



CITY COUNCIL SEPTEMBER 18<sup>th</sup>, 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**

*Persons addressing the Council must state their name for the record. All remarks shall be directed to the entire City Council. The Council reserves the right to delay any action requested until they are fully informed on the matter.*

**5. Consent Agenda for Approval**

- A. Library Board Meeting Minutes for June 2017 ..... Pg. 1-2
- B. City Council Work Session Minutes for August 21<sup>st</sup>, 2017 ..... Pg. 3-4
- C. City Council Meeting Minutes for September 5<sup>th</sup>, 2017 ..... Pg. 5-9

**6. Unfinished Business**

**7. New Business**

- A. DRAFT Leak Forgiveness Policy ..... Pg. 10-13

**8. Business from Departments**

- A. Police Department – Chief Conner
- B. City Administrator Report – J. Mitchell

**9. Ordinances/Resolutions**

- A. Ordinance 914: An Ordinance Regulating smoking and inhalant delivery devices in City of Vernonia Parks..... Pg. 14-16

**10. Recess to Executive Session as per ORS 192.660 (2) (h)**

The City Council will now meet in Executive Session:

The executive session is held pursuant to ORS 192.660 (2), which allows the Council to meet in executive session for the purpose stated.

*(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.*

Representatives of the news media and designated staff are allowed to attend the executive session. \*

All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room.

\* A member of the news media or designee may not disclose any information from executive session, may not tape record, digitally record, and/ or video record any information to decrease the likelihood that information discussed in the executive session will be inadvertently disclosed.

**11. Return to Open Session for Final Action**

**12. Items from Mayor and Councilors**

**13. Action Item Summary**

**14. Adjournment**

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

Please contact the City Recorder, Vernonia City Hall, 1001 Bridge Street, Vernonia, OR 97064 (Phone No. 503-429-5291) at least 48 hours prior to the scheduled meeting time if you need an accommodation. TCC users please call Oregon Telecommunications Relay Service at 1-800-735-2900.

# Vernonia Library Board

## *Meeting Minutes for*

Wednesday, June 7, 2017  
701 Weed Ave  
Vernonia, OR 97064  
5:30 P.M.

- I. Regular meeting was called to order at 5:32 pm by Janelle Cedergreen.
- II. Board members, Myrrhina Kibben, Betty Ann Smith, Ginger Johns, Audeen Wagner, Haley Ayres, Janelle Cedergreen, and Veronica Bryson were present. Library Director Shannon Romtvedt was present. Council Liaison Susan Wagner was present.
- III. Ginger Johns made a motion to accept the agenda, seconded by Haley Ayres. Motion passed.
- IV. Minutes from the May2017, regular meeting were reviewed. Betty Ann Smith made a motion to accept the minutes with a date correction, seconded by Myrrhina Kibben. Motion passed.
- V. Public Comments. Susan Wagner asked if there was a reason the fee schedule (fines) have never increased. Janelle Cedergreen responded that the fines had been reviewed recently by the Library Board. Library Director said they were simplified to have one charge per day for DVDs and one for print materials. Patrons are charged the price of materials if they are not returned. Library Director questioned that patrons would turn in materials on time if fines went up.
- VI. Board member reports on items not on the agenda.
  - a. Janelle Cedergreen presented a letter to the Library Board. The letter encouraged Board Members to strongly request through City Council that the City take care of the Library Grounds (vs. Volunteers). Suggestion was to either request money in the budget to accomplish the task or to hold fundraisers.
- VII. Old Business
  - a. Library Director went to City Council on Monday, June 5 and presented the changes to the Computer Policy, Fine waiver for Food for Fines, and surplus items. Library Director reported that changes to the policy were approved, with one addition. Waiving fines for the Food for Fines event was approved. City Council was favorable to the Community 101 project proposed through the Friends of the Library.
  - b. Community 101 Grant funded Food for Fines project will be carried out the first 2 weeks of October. Donated food will waive \$1 in fines or lost/damaged fees. Community 101 money will be added to the Lost Book item line to be used to purchase / replace Children's materials. Staff will publicize this program heavily and encourage classes at the School to participate.

