

Minutes of the Veneta City Council

June 23, 2014

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

Others: Ric Ingham, City Administrator; Ken Jones, Legal Counsel; Kay Bork, Community Development Director; Kyle Schauer, Public Works Director; Katie Babits, Management Analyst; Darci Henneman, Assistant City Recorder, and Michelle Ossowski, Fern Ridge Review

1. CALL TO ORDER

Mayor Sandra Larson called the Veneta City Council to order at 7:05 p.m.

2. PUBLIC COMMENT

Wayne Wymore, 25311 Hunter Rd., Veneta, OR

Mr. Wymore said he is speaking to the Council tonight about trying to solve Veneta's homelessness problem. He said Eugene has adopted "Opportunity Village Eugene" and there are a number of folks in the community that would like to provide something in Veneta like the "Opportunity Village". He said his group doesn't want to see our homeless population out in the cold. He said the group would like to set up a limited use zoned area and possibly generate some funds. They would like to make some resources available and Junie from the warming center is working on a list of resources to assist some of these people to get on their own and address Veneta's problem with our homeless population.

Dennis Maricle, 87690 Blek Dr., Veneta, OR

Mr. Maricle said he is speaking tonight to the Council on behalf of a coalition of Veneta churches to address the problem of our homeless persons in Veneta. He said they have been planning on addressing the Council due to the eviction of Veneta's homeless in our City. Mr. Maricle read his cover letter to the Council and also provided copies of his materials. He said they don't have a business plan or a site picked out but these things will come in time. He doesn't expect an answer tonight but wanted to get the Council thinking about this problem. He said he would like to see our homeless population treated with dignity and given a place to stay.

In response to a question from Ingham, Mr. Maricle said police showed up at one of the homeless camps and cut tent lines and told the homeless campers they had a week to leave the area.

In response to a question from Ingham, Mr. Wymore said one of the camps was located on the south side of the railroad tracks, on the northern end of his property where it adjoins Luther Lane. He said there is also a camp along the tracks near Countryside Pizza.

Ingham said this is news to staff. He said if the homeless camps were on private property, one of the deputies would have notified City staff. He said staff was not aware of this action.

Mr. Maricle said his group wanted to address the issue months ago but now there's more urgency.

Mayor Larson said the Council and staff is concerned about this matter but it's clear we don't have all the information. Coalition is formless.

Mr. Maricle said they are working on creating a more formal coalition.

3. CONSENT AGENDA

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

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

The consent agenda as approved included Account Payable through June 18, 2014 and the Civic Calendar for July, 2014.

4. COUNCIL BUSINESS AND REPORTS

a. Business

(1) Presentation to Outgoing Sgt. Doug Osborne

Mayor Larson said Sgt. Osborne has been an outstanding member of our team for almost five years as well as Veneta Resident. She said he is personally and professionally invested in this community and we appreciate his service. Mayor Larson presented retiring Sgt. Osborne with a certificate of appreciation.

Ingham said it's been an extreme pleasure to work with Sgt. Osborne for the past four plus years; working with the Oregon County Fair, Zumwalt, patrols, or community policing. He said appreciate all the support he and his deputies have provided to our City.

(2) Introduction of New Contract Sgt. Billy Halverson

Ingham said as we all know, Sgt. Osborne submitted his letter of resignation and the process for selecting a replacement sergeant has been completed. He said Lt. Clifford Harrold put out a call for a contract sergeant and we are very fortunate that Sgt. Halverson was chosen to come to Veneta. He said Sgt. Halverson has 16 plus years with the Lane County Sheriff's Office (LCSO). He said Sgt. Halverson has an amazing resume and we are very pleased to have him in our City.

(3) Announcement and Introduction of New Patrol Deputies

Sgt. Halverson wanted to introduce Deputy Blake Dornbusch but he had to respond to a call. He said Deputy Dornbusch is very active and will be a good fit for Veneta. He is taking over patrol for Deputy Jahnke. Sgt. Halverson said Deputy Brian Jesse will take over the night shift patrol for Deputy Chad Rodgers. He said Deputy Rogers took a position in the detective's department of Lane County Sheriff's Office. Sgt. Halverson said Deputy Jesse is very capable and has several years of experience with the traffic team as well as several years working as a patrol officer out of the main office.

