

Minutes of the Veneta City Council

June 28, 2010

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

Others: Ric Ingham, City Administrator; Sheryl Hackett, City Recorder; Zac Moody, Assistant Planner; Darci Henneman, Assistant City Recorder; Sgt. Doug Osborne, Pony Gilbert, Joan Mariner, and Sam Loftis

Mayor Hobart-Hardin called the Veneta City Council to order at 7:01p.m.

1. PUBLIC COMMENT

Joan Mariner, 25712 Cochran Ct., Veneta,

Ms. Mariner said Neighbors 4 Responsible Growth (N4RG) came to the Council years ago when the South West Area Plan (SWAP) was being developed and were concerned about the City's water supply. The City assured N4RG that the City had plenty of water. Now the pipeline is tied up in a political struggle and will cause many problems. EWEB is clear they want the water for themselves and when Eugene grows will they cut off Veneta? She urged the Council to abandon the pipeline and direct City staff to seek assistance with developing local options for water, even though our restricted supplies somewhat limit the size of our community. If people want to live in a larger community, they can move to the Portland metro area or California. Last year N4RG hosted a luncheon for the Fern Ridge Chamber of Commerce to discuss economic sustainability and what that entails. The response from the City was markedly dismissive. She cannot understand why, given the economic disaster our country has gone through, we cannot encompass practices that avoid such slumps in our future economy.

Pony Gilbert, 87827 Territorial Rd., Veneta, OR

Mr. Gilbert thanked the Council and City staff for supporting many projects, including the Territorial Sports Program (TSP) concession stand and the Applegate Field Days on July 3rd. He will provide Ric with more information about that event. He said the Applegate Field Days event will not need liability insurance provided by the City because the Fern Ridge Rotary will cover all insurance needs. He is also concerned about the EWEB water pipeline and based on recent actions of residents its future is in doubt. He asked the Council to please explore our own resources. He felt water is still available but we need to stay within our means.

Sam Loftis, 25511 Hunter Rd., Veneta, OR

Mr. Loftis has had a problem for the last five years with his neighbor that has a commercial business with five or six commercial vehicles. His neighbor's driveway is gravel and the dust creates health issues for Mr. Loftis. He is asking the City Council to pass a resolution to make his neighbor move his commercial area or blacktop his driveway. As far as the EWEB water pipeline he felt we don't need more residents. If people want to develop they should provide their own water.

2. PUBLIC HEARING ON THE APPROVED 2010-2011 BUDGET

a. Public Hearing in regard to the approved Fiscal Year 2010-2011 Operating Budget for the City of Veneta

- (1) Mayor Hobart-Hardin opened the Public Hearing at 7:13 p.m.
- (2) Declaration of potential conflict of interest or ex-parte contacts: None

(3) Staff Report

Ric presented the 2010-2011 Budget to the Council. The budget totaled \$23,853,804 which is 6.5 million dollars less than last year. The bulk of that reduction is contributed to reduced inter-fund transfers, lower contingency total and fewer capital projects. The City was in compliance with the Oregon Budget Law in the preparation of the budget for the fiscal year beginning July 1, 2010 and Budget meeting notices were published on April 16th and 28th. Budget meetings were held on May 6th and May 20th. The Budget Committee gave final approval at the May 20th Budget meeting and notice of tonight's public hearing was published in the Register Guard on June 23, 2010. Oregon Budget Law states changes can be made as long as they do not exceed 10% of an individual fund's total approved expenditures. Staff recommended the City Council amend the FY 2010-2011 budget appropriations approved by the Budget Committee for the 2007 Inverse Condemnation Fund. In Budget Committee deliberations, Contingency in the amount of \$1,000 was removed and the Unappropriated Ending Fund Balance for the fund was not modified to reflect the change. It was the advice of Steve Tuchscherer, the City's auditor that replacing the \$1,000 Contingency would be the most appropriate way to rebalance the approved budget.

Staff recommended the Council approve Resolution 1025 adopting the budget as amended for Fiscal year 2010-2011.

