



CITY COUNCIL JULY 17th, 2017 AGENDA
REGULAR MEETING 7:00 PM
City Hall, 1001 Bridge St. Vernonia OR 97064

Mission Statement

The City of Vernonia pledges to be an ethical and responsive government using community collaboration to foster leadership and a vision for civic improvement while providing a safe, peaceful, economically viable community.

1. Call to Order and Pledge of Allegiance – Mayor Leonetti

2. Additions or Corrections to Agenda

3. Councilor Committee Meeting Reports

4. Topics from the Floor

5. Consent Agenda for Approval

A. City Council Meeting Minutes for June 19, 2017

B. City Council Work Session Minutes for June 19, 2017

6. Unfinished Business

A. Parks Recommendation – Smoking in Parks

7. New Business

8. Business from Departments

A. Police Department – Chief Conner

B. City Administrator Report – J. Mitchell

9. Ordinances/Resolutions

10. Correspondence

11. Items from Mayor and Councilors

12. Action Item Summary

13. Adjournment

*****AMERICANS WITH DISABILITIES ACT NOTICE*****

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CITY COUNCIL JUNE 19th, 2017 **MINUTES**
REGULAR MEETING 7:00 PM
City Hall, 1001 Bridge St. Vernonia OR 97064

Mission Statement

The City of Vernonia pledges to be an ethical and responsive government using community collaboration to foster leadership and a vision for civic improvement while providing a safe, peaceful, economically viable community.

Call to Order and Pledge of Allegiance – Mayor Leonetti

Mayor Leonetti called the meeting to order at 7:00pm

Additions or Corrections to Agenda

Councilor Hult made a motion to approve the agenda as written. The motion was seconded by Councilor McNair.

Votes: Councilor Seager: Yes

Councilor Hult: Yes

Councilor Wagner: Yes

Councilor McNair: Yes

Mayor Leonetti: Yes

Councilor Committee Meeting Reports

Councilor Seager attended the Parks Committee meeting on May 24th where they discussed the following items: smoking in parks, trash in Hawkins park bleacher area, art in parks, carving the stumps at Spencer and tree donations, Airport Park, the dog park, and the Anderson Park sign project. Ongoing projects for the committee are: lily pad eradication at the lake, spencer park trees, picnic pavilion, the lake pump, spencer field conditions, the play shed roof, irrigation and trail signage.

City Administrator Mitchell stated that the lily pad eradication is scheduled to be treated twice, once this fiscal year and once during the next fiscal year. The first treatment should be completed by the end of June.

Council Wagner attended the Library Board meeting where they had a potluck for two members whom are leaving the board. She is excited to see new, younger membership on the board. The board would also like to spread the word about the senior book delivery program.

Topics from the Floor/Audience Participation

City Recorder Borst read for the audience the rules for Topics from the Floor.

Tim Anderson, Vernonia, is here on behalf of the Parks Committee. He is concerned about erosion of the river bank at Airport Park. The committee would like to request that Council direct staff to make mitigating the issue more of a priority. He is frustrated as mitigating the issue is taking too long with the Upper Nehalem Water Shed.

David Sterner, Vernonia, would like to know if the City has a response to the OGEC report regarding his allegations of conflict of interest. He has reached out to all of the City Councilors and the City Administrator. He was told that he cannot as the City cannot discuss it. City Administrator Mitchell stated that we have been advised not to discuss it until the OGEC is finished with their investigation. Mr. Sterner stated that the law allows the investigation to take 180 days. He believes that the law allows the Council to discuss when reasonable cause exists. He would like the City to have an internal investigation. If he was able to discuss this with the City, he would not have filed with the OGEC. He advises the City to quit listening to their attorney. He

is accusing the Council of ignoring Mayor Leonetti's accused conflict of interest. He stated that if the City continues to ignore him, he has no choice but to move forward.

Consent Agenda for Approval

- A. City Council Meeting Minutes for June 5, 2017
- B. Library Board Meeting Minutes for May 2017

Councilor McNair made a correction to the meeting minutes for June 5th under "Items from Mayor and Councilors" as he was not in attendance at the Memorial Day service.

Councilor McNair made a motion to approve the meeting minutes listed above with the correction. The motion was seconded by Councilor Seager.

Votes: Councilor Seager: Yes Councilor Hult: Yes Councilor Wagner: Yes
 Councilor McNair: Yes Mayor Leonetti: Yes

Motion carried.

