

Minutes of the Veneta City Council

June 24, 2013

Present: Sandra Larson, Brittany Boothe, Thomas Cotter, Thomas Laing, and Victoria Hedenstrom

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; Lisa Garbett, Associate Planner; Darci Henneman, Assistant City Recorder; Sgt. Doug Osborne, LCSO, Jim Eagle Eye, Cathy Coulson-Keegan, Sharon Joiner, Joan Dredge, Sue Foster, Vivian Cummings, Jim Fulks, and Michelle Ossowski, Fern Ridge Review

1. CALL TO ORDER

Mayor Larson called the Veneta City Council meeting to order at 7:09 p.m.

2. PUBLIC COMMENT

Jim Eagle Eye 25456 Hunter Rd., Veneta, OR

Mr. Eagle Eye said he is a member of the Veneta Planning Commission and he agrees with staff and Thomas Cotter that a tremendous amount of work and energy went into creating the current tree code. He said once you take that effort and use it practically in the City, we may find things that need tweaking. He suggested a notification process should be required when logging in City limits is requested, even if a tree cutting permit is not required. He said these are not large forested tracts of land but small areas inside residential neighborhoods. He said he believes the City does not want to prohibit property owners from logging their property but there should be a notification process included.

Kathy Coulson-Keegan, 25130 E. Broadway, Veneta, OR

Ms. Coulson-Keegan said she wanted to speak for the trees. She provided some information about the benefits of trees. She said trees cannot speak for themselves and she asked the City to consciously consider every tree. She is happy that we are a Tree City and because of that status we must consider trees. She agreed with Mr. Eagle Eye that we should reconsider urban logging in our community. She said we shouldn't cut down all the Douglas fir in Veneta because years ago it was all forest and Veneta started out as a logging community.

Sharon Joiner, 87957 Longwood Ln., Veneta, OR

Ms. Joiner said her main concern is the ambiguous nature of the greenway code. She read the code and felt the City has a responsibility to notify neighbors when a dangerous operation is occurring within inches of their back property line. She said huge trees have already been felled, shaking the ground, and they don't know which way the trucks are coming in or what the timeline is. She said communication goes a long way and she suggested there should be more communication with neighbors. She asked why the greenway code wasn't addressed in Lisa Garbett's June 12th letter allowing Mr. Demers to cut trees. She was reminding Mr. Demers that he cannot disturb the ground which was addressed in Ms. Garbett's original letter to Mr. Demers.

Joan Dredge, 87951 Longwood Ln., Veneta, OR

Ms. Dredge said at the beginning of last week she was somewhat stonewalled by the answers the Trinity neighbors were getting from City staff. She said the only answer everyone got was "Mr. Demers is allowed to cut trees smaller than 18 inches" and that he was within his right to remove trees. She said she felt only when the news media got involved did City staff start listening to neighbors' concerns. She said they were also denied email addresses for the Mayor and Council. She said all neighbors should have received a copy of Mr. Demers' original letter notifying the City of when the tree cutting would begin. She said the City should be monitoring the tree cutting while is occurring and not wait until the trees are all down. She thanked Mr. Demers for attending tonight's meeting. She said as far as the City's development and building houses, she felt most people in her nice neighborhood feel the same way she does. She said the only reason she moved to Veneta was because of the environment and the trees. She said Veneta is not a

destination city and people need to have a reason to live here. She said only cheap houses will be built and no one is going to buy \$300,000 to \$400,000 houses. She said the City's website touts about all the trees in Veneta. She said now it feels like it's being taken away and without support from City staff and officials. She showed the Council a photograph of a sign. She said there were many of these signs marking and protecting the greenway/wetland area. Now all the signs are gone and it makes her wonder whose side the City is on and who does it expect will be living in the City. She said most of the neighbors have talked about moving but financially it's difficult. She said this may not be the City for her and she sees the City having a hard time getting residents to work and be involved in the City.

Schauer said the City did not put the greenway/wetland signs up.