(4) Proponents for any items in the budget document: None

(5) Opponents of any items in the budget document: None

(6) Questions from the Council: None

(7) Mayor Hobart-Hardin closed the Public Hearing at 7:16 p.m.

b. **Resolution 1025** - A RESOLUTION ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-2011; IMPOSING TAXES; SPECIFYING APPROPRIATIONS; AND CATEGORIZING TAXES IMPOSED

MOTION: Darrell Carman made a motion to approve Resolution 1025. Marion Esty seconded the motion which passed with a vote of 5-0.

3. **CONSENT AGENDA**

MOTION: Darrell Carman made a motion to approve the consent agenda as presented. Sandra Larson seconded the motion.

Vote: Marion Esty, aye; Darrell Carman, aye; Mayor Hobart-Hardin, aye; Sandra Larson, and T. J. Brooker, aye.

The consent agenda as approved included Bills Paid and Payable for June 2010, and the Civic Calendar for July 2010.

4. **DEPARTMENT REPORTS**

a. FROM MAYOR/COUNCILORS

(1) Law Enforcement Activities Report, Sgt. Osborne, LCSO

Sgt. Osborne said additional patrols have been added to the City parks now that school is out of session for the summer. They have added additional patrols for the Oregon Country Fair. He has still not seen any deficiencies in coverage from LCSO in Veneta. Oregon State Police (OSP) will also assist if possible. He felt things will work out well this

year and doesn't anticipate any issues. He modified his report in terms of coverage and calls for service to reflect a complete month, (i.e., the report will now run from the 1st of the month to the 31st rather than covering the end of the previous month to mid month of the following month). Sgt. Osborne asked the Council if they would like to see a more detailed monthly report. More specifically, increasing the geographical area of the report to include south of Crow, north of Elmira, West to Walton, and east to Greenhill Road

b. COUNCIL/COMMITTEE LIAISONS

Marion Esty said Senior Services was well supported by the event held at the winery on Saturday, June 26th. Over 100 tickets were sold.

Darrell Carman attended the LCOG meeting in Florence. LCOG members encouraged the implementation of a 2-1-1 system in our area. Northern Lane County already has it in place and LCOG has found a way to piggy back with that existing system. The system will operate by dialing 2-1-1 which connects the caller to an operator that has phone and address listings for all local services in that area. Eventually the 2-1-1 program will be available state wide and there is also a website. There is an annual cost to the City of approximately \$250 to \$500.

Mayor Hobart-Hardin said Marion Esty's involvement with Senior Services has increased so Sandra Larson has agreed to be the School District liaison. The pool grand opening on Saturday, June 26th was wonderful. There was a great turn out. She also attended the retirement party on Sunday, June 27th for Chief Marty Nelson of Lane County Fire District No 1. It was also well attended by representatives from Eugene and Springfield. On June 23rd, the Lane Area Commission on Transportation (LACT) appeared before Lane County Commissioners to discuss approval of the LACT bylaws. The Commissioners did not clarify what their concerns were and postponed adoption of the bylaws until July 7th. It's unclear what will happen. State law requires that Lane County have their own LACT but members are not sure how to get there.

Sandra Larson said the pool opening was very exciting and she is happy to be the School District liaison.

4. STAFF REPORTS

Sheryl reviewed for the Council the four resolutions related to the budget that the Council passes annually.

a. CITY RECORDERSHERYL HACKETT

- (1) **Resolution 1026 - A RESOLUTION CERTIFYING THAT THE CITY PROVIDES FOUR OR MORE MUNICIPAL SERVICES**

MOTION: Darrell Carman made a motion to approve Resolution 1026. Marion Esty seconded the motion which passed with a vote of 5-0.

- (2) **Resolution 1027 - A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES**

MOTION: Darrell Carman made a motion to approve Resolution 1027. Marion Esty seconded the motion.

Sheryl said there was a slight amendment to Resolution 1028. Exhibit A and B were referenced individually in the resolution but have been combined into one document.

MOTION: Vote of 5-0.

