

Minutes of the Veneta City Council

September 8, 2008

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

Others: Ric Ingham, City Administrator; Jerri Moore, Finance Director; Brian Issa, Community Services Director; Sheryl Hackett, City Recorder; Mindy Sandford, Accounting Clerk; Darci Henneman, Assistant City Recorder; Andrew Polin and Ephraim Payne of the West Lane News, and Herb Vloedman

Mayor Brooker called the Veneta City Council to order at 7:00 p.m.

1. PUBLIC COMMENT

Andrew Polin introduced himself as the new owner of the West Lane News newspaper and Ephraim Payne as the editor of the West Lane News.

2. CONSENT AGENDA

MOTION: Sharon Hobart-Hardin made a motion to approve the consent agenda as presented. Thomas Cotter seconded the motion.

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

The consent agenda as approved included Minutes for August 11, 2008, Bills Paid and Payable for August, 2008, and the Public Works Activity Report for June, July & August 2008.

3. PUBLIC HEARING - (A-2-07) Amendment to Veneta Municipal Code 8.10 and Veneta Land Development Ordinance No. 461, Section 5.12 regarding Tree Removal and Landscaping.

a. Opening of Hearing

Mayor Brooker opened the Public Hearing at 7:02 p.m.

b. Declaration of Conflict of Interest or Ex-Parte Contacts None

c. Staff Report (Brian Issa)

Brian provided a staff report in a memo form. He said at the April 14, 2008 City Council meeting, the Council directed staff to complete the findings and legal review to incorporate the substantial changes which came about due to previous public input. These changes included the addition of clear and objective numerical standards for tree preservation in residential developments. Council liked the direction staff was moving but felt the changes were substantial enough to warrant another public hearing to review the final draft. Brian said staff completed the necessary buildable lands findings and legal review on the proposed code. Brian provided copies of the proposed text of VMC 8.10, Veneta Land Development Ordinance 461 Section 5.12 (landscaping) and Section 5.28 (street trees), and various maps.

Brian said a public hearing had been noticed for the September 8, 2008 Veneta City Council meeting. The findings and proposed code were posted to the website on August 22, 2008 and an email and written notice were sent to all interested parties notifying them of the hearing and that materials were available.

Staff is asking the Council to make comments, close the hearing and direct staff to return at the September 22, 2008 meeting with final resolutions and ordinances for

adoption, including any changes the Council deems necessary.

Brian said he used the numerical preservation standard to calculate the number of trees to remain in residential areas. The numerical preservation standard provides several options for preservation. He listed the three options. He said staff used the canopy coverage because it covers more area. He figured two scenarios, and the canopy coverage was more conservative than the other options.

Brian said some of the code language was changed to make it more clear and objective. Brian reviewed the changes he made. He referred to page 10 a. Option A. "Numerical preservation standard . . .", and page 12, **Section 8.10.110. Amendments to Approved Permits**. 1. Amendments. . . ." Brian said this change allows staff the discretion to remove up to 10 additional non-heritage trees. He said staff felt this is necessary because at times there are too many trees or a neighboring property owner may remove a tree or a tree could get damaged in the process of removing another tree.

In response to a question from Thomas Cotter, referring to Exhibit 3, **(6) Replacement**, Brian said developers will be responsible for replacement of street trees or trees in the right-of-way (the area between the sidewalks and the street) for up to two years. He said trees planted between a residence and the street would be the homeowner's responsibility.

Sharon Hobart-Hardin suggested consistency when referring to "365 days" and "a 12 month period". Brian said there was no reason for using both time periods and agreed to use one term throughout the code.

In response to a question from Darrell Carman, Brian said on page 3, "10.c. should refer to "2B", not "1B".

Brian said the fee in lieu of for "significant trees" will require adoption by resolution of the Council. He said if the code doesn't work the way we intended, fees set by resolution will allow the Council leeway to make the code more effective. He said currently the fees are set on a per tree basis. If a tree is removed it needs to be replaced or a fee in lieu of will apply.

Brian referred to St. Vincent/DePaul's Heather Glen project. He said almost all of the trees on that property were removed. However, their landscaping plans call for about the same number of replacement trees as were removed. He said if trees are removed and for some reason cannot be replaced, then a fee in lieu of will apply. He said the fee would pay for trees to be planted elsewhere in the City or a developer could plant the trees on other property they may own within the City. Brian said a voucher program would follow to allow the City to give residents trees for planting.

Sharon Hobart-Hardin said the tree voucher program and the mitigation language would allow for trees to be planted on City owned property or other parcels the property owner may own within the City.

d. Public Testimony

Herb Vloedman, 25115 Luther Lane, Veneta, OR

Mr. Vloedman was in favor of a new tree code. He felt the City should be cautious to make sure to provide an environment that entices commercial and industrial developers to come to the area. He said number 3 in the first section of the code amendments was too general and felt it discouraged commercial or industrial developers to properly evaluate the building costs without worrying about the challenge of removing trees. He said he is looking to purchase property within the City limits. He said he is willing to

spend more money for property without trees and not have to worry about needing to remove trees rather than purchasing property with trees and deal with the City to remove them.

e. Questions from the Veneta City Council

Sharon Hobart-Hardin thanked City staff for a thorough code. She said staff addressed the issues brought forth at the last public hearing from the City Council as well as from the majority of our community.

