

Minutes of the Veneta City Council

July 14, 2014

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

Others: Ric Ingham, City Administrator; 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 7:02 p.m.

2. PUBLIC COMMENT

None

3. CONSENT AGENDA

MOTION: Thomas Cotter made a motion to approve the consent agenda as presented except for item C, accounts payable. Thomas Laing seconded motion.

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

Ingham said Hartz indicated that item C. Accounts Payable Report was incorrect and asked that it be pulled from the Consent Agenda.

The consent agenda as approved included Minutes for June 9, 2014, Minutes for June 23, 2014, Accounts Paid through July 8, 2014, Public Works Activity Report for June, 2014, and Second Quarter Code Enforcement Activity Report.

4. COUNCIL BUSINESS AND REPORTS

a. Business

(1) Liquor License for Ho Ho Restaurant – Change of Ownership

(2) Temporary Liquor License for St. Catherine's Church Barbeque

MOTION: Thomas Cotter made a motion to approve the temporary liquor license for St. Catherine's Church Barbeque and the new liquor license for Ho Ho Restaurant. Brittany Boothe seconded motion which passed with a vote of 5-0.

b. Councilor/Committee Liaison Reports

Thomas Laing said the Mid Lane Cares Board tentatively approved the upcoming budget at the most recent meeting. He said it looks like they will be in the black. He said they discussed preparing Articles of Incorporation which he suggested they do. He said the Board also approved Cat Amber's hours be increased to 30 hours per week. He said they were also very busy preparing food for Zumwalt during the Oregon Country Fair. He said things are moving right along.

Thomas Cotter said he attended the most recent LCOG meeting which was held at the Fern Ridge Library. He said it was a very good meeting and the main topic of discussion was if entities such as Lane Transit District (LTD) and the University of Oregon (U of O) become members of LCOG would they be allowed to vote. He said several votes were taken and finally there was a majority vote to provide for two options at the next meeting: 1) Can those entities be members; and 2) If they become LCOG members, will they be able to vote. The Committee approved it but members couldn't get a majority vote because in order to become a voting member of LCOG, the entity needs to be an elected body, which LTD is not. He said, in his opinion, LCOG is supposed to unite

everyone but that becomes difficult to get participation from entities that cannot vote. He said LCOG members were asked to bring the subject to individual Council's to decide whether or not LTD should be able to vote.

In response to a question from Mayor Larson, Thomas Cotter apologized for not getting this item on tonight's agenda and said it should be on the August 11th agenda.

In response to a question from Ingham, Thomas Cotter said a summary of the meeting should be on LCOG's website. He said he's not sure what was decided because there was three choices and 17 yes votes were required to pass any one of the choices.

Victoria Hedenstrom said the July Chamber Board of Directors meeting was canceled.

Mayor Larson said the School Board appointed members to the Bond Oversight Committee. She said Ingham is a member of the Committee along with five other members. She said this was the first meeting for the new superintendent, Sally Storm who has hit the ground running. Mayor Larson said Andrea Larson was elected Board Chair and Craig Soderberg was elected Vice Chair. She said Twinkle Morton will continue on the Board but is stepping back as Chair. Mayor Larson thanked the VFW for the beautiful American flags. She said Dave Stram, Mayor of Creswell invited her and her family to attend Creswell's Fourth of July Parade and she and her granddaughter Emily and wore T-shirts that Emily made. Mayor Larson said also in attendance was Springfield Mayor, Christine Lundberg, Cottage Grove Mayor, Thomas Munroe, and Lane County Commissioner, Faye Stewart.

5. STAFF REPORTS

a. Management Analyst.....Katie Babits

(1) Participation in Healthy Eating Active Living (HEAL) Cities Campaign

i. Agenda Item Summary

Babits said back in 2012 the League of Oregon Cities and the Oregon Public Health Institute agreed to partner to create a Healthy Eating Active Living (HEAL) campaign to assist public officials to create healthy and fit communities. A city that adopts a number of HEAL policies will improve local livability. The HEAL campaign also sponsors \$5,000 to \$15,000 grants to assist cities in implementing the HEAL policies. The first step to qualify as a HEAL city is to pass a resolution. She said grant applications must submitted by August 15, 2014.

