

# Minutes of the Veneta City Council

## March 9, 2015

Present: Sandra Larson, Tim Brooker, Thomas Cotter, Victoria Hedenstrom

Absent: Thomas Laing

Others: Ric Ingham, City Administrator; Kay Bork, Community Development Director; Shauna Hartz, Finance Director; Kyle Schauer, Public Works Director; Katie Babits, Management Analyst; Darci Henneman, Assistant City Recorder; Alex Lanham, Lee Kelley, E. Mike Litten, Chris Northcutt, Candi Unger and Courtney Roberts, Sanipac, Lane Branch, Branch Engineering, Ryan Fromm, DVM, Herb Vloedman, and Joan Mariner, Fern Ridge Review

### 1. CALL TO ORDER

Mayor Sandra Larson called the Veneta City Council to order at 7:00 p.m.

### 2. PUBLIC COMMENT

#### **Alex Lanham, 90356 Sheffler Rd., Elmira, OR**

Mr. Lanham said he submitted two requests to the City Council; one for a reduction of the Community Center rental fee and the other for scholarships for a summer art program. He has been doing this summer art program for 18 years. He's partnered with Lane Arts Council to bring a summer arts program to area youth. He said he will offer two - 2 week sessions for 40 students per session. He said he also received grant funds from the Oregon Country Fair.

Mayor Larson Mr. Lanham's requests are on tonight's agenda.

#### **Lee Kelley, 24979 Bolton Hill Rd., Veneta, OR**

Mr. Kelley said he sold his hardware store to Ace Hardware but he still owns the building at 24979 West Broadway. He said the building was built in 1956 and has been a hardware store since 1976. The 6500 sq. ft. building is available for sale or lease/rent for one to three separate rental spaces.

#### **E. Mike Litten, 87769 Oaks Orchard Dr., Veneta, OR**

Mr. Litten said he shares the adjacent fence with the dog owner that attacked the dog last month. He said his wife runs a day care from their home and this incident has had a tremendous impact on her business and their neighborhood. He said it's his understanding that the City's dog ordinance doesn't have zero tolerance language when it comes to vicious dogs. He would like to see that included. He said the dog is trying to get under his fence while it's under quarantine and he said if that happens, the City Council will be seeing a lot more of him.

#### **Chris Northcutt, 87772 Oaks Orchard Dr., Veneta, OR**

Mr. Northcutt is also here regarding the dog bite incident and he thanked Mayor Larson for responding to his email. He said he's a dog lover but anytime there's an animal that has the propensity to attack another animal or person or both, he can't see why we can't get a zero tolerance policy in place. He said his son was bit by a pit bull before and received 14 stitches. He said they knew the dog and had been around it several times. He said his son won't go to the bus stop or the mailbox because of the dog attack. He asked the Council to please consider a zero tolerance policy. He said he sees no reason why that dog should be alive.

In response to a question from Victoria Hedenstrom, Mr. Northcutt said his son was bitten by another dog, four years ago, in Eugene. He said the owner of the dog that attacked his son had the dog destroyed after his son was bitten.

### 3. CONSENT AGENDA

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

**VOTE:** Thomas Cotter, aye; Sandra Larson, aye; Victoria Hedenstrom, aye; Tim Brooker, aye.

The consent agenda as approved Minutes for February 9, 2015, Minutes for February 23, 2015 Work Session, Minutes for February 23, 2015, Accounts Payable - To be Paid – Payable through March 4, 2015, and Temporary Sales License for Society of Saint Pius X, Eugene, Oregon (St. Thomas Becket Academy).

### 4. COUNCIL BUSINESS AND REPORTS

#### a. Business

##### (1) 2014 Sanipac Annual Report

Candi Unger introduced herself and Courtney Roberts, Sanipac's Division Controller. Ms. Unger reviewed Sanipac's annual report. Ms. Unger said Sanipac assists the City with the City-wide cleanup held the first Saturday of May. She said this year's event will be May 2<sup>nd</sup>. She said the franchise agreement Sanipac has with the City allows for an annual rate adjustment based on the previous year's CPI. She said that rate adjustment will be 2.4% or about 45 cents per month. She said this increase will be reflected on the April 1<sup>st</sup> billing. Ms. Unger asked the Councilors if they had any questions.

