

Minutes of the Veneta City Council

January 23, 2012

Present: Mayor Sharon Hobart, Brittany Boothe, Thomas Cotter, Marion Esty, and Sandra Larson

Others: Ric Ingham, City Administrator; Shauna Hartz, Finance Director; Kyle Schauer, Public Works Superintendent; Chris Workman, City Recorder/Human Resources and Risk Management Administrator; Darci Henneman, Assistant City Recorder; Sgt. Doug Osborne; Pony Gilbert and Michelle Ossowski, Fern Ridge Review

Mayor Hobart called the Veneta City Council to order at 7:03 p.m.

1. PUBLIC COMMENT

Pony Gilbert 87827 Territorial Rd., Veneta, OR

Mr. Gilbert expressed his gratitude to the Veneta City Council for the recent Business Assistance Loan Fund program offered to local businesses and he encouraged business expansion and start up expansion of minority owned businesses. Mr. Gilbert recently submitted an application and although he realized not every request for assistance can be fulfilled, his application for assistance was denied. He previously reviewed the reasons why his application was denied and followed the appeal process outlined in the application packet. Mr. Gilbert asked the City Council to accept his letter as a request for an appeal in regards to the Business Assistance Loan Fund. Mr. Gilbert thanked Ric for responding to his questions. Mr. Gilbert provided his original application, including several national trade publications that advertise his business, to the Council and again thanked the Council and City staff for the time they have invested in the Business Assistance Fund program. Mr. Gilbert asked the Council if they would like to review this application and accompanying documents.

Mayor Hobart asked that he leave his materials with City staff.

2. CONSENT AGENDA

**MOTION: Thomas Cotter made a motion to approve the consent agenda as presented.
Marion Esty seconded the motion.**

Vote: Marion Esty, aye; Thomas Cotter, aye; Mayor Hobart, aye; Sandra Larson, aye; and Brittany Boothe, aye.

The consent agenda as approved included Accounts Payable through January 17, 2012 and the Civic Calendar for February, 2012.

3. DEPARTMENT REPORTS

- a. From Mayor and City Councilors
 - (1) Law Enforcement Update, Sgt. Osborne, LCSO

Sgt. Osborne provided a crime trend update for October and November 2011. Criminal thefts have decreased but burglaries have increased. He said unlawful car entry is on the rise possibly due to residents leaving their cars as well as their homes unlocked. He briefly reviewed his report and asked Council members if they had any questions.

Sgt. Osborne said the City of Veneta has the highest number of reported incidents in Lane County and no reports were taken by non contracted deputies. He said deputies are also working with Elmira High School officials regarding break-ins to vehicles in the high school parking lot. Vehicle registrations were stolen and then the thieves burglarized

the vehicle owners' homes.

In response to a question from Thomas Cotter, Sgt. Osborne said entering private property, i.e. home, garage, shop, etc., is still considered burglary even if the structure is unlocked.

In response to a question from Mayor Hobart, Sgt. Osborne said a Theft I charge is issued for stolen property valued at or over \$1,000, Theft II at or over \$100, and Theft III would be charged for shoplifting.

In response to a question from Sandra Larson, Sgt. Osborne said a vehicle can be impounded for several reasons: operating motor vehicles without insurance or with a suspended license, speed racing, or driving under the influence of intoxicants (DUII); however, if there is a passenger in the car who is willing to take control of the vehicle and is legal to drive, the vehicle would not be impounded.

In response to a question from Thomas Cotter, Sgt. Osborne said Veneta Elementary was broken into last week through a different entry than the three previous break-ins. Sgt. Osborne said he performed an impromptu survey and found many things the school can do to make itself a more hardened target that don't entail a high cost. For instance, changing burned out light bulbs, etc. He said most likely those breaking in are local youth that live close by. LCSO have yet to make an arrest and is continuing to gather evidence.

b. City Councilors/Committee Liaisons

Brittany Boothe is looking forward to her first Park Board meeting. The Ford Family Foundation Cohort 3 group will have their first post class meeting. She said the 50th anniversary meeting was rescheduled due to inclement weather.

Sandra Larson said last week's School Board meeting was canceled due to weather and was rescheduled for tonight; however, she will not be attending.

Mayor Hobart attended the Fern Ridge Community Action Network meeting and reported that Marie Pickett is now chairing that group. She said they will work on recruiting more members and she looks forward to the Cohort 3 group participating.

Thomas Cotter said ODOT is hosting another Highway 126 Corridor meeting at Elmira High School tomorrow night, January 24th, at 6:00 p.m. in the school cafeteria.

4. STAFF REPORTS

- a. City Recorder/HR and Risk Management Administrator.....Chris Workman
(1) **Resolution No. 1075 – A RESOLUTION ADOPTING THE CITY'S NO DISCRIMINATION POLICY & GRIEVANCE PROCEDURE**

Chris said in order to be in compliance with the CDBG funding for the Fern Ridge Service Center the City is required to have a no discrimination policy and grievance procedure. Resolution 1075 fulfills this requirement and will allow the City to accept the CDGB funding as well as address any possible future grievance claims against the City.