Ingham said this was somewhat last minute. He said while he attended the Oregon City/County Managers' Association Conference he spoke with the State Director of this program who indicated she was disappointed at the number of cities that were passing a resolution and felt that any city that submitted a grant application would likely get at a minimum a \$5000 grant and possibly the \$15,000. He said Mayor Larson had a strong interest in the HEAL program and asked if she would like to work with Babits on the grant application.

Mayor Larson said she couldn't think of any downside to becoming a HEAL City.

Babits said there are four levels of designations: Eager, Active, Fit, and Fabulous. She said the City qualifies for Active status and she referenced some of the existing policies we already have in place; promoting street connectivity, prompting pedestrian and bike safety, the Veneta Downtown Farmers' Market, City wellness plan, street crossing safety, safety along traffic corridors. She said there are many other policies we can implement.

In response to a question from Victoria Hedenstrom, Ingham suggested contacting school board members to jump on board with the program to possibly provide assistance and tools. He said we could also talk with other communities that are working with school districts to see how we can make the connection between the farms and the school kitchens.

Victoria Hedenstrom said a Eugene school has a garden which could provide a good model we could pull from.

Ingham said our school district has a centralized kitchen where all the meals are prepared, packaged, and delivered to each school and then unpackaged.

Mayor Larson said the new school bond calls for a new cafeteria at Veneta Elementary which may provide many future possibilities.

In response to a question from Victoria Hedenstrom, Ingham said rather than connecting with the Farmers' Market, he suggested contacting the larger, local farms and the Community Supported Agriculture (CSA) program. He said larger local farms like Wintergreen Farms could consistently provide the volume of produce the school district would need.

Mayor Larson said as a HEAL City that would commit us to more good things.

In response to a question from Thomas Cotter, Babits said there are no membership fees or assessments.

Ingham said the HEAL program would likely work much like the Tree City USA program works. He said we would likely be required to submit an annual report indicating the City meets the policies associated with each status level.

Thomas Cotter said the City also allows backyard chickens.

Bork said another good resource is the Willamette Food Coalition who has the Farm to Table program. She said they work with School Districts on setting the program up.

Babits said the next step, if the Council chooses to adopt Resolution No. 1155, would be to adopt and implement an additional policy or policies, that we don't already have in place and then develop an implementation plan to submit to HEAL Cities. She said that is not required to apply for the grant but we need to join the campaign to become a HEAL City.

In response to a question from Thomas Cotter, Ingham said the next step would be to identify dollars to assist launching a program and submit the grant application by August 15th. He suggested two or three Councilors could assist with reviewing the grant deliverables and the program piece could be done in early fall or winter.

Victoria Hedenstrom said she liked the SNAP program.

ii. **RESOLUTION No. 1155 – A RESOLUTION SETTING FORTH THE CITY OF VENETA'S COMMITMENT TO PUT HEALTHY OPTIONS WITHIN REACH OF ALL RESIDENTS**

MOTION: Thomas Cotter made a motion to approve Resolution No. 1155. Victoria Hedenstrom seconded motion which passed with a vote of 5-0.

b. Community Development Director.....Kay Bork

(1) Information on Lane County Transportation System Plan Update

Bork provided an update on what's happening with Lane County's Transportation Plan (TSP). She said she and Ingham sit on two separate committees to review the Plan updates. She said Ingham sits on the Stakeholder Advisory Committee and she sits on the Technical Advisory Committee. She said the Plan will likely not be adopted until 2016. She said Lane County closed the interactive map but comments are still being accepted on-line. She provided a few of

the comments relating to roads in Veneta and many are repeats of the State's Hwy 126 Refinement Plan project.

In response to a question from Mayor Larson, Bork said the City's multi-use path along Cantrell Rd. from Eugene to Veneta will be folded into the Lane County's TSP. She said Highway 126 is a state Highway, so it won't be listed in Lane County's Plan but other projects like the connector to Elmira and Veneta would be because it travels within City limits and County territory so it has the potential to be included in Lane County's TSP. She said comments regarding Jeans Rd., Perkins Rd., and Bolton Rd. would also be welcomed – streets that we always receive comments from resident on would be useful comments for staff to bring to their attention, but it's more powerful when it comes from residents. She said right now is the information gathering stage, their consultant is looking at existing conditions and background policies to determine how they will relate in the Plan. She also reviewed a graphic representation of the project timeline. She said the graphic provides a lot of information consolidated into one page including the project schedule. She said they will be meeting in the next few months to review the existing conditions and future forecast. She said all documentation and technical memos are available on the website and staff will also provide updates as the project continues.