In response to a question from Mayor Larson, Ms. Unger said the yard debris is hauled to Lane Forest Products.

The Council thanked Ms. Unger for presenting the Sanipac report.

Mayor Larson passed on the City's thanks for the many donated services Sanipac provides the City and its residents.

##### (2) Donation Request from Mid Lane Cares for Benefit by the Glass Fundraising Event

Mayor Larson said Mid Lane Cares is requesting a family pool pass to be auctioned at the Benefit by the Glass fundraising event. She said proceeds from the auction assist Mid Lane Cares programs.

In response to a question from Mayor Larson, Schauer said family season swim passes are \$130 for in City and \$175 for out of City. He suggested donating a family 10 visit pool punch pass which provides a family 10 visits to the pool. He said an in City family punch pass is \$85 and an out of City punch pass is \$100.

Schauer said the City Council approved \$500 annually to be used for pool donation requests. He suggested since this is the first request of the season, the Council may want to donate a family 10 visit pool punch pass rather than a family season swim pass.

In response to a question from Victoria Hedenstrom, Ingham said Mid Lane Cares makes an annual donation request and we've always provided a family 10 visit pool punch pass but not a family season pass.

**MOTION:** Thomas Cotter made a motion to donate a family 10 visit swim pass to Mid Lane Cares at a not to exceed amount of \$100. Tim Brooker seconded the motion which passed with a vote of 4-0.

##### (3) Sponsorship Donation Request from the Distinguished Service Awards Committee

Mayor Larson reviewed the request from the Distinguished Service Award ceremony sponsored by the Fern Ridge Kiwanis.

Ingham said in the past the City has donated \$250 which was previously the Title Sponsorship level.

Hartz said the City has made a donation for the last three years. In 2012 the Council approved a \$250 donation and in 2013 and 2014 the Council approved a \$150 donation each year.

In response to a question from Mayor Larson, Hartz said Zumwalt discretionary funds are used to make that donation.

**MOTION: Thomas Cotter made a motion to approve a \$150 donation to the 2015 Distinguished Service Awards. Tim Brooker seconded the motion which passed with a vote of 4-0.**

- (4) Donation Request from Lane Arts Council for \$500 to provide Scholarships for the Summer Art Program

Mr. Lantham provided the Council with a brief summary of the EcoArts Youth art camp.

In response to a question from Victoria Hedenstrom, Mr. Latham said this is not the same art camp offered through the Applegate Art Guild or the area schools. He said he will operate this year's camp with his team from last year.

In response to a question from Mayor Larson, Mr. Lantham said the community center is not available on Wednesdays but he has made arrangements to hold class at another location. He said Lane Arts Council will pay \$500 to rent the facility for the time requested and he is asking the Council to waive any costs exceeding that amount. He is also requesting the Council make a \$500 donation to be used for program scholarships.

In response to a question from Mayor Larson, Mr. Lanham said he has taught art classes for over 18 years within the Fern Ridge, Crow – Lorane, and Triangle Lake school districts. He said with support from the school districts and the library he believes he can recruit 40 students. He said he will start promoting the program soon which should be very successful.

In response to a question from Victoria Hedenstrom, Hartz said in June/July of 2013 and 2014 the City donated \$500 to the Imagination Zone Art program to be used for scholarships.

In response to a question from Mayor Larson, Mr. Lanham said he is comfortable teaching a ceramics class to 37 students.

There was a discussion about the total rental fee and how much the City is being asked to waive.

In response to a question from Mayor Larson, Hartz said the hours Mr. Lanham is requesting to use the community center is not in high demand. She said there are no scheduling conflicts other than on Wednesday, which Mr. Lanham is willing to work around.

Mr. Lantham said the free lunch program offered by Food for Lane County is in the City Park immediately following the class.

In response to a question from Thomas Cotter, Ingham suggested the Council make two separate motions to approve Mr. Lanham's requests.

**MOTION: Thomas Cotter made a motion to approve a \$500 donation to Lane Arts Council for scholarship to be used for the EcoArts Youth camp. Tim Brooker seconded the motion which passed with a vote of 4-0.**

(5) Request from Lane Arts Council to Reduce the Community Center Rental Fee

**MOTION: Thomas Cotter made a motion to rent the Community Center to Lane Arts Council for the EcoArts Youth camp for an amount not to exceed \$500. Victoria Hedenstrom seconded the motion which passed with a vote of 4-0.**

Mayor Larson asked Mr. Lanham if he would return in the fall to report back to the Council about the art program.