(4) Acknowledgement of Special Award from Mothers Against Drunk Drivers (MADD)

To Deputy Joe Jahn

Mayor Larson said the City Council would like to acknowledge Deputy Joe Jahn. She said on June 11th, Deputy Jahn was selected as a recipient of a county wide 2014 Mothers against Drunk Driving, DUII Enforcement Officer Award. She said the pool of recipients included all police agencies in Lane County also the larger metro agencies. She said this is quite an achievement and recognition for all his work especially for the smaller Veneta contract area.

Sgt. Halverson provided copies of an activity report in the form of a chart which he reviewed with the Council. He said the chart shows that deputies are very active, are doing good work in Veneta, and talking to people. More importantly they are handling cases within the City limits which, unfortunately, rural Lane County is not seeing that level of response.

In response to a question from Victoria Hedenstrom, Sgt. Halverson said it's possible to include in his report where crimes are taking place within the City once all of the bugs are worked out of the new reporting system.

Mayor Larson said, in the meantime, if there's a pocket of activity, she's sure Sgt. Halverson will notify the City Administrator.

In response to a question from Thomas Laing, Sgt. Halverson said the night shift deputies spend more time on patrol than the day shift deputies. He said day shift also spends more time returning calls regarding crimes that take place during the night, for things not in progress. He

said those tasks also tend to be more labor intensive. He said it's hard to quantify but there's definitely a difference between day and night shifts plus more calls tend to come in on weekends. He said its more common for the night shift deputies to respond to major disputes, crashes, dui, etc.

(5) Funding Request from Imagination Zone

Jenny Ramsey thanked the Council for the \$500 donation that provided 41 scholarships to last year's Imagination Zone program. She said the program is up and running for this summer season. She said the program follows the state required adult to child ratio of one adult per 10 children. She said the scholarship funds will again be administered by Mid Lane Cares which most often are on a 50/50 basis and also apply to families with several children. She said it would be wonderful if the Council could make a \$500 donation again this year. Ms. Ramsey provided the Council with copies of this year's program.

In response to a question from Mayor Larson, Ms. Ramsey said the Imagination Zone program is held at Veneta Elementary. She said she does not get charged but she takes care of the facility. Ms. Ramsey said they have a great group of kids and she's also getting another state grant this year to cover costs for other program needs.

In response to a question from Thomas Cotter, Ingham said in previous years the funds have been pulled from the Zumwalt Discretionally Fund. He said currently there's \$2300 remaining in that fund through June 30, 2014.

In response to questions from Victoria Hedenstrom, Ms. Ramsey said donations made by the Council are specifically earmarked for scholarships. She said a year or two ago some funds rolled over to the following year but generally, \$495 seems to be a consistent amount. She said it depends on whether participants are full or part time; however, no child is turned away. Ms. Ramsey said grant funds from the State are targeted for specific things and cannot be used for scholarships.

MOTION: Thomas Cotter made a motion to approve \$500 donation for scholarships to Imagination Zone from the Zumwalt Discretionary Fund. Brittany Boothe seconded motion which passed with a vote of 5-0.

b. Councilor/Committee Liaison Reports

Thomas Cotter said he will be attending the Lane Council of Governments meeting at the Fern Ridge Library on Thursday, June 26th.

Victoria Hedenstrom said the Chamber board is having many discussions about the Wineries without Walls (WwW) program. She said the last WwW event was held on May 24th which, unfortunately, was not well attended. She said the Chamber is facing many challenges with the WwW program and discussions continue on that subject as well as branding for the Chamber; how do they identify the Chamber? The chili cook-off is scheduled for September 13th and the next Chamber meeting is Tuesday, July 8th. She said the last Chamber luncheon was well attended and the guest speaker was Senator Floyd Prozanski. She said Sen. Prozanski spoke about what's happening around the state as well as in Salem. Sen. Prozanski indicated the state's biggest priority is what's happening locally and the largest dollar amount is spent on education, health, public safety. She said a new program "paying it forward for education" will be on the November ballot, where students can attend college and then pay it back to the State upon graduating from college.

She said another opportunity for students is the JMO (Junior Military Officer) bill that the senate is working on. She said there will be a motorcycle show coming up at Domaine Meriwether.