Sue Foster, 87945 Longwood Ln., Veneta, OR

Ms. Foster said when she moved here in 2009 those signs were all over the neighborhood. She said her realtor told her "the wetlands will stay where they are and nothing will ever happen behind your house". And they saw the signs and they thought they were gospel. She said then the trees started coming down with no warning. She said the Council members don't live in our beautiful neighborhood otherwise they would feel differently. She said the neighborhood Covenants, Conditions, and Restrictions (CC&R's) prohibit residents from removing trees no matter what and were written with the City ordinances in mind.

Thomas Cotter said we're trying to solve a specific incident. He said it's not the present Council's fault that this happened. He said after hearing everyone speak he believes the City Council has some housecleaning to do as far as the tree ordinance working. He said, like everyone else, you are entitled to do what you can on your land within the limits of the law. And until we can correct the problems we're facing, there isn't a lot we can do to solve a problem this week that happened last week, but we will try.

Mr. Fulks said Mr. Demers had encouraging words but he looks at the reason why most of the code doesn't apply because of the word "significant". How does a tree become a significant tree? How does a small tree grow and become significant if it can always be cut down?

Mayor Larson said only Douglas fir trees that are less than 18 inches can be removed.

Thomas Cotter said the ordinance dictates the sizes and tree types that can be cut. He said it may not be in anyone's best interest or the property owner's best interest to cut all the trees on his property, but if he chooses to do so, there's not a lot the City can do about it. He said we can mitigate it and impose fines for those illegally cut trees, but that's about it.

Vivian Cummings, 25357 Trinity St., Veneta, OR

Ms. Cummings said she lives at the end of Trinity and she cuts the scotch broom because she is concerned about the fire hazard. She is asking for the City's help to maintain that area.

3. CONSENT AGENDA

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

Vote: Thomas Cotter, aye; Thomas Laing, aye; Sandra Larson, aye; Victoria Hedenstrom, aye; Brittany Boothe, aye.

The consent agenda as approved included Minutes for June 10, 2013, Accounts Payable through June 18, 2013, and the Civic Calendar for July 2013.

4. COUNCIL BUSINESS AND REPORTS

a. Business

(1) Lane County Sheriff's Office Activity Report

Sgt. Osborne provided the Council with an update on the 30 different types of vandalism and criminal mischief residents have experienced over the last several months; specifically the tagging/graffiti, tire slashing, and a trash can burned out at Central Little School. He said the

investigation is at a standstill after canvassing schools to solicit information. He said deputies are stepping up patrols and he would appreciate the City Council consider offering a nominal reward for information leading to the arrest and conviction of anyone responsible for the thousands of dollars of damage to personal property.

He said the Oregon Country Fair (OCF) will occur before the next Council meeting and he provided a review of the public safety plan. He said LCSO will occupy the front gate on Highway 126 during most of the day and the back gate in the evening hours. Many of the volunteer overtime slots are filled. He said based on additional revenue from Lane County Public Works road funds patrols will be bolstered beginning July 1st for the next fiscal year. Fortunately, this means about a half dozen deputies will be back to work and the OCF will have an actual dedicated deputy to patrol between Veneta and Elmira. Reserve deputies will offer some assistance. Sgt. Osborne said because the levy passed, many of the reserves will go back to work at the jail so that means fewer volunteer resources. He said he is also working with Ingham to look at overtime expenditures. He would like to see that coverage bolstered in the City and he hopes to keep those costs down while looking forward to that added protection.

In response to a question from Thomas Laing, Sgt. Osborne said the jail levy is strictly for jail resources and expansion. He said the patrol resources are changing from 16 hours a day to 20 hours and in October it will increase to 24 hour coverage. He said this is due to road funds and has nothing to do with the jail levy.

In response to questions from Victoria Hedenstrom, Sgt. Osborne said his operating budget only covers deputies and patrols inside City limits. He said he and Ingham have been working on facilitating funding for patrols outside City limits. Sgt. Osborne said the Justice Assistance Grant (JAG) funds were used last year to get those extra patrols. OCF contracts with LCSO for services at the Hwy 126 main gate. He said public safety needs were discussed at community meetings with Suttle Rd. campground representatives and they were receptive to a cooperative effort to pay for additional police resources during the OCF. He said that this is something we can look forward to in the future.

