

# Minutes of the Veneta City Council

## January 13, 2014

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

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; Georgia Varozza, Jonathan Russell, Victoria Palacios, Sarah Peterson, and Michelle Ossowski

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### 1. CALL TO ORDER

Mayor Larson called the City Council to order at 7:04 p.m.

### 2. PUBLIC COMMENT

#### **Georgia Varozza, 24957 Woodland Ave., Veneta, OR**

Ms. Varozza said she has come to the Council before to ask if it would look into changing the ordinance to allow backyard chickens. She hoped the Council would look into this again and allow people within the City to have backyard chickens. She said there are so many good reasons to have chickens; it's a good learning lesson for children and you get home grown eggs. She said Veneta is about the only community that doesn't allow chickens.

#### **Jonathan Russell, 24784 Terra Ln., Veneta, OR**

Mr. Russell thanked the Council for allowing him to speak at the December Council meeting and again at tonight's meeting. He said he was under the impression by the message left on his phone from the City Animal Control Officer that a decision to allow backyard chickens might be made at the next City Council meeting. He said he spoke to his immediate neighbors about his chickens and no one had any issue with his chickens. He said his chickens keep his yard free of bugs. He said because his son has allergies the eggs are one thing he can eat that are free of chemicals. He asked the Council to please consider allowing backyard chickens.

#### **Victoria Palacios, 88272 Huston Rd., Veneta, OR**

Ms. Palacios said she is also in support of backyard chickens. She said she grew up with livestock and raised chickens. She said she was very surprised that Veneta didn't allow backyard chickens. She said Eugene, Springfield, Cottage Grove, Portland all allow chickens and Corvallis allows an unlimited number of hens. She said the benefits her family receives from the chickens far outweigh the effort she puts into caring for them.

#### **Sarah Peterson, 87960 Ninth St., Veneta, OR**

Ms. Peterson is also in support of backyard chickens. She said she stopped by City Hall to ask questions about something else and found out chickens weren't allowed. She said she asked her neighbors out of respect if they minded if she had chickens and no one complained. Some neighborhood dogs are noisier than her chickens. She said she had a major slug problem in her yard until she let her chickens out to free range plus she doesn't have to use chemicals to kill the slugs. She said gardening and chickens go hand in hand and they are able to grow more food and save on their grocery bills by having backyard chickens.

In response to a question from Mayor Larson, Ingham said this is on the work plan on tonight's agenda. He said Bork and Garbett will be bringing a draft ordinance to the Council in February for possible Council adoption in late February.

In response to a question from Victoria Hedenstrom, Ingham said chickens are allowed within the City limits on lots of one acre or larger.

### 3. CONSENT AGENDA

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

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

The consent agenda as approved included Minutes for December 9, 2013, Accounts Payable through January 8, 2014, Accounts Paid through December 24, 2013, Public Works Activity Report for December, 2013, Code Enforcement –Significant Activities Report, 4<sup>th</sup> Quarter 2013, New Liquor License Application for Plough Monday Brewing, LLC

### 4. COUNCIL BUSINESS AND REPORTS

#### a. Business

##### (1) Appointment of Planning Commissioners (2) (terms expire 1/31/14)

Mayor Larson said three applications were received for the two upcoming vacancies on the Planning Commission. She said both Kevin Conlin and James Eagle Eye reapplied for their positions and she sees no reason why those Commissioners should not be reappointed. She said if there are no objections, she would like to reappoint Mr. Conlin and Mr. Eagle Eye to their respective positions on the Veneta Planning Commission.

It was a consensus of the Council to make the two appointments.

Mayor Larson said staff will contact the third applicant, Mr. Hill, to encourage him to apply for one of the vacancies on the Park Board.

#### b. Councilor/Committee Liaison Reports

Thomas Laing said Mid Lane Cares applied for another grant and operations seems to be going very well at the Service Center. He also provided Council members and Ingham with a copy of the strategic plan.

Mayor Larson said Thomas Laing actually introduced Mid Lane Cares to a possible grant but unfortunately, Veneta wasn't rural enough.

