

Minutes of the Veneta City Council

October 13, 2008

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

Others: Ric Ingham, City Administrator; Sheryl Hackett, City Recorder; Darci Henneman, Assistant City Recorder; Sandra Larson and Joan Mariner

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

1. PUBLIC COMMENT

Sandra Larson, 25456 E. Hunter, Veneta, OR

Ms. Larson announced that she will be campaigning as is a write in candidate for one of the City Council vacancies. She introduced herself and provided flyers to the Council members.

Marion Esty arrived at 7:01 p.m.

Tabitha Eck, 88170 Territorial Road, Veneta, OR

Ms. Eck thanked the Council for all they do and will continue to do for the citizens of Veneta and our surrounding community. She was very pleased to hear the City of Veneta is working on tourism and other issues with Junction City and Florence. She said there are many opportunities for our community and she is hopeful for the future. She would also like to see the City tie in with CVALCO on tourism issues.

2. CONSENT AGENDA

MOTION: Sharon Hobart-Hardin made a motion to approve the consent agenda as presented. Darrell Carman 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 September 22, 2008, Bills Payable for September 2008 and the Public Works Activity Report for September, 2008.

3. DEPARTMENT REPORTS

a. CHAMBER OF COMMERCE ISSUES CITY LEGAL COUNSEL
Ric introduced Ken Jones, legal counsel for the City of Veneta. Mr. Jones said it has been brought to his attention that on several occasions the City has requested minutes and financial records from the Fern Ridge Chamber of Commerce (Chamber). Mr. Jones said as a member of the Chamber, the City of Veneta may review any Chamber records. Mr. Jones said because the Chamber has not complied with several verbal requests made since 2007, he recommended that the Council direct him to draft a letter to the Chamber. He said the letter would outline specific requests such as being provided with a ballot of potential board members and notifying the Chamber President that the Chamber has not followed their own bylaws by not making meeting records available to Chamber members. Mr. Jones said one key issue is when Chamber elections are held, their bylaws need to be strictly followed in order to carry out the work that the Board members were elected to do.

In response to a question from Darrell Carman, Mr. Jones said he is very cognizant of the importance of the relationship City and the Chamber should have. He said Oregon statutes provide that as a member of the Fern Ridge Chamber of Commerce, the City has the right to request copies of financial records or records pertaining to Board

member appointments or resignations. He said ORS Chapter 65 is very clear about records that members of the Chamber are entitled to receive once they've been requested. He wanted to make sure the Council was in favor of the City requesting the records. He said once we received the documents the City would be working from a factual basis in order to keep the relationship positive.

Mayor Brooker said the City is very concerned about some issues with the Chamber. He said there is a lot at stake with the economic development of the community. He said several document requests from the City have gone unanswered. He said many things have improved but there is concern regarding tourism funds the Chamber receives. He said the community would like to know how those funds were spent and/or how the Chamber intends on spending them.

In response to a question from Marion Esty, Mayor Brooker said the Chamber has not published financial reports. He said a letter from Mr. Jones will be the City's formal request for those records.

Sharon Hobart-Hardin said a meeting was scheduled between the City and the Chamber; in attendance was Mayor Brooker, herself and Ric Ingham, the Chamber President and economic development coordinator. She said the agenda included a discussion on common goals or projects the City and Chamber could work on together to get the most out of the money spent. She said the City brought their partnering goals to the table but the Chamber did not. She said the City also requested Chamber financial records at that time.

Darrell Carman and Thomas Cotter had no comment.

Marion Esty said she has known Jim Welsh, Chamber president, for many years. She said he has been very helpful to the community and would want to correct the situation.

Mayor Brooker reconveyed that the City doesn't want any misinterpretation of Ken Jones' letter to the Chamber, on behalf of the City, requesting Chamber financial records. He asked the Council whether or not they agreed to have Mr. Jones draft a formal request for documents from the Chamber.

