

# Minutes of the Veneta City Council

## February 12, 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; Bruce Carlson, Tami Sakany, Scott Sanders, Joan Mariner, Dave McKittrick, Irene Jasper and Jeneca Jones, West Lane News

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Mayor Brooker called the Veneta City Council meeting to order at 7:01 p.m. Mayor Brooker told the audience there would not be a public hearing on the Vloedman Appeal because the Vloedman's filed a litigation proceeding in Lane County Circuit Court today. Mayor Brooker opened the public comment session.

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

Mr. Carlson presented a form for all E. Bolton residents to sign and give to the Lane County Sheriff's Office regarding the speed limit on E. Bolton. On the sewer matter, he said it's been seven years and it hasn't been done yet. He wanted to know why there has been so much commercial development going in. He felt the frequently asked questions sheet went out too late.

### **Tami Sakany, P.O. Box 335, Veneta, OR;**

Ms. Sakany said people are watching Veneta and looking at the City for a cue. She spoke about interpretation of land use laws and a landowner shouldn't have to fight for its right to have a business. She said the Chamber is working hard and will be hiring a full time economic developer. She asked for community help to create a community we all can be proud of.

### **Scott Sanders, 88029 9<sup>th</sup> St., Veneta, OR;**

Mr. Sanders announced the Distinguished Service Awards which are sponsored by the Kiwanis and the Fern Ridge Chamber of Commerce will be at Crow High School is March 15, 2007 at 6:30 p.m.

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

Ms. Mariner spoke on behalf of the Applegate Regional Theater. They will be putting on a play being used for rehearsals as a fundraiser for the theater group. She asked the Council to waive the rental fee of \$700 for the community center.

Mayor Brooker requested staff to take note that the waiver of the rental fee will be retro-active.

### **Dave McKittrick, 87946 Erdman, Veneta, OR;**

Mr. McKittrick said he had erected a free standing canvas canopy (which is not a permanent structure) to cover his boat in the RV access he has on the side of his home. He said City ordinance doesn't allow this kind of structure but there have been no complaints from his neighbors - several neighbors have them also. He asked the Council if the ordinance could be modified to allow this type of structure.

Margaret said she would have a memorandum written to the Mayor regarding staff's efforts to follow up on this matter.

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

Ms. Jasper said the Erdman Street development where Mr. McKittrick lives is very nice but is concerned about the mulch applied on the stream banks that washed off and is flooding the adjacent woods. Also, the woods are covered with litter and garbage from what she felt was all the contractors working in the area. She asked the City to look into this matter.

Mayor Brooker closed the public comment session at 7:20 p.m.

**1. CONSENT AGENDA**

**MOTION: Thomas Cotter made a motion to approve the consent agenda as presented. 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 22, 2007, bills paid for February 2007, the Public Works Activity Report for January 2007, and the Planning Commission Quarterly Report - 4<sup>th</sup> Quarter 2006.

**2. DEPARTMENT REPORTS**

a. FROM MAYOR/COUNCILORS

(1) Request from ART, Inc. for fee waiver and use of the Veneta Community Center

b. COUNCIL/COMMITTEE LIAISONS

**MOTION: Thomas Cotter made a motion to waive the fees for the Applegate Regional Theater for the use of the Veneta Community Center. Sharon Hobart-Hardin seconded the motion, which passed with a 4 to 0 vote. Marion Esty abstained.**

Marion Esty noted that she abstained from this vote because waiving the rental fee would be a loss of revenue for the City. She said she was not satisfied that the organization had given the Council enough information to vote unanimously.

Thomas Cotter felt the fee should be waived because ART wouldn't be taking the facility out of the hands of someone else who wanted to use it.

Darrell Carman said the City should do what ever they can to help this organization because they plan on becoming a fixture in the community.

Mayor Brooker said the community should support our local arts because they eventually they would become a cornerstone in our community. He said it was one of his goals from the goal setting session held last month.

Margaret introduced Phillip Carroll as a U of O intern working on revising the Tree Ordinance. He is working a flexible schedule where he will be at the City on Wednesday and Thursday afternoons. He is a part-time student and is also working part-time on campus.

Darrell Carman reminded everyone of the LCOG meeting on February 22, 2007, at 7:00 p.m. at City Hall.

Sharon Hobart-Hardin said the Park Board had a productive meeting with a collaborative effort and a great turn out. She said the progress on Ralph Johnson Park had moved from the design stage to the planning stage. She said Phillip Carroll was at the previous Park Board meeting and the volunteer program that Taunya Jones is working on will be a benefit to the community.

Mayor Brooker and Ric attended the orientation of the Oregon Metro Partnership this past week.

### 3. STAFF REPORTS

COMMUNITY SERVICES DIRECTOR ..... MARGARET BOUTELL

a. Custodial Amendments to the Veneta Land Development & Veneta Land Division Ordinances.

(1) Margaret Boutell said at the direction of the Council following public comment at the last meeting, staff prepared an ordinance to amend the Veneta Land Development Ordinance No. 461 and the Veneta Land Division Ordinance No. 462 and declare an emergency.