Ingham said the quarterly Chamber luncheons always have a nice crowd. He said this was the first luncheon for Tim and Catherine Perkins, who took over Our Daily Bread. He said everyone was pleased with the meal. He said everyone is looking forward to the Chamber continuing with good quality speakers like Sen. Prozanski.

Mayor Larson said she attended the going away party for Dennis Friedrich. She said the new superintendent, Sally Storm will start July 1st. The district is very happy with the bond measure passing. Mayor Larson said she happened to go by the pool when the Fern Ridge Middle School 8th grade graduation party was taking place. She said the cardboard boat races was a great event but she said she was sorry she missed the Summer Solstice party at the pool on June 21st.

Schauer said there were about 70 kids in the pool. He said it was a good night and the weather was great as well. He said the event may have had better attendance if they had an opportunity to have the pool open the week prior to the event.

Mayor Larson said she also had lunch with two second grade students from Veneta Elementary; Brooklyn Sias and Jake Bondurant were sworn in as honorary Councilors. She said it was delightful.

5. STAFF REPORTS

- a. Community Development Director.....Kay Bork
(1) Initiate Amendments to Veneta Land Development Ordinance No. 493 and Land Division Ordinance No. 494 for the Purpose of Updating Provisions for Improvements

Bork said staff is requesting the Council initiate the necessary code amendments to the Veneta Land Development and Land Division Ordinances relating to required improvements and irrevocable petitions in lieu of improvement at the time of partition or development. She said these amendments relate to required improvements and agreement when a property is developed or is partitioned (creating 3 or less lots). The proposed code revisions are meant to further clarify when improvements are required to be constructed and when an irrevocable petition is allowed in lieu of improvements. Bork explained what an irrevocable petition is. The proposed revisions are meant to address situations where improvements are required along the frontage of infill lots. Infill lots are created through the partition process or are existing lots not part of a subdivision where all improvements have been constructed. She said there are many infill lots in Veneta along streets that are not fully improved with curb, gutter, and sidewalks. Requiring the property owner to construct a street or curb and gutter along their street frontage while leaving the remainder of the street unimproved is not practical or desired by the City. Currently code language provides property owners with two options, provide all improvements or get a waiver for the sidewalk improvements. Staff is proposing eliminating the either/or option of the current code language and allow a waiver for any type of improvement, not only sidewalks, when construction of the improvements is not practical and require the irrevocable petition.

In response to a question from Mayor Larson, Bork said the proposed code revisions would specify that during a land use decision process, if it made sense to include the sidewalk, then we'd require it. Usually planning staff would require this at land use decision. She said if it made sense, of course, sidewalks would be included. She said the irrevocable petitions always stays with the property even when the property is sold and changes hands.

In response to a question from Mayor Larson, Ingham said in the situation we had two months ago, the language was an "OR" to build it or put the deposit down. He said we wanted a deposit and an irrevocable petition so the responsibility wouldn't fall entirely on the future property owner while ensuring the developer should bear some of the cost of future improvements.

Bork said the proposed language would give the option of asking for a deposit.

Ingham said language will be included to require the developer to pay a deposit to assist with the cost of future improvements.

In response to a question from Mayor Larson, Ingham said Bork and legal counsel has worked on this quite a bit. He said in a case with an infill on three lots with no existing sidewalks to connect to, the City would require a deposit for future improvements and a signed irrevocable petition. He said if they have to build their own street, and we had them place a deposit and petition it may be cost prohibitive to the developer. He said there's several scenarios that can come up.

Bork said we may take a deposit for future improvements, but 10 years down the road that deposit wouldn't cover much of the improvements. She said if we know a sidewalk project will be developed in five years, we may require a deposit. She said we want to keep it flexible but also clarify to a property owner or developer what's expected of them. She said we don't want it to be too ambiguous or hard for staff to administer but also stay consistent through the years. She said code does require the Council to formally initiate the amendments which require scheduled public hearings.