Brittany Boothe said she was unable to attend the last Park Board meeting.

Victoria Hedenstrom said the Chamber Board discussed next year's budget and they were feeling positive about the businesses coming to the area. She said the board also discussed the possibility of a new tasting coordinator for the Wineries without Walls project.

Mayor Larson said the school district determined that because of the snow, three make up days will be added to the school year. The first will be February 17<sup>th</sup>, Presidents' Day and the other two will require the board to negotiate with the teacher's union. She said the middle school had some water damage in the laboratory and Central Elementary has significant water damage due to broken pipes. All things considered it wasn't too bad. She said she attended a play written by a 13 year old girl and performed by students at Oak Hill School. She said it was delightful and very interesting.

5. STAFF REPORTS

a. Community Development Director..... Kay Bork

(1) Veneta Downtown Farmers Market Recap 2013

Bork provided a brief update on the 2013 Veneta Downtown Farmers' Market (VDFM) which was the seventh season of the Market. She said this year a new event called "Fourth Friday" was added to the Market schedule. She said the VDFM collaborated with the City and Oregon Country Fair (OCF) to hold a Fourth Friday event every month in an effort to amp up the Market with food and music in hopes to increase participation. She said the Fourth Friday events didn't draw the numbers organizers anticipated but it was still a great event. She said the event likely will not continue next season. In 2014 the VDFM will be held on Saturdays instead of Fridays. Bork reviewed the budget with Council members and asked if they has any questions.

In response to a question from Thomas Cotter, Bork said there is a permanent source of electricity to the Farmers' Market site.

In response to a question from Brittany Boothe, Marie Pickett, the VDFM Manager said she counts attendees at the Market by using a clicker counter and each vendor reports the total number of sales.

In response to a question from Thomas Laing, Ms. Pickett said the for-profit vendors pay a fee of \$15 per Market they attend. She said if a vendor pays in advance for every Market, a \$40 discount is applied. She said non-profits are not charged and the Market maintains two or four non-profits per season. She said those funds, per contract with the City, go back to the Market Manager. However as the Manager, she spends some of that on promoting the Market. She said this year the profit from the vendor fees was about \$600 and \$500 of that will remain in the VDFM fund as startup capital to create the Market's Board of Directors.

In response to a question from Thomas Cotter, Ms. Pickett said the Board of Directors made the decision to change the Market from Fridays to Saturdays. She said many of the vendors felt a Saturday Market would be better received. She said originally many farmers were reluctant to commit to a Saturday Market because they didn't feel it warranted giving up their Saturdays at other locations. Marie said Friday afternoon commuters could also be captured at a Saturday Market.

Victoria Hedenstrom said she would much prefer going to a local market on a Saturday than go to Eugene.

(2) 2013 Annual Planning Activity Report

Bork said it's important to point out that planning activity has doubled since last year. She said we're still getting many inquiries for not only planning activity but also building activity. In 2013 staff processed 30 single family dwelling permits and that's more than what was processed in the last three years combined. She said two larger subdivisions will be coming in this spring which will bring in a large amount of single family dwellings permits. She summarized some of the long range activity; the Comp Plan update, staff applied for some TGM grants but were denied, and staff undertook an amendment to the Urban Renewal Plan to include the pipeline. The Land development ordinance was also updated.

In response to a question from Mayor Larson, Bork said other permits include mechanical permits, electrical permits, and other small projects.

In response to a question from Brittany Boothe, Bork said all the tree removal permits were for existing homes and not for new construction.

Ingham said some of the larger tree removal permits were issued for timber harvesting. He said lumber prices being up considerably drove the increased activity.

In response to a question from Thomas Laing, Bork said three to five single family residential building permit applications have been submitted in 2014.

In response to a question from Thomas Cotter, Bork said temporary use permits would be issued to business like Christmas tree lots or fireworks stands.

Garbett said the Hillbilly Brews stand in the West Lane Shopping Center was operating under a temporary use permit until recently when they installed a larger building under a permanent use permit.