(6) Appointment to the Veneta Park Board (Position 9 expires March 31, 2016)

Mayor Larson appointed Brad Renfro as a student representative (position 9) on the Veneta Park Board.

(7) Appointment to the Veneta Budget Committee

Mayor Larson appointed Robbie McCoy to fill the position on the Budget committee that was vacated by Mr. Brooker. She said this position expires December 31, 2016.

b. Councilor/Committee Liaison Reports

Tim Brooker said he attended the February Lane Area Commission on Transportation (LaneACT) meeting. He said many topics were discussed but the big item they are working on is the STIP project schedule. He said he will be attending the next meeting on Wednesday, March 11<sup>th</sup>. Also the Hwy 126 safety corridor meeting with Jay Bozievich went well. He said new issues are being discussed because of the recent automobile accidents. He said he will have more to report at the next Council meeting.

Victoria Hedenstrom said the Easter Bunny is gearing up for the Easter Egg Hunt which still needs volunteers. The subcommittee will be meeting next week and volunteers are needed for the egg stuffing. The Park Board is working on hosting movie night at the Bolton Hill Sports Complex. They are looking into renting the movie "Sandlot" and will use the City's movie screen. She said the event will be scheduled around the summer pool events. Other topics of discussion included using the reader board at Ray's to advertise Park Board activities. The volunteer arborist is hosting a defensible space workshop and Dennis Paronto is stepping down from the Park Board.

Mayor Larson said after placing second at the regional level of the Battle of the Books competition, Elmira High School will be competing at the state level. She said Fern Ridge Middle School won the regional championship and will also be competing at the state level. She said the elementary school battle will be this Saturday.

Mayor Larson said the school superintendent provided a legislative update (which is not looking good) at the most recent School Board meeting. She said this spring will be Mr. Bellingham's last trip to Washington DC for the AP history class. She said Mr. Bellingham has been an amazing contributor to our area youth. Mayor Larson said she and Victoria Hedenstrom attended Capital Day in Salem. She said according to current regulations the medical marijuana dispensary (MMD) located in the West Lane Shopping Center will be required to relocate at the end of its license year because West Lane Technical Learning Center is locating in the shopping center. She said Sen. Prozanski has introduced a bill to grandfather existing MMDs in under

those conditions because it's an unintended consequence. She said the League of Oregon Cities is cautioning municipalities to not look to legislature or congress for revenue streams for transportation so many cities are looking at a gas tax, a gas tax increase, or utilities fees to fund streets. Mayor Larson said property tax reform is not likely this year because all the polling has been negative. She said another marijuana issue that came up is the League of Oregon Cities has backed a bill that would enable all cities to receive shared revenue and not just cities with recreational marijuana outlets. She said the bill would shift the tax from the growers to the point of sale and it would call for everyone to be licensed and background checks would be required for all sellers. She also attended LCOG's board meeting; Lowell, Oakridge, Junction City, and Florence all have new mayors. She said Florence had 26 applicants for their City Administrator position. She said Senior and Disabled Services provided its annual report which was a really good, simple, and clear report. She said that organization does so many things, and provides many services for all of Lane County and she said she is very impressed with all that LCOG does. Mayor Larson said they did another presentation on "Mind Mixer" which is a free internet based survey. She said one free survey is available to cities once a year and additional surveys cost about \$200. She said the EWEB representative said EWEB expects marijuana growers to become major customers and has assigned staff to that issue.

**5. STAFF REPORTS**

- a. Community Development Director.....Kay Bork
  - (1) East Bolton Rd. Sewer Improvement Project
    - i. Agenda Item Summary and Engineer's Report Presented by Lane Branch, Branch Engineering

Bork introduced Lane Branch, City Engineer, who will be presenting the engineer's report tonight.