Unfinished Business

New Business

- C. Vernonia Ridge Riders Water Account Discussion

City Administrator Mitchell presented the staff report to Council. Public Works Foreman Burch explained that the line to the horse arena is a 2" line that is metered with a valve and is not able to be locked off. The group has been advised to lock the yard hydrants to prevent water theft.

Councilor McNair made a motion to approve changing the charges specific to the Vernonia Ridge Riders from what is currently being charged to \$29.30 per month for 5/8" water line rate, \$9.50 per month for water loan repayment, and \$3.00 per thousand gallons used over 2,000 gallons allowance per month for consumption. The motion was seconded by Councilor Seager.

Votes: Councilor Seager: Yes Councilor Hult: Yes Councilor Wagner: Yes
 Councilor McNair: Yes Mayor Leonetti: Yes

Motion carried.

- D. Letter from Larry Collins Decision

City Administrator Mitchell presented the staff report to Council. Staff further explained that bills were not sent out late and while they are not able to access the system at the meeting, they suspect the 12 days to be incorrect as well. Due to this, they are also unable to verify if they were or were not late in the last 22 months. Staff explained that there are many people whom are not normally late but they still get the notices as does staff if they are late.

Councilor Wagner inquired about the process and how late fees are applied. Staff explained the process to Council and stated that with the automated system, there is no room for error. People on payment plans and/or balances under \$10 do not get shut off notices. Consensus of Council is to make no changes to the account as city procedure was followed. City Recorder Borst will send a letter to Mr. Collins notifying him of this decision.

- E. Bridge Over Rock Creek Safety Update

City Administrator Mitchell presented the staff report to Council. She explained that staff is looking into the sand option. Staff will be meeting with Maggie at the Upper Nehalem Water Shed on potential solutions for the Airport Park river bank, planting behind the trail, as well as bridge traction options.

Business from Departments

- F. Police Department – Chief Conner

No report.

G. City Administrator Report – J. Mitchell

Wastewater Treatment Plant: The contractor has received the amended 4 year extension for the seeping problem on the DAF, City legal strengthened the agreement to state if a repair did not fix a future problem that replacement at the contractor's expense would be necessary. This agreement gives us 4 winter seasons to see if the seeping problem has been solved or still remains. There will be no hold back money. The contractor has not yet started paving, and has some remaining hydro seeding to complete. We are still awaiting the design from Tetra Tech for the ammonia building and electrical lines so that the contractor can give us a price to complete it. USDA is requiring a few extra items in order to use their funding for the ammonia equipment and to avoid having to go back out for bid, the City must complete the elements as outlined in their bulletins to qualify the use of the funding. I hope to have the appropriate paperwork completed this week.

Staff has been in contact with Maggie at the Upper Nehalem Water Shed on replanting options for the trail. The trail will not have a canopy as before as replanting will not take place over the drain field. Staff will organize a tour in August once the bio domes are installed.

Rose Avenue Project: This morning I met with the Grant Administrator Mary McArthur and CDBG Administrator Tawni Bean to go over amendments required to finalize the environmental assessment. Once CDBG is satisfied with the finished environmental assessment, a notice will be sent to the appropriate agencies and published in the newspaper, after a 15-day period to receive comment from the agencies and CDBG we can post the bid for a contractor. The City Planning Department is currently reviewing the draft plan set of architecture drawings. Once planning is satisfied with the finished product we will be ready to file for a building permit.

Nickerson Ridge Estates: No correspondence.

Spencer Park Picnic Shelter: The first pour for the concrete pier bases has been completed. The exposed piers have been formed up and the final concrete pour will take place this Wednesday or Thursday at the latest. Once the piers have cured the construction of the shelter will take place, we are working to organize community volunteers. The landscaping plants and boulders/natural wood elements are the last items that needs to be purchased. We currently have 7 families willing to donate trees to be planted at the New Spencer Park. We have 2 spots remaining in the original landscape design available.

Airport Road Culvert: The culvert that runs under Airport Way at the west end of the Vernonia Municipal Airport has been failing for the past few months. Members of the Airport committee have been replacing the culvert that runs under Airport Road over the past weekend, the city crews delivered rock to the site. Thank you Doug Davenport, Mike Seager and Airport committee members for your time and effort.

City Roof Projects: Staff has requested bids for the play shed roof and library roof.

Interview: There were 19 applicants for the Utility Billing Specialist position of which 7 are scheduled for interviews. Councilor Wagner will be assisting in the process.

Ordinances/Resolutions

Correspondence

Items from Mayor and Councilors

Mayor Leonetti inquired about the County owned house on State Street. City Administrator Mitchell explained that she had not but they have an open nuisance violation. Councilor McNair proposed having staff draft a letter from Council requesting action from the County on mitigating code violations for their properties and have Council sign it.