In response to a question from Victoria Hedenstrom, Bork said Goodwill Industries and St. Vincent DePaul likely have permission from the private property owners to park their donation trucks in the current locations. She said they've been there so long, she's not sure what process they would fall under.

Ingham said staff can take a look at that and see what kind of planning process they've gone through.

(3) Proposal to Amend Municipal Code to require Broadband Conduit (Dark Fiber) to be Installed at time of Development

Bork said staff is presenting draft proposed amendments to the Veneta Municipal Code to require broadband (fiber) conduit and/or facilities to be installed with other utilities at the time of development. If the City Council would like to pursue the amendments, staff will present a draft ordinance at a future City Council meeting for review and adoption. Staff would like to have the amendments in place prior to the future subdivision applications for future phases of the Southwest Area Plan.

In response to a question from Victoria Hedenstrom, Ingham said the additional cost involved in laying the extra conduit is minimal and would not include the fiber. He said when the fiber was installed for the Call Center it was about 90 cents per linear ft. He said because the trenches are already open it makes sense to go ahead and lay that extra conduit for a future fiber line as opposed to installing it after the fact.

Bork said staff will be updating two portions of the code, the first would be an amendment to the municipal code and then a future update would be to amend the Land Development Ordinance. She said amending the municipal code is much less time consuming and would be much quicker so we have it in place before subdivision development starts happening and then at a later date when other housekeeping updates are done, for example the chicken ordinance,. At that time the Land Development ordinance would be updated.

In response to a question from Victoria Hedenstrom, Bork said once the amendment is adopted by ordinance, all new construction will be required to include the extra conduit to be installed.

Bork said when we bring back the draft ordinance it will already be reviewed by legal counsel.

In response to a question from Mayor Larson, Ingham said legal counsel has done an initial review and flagged a couple of issues that we will be following up on based on the results of this meeting.

Bork said the suggested motion should read "to approve staff to evaluate code amendments to be presented at a future Council meeting."

In response to a question from Thomas Laing, Bork said SDCs will not be effected. It will only effect the infrastructures that developers are required to install with their public improvements.

In response to a question from Mayor Larson, Ingham said if Charter Communications, our current cable/TV provider, would have been keeping up with the times, they would have deployed more digital equipment that would have allowed them to deliver services like Comcast, phone, internet TV, etc. He said he's not sure you can get that triple play level of service through a Wi-Fi connection.

Herb Vloedman said you can't get the high volume through the air that you can with the fiber.

In response to a question from Herb Vloedman, Ingham said the City will own the fiber conduit which we will lease to providers.

Victoria Hedenstrom said one problem with Wi-Fi is a storm or power outage can disrupt service. She said the hard wire will provide better connection and less interference.

**MOTION: Victoria Hedenstrom made a motion to approve staff evaluate code amendments to require fiber conduit to be installed at the time of development and that the code amendments be presented at a future Council meeting. Thomas Cotter seconded the motion which passed with a vote of 5-0.**

b. Public Works Director..... Kyle Schauer

(1) Hunter Sidewalk Project Closeout and Request for Additional Funds

Schauer said in September 2013, based on approval from Council, staff entered into contract with Brown Contracting, Inc. for sidewalks along a portion of W. Hunter Ave. between Sixth and Seventh St. for a total of \$59,484. He said when the project was completed Brown issued an invoice for \$76,499.74 - \$17,015.74 more than the initial contract amount. He said no documentation was included to substantiate the \$17,015.74 overage. He said the City Engineer, Branch Engineering measured all the work and prepared a final engineer's estimate. Schauer said based on that estimate, \$5467 should be added to the original contract amount of \$59,484 for a total of \$64,951. Staff is requesting the Council approve this additional expenditure to Brown Contracting, Inc. for the completion of the Hunter Ave. Sidewalk Project.

In response to a question from Thomas Laing, Schauer said previously the City has not directly contracted with Brown Contracting, however Lane Transit District (LTD) contracted with Brown for construction of the monument at the corner of W. Broadway and Territorial Rd.