Mr. Branch said the City has been contemplating the East Bolton sewer project for a decade. He said in 2009 the Council directed staff to solicit a preliminary construction plan, but the timing was not good so the project was shelved. Mr. Branch said based on direction from the Council, he recently prepared an update to that report. He said construction prices since 2009 have increased from \$213,000 to \$303,000. He said the LID sewer line will start at Pine St. and extend to the last sewer lateral. He estimates that \$257,000 will be assessed to the benefited properties. Mr. Branch said some properties on the west end, on the north side of E. Bolton Rd., and on the east end have been removed from the project because they've been connected since 2009. He said there is now a wetland and greenway area identified which has been adopted in the code as a restricted building area. He said the service boundary generally follows the greenway boundary so the greenway property on the north side of E. Bolton Rd. was removed from the assessment. He said another change is to tax lots 200, 400 and 600 which can be served from existing stubs on Heavenly Ln. and Oak Island Dr. from the south. Mr. Branch said he modified the methodology and the estimated potential lots have been updated. He said his calculation was based on applying the assessment cost of 44 cents per sq. ft. of property within the boundary.

In response to a question from Mayor Larson, Mr. Branch said calculating the assessment costs by the sq. ft. is the most common methodology used.

In response to a question from Mayor Larson, Bork said there's several steps left to the process. She said tonight the Council will take action on the engineer's report; accept it, modify it, ask for additional information, or abandon it. If the Council accepts the report, the next step would be to pass an assessment ordinance once costs are known. She said Resolution No. 1165 includes language that allows the Council to assess all or a portion of the project costs to the benefitted property owners. She said we're not setting the assessment amount but just passing the resolution which states the City's intent to move

forward with the LID. Sometime in the future, after costs are known, the Council will have full understanding of the project and how much of the assessment should be apportioned. The resolution states the public hearing will be set for April 13<sup>th</sup>.

**MOTION: Thomas Cotter made a motion to approve the Engineer's Report for the East Bolton Rd. Sewer Improvement LID dated March 2, 2015 and to adopt Resolution No. 1165. Tim Brooker seconded the motion which passed with a vote of 4-0.**

- ii. **Resolution No. 1165** – A RESOLUTION DESIGNATING PROPOSED WASTEWATER COLLECTION SYSTEM IMPROVEMENTS ON E. BOLTON ROAD AND DECLARING THE CITY'S INTENTION TO FORM A LOCAL IMPROVEMENT DISTRICT TO FUND SUCH IMPROVEMENTS
- (2) Temporary Reduction of Transportation System Development Charges for Non-Residential Development
- i. Agenda Item Summary

Bork said the Council is being asked to take public comment and adopt Resolution No. 1165 to temporarily reduce transportation SDCs for non-residential development. She said in 2011 the Council passed Resolution No. 1067 on a trial basis in hopes it would promote commercial development. The temporary reduction of transportation SDCs was extended with the passing of Resolution No. 1090 which expired on June 30, 2013. Bork said staff has recently seen an increase of inquiries for commercial development. Therefore staff is presenting Resolution No. 1165 to again offer a reduction in transportation SDC's for non-residential development. This resolution will sunset one year from the approval date.

In response to a question from Mayor Larson Bork said if a business relocates in the old hardware store, their transportation SDCs would be based on whether or not the new business generated more traffic than the previous business.

- ii. Public Comment

**Ryan Frome, Veneta Veterinary Hospital, 88233 Territorial Rd., Veneta, OR**

Dr. Frome said he is grateful and supports the reduction of the transportation SDC fees but he is somewhat naïve about this process. He said from listening to the previous work session, he felt our services should be located in the center of town and we want all of our businesses to be in this commercial district so people can get to them easily but the transportation SDC specifically seems to be contradictory to that. He said the City is saying if he built a modest size building in City limits, the transportation SDCs are approaching \$100,000. He said that's a big hurdle for a small business owner. But if he went just outside Veneta City limits he would save \$100,000. He said that's the contradiction to talk about wanting our services centered in downtown but then charge that kind of transportation SDC. He said the 50% reduction is great but the idea of relocating an existing business or moving an existing building doesn't make sense. He said it would make more sense to base it on actual new traffic into our town. He said relocating a business doesn't add any traffic to our community. He said the current assessment doesn't make a lot of sense to him. He said the reduction is a simple thing to do but maybe we should calculate the fees differently.

In response to a question from Thomas Cotter, Mr. Frome said if he built a new building in Veneta City limits, the transportation SDC were calculated at slightly over \$80,000.

