

Minutes of the Veneta City Council

September 24, 2012

Present: Sandra Larson, Brittany Boothe, Tim Brooker, Thomas Cotter, and Marion Esty

Others: Ric Ingham, City Administrator; Kay Bork, Community Development Director; Shauna Hartz, Finance Director; Kyle Schauer, Public Works Director; Chris Workman, City Recorder/Human Resources and Risk Management Administrator; Darci Henneman, Assistant City Recorder; Scott Johnson, Stephanie Fuller, Dave Nyquist, Rose Marie Wymore, Candy Christiance, Charles Standeford, Wills Boothe, Joan Mariner, Wayne Hunter, Duane Spies, Wayne Wymore, and Michelle Ossowski, Fern Ridge Review

Mayor Sandra Larson called the Veneta City Council to order at 7:00 p.m. Mayor Larson introduced Victoria Hedenstrom as a City Council candidate.

Kay introduced John Bauman. He is a VISTA AmeriCorp volunteer for the year. He is working with the City and the Mid Lane Community Partners to assist the nonprofits as they move into the new Service Center. He will also assist with fundraising, and develop a volunteer handbook to expand Mid Lane's volunteer base.

1. PUBLIC COMMENT

Scott Johnson, 1650 Glenwood Blvd., Eugene, OR

Mr. Johnson said he is proud to serve the community as a Sanipac employee. He said three local employees are here to speak. Several other employees could not attend due to prior commitments with church and local children's sports activities. He applauded the Council's position to support a single hauler. Sanipac makes several donations annually to various organizations and events in Veneta and stated that Sanipac just assisted Ray's Food Place with purchasing a compactor. He said small cities benefit from larger firms' ability to make contributions and be a successful partner in smaller communities. Mr. Johnson said Sanipac assists with the Meals on Wheels program, Santa project and supports many other events and organizations. He said it takes a very strong infrastructure and a larger city to support multiple haulers. He said several larger cities (Florence) don't have the equipment or receive the services that Veneta does. He said the current system works and he asked the Council to continue to support a single franchise.

Stephanie Fuller, 25225 Irenic Ave., Veneta, OR

Ms. Fuller has worked at Sanipac for 2 ½ years and she enjoys her job very much. She moved from Eugene to Veneta six years ago. Ms. Fuller has a small child and she utilizes local businesses. She is a part of the community and has given back to her community by assisting with the 50th Celebration and building bikes for the Santa Project. She enjoys being a part of the community and asked the Council to uphold their decision to stay with a single hauler franchise.

Dave Nyquist, 87613 Halcyon Dr., Veneta, OR

Mr. Nyquist has been a truck driver for Sanipac for 25 years and he's lived in Veneta for five year. He supports his community and assists with the City wide clean up and the Santa Project by building bikes. He is in favor of a single franchise garbage service and asked the Council to uphold its decision to stay with a single hauler franchise.

Rose Marie Wymore, 25311 Hunter Rd., Veneta, OR

Ms. Wymore said there are two things to consider if the City decides to add fluoride to our water. She said calcium fluoride natural substance and is harmless but sodium fluoride is a toxic waste from fertilizer and is very corrosive. She said it's not pharmaceutical fluoride. She asked Council members to please think about this if and when the City contemplates adding fluoride to the water.

Candy Christiance, 25479 Wheaton Ln., Veneta, OR

Ms. Christiance has worked for Sanipac for 11 years. She and her husband have lived in Veneta for 12 years and they own two homes here. She said they enjoy living and doing business here, and supporting her community. She said her children attend Fern Ridge Child Care and Sanipac provides her with a good wage to allow her to do that. She said Sanipac is a great place to work. She asked the Council to uphold the position of a single hauler franchise for what it provides for her and her community.