- c. At the last meeting, Board members suggested Interlibrary Loan, building ties with the School Library, and making the Library more accessible to teens as projects for the upcoming year. Myrrhina Kibben suggested hosting a Personal Finance Class. Haley Ayres said Personal Finance was offered as an elective at the School. Board Members were favorable to hosting workshops at the Library that would benefit teens. Haley Ayres suggested waiting to select topics until Electives were scheduled for the next school year (to supplement rather than duplicate what is offered at the School).
- d. Audeen Wagner and Ginger Johns reported on Books on Wheels. Since the program has low traffic at present, Board members suggested new ways of publicizing. Council Liaison Susan Wagner suggested including information in the CAT resource directory and include as an insert in the Water Bill. Others suggestions were to have flyers at the new clinic and to pin the info or make it more prominent on FaceBook.

VIII. New Business

- a. Board Members suggested voting on changes to Days/Times of regular meetings should be postponed until September/October, with new board members.
- b. Library Director reported that the new Computer and Time Management Software was installed with the policy prominent on the screen. Some adjustments will need to be made for it to run more smoothly, but so far it meets expectations.
- c. Library Director reminded members that 2 new Board Members will need to be recruited over the Summer. Both Janelle Cedergreen and Audeen Wagner have completed terms. A celebration follows the Board meeting.

IX. Director's report

- a. Library Director will make a draft of InterLibrary Loan (ILL) procedures and documents for review at the September or October meeting.
- b. Upcoming events include an Author event on Monday, June 26, 6:30 and several Children's programs. Sign-ups for Summer Reading start Monday, June 19.

X. Reports/recommendations to city administrator or city council. None.

XI. Agenda items suggested for the next meeting on Wednesday, September 6, 6 pm.

- a. ILL Draft
- b. Days/Times for Library Board meetings
- c. Vote in new Chair

XII. Janelle Cedergreen adjourned the meeting at 6:25 pm.



CITY COUNCIL August 21<sup>st</sup>, 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

**In Attendance:** Councilor McNair, Councilor Wagner, Councilor Hult, and Councilor Seager

**Staff in Attendance:** City Administrator Mitchell, City Recorder Borst

**Absent:** Mayor Leonetti

### Call to Order – Council President McNair

Councilor McNair called the meeting to order at 9:18 pm

### Additions or Removal of Agenda Items

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

Votes: Councilor Seager: Yes

Councilor Hult: Yes

Councilor Wagner: Yes

Councilor McNair: Yes

Mayor Leonetti: Absent

Motion carried.

### New Business

- Cemetery House Sale Discussion

Councilor Wagner stated Exparte Contact as she has knowledge of this property from her work at Community Action Team. City Administrator Mitchell explained that there is not an issue with this as Council is not discussing who they would like to sell to tonight.

Mrs. Mitchell presented the options and map to Council (See File). She added that the lot to the rear of the house in question would be accessed off of undeveloped 6<sup>th</sup> avenue. Presented options are as follows:

**Option #1:** List the House and Property as is with a realtor.

**Option #2:** Enlist the help and collaborate with a Community Development Corporation.

**Option #2a.** When working with a community development corporation, hand it off to them and receive money for the value of the house upfront.

**Option #2b.** When working with a community development corporation, work alongside them, and wait until final sale to receive the money for value of house.

Mrs. Mitchell explained that with all of the work that the house is in need of, option one may not reap the most income. Councilor McNair expressed disagreement to this opinion. She explained that the City would get more by partnering with a community development corporation. Option 2b would hold some risk as the housing market could drop while the house is getting readied for market. She inquired as to if Council would like an appraisal done on the

house which would cost roughly \$500. Councilor McNair expressed interest in having the Community Development Representative attend the meeting to help Council decide what to do. Mrs. Mitchell explained that staff could have the representative come to the meeting if Council requested. After some prompting, Councilor Wagner recommended getting an appraisal and having a representative attend the meeting once the appraisal is complete.