In response to a question from Mayor Larson, Sgt. Osborne said the County would assign additional coverage to the OCF which would not be at the City's expense. He said his captain has confirmed we will have one more patrol in the area and around the OCF.

(2) Pool/Swimming Lesson Scholarships

Workman said that in the past Veneta has had some kind of swim lesson scholarship program for area youth. There has been a fund set up and staff has been somewhat creative in where those funds have come from. Originally, funds came through Mid-Lane Community Cares or from area churches, but in the last couple of years it's become more difficult to come by those larger donations. This year staff is recommending the City continue with the scholarship program. Staff is asking that we use some of the Zumwalt discretionary fund to cover those scholarship funds and direct staff to look at a permanent funding solution.

In response to a question from Mayor Larson, Workman said he wasn't sure if the scholarship program was advertised this year. He said in the past a few families have asked about getting on the list for the following season. Staff will work on packaging the promotion, advertising, etc. on the City's website and in the recreation guide so we have something put together for next season.

In response to a question from Brittany Boothe, Workman said there may have been mention of the scholarship program in the recreation guide but he was not sure.

Ingham said in the past, Territorial Sports Program (TSP) had offered scholarships as well as the Tony Garcia Center/Community Chest, but when they lost their United Way funding they lost some of the resources to administer the program. He said Jim Petty took over that program but with Mr.

Petty's untimely death last year the committee created the Jim Petty Memorial Scholarship Fund. He said we've always known if someone came to Stacy with a request for swimming lesson assistance staff would track down resources to get some assistance. In absence of Mid Lane Cares, the City would like to formalize our process and procedures to get something more permanent.

In response to a question from Mayor Larson, Ingham said staff would like to have one entity that has an income threshold for TSP, swim scholarships, etc. and any of the other programs so we don't all have separate programs.

In response to a question from Victoria Hedenstrom, Ingham said after Mr. Petty's death, there was a wave of contributions, but no one on the board is actively trying to get the funds distributed.

In response to a question from Mayor Larson, Thomas Laing said he will attend the next Mid Lane Cares meeting and will inquire about the Jim Petty Scholarship Fund.

In response to a question from Thomas Laing, Ingham said annual proceeds from the Zumwalt Campground total around \$20,000 which makes up the Zumwalt Discretionary Fund. These funds are mostly used to assist area youth activities and needs.

MOTION: Thomas Cotter made a motion to approve Zumwalt Discretionary Fund be used to pay for swim lesson scholarships to the Veneta Community Pool for the 2013 pool season up to \$500 and to direct staff to evaluate the current scholarship program and propose a more permanent program. Thomas Laing seconded the motion which passed with a vote of 5-0.

(3) Scholarship Donation Request from Imagination Zone for Summer Art Program

Ingham said this program has been active in the Fern Ridge community for many years. He said last year the City did not contribute any funds to the program because funds carried over from 2011. He said staff has contacted the subcommittee of Mid Lane Cares to see if they would process scholarships. No one at Mid Lane has heard from Ms. Ramsey so City staff is uncertain where donations would go and how the funds would be administered.

Mayor Larson suggested the Council come to a consensus in favor of supporting the scholarship request contingent upon confirmation of where the funds will go.

Victoria said it's a wonderful program.

After a brief discussion the Council directed staff to contact Ms. Ramsey to meet with staff to provide some clarification with regard to where the funds will go and how they will be administered for the Imagination Zone summer program.

MOTION: Thomas Cotter made a motion to approve \$500 for Imagination Zone 2013 provided it meets staff expectations of where this money will be used. Victoria Hedenstrom seconded the motion.