Charles Standeford, 25158 Hunter Rd., Veneta, OR

Mr. Standeford said he sees no reason to change Waldo Ave. since it was named in 1913. He said it would change the history of Veneta. When Ed Hunter was laying out city streets he dedicated the land to the City, including Waldo which was used much more than it is now. He said the old sawmill as well as many other businesses used Waldo Ave. Mr. Standeford doesn't see the rationale in changing the name. He said he met Waldo and he was a nice man. This is a kick in the face to the family and felt it says Waldo Hunter wasn't worthy of having a street named after him. He said Mr. Brooker is also worthy but Waldo was there 100 years earlier.

Wills Boothe, 24781 Dunham Ave., Veneta, OR

Mr. Boothe provided a handout to Council members. He said there is a relationship between truck sizes and roadway wear. He said as truck size increases road wear also increases. He felt the main issue is between a single franchise versus multiple haulers. Sanipac showed they have a local presence in the community but that doesn't change the fact that they're not a local company. He said it matters that we do have a local company that has been locked out of the opportunity to provide service. What will serve the people of Veneta the best is up to the Council, but, he asked, at the end of the day what will serve the community best? He felt giving citizens a choice between providers will increase competitiveness. Currently Ecosystems provides the same services. He said he doesn't buy it that the only way to do business is with a single franchise. Ecosystem has been serving the entire area from Noti to Lorane except Veneta for 12 years. He said opening it to multiple providers doesn't turn this on its head. He said he doesn't have complaints about Sanipac, but the Council should listen to the people. He said it's a tough decision but the people of Veneta would like to choose a locally owned company.

Joan Mariner, 25712 Cochran Ct., Veneta, OR

Ms. Mariner said she has attended enough Council meetings to see a pattern in the public comments. She felt what she has to say doesn't really matter to the Council and that comments aren't taken seriously. She had that experience as the Chair of Neighbors 4 Responsible Growth. She said as a community we need to support local businesses. She sees the same dismissive attitude toward opening the franchise to multiple providers. She said she sees no problems with Scott Johnson's service, but as a community we need to support local businesses and citizens should be thanked for providing research instead of being brushed off. She provided a magazine article titled *Stop looking for outside businesses while looking at community development*. She asked Council members to please reconsider and make the garbage RFP for multiple providers. She appreciates the job the Council does and thanked them for making the community a better place for future residents.

Wayne Hunter, 25087 Cheney Dr., Veneta, OR

Mr. Hunter spoke for his father, Waldo Hunter. He said he spoke with his brother who told him the Council made the decision to change the name of the street. He doesn't agree, and if the name is changed and the pathway is named after Waldo, when will it be built?

Mayor Larson said it's in the works and suggested Mr. Hunter call Kay and talk with her about this project.

Mr. Hunter said his brother informed him that the Council turned down the proposal to put a picture up at City Hall of Ed Hunter, the founder of Veneta and the original letter that talks about planning Veneta

and told the Hunter family that the picture could be displayed at the Pioneer Museum. He wanted to know why the picture cannot be at City Hall.

Mayor Larson said she wasn't sure that this was even discussed. Mayor Larson asked Mr. Hunter to call City Hall and speak with Kay about it.

Mr. Hunter said a City staff person called him and told him that.

Duane Spies, 88185 Westwood Ct., Veneta, OR

Mr. Spies said he doesn't work for Sanipac but is a business person and as a taxpayer he doesn't see the sense of having two providers in Veneta. He said our City isn't big enough. He felt there isn't enough work to be split between two haulers which will make rates increase. He warned the Council to be careful that there are no special interests or a conflict of interest involved. Mr. Spies asked the Council to make a business decision and the cost of service needs to be factored into the decision. He said his tax dollars are on the line and he doesn't want this to cost residents later.

Wayne Wymore, 25311 Hunter Rd., Veneta, OR

Mr. Wymore asked the Council to not add fluoride to the water system. He said fluoride was removed from public water in Europe because it's poisonous. He said it's toxic to rats and roaches and sodium chloride causes heart attacks and bone cancer. He encouraged the Council to turn down the proposal to put fluoride in the water.

