

Minutes of the Veneta City Council

February 10, 2014

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

Others: Ric Ingham, City Administrator; Kay Bork, Community Development 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; and Michelle Ossowski, Fern Ridge Review, and Pearl Duquette

1. CALL TO ORDER

Mayor Larson called the City Council to order at 7:08 p.m.

2. PUBLIC COMMENT

Pearl Duquette, 88353 Jesse James Ln., lane, Veneta, OR

Ms. Duquette is here tonight to ask the Council to grant her request to waive the Community Center rental fee for a fundraising event she is holding for the Ms. Falcon Contest. She said this is the first year Elmira High School has had a Ms. Falcon Contest. Her goal is to raise \$3000 and all proceeds will go to Mid Lane Cares.

3. CONSENT AGENDA

MOTION: Thomas Cotter made a motion to approve the consent agenda as presented. 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 January 27, 2014 and Accounts Payable through February 4, 2014.

4. COUNCIL BUSINESS AND REPORTS

a. Business

- (1) Request from Pearl Duquette, Ms. Falcon Contestant, to waive the Community Center Rental Fee for a fundraising event.

In response to questions from Victoria Hedenstrom, Ms. Duquette said all of the Ms. Falcon contestants are raising funds for Mid Lane Cares. She said the contest theme is spies.

MOTION: Thomas Cotter made a motion to waive the Community Center rental fee for Pearl Duquette on March 8, 2014 to hold a fundraising event for the Ms. Falcon Contest. Brittany Boothe seconded the motion which passed with a vote of 5-0.

b. Councilor/Committee Liaison Reports

Thomas Laing said the Mid Lane Cares meeting was canceled due to the weather.

Thomas Cotter said the LCOG meeting was also cancelled due to the weather.

Brittany Boothe attended the February 5th Park Board meeting. She said the Board continues to prepare for the upcoming Easter Egg Hunt which will be Saturday, April 19th. She said Dennis Paronto told the Board this year's event marks the 28th consecutive year of the Easter Egg Hunt. Brittany Boothe also said the Earth Day celebration with Veneta Elementary will be on Friday, April 11th and planning for that event is underway with Veneta Elementary. She said organizers continue to fine tune the presenters to make sure they're age appropriate and fun. She said

several positions on the Park Board will expire March 31, 2014; two of which are vacancies from folks who moved on. She said at the March 24th Council meeting the Park Board will present its annual report to the Council.

In response to a question from Mayor Larson, Ingham said residents that have applied for other City committee positions have been notified about the Park Board vacancies.

Mayor Larson said the District chose to cancel school today district-wide because there was no water at Elmira Elementary and High School.

5. STAFF REPORTS

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

- (1) **Ordinance 509** – AN ORDINANCE AMENDING CHAPTER 13.30 OF THE VENETA MUNICIPAL CODE TO INCLUDE BROADBAND CONDUIT AS A CITY PUBLIC IMPROVEMENT. For Second Reading by Title Only and Final Enactment.

Ordinance No. 509 was read into the record by title only and final enactment.

MOTION: Thomas Cotter made a motion to approve Ordinance No. 509, an ordinance amending Chapter 13.30 of the Veneta Municipal Code to include broadband conduit as a City public improvement. For second reading by title only and final enactment. Thomas Laing seconded the motion which passed with a vote of 4-0.

Ordinance 509 was read into the record for second reading by title only and final enactment.

- (2) Approval of Economic Opportunity Analysis Agreement with the University of Oregon (U of O)

Bork provided the scope of work prepared by Bob Parker from the U of O Community Service Center. She said U of O graduate students will complete planning work with the supervision of Mr. Parker. His students agreed to prepare the scope of work for the Comp Plan update including research and public engagement activities related to preparation of an Economic Opportunities Analysis and economic development strategic plan for Veneta. She said the scope of work describes the project, outlines specific tasks and includes a project schedule and budget. Bork said the Planning Commission reviewed the Scope of Work and had a couple of comments. She said the scope of work includes critical tasks in completing the Comp Plan update and will also complete the Economic Opportunity Analysis (EOA) which is similar to the Buildable Land Inventory (BLI) for commercial and industrial land. The EOA will determine what kind of economic development the City desires over the next 20 years. In addition the group will provide a visioning workshop to develop a strategic plan for the City. The project would begin in June 2014 and be completed in December 2014. All updates to the Land Division and Land Development ordinances would be in January 2015. Bork said because the U of O and the City are public entities, we are exempt from the public contracting regulations and are not required to go through the Request for Proposal (RFP) process.