Ingham said Lane Branch calculated Mr. Frome's transportation SDCs as slightly over \$80,000 and then there's water, sewer and stormwater on top of that.

In response to a question from Victoria Hedenstrom, Bork said if he wanted to build a new

building he would be credited for the SDC that is already paid for the current location.

Bork said our SDC methodology, passed by ordinance, requires we use the Traffic IT Manual which bases trip generations on square footage and the type of business. She said we have the option to actually survey the current business to determine the exact traffic impacts. She said there's a potential the SDC could be slightly less. She said changing the methodology would require updating the complete methodology of how we calculated those SDCs.

Victoria Hedenstrom said she felt if a business is relocating, the SDCs should remain the same as long as the type of business is the same.

In response to a question from Mayor Larson, Bork said normally it's the applicant or property owner's responsibility to provide the traffic study.

In response to a question from Victoria Hedenstrom, Ingham said SDC credits don't transfer with the business. He said the SDCs stay with the existing facility. Whoever purchased the old building would have those existing credits.

Victoria Hedenstrom said she is bothered by that. She said it seems logical that the SDC's would follow the business. She said there should be a caveat that encourages growth in the City and a credit if a business stays in the downtown area. She said there could be an incentive to encourage growth in the City of Veneta.

Bork said that's a separate topic for the Council to discuss and the Council can direct staff at any time to bring that topic forward. She said a traffic engineer would prepare the transportation SDC methodology.

Ingham said the Council has several options; 1) Updating the transportation SDC methodology, 2) Update the CIP, or like the proposal, reduce the SDC's by 50% or more if the Council felt it would encourage future development.

Mayor Larson said she felt a 50% reduction is a good place to start and the resolution can be repealed in the future if the Council decided it should be reduced even further. She said she was comfortable moving in that direction.

**Phil Velie, McDougal Brothers, 600 Dale Kuni Rd., Creswell, OR**

Mr. Velie said he represents the owners of the property Dr. Frome is thinking about purchasing. He said the reduction in SDCs is a great opportunity for new development. He said economics means dollars which is a very important issue to consider. He said he would highly recommend the Council take another look at future SDC reductions to get the vacant land occupied.

**Herb Vloedman, 25115 Luther Ln, Veneta, OR**

Mr. Vloedman said he appreciates all the discussion and he is very supportive of the reduction. He suggested the Council add another six months to the resolution expiration date in order to include another building cycle. He said if we're trying to encourage construction, that extension may give a little extra bang for this incentive.

Mayor Larson said extending the expiration date an additional six months does not seem like an issue.

Ingham said staff won't be starting the Transportation System Plan (TSP) update until January 2016 which will give the Council about six months to understand the funding sources for the Capital Improvement Plan (CIP).

Mayor Larson closed the Public Hearing.

iii. **Resolution No. 1166** – A RESOLUTION PROVIDING FOR THE TEMPORARY REDUCTION OF TRANSPORTATION SYSTEM DEVELOPMENT CHARGES FOR NON-RESIDENTIAL DEVELOPMENT

**MOTION:** Thomas Cotter made a motion to adopt Resolution No. 1166 providing for a 50% reduction of transportation system development charges for non-residential development ending at midnight on September 1, 2016. Victoria Hedenstrom seconded the motion which passed with a vote of 4-0.

(3) Amendments to Ordinance No. 493 and Ordinance No. 494

i. Agenda Item Summary

ii. **Ordinance No. 519** - AN ORDINANCE AMENDING THE VENETA LAND DEVELOPMENT ORDINANCE NO. 493 AND LAND DIVISION ORDINANCE NO. 494 REGARDING REQUIRED IMPROVEMENTS. For First Reading by Title Only. (pgs. 85-88)

Bork said Ordinance No. 519 was pulled from the February 23, 2015 Council agenda because after the packets were delivered, legal counsel reviewed the ordinance and notified staff that it was not formatted correctly. Staff is now presenting the reformatted ordinance and requesting the Council approve it for first reading by title only.

**MOTION:** Thomas Cotter made a motion to approve Ordinance No. 519 for first reading by title only. Victoria Hedenstrom seconded the motion which passed with a vote of 5-0.

Ordinance No. 519 was read into the record for first reading by title only.