Councilor McNair expressed frustration that the project has taken so long to get completed. Councilor Hult explained that the project is waiting on the lot line adjustment. Mrs. Mitchell stated that the Community Development Corporation Representative, Casey Mitchell, came and presented options to the previous Council when she was on Council. Councilor McNair stated that he would like him to attend a meeting again. City Administrator Mitchell explained that staff can get the appraisal done and then have Mr. Mitchell attend a meeting to help Council decide what direction they would like to go. Councilor Hult requested to have the previous meeting minutes regarding this subject present at that time as well.

Councilors Hult and McNair expressed disinterest in selling to someone who would put a renter in the home. Councilor McNair added that while he doesn't want to see a landlord purchase the home, the City still needs to get the most they can from the house as the Cemetery Fund needs the money. Councilor Wagner stated that the market is high right now and she is unsure option 2 would be the largest financial gain for the city. She suggests discussing with a realtor. City Administrator Mitchell replied that the problem with discussing with a realtor is that they will just want the sale. Council consensus is for staff to develop a price analysis using Zillow and bring back more information on the process for Option 2b. Mrs. Mitchell will also inquire with the City Attorney on what would be the required process for this option. Councilor Wagner added that the city also needs to ensure that we meet our affordable housing agreement.

### **Adjournment**

Councilor McNair adjourned the meeting at 9:49 pm.

These minutes were approved at the September 18<sup>th</sup>, 2017 City Council Meeting.

---

Stephanie Borst, City Recorder

---

Mario Leonetti, Mayor



CITY COUNCIL SEPTEMBER 05<sup>th</sup>, 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.

---

**In Attendance:** Mayor Leonetti, Councilor McNair, Councilor Wagner, Councilor Hult, and Councilor Seager  
**Staff in Attendance:** City Administrator Mitchell, Police Chief Conner, City Recorder Borst

**Call to Order and Pledge of Allegiance – Mayor Leonetti**

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

**Additions or Corrections to Agenda**

City Recorder Borst added to the agenda “Return to Open Session for Final Action”.

Councilor McNair added to the Agenda “Old Business D. City Administrator Merit Increase Timeline Discussion.

The motion to approve the agenda with the additions was made by Councilor McNair. 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.

**Councilor Committee Meeting Reports**

Councilor Seager attended the Parks Committee Meeting. The Committee requested an update on what the status is with the football grandstands and if they can be repaired. They would also like to know if the lake pump is functional.

Parks Committee Representative, Scott Laird, added that the committee would like to schedule a meeting with staff to discuss grant opportunities and project needs. Grant applications open in January, Close in May, and are awarded in October. Councilor McNair proposed a joint work session with Council and the Parks Committee in early November to discuss possible grant projects.

Councilor Hult attended the Airport Committee Meeting where they discussed Seismic Monitoring. City Administrator Mitchell will be updating during her report.

**Topics from the Floor**

Jack Harvey, Vernonia, would like to thank Councils support of the Senior Center. He would also like to complain about his neighbors at Lincoln School. He doesn't feel that they should be able to live there and hates the “Trailer Trash” that is there. He would like the City to do something. Staff explained that they have discussed this with Mr. Harvey and no rules are being broken. They have had many conversations with him and he does not like the answers he is receiving.

Jeana Gump, Vernonia, would like to voice her support of the smoking in parks regulations. She would like to see designated areas to keep the smoke away from her kids. Please vote yes!

Bill Langmaid, Vernonia, is here to update Council on the Graveyard Dash on October 28<sup>th</sup>. The run is a fundraiser for hands on art. City Administrator Mitchell explained that there were some concerns from the Cemetery Committee last year and she would like for them to have a chance to comment. She will email Mr. Langmaid regarding the meeting and attend with him in order to report back to Council.

Bill Langmaid, Vernonia, would also like to speak in favor of the smoking ordinance.

## **Consent Agenda for Approval**

A. Airport Committee Meeting Minutes for March 27<sup>th</sup>, 2017

B. City Council Meeting Minutes for August 21<sup>st</sup>, 2017

Councilor Hult made a motion to approve the meeting minutes listed above as presented. The motion was seconded by Councilor McNair.

Votes: Councilor Seager: Yes

Councilor Hult: Yes

Councilor Wagner: Yes

Councilor McNair: Yes

Mayor Leonetti: Yes

Motion carried.