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; Sandra Larson, aye; Tim Brooker, aye; and
Brittany Boothe, aye.**

The consent agenda as approved included Minutes for August 27, 2012 Work Session, Minutes for August 27, 2012, Accounts Paid through September 6, 2012, Accounts Payable through September 19, 2012, Civic Calendar for October, 2012, Public Works Activity Report for August, 2012, Elmira High School Parade Permit Application, Fern Ridge Chamber of Commerce (Wineries without Walls) Off-Premises Liquor License, Fern Ridge Chamber of Commerce (Wineries without Walls) Temporary Liquor License Harvest Festival booth.

3. DEPARTMENT REPORTS

a. From Mayor and City Councilors

(1) Eagle Project Recognition Shane Orme, Scout Troop 359

Mayor Larson said Shane Orme volunteered to beautify the Veneta gateway signs as his Eagle Project. She asked Mr. Orme to tell the Council about his project.

Mr. Orme said his Eagle project was the "Welcome" signs on Territorial Rd. and Highway 126. He said his troop helped him remove the paint and clean the surface. After letting the paint dry, they painted the entire sign and got some help from some artists to trim out the lettering.

In response to a question from Mayor Larson, Mr. Orme said there are many steps to become an Eagle Scout like collecting rankings and merit badges. Some are required and some are optional and many can be earned at Scout Camp which is really fun, for instance, archery, rowing, and other fun activities.

In response to a question from Tim Brooker, Shane Orme said he has been a Boy Scout since he was 12 years old.

In response to a question from Mayor Larson, Shane Orme said he had 23 merit badges.

Mayor Larson presented Shane Orme with his certificate of appreciation.

(2) Plough Monday – Letter of Intent to Lease

Ric said Mayor Larson received a specific request from Plough Monday to issue a letter of intent outlining the terms of the proposed lease by October, 2012. Mr. Vidoni is proposing the 10 year lease begin December 1, 2012. Ric said we're a week or two away from ground breaking for water pipeline and Mr. Vidoni needs something to show his financial team that he has secured a location and his lease will begin December 1st. Ric said if Council wishes to issue a letter of intent, staff will prepare a lease for review at a November meeting.

In response to a question from Brittany Boothe, Kyle said he has been working with a contractor to try to sell the equipment and he's received a couple of phone calls. He said it will cost the City roughly \$3,000 to \$5,000 if the Public Works crew removes and decommissions the plant. He is still hopeful to receive a proposal, at which point, the equipment will be deemed surplus and staff will follow the process for disposing of it.

Brittany Boothe said it's great that we can support local businesses especially when they want to invest in our community.

Tim Brooker said he felt the letter of intent is something the City can and should produce at this time.

In response to a question from Thomas Cotter, Ric said the City didn't utilize the filtration plant this past year and because of a fairly mild summer the other three wells were not at capacity. He expects the Jeans Rd. plant will sit idle next year as well as in 2014. He said financially speaking decommissioning the plant would be more helpful to the water fund.

Mayor Larson said leasing the facility should offset the cost to decommission the plant.

It was the consensus of the Council to direct staff to proceed with a letter of intent to lease the Jeans Rd. filtration plant to Plough Monday, LLC.

Ric said the lease will be prepared for his signature and be reviewed by legal counsel. He said at an October meeting staff will include a request to surplus the equipment which will allow Kyle to work through his process.

(3) Law Enforcement Update, Sgt. Osborne, LCSO

Sgt. Osborne said over the summer there was a rash of car break-ins in Veneta. A deputy identified an individual trying to sell items on Craig's List. After further investigation, it was discovered that four juveniles were responsible – one of which is a young man who lives and attends school here. A pattern developed where the juveniles would go out nightly and enter up to 30 unlocked vehicles. Many items were discarded and many of the acts were not reported either because nothing of value was taken or owners didn't realize someone had entered an unlocked vehicle. He said there was no evidence of these juveniles stealing garage openers and entering homes. Sgt. Osborne said some of the stolen property was located at the young man's home and has been recovered but a lot of it was sold or traded and is unrecoverable. Sgt. Osborne said the Lane County District Attorney's office processed the four youth through the Juvenile Justice System which is a better system that holds them responsible for their crimes. Sgt. Osborne said again, it's important to get the word out that residents need to lock their vehicles and secure valuables.

