

Minutes of the Veneta City Council Work Session

December 14, 2015

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

Others: Ric Ingham, City Administrator; Shauna Hartz, Finance Director; Darci Henneman, City Recorder; Karen Gaffney, Dr. Luedtke, and Christy Inskip, Lane County Public Health and Joan Mariner, Fern Ridge Review

1. CALL TO ORDER THE VENETA CITY COUNCIL WORK SESSION

Mayor Larson called the Veneta City Council Work Session to order at 5:34 p.m.

2. LANE COUNTY PUBLIC HEALTH – LICENSING OF RETAIL

Dr. Luedtke introduced himself and reviewed his power point presentation.

In response to questions from Thomas Laing and Mayor Larson, Ms. Inskip explained what a hookah pipe is and said they use a specific type of tobacco. She said in Oregon an establishment is required to become a certified smoke shop to allow smoking indoors. She said there are two hookah lounges in Eugene.

In response to a question from Thomas Laing, Ms. Gaffney said throughout the year the Board of Health (BOH) randomly checks retailers for illegal tobacco sales to minors. When they find a retailer has sold tobacco to a minor, a citation is not issued but the list of offenders is given to the Oregon State Police (OSP) and the citations are given to the clerk and not to the store owner.

Ms. Gaffney said the BOH developed the ordinance for unincorporated Lane County and the ordinance language differs from what was brought to the Council last summer. Ms. Gaffney reviewed the updated ordinance language.

In response to a question from Mayor Larson, Ms. Gaffney said if the City adopted Lane County's ordinance tobacco retailers within City limits would be required to have a license and if they violated the law, there would be penalties. She said the City can decide who would enforce the penalty; we can enforce it ourselves or enter into a Memorandum of Understanding (MOU) with Lane County to enforce penalties.

In response to a question from Victoria Hedenstrom, Ms. Inskip said mobile sales refer to trucks that drive around the city selling tobacco and tobacco products. She said the mobile vending requirement included in the ordinance, would ban mobile sales.

In response to a question from Thomas Cotter, Ms. Gaffney said retailers located within 1000 ft. from any school would be required to place all tobacco products behind the counter.

In response to a question from Thomas Laing, Ms. Gaffney said the retail license would be \$200 annually and if they have no sales to minors (violations), then the following year the renewal license is reduced by \$75.

In response to a question from Thomas Cotter, Ms. Gaffney said the Lane County Environmental Health inspectors would conduct tobacco retail inspections at the same time they conduct restaurant inspections. She said inspectors are assigned specific regions so in terms of travel time, it is an efficient use of their time.

Ms. Gaffney said Cottage Grove adopted an e-cigarette ordinance as well as a tobacco retail licensing policy based on Lane County's ordinances and both ordinances align with their city code.

She said Lane County hasn't heard if Cottage Grove will enforce the retail licensing or if they will enter into a Memorandum of Understanding (MOU) with Lane County by provide enforcement.

In response to a question from Thomas Laing, Dr. Luedtke said a recent 12 month study indicated the use of e-cigarettes showed no reduction in smokers cutting back or quitting smoking.

Ingham said with direction from the Council, staff would work with legal counsel on drafting an ordinance for first and second reading with enactment 30 days after the second reading.

In response to questions from Thomas Cotter, Ingham said he and legal counsel will identify key issues and will bring a draft ordinance to the Council for review at the second meeting in January. He said rural Lane County and City of Veneta laws need to be consistent with one another. For example, the law should be the same for the Dari Mart in Lane County as it is for the Dari Mart in City limits.

Mayor Larson said another reason for consistency is if the City Council chose to have Lane County provide enforcement.

Ingham said a number of sections of the ordinance would be modified to address City issues and concerns so it's reflective of a municipal ordinance and not a County ordinance. He said requesting the County provide enforcement would also trigger drafting an ordinance.

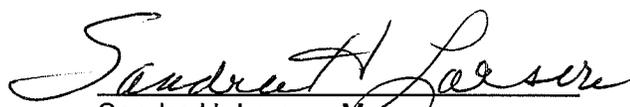
Mayor Larson said she would prefer the County provide enforcement.

Dr. Luedtke said there have been two deaths from children ingesting liquid tobacco because the containers are not required to have child proof caps.

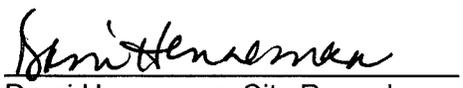
Ms. Inskip said starting in 2016 the Indoor Clean Air Act was updated which authorizes the Oregon Health Board to create rules to address packaging and labeling of electronic liquid nicotine products throughout the state.

3. ADJOURN

Mayor Larson adjourned the Veneta City Council at 6:30 p.m.


Sandra H. Larson, Mayor

ATTEST:


Darci Henneman, City Recorder
(Minutes prepared by DHenneman)