In response to a question from Brittany Boothe, Schauer said the original bid submitted by Brown was based on the plans. He said when they got to the site, there was some additional work that should have been included in the plans but was not. Those extras totaled \$5467. Schauer said a large part of the contention was the concrete curb. There was a difference in how the engineer figured curb into the price and how Brown figured it. He said the biggest part is the embankment which includes anything coming on the back side of the curb all the way underneath the sidewalk and all the area of rock and concrete fill to the sidewalk. He said the contractor's contention is "embankment is only what's on the backside of the

sidewalk” which is about a \$10,000 discrepancy. He said it’s very clear in the contract and we took the stance that we would go by what’s stated in the contract that they will be paid based on the engineer’s final estimate of what was completed.

In response to a question from Thomas Cotter, Schauer said 5% will be held back until all the necessary releases have been received. He said we’ve received all but one.

In response to a question from Brittany Boothe, Schauer said we had some issues in how they got the work done but other than that, the work was very good.

In response to a question from Victoria Hedenstrom, Schauer said the driveway at the foreclosed apartment complex looks very good and the City has not received any negative feedback regarding moving forward with that property.

Ingham said that property is currently in a foreclosure process and it could be many months before that changes.

Schauer said he’s heard very positive comments from residents and it’s nice to see kids using the sidewalks.

**MOTION: Thomas Cotter made a motion to authorize the additional expenditure of \$5467 to Brown Contracting, Inc. and Final Engineer’s Estimate of Quantities for the Hunter Sidewalk Project. Victoria Hedenstrom seconded the motion which passed with a vote of 5-0.**

Ingham said this is a classic example of a clean discrete project. He said this project took 18 months to complete; starting last summer with the asphalt overlay then almost a year later to complete the sidewalks. He said the asphalt overlay project was \$62,000.

Schauer said the entire overlay project, including an asphalt overlay of Oak Island Dr., was around \$100,000.

Ingham said Hunter Ave. is a nicely improved road made possible with a \$50,000 grant from the state of Oregon and \$80,000 to \$90,000 from the City.

c. City Recorder/HR & RM Administrator..... Chris Workman

(1) 2013 City Council Goal Setting Session Report

Chris said the Report captures the entire process back to September and identifies the process over the next two years. The City’s core services are identified and include more detail on what the Council would like to tackle over the next two years.

d. City Administrator..... Ric Ingham

(1) Review and Approval of 2014 Staff Work Plan

Ingham said this is the first major rework to the Work Plan in a number of years. In the past most have been built around a fiscal year or a two year plan, but because of the lateness of the goal setting session, staff chose to structure this Work Plan on a calendar year. Also, there’s a lack or void of major projects. In the past there were specifics and activities and how long those projects would take. This year is more about preparing the reports and analyzing the work that needs to be done in order to lay out projects and activities. Staff prioritized them based on discussions with the Council. Ingham highlighted portions of the Work Plan.

In response to a question from Mayor Larson, Ingham said we have cost estimates for the E. Bolton LID from 2008 and because construction costs have stayed competitive, that estimate

may not be too far off. He said Branch Engineering could possibly provide an update and use the same cost per linear ft. to give us a ballpark for other specific projects.

Ingham continued to review the entire Work Plan and asked if Council members had any questions.

In response to questions from Mayor Larson, Ingham said with regard to Economic Development, staff would like to engage Travel Lane County and other Economic development practitioners if continuing to develop Veneta and Fern Ridge as a visitor destination area is still a high priority. He said we should continue to put time and effort into it but we're not necessarily in the tourist business. He said also we tend to do better when we partner with other entities. Ingham said he interviewed four individuals; Sean Stevens, Regional Coordinator from Business Oregon, John Lively, of Lane Metro Partnership, Glenda Poling, Director of Lane County Economic Development, and Sarah Mizejewski with a focus around the food trade sector, all completed a survey identifying the broader issues of economic development in Oregon and specific challenges rural communities in the southern Willamette valley would face. He said they felt schools and work force development are areas that we continue to not pay much attention to but can be influenced at a local level. He said they all agreed that Highway 126 needs to be in the forefront in order to be successful. He will try to review all 10 surveys in the next couple of weeks and bring a summary to the Council before the economic analysis project is completed.