MOTION: Thomas Cotter made a motion to approve initiation of code amendments to Veneta Land Development Ordinance No. 493 and Land Division Ordinance No. 494, relating to improvements. Thomas Laing seconded motion which passed with a vote of 5-0.

b. City Administrator.....Ric Ingham

(1) Adoption of Ordinance No. 513 Renewal of Emerald People's Utility District (EPUD) Franchise Agreement

i. **ORDINANCE NO. 513** – AN ORDINANCE GRANTING TO EMERALD PEOPLE'S UTILITY DISTRICT, HEREIN REFERRED TO AS "GRANTEE", THE RIGHT AND PRIVILEGE TO SUPPLY ELECTRICITY AND ELECTRICAL SERVICE AND TO PLACE, ERECT, LAY, MAINTAIN AND OPERATE IN, UPON, OVER AND UNDER THE STREETS, ALLEYS, AVENUES, THOROUGHFARES, AND PUBLIC HIGHWAYS, PLACES AND GROUNDS WITHIN THE CITY OF VENETA, POLES, ELECTRIC LIGHTS, POWER LINES AND OTHER APPLIANCES AND CONDUCTORS FOR ELECTRICAL SERVICE PURPOSES; AND REPEALING ORDINANCE NO. 447. For Second Reading and Final Enactment on July 26, 2014

MOTION: Thomas Cotter made a motion to approve Ordinance No. 513 for second reading by title only and final enactment on July 26, 2014. Victoria Hedenstrom seconded the motion with passed with a vote of 5-0.

Ordinance No. 513 was read into the record for second reading by title only and final enactment of July 26, 2014.

(1) Approval of the 2014/15 Fiscal Year Public Safety Contract with Lane County Sheriff's Office (LCSO)

i. Agenda Item Summary

Ingham said the City's public safety contract with Lane County Sheriff's Office (LCSO) expires June 30, 2014. He said the 2014-15 contract includes four full time employees/deputies (FTE), one third of Sgt. Halverson's time, and costs for a communication officer (dispatch) and 50% of a Records Officer's time. The 2014-15 contract has increased \$20,884 from last year. He said this is a status quo contract and includes a line item for additional overtime expenses; vacations and critical weekends like an extra deputy during Oregon Country Fair. This is something we watch carefully as Sgt. Halverson mentioned, we have more activity during the summer months so we want to make sure we don't blow through that overtime budget. He said staff is requesting the Council approve the public safety contract as presented.

MOTION: Thomas Cotter made a motion to approve the 2014-15 Public Safety agreement with Lane County Sheriff's Office as presented. Thomas Laing seconded motion which passed with a vote of 5-0.

(2) Questions from Councilors

In response to a question from Victoria Hedenstrom, Ingham said setting up a homeless village in Veneta requires several key elements. He said securing the right stakeholders, selecting a site, zoning issues, set up. He said there is so much involved, much more than just saying "there is a need". He said he's troubled by the term "eviction". He said staff feels we have a good ear on the ground and questions the statement that Deputy Jahnke cut tent cords and evicted people from camps.

Mayor Larson said we need more information.

Ingham said with Deputies Jahnke and Rogers both gone and Sgt. Osborne retiring we're in a transition mode. He said he received a phone call today from an individual who said Mayor Larson had issued the eviction notice. He said the only eviction staff was aware of was the one that came from Mr. Watters, owner of Countryside Pizza, for his own property.

Wayne Wymore said on Wednesday one of the campers on his property near Luther Lane told him deputies came in and slashed tents and cut cords. He said he spoke to Deputy Dornbusch who provided Rose Wymore (Wayne's mother) a "no trespass notice" which she signed. Mr. Wymore said at that point, he called Mr. Maricle who said he wanted to provide information to the City Council about starting up a homeless village. He said this all took place last Wednesday. He said there was a camp on his property, the City's property, and on other private property all in the area between Hunter Rd. and Luther Lane and near the Catholic Church. He said a few camps are hidden.

Sgt. Halverson said two camps were located, one on Jack Kelley and the other on Hunter Rd. He said Mr. Watters provided a no trespass enforcement for his property on Jack Kelley Dr. which was delivered on Wednesday by himself and several deputies. He said Mr. Watters emphasized the signage has been torn down so he asked LCSO to repost the sign. Sgt. Halverson said the parole and probation officer was also present in an attempt to locate one of her parolees. He said the conditions were deplorable and there was garbage everywhere. He said the railroad company also made several complaints about individuals standing near the tracks when the trains travel through the area. He said LCSO also received complaints about disputes and other criminal activity at the camps. He said as far as cutting tent cords, the only lines that were cut were bungee cords and other lines that seemed like they were intentionally strung as obstructions to keep people from passing through the area. He said he felt it created unsafe conditions.