Ingham said staff will continue to make this a high priority as we continue to hear from the Council and committee about pedestrian paths and multi-purpose connectivity of communities whether it's from Veneta to Elmira; to Eugene or to Crow. He said in order to get in the funding loops we need to get referenced in these planning documents. He said we will continue to work it from as many angles as possible to get the correct information in the plan.

Bork said the last update was over 10 years ago. She said the Lane County staff is more interested in looking at the community as a whole rather than fragmented pieces. She said it's a great way to have each community bring forward their own transportation issues.

Victoria Hedenstrom said she went on the website and it was interesting to see how many communities are involved with the plan.

c. City Administrator..... Ric Ingham

(1) Comcast's Consent Request

Ingham apologized that background information was not included in the packet materials. He said in late June staff was contacted by Comcast on their pending acquisition of Charter Cable. He said as part of Comcast and Time Warner's merging, the Federal Communication Commission (FCC) is requesting that Comcast give up some of their monopoly on the east coast and to make that happen, Comcast and Charter have chosen to swap some of their large service territory. He said basically the acquisition by Comcast of our franchise and many other franchises in Washington, Oregon and northern California, is to appease the FCC as they move forward with the broader merger. He said we were contacted by Comcast because of the 90 day notice to renegotiate our franchise agreement that we sent to Charter back in January, expired April 17th. Because of that, Comcast has to request our consent to the overall transfer. He said his letter is the City's response to that consent which indicates we are not interested in Charter or Comcast providing service until certain concessions are made. He said he is hoping the Council will approve sending the response. He said the actual transfer will take 12 to 14 months to finalize and in the end we may not have a franchise agreement with Charter or Comcast which may put us in a better position to leverage those investments and/or bring back some of the buyers that were interested in purchasing our Charter franchise. Those buyers have shown interest in providing advanced cable services, advanced internet to the home, and phone packages similar to a triple play package.

In response to a question from Thomas Laing, Ingham said it would be more like what Comcast currently offers in Eugene. He said the nice part of that would be to work with some of the

smaller boutique cable providers that can customize TV line up for individual communities so we don't have to buy into the 200 channel packages. He said also, some of those smaller boutique cable providers are willing to pay franchise fees for internet, cable, and phone, whereas Comcast and Charter have only paid a franchise fee for cable services. He said he's happy to answer any questions. He said Milo Mecham, legal counsel at LCOG who does the majority of the cable work for Eugene/Springfield and other Lane County cities assisted with drafting the letter.

It was the consensus of the Council to direct Ingham to send his letter to Comcast.

Ingham said the packet from Comcast was about 40 pages of legal ease, and is available upon request.

In response to questions from Victoria Hedenstrom, Ingham said the swap that's taking place consists of 1.2 million subscribers and there's about 1500 households that could be hooked up in Veneta/Elmira area. He said currently Charter's connection rate is down to 12% or 13% which is about 150 to 160 of those 1500 households. Every year we don't have a digital platform, they lose more customers. He said in the last 10 years the percentage of customers has gone from the low thirties to the low teens. He said and it may, in a couple of years, go into the single digits. He said if we say "no" and they pull out of Veneta, we may be able to negotiate with a provider to use the infrastructure in our right-of-way and be in a position to negotiate a better deal for our residents, but we may find ourselves without cable. Ingham said the ideal situation is if Comcast realizes they're not likely to get from us what they want, they may just decide to sell it, but they can't negotiate the sale of the existing franchise until the actual swap happens.

In response to a question from Thomas Laing, Ingham said it's about 12 to 14 months out and it's really up to the FCC and legal wrangling on Wall Street.

Ingham said Thomas Cotter was on the Council 12 years ago when Charter said they would be doing away with the microwave feed and bring in a fiber or digital feed allowing them to offer a digital package. He said for 12 years now, they've been dragging their feet and refused to do so.

In response to a question from Victoria Hedenstrom, Thomas Cotter said the Century Link equipment is so old.

Ingham said he's not sure when the Quest/Century Link franchise agreement expires. He said we can never deny renewing the franchise agreement but we can request they provide the technical reasons why they can't update the equipment to provide specific services.

