

Minutes of the Veneta City Council
November 10, 2008

Council

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

Others: Ric Ingham, City Administrator; Sheryl Hackett, City Recorder; Brian Issa, Community Services Director; Kyle Schauer, Public Works Superintendent; Jerry Elliott, City Engineer; Jerri Moore, Finance Director; Sherry Hunter; and Tracy Huffman

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

1. PUBLIC COMMENTS:

Sherry Hunter; 25468 Jeans Road; Veneta, OR

Ms. Hunter congratulated Sharon Hobart-Hardin for being elected as Mayor and said she also celebrates the passage of several initiatives that impact the community. She publicly thanked the citizens of Veneta that supported her campaign. She said her campaign was not politically motivated and that she ran for Mayor without any outside money or big name supporters. She called it a "people's campaign" that she ran the American way by walking the streets and talking to people about the things they need and the problems they have with the way the City is run. She said she felt it was important for her to be a voice for them and the election showed that every person and every vote is important. She said one vote could have changed the direction of the whole community and the lives of the two candidates. She said she hopes the election sets a standard for the Council and for the community to work together. She said the citizens need to respect the people they elect and the Council needs to be accountable to them. She asked the Council to use the resources that have been negative in a positive way for the community. She said she sees the community as vibrant and growing. She said she did not run as a front person for anyone else and that personally she would not have run if she did not feel up to doing the job. She said she will support the Council that has been elected and will urge everyone in the community to do the same. She said the community will watch, support, and hold the Council accountable.

Tracy Huffman, Operations Supervisor; Siuslaw Bank; 87860 Territorial Road; Veneta, OR

Ms. Huffman appeared on behalf of Branch Manager Scott Sanders to thank the City staff and Council for providing Siuslaw Bank with the opportunity to compete for their business. She said Siuslaw Bank was founded more than forty years ago on a philosophy of building relationships within the community. Deposits held at the bank stay in the community and are returned to the local economy through home mortgages and commercial loans. She said Scott believes that the bank and the City share many of the same values and they would like to make the community a great place for everyone.

2. CONSENT AGENDA.

MOTION: Sharon Hobart-Hardin made a motion to approve the consent agenda as presented. Thomas Cotter 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 October 27, 2008, bills payable for October/November 2008, Public Works Activity Report for October 2008, and the 2008 Light Parade permit application.

3 PUBLIC HEARING (A-1-08)

Amendments and additions to the Land Development Ordinance 461, Article 2-Administrative Provisions

Amendments and additions to the Land Division Ordinance 452, Article 4-Subdivisions, Article 5-Partitions.

a. Open Hearing: Mayor Brooker opened the public hearing at 7:08 p.m.

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

c. Staff Report (Zac Moody)

Zac Moody explained to the Council that the purpose of the amendments to Article 2 of the Land Development Ordinance is to tie the code enforcement section to the current Municipal Code nuisance ordinance and allow some actions to be taken by the City Administrator or designee without referral to the City Attorney. In addition, language was added to clarify who the responsible party is. The purpose of amendments to Articles 4 & 5 of the Land Division Ordinance is to more clearly identify the information required when applicants submit tentative and final applications for partitions and subdivisions. Many of the changes were organizational only. Minor changes included changing the number of copies to be submitted with applications. A legal lot verification requirement has been added, the time-line for submitting extension requirements has been modified, a requirement for submitting separate maps for utilities has been added, and language to clarify a major amendment was added.

Zac reviewed his staff report with the Council which included a request from the Lane County Surveyor to add a requirement for developers to have street name approval from Lane County prior to submitting their plats. No other public comments were received. Proposed changes in the staff report were shown in legislative format as deletions or additions.

In addition to the changes to Article 2 that clarify the enforcement process, Zac pointed out that the minimum fine increased from \$50 to \$105 to account for the portion of a fine that must be paid as assessments to the state and county.