## **Unfinished Business**

C. Parks “No Smoking” Revisited

City Recorder Borst read into the record 9 letters from citizens regarding the proposed smoking ordinance (4 in favor and 5 against the proposal). (See Attached)

Brett Costley, Vernonia, spoke in favor of the proposal. He believes people on Facebook are under the impression that it is an outright ban, which he would be against as well. Since it is actually a just keeping the smoking away from play areas and buildings, he is in favor of the proposed ordinance. He feels it is a good balance between the clean air act and smoking rights.

Jack Harvey, Vernonia, is in favor of the proposed smoking regulations as well and he was once a smoker.

City Administrator Mitchell presented the smoking in parks proposal. Councilor McNair inquired as to what the cost for designated smoking area items would be. She explained that butt cans are roughly \$69/each, signs are around \$15/each and benches are around \$300/each. She added that if Council does not have any additional changes, staff can bring the Ordinance to the next City Council meeting for adoption.

Councilors Hult and McNair had a disagreement about using the word “alienating” in the ordinance. City Recorder Borst explained that if they would prefer a different word be used, staff can change it. No change was recommended.

Consensus of Council is for staff to bring the ordinance to the next City Council meeting for adoption.

D. Notice of OGEC Decision – Wagner

City Recorder Borst presented the notice of decision to Council. Councilor Wagner clarified that her name is spelt Susan not Suzan as submitted in the complaint.

E. Airport Park Logging Revisited / Decision

City Recorder Borst presented the report to Council. Councilor McNair explained that if Council decided to move forward with the proposal, the project would not be done during the dry season due to fire danger. He addressed the minutes from the previous discussion and that he had not met with parks representatives. Parks Committee representative, Scott Laird, explained that the committee had expressed interest in exploring this but would like to know the conditions. Mr. McNair explained that requirements could be put on the condition the logging area would be left, but it would look different than it does now. In 4 or 5 years, the park would be recovered. City Administrator Mitchell explained that Big Eddy was recently logged and it looks great. We would have an iron clad contract stipulating how the park is to look after logging.

Council then discussed how potential logging could help create more camp sites at the park. Councilor Seager and Mayor Leonetti explained that the park was last logged around 1990 and that is when they created most of the sites that are there now.

Councilor McNair explained that the bidding process is what will take the most time. The project itself will only take about three weeks. Income from the project will greatly depend on the trees that are chosen to be cut and the status of the market at that time. The project could potentially fund a new play structure.

Council then discussed the need to develop a list of projects they would like to complete with the funding that could come from logging. Councilor Seager suggested that the Parks Committee review the project and make a recommendation to Council. Councilor Wagner requested a cost analysis for the project. She suggests

that the revenue from the project could be used for matching funds for a parks grant.

Council then discussed the potential for a joint meeting with the Parks Committee to discuss the project and what they would like the funds to be earmarked for. Council consensus is for staff to meet with the parks committee to develop a project goal list and to mark the trees to be logged at the park. At that time, Council would like to have a joint meeting/work session with the committee to overview the project and make a decision.

#### F. City Administrator Raise Decision.

Councilor McNair explained that Council had not made a decision on when the City Administrators merit increase was to take effect. Mr. McNair asked staff how the requested increase was figured out in the budget. City Administrator Mitchell explained that she had budgeted merit increases for staff in the budget cycle. She would like if Council could discuss/decide if/what her increase would be during that time as well as it would make figuring out where it would come from easier. Council is in agreement on this suggestion. Luckily the new employee opted out of her health insurance so what was budgeted for that can now be transferred over for merit increases. She added that her merit increase will be split 50% in the admin fund, 25% in the Water fund, and 25% in the sewer fund.

Council then discussed if the increase should be retroactive to when the decision was made, or effective during the next payroll cycle.

Councilor Seager made a motion to make the City Administrators increase effective as of the City Council Meeting on August 28<sup>th</sup>. The motion was seconded by Councilor McNair.

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

Motion carried.

Council would also like to see the budget breakdown from Finance at the next meeting. Councilor McNair added that the increase was a reflection of the value and hard work the City Administrator has done over the last year.