(a) **Ordinance 472** - AN ORDINANCE AMENDING THE VENETA LAND DEVELOPMENT ORDINANCE NO. 461 AND THE VENETA LAND DIVISION ORDINANCE NO. 462, AND DECLARING AN EMERGENCY. First reading by title only. Second reading by title only and for final enactment.

**MOTION:** Thomas Cotter made a motion to adopt Ordinance 472 to amend the Veneta land Development Ordinance 461. Sharon Hobart-Hardin seconded the motion which passed with a vote of 5-0.

**MOTION:** Thomas Cotter made a motion to adopt Ordinance 472 to amend the Veneta Land Division Ordinance 462. Sharon Hobart-Hardin seconded the motion which passed with a vote of 5-0.

b. Park SDC

(1) Margaret Boutell said at the direction of the Council following public comment at the last meeting, staff prepared a resolution adopting a Parks Capital Improvements Plan and repealing Resolution No. 925. Council also directed staff to prepare a resolution adopting a Parks Systems Development Charge and repealing Resolution No. 926.

(a) **Resolution 934** - A RESOLUTION ADOPTING PARKS CAPITAL IMPROVEMENT PLAN, AND REPEALING RESOLUTION NO. 925.

**MOTION:** Thomas Cotter made a motion to approve Resolution 934 adopting Parks Capital Improvement Plan and Repealing Resolution 925. Sharon Hobart-Hardin seconded the motion which passed with a vote of 5-0.

(b) **Resolution 935** - A RESOLUTION ESTABLISHING A PARKS SYSTEMS DEVELOPMENT CHARGE, AND REPEALING RESOLUTION 926.

**MOTION: Thomas Cotter made a motion to approve Resolution 935 adopting Parks Capital Improvement Plan and Repealing Resolution 926. Sharon Hobart-Hardin seconded the motion which passed with a vote of 5-0.**

c. E. Bolton Road Sewer LID - Review of Engineer's Bid

At the January 22, 2007 meeting several E. Bolton residents voiced concerns about the property at 25108 E. Bolton not being included in the LID assessments. Margaret said this property was not included in the assessments because it does not front E. Bolton Rd. Margaret referred to Chapter 3.15 of the City's code which states the property should be included if it is within 100 feet of the right of way. The property uses a driveway easement that was granted when it was partitioned into what is now 25106 and 25108 E. Bolton. The easement is not a part of the lot identified as 25108 and the property is over 100 feet away from the road. Margaret said the only way to include the property would be to amend the City code and delete the reference of 100 ft. from the right of way.

Marion Esty asked if Margaret had a recommendation. Margaret said the decision is up to the Council because it is a policy decision. Marion Esty felt the City was going around in circles. Marion Esty felt the Council hired professional people to make those decisions for the Council.

Thomas Cotter said he spent a lot of time looking over the LID project and concluded the best thing for the City to do is postpone the action until more information is acquired and possibly find a more fair way to distribute the cost of the project. He felt the process of funding a LID must become more clear to the Council and the public. He said the ground water studies were started in 2000 and it was projected the septic systems in the area would reach the aquifers at this time. He said they haven't yet, but he felt time is of the essence.

Darrell Carman agreed with Tom, if they stay on top of the project it could be completed in a realistic time frame but a project like this takes a lot of staff time. He felt the Council should step back from the project for now.

Sharon Hobart-Hardin said she was in support Tom's recommendation. She said an equity issue is involved and there may be other ways to resolve the fairness question. She suggested longer time periods to pay for the systems. She said hopefully by postponing the process, it can be done correctly and can be used in future projects.

Mayor Brooker agreed somewhat with the other Councilors, however, by delaying the project it will only increase the cost.

Thomas Cotter didn't want the delay to be more than six months.

The Council members discussed the cost and methods of what the assessed value should be for the LID project. The Council struggled with the definition of frontage and how much property should be included. Mayor Brooker said he isn't 100% positive delaying the project is in the best interest to the public but it does make sense for the Council to postpone the matter in order to get more information.

**MOTION: Thomas Cotter made a motion to postpone the E. Bolton Rd. Sewer LID project. Darrell Carman seconded the motion which passed with a vote of 4-**

**1. Mayor Brooker voted no.**

The Council members agreed to hold a public work session with the City's attorney in attendance to discuss the LID issue. Mayor Brooker said the development agreement and benefitted properties are legal issues that need to be addressed.

**4. PUBLIC HEARING - Vloedman Appeal (cancelled)**

**5. STAFF REPORTS (Continued)**

CITY ADMINISTRATOR ..... RIC INGHAM

a. Speed Limit Report from Legal Counsel

Ric said the State Traffic Engineer controls speed limits for most municipalities. He said a City is the "road authority" for roads within its boundaries but the City does not have the authority to set speed limits unless it conducts a study and recommends a speed limit. He suggested to the Council that the City put in motion the needed steps to establish lower speed limits on E. Bolton Rd.

b. Pool Funding Update

At the last meeting the architect has been hired but Ric wanted to talk about how to close the gap regarding funding. The insurance money will be used but another \$750,000 is needed to fund the entire pool. Ric suggested conducting a survey to ask Veneta and outlying area residents their response to a Bond measure. Ric referred to the voter turn out statistics included in the Council's packets. The most startling statistic is that only 10% of Veneta voters participated in the last four consecutive elections. Ric said the City would likely need to pass a bond measure in a non-general election year.