MOTION: Thomas Cotter amended his motion to approve \$500 from the Zumwalt Discretionary Fund for Imagination Zone 2013 provided it meets staff expectations of where this money will be used. Victoria Hedenstrom seconded the motion which passed with a vote of 5-0.

b. Councilor/Committee Liaison Reports

Victoria Hedenstrom said she attended the last Chamber meeting. She said the Chamber has gained a few new members and have a target budget of \$12,000 in membership fees. She said several issues

regarding the Light Parade and tree lighting events were discussed. Those topics included charging an entrance fee for floats and separating the two events proposal because of safety issues. An option would be to have the tree lighting in front of the Chamber office one night during the City's Holiday Bizarre and the light parade on a different evening. She said the board would also like to see the schools become more involved with the tree lighting. On another note, Victoria Hedenstrom said Wineries without Walls (WwW) will be selling some of the wine inventory during the Fourth Friday events and the Chamber will continue with the chili cook-off during the Harvest Festival. She said the Chamber is also looking at options for the space that WwWs occupied in the Chamber office.

Mayor Larson said area schools have dismissed students for the summer. She said the District has completed the long term facilities study which will be presented to the City Council and the public at a public meeting. She said Ingham is a part of that committee. Mayor Larson said a Portland realtor has been contacted regarding the sale of Noti Elementary and the Noti community group is still hoping to purchase the facility with the help of Nick Russo, a retired school board member. Mayor Larson said she attended the Regards to Rural Development event in Corvallis where Joan Mariner and Charles Ruff provided a presentation entitled "The Keys to Building Successful Collaborations in Small Rural Communities". The presentation included how Veneta and surrounding areas have benefitted from community collaboration.

5. STAFF REPORTS

a. Finance Director.....Shauna Hartz

(1) RESOLUTION NO. 1127 – A RESOLUTION TRANSFERRING APPROPRIATIONS FOR THE 2012-13 FISCAL YEAR

Hartz said with the end of the fiscal year approaching there are a few expenditure categories in which the amount spent to date exceeds 90% of the budgeted amount. It is unlikely that they will go over 100%; however, the appropriations transfers presented on the attachment are being proposed as a precautionary measure. In the General Fund it is being proposed to transfer the \$15,000 from the contingency classification to the materials and services classification. She pointed out that the total figures listed for the General Fund are incorrect. The totals are just informational and won't appear in the final attachment of the resolution. The Sewer Fund requires a transfer from contingency to debt service because additional journal entries, increasing the debt expenditure, will be made during the year-end process. In the Capital Projects: W. Broadway Fund is being proposed to transfer \$15,000 from capital outlay to materials and services. This fund does not have a contingency appropriation. Using the capital outlay will not have an adverse effect because that category is only 35% expended.

MOTION: Thomas Cotter made a motion to adopt Resolution 1127, a resolution transferring appropriations for the 2012-13 fiscal year. Thomas Laing seconded the motion which passed with a vote of 5-0.

(2) RESOLUTION NO. 1128 – A RESOLUTION EXTENDING WORKERS' COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF VENETA FOR THE COVERAGE YEAR 2013-14

Workman said even though it's not required, the City has always provided workers' compensation coverage for all volunteers. He said last year the City paid \$260 which provided workers' compensation coverage to all committee members and event volunteers including Zumwalt Campground volunteers.

In response to a question from Victoria Hedenstrom, Ingham said the only claim the City had was for Mayor Hobart's fall. He said if a volunteer strained his back planting trees, it would be covered under workers' compensation, but if a volunteer were to claim additional damages, it would be covered under another insurance policy.

Hartz said the City has liability insurance coverage for damages to someone else's property caused by a City volunteer acting in that capacity.

In response to a question from Victoria Hedenstrom Workman said the workers' compensation coverage is not required by law however, it's in the City's best interest to provide the coverage and pay for medical expenses in order to avoid a possible lawsuit down the road.

MOTION: Thomas Cotter made a motion to adopt Resolution 1128, a resolution extending City of Veneta's Workers' Compensation Coverage to volunteers of the City of Veneta for the coverage year 2013-2014. Thomas Laing seconded the motion which passed with a vote of 5-0.

- b. Community Development Director.....Kay Bork
- (1) Additional Discussion on Demers'/McDougal Logging Operation and Tree Code

Ingham said there are always issues to respond to and Bork and Garbett attempted to outreach and stay on top of things. He said the logging activities started less than six days ago and he felt the City has been very responsive to this issue. He said staff interpreted the code and spoke with legal counsel for additional clarification. He said every piece of code is written to try and cover every circumstance that we can think of but it never fails, something comes up. He's not sure how often commercial logging operations were discussed and how the code would address that. He said circumstances come up but will not always be covered. When code is written it's to address what's already happened.