In response to a question from Darrell Carman, Ric said as a member of the Chamber, the City is concerned that possibly the Chamber's election process did not follow their bylaws. He said some members of the Chamber Board were asked to step aside. He also said the City has a fiduciary responsibility to monitor any funding that goes to the Chamber if any possible irregular activities are taking place.

In response to a question from Marion Esty, Ken Jones said he has reviewed the Chamber bylaws and there are many inconsistencies between the bylaws and how the Chamber is operating.

Mayor Brooker said the Chamber Board is the go-between for the Chamber to partner with the City. He said we don't have a clear understanding of how the election process of the Chamber Board members is taking place.

In response to a question from Darrell Carman, Ric said the City has asked to review Chamber financial records and minutes since 2007. He said those requests have gone unanswered. Ric provided a copy of a letter from Attorney Russell Poppe, to Chamber President Jim Welsh. Ric said Ms. McCoy and Ms. Eck are represented individually by Russell Poppe and the City is not involved in their dispute with the Chamber. He said the City was having issues prior to Mr. Poppe's letter being written and the McCoy/Eck

dispute is not the catalyst that initiated the action from the City.

In response to a question from Ric Ingham, Ken Jones said any and all Chamber members are entitled to view Chamber minutes, financial and election records.

In response to a question from Marion Esty, Ms. Eck said she serves as a board member to other organizations in our community and is also a member of Community Action Network (CAN). Mr. Charlie Hamada is the president elect for the Kiwanis.

MOTION: Darrell Carman made a motion to direct Ken Jones, City Counsel, to write a letter to the Fern Ridge Chamber of Commerce making a formal request for Chamber minutes and documentation of the recent election and financial records. Sharon Hobart-Hardin seconded the motion which passed with a vote of 5-0.

b. FROM MAYOR/COUNCILORS

c. COUNCIL/COMMITTEE LIAISONS

Marion Esty said there has been some write up in the West Lane News about the recent activity to form a community Garden Club. She said she received a phone call from a Veneta resident who has been a member of the Garden Club that was formed many years ago. The woman said members of that original Garden Club still meet on Wednesdays. Marion Esty said the group is also very active in the museum. Marion Esty said she is hopeful to follow up with these past members and would like to include them in the newly formed Garden Club.

Ric said Denise Hand, a Parks Board member, is arranging a follow up Garden Club meeting at the library.

Thomas Cotter said the Pool Committee will soon be going door to door providing a handout to encourage people to vote "yes" on Measure 20-140. He said there have been several positive articles in the West Lane News and the Register Guard newspapers. He said it's very simple, if the bond measure doesn't pass, the pool won't be built.

Darrell Carman said LCOG met on October 2, 2008 at the Willamalane Parks and Recreation Facility. He said the facility offers many activities for all walks of life. He is looking forward to our new pool facility. He said the state congressional delegation attended the meeting to receive comments. He said Jim Torrey, a 28J District School Board member, spoke about new ways to better fund our schools, education and the new graduating requirements that will increase school budgets.

Sharon Hobart-Hardin said there was a Parks Board meeting on October 1, 2008. She said the Parks Board rented two tables at the holiday bazaar at Veneta Elementary to sell the "Fern Ridge Opolo" game. She said the bazaar will be Friday and Saturday, November 21 and 22, 2008. She said the Garden Club and the Veneta Parks Board will host a meeting at the Fern Ridge Community Library. She said there will be a speaker from Decker's Nursery to discuss winterizing outdoor plants. She said Denise Hand, a Parks Board member, is chairing the meeting to kick off the formation of the Garden Club and to provide an opportunity for people to join the Garden Club. She said the meeting will be held the end of October.

Mayor Brooker said he participated in the pool construction fundraiser which raised \$500.

Thomas Cotter acknowledged Gail Wilkie, Chair of the Parks Board, who has done a lot of work for the pool construction committee.

Mayor Brooker said Wednesday, October 15, 2008 is City Hall day in Cottage Grove. He is not able to attend but is hopeful other Council members will try to attend the meeting.

Sharon Hobart-Hardin has two other meetings that night. Ric said he will be attending the Youth Leadership meeting which is a funding meeting for next year's Explorer's Club.