In response to a question from Thomas Cotter, Chris said the City was not required to have a discrimination and grievance policy prior to the CDBG requirement.

In response to a question from Marion Esty, Chris said job descriptions have recently been updated and include a list of job duties and physical expectations. If a disabled

person applied for a position with the City, they should be able to self select by reading the specific job descriptions to determine if they are able to fulfill the physical demands the position may require.

Mayor Hobart said the City meets or exceed all Americans with Disabilities Act (ADA) requirements.

MOTION: Thomas Cotter made a motion to approve Resolution 1075. Brittany Boothe seconded the motion which passed with a vote of 5-0.

- b. Finance Director.....Shauna Hartz
(1) Second Quarter Financials

Shauna said at this time of the year, staff plans for the City's revenue to be at 50% or higher and expenses to be at 50% or lower. However, some types of expenditures, like debt service, don't follow this guideline. There haven't been any large differences in the fund balances except for the West Broadway Redevelopment fund, which received the Ford Family grant for the Fern Ridge Service Center. Shauna reviewed the Second Quarter financials with Council members and asked if they had any questions.

In response to a question from Mayor Hobart, Shauna said the City continues to receive monthly property tax revenue from Lane County; however, the amounts are much smaller.

- (2) **Resolution No. 1076 – A RESOLUTION AUTHORIZING THE CREATION OF TWO DEPARTMENTS WITHIN THE FUND ENTITLED “CAPITAL PROJECTS – W. BROADWAY DEVELOPMENT” AND REDISTRIBUTING THE APPROPRIATIONS FOR THE FISCAL YEAR 2011-2012**

Shauna said Resolution 1076 is needed to keep CDBG grant money separate from other money, i.e. private grants and the City's match funds, once they are received. Creating two departments will also make recording of spent money much easier. She said the appropriation within the fund is not changing but will be split between two departments.

In response to a question from Thomas Cotter, Shauna said most grants are approved for specific categories. For example, CDBG funds are required to be spent on the specific categories such as construction, labor standards, contingency for construction and grant administration. The City's match will cover other types of expenses.

Ric said CDBG funds and the City's match dollars have not been identified to go towards “non permanent fixtures”. If it's a permanent fixture within the building, it will be categorized as part of the CDBG project. If it's a non-permanent fixture, it will be purchased outside of the CDBG grant. Publishing costs and attorney fees are not eligible under the CDBG project, nor does it allow us to include preliminary costs, i.e. land purchase or site improvements. Those costs could be used as our match using private grant funds from Ford Family Foundation and Oregon Community Foundation.

In response to a question from Thomas Cotter, Ric said landscaping would be included with construction costs but items like art work, desks, etc. would not be.

MOTION: Thomas Cotter made a motion to approve Resolution 1076. Marion Esty seconded the motion which passed with a vote of 5-0.

- c. Public Works Superintendent.....Kyle Schauer
(1) Engineering Proposal for Design of Hunter Ave. Sidewalk Improvement Project

Kyle submitted an \$8,510 proposal from Branch Engineering for project management, surveying and design services for the upcoming Hunter Avenue Sidewalk and Road Improvement Project. The project will provide sidewalk connectivity on the south side of Hunter Ave. from Sixth Street to Territorial Park and complete an asphalt overlay on Hunter Ave. The overlay project was included in the fiscal year 2011-2012 budget. The \$50,000 Special City Allotment Grant awarded will cover roughly half of the construction cost of \$104,000. If the Council gives direction to accept the proposal, engineering for the project could be completed this budget year and the project could be included in the 2012-2013 Budget with construction likely beginning in summer of 2012.

In response to a question from Mayor Hobart, Kyle said there will be some challenges with this project when it comes to grading and leveling the roadway and sidewalks.

Mayor Hobart felt the proposal submitted by Branch Engineering was a very reasonable considering what the \$8,510 will cover.

MOTION: Thomas Cotter made a motion to accept Branch Engineering's proposal of \$8,510 and authorize moving forward with the proposed project to improve Hunter Ave from Territorial Rd. to Sixth Street. Marion Esty seconded the motion which passed with a vote of 5-0.