(4) Approve Architectural Services Contract with Dustrud Architecture

Staff is requesting the Council approve the contract for architectural services. She said the Urban Renewal Agency supports the expenditure of Urban Renewal funds for façade improvements to the West Lane Fitness building. She said with that allocation of funds, staff suggested the City hire an architect to make sure the improvements are to City code and to also assist with improvements to the building. She said the contract has been reviewed by legal counsel.

In response to a question from Mayor Larson, Bork said the contract is for one year but can be renewed after that.

**MOTION:** Thomas Cotter made a motion to approve the Architectural Services contract with Dustrud Architecture and authorize City Administrator's signature. Tim Brooker seconded the motion which passed with a vote of 4-0.

(5) Declare a Public Nuisance and Set Public Hearing Date for Dangerous Buildings

Bork said City codes state that when the Building Official has determined that a dangerous building exists, the City Council shall declare the building a public nuisance and set a public hearing. She said the City Building Official provided a memo to the Council at the last meeting which included his recommendation that the two buildings; 25044 McCutcheon and 87765 Trek Dr. be declared nuisances. She said the next step in the process is to determine whether or not to require the buildings to be demolished or made safe and to prescribe what must be done to make the buildings safe. Staff is recommending the Council

set the public hearing date for April 13, 2015. Bork said she would like the Council to make a motion for each property.

**MOTION:** Thomas Cotter made a motion to declare 25044 McCutcheon Ave. a public nuisance and to set a public hearing for 7:00 p.m. at Veneta City Hall on April 13, 2015. Tim Brooker seconded the motion which passed with a vote of 4-0.

**MOTION:** Victoria Hedenstrom made a motion to declare 87765 Trek Dr. a public nuisance and to set a public hearing for 7:00 p.m. at Veneta City Hall on April 13, 2015. Thomas Cotter seconded the motion which passed with a vote of 4-0.

b. Management Analyst.....Katie Babits

(1) Goal Setting Reprioritization Summary Report

Babits said on January 26<sup>th</sup>, the Council expressed interest in reprioritizing the Council Goals from the 2014 Goal Setting Session. Staff conducted a survey to identify changes in the prioritization of the previous goals and she is providing the results from that prioritization. Staff is recommending the Council approve the Goal Setting Summary Report for 2015 and 2016.

**MOTION:** Thomas Cotter made a motion to approve the Goal Setting Summary Report for 2015 and 2016. Tim Brooker seconded the motion which passed with a vote of 4-0.

(2) Establish New Website Domain Name

Babits said on January 12<sup>th</sup> the Council approved the redesign contract for the City's official website. She said the topic of changing the actual web address (domain) was brought up and staff felt it was a good idea to change it to "venetaoregon.gov" at a cost of \$125 per year. She said currently we don't pay for the existing web address. Staff is asking Council to approve changing the official name from "ci.veneta.or.us" to "venetaoregon.gov" and have authority over that domain name.

In response to a question from Victoria Hedenstrom, Ingham said many cities start out with the ci. Address. He said the smaller the name, the better, and with the new logo change, it makes sense.

Thomas Cotter said it is a great idea because "Veneta" is the first word.

In response to a question from Victoria Hedenstrom, Babits said it also coincides with the launching of the new website.

In response to a question from Mayor Larson, Joan Mariner said she thought the old name is awkward.

**MOTION:** Thomas Cotter made a motion to approve changing the official City of Veneta web address to "venetaoregon.gov". Victoria Hedenstrom seconded the motion which passed with a vote of 4-0.

Babits said currently April 1<sup>st</sup> is our goal to rollout the City's new website. She said aHa Consulting will provide the design and training. She said people going to the City's old website will be automatically directed to the new website.

c. Public Works Director..... Kyle Schauer

(1) Update of February 27<sup>th</sup> Dog Bite Incident

Schauer provided an update on the dog bite incident, more specifically, how the City responded and what happened as we know it. The following are highlights from his report to the City Council.