In response to a question from Victoria Hedenstrom, Ingham said the project cost would likely double or slightly more than double, if we had to send out an RFP.

Bork said the economic development strategies will be quite involved and Mr. Parker's students will be doing significant public outreach and talking to community stakeholders.

In response to questions from Mayor Larson, Bork said community stakeholders would include the Fern Ridge Chamber of Commerce, local banks, developers and land owners of large commercial/industrial property, large business owners like First Call Resolution, and other businesses in our community. Bork said the finished product will be something we can

implement right away and will not be a plan that sits on the shelf. She said Mr. Parker spoke about doing something a little different and more interesting by adding visioning and a strategic plan.

In response to questions from Victoria Hedenstrom, Bork said in 2000 all residential and industrial land was looked at. She said the original Comp Plan was adopted in 1984 and the Comprehensive Land Use Evaluation (CLUE) was completed in 2002. Bork said the State requires we have a 20 year inventory of buildable lands and there are certain statutes that if a City undertakes the study certain specifics are required.

Ingham said the Department of Land Conservation & Development (DLCDC) has loosened the requirements for smaller cities but it's still a lengthy and expensive process. He said many cities are in their fifth, six, and seventh year of completing the Comprehensive Plan update. Ingham said we're not doing anything too controversial, but someone could claim that we're not in compliance the DLCDC requirements.

In response to a question from Thomas Cotter, Bork said the \$25,000 was budgeted for this fiscal year and included in the next budget process.

Ingham said project funds will come from the general and planning funds respectively.

MOTION: Thomas Cotter made a motion to approve the University of Oregon (U of O) Agreement and Scope of Work for the completion of an Economic Opportunity Analysis (EOA) and Economic Development Strategic Plan for the City of Veneta and authorizing the City Administrator's signature. Thomas Laing seconded the motion which passed with a vote of 5-0.

- b. Finance Director..... Shauna Hartz
(1) **Resolution No. 1138 – A RESOLUTION EXTENDING WORKERS' COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF VENETA**

Workman said because Hartz is ill tonight, he will review Resolution No. 1138. He said several years ago the City Council agreed to provide workers compensation coverage to all City volunteers. He said the City has always had three options for coverage; the Council can choose to provide workers compensation coverage; elect to not offer workers compensation coverage but buy a liability policy for any accidental injury, or not offer any coverage and revert to liability. He said for many years, volunteers have been covered by the workers compensation coverage and staff continues to recommend this type of coverage. He said recently staff learned that the current resolution lacked the detail advised by CIS. Also, with the new Feral Cat Trap Neuter and Return program, the City is adding a new classification of volunteers that must be identified in order for workers compensation coverage to extend to those volunteers. Workman said just today, legal counsel suggested staff make a few minor reformatting changes to the Resolution; however, he said he doesn't see the wording or meaning of the Resolution changing. Workman is requesting the Council approve Resolution No. 1138 as presented and to include minor formatting changes as suggested by legal counsel.

In response to a question from Mayor Larson, Workman said Resolution No. 1138 complies with requirements of Citycounty Insurance Services (CIS), the City's liability insurance carrier.

In response to a question from Thomas Laing, Workman said workers compensation coverage is based on the number of volunteers and annual volunteer hours. He said staff tracks all volunteer hours and provides that information to CIS. He said our rate is based on the average annual volunteer hours.

In response to a question from Victoria Hedenstrom, Workman said Hartz would add an additional classification to the volunteer coverage for volunteers participating in the feral cat program. He said every type of volunteer will have a different level of liability because CIS has different rates for different types of volunteering.