Of late, Sgt. Osborne said he had received a number of complaints about diesel truck engine braking or "Jake braking" on Highway 126. He said it's not illegal but un-muffled engine braking is illegal but only can be detected if the truck is stopped and inspected for proper muffle systems. Based on the high number of complaints, he recommended City staff take the steps of incorporating "No Engine Braking in City Limits" in the City code. He said after reviewing the City's noise ordinance, this would fit within the code which already defines excessive engine revving or idling as prohibited within City limits.

In response to a question from Thomas Cotter, Sgt. Osborne said Kyle has been working with the IT person on the skate park surveillance system. He said he will provide an update at the next meeting.

b. Council/Committee Liaisons

Marion Esty said she attended the Senior Services meeting in Eugene along with many people from the east coast to provide future funding plans for local services.

Thomas Cotter attended the ODOT meeting for the Highway 126 Corridor. He said due to the new procedures for State Transportation Improvement Program (STIP) funding, it doesn't look good for Veneta. He said because we don't have any other funding partners for this project, coming up with the 11% match funds of roughly \$200,000 is up to us to identify. He said there was a discussion about using the funds for the southern alignment or bicycle route rather than for Highway 126 improvements. He felt the state let the Lane Area Commission on Transportation (LACT) down by letting the Committee believe that breaking things down into individual cities gave each City more control but the funds aren't there to get their projects done. He said it's very disappointing.

Mayor Larson said it must be very disappointing to most or all of those attending the Highway 126 forums.

Brittany Boothe reminded everyone that the Harvest Festival is this Saturday from 10 to 5 on West Broadway. She said the Veneta Park Board is creating activities for their booth.

Mayor Larson said the Park Board booth was great at the 50th Anniversary celebration.

Tim Brooker said he received a couple of phone calls from concerned parents about several older youth littering at the skate park. He said he was asked to mention it and see if the City's liter law could be enforced to keep the park cleaner.

Mayor Larson said that could be an interesting project for the Park Board to come up with an incentive program to get kids to not litter.

Ric said an effective incentive to keep the park clean is to close it for a few days. He said the deputies had a good presence at the park throughout the summer. Ric said he will mention it to Sgt. Osborne.

4. STAFF REPORTS

- a. City Recorder/HR and Risk Management Administrator.....Chris Workman
(1) Garbage Service Request for Proposal (RFP)

Chris said staff followed the direction provided by the City Council at the September 10th Work Session to draft the RFP for waste collection for a single hauler franchise. Staff provided Council members with a copy of the RFP prior to tonight's meeting. Chris said legal counsel made a few corrections. He said the RFP will need to be released on September 27th to meet the current garbage franchise expiration date of January 27, 2013.

Ric said sections 4 and 5 include most of the changes.

In response to a question from Mayor Larson, Chris reviewed the changes to the RFP by section including those made by legal counsel. The Council tentatively approved each section after it was reviewed.

Tim Brooker said if any inquiries regarding the RFP are received, he would like a written response provided to the Council. He said he wants to make sure that Council members are provided copies of staff's responses.

Chris said that discovery would be done prior to the package coming to Council to keep things in a timely manner.

In response to a question from Brittany Boothe, Chris said staff decreased the bond amount from \$10,000 to \$5,000 because a \$10,000 bond is usually required for a larger city.

MOTION: Thomas Cotter made a motion to approve the Waste Collection Service Request for Proposals with changes discussed and agreed upon and direct staff to move forward with the RFP schedule. Marion Esty seconded the motion.

Brittany Boothe commended Chris on a job well done but felt the Council is making a huge mistake by not taking into consideration the public comment received and the facts that support the benefits from providing choices. She said she is very disappointed and it's a shame that the Council is not discussing the issue or the options more. She said it's sad the Council isn't taking the opportunity to show support for local businesses.