In response to a question from Thomas Cotter, Ingham said his understanding is the equipment has been changed and updated to allow them to deliver services over copper lines. He said 40% of our subdivisions have that copper line and digital services are delivered over copper lines.

In response to a question from Thomas Laing, Ingham said the ordinance passed in February, requires all new subdivisions to include an extra line of conduit for the fiber optic. He said we could press the idea and show Charter and Comcast the door, acquire the infrastructure that's in our right-of-way and work with any number of providers to use the conduit throughout the City. He said 40% of that infrastructure is underground and 60% from above ground and it's that above ground infrastructure that's harder to maintain.

MOTION: Thomas Cotter made a motion to accept Ingham's letter to Comcast and that it be sent. Thomas Laing seconded motion which passed with a vote of 5-0.

(2) Outcome of Hunter Ave. Sidewalk Dispute

Ingham said this is an update to close the loop on this matter. He said after legal counsel, Ken Jones attended a June meeting, Steven Ward of Westech Engineering, Inc. was hired to provide an opinion on the status of the City's contract with Brown Contracting, Inc. He said Mr. Ward said in his letter that based on ODOT specifications we should settle the matter because that kind of aggregate material used is measured and paid for in quantities and not in a lump sum. He said with that, Schauer drafted the letter to Mr. Brown and included a check. He said the arbitration date with Judge Velure has been cancelled and this will come to a close as soon as Mr. Brown negotiates the check.

It was the consensus of the Council that the letter provided by Steven Ward of Westech Engineering was pretty obvious and straight forward and there was no further discussion.

(3) Selection of 2015 Legislative Priorities

Mayor Larson apologized and said due to computer issues, she wasn't able to respond. She agreed with the majority of the submitted responses.

Ingham said a week or so ago, he requested Councilors to review the priorities and provide four top priorities. Ingham reviewed the top priorities and those priorities that received two nominations.

After a thorough discussion it was the consensus of the Council that the following four issues are the Council's recommendation to be added to the priorities for the League's 2015 Legislative agenda on behalf of the City of Veneta:

- C – Prioritize grants providing assistance for natural disasters
- M – Enhance mental health services
- S – Pass a comprehensive transportation funding and policy package
- V – Support efforts to establish a low interest loan program to address failing residential onsite septic systems.

(4) Questions from Councilors

In response to a question from Thomas Cotter, Schauer said the Zumwalt Camping was great and was at capacity. He said the thunder and rain assisted with the closing of the campground on Sunday. He said clean up went well with assistance from the Lane County Sheriff's work crew, public works staff, and volunteers. He said they finished up about 2:30 on Sunday afternoon and the area looks great. Schauer said everyone seemed to have a good time and it was very quiet.

Mayor Larson said it seemed quieter throughout the entire community.

Thomas Cotter attended the fair on Sunday and said it was very subdued.

Thomas Laing said he noticed traffic was lighter.

In response to a question from Thomas Cotter, Schauer said he rode the bus to the Fair from Zumwalt and it went well.

In response to a question from Thomas Cotter, Ingham said he didn't have attendance numbers yet.

Mayor Larson said the first article in the Register Guard just thanked Lane Transit District (LTD) for the free bus service throughout Lane County and did not mention the fact that the Oregon County Fair (OCF) paid for the bus service.

In response to a question from Victoria Hedenstrom, Ingham said he hasn't had an opportunity to talk with Sgt. Halvorson about the two significant instances that occurred in private campgrounds during the Fair. He said there was a fatal overdose yesterday and an incident on Thursday night where a deputy was injured while removing an individual camper from a campground on Suttle Rd.

Ingham said a couple of vendors set up tables at Ray's without the appropriate permits. He said VMC allows for someone to set up for 48 hours but the Kettle Corn table was definitely there more than two days.

Mayor Larson said attendance at the Farmers' Market was good.

Ingham said in the past Fair weekend is usually one of the slowest Market days.

6. OTHER

Ingham said Babits scheduled the logo committee to meet on Thursday, July 31st, at 3:30 p.m. He said two Council members have indicated an interest in sitting on that committee. Also, if anyone is interested in working with Babits and Mayor Larson on the HEAL grant application, please let Babits know. He said Babits can also provide the entire Council with updates.

In response to a question from Mayor Larson, Ingham said any of the policies listed on the HEAL cities policies menu will get us to the next tier. He said we would identify what we're already doing and move forward to get to the next level.