MOTION: Thomas Cotter made a motion to approve Resolution No. 1138, a resolution extending workers' compensation insurance to City volunteers, as presented but with amendments per legal department. Thomas Laing seconded the motion which passed with a vote of 5-0.

- c. City Recorder/HR & RM Administrator.....Chris Workman
(1) City Branding Request for Proposals (RFP)

Workman said about one year ago, based on direction from the City Council, an ad hoc committee was formed to discuss the possibility of creating a new city logo. After one meeting it was realized more time and attention should be given to this endeavor. However, the City had several other large projects on the table so this project was put on hold for further discussion at the next goal setting session. Workman said at the Council's recent goal setting session, goal 6 was identified "to improve community awareness of City issues and public engagement opportunities". Objectives of that goal were to update the City website and create a new logo. Workman said with the City looking to update the Comp Plan with an Economic Opportunity Analysis (EOA) staff felt the time is right to engage a professional branding contractor to assist the City in developing a brand in conjunction with the EOA. He said professional marketing companies and agencies target municipalities so they stand out and attract businesses and growth. Workman said an RFP will go out to the general public as well as to specific professional companies to provide branding services for the City. Workman said staff is hoping the project will overlap the budget process to give staff a better idea of what the cost will be. He said costs allocations will likely be made in this fiscal year as well as included in the next budget process.

In response to questions from Victoria Hedenstrom, Workman said a Request for Proposals (RFP) process will be completed and specific companies like Cawood Associates will be targeted as well. Workman said if she had a company in mind to please pass the name on to Ingham or himself to be included in the targeting process.

MOTION: Thomas Cotter made a motion to approve the release of the City Branding Request for Proposal (RFP) as written. Thomas Laing seconded the motion which passed with a vote of 5-0.

- d. City Administrator.....Ric Ingham
(1) Proposed Restructuring of Employee Positions

Ingham said with Workman leaving the City next month, Management Staff has taken the opportunity to talk about replacing or finding a replacement at his level. Ingham said Hartz will function as the City Recorder and the City will hire a Management Analyst which will not be at a management level. Ingham provided the Council with a current employee chart and a proposed chart that reflects some changes due to Workman's departure from the City. He said the code enforcement and building clerk will be supervised by the Community Development Director and the Assistant City Recorder will be supervised by the Finance Director. He said in July 2014 (fiscal year 2014-15) the fiscal department will hire a part time staff person. He said that department has been challenged to get some large projects completed. These changes will become effective March 1st and if we were to add any staffing, we would wait until July 1st.

In response to a question from Thomas Cotter, Ingham said the new part time position would be under the Finance Director.

In response to a question from Victoria Hedenstrom, Workman said if hired, the new position would be a part time utility clerk and would start after July 1, 2014.

Ingham said Ann needs to spend time on the phone working through billing accounts and it's difficult to do that when she's at the front desk.

In response to a question from Mayor Larson, Ingham said Workman submitted his letter of resignation today and his last day with the City will be Tuesday, March 11th. He said Workman will be here for the March 10th City Council meeting.

(2) Update on Charter Franchise Agreement, Fiber Optic Design for Veneta Business Park & Request from SBA to extend Cell Tower Lease

Charter Franchise Agreement

Ingham said the City's ongoing relationship with Charter Communications has been somewhat disappointing. He said Charter has yet to follow through with promises it made over the past years. He said the Charter franchise fee revenue have decreased and it chose not to invest in digital services. Ingham said based on direction from the Council, he submitted a 90 day notice to Charter indicating the City intended to negotiate a new franchise agreement. At that time, the CEO of Charter stated that all Charter customers would be upgraded to digital services by the end of 2014. For Veneta that meant Charter is anxious to reenter into an agreement which makes us more attractive to potential new buyers. He said staff believes that we would be best served by not entering into an agreement unless Charter lays out specific plans and commitments to upgrade Veneta to a digital format. If that doesn't happen we would not enter into a franchise agreement and wait to negotiate a franchise agreement with the provider that purchases the Veneta market. He said nothing changes even though we don't have an executed agreement, we will continue to operate under the old one.