### **New Business**

#### G. Request for Leak Forgiveness – Gillen

City Recorder Borst presented the request to Council. Mrs. Mitchell added that the typical amount forgiven is 50% of the overage. Councilor McNair expressed frustration that the applicant is not present to explain his request. Mrs. Borst explained that his present was requested but the applicant was a pilot and was unsure if he could make the meeting. Mrs. Mitchell added that since there is not a policy for leak forgiveness, it is difficult to enforce his request for the applicant to be present for the decision. If Council chooses, they can add this requirement to the policy when staff brings it to Council for approval.

Councilors McNair and Hult both expressed discontent that the applicant is not present at the meeting to answer Council's question.

Councilor Seager made a motion to forgive 50% of the amount used over the applicant's average. The motion was seconded by Councilor McNair.

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

Motion carried.

Council would also like to see the policy at the next City Council meeting with a detailed procedure for how these requests are to be handled.

#### H. Request from Susan Armstrong Concerning Travel Trailer Permit Process

City Administrator Mitchell and City Recorder Borst presented the request to Council. Since the applicant is not present, Councilor Hult explained that the applicant was upset with having to pay a fee and being restricted on the amount of time she can stay in her trailer on her property. Councilor Seager explained that he drove by the property before the meeting and there is only one trailer on the property at this time. He explained that there was extensive time developing and reviewing this policy. He is in favor of taking no action on the request and letting the application stand.



Councilor McNair explained that the ordinance doesn't restrict people from staying a short time in their trailer (14 days max). Councilor Hult stated her frustration with the restrictions and that even though she voted in favor of adopting it, she still doesn't like it.

Michelle Moline, Vernonia, explained to Council that her husband was contacted by the applicant for repairs on the trailer. Her understanding is that the applicant is strictly sleeping in the trailer.

After brief discussion, Councilor McNair recommended no action be taken on the request. No action taken.

### **Business from Departments**

#### **I. Police Department – Chief Conner**

Chief Conner explained to Council that Code Enforcement Officer Leininger attended the Emergency Management Meeting tonight where they finalized the Emergency Management Plan. She will be bringing to Council for formal approval.

The Reserve Officer interviews have been completed and of the three applicants, two were chosen for a second interview.

A week or so ago the department received a call regarding a missing aircraft. Upon arriving at the Airport, the plane was located with the help of Airport Manager Seager. He was able to contact the pilot and get the issue resolved. They continued to the Hillsboro Airport.

Councilor McNair would like Chief Conner to report on the paint striping at the blinking light at the next meeting. Chief Conner will look into it and report at the next meeting.

#### **J. City Administrator Report – J. Mitchell**

*Wastewater Treatment Plant:* The first 24 bio domes have been delivered the remaining 24 units will be delivered this week and next week. We are still awaiting the return on Change Order pricing from R & G, we expect hopefully this week.

*Rose Avenue Project:* I spoke with CDBG staff and with the time of year and the workload reviews are slow. They expect we should have our response to our review shortly.

*Nickerson Ridge Estates:* No correspondence.

*Spencer Park Picnic Shelter:* City staff have been cutting the timbers and preparing the pieces needed for construction. Volunteers met and the public work shop Friday, August 25<sup>th</sup> to plan out the steps for construction of picnic shelter. The use of the old wood is historic and creative but is time consuming to work with in completing the structure.

*Greenman Field Grand Stands:* I met with Andrew Niemi of Lower Columbia Engineering and Seve Nelson from Petro Chem (a shoring company) to have them bid out what shoring the Grand Stands would be short term, long term, and replacement. I am requesting that at the work session City Council discuss and determine what direction they would like staff to go in regards to the grand stands.

*Airport Seismic Monitoring Station:* As requested by Council I attended and presented the Seismic Monitoring report to the Airport Committee, they did not have a quorum but proposed asking that the station be moved out of the Building Restriction Line and over to the South West corner of the Airport property, I have spoken with Leland from U of O and he does not see a problem with this change, I will be submitting a new amended contract to Council that identifies this location change, maintenance of leased area, and an annual lease payment for use of the property once it is approved through the U of O channels and City legal.

*Street Projects:* City staff has begun installing necessary catch basins and clearing storm water ditches adjacent to the streets identified in the Street Projects staff report as approved by Council. We are looking at late October for paving to begin.