Victoria Hedenstrom said this is a large logging operation in a residential area. She said she felt in this case we need to have something that addresses the residents' concerns. She doesn't think it's fair to our residents to just pretend they don't exist or that it doesn't impact them.

Mayor Larson said in order to hold someone responsible for notifying neighbors, a change in the permitting process should be made to include notifying neighbors.

Thomas Cotter said we should probably address the logging issues within city limits when we do the housekeeping rules within that particular tree code itself. He said we should educate residents what activity can occur inside a greenway.

In response to a question from Thomas Cotter, Workman said a telephone request came in for an email address for Mayor Larson. He said there was some confusion on whether the Council was using personal or City email addresses and also whether Council wanted their personal email or City email addresses given out.

Ingham said management will discuss this further but all email addresses are public information and staff will provide them upon request.

Bork said legal counsel suggested the housekeeping amendments were more to address the confusion about prohibited logging in the Greenway and to make any other modifications to the tree ordinance as a code amendment. She said this could be a separate process or through the housekeeping if we wanted to wait until we had several updates to bundle. It's the same process for all updates, public hearings, notifications to state, etc. Even on a fast tract it's a two to three month process and amending the tree code would be a much longer process.

Ingham said any tree code amendments would first go before the Planning Commission for recommendation to the Council for approval. The Planning Commission will hold several work sessions to complete the whole process until a final draft is presented to the Council for consideration.

Mayor Larson suggested if the updates are not significant we hold out and continue to implement the code.

In response to a question from Thomas Laing, Ingham said Mr. Demers notified staff regarding the tree removal but he was not required to give notice as to the definition of a "neighbor". He said there are five or six areas within City limits that Mr. Demers will be logging. He started on the south end of town and is working north along Baker Lane towards Hunter Rd.

In response to a question from Mayor Larson, Bork said many of his logging sites are on Hunter Rd. which he has not started yet.

Ingham said log prices have gone up and the newly tooled mills can utilize smaller trees making them more valuable.

In response to a question from Mayor Larson, Ingham said he's not sure we will see this kind of situation with another property owner wanting to thin or remove trees.

Victoria Hedenstrom said she was concerned about Mr. Demers not measuring trees properly and asked how his logging operation would be monitored.

Thomas Cotter said we have established an ordinance to address what happens in City's limits and it's not up to staff or Council to police his activities. He said he empathizes with residents but if someone cuts down trees within their own rights, we have to be careful to not step on their toes. He said we feel badly but that doesn't mean we can solve the problem.

In response to a question from Mayor Larson, Schauer said City nuisance codes would apply to the clean up or any potential fire hazard.

In response to a question from Brittany Boothe, Schauer said property owners are required to keep noxious vegetation 10 ft. away from a fence.

In response to a question from Victoria Hedenstrom, Bork said it's possible Mr. Demers would work with the neighbors but the City cannot require him to re-plant seedlings in the logged areas.

Ingham said first we need to hear what ATR, LLC decides to do. He said maybe the tree fund could purchase seedlings and Mr. Demers' crews could plant them. He said it doesn't hurt to ask however, he doesn't see ATR taking that initiative. Ingham said before Mr. Demers' plants anything he will move forward with an assisted living facility which will likely have a very expansive landscaping plan.

In response to a question from Victoria Hedenstrom, Bork said the transportation plan includes some pathways but Mr. Demers will need to submit his plan when he decides to develop.

In response to a question from Brittany Boothe, Ingham said Mr. Demers can develop in the greenway but he would need a variance which would require mitigation. The original tree code opts out of the Oregon Forestry Best Management Practices (OFBMP) but some of that vintage plan carries over. He said maybe we need to pull all of that old language out and choose not to opt back in to the OFBMP.

In response to a question from Mayor Larson, Bork said the old tree code regulated every tree in the City.

Bork said Mr. Demers is doing the most minimal impact our code allows.