In response to questions from Thomas Cotter, Ingham said an offer has been made on the Veneta market and other rural Charter communities. We feel something is in the works which will likely play out in the next 30 to 60 days. He said Comcast made an offer to buy Time Warner which would make Comcast much larger than Charter. He said because the big two cable providers are pursuing the larger markets, we're going to see other cable companies picking up the mid-sized markets. Ingham said staff talked with Monmouth and Independence, which have their own cable providers, but have run into some financial issues. Ingham said legally he doesn't think we can solicit a provider.

Fiber Optic Design for Veneta Business Park

Ingham said the second issue is to take fiber to Veneta Business Park. He said the original estimate to provide fiber to First Call Resolution was \$42,000, with the state paying \$30,000 and the City and Lane County splitting the balance. Final project costs were about \$35,000 with the state still committed to pay \$30,000 and Lane County and the City split the \$5000 balance. Based on that, the City approached Lane County last month to see if we could utilize the remaining \$3500 of the original commitment to complete a preliminary design to extend fiber to the Veneta Business Park and possibly creating a redundant connection to First Call Resolution.

After a brief discussion it was the consensus of the Council to obligate \$6000 for the fiber build out to Veneta Business Park.

Request from SBA to extend Cell Tower Lease

Ingham said the City's relationship with SBA has been in place since 1998. He said SBA is asking the City to extend the cell tower lease agreement an additional 25 years. The current lease will expire in 2024. If we agreed to a 25 year extension it would commit the City to the cell tower lease site to SBA until 2049. Ingham said the telecommunication business changes frequently and he understands SBA wants long term commitments. However, he's not comfortable granting an additional 25 year lease. He would like to counter SBA's offer with a 10 year extension expiring in 2034. Ingham said SBA is also offering a one-time \$18,000 cash incentive for entering into the 25 year lease.

In response to a question from Thomas Cotter, Ingham said the original lease was for 25 year with five year renewals.

In response to a question from Victoria Hedenstrom, Schauer said SBA owns the tower that sites on City property. He said we lease the site to SBA who subleases the tower to different providers.

Ingham said when we entered into this 15 years ago, no one knew the value of cell towers. If someone were to negotiate a site for a new cell tower, they would likely receive more. He said it's an industry that continues to change and there's only so many key cell tower sites which have become more valuable as time goes on.

In response to a question from Thomas Cotter, Ingham said staff doesn't want to spend a lot of time determining what the new monthly rate would be if that's even possible. He suggested negotiating for a portion of the one-time incentive of \$10,000.

After a brief discussion, it was the consensus of the Council to direct Ingham to negotiate with SBA for a 10 year lease renewal and include the one-time cash incentive of \$18,000.

(3) 2013 Employee Compensation Statement and 2014 Compensation Decision

Ingham said the first year at the City, Workman took on the task to provide all employees with individual Employee Benefit Statement. He said the chart before the Council tonight is the City Total of all employees' benefits. He said the main point of the agenda item summary is that we have concluded the compensation discussions with City staff. A compensation package was submitted to all City staff January 2014. That package included matching the consumer price index which came in at 1.5% and as promised in the last couple of years, every three years a wage and salary study will be completed. That will be budgeted for the 2015-16 budget year. Also, because there was no request for additional leave time or clothing allowance, he offered a one-time bonus holiday for the day after Christmas, Friday, December 26, 2014. He said it's pretty quiet that day and we also have some challenges keeping City Hall staffed because of the number of requests for that day off.

In response to a question from Thomas Laing, Ingham said the City has 16 full time employees; Stacy, the lifeguards and swim instructors are seasonal employees.

In response to a question from Brittany Boothe, Workman said the chart covers only the regular employees.

Ingham said it shows those full time employees that are eligible to receive a benefit package.

In response to a question from Mayor Larson, Ingham said the City still follows a step increase process but that process is based on merit increases and are not automatic increases.