Ingham said looking back at the 2012-13 Work Plan many things came off. He said a fairly major reset was done to this year's Work Plan.

In response to a question from Mayor Larson, Ingham said the Eighth St. overlay project will be a transportation project included in the comprehensive report and that report will give us more of a critical overview of the City's preservation and modernization needs.

In response to a question from Brittany Boothe, Workman said the Council Chamber hanging map system has not been ordered. He said he's not sure where that note came from.

Ingham said that is a project that has started up and then put on hold a few time. He said many of the maps need to be updated so staff isn't quite sure where to go with this.

**MOTION: Thomas Cotter made a motion to adopt the 2014 Work Plan as presented. Thomas Laing seconded the motion which passed with a vote of 5-0.**

- (2) Questions from Councilors  
None

Ingham said he would like to review calendars with Brittany Boothe and Thomas Cotter before they leave.

Workman said with regard to the \$18,000 PetSmart Charities grant the City received, staff held a volunteer orientation last Thursday, January 9<sup>th</sup>. He said 23 volunteers attended the meeting from as far away as Dexter, Oregon. He said many volunteers live outside the Veneta area. He said some of those attending said they spend their own money trapping, spay/neutering, and vaccinating feral cats. He said the feral cat population has become a huge problem for our community and it's very important that the cats are returned to the environment so they can maintain their territory. He said the Willamette Animal Guild (WAG) and Veneta Veterinary Clinic will provide low cost spay/neutering services and are ready to

provide that service. Workman said 12 cats have already been spay or neutered and the program is off to a great start.

In response to a question from Brittany Boothe, Workman said the spay/neuter program is only for cats within the Veneta 97487 zip code, but many of the volunteers live outside the Veneta area.

Ingham said the volunteer from Dexter is willing to foster the cats after the surgery or foster a litter of kittens until they're old enough to spay/neuter.

In response to a question from Mayor Larson, Workman said the clinics will determine how friendly the feral kittens are and if they can go to the cattery at Greenhill Humane Society (if there's room) to be adopted. The emphasis of the program is on the feral litters of kittens born. He said cats aren't born feral, they become feral because they're not loved. So if we can get them into a home and socialized until they are old enough to be spay/neutered then Greenhill may accept them into the adoption program.

In response to a question from Thomas Laing, Workman said a property owner is ultimately the caretaker of the cats. He said Teresa will refer callers to a volunteer who will determine how much help is needed or wanted. He said some people are feeding the cats and have pretty much adopted them but they would like to have them spay/neutered, others may have a colony of cats in their neighborhood and would just like to see them trapped and spay/neutered. In both situations, the cats will not be able to continue to breed and populate.

In response to a question from Brittany Boothe, Workman said he sent a press release to the Register Guard and the Fern Ridge Review about receiving the grant. He said that's when the Register Guard contacted the City for an interview about the program.

Ingham said he will provide Council members with a copy of the Register Guard article. He said many residents are very passionate about the feral cat population and once the word got out about the program, staff received many calls about volunteering.

Workman said he would like to see the program start with volunteers working through the community neighborhood by neighborhood to tackle the colonies of feral cats. He said the \$18,000 PetSmart Charities grant is a two year program; \$9000 the first year to spay/neuter 175 cats. If we meet that goal, we will receive the second \$9000. He said if we're able to accomplish that we may go out for another grant in two years.

Hartz provided Council members with copies of the Audit Report for review prior to the next Council meeting and the auditor's presentation at that time.

## 7. ADJOURN

Mayor Larson adjourned the Veneta City Council at 8:47 p.m.

  
Sandra H. Larson, Mayor

ATTEST:

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