- d. City Administrator.....Ric Ingham

- (1) **Ordinance No. 503 - AN ORDINANCE GRANTING TO LIGHTSPEED NETWORKS, INC, DBA LS NETWORKS, A NON-EXCLUSIVE FRANCHISE AND RIGHT TO CONSTRUCT, OPERATE AND MAINTAIN A FIBER-BASED SERVICE FACILITY; TO OCCUPY CITY RIGHTS-OF-WAY; AND TO PROVIDE FIBER-BASED SERVICES IN THE CITY OF VENETA, OREGON AND REPEALING ORDINANCE NO. 477**

Ric said in 2007 the Council adopted Ordinance 477, a franchise agreement with Comspan to provide fiber optic services to City residents. Late in 2007 Comspan constructed a switching station, but since the economic downfall it chose not to move forward with the project and changed its service plan to not provide the triple play product (internet, cable and fiber optics) to cities with a population of 5,000 or less. Recently, Lightspeed (LS) Network bought Comspan's small city assets but it has yet to determine what kind of service it will provide. It appears LS Network may be working with LCOG's fiber grant project, which should be deployed sometime in the summer of 2012. Ordinance 503 repeal Ordinance 477 by replacing "Comspan" with "Lightspeed Networks".

Staff recommended the Council approve Ordinance 503 for first reading by title only.

Mayor Hobart said she is hopeful this is a sign the economy is making a turn for the better.

In response to a question from Thomas Cotter, Ric said Charter Communications does not provide fiber optics services in Veneta. LS Network is not proposing to provide the triple play product at this point.

MOTION: Thomas Cotter made a motion to approve Ordinance 503 for first reading by title only. Sandra Larson seconded the motion which passed with a vote of 5-0.

Ordinance 503 was read into the record for first reading by title only.

(2) Review 2011-12 Workplan

Ric reviewed the first half of 2011-12 Workplan with Council members and asked if they had any questions.

In response to a question from Mayor Hobart regarding the Pipeline update, Ric said staff is waiting for a legal opinion from Rural Development (RD) and US Fish and Wildlife Service (USFWS), but at this point both entities feel there's very little merit to LandWatch's lawsuit.

In response to a question from Mayor Hobart regarding the Ultra Violet (UV) wastewater project, Kyle said the project has been completed except for staff training. The recent flooding had the public works crews busy so the training is postponed until the contractor can return.

Mayor Hobart commended staff on the Work Plan which seemed more realistic in terms of being able to complete the projects and she said she was very impressed with all the things that have been completed in the first six months of this fiscal year.

In response to a question from Sandra Larson, Shauna said she spent three days reviewing how the project management module was set up and realized that the volume of detail made the reports very worker unfriendly. She stated that the current Excel reports are much simpler to maintain, use, and understand. If the City was bigger, the module would be more useful.

In response to questions from Thomas Cotter, Ric said the Transportation SDCs were reduced in November 2011 but the actual SDC Methodology and Capital Improvement Plan (CIP) has not been updated. The entire CIP needs to be updated. Ric said the original Transportation System Plan was completed in 1994 with updates in 1998 and again in 2005. Ric said in retrospect, the process Jerry Elliott went through wasn't as thorough as it should have been. Currently, there are no major projects that staff would add but from a cost standpoint, since 2005 until now, a recalculation of the Methodology should be done to give us a better idea of where our SDCs should be. Updates to the CIP and the SDC methodology will be a sizable project. At Council direction, staff could provide an update and it's up to the Council to fully implement new SDCs, update a portion of them, or continue with the current SDCs.

Ric said as far as raising Transportation SDCs, it's hard to increase the Transportation SDCs and at the same time realize that an increase would more than likely deter future growth.

Thomas Cotter said he didn't mind putting off updating SDCs, but wondered if putting the update off would have a negative effect on the City.

Mayor Hobart said she felt the timing is off for updating the CIP considering where the economy is and the direction the City is currently taking. Now we're looking more at tourism, wineries and agriculture and given that she's not sure what the specific tie to the

CIP would be. She said she doesn't feel that delaying the updates for two years is a significant problem.

Ric said at the January 2011 Goal Session the Council didn't feel this was a high priority.

Kyle provided an update on the excessive rain we received over the last several days. He said there were a number of high water situations around town: Oak Island Drive and Cherry Lane were closed for a while, Blek Drive, Perkins Rd., Jake St., and Trinity Terrace had significant amounts of standing water. Despite all the high water, there were no distress calls. The Public Works crews worked to clear all the debris as the water receded.

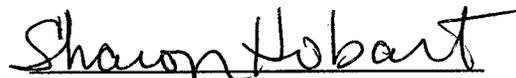
Ric said Lane County authorities requested the City open the community center as a staging area for residents from the Noti and Poodle Creek area that were evacuated.

5. OTHER

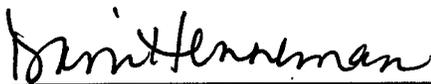
Shauna provided the City's and Urban Renewal Agency's audit reports and the management letter from the auditors. She asked Council members to please review the documents and meet with her if they had any questions. The management letter addressed three issues: (1) Internal controls, (2) GASB Statement 54, regarding categorization of fund balances. In the next few months, she will provide the Council with more information and possibly a resolution to assist the City in meeting this requirement; and (3) Long term planning such as reviewing existing debt and possible options for early pay off. Shauna suggested starting in the note section of the reports and then read through the supplementary information.

6. ADJOURN

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


Sharon Hobart, Mayor

ATTEST:



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