Mayor Larson said since this program wasn't discussed or included at the goal setting session, we really can't spend too much of Babits' time on this.

Victoria Hedenstrom suggested keeping it simple this year.

Ingham said we're not sure if we can apply every year, depending on what kind of funding will be available annually.

Mayor Larson said it's a good idea that fits and can be done for \$15,000 or less and won't take a lot of staff time.

Babits said all grants are based on a 50% match.

Ingham said based on that, staff will come up with some ideas to get us to the next step and suggested we look at something we have already put some funding toward.

Ingham reminded Council members if they wish to attend this year's League of Oregon Cities conference in Eugene to please let Darci know prior to the early bird deadline of August 8th.

In response to a question from Brittany Boothe, Ingham said he and Mayor Larson talked briefly about Veneta being on the City Tour list and decided that the water pipeline is the most exciting project we have but would be difficult to tour.

Ingham said staff will be hosting a Town Hall meeting with Congressman DeFazio on Thursday, August 21st at 4:00 in the City Council chambers and tour the Service Center at 2:30 or 3:00 on the same day. He said staff will work with Mayor Larson to make some kind of special presentation to Congressman

DeFazio at that time. He said he was the originator of the funding of the Fern Ridge Corridor Study. Ingham said staff would like to make a plaque or artwork to commemorate his contribution to that project. He said hopefully he will be mindful to find the additional money to actually make Highway 126 improvements.

Ingham said the pool has been very busy and Friday, July 18th will be Teen Night with DJ Barry McGuire.

In response to a question from Thomas Laing, Schauer said the standing water around the tree is likely coming from the irrigation system. He said he would check it out tomorrow.

Mayor Larson said several of her neighbors asked her to talk with City staff about her street sign. She said the street sign used to say "Baker Lane" but now it says "Baker Rd." She said last week a new neighbor to Baker Lane had a car fire and called it in to 911. He referenced "Baker Rd." and the fire engine went to Baker Rd. in Elmira. She said Lane Fire Authority indicated the sign needs to be changed to "Baker Lane" but she was not sure who to talk to at City Hall about this.

Ingham said part of the confusion is the residences on Baker Ln. have Hunter Rd. addresses and not Baker Lane. He asked Bork to follow up on this.

In response to questions from Brittany Boothe, Ingham said staff will get the speed trailer at that site. He said the complaint that came in about Jake St. was the fact that several streets in that area don't have sidewalks and kids are walking on the street. He said the complaint was from a woman with a disabled child and we need to be aggressive with the sidewalk build outs. He said we're not keeping specific data on the entire area but we do know that the heaviest pedestrian traffic is on East Bolton from Trinity St. to St. Becket's Church and there are no sidewalks on East Bolton.

Bork said EPUD approached the City and encouraged us to apply for a \$40,000 grant to install solar panels at the Service Center. She said staff is preparing the grant application which is due by July 31st. She said she has already been given the go ahead from the Mid Lane Cares Operational Committee to proceed with the application.

Mayor Larson temporarily adjourned the Council and opened the Urban Renewal Agency meeting at 8:32 p.m. Mayor Larson reconvened the City council meeting at 8:41 p.m. and went directly into executive session at 8:41 p.m.

7. EXECUTIVE SESSION

ORS 192.660(2)(i) – City Administrator Evaluation

After making no decisions, Mayor Larson closed the executive session and reconvened the regular Council meeting 8:58 p.m.

Victoria Hedenstrom said she can attend the August 11th meeting.

Thomas Laing said he will be gone for the August 11th meeting.

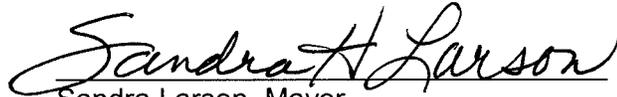
In response to a question from Brittany Boothe, Ingham said the second meetings in July and August are cancelled.

Brittany Boothe said she likely will not be attending the second Council meeting in September. She said it's also possible she may miss the first meeting in October as well.

Ingham said he attended the Oregon Cities Counties Manager Conference last week. He said he also was a presenter and spoke about the water pipeline project. He said his presentation was well received and he will provide a copy of it to the Council upon request.

8. ADJOURN

Mayor Larson adjourned the Veneta City Council at 9:01 p.m.


Sandra Larson, Mayor

ATTEST:


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