On Friday, February 27<sup>th</sup> at approximately 5:00 p.m. a man came to City Hall to report his wife had been attacked by a dog. A Deputy from the Lane County Sheriff's Office and the City's Code Enforcement Officer responded. They were told a woman was walking her dog on a City sidewalk and a dog behind a fence came into the front yard and attacked her dog. The woman got between the dogs and at some point she was bitten. A resident (not the dog owner) of the home took the dog into the house. This individual was very cooperative and indicated he noticed somehow the nails were pulled away from the fence which allowed the dog to escape from the back yard. The Deputy and City Code Enforcement Officer took a report and a required 10 day rabies quarantine was issued for the dog. This is standard procedure in every dog bite incident, for every animal control agency, and is typically done at the home. The resident understood and assured the deputy that the dog would be quarantined. When spoke to by phone, the dog owner expressed extreme remorse and said the female dog was in estrus. The owner willingly provided his information and asked that the City forward his information to the other dog owner so he could take responsibility. The quarantine process was explained to the dog owner. The Deputy indicated he would return on Monday to discuss citations. City staff met with the owner and citations were issued for "dog at large", "failure to obtain a license" and "dangerous behavior". The woman suffered a puncture mark, a laceration, and possible fracture to her left ring finger. The owner produced a valid rabies vaccination. During the quarantine, the City's Animal Control Officer made 10 visits to the home and each and every time the animal was put in a kennel before the door was opened. The officer noted that the dog was very friendly and showed no aggressive behavior. On Monday, March 9<sup>th</sup> the dog was released from quarantine. According to City code the owner is not required to do anything further. City staff advised him to make sure the animal does not get out. The owner indicated he would reinforce the fence from the inside to make sure it doesn't happen again.

Mayor Larson said she understands our code but also understands how residents feel. She doesn't think there's anything we should do at this point but to review the City's Animal Control Ordinance.

Schauer said the evidence indicates that the animal at no time attacked the woman. He said she told the deputy she didn't realize she'd been bitten.

Mayor Larson said the dog may not have attacked a person but in the minds of the neighbors it doesn't matter.

Victoria Hedenstrom told a story about an incident her daughter had with another dog while walking her dog.

In response to a question from Thomas Cotter, Schauer said if the judge finds the dog can be dangerous, it depends on the judge's interpretation. He said in the past we required a dog to be removed from City limits.

Thomas Cotter said zero tolerance doesn't work for him and he doesn't think it's easily enforced or defended. He said it is a good idea to wait to review the code until after this incident has gone through the court system.

Mayor Larson said people are telling her that they have pictures of the dog in the backyard unrestrained.

Schauer said the dog stayed in a kennel in the backyard and it was in compliance while it was in quarantined. It can be in the backyard once the quarantine was lifted.

Victoria Hedenstrom said she also is not in favor of zero tolerance.

Tim Brooker said he has no issue with reviewing the Animal Control Ordinance and suggested we should take a stronger stance on licensing. He said but we should allow the court system to do what it's supposed to do. He said we shouldn't be in the business of dealing with dog incidents in the City - that's law enforcement's area. He said but it needs to go through the court system and then we can go about reviewing our ordinance. He said we should not be dealing with individual dog instances because that's a civil matter.

Schauer said after his review, he determined that staff followed procedure.

d. City Administrator.....Ric Ingham

(1) 2015-16 Work Plan

Ingham reviewed the overlapping fiscal year work plan from January 1, 2015 to December 31, 2016. He said staff created the work plan based on the revised and prioritized goals the Council provided. He said 65 projects are listed with a three to 18 month timeline for completion. A number of projects focused on larger capital projects and numerous items focused on Economic Development and Urban Renewal. He said most will come from those plans presented earlier this evening including securing a R.A.R.E intern. He asked if the Council had any questions.

In response to a question from Tim Brooker, Ingham said cleaning up the poplar plantation will be included in the refinement of the Sewer Master Plan.

Schauer said a lot of that was addressed as part of the Effluent Management Plan update. He said the rules changed so that's why we were able to do what we did in getting away from using the plantation. Plus the acquisition of additional land, the poplars are no longer our only option for dispersing that water.

In response to a question from Victoria Hedenstrom, Schauer said once the plantation is dry enough to drive in, Lane Forest Products will chip the trees and the stumps will be ground. He said then the site will be prepared for planting a hay crop in the fall.

Ingham said staff will provide quarterly updates to the Council.