Zac said the changes to Article 4 of the Land Division ordinance were much the same as Article 5. Article 4 lists subdivision requirements and Article 5 lists partition requirements. One of the goals was to make the terminology and the sections of the code consistent with each other. Changes included adding the following requirements: (1) maps are to be 18" X 24" in size, (2) applications

must include an electronic copy of all submittals, and (3) separate maps showing existing conditions, the proposed tentative plan, utilities, significant site features, tree removal and mitigation are to be submitted. He said the map requirements were added for the purpose of legibility and clarity. A requirement for legal lot verification and certification of proposed street names were added to both Articles. The extension section of both articles was modified to set a time frame in which an extension can be requested and to limit the number of extensions that can be granted. In addition, sections of the code were reorganized to make it easier for the applicant to submit a complete application.

In response to a question, Zac said staff encourages applicants to submit one set of maps for a completeness review before they print multiple copies. He said having the information on separate maps will reduce staff review time which could offset the cost of making additional maps.

In response to a question from Thomas Cotter, Zac said the City currently does not have a fee for legal lot verification but it is something that could be adopted.

Zac explained that if a lot is found to not be legal, it can usually be corrected by a lot line adjustment or partition.

Sharon Hobart-Hardin questioned the term "servants" being used in a section of the code. Zac said he will research that term and make the appropriate terminology change.

Zac pointed out several other changes. The City Attorney recommended adding "or designee" to the Mayor's certification of a final plat in Section 4.05(6)(d). A requirement has been added for the applicant to provide the City with a laminated copy of the final plat which will help preserve the record. Additional copies of final plat maps were also added so the City will have enough maps to send out for referrals.

Staff recommends approval of the proposed changes as outlined.

d. Public Testimony

Sherry Hunter; 25468 Jeans Road; Veneta, OR

In response to a question from Sherry Hunter; Brian Issa said the reason the City Attorney recommended adding the words "or designee" to the Mayor's certificate on the final plat is to allow the City Administrator to sign in the event the Mayor is unavailable.

Mayor Brooker closed the public testimony portion of the hearing at 7:42 p.m. and called for questions from the Council.

e. Questions from the Veneta City Council

In response to a question from Thomas Cotter about how the changes would affect the fee structure, Zac explained that applicants pay a deposit at the time they submit an application and they are billed for actual processing costs. He said the changes to the code should help developers submit more complete

applications which would reduce the staff time for processing applications.

Mayor Brooker pointed out that the additional maps could add some cost for the developer. In response, Zac said the cost of producing the maps would be greater; however, if the information is easier for staff to read, the increased cost of the maps would possibly be offset by saving the developer staff processing costs.

Darrell Carman said the number of maps would increase from 15 to 75 and the cost for that is not insignificant. He also pointed out there could be a greater chance for errors if the information is not on the same map because you can't see how layers relate to each other. In response, Brian said the City deals with two types of developers, one is the professional and the other is the non-professional. He said maps done professionally are usually presented in a more legible form; however, the amount of required information creates the need for a lot of line work. Currently contours, wetland boundaries, greenways, lot lines, and utility lines are all shown on one map. The number of lines often gets very difficult to read. He said staff is open to suggestions for a better way to address that problem.

- f. Close of Public Hearing: Mayor Brooker closed the public hearing at 7:50 p.m.

MOTION: Sharon Hobart-Harding made a motion to approve the proposed changes to the Land Development and Land Division Ordinances. Thomas Cotter seconded the motion which passed with a vote of 5-0.

4. DEPARTMENT REPORTS

- a. FROM MAYOR/COUNCILORS: None

- b. COUNCIL/COMMITTEE LIAISONS

The Council and Mayor all went on the record thanking the citizens for passing both the pool and library measures.

Mayor Brooker thanked the pool committee and staff for all of the work they put in to get the pool measure passed.

Sharon Hobart-Hardin said the community support will increase the chances of the City being awarded grants for the pool.