Mayor Larson said she has listened and taken all public comments to heart in and out of the Council Chamber but she felt at this time this is the best decision for the City. She said the City has many large projects looming right now and a major change is not necessarily the best thing for the City. She too researched the issue and felt an exclusive franchise is the most efficient way for the City to move forward. She felt assigning territories to specific providers would eliminate choice. Again Mayor Larson felt a single franchise is the best route to go this time around.

Tim Brooker said many of the public comments and letters voiced a desire for choice and said the decision has already been made and felt further discussion isn't needed. He felt having a single provider doesn't limit or exclude anyone from the RFP process which will ultimately provide the best possible proposal.

Mayor Larson said it's not a competition between identified proposers. It's a decision to have single or multiple providers.

MOTION: Vote of 4 to 1. Brittany Boothe voted no.

b. Community Development DirectorKay Bork

(1) Fern Ridge Service Center (FRSC) – Notice of Intent to Award

Kay said staff is requesting Council members consider approval to issue a Notice of Intent to award the construction contract for the FRSC to Essex Construction and also authorize the cost to remove the existing utility pole located directly in front of the new Service Center building. With regard to construction of the Service Center, Kay said four bids were received. The lowest qualified bid was \$1,705,000 with alternate bids (deductions) totaling \$23,536. The alternate bid included replacing the horizontal wood siding with cement lap siding; deleting the reception slider door, and the exterior living wall trellis. Kay said all four bids were higher than the architect's estimate of \$1.35 million and are all approximately \$225,000 over the budgeted amount of \$1,481,500. City staff, the architect and representatives from Essex Construction met and prepared a list of cost saving measures that could be made to reduce the \$225,000 overage. She said everyone is fairly positive they can get the costs down but these changes need to be

discussed with the steering committee. She said services will not change but some of the finishing's, i.e., windows, will. Essex will get with Kay as soon as they have a dollar amount associated with those cost reductions. Kay said the steering committee is meeting tomorrow, September 25th.

In response to a question from Mayor Larson, Kay said she will have a better idea of what the \$225,000 overage consists of once she hears from Essex Construction.

Kay said the next step is for the Council to approve the Intent to Award. Once the Intent to Award is issued, there is a seven day protest period and if no protests are received staff could issue the Notice to Award the contract. The contract will be presented to the Council for approval at the next meeting.

Kay said in addition to the construction project, outstanding funding issues such as landscaping and purchasing of plants were not included in the bid but irrigation and stormwater plantings were included. The Steering Committee is working on those plus fundraising activities to purchase furnishings, new tables, service ware, cutlery, etc. The last item to be addressed is the SDCs which the Steering Committee may ask the Council to waive.

Kay said Kyle has been working with the utility company to relocate the utility pole which sits directly in front of the Service Center. The utility company will locate the utilities in an underground vault. Associated costs for this project are \$7239.13. Kay said Shauna said this could come from the street fund. If the Council approves, staff will provide a more specific request at the October 8th meeting.

After a brief discussion, it was the consensus of the Council that it was not necessary for staff to bring a formal request to the October 8th meeting in order to remove the utility pole.

In response to a question from Thomas Cotter, Kay said we received four bids.

Ric said there wasn't really once specific area that the bids were over. He said it's a fairly elaborate building and we ended up melding the wish list from four different partners. He said the kitchen needs to be able to be modified for future equipment and to provide multiple services. He said the look and feel that was desired for the West Broadway area contributed to the cost as well as the store front windows. He said it's not uncommon for the contract to be a little higher and the time of year construction is beginning may have also brought the cost up.

In response to a question from Mayor Larson, Kay said the kitchen is designed to accommodate future updated equipment with the intent to add the more expensive equipment at a later date or when needs change.

Tim Brooker said it makes sense to include future needs now during the planning phase.