Darrell Carman said Brian did a marvelous job on the code amendments as far as ways to protect and mitigate trees within the City limits and said the code is one of the best in the state. He thanked Brian for his hard work but questioned the purpose and need of the declaration statements at the beginning of the code amendments.

In response to a question from Darrell Carman, Brian said as far as tracking mitigated offsite trees, he's not sure how they will be tracked but staff will somehow flag mitigated trees. He said obviously we won't get a tree for every tree that's removed because of mortality rate and other variables. Brian said staff is working on a mitigated tree inventory method, whether it would be a GIS or a paper record. Brian said somehow property with mitigated trees will be flagged for future development.

Mayor Brooker said this may take a significant amount of staff time may not be cost advantageous. We needed to find a simple way of keeping tract of mitigated tree inventory.

Darrell Carman said he would almost rather see a fee in lieu of rather than tree mitigation.

Mayor Brooker thanked Brian for his time spent on the code amendments and the legal review process.

Thomas Cotter said there is a purpose for the declaration statements and didn't find it unnecessary or offensive. He said it's important to have a tree canopy. He felt the document is a work in progress and changes along the way are okay but he is somewhat concerned about possible legal ramifications. He thanked Brian for providing the code amendments.

Marion Esty said the amount of detail is somewhat overwhelming. She is interested to see what the expenses were as far as staff time devoted to the code update.

Brian said at a certain point staff will provide a handout with facts that condense and simplify the code amendments.

f. Close of Hearing

Mayor Brooker closed the Public Hearing at 7:45 p.m.

g. Decision by Council

Mayor Brooker directed staff to bring the Code amendments back to the Council at the September 22, 2008 City Council meeting by way of resolution for adoption and first reading by title only. He said the second reading and final enactment would be at the October 13, 2008 Council meeting.

4. DEPARTMENT REPORTS

a. FROM MAYOR/COUNCILORS

- b. COUNCIL/COMMITTEE LIAISONS
Sharon Hobart-Hardin said the Parks Board met on September 3, 2008 and discussed the formation of a garden club. She said Parks Board would initiate the Club but would not chair the club. She said there will be a car wash at Cup of Joe's in the Fern Ridge Shopping Center parking lot on Saturday, September 12, 2008 to raise pool construction funds. She said information about the pool bond process and construction will be provided.

Thomas Cotter reminded everyone of the pool demolition day has been postponed from September 27 until further notice.

Brian said the pool committee decided to postpone the demolition of the pool until after the bond measure passes to ensure the City doesn't lose the existing pool facilities which could be used for storage.

Mayor Brooker said the celebration for Leslie Scott of Oregon Country Fair was held at Our Daily Bread Restaurant. The City wanted to make sure she was honored for her work at the Oregon Country Fair. He said the regional transportation discussions continue and another mayor's roundtable will be in October, 2008.

5. STAFF REPORTS

a. FINANCE DIRECTOR JERRI MOORE

- (1) 2008 Zumwalt Campground Revenue & Expenditure Report (Mindy Sandford)
Mindy thanked the Council for supporting the Zumwalt Campground. She said there were a few challenges at the beginning, but was able to work through them. She said 75 volunteers come from all over the county to volunteer at the campground. She said there was record attendance at the campground this year. She reviewed the revenue and expenditure report for the 2008 Zumwalt Campground operations. She thanked staff and public works for allowing her to run the camp during that week. She asked if the Council had any questions.

Mayor Brooker suggested the Council show their appreciation to all City staff by awarding \$500 from the discretionary fund for the hard work staff and public works did in setting up and running the Zumwalt Campground. He suggested a pizza party.

Marion Esty and Sharon Hobart-Hardin agreed.

In response to a question from Marion Esty, Mindy said she starts planning for the Zumwalt Campground in December.

MOTION: Sharon Hobart-Hardin made a motion to award City staff with \$500 from the Discretionary fund for a staff party. Marion Esty seconded the motion which passed with a vote of 5-0.

Ric thanked the Council on behalf of all City employees but said staff would more than likely donate the funds to a local charity. He said the bus service from Veneta to the Oregon Country Fair was a huge success and suggested some of the Campground's net proceeds could be put toward a Sunday bus or possibly the City could pay the bus expense for Friday and Saturday and ask the Oregon Country Fair to pay for a Sunday bus. He said staff would look into this.

- (2) 4th Quarter Financial Report
Jerri Moore reviewed the financial report for fiscal year ending June 30, 2008. She asked the Council if they had any questions regarding the pre-audit report. She said staff is still in the process of doing year end adjustments, normal revenue and expenditure entries, such as State Revenue received in July.

In response to a question from Sharon Hobart-Hardin, Jerri said of the \$242,000 budgeted for contracted services in the Parks and Recreation Fund, \$176,000 was allocated for pool development. Only \$6,600 in expenditures occurred during FY 2007-08.