In response to a question from Marion, Ric said it is up to the Council whether to engage a survey company to possibly conduct the survey outside the City limits and determine how lengthy of a survey the Council wants it to be.

In response to a question from Mayor Brooker, Ric said that phone surveys cost is approximately \$7,000 to \$8,000.

Marion Esty suggested doing the survey and have everything ready for a 2008 Presidential Election.

Darrell Carman said the pool design wouldn't take two years to complete.

Thomas Cotter said a pool will come regardless, but the cost and how long the City wanted to be without a pool should be decided before a survey is conducted. He didn't feel a survey was needed and suggested a designation date be set for the completion of the pool and how to build the pool. He said people may not want to respond to a survey, if a long period of time lapses, the City could lose a lot of momentum. He felt there were different funds available for the pool.

Ric said the survey results could show how to successfully fund the pool, how to engage the entire community to be involved and indicate what people are willing to pay.

Sharon Hobart-Hardin supported hiring a survey company.

Ric said the survey could be expanded to 30 or 40 questions and include public safety issues.

In response to a question from Darrell Carman, Ric said the survey could be done by May, 2007.

There was discussion about finding other ways to fund the pool. Thomas Cotter said it depended on how people look at the needs of the City. He felt the pool is a current need. He said with Urban Renewal funds the pool could be built now but those funds would be taken away from the Downtown area.

Sharon Hobart-Hardin disagreed, because a pool would only impact a portion of the community and downtown would impact a greater portion of the community. She would like to see a bond measure.

Thomas Cotter said a new pool isn't more important than the downtown area but the downtown area will come at a steady pace if it's done correctly and wouldn't happen over night.

Darrell Carman asked if a bond measure could be used to repay Urban Renewal funds.

Mayor Brooker felt it wouldn't work to use Urban Renewal funds to fund the pool.

Thomas Cotter said the pool is an immediate need and the downtown plan isn't. He said if a pool wouldn't be built for four or five years, why not use Urban Renewal funds now for a pool.

Ric said Urban Renewal could be used to fill the final funding gap. If it came down to the insurance funds and we received the feedback from the survey, that the community would support a bond measure for \$400,000 to \$600,000; along with some aggressive fund raising the pool could be completely funded with a combination of all three. Ric said but even now there is an aggressive fund raising mode to acquire Territorial Sports Program fields. Ric said there is a potential of several community facilities and fund raising plans would overlay one another and it may be more productive to combine fund raising efforts. Ric said it could be that the Urban Renewal Agency could fill the last \$100,000 to \$200,000.

Mayor Brooker suggested setting up a work session some time in March.

**MOTION: Thomas Cotter made a motion to direct staff to begin the process to conduct a survey. Sharon Hobart-Hardin seconded the motion which passed with a vote of 5-0.**

Darrell Carman said he would like the survey results before the March work session.

Ric said the results from goal setting session conducted by Dick and Barbara Townsend would be provided prior to the next meeting. He said staff was hesitant to set a pool work session for the first meeting in March.

There was discussion to include other topics in the survey. Sharon Hobart-Hardin said the pool and a Parks and Recreation District should be the only things on the survey.

**MOTION: Thomas Cotter made a motion to direct staff to conduct a public survey on the new pool construction and the creation of a Parks and Recreation District**

only. Marion Esty seconded the motion which passed with a vote of 5-0.

6. **OTHER**

Mayor Brooker requested Council members to complete Ric Ingham's evaluation and bring them to the next council meeting.

7. **EXECUTIVE SESSION**

At 8:34 p.m. Mayor Brooker adjourned the Council into executive session under ORS 192.660(2)(e).

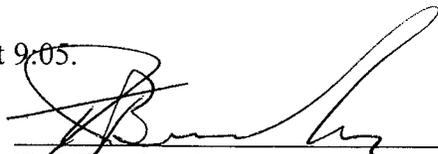
Having made no decisions, the Council returned to the regular Council session at 9:00 p.m.

The Council made the following decisions regarding the property acquisitions: property 1: pay for appraisal; property 2: monitor to see if property is sold, if not, seller could possibly sell the property to the City; property 3, and 4 are possible transactions; property 5: share in the cost of an appraisal with the identified property owner.

**MOTION:** Thomas Cotter made a motion to direct staff to acquire appraisals for Property 1, Property 2 and Property 5. Sharon Hobart-Hardin seconded the motion which passed with a vote of 5-0.

8. **ADJOURN**

Mayor Brooker adjourned the City Council at 9:05.

  
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T. J. Brooker, Mayor

ATTEST:

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