*Roof Replacement:* Staff met with the Roof Doctor for the first estimate for roof replacement on the Library, Play Shed, and Water Plant. Unfortunately, the Library has to have the roofing removed and replaced which will add to the cost.

*Lake Pump:* Staff has not heard from the citizens Councilor McNair referenced at the last City Council meeting. Staff explained that the intake was the issue and the pumps were not significantly damaged (Need seals replaced). Councilor McNair will have the citizens come discuss the pumps with Mrs. Mitchell.

## Ordinances/Resolutions

### Recess to Executive Session as per ORS 192.660 (2) (h)

Mayor Leonetti recessed the meeting for a short break at 9:00 pm

Council went into executive session at 9:15 pm

*(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.*

### Return to Open Session for Final Action

Council returned to open session at 10:30 pm

Councilor Seager made a motion to direct City Attorney Cleaveland to draft a response to the Writ, with protest, and issue the certificate. Councilor McNair seconded the motion.

Votes: Councilor Seager: Yes      Councilor Hult: Yes      Councilor Wagner: Yes

Councilor McNair: Yes      Mayor Leonetti: Yes

Motion carried.

Mr. Cleaveland explained to Mr. and Mrs. Lindauer that in doing this we are recording why permits weren't issued and that we will issue permits, but under protest. When asked if the City would fix the issues at the development, Mr. Cleaveland responded that the City will not fix the issue but will put it into the long-term plan for when funds become available.

### Items from Mayor and Councilors

Councilor Seager reported that because of the airplane incident at the Airport, Fire Chief Smith requested a meeting where emergency responders can come out to the Airport to become familiar with it in case of another emergency. He would like to extend the invitation to the Police Department as well.

Councilor Hult requests bringing back the discussion of the trees at Ora Bolmeier Park. She declares potential conflict of interest as her family neighbors the park and is concerned of danger trees coming into winter.

### Action Item Summary

Staff will schedule a City Council work session to discuss Park Grant Applications in early November

Staff will email the cemetery committee meeting schedule to Mr. Langmaid to present regarding the Graveyard Dash

Staff will bring the Smoking in Parks Ordinance to Council for adoption at the September 18<sup>th</sup> City Council meeting.

Staff will work with the Parks Committee to develop a wish list of park improvements from potential timber funding

Staff will schedule a tree marking trip/work session with Council and the Parks Committee once the improvement wish list is complete

Staff will bring the cost break down to Council for the City Administrators merit increase

Staff will bring a draft leak forgiveness policy to Council at the next meeting

Police Chief Conner will look into the ODOT paint lines at the blinking light

### Adjournment

Mayor Leonetti adjourned the meeting at 10:37 pm

These minutes were approved at the September 18<sup>th</sup>, 2017 City Council Meeting.

---

Stephanie Borst, City Recorder

---

Mario Leonetti, Mayor

**CITY OF VERNONIA**  
**CITY COUNCIL AGENDA ITEM**

**September 18<sup>th</sup>, 2017**

---

**From:** Stephanie Borst, City Recorder  
**To:** Mayor and City Council  
**Re: DRAFT Leak Forgiveness Policy**

---

**Agenda Item Summary:**

Council has expressed interest in adopting a policy detailing how leak adjustments are handled. Staff has prepared the attached DRAFT ordinance adopting this policy.

Extensive research was done in order to create this policy with input from several other cities being taken into account.

**Attachments:**

Draft Ordinance adopting the policy  
Draft Leak Adjustment Form

**Suggested Action:**

If Council would like to move forward with adopting the policy, direct staff to bring the ordinance to the next City Council meeting for adoption.