5. STAFF REPORTS

- a. CITY ENGINEER (Jerry Elliott)

- (1) Wastewater Conveyance Alternatives

Ric said Jerry Elliott presented staff with several alternatives for the wastewater collection system. Staff reviewed those alternatives and submitted a list of questions to be answered. Jerry then prepared additional information and costs for each of the alternatives. After reviewing the additional information, staff chose two of the alternatives based on cost, impact on the City and existing streets. Jerry has been asked to present and discuss those alternatives to the Council. He said

the two preferred alternatives are very different as far as their impact on the City, both during construction and long term.

Jerry said the four alternatives were (1) Pump, (2) Hunter Gravity Alignment, (3) Avoid Territorial Gravity, and (4) New Alignment. He reviewed the pros and cons of all four alternatives. He also discussed the current bottlenecks in the system that would be corrected with the new collection system.

The two recommended alternatives were the Pump Alternative and the Hunter Alignment. The cost factors included construction, contingencies, engineering, administrative/legal, and operations/maintenance.

Alternative #1 - The pumping alternative includes two new pumping stations on the east side of town, one on Huston Road and one in the northeast employment center. Wastewater would be delivered to the treatment plant through a new pipe corridor along the railroad tracks. He said pressure lines can be fairly shallow compared to gravity flow lines so they are much less costly to construct. He said a pump system also has more flexibility for a phased design. He agreed with Thomas Cotter that the maintenance costs would be higher than a gravity system.

Alternative #2 - The Hunter Alignment Alternative would retain the existing pump stations on Pine Street and in the West Lane Center but would require the installation of larger gravity flow pipes that would need to be very deep. Some of the deep excavation could be avoided depending on the route; however, it would require the purchase of more easements than the Pump alternative.

Jerry said the other two alternatives were not cost effective.

In response to Mayor Brooker pointing out that the City will need to acquire land for new pump stations, Ric said the pump alternative could be done in phases and land would be acquired for pump stations at the time a development proposal is submitted.

Jerry Elliott said once an alternative is chosen he will prepare a Capital Improvement Program (CIP) which will be calculated into the City's Systems Development Charge. He said he will work with staff to determine what improvements the City would pay for and what improvements would be the responsibility of the developer.

Mayor Brooker said he prefers Alternative #1 because it has greater flexibility and fewer bottlenecks.

In response to concerns over higher maintenance costs with pump stations, Jerry Elliott said those costs have been factored into the cost estimates provided with his recommendation. He said Alternative #1 has a lower over-all cost.

In response to a question about where the pump stations would be

located, Kyle Schauer said they need to be at the lowest points in the City to allow for the greatest area to be served via gravity flow to them. Although he prefers gravity flow from a maintenance standpoint, he said the Pine Street station has been very reliable and pump stations are very common in other jurisdictions. He said it is not unusual for a town to have 70-80 lift stations.

In response to a question from Sharon Hobart-Hardin, Jerry said once the Council decides on an alternative he will come back to the Council with a CIP within 30 days. The next step would be to develop a time-line for development of the system. He said the first priority would be to correct the bottleneck at Hunter and Territorial Road. He said the time-line will rely partly on development pressures.

In response to a question from Sharon Hobart-Hardin, Ric said staff is leaning towards Alternative #1.

Kyle said Alternative #1 is less disruptive to the community and existing infrastructure. It also has more potential for future upgrades.

Brian Issa agreed that Alternative #1 better accommodates future growth because it is more easily upsized to handle an expanded Urban Growth Boundary (UGB).

MOTION: Darrell Carman made a motion to chose Alternative #1. Sharon Hobart-Hardin seconded the motion.

Discussion: Mayor Brooker asked that the Council have opportunity to comment at the next step in the project.