Brittany Boothe said she went to the site and can see a patch that has been cleared but it's outside of the greenway. She said her experience on the Council tells her the tree code is thorough, concise, and easy to follow. She said Bork and Garbett have done an excellent job of communicating and explaining the process. She said most neighbors are concerned about the perceived lack of communication from the City. She said this is a unique circumstance to address a

logging operation but still that communication would have helped ease some of their fears which stemmed from a lot of unknown. She felt many of those residents feel helpless. She said the neighbors did a good job of expressing their feelings about the greenway, the intent of the greenway and staff gave a good explanation of the intent of the greenway/buffer.

Thomas Cotter said when the City created the wetland delineation it was determined what areas were wetlands and what were not. He said Douglas firs are not a wetland tree and not many trees in a wetland are healthy. He said the City allowed for that additional 50 ft. buffer to protect the wetlands but removing trees in the barrier will not damage the wetlands.

Ingham said first and foremost the greenway overlay zone is to protect and ensure that the City is meeting the Division of State Lands wetland protection act administrative rules. He said the City Council chose to add the additional 50 ft. buffer to protect the wetlands and not the trees within the buffer.

Brittany Boothe said she understands much better the purpose of the greenway and why it was developed.

Ingham said unfortunately many realtors told people the wetland cannot be developed which is true but trees 18 dbh within the buffer surrounding the wetland can be removed.

Thomas Laing said once Mr. Demers logs the property and sells it to a developer or develops it himself the larger trees will likely come down also.

Ingham said the concern for staff is an urban fire and the amount of fuel load adjacent to those homes.

Michelle Ossowski said it's hard to understand that the trees Mr. Demers is removing are non-significant trees and the area will not be replanted. She asked how the area is protected.

Thomas Cotter said the logging operations are surrounded by residential property within City limits. He said the big trees will eventually be eliminated and trees planted now will eventually be significant trees. He said people will have to give up certain ideals to live in a City neighborhood.

In response to a question from Michelle Ossowski, Joan Mariner said the greenway will come back. The water and the vegetation will be there.

In response to a question from Brittany Boothe, Ingham said any changes or additions to code language like requiring a notification process would take a minimum of three months to complete.

Mayor Larson said staff would start the code updates when housekeeping items reach critical mass.

Ingham said currently timber prices are high and the weather continues to get warmer so we really don't have the time to implement any changes before the dry season is here. Mr. Demers cannot log for much longer. Ingham said if the Council would like staff to outreach to Mr. Demers to notify folks of future commercial logging as a permitted activity under the tree code. He said at some point we'd prepare the code to include better clarification but right now staff can provide some level of notification. He said the City will do onsite visits and he felt Mr. Demers will work with us but as far as residents on Longwood, there really isn't anything we can do. He said as far as the code updates go, staff can redefine the material and explain the overlay zone that allows for timber less than 18 inches to be harvested.

Mayor Larson agreed that putting together that kind of information may go a long way to give residents information and warning.

Schauer said when that subdivision was developed, part of the code required that the City identify the wetland and greenway. In order to keep herbicides and pesticides out of the wetland the developer erected signs marking the wetland perimeter so residents wouldn't extend their lawns out to the wetlands. He said the signs were used in other subdivisions to keep residents from filling in the area, planting grass and spraying herbicides all the way to the wetland. Schauer said Neighbors 4 Responsible Growth (N4RG), were instrumental in educating the public and protecting the wetlands but some residents continued to fill in the area to make larger yards. Schauer said the signs were to keep development from reaching the wetland and trees were not intended to be kept out of there.

In response to a question from Victoria Hedenstrom, Ingham said he wants to be sensitive to staff time but also make sure that the code updates are thoroughly written. He said the Council is not schedule to reconvene again until July 22, 2013.

Mayor Larson said hopefully tonight's work session as well as Mr. Demers' compromise was helpful to neighbors. She said staff should develop some kind of notification process but wait until the housekeeping is done.

Ingham said staff will continue to bundle code changes to add to the housekeeping list. He confirmed that the Council is directing staff to put together a notification process and create an informational handout to explain many of the tree code requirements and details about future logging operations within the City.

