes, if that is what the Council wants.

(3) Bolton Hill Road Project IGA & Open House

Margaret said there is an open house in Eugene on January 31. This is a county project and they will discuss sidewalks, curbs and gutters. Margaret and Ric have gone through the draft of the Inter-Government Agency (IGA). Ric said some specifics will be brought back to the Council. He said they are requesting the City's contribution a full year earlier than expected. The open house will be at the Delta Public Works Building.

c. CITY ENGINEER

(1) Well 11 & 12 Memo

Jerry said two wells were drilled, one at the public works yard and the other near the Jeans Rd. Treatment Plan. He said based on the well drilled in that area, the water should be suitable. Jerry said the pump test at the Jeans Rd. Well was around 200 g.p.m. He said at this point he cannot determine if an interference with Well 10 could occur. He said the it is possible that at full development, the public works Well could provide 200 g.p.m. He said neither well was tested for water quality. No bacteria has been found in

any of the City's wells. Water quality will be a factor if these wells are used.

Tom asked if the City would need to apply for water rights if we don't develop the wells right away. Jerry said when Well 1 and 2 are abandoned, the two new wells will assume their water rights. In regards to Well 10 and the Filtration plant, he said construction is on schedule and by early April the switch will be turned on and the plant will be operating. Jerry said by May, it could run continually.

d. CITY ADMINISTRATOR RIC INGHAM
(1) Financial Request Long Tom Watershed Council

Ric said the Watershed Council receives their operating funding from OWEB. The City, in the past, has provided matching funds to secure the OWEB resources. He said in 2005 the City was asked to provide matching funding for the biennium at \$2,500 per year. Unfortunately, the 05/06 budget only contained \$1,000. The same amount was budgeted for 06/07. Ric said a request was not received from the Long Tom Watershed Council in 2005 for those funds. Ric said last month the City received the \$2,500 request for the 06/07 fiscal year. Ric is requesting authorization to expend beyond the \$2,000 budgeted over the last two years to support the Long Tom Watershed Council programs and operations.

MOTION: Sharon Hobart-Hardin a motion to direct staff to pay amounts due to the Long Tom Watershed Council. Thomas Cotter seconded the motion which passed with a vote of 5 to 0.

(2) Council Retreat Update

Ric stated he and Dick Townsend met this morning to draft an agenda for Saturday's Council Retreat. The retreat agenda is fairly aggressive. Sgt. Harrold will provide information on the impacts of the public safety measure not passing. Ric said he and Margaret have been talking about the need to update the facility plans. He said other topics of discussion will be the coordinated population plans and economic development. Ric said once staff has compiled all the surveys, he will provide them to Dick and Barb for compilation. Ric said the Retreat will start at 9:00 and end at 3:00. Ric said City staff has a strong desire to help Council with better aligning financial and non-financial resources as part of this prioritization.

7. **OTHER**

Ric said he may have to ask his two committee members to attend the Distinguished Service Awards Committee meeting. Ric said a committee has started dialog around West Eugene transportation issues. Jack Roberts is facilitating this and the first meeting is Wednesday, January 24, at 7:30 in Eugene which conflicts with the Distinguished Service Award Committee meeting. Ric asked if Sharon or Tom would take his place.

Ric said staff is still working with Russell Pope to get the franchise agreement and microwave tower lease secured with Charter. The franchise agreement discussions have gone no where. Ric said they are unwilling to sign the franchise agreement the City provided them. Veneta is one of six communities in Lane County to be served by Charter and we were the last community to have our agreement expire. Unlike the other communities, Veneta has been unable to complete the negotiations. Ric said Charter

would like to sign a long term lease and the City would like to keep it on six month intervals hoping, in good faith, to complete a franchise agreement. Ric spoke with Comcast but they will not consider Veneta a service area until the existing franchise contract has been terminated.

Margaret said a new intern from the University of Oregon was hired. His name is Philip Carol. He will be assisting the City with updating the tree ordinance. He is a certified tree arborist and was president of the local association.

8. ADJOURN

Mayor Brooker adjourned the City Council at 10:10 p.m.



T. J. Brooker, Mayor

ATTEST:



Darci Henneman, Assistant City Recorder
(minutes prepared by dhenneman)