In response to a question from Thomas Cotter, Ingham said he recommended that City Hall be closed the day after Christmas, 2014 which would be a paid holiday for staff and paid in FY 2014-15.

In response to a question from Thomas Laing, Ingham said he's not sure what the cost of a paid holiday is for the entire staff. He said the City saved a significant amount of money when it changed its health insurance coverage to a high deductible plan.

Victoria Hedenstrom said City employees are very fortunate to have the health insurance coverage that the City offers.

Ingham said the City's insurance plan is a comparable package to other cities.

In response to a question from Brittany Boothe, Ingham said when the City went with a high deductible health savings accounts two year ago, it was agreed that in three years the entire program would be reevaluated.

Workman said the cost to the City for the extra holiday is roughly \$4000.

In response to a question from Mayor Larson, Ric said staff may look into the possibility of incorporating a gym membership reimbursement policy into the City's Wellness Program. He said details need to be worked out, documentation for reimbursement, etc. and policy questions needs to be addressed.

(4) Questions from Councilors

Ric provided information about the "If I were Mayor, I would ..." contest sponsored by the Oregon Mayors Association. He said this year's program ends May 16, 2014.

Mayor Larson said it's pretty much the same as last year. She suggested the City Council may want to reconsider the prizes the City awards.

Council members reviewed what the City offered last year to the top three winners; the two elementary entries received pool passes, the middle school winner received a Figaro's gift certificate and the high school winner received a BiMart gift certificate.

In response to a question from Ingham, Mayor Larson said she would talk with Jackie Turle, Principal at Elmira Elementary and Olivia Johnson, Principal at Veneta Elementary to see if the schools would participate.

Victoria Hedenstrom suggested including a writing piece with the poster. She said maybe Council members could speak to the Leadership Class at the high school and do a City Government 101 presentation.

After a thorough discussion, it was the consensus of the Council to participate in the "If I Were Mayor" contest.

Victoria Hedenstrom said this could be dovetailed with the Council goal for educating area youth about local government. She said she would like to see a higher level of awareness and understanding of local government at the Middle School. She said it's important to talk about what the City's all about.

Michelle Ossowski said she could write an article in the Fern Ridge Review and interview Mayor Larson about what the mayor does.

Ingham said at this point we just need to make the commitment to the League of Oregon Cities that we will be participating in the contest and we will proceed like we did last year. He confirmed that Victoria Hedenstrom, Brittany Boothe, and Thomas Cotter are interested in participating in the event by speaking to students at all grade levels.

6. OTHER

Schauer provided the public works activity report for January, 2014. He said he was preoccupied with the snow storm activities last week and was unable to complete the report. He reported that some areas received 12 inches of snow and City crews got out as soon as they could. He said over the weekend, three to four public works employees were out assisting with various issues; trees, limbs, and spending a lot of time cleaning up debris to make it safe to travel through the City. He said the plowing continued Sunday and finished up today. He said the public works crew worked long hours cleaning up around town, removing downed trees from roadways, and assisted some utility companies with fallen trees and downed power lines. Schauer said the City survived very well for what occurred, both on our roadways and with City systems. He said all backup generators came on and handled the load very well. He said overall the City was served very well and the public works crew did an exceptional job. He said many residents were out and about thanking the crew.

Victoria Hedenstrom asked Schauer to pass on her thanks to the public works crew for all the work they had to do to keep the City running safely.

Ingham said we're fortunate to have emergency generators to run the facilities which operate very well under these conditions which allows that public works employee to assist with other matters.

Schauer said it hasn't always been that way but now it does free up that person. Schauer said EPUD's outage was region wide.

Ingham said in 2002 the City made the commitment that all new subdivisions would be served by underground power lines. He said the above ground power lines can be affected by just one tree.

Victoria Hedenstrom said Elmira High School's electricity is served by Lane Electric but the well is served by EPUD so even though they have electricity the school didn't have water.

7. ADJOURN

Mayor Larson adjourned the Veneta City Council at 8:45 p.m.


Sandra H. Larson, Mayor

ATTEST:


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