## ORDINANCE NO.

### AN ORDINANCE AMENDING ORDINANCE 895 – PERTAINING TO PRESCRIPTION OF RULES AND REGULATIONS FOR THE CONDUCT AND MANAGEMENT OF THE WATER DEPARTMENT OF THE CITY OF VERNONIA – BY CREATING A LEAK ADJUSTMENT POLICY

WHEREAS, the City had established that regulation of leak forgiveness be adopted; and

WHEREAS, the City has established that amendment of Ordinance 895 is necessary to explain the new policy;

NOW, THEREFORE, THE CITY OF VERNONIA ORDAINS AS FOLLOWS:

**Section 23. Ordinance 895 is amended to read as follows [additions in underline and deletions in ~~strikeout~~]:**

#### **Section 23. Leaks**

- A. Where there is a leak at any point between the main and the building served and it is doubtful whether the water comes from a break on the property side or street side of the meter, the Public Works Department shall make an excavation to determine which it is from. If the leak is found to be from the street side of the meter, the City will make all repairs free of charge; but if it is from the service pipe on the property side of the meter, notice of such leakage will be left on the premises, and the responsible party must immediately take charge of the excavation, repair of the leak, and be responsible for all damages which may result.
- B. A customer may request a leak adjustment for a single specific month by completing a leak adjustment request form provided by the City Recorder.
  - a. The customer is required to describe the nature and location of the leak, date discovered or date notified of the leak, provide proof of repair within 31 days of leak discovery, or any documentation deemed satisfactory by the City Recorder.
  - b. The Public Works Department must read the water meter to verify that the water meter dial is no longer spinning thereby indicating that the leak has been repaired.
  - c. Staff determines the leak adjustment amount based on your average usage over the 4 months immediately preceding the month of the leak. The average is deducted from the total consumption used during the billing period in which the leak occurred.
  - d. The excess usage adjustment is credited as follows, based on how quickly the leak is repaired:
    - If the repair is made within 1-10 days of the date billed or discovered – 50% of the excess usage will be credited back to the customer’s account
    - If the repair is made within 11-20 days of the date billed or discovered – 35% of the excess usage will be credited back to the customer’s account
    - If the repair is made within 21-31 days of the date billed or discovered – 25% of the excess usage will be credited back to the customer’s account
  - e. A leak adjustment request does not constitute a waiver or extension of payment of the utility bill.

**Section 2. [Effective Date:]** Under the provisions of the City of Vernonia charter of 1998, Chapter VIII, Section 32, the provisions of this Ordinance shall become effective on the thirtieth (30<sup>th</sup>) day after its adoption and authentication.

**Section 3. [Recorder's Duties:]** The City Recorder is hereby directed, upon its adoption and authentication, to number this ordinance as the next adopted ordinance of the City of Vernonia.

First Reading adopted as read in FULL this \_\_\_ day of \_\_\_, 2017 by the following vote:

Ayes \_\_\_ Nays\_\_\_ Abstain\_\_\_ Absent\_\_\_

Second Reading adopted as read by title only this \_\_\_ day of \_\_\_, 2017 by the following vote:

Ayes \_\_\_ Nays\_\_\_ Abstain\_\_\_ Absent\_\_\_

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mario Leonetti, Mayor

ATTEST: \_\_\_\_\_  
Stephanie Borst, City Recorder



City of Vernonia  
1001 Bridge Street, Vernonia, Oregon 97064  
Phone 503-429-5291 Fax 503-429-4232

## Request for Adjustment Due to a Leak

The City of Vernonia has a policy of issuing partial credits for leaks that are repaired in a timely manner. Credits are based on your average over the four months immediately preceding the leak. This average is deducted from the total consumption used during the billing period in which the leak occurred. The excess usage is charged as follows, based on how quickly the leak is repaired.

If repair is made within 1-10 days of the date billed - 50% of the excess usage will be credited back to customer's account.  
If repair is made within 11-20 days of the date billed - 35% of the excess usage will be credited back to customer's account  
If repair is made within 21-31 days of the date billed - 15% of the excess usage will be credited back to customer's account

**Customer Name:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**Date leak found:** \_\_\_\_\_ **Date Leak Repaired:** \_\_\_\_\_

**Account Number:** \_\_\_\_\_ **Service Location:** \_\_\_\_\_

**Please describe the specific circumstances of your request:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### DOCUMENTATION