July 3rd Meeting: Councilor Seager made a motion to cancel the July 3rd City Council Meeting. The motion was seconded by Councilor Wagner.

Votes: Councilor Seager: Yes Councilor Hult: Yes Councilor Wagner: Yes
 Councilor McNair: Yes Mayor Leonetti: Yes

Motion carried.

Action Item Summary

Staff will send a letter to Mr. Collins notifying him of Council decision.
Staff will organize a tour of the Waste Water Treatment Plant in August and invite the Public Works Committee and Council.

Adjournment

Mayor Leonetti adjourned the meeting at 8:03pm.

These minutes were approved at the July 17th, 2017 City Council Meeting.

Stephanie Borst, City Recorder

Mario Leonetti, Mayor



CITY COUNCIL June 19th, 2017

WORKSESSION

Time: Immediately Following Regular Meeting
City Hall, 1001 Bridge St. Vernonia, OR 97064

Mission Statement

The City of Vernonia pledges to be an ethical and responsive government using community collaboration to foster leadership and a vision for civic improvement while providing a safe, peaceful, economically viable community.

MINUTES

Call to Order -- Mayor Leonetti

Mayor Leonetti called the work session to order at 8:19 pm.

Additions or Removal of Agenda Items

City Recorder Borst added to the agenda "Topics from the Floor".

Councilor McNair made a motion to approve the agenda with the addition. The motion was seconded by Councilor Hult.

Votes: Councilor Seager: Yes

Councilor Hult: Yes

Councilor Wagner: Yes

Councilor McNair: Yes

Mayor Leonetti: Yes

Motion carried.

Topics from the Floor

Joe Riley, Vernonia, is interested in organizing the donation of the privately-owned section of Weed Avenue to the City. In doing so, he would like to see the road get improved (Paved) as well as Spring Board Lane and E Street. Staff explained the location of the streets to Council. Mr. Riley explained that there are roughly 6 lots left to be developed.

New Business

- Road Based Transportation in the City of Vernonia

Mr. Fousek presented the handouts to Council. He projects that the poor condition streets need to be repaired in the next year and the marginal streets need to be repaired within the next 2 years. He explained that there is roughly \$50k available for projects this year. When presenting funding options to Council, Mr. Fousek spoke against adding a fee to utility accounts as it taxes the utility users rather than the property owners.

Councilor McNair inquired as to how SDC funds could be used for projects. Mr. Fousek explained that SDC funds could be used in areas that would see added capacity (IE adding a catch basin where the street is paved with no storm water improvements). The key is not replacing but adding new infrastructure. At this time there is not a Storm Water fund aside from the Storm Water SDC fund.

Mr. Fousek explained the methodology for his estimates for Council and that road grade was not factored in. Councilor McNair stated that he discussed this with Mr. Fousek previously and asked if the proposed areas would need to be brought up to public works standards. City Administrator Mitchel advised that if the areas were completely torn out and rebuilt we would

have to build to public works standards. Since we are only repairing the roads, we don't have to add sidewalks, curb, etc.

Councilor Wagner inquired about any available grants. City Administrator Mitchell stated that if Council prioritizes improvement areas staff can explore Storm Water Grants but she is unaware of any additional street grants we would qualify for.

Council then discussed prioritization of areas needing repair.

Area #8 – Staff proposed removing the asphalt remnants and leaving the street gravel until the fund could afford to repave it. Areas that service more homes, which therefore have heavier traffic, are of the highest concern at this time.

Councilor Wagner suggested considering the use of the home for prioritization (IE Daycares and other home businesses). Mr. Fousek explained that staff did not take into account home businesses but did account for multi-residential units.

Councilor Wagner inquired as to whether or not Council had enough information at this time to prioritize areas for repair. Mr. Fousek stated that staff would like Council to prioritize areas so they can look for funding sources. Councilor McNair stated that Clatsop, Ruth, and Louisiana are all in poor condition and would like to start with them. City Administrator Mitchell stated that Louisiana may be a candidate for the street grant.

Councilor Hult proposed repairing the streets in the poorest condition then prioritizing the remaining streets with taking traffic into consideration. She stated that her sister lives down Old Bridge Street which is in very poor condition.

Councilor Wagner suggested that it may be more efficient and cost effective to target areas for repair. Mr. Fousek agreed that it may be the cheapest route until we can find additional funding sources. Councilor Wagner requested a spreadsheet from staff with the data sorted by cost and condition score.