(2) Amendment to the Fern Ridge Service Center (FRSC) – Community Development Block Grant (CDBG) Contract

Bork said staff would like to amend the FRSC contract with CDBG in order to include a Legal Expenses line item to reimburse the City for legal services. The dollar amount of the contract would not change but just reallocate \$2300 to the new Legal Expense line item. She said CDBG allows us to reimburse ourselves under the construction contingency so staff worked with infrastructure financing to amend the contract. She said staff doesn't anticipate hiring any more engineers or needing further legal services.

MOTION: Thomas Cotter made a motion to authorize the mayor to sign the Fern Ridge Service Center contract amendment, creating a new line item titled Legal Expenses for the amount of \$2,300 reducing the CDBG Construction Contingency line item by the same amount. Thomas Laing seconded the motion which passed with a vote of 5-0.

c. City Recorder/HR & Risk Management Administrator.....Chris Workman

(1) **RESOLUTION No. 1129 – A RESOLUTION ADOPTING THE CLASSIFICATION AND COMPENSATION PLANS FOR REGULAR EMPLOYEES OF THE CITY OF VENETA FOR THE 2013-14 FISCAL YEAR**

Workman said the resolution comes to the Council every year to reflect changes to the budget. This year staff negotiated a 2% cost of living adjustment (COLA) and the budget was approved by the Budget Committee. The Council recently adopted Resolution 1119 which updated the classification and compensation schedule for hourly, temporary, and seasonal positions. Resolution 1129 replaces Resolution 1107 to update the classification and compensation schedule for regular employees.

MOTION: Thomas Cotter made a motion to adopt Resolution 1129 as written, adopting the Classification and Compensation schedule for Regular employees for fiscal year 2013-2014 and repealing Resolution 1107. Thomas Laing seconded the motion which passed with a vote of 5-0.

(2) Animal Control Program/Approval of Greenhill Animal Control Contract

Staff removed this item from the agenda to allow for legal counsel review. Legal counsel suggested additional information should be included in the contract. Workman reviewed the City's animal control policy which he provided in a handout. He said more information will be provided at a future Council meeting.

In response to a question from Mayor Larson, Workman said a dog owner may receive a "dog at large" citation and a "failure to license" if an animal is picked up at large and also not licensed.

(3) **RESOLUTION NO. 1130** – A RESOLUTION ADOPTING A RETURN TO WORK POLICY

Workman said staff has worked on creating a Return to Work Policy that outlines the requirements if an injury occurs on-the-job and how an employee returns to work. The policy provides the City with some options to assist the employee with a modified job description. Workman explained how the process would work and how beneficial it is to employees. He said getting employees back into the swing of things and is a win/win for the City and employees.

In response to a question from Thomas Cotter, Workman said legal counsel didn't do a thorough evaluation of the program but most of the material has been borrowed from Citycounty Insurance Services (CIS) and best practices templates. He said employees have reviewed the policy.

Ingham said because CIS attorneys had reviewed the material staff felt it wasn't necessary for legal counsel to also review it.

In response to a question from Mayor Larson, Workman said the policy allows for some flexibility on the City's part and based on the type of injury. He said the policy is a tool to assist with getting an employee back to work and engaged and provides some creativity for assigning duties.

Mayor Larson said she liked the idea of a team approach between the employee's doctor, employee, and the City.

MOTION: Thomas Cotter made a motion to adopt Resolution 1130 as written adopting the City of Veneta Return to Work Policy. Thomas Laing seconded the motion which passed with a vote of 5-0.

d. City Administrator.....Ric Ingham

(1) Amended and Restated Intergovernmental Agreement for Law Enforcement Services

Ingham said this is the annual contract with the Lane County Sheriff's Office (LCSO) that comes before the Council to renew our public safety services within the City limits. He said this contract includes four deputies, Sgt. Osborne, and costs associated with a half time records officer and a full time communication officer. He said the 2013-14 contract totals \$785,422. Ingham said overtime costs of \$25,000 were also included. Ingham said last year we were fortunate to have the Justice Assistant Grant (JAG) as a backfill for vacation coverage. He said we no longer have those backfill funds and the overtime doesn't cover things like two additional deputies during the Oregon Country Fair so the City is picking up the deputies' overtime costs in order to do that. Also the overtime coverage would kick in when a deputy appears for trial on his day off. He said Sgt. Osborne is working to try to increase that amount. At this point, staff is asking for approval of this IGA with Lane County for our public safety coverage.