4. STAFF REPORTS

a. CITY RECORDER SHERYL HACKETT

- (1) **Ordinance No. 483** - AN ORDINANCE OF THE CITY OF VENETA REGULATING THE CUTTING DESTRUCTION AND REMOVAL OF TREES, PROVIDING PENALTIES FOR SUCH ACTIONS, AND REPEALING ORDINANCE NO. 399. Second Reading by Title Only and for Final Enactment

Sheryl Hackett said Carrie Connelly, Legal Counsel, recommended some minor clarifications to both Ordinance No. 482 and 483 regarding adoption of the Findings of Fact. She said those changes were reviewed at the first reading of the Ordinances at the September 22, 2008 Council meeting.

MOTION: Thomas Cotter made a motion to approve Ordinance 483 for the second reading by title only and for final enactment. Sharon Hobart-Hardin seconded the motion which passed with a vote of 5-0.

Ordinance No. 483 was read into the record by title only.

- (2) LANDSCAPING AND STREET TREE STANDARDS
Ordinance No. 484 - AN ORDINANCE AMENDING THE VENETA LAND DEVELOPMENT ORDINANCE NO. 461, ARTICLE 5. Second Reading by Title Only and for Final Enactment

MOTION: Sharon Hobart-Hardin made a motion to approve Ordinance 484 for the second reading by title only and for final enactment. Thomas Cotter seconded the motion which passed with a vote of 5-0.

Ordinance No. 484 was read into the record by title only.

- (3) **Resolution 983** - A RESOLUTION ESTABLISHING DOG LICENSING AND OTHER ANIMAL CONTROL FEES AND FINES FOR THE CITY OF VENETA; AND REPEALING RESOLUTION NO. 732.

Sheryl Hackett said staff received a call from the Veneta Veterinary Clinic requesting an increase of the \$1 they receive from the City for every dog license they issue. They receive \$2.50 from Lane County for the same service. She said after conducting extensive research, Teresa Warrick, Code Enforcement Specialist, prepared a comparison of the City's current dog license fees with other jurisdictions and found that Veneta's fees fall far below the average collected. She also suggested the City sell two and three year dog licenses which have not been available in the past. This will reduce the cost to the pet owner and also reduce staff time. Sheryl also recommended increasing bail amounts for violations. Staff is recommending the Council repeal Resolution No. 738 and adopt Resolution No. 983, increasing the annual dog license fee, impound fees, updating the bail schedule and adding a two or three year dog license.

In response to a question from Joan Mariner, Sheryl said a county dog license is

only required if you live outside city limits.

Joan Mariner, 25712 Cochran Ct., Veneta, OR

Ms. Mariner said licensing dogs unfortunately is not popular, but animal control is an issue that needs to be addressed. She was very much in favor of the new resolution because it assists in creating a safer community.

Mayor Brooker said pet care is very important. Not only is it humane but locating an owner is far easier when the animals are licensed.

In response to a question from Thomas Cotter, Sheryl said currently a public works employee is assigned to animal control. She said they are sent out to pick up dogs at large. She said the dog will be held at Public Works office in a dog carrier while the City attempts to locate the owners. She said an impound fee is charged if we need to hold the dog overnight or until it can be taken to Lane County Animal Control. She said if the dog is unlicensed, the owner will receive citations for "no license" and "dog at large".

Sharon Hobart-Hardin said the fees are very reasonable and she supports a three year license. Mayor Brooker agreed.

In response to questions from Darrel Carman, Sheryl said if an unlicensed dog is picked up, a dog license is required before the dog is released to the owner. She said a reminder letter is sent to residents that need to renew an existing license. If the license is not renewed by the expiration date, a late fee is assessed. Sheryl said Ordinance No. 983 sets the number of dogs allowed per household at no more than three.

In response to a question from Darrell Carman, Ric said the VMC defines a "watch dog" as a dog that is kept at a business to protect inventory/property and is trained to attack intruders. He said an additional fee is required because of the potential liability of a "watch dog".