Councilor Seager inquired about what the cost would be to fix all of the streets in poor condition. Mr. Fousek stated that the cost to fix all of the streets in poor condition is \$87,170 and the total for everything on the list is roughly \$500,000.

Mr. Fousek added that this was discussed with the Public Works Committee and they discussed the possibility of using half of the loan repayment fee for a street fund when the loans start to get paid off. He also suggested approaching property owners in the identified areas and seeing if there is interest in a local improvement district. If Council is interested, staff will explore this option and get estimates. The City could also propose splitting the cost. Mr. Fousek suggested starting with Area #1 and seeing what costs would be with a 100% LID vs LID with city contribution.

Mr. Fousek will check with Finance Director Handegard regarding the timeline for loan pay off and what the reduction will be. He will report to the Public Works Committee this week when they discuss this topic.

Councilor Seager proposed sending a survey to citizens to gauge interest in different funding options before putting too much effort into different options. He explained that the suggested tax would be a hard sell as the community is already heavily taxed.

City Administrator Mitchell reminded Council that the goal of the work session is to prioritize areas for repair. Prioritization will help with the budget process as well. Councilor Wagner stated that she would like additional information before setting prioritization.

Council then discussed alleys that need repair. Staff pointed out that OA Hill has overall decent streets but alleys that are in horrible shape. This would be a candidate for a local

improvement district to improve the alley and storm water. Staff would like to know what the priority is for alleys. Councilors McNair and Hult both stated that the alleys on OA Hill are used like streets and are used heavily. Councilor Hult stated that she grew up on OA Hill and its fairly unique up there in that they use the alleys for access and parking. Mr. Fousek explained that staff has not priced what the cost would be to improve alleys.

Councilor McNair spoke in favor of improving the alleys on OA Hill and addressing storm water issues. In order to prioritize fixes for alleys, Council needs to know costs.

Consensus of Council is to discuss again at a future work shop and for staff to bring costs for alley improvement and local improvement district options. Mr. Fousek will work on a five-year transportation plan and bring it back to Council.

Adjournment

Mayor Leonetti adjourned the meeting at 10:03 PM.

These minutes were approved at the July 17th, 2017 City Council Meeting.

Stephanie Borst, City Recorder

Mario Leonetti, Mayor

March 15, 2017

To: Vernonia City Council

From: Parks Committee

Re: Smoking in Parks

The Parks Committee voted at their committee meeting on February 22 , 2016 to recommend to the City Council an Ordinance that would designate certain parks as No Smoking, certain parks to have designated smoking areas, and other parks to require no smoking within 50 feet of play structures and sitting areas.

The Parks Committee previously brought a proposal to make all parks No Smoking areas; this proposal was rejected by the Council, but after further discussion, Council seemed willing to consider designated smoking areas. This recommendation was prepared by the Parks Committee with that previous recommendation and discussion in mind.

Signed,

Scott Laird, Parks Committee Chair,

Heidi Matheney, Parks Committee Secretary



“NO SMOKING RULE” OREGON AGENCY SURVEY, CONDUCTED, SEPTEMBER 2013

Agency	Compliance	Comments
Beaverton School District	Yes	Not an issue – people get it.
Hillsboro Parks	Yes	“It has been easy to enforce.” In effect for three years. At first, just a couple of complaints. Code Enforcement may issue a ticket with a fine but this has not been necessary.
Bend Parks	Yes	Not a big deal. We don’t need to or spend much time on the rule. Community is pretty much smoke free. Transient population are the occasional violators. The policy is a “tool” to be used as necessary. Nice to know that your park users may turn and tell a smoker, at an event that the park is smoke free.
Corvallis Parks	Yes	We ask for “voluntary compliance”. The majority of the people abide by the rule. Police and Parks employees use the rule as a tool. Two benches in Central Park used by transients is only issue but we have cleared vegetation away so it can be sighted from the roadway to help police.
Crook County Parks	Yes	Has worked out quite well. Not an ordinance but a resolution. Can’t ticket. Permits issued to user groups state event needs to be smoke free. Groups must announce that their event is smoke free.
Independence Parks	Yes	No problems. People are using common sense. In two parks we have designated smoking areas that people can walk to and still smoke. At large events, we will still provide a smoking area. Have not banned smoking all together. Police enforce it as necessary and have not had any problems getting compliance where necessary.
Roseburg Parks	Yes	People get it. No problems. Some grumbling at first when it came into effect but most people were supportive of the change. Parents brought the issue to the parks and asked to have smoking banned around playgrounds. Parks Dept. extended rule to include all park areas.
Sherwood Parks	Yes	No complaints received due to policy. Signs not necessary. People get it.
Lincoln City Parks	No	Many vacationers not from the community may not know rule exists. Unemployment problems in community and many of those people hang out in parks and smoke. No efforts by police to enforce rule.
Dallas Parks	Yes	Park users are respectful of rule. Signs in parks list rule. Has not been a problem for people not to smoke in parks. At sporting events you see smokers walk out to the sidewalk or streets near the park to smoke.
Happy Valley Parks	Yes	The rule has worked. People comply. Has helped with issues at Skate Park. 50% reduction in time and expense for maintenance division – not having to spend time picking up cigarette butts. City Code Enforcement officers can issue citation and have. Fine is \$250.00 and municipal court judge supports citation/fine.
Bandon Parks	Yes	Has worked out great. Park Host approaches people and reminds smokers of rule. They comply. Having a “no smoking” policy in the parks is the right thing to do. I support it and I am a smoker.