In response to a question from Wayne Wymore, Ric said CDBG rules don't allow volunteers to assist with construction because the project is a prevailing wage job and the contractor has to comply with CDBG rules.

Mayor Larson suggested the landscaping could be done by volunteers. She asked Mr. Wymore to contact Kay.

MOTION: Thomas Cotter made a motion to direct Staff to issue the Notice of Intent to award the contract for construction of the Fern Ridge Service Center to Essex General Construction, Inc. Brittany Boothe seconded the motion which passed with a vote of 5-0.

MOTION: Thomas Cotter made a motion to authorize \$7239.13 to relocate the utility pole in front of the future Fern Ridge Service Center building. Tim Brooker seconded the motion which passed with a vote of 5-0.

Ric said originally staff felt the request to relocate the pole would go to the Urban Renewal Agency but Shauna recommended it can be charged to the maintenance line item in the street fund.

c. City Administrator.....Ric Ingham

(1) Electric Vehicle Charging Station Lease Agreement

Ric said at the July 23rd Council meeting staff approached the Council with a request from AeroVironment for the use of three parking spaces for two electrical vehicle charging stations at the Park and Ride location. After AeroVironment, ODOT and their partners discussed the options available; they chose to accept the City's counteroffer of two parking spaces at the Park and Ride. Since that time, staff has been working to secure a lease to provide some modest liability coverage for the City. After reviewing two modified lease agreements from other cities, and AeroVironment's, proposed lease, Ric solicited legal counsel's recommendations, which he included in the lease agreement he provided to Council. Ric said AeroVironment and its partners are reviewing the modified lease agreement and staff is asking that the Council tentatively approve the lease as presented and authorize Ric to sign it once the final negotiations have been completed. Ric said the charging stations need to be installed and completed by December 31, 2012.

MOTION: Thomas Cotter made a motion to direct the City Administrator to finalize and sign the lease agreement with AeroVironment for two electrical vehicle charging stations at Veneta's Downtown Park and Ride location. Marion Esty seconded the motion which passed with a vote of 5-0.

(2) Questions from Council Members

5. OTHER

Ric provided an update on the fundraising committee for the Fern Ridge Service Center. He said the 3rd Annual Harvest Festival will be Saturday, September 29th. Kim Kaufman has been getting new vendors and booths lined up for the event along with wine tasting. The groundbreaking ceremony for the Service Center will be at noon. He said Mayor Larson will provide some background and overview information, as well as welcome the partners; Pat Coy representing Mid Lane Community Partnership and Kay Metzger from LCOG will provide some program information. Several legislators and congressional folks were invited but most of them are on the campaign trail. He said we will likely see their representatives. Ric said Cawood & Associates worked very hard on organizing the groundbreaking and there will be TV crews at the Garcia Center on Wednesday, September 26th as well as at the ceremony on Saturday.

Tim Brooker said he will be working at the VFW booth on Saturday.

Ric said Thomas Cotter is the alternate LCOG representative. He said appointing representatives will be revisited at the first of the year with the new Councilors on board.

In response to a question from Thomas Cotter, Ric said the LCOG meetings are held the third Thursday of the month. This month's meeting is Thursday, September 27th, at the Springfield School District office. Ric will get the meeting materials to Thomas Cotter tomorrow.

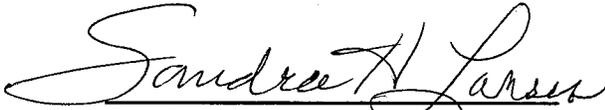
Mayor Larson said if Thomas Cotter cannot make the meetings the Council should appoint an alternative representative. She asked Brittany Boothe if she would like to be the LCOG alternate representative.

Brittany Boothe agreed.

MOTION: Thomas Cotter made a motion to nominate Brittany Boothe as the LCOG alternate representative. Marion Esty seconded the motion which passed with a vote of 5-0.

9. **ADJOURN**

Mayor Sandra Larson adjourned the Veneta City Council at 8:55 p.m.


Sandra Larson, Mayor-Pro Tem

ATTEST:



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