- (3) **Resolution 1028** - A RESOLUTION ADOPTING THE CLASSIFICATION AND COMPENSATION PLANS FOR THE CITY OF VENETA FOR THE 2010-2011 FISCAL YEAR

MOTION: Darrell Carman made a motion to approve Resolution 1028 as amended. Sandra Larson seconded the motion which passed with a vote of 5-0.

- (4) **Resolution 1029** – A RESOLUTION EXTENDING CITY OF VENETA'S WORKERS' COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF VENETA FOR THE COVERAGE YEAR 2010-2011

MOTION: Darrell Carman made a motion to approve Resolution 1029. Marion Esty seconded the motion which passed with a vote of 5-0.

- (5) Water Rate Increase

- (a) Public Comment

Pony Gilbert, 87827 Territorial Rd., Veneta, OR

Mr. Gilbert said there will be many more Council meetings where water plays a pivotal role for the City. As a rate payer he accepts appropriate rate increases and understands this is part of the way the City works. Many issues involve water, the pipeline, the pool. He's been made to feel that maybe his City can do more to reach out to him as a rate payer and a citizen to explain how the water system is presently working, developing, and changing over the next few years. Only recently through his own exploration into the City's water system has he learned about it and he's hopeful the City can do more to educate residents.

Marion Esty said the West Lane News provided a great way to get the word out to residents about rate increases. She's not sure if the newsletter provided in the utility bills is the answer.

Mayor Hobart-Hardin said it will take time to get the word out but many residents are reading the newsletter and staying informed on City issues.

- (b) **Resolution 1030** – A RESOLUTION ESTABLISHING WATER FEES AND RATES FOR USERS OF THE VENETA MUNICIPAL WATER SYSTEM AND REPEALING RESOLUTION NO. 1016.

MOTION: Sandra Larson made a motion to approve Resolution 1030. Darrell Carman seconded the motion which passed with a vote of 5-0.

Sheryl said there is a slight change to Ordinance 497 which addresses door to door sales in the City. Legal Counsel removed the following language from the eighth WHEREAS clause "would like to decrease the number of individuals on the street during late evening hours ". Staff recommended the Council approve Ordinance 497 for first and second reading by title only and adopting as an emergency.

In response to a question from Darrell Carman, Sheryl said the language in the WHEREAS clause is supported by Section (4) Subsection (2) (g) . . . "limited to

operating between the hours of 9:00 am. to 7:00 p.m.

- (6) **Ordinance 497 – AN ORDINANCE ESTABLISHING BUSINESS REGISTRATIONS FOR THE CITY OF VENETA, REPEALING ORDINANCE 430 AND SECTION 11 OF ORDINANCE 486, AND DECLARING AN EMERGENCY.**

MOTION: Darrell Carman made a motion to approve Ordinance 497 for first reading by title only. Marion Esty seconded the motion which passed with a vote of 5-0.

Ordinance 497 was read into the record for first reading by title only.

In response to a question from Marion Esty, Sheryl said the new Business Registration Ordinance 497 addresses itinerant businesses.

In response to a question from Darrell Carman, Sheryl said many cities require registrations so solicitors may already know they are required to obtain a license. Patrolling deputies can stop door to door sales people and either ask them for a license or direct them to City Hall to obtain one. If the solicitor is stopped again by a deputy and has not obtained the license, they can be cited.

MOTION: Darrell Carman made a motion to approve Ordinance 497 for second reading by title only. Marion Esty seconded the motion.

In response to a question from Darrell Carman, Ric said deputies cannot target individuals walking through the City but if they are carrying products for sale and going door to door, the deputies can ask them if they have the appropriate license to sell door to door within City limits.

MOTION: The Motion passed with a vote of 5-0.

Ordinance 497 was read into the record for second reading by title only.

- b. COMMUNITY SERVICES DIRECTOR.....BRIAN ISSA
- c. CITY ADMINISTRATOR.....RIC INGHAM
- (1) **Resolution 1031 – A RESOLUTION AUTHORIZING SIGNERS ON VARIOUS BANKING ACCOUNTS FOR THE CITY OF VENETA, AND REPEALING RESOLUTION 988**

Ric said Resolution 1031 is required in order to update the check signers on the City's bank accounts. Staff changed an error on Resolution 1031 which added "President of the Council" as a title after T. J. Brooker's name.