CITY OF VERNONIA

SMOKE FREE PARKS

Ordinance No. ???

Section 1: The Council finds that a smoke free, except in designated areas, parks policy:

1. Creates a healthy and safe environment for Vernonia residents, visitors, and especially youth and children.
2. Protects residents and visitors from secondhand smoke, ensures equal access to parks for people with asthma and respiratory conditions, and helps people breath clean air.
3. Reduces the exposure of children and youth to smoking and tobacco use and therefore protects their health and discourages them from starting a harmful habit that is difficult to quit.
4. Promotes the containment of harmful waste products caused by the littering of cigarette butts and other smoking related waste.
5. Protects parks and natural areas from potential risk of fires.
6. Supports individuals who are trying to quit smoking or have already quit.
7. Does not alienate citizens who smoke from accessing city parks

THE CITY OF VERNONIA ORDAINS AS FOLLOWS:

Section 1: Definitions

1. Smoking: means inhaling or exhaling from any lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product, or inhaling or exhaling vapor from any electronic delivery device. Smoking shall include carrying a lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product intended for inhalation.
2. Electronic Delivery Devices: means any product containing or delivering nicotine, lobelia, or any other substance intended for human consumption that can be used by a person to stimulate smoking in the delivery of nicotine or any other substance through inhalation of vapor from the product. The term includes any such devices, whether they are manufactured, distributed, marketed or sold as e-cigarettes, e-cigars, e-pipes, or under any other product name or descriptor.
3. Designated Smoking Area: means clearly defined area with clear signage and waste receptacle available. Smoking is allowed ONLY within the boundaries of designated

areas, and within the confines of personal property (cars, boats, campers, RVs, and individual campground lots that have been rented). All laws applying to litter apply.

4. Smoke free zone: means the space/are within 50ft. of playground equipment, public restrooms or food preparation areas where smoking is prohibited.
5. Parks: means one of seven designated City Parks:

Airport Park

Anderson Park

Hawkins Park

Ora Bolmeier Park

Shay Park

Spencer Park

Vernonia Lake

Section 2: Prohibit Smoking except in designated areas (to be defined and designated by committee)

The City of Vernonia has designated the City Parks as follows:

Parks with No Smoking: Ora Bolmeier and Shay Park

Parks with designated smoking areas: Hawkins Park and Spencer Park

Parks with No Smoking within 50ft. of Play area and Public Restrooms: Anderson Park

Parks without smoking prohibitions: Airport Park and Vernonia Lake

No person shall smoke, or use electronic delivery devices in any form in any City Park where smoking is prohibited; for parks with designated smoking areas, no person shall smoke, or use electronic delivery devices in any form except in the designated smoking area provided.

For parks with smoke free playground areas, no person shall smoke within 50ft. of any playground equipment, public restrooms or food preparation areas. For parks without smoking prohibitions, there are no restrictions on where smoking is permitted.

This policy shall be in effect at all times, including during all festivals, concerts, or similar public events occurring on City-owned park property.

Section 3: Enforcement

1. Appropriate signs to communicate the smoke and tobacco free policy shall be posted in all relevant City-owned parks.
2. The community, especially facility users and staff, will be notified about this policy. Appropriate language included in park user agreements.
3. Staff will make periodic observations of park facilities to monitor for compliance.
4. Any person found violating this policy may be subject to immediate ejection from the park. (After one year of adoption, fine imposed on those found violating this policy)

Section 4: Effective Date

This policy is effective immediately upon the date of adoption, which is _____, 20__.

Appropriate City Official

Date

DRAFT