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

- (2) Pre-design Proposal for Well 12
Discussion was postponed until the November 24, 2008 Council meeting.

b. PUBLIC WORKS SUPERINTENDENT (Kyle Schauer)

- (1) Water Quality Violation Notice
As part of the State Drinking Water Program the City is required to do weekly water testing at different locations throughout the City for total coliform bacteria. Last week the City had the first positive test in years. Kyle explained that total coliform is bacteria which are prevalent in everyday life. Drinking water is tested for total coliform because it is easy to identify and is an indicator that other bacteria may be present. If water tests positive for total coliform it is then tested for e-coli and other bacteria that pose a health risk. The tests for the harmful types of bacteria were negative. Although no harmful bacteria were found and the latest total coliform tests were negative, the City is still considered to have had a violation and is required to send a notice to all water customers within 30 days. The State has provided a template for that notice which will be mailed to all water account customers, posted on the

website, and posted on the bulletin board at City Hall.

In response to questions about the possible cause of the contamination, Kyle said it could be as simple as a water line break that allowed some dirt to get into the system. Kyle said this type of violation is fairly common throughout the industry.

The Council thanked staff for letting them know about the violation and notice being sent.

c. CITY ADMINISTRATOR (Ric Ingham)

(1) Wings and Wine Calendar

Ric reported that the City has been notified that it is eligible for \$6,227 Rural Tourism marketing program funds for the Lane County 2008-09 grant year. The agreement will be reviewed by the Council at their November 24th meeting so it can be sent back to the County by December 1, 2008.

Ric showed the Council the proof for a calendar that contains artwork by the winners of the Wings and Wine Youth Art Contest. The organizer, Jenny Ramsey, received a grant for the project but was notified last week that the grant did not contain enough money to have the calendars printed. A request has been made for the City to approve the printing of 500 calendars to be sold at the Holiday Bazaar. The cost for 500 calendars, including setup, is \$2,068 and calendars would be sold for \$10.00 each. Any proceeds over the cost of printing will be used to support the 2009 Youth Art Contest. Ric suggested using Rural Tourism Funds to pay for the printing costs.

MOTION: Thomas Cotter made a motion to fund printing the Wings and Wine Youth Art Contest Calendar in the amount of \$1,943 plus \$125 set up costs from the Rural Tourism Marketing Program Grant. Marion Esty seconded the motion which passed with a vote of 5-0.

6. OTHER

Ric presented the Council with a request for funding in the amount of \$179.00 from Our Daily Bread Restaurant and the Broadway Event Center to help cover the cost of advertising to promote a Holiday Bazaar the weekend of November 21st and 22nd at Our Daily Bread Restaurant. The event is an off-shoot of the Veneta Farmer's Market and will include several of the regular market participants.

MOTION: Sharon Hobart-Hardin made a motion to approve \$179 from the Rural Tourism Marketing Grant to assist with Farmers Market outreach. Thomas Cotter seconded the motion which passed with a vote of 5-0.

7. EXECUTIVE SESSION

At 9:05 p.m. Mayor Brooker adjourned the Council into executive sessions under ORS 192.660(e) Real Estate Negotiations and ORS 192.660(i) City Administrator Evaluation.

Having made no decisions, the Council returned to regular session at 9:39 p.m.

After returning to regular session, the Council was asked to take action on a proposal to enter into a development agreement with St. Vincent DePaul for the City to acquire lots 200, 300, 700, 800 and right-of-way for Second and Third Streets on W. Broadway.

MOTION: Sharon Hobart-Hardin made a motion to authorize the City Administrator to proceed with the purchase of the W. Broadway property, to work with St. Vincent dePaul to complete the development agreement prior to closing on the property, pay the \$185,000 down payment and contribute \$87,500 each year towards the first and second year payments. Thomas Cotter seconded the motion which passed with a vote of 5-0.

MOTION: Thomas Cotter made a motion to adopt an updated compensation plan for the City Administrator to be effective with the November 16, 2008 pay period and to prepare a new updated employment contract. Sharon Hobart-Hardin seconded the motion which passed with a vote of 5-0.

8. ADJOURN

Mayor Brooker adjourned the City Council at 9:45 p.m.



T. J. Brooker, Mayor

ATTEST:



Darci Henneman,
Assistant City Recorder