In response to a question from Sandra Larson, Ric said the City is a Municipal Corporation

MOTION: Darrell Carman made a motion to approve Resolution 1031 as amended. Sandra Larson seconded the motion which passed with a vote of 5-0.

7. OTHER

Resolution 1032 addresses the need for some staff members to increase their administrative time accrued. The cap on administrative accruals is set at 40 hours and many employees have

reached that. If the cap is not lifted, they will lose their administrative time. Sheryl requested the Council approve Resolution 1032 based on previous review by legal counsel and at the discretion of individual supervisors.

In response to a question from Darrell Carman, Sheryl said Resolution 1032 will increase the total accrual of 120 hours that employees could take off or get reimbursed for. It will not modify what they can sell but just increase the totals. Resolution 1032 has no financial impact on the City.

MOTION: T. J. Brooker made a motion to approve Resolution 1032. Darrell Carman seconded the motion which passed with a vote of 5-0.

Ric said staff is still awaiting information from Rural Development about their funding package for the EWEB pipeline. When it is received, staff will request the Council to make a decision in a matter of a few weeks. Based on information, staff has directed FCS and Murray, Smith & Associates (MSA) to review the funding package which we should be receiving in the next few days. Staff would like to tentatively schedule a work session on July 6th to provide the Council more clarification from the City of Eugene and EWEB on where they stand on their validation.

The July 6, 2010 Planning Commission meeting is cancelled.

After a brief discussion it was the consensus of the Council to hold a work session on Tuesday, July 6th at 4:30 p.m. Staff would try to get EWEB representatives to attend the work session and provide their legal opinion as to why they feel so strongly that their validation will pass. Ric said if we don't have the funding information from FCS and MSA the meeting will be postponed and be incorporated into the July 12th Council meeting.

In response to a question from T. J. Brooker, Ric said FSC and MSA will provide an SDC and rate analysis for both the pipeline project and well exploration.

Mayor Hobart-Hardin adjourned the meeting at 8:00 p.m.

After the Urban Renewal Agency meeting, Mayor Hobart-Hardin reopened the Veneta City Council meeting at 8:10 p.m.

Ric said John Ruiz, City of Eugene City Manager chose to make the Eugene City Council the intervening party for the validation process in Lane County Circuit Court and they will address the water issues after the validation has been decided. The Eugene City Council understands the responsibility of all involved between the City of Veneta and EWEB. Mr. Ruiz was trying to keep those issues as separate as possible. Another issue is that the state of Rural Development (RD) received only 5.5 million dollars of the original 30 million dollars. RD is offering the City of Veneta roughly half of that. Ric felt it is not appropriate for the City to "sit" on those funds for eight to nine months when there are many in need right now. There will be certain conditions on those funds and one will probably be a tight construction window. We're looking at a minimum of six months from July 1 for the Lane County Circuit Court to validate the agreement which is even more complicated now.

Mayor Hobart-Hardin said these are discussion to have at the work session.

In response to a question from Ric, Mayor Hobart-Hardin said she would like to hear from EWEB the strength of their validation.

In response to a question from Darrell Carman, Ric said it's a very complicated process and he

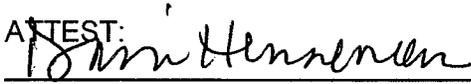
would prefer EWEB representative attend the City Council Work Session along with all Councilors because EWEB and the City of Eugene and it's City Council are convinced they each have full authority to make water decisions. Ric isn't convinced the process is as easy and clean as EWEB led us to belief.

In response to a question from Darrell Carman, Ric said two issues the environmental community could get worked up about are trying to connect two urban growth boundaries and extending a water facility beyond one metro boundary.

8. ADJOURN

Mayor Hobart-Hardin adjourned the Veneta City Council at 8:27 p.m.


Sharon Hobart-Hardin
Sharon Hobart-Hardin, Mayor

ATTEST:

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