In response to a question from Mayor Larson, Ingham said the increase includes PERS, vehicle maintenance, fuel, etc.

MOTION: Thomas Cotter made a motion to approve the 2013-14 public safety agreement with the Lane County Sheriff's Office as presented. Thomas Laing seconded the motion which passed with a vote of 5-0.

(2) Questions from Councilors

Mayor Larson said it's not very often that Council meetings run long but she felt it was important to provide residents with an opportunity to comment and to take the time to have a thorough discussion.

Ingham thanked the Council for holding a work session and greeting neighbors' concerns. He said we do want to hear from residents and we also want to respond by making future code amendments to address some of their concerns. He said unfortunately the wheels of government don't happen overnight but staff appreciates the Council's willingness to hold a work session.

Ingham said the first Fourth Friday will be on June 28th from 2:00 to 7:00 p.m. He said a great band will play for a very short period of time and the weather is supposed to be spectacular. He said for the new Council members, you will be receiving Oregon Country Fair tickets between now and the week of July 10th. He said feel free to give them away if you won't use them. Ingham said the bus will run three times a day on Friday and Saturday from Veneta Elementary to the Fair but may stop at Zumwalt campground. A change was made this year that anyone can ride the bus as long as they have a Fair ticket.

Ingham said staff will notify Council members no later than July 2nd if there will be a July 8th Council meeting. He said if no urgent issues arise that staff feels need to be acted on immediately, the Council will only meet on July 22, 2013.

In response to a question from Thomas Laing, Mayor Larson said staff will contact Mr. Demers regarding some kind of notification process for future logging operations only.

OTHER

Ingham said on another note, staff was recently notified that the interest rate on the water pipeline loan will go up on October 1st from 2.75% to 3%. This increase calculates to \$800,000 over the life of the loan. Staffs chose to forego the water rehabilitation project so the water pipeline project can be completed prior to October 1st to take advantage of the 2.75% interest rate.

Workman said the solstice party was last Friday night at the pool. He said Kiwanis sold hotdogs, chips, and a drink. He said Stacy pulled a nice night together and the event was well attended.

Schauer said last week a property owner of three acres began logging his property after staff notified him that he would need a tree cutting permit. Schauer said the property owner began logging at 5:00 p.m. Friday evening and continued through the weekend and now that staff has contacted him again he is not being cooperative. Schauer said he cannot tell if violations have taken place and staff is moving toward entering the property to investigate any potential violations. He said he has contacted DEQ and Lane County and those agencies are working through their issues as well.

Ingham said everything the property owner has done and tried to hide leads us to believe he's illegally logging.

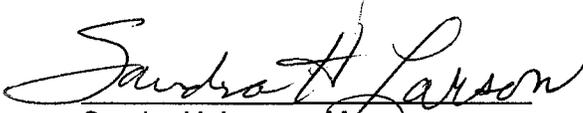
In response to a question from Brittany Boothe, Schauer said a couple of neighbors called staff today after hearing the logging. Also a public works employee noticed a long clay drag out on Bolton Hill where there is no legal driveway. He said because the property owner didn't install a temporary access across the ditch the clay dirt and mud was tracked down Bolton Hill Rd.

Bork said work on the Service Center continues on schedule and that project is wrapping up.

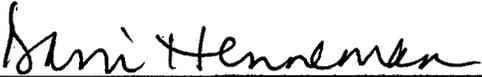
Mayor Larson said she will be undertaking a monthly assignment for the Fern Ridge Review called "Ask the Mayor". The first article will address the current logging issue in the greenway. She said hopefully it will clarify a few things for residents. Mayor Larson said she would appreciate ideas for future articles.

7 **ADJOURN**

Mayor Larson adjourned the Veneta City Council at 9:51 p.m.


Sandra H. Larson, Mayor

ATTEST:


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