Sgt. Halverson said Mr. Watters contacted the Lane County road crew to possibly provide some clean up but because the camp was on private property it falls back to the property owner. He said there were three camps within a mile of each other all located on Mr. Watters' property. He said Mr. Watters was also unaware of how bad the camps had gotten. Sgt. Halverson said he left his business cards and said the homeless individuals were given four days to vacate the area and were told they were not welcome on the property.

Ingham said the eviction was from Mr. Watters for his property along Jack Kelley Drive. He said Mr. Watters has always been the first one to say "the homeless residents need a place to stay". He said it's important that City staff be involved with any activity regarding Veneta's homeless population.

In response to a question from Thomas Laing, Sgt. Halverson said Mr. Watters was hoping he could get some assistance from the Lane County road crew to clean-up the camps but

because its private property and Lane County has limited funding they're not able to offer any assistance.

Ingham said Mr. Watters has the ability to place those no trespassing signs. He said the City can tell the homeless to leave a property but they just go to another site. He said if a property owner is willing to accept them unfortunately eventually, the same negative impact occurs at a new site. A few of the more senior guys have left the area and would not have allowed this kind of behavior. Ingham said Schauer has 22 years of history chasing the homeless population around.

Sgt. Halverson said Mr. Watters does not have the ability to monitor his property.

Ingham said City staff has begged him for years and years to be more involved with his property. He said unfortunately, the call he got today was that Mayor Larson issued the eviction.

Sgt. Halverson said he left his business cards in obvious locations at the camps so the homeless know who posted the notice.

Wayne Wymore said Junie started the tip program in Springfield and those motivated homeless individuals can go through the program. He said there's rules and regulations but his group is going to try to approach it from more than one angle to get some of them off the street.

Mayor Larson asked Mr. Wymore to please keep the Council and City informed about the coalition's activities with regard to Veneta's homeless population. She said it's going to take partners and the City can't do it alone.

Sgt. Halverson introduced Deputy Blake Dornbusch. Sgt. Halverson said he trained Deputy Dornbusch and he will mostly be on the dayshift patrol.

In response to a question from Brittany Boothe, Mr. Wymore said his property runs from Hunter Rd. north to Highway 126 and ends at the tracks at the eastern end of Luther Lane.

Sgt. Halverson said there was a homeless camp at that location as well.

Tom Laing said he went to the homeless camp on the end of Luther Lane to look for flags. He said he didn't see any flags and the camp looked abandoned and was a mess.

In response to a question from Brittany Boothe, Sgt. Halverson said the parole and probation (P & P) officer needed to look for an individual not meeting his parole and probation requirements. He said that that prompted him to accompany the P & P officer to the Hunter Rd/Luther Lane site as well as post the notice at the Jack Kelley site. He said LCSO also received complaints from Coos Bay Railway.

In response to a question from Victoria Hedenstrom, Ingham said the porta-potty at the City Park is purposely left unlocked so the homeless can use it 24 hours a day. He said some of the senior homeless residents would not have allowed this to happen.

In response to a question from Mayor Larson, Ingham said Lane County no longer sprays for mosquitos mostly due to budgetary reasons but also some environmental reasons. He said we could use our newsletter to remind residents to not leave standing water sources in and around their homes.

6. OTHER

Nothing

Mayor Larson temporary adjourned the City Council at 8:22 p.m. and opened the executive session.

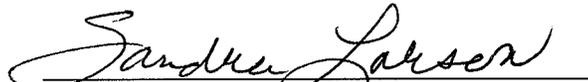
7. EXECUTIVE SESSION

ORS 192.660(2)(h) - Potential Litigation

After making no decisions, Mayor Larson closed the executive session and reconvened the City Council at 9:17 p.m.

8. ADJOURN

Mayor Larson adjourned the Veneta City Council at 9:17 p.m.


Sandra Larson, Mayor

ATTEST:


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