Ric said 2007-08 was the first time in four years some of the ending fund balances had a decrease. He said the expenditures in the Inverse Condemnation Fund is one of the reasons for the decrease. He said also the City paid out all the expenses for the Bolton Hill Road LID project. He said the funding package has not been completed to allow reimbursement to the City once the LID is in place. Ric said we will continue to be challenged in the municipal water fund. He said this is reflected in the Water Fund ending fund balance. He said we need to make sure water sources are available.

- (3) Auditor Recommendation
Jerri said the RFP process for municipal auditing services was advertised in early August. She said two proposals were received within the RFP timeline. Grimstad & Associates in Newport, Oregon and Steve Tuchscherer, CPA, PC from Roseburg submitted proposals to provide municipal auditing services to the City. She said a Proposal Review Committee was formed consisting of Sharon Hobart-Hardin, John Paulson, CPA and herself. After a thorough review by the Committee, they recommended accepting the proposal submitted by Steve Tuchscherer, CPA, PC. His all inclusive fee for the 2007-08 fiscal year audits was \$14,550. She said this was significantly less than the quote received from Grimstad & Associates of \$28,260. She said Mr. Tuchscherer's quote was also \$5500 less than what the City paid for the 2006-07 audit. She said the Review Committee wanted to make sure they made the right decision, that the possible cost savings didn't out weigh the level of expertise. Jerri contacted existing clients for references on the two CPA firms and she received positive responses from all those contacted.

In response to a question from Darrell Carman, Jerri said she contacted Mr. Tuchscherer's firm to confirm his quote included all the auditing services the City would require including auditing services for the Urban Renewal Agency.

Sharon Hobart-Hardin said she was surprised we only received two bids. She said the two proposals were very similar and after reviewing the proposals and having the process and products explained to her, she felt the Committee made the right decision in selecting Mr. Tuchscherer as the City's new auditor.

In response to a question from Mayor Brooker, Jerri said Mr. Tuchscherer's firm is doing audits for other municipalities.

MOTION: Sharon Hobart-Hardin made a motion to award the Municipal Auditing Services for the City of Veneta and Veneta Urban Renewal Agency to Steve Tuchscherer, CPA, PC. Thomas Cotter seconded the motion which

passed with a vote of 5-0.

Ric said staff will make sure prior to entering into a contract with Mr. Tuchscherer, City staff has gone above and beyond reviewing the contract so there's no question that the level of services provided by Mr. Tuchscherer will accommodate the City's needs.

Jerri said the audit field work will take place the week of October 13 through the 17, 2008. She said she would contact the new audit firm the following day.

Mayor Brooker said he would like to review the contract with Ric prior to it being signed.

b. COMMUNITY SERVICES DIRECTOR..... BRIAN ISSA

Brian said the planning department has received a few planning applications, which have been fairly small. He said staff is also working on odd property line adjustments. He said Zac and Sheryl have been working on code enforcement updates including downtown design codes and new zoning codes. He said staff may seek some assistance with the Transportation and Growth Management Grant program. He said because development has slowed some, staff is concentrating on more in-depth code updates which will be presented to the Council soon.

c. CITY ADMINISTRATOR..... RIC INGHAM

(1) West Lane Cities Alliance

Ric said it is the desire of Junction City, Florence and Veneta to create the West Lane Cities Alliance. He said Florence appointed two members last Monday and Junction City will appoint two members tomorrow night. City staff would like two Council members to come together with the two cities' Council representatives to discuss the issues. He said currently the goal is to organize a joint session of the three Councils to meet after the first of the year. He asked the Council if anyone was interested in sitting on that formation committee.

Sharon Hobart-Hardin and Darrell Carman volunteered to sit on the committee. Sharon Hobart-Hardin is looking forward to those meetings.

In response to a question from Darrell Carman, Ric said the first step is creating a preliminary foundation for the Committee to meet over the next couple of months. The three City managers would like to meet once a month until the end of the year to organize the joint Council meetings for the upcoming year.

Thomas Cotter said an employee review was due in February, 2008 for the City Administrator. The Council agreed the review needed to be scheduled soon.

6. OTHER

a. League of Oregon Cities (LOC) Conference

Ric said the LOC conference will be held October 2-4, 2008 in Salem. He said it will be an outstanding conference. He told the Council to contact Darci to make hotel and registration arrangements for those wishing to attend.

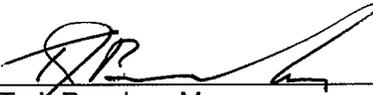
Brian said the ballot measure yard signs will be arriving soon but the Pool Committee

would like to time putting the yard signs out with the release of the ballot and voter's pamphlet.

Sheryl Hackett, City Recorder, reminded everyone of the upcoming Mayor and Council vacancies. She said the Mayorship and two Council positions will be vacant January 1, 2009. She said two applications for Mayor were received, one from Sharleen Hunter and one from Sharon Hobart-Hardin. She said no candidates filed for the City Council vacancies. She said there is a write in process for the Council vacancies which will need to be followed.

7. ADJOURN

Mayor Brooker adjourned the City Council at 8:25 p.m.



T. J. Brooker, Mayor

ATTEST:



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