MOTION: Sharon Hobart-Hardin made a motion to approve Resolution No. 983 repealing Resolution No. 738. Darrell Carman seconded the motion which passed with a vote of 5-0.

b. CITY ADMINISTRATOR RIC INGHAM

Ric reiterated City Hall day will be in Cottage Grove on October 15, 2008. He encouraged available Councilors to attend. He said there will be six to eight networks with our legislators at the meeting. He said ODOT has asked cities not to go to congressional representatives for transportation earmarks. He said their process dictates the Lane County Board of Commissioners identify potential earmark projects. He said a two million dollar project for Highway 126 was approved by the Lane County Board of Commissioners last week. He said OTC still needs to approve the project but they are not looking at the project very favorably. He said, however, we are encouraged to see the project made it past the Commissioners.

Ric said Marie Bailey, the Farmers' Market Coordinator is working with the Broadway Events Center (BEC) to have the Farmers' Market move indoors on October 17 from 12:00 p.m. to 6:00 p.m. She indicated there is good vendor participation for that market and has scheduled a market for Friday, November 21 to coincide with the holiday bazaars being held throughout the area that same weekend.

Mayor Brooker suggested advertising the indoor Farmers' Market for those two days.

Ric said Ms. Bailey's contract with the City as the Farmers' Market Coordinator ended in September 2008. He said she is moving forward on her own with the indoor Market. He requested a written proposal from her regarding an indoor Market but he has yet to receive anything. He said at this point, because the indoor Market is not a City project we will not be providing any advertising.

Thomas Cotter suggested providing an opportunity for candidates to introduce themselves at an upcoming Council meeting. He is not suggesting the City provide a platform for candidates but an opportunity to introduce themselves at a public meeting. He said it would not be a question and answer session but just an introduction. He said it would be a way for the community to know who's running for office.

Mayor Brooker suggested staff research the legality of the City sponsoring something like that. He said however, candidates could be invited to speak directly to the Council.

Ric said City staff cannot support candidates. He said the Chamber is providing an opportunity for candidates to speak at their breakfast meeting on October 29, 2008.

Ric introduced Sherry Hunter, who was in the audience, as a mayoral candidate.

Sheryl Hackett said she could research the topic and report back to the Council. She said Sandra Larson introduced herself at tonight's meeting as a write-in for one of the Council vacancies. Sheryl said the City did not violate any election laws in allowing her or anyone else to speak during the public comment session of a City Council meeting.

Joan Mariner, 25712 Cochran Ct., Veneta, OR

Ms. Mariner thought it would be difficult for the City or Council to be impartial since one of the Councilors is running for Mayor.

There was much discussion between the Councilors on whether or not a Council meeting is the proper forum for potential candidates. The Council directed Sheryl Hackett to research the matter and report back at the October 22, 2008 Council meeting.

5. OTHER

Ric said Jerri Moore is working on budget materials. He said the new audit firm arrived today to conduct the 2007-08 audit. He said staff is very pleased so far and are confident the audit process will go smoothly.

Neither staff nor Councilors had anything else to add.

Mayor Brooker temporarily adjourned the City Council meeting at 8:01 p.m. and opened the Veneta Urban Renewal Agency meeting. Mayor Brooker adjourned the Urban Renewal Agency meeting at 8:50 p.m. and took a short break before entering into the Executive Session of the Veneta City Council at 9:00 p.m.

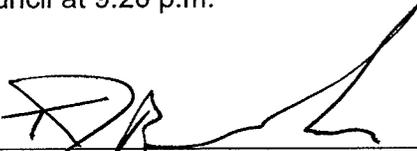
6. EXECUTIVE SESSION, ORS 192.660(2)(1) - City Administrator Evaluation

Having made no decisions, Mayor Brooker closed the Executive Session and returned to the

regular City Council meeting at 9:20 p.m.

7. **ADJOURN**

Mayor Brooker adjourned the City Council at 9:20 p.m.



T. J. Brooker, Mayor

ATTEST:



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