(2) Preliminary Design of Elmira Multi-Use Path

Ingham said in September the Council accepted \$8000 in grant funds from the Healthy Eating Active Living (HEAL) Cities campaign and then directed Branch Engineering to create a preliminary design for a multi-use path along Territorial Rd. to Elmira. He said Branch delivered that design and after staff reviewed and completed several revisions, the final draft was received on February 6<sup>th</sup>. He said since that time, he and Bork met with ODOT and Lane County Transportation staff to review the plan. He said representatives from both entities applauded staff for a job well done and indicated the path is now on their radar. He said they encouraged us to get aggressive in the next round of STIP funding. The grant deadline for the Oregon Public Health Institute is March 16<sup>th</sup>. He said we released a contract to Environmental Solutions to complete an environmental land survey that can only be done a few weeks in the spring.

Ingham said the report has the total project cost of 2.5 million dollars and the project will be done in three phases. He said the first phase would consist of almost 90% of the path's length and include the center bridge. The second phase would start with constructing the bridge north of the shopping center and the third bridge crossing the Long Tom River at the northern end of the path. He said bridge construction will be about 1.2 million dollars. He said providing some kind of lighting will be the third phase which is not included in that cost.

In response to a question from Thomas Cotter, Ingham said solar lighting is more expensive up front but in the long term, it likely will be more cost effective.

Ingham continued to review the preliminary design report.

In response to a question from Thomas Cotter, Schauer said the trail bed will be concrete, which is a better wearing surface.

In response to a question from Victoria Hedenstrom, Ingham said the Safe Routes to School program is the first and foremost importance for providing this path. Also providing Elmira residents with safe access to city services is important. He said the path will be able to accommodate strollers, bikes, pedestrian, but it will not be an equestrian path.

In response to questions from Mayor Larson, Ingham said Lydia McKinney from Lane County indicated the County cannot offer financial support. He said Lane County is talking about updating their Transportation System Plan (TSP) and our first step is to include the project in that Plan. He said he would send the design report to Jay. Ingham said other than a larger price tag and not a lot of earmarks for transportation projects, staff was encouraged by Lane County's and ODOT's support for the project.

In response to a question from Tim Brooker, Ingham said most of the property is City owned. He said we could use the cost of our right of way as part of our contribution or matching funds.

In response to question from Thomas Cotter, Ingham said it's laid out how much is needed from the three properties for the right of ways and it's a given that OCF will likely donate their right of way. He said Environmental Solutions scope of work will address the entire length of the project.

- (3) Questions from Councilors  
None

## 8. OTHER

Ingham said Katie Babits has submitted her resignation. He said she will be going to the City of Eugene. Her last day is this Friday so this is her last Council meeting. He said he and Hartz have been reevaluating how they want to fill that position. He said he will provide an email update on the final conclusion of that.

Ingham said the Council will not likely have the second meeting in March due to Mayor Larson being out of town and Councilor Hedenstrom will be in Washington DC. He said if we don't identify any projects in the next two or three days, we are planning on cancelling the March 23, 2015 Council meeting.

Bork said the dangerous building public hearings were scheduled to take place at the March 23<sup>rd</sup> Council meeting but because that meeting has been cancelled she will re-advertise that the two public hearings will be moved to April 13<sup>th</sup>.

In response to a question from Victoria Hedenstrom, Hartz said the City will place a lien on property for any abatement costs the City may incur with regard to the properties and it's reasonable that when the Minutes of the Veneta City Council  
March 9, 2015

property is sold the lien will be satisfied.

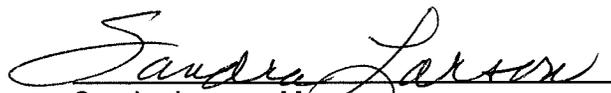
Ingham said the original property owners have taken possession of the property so the bank is no longer in the equation.

He reminded everyone that the Fern Ridge Chamber of Commerce luncheon is Wednesday, March 11<sup>th</sup> at noon at Our Daily Bread. He said the City hosts those meetings so he encouraged everyone to attend. He said Fern Ridge School District Superintendent Sally Storm will talk about her administration and hopefully will provide an update on the bond measure and school activities.

Thomas Cotter reminded everyone that the Fern Ridge Chamber of Commerce Board meeting is tomorrow at 3:00 p.m.

**9. ADJOURN**

Mayor Larson adjourned the Veneta City Council at 9:40 p.m.

  
Sandra Larson, Mayor

ATTEST:

  
Darci Henneman, Assistant City Recorder