**YOU MUST SUBMIT COPIES OF PLUMBER'S BILLS AND/OR RECEIPTS FOR PARTS REQUIRED TO FIX THE LEAK.**

For Office Use Only

Previous Usage: _____ = _____ ÷ 4 = _____ (Average)
Amount Billed _____ - _____ (Avg) = _____ (Excess Usage)
Excess Usage _____ x _____ % = _____ Adjustable Gallons
Adjustable Gallons _____ x <b>\$ 3.00</b> (for every 1000 gallons over base rate) = _____ (Credit Amount)

**ORDINANCE NO. 914**

**An ordinance regulating smoking and inhalant delivery devices in City of Vernonia Parks**

WHEREAS, the City Council of the City of Vernonia finds that regulating smoking and inhalant delivery devices in city parks creates a healthy and safe environment for Vernonia residents, visitors, youth, and children;

WHEREAS, these regulations will protect residents and visitors from secondhand smoke, ensures equal access to parks for people with asthma and respiratory conditions, and helps people breathe clean air;

WHEREAS, these regulations will reduce 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;

WHEREAS, these regulations will protect parks and natural areas from environmental degradation caused by the littering of cigarette butts and other smoking related waste;

WHEREAS, these regulations will protect parks and natural areas from potential risk of fires;

WHEREAS, these regulations will support individuals who are trying to quit smoking or tobacco use or have already quit; and

WHEREAS, these regulations will not alienate citizens who smoke from accessing city parks;

NOW, THEREFORE, 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. "Inhalant delivery device" means a device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device. It also includes a component of a device described in this subparagraph or a substance in any form sold for the purpose of being vaporized or aerosolized by a device described in this subparagraph whether the component or substance is sold separately or is not sold separately.

“Inhalant delivery device” 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 an outdoor area where smoking is permitted, which must be at least 25 feet from any building or play structure. Designated smoking areas are to be clearly defined with signage and trash receptacle. Smoking is only allowed within the boundaries of the designated area and within the confines of personal property (cars, boats, campers, RV’s and individual campground spaces that have been rented).
5. “Smoke Free Zone” means the area within 50 feet of playground equipment, sports fields, public restrooms or food preparation areas where smoking is prohibited.
6. A “Park” is:
  - a. **Any land owned by the City of Vernonia which is zoned public recreation (PR).** City parks include: Airport Park, Anderson Park, Hawkins Park, Ora Bolmeier Park, Shay Park, Spencer park, and Vernonia Lake

## **Section 2. [Smoking and Inhalant Delivery Device Regulations.]**

1. No person shall smoke or use inhalant delivery devices in any form in any City Park where smoking is prohibited.
  - a) Parks where smoking and inhalant delivery devices are prohibited are: Ora Bolmeier and Shay Park (excluding the park parking lots adjacent to Maple Street and Adams Avenue.)
2. For parks with designated smoking areas, no person shall smoke or use inhalant delivery devices in any form except in designated smoking areas provided.
  - a) Parks with designated smoking areas: Hawkins Park and Spencer Park
3. For parks with smoke free areas no person shall smoke within 50 feet of any playground equipment, sports fields, public restrooms or food preparation areas.
  - a) Parks with smoke free areas are: Anderson Park, Airport Park, Hawkins Park, Spencer Park, and Vernonia Lake
4. This policy shall be in effect at all times, including during all festivals, concerts, or similar public events occurring on all Park property.

## **Section 3. [Exemption for Campsites.]**

Notwithstanding the prohibition in Section 2, Smoking and tobacco use is allowed in designated campsites located within a park.

## **Section 4. [Enforcement]**

1. Appropriate signs to communicate the smoke and inhalant delivery device policy shall be posted in all parks.



2. Park user agreements shall contain appropriate language regarding smoke and inhalant delivery device regulations to advise facility users.
3. Any person found violating this policy will receive a verbal warning to stop such use immediately. If the smoking or tobacco use continues, the person may be immediately ejected from the park.

**Section 5. Effective Date:** Under the provisions of the City of Vernonia Charter of 1998, Chapter VIII, Section 32, the provisions of this ordinance shall become effective on the thirtieth (30<sup>th</sup>) day after its adoption and authentication.

**Section 6. Recorder's Duties:** The City Recorder is hereby directed, upon adoption and authentication, to number this ordinance as the next adopted ordinance of the City of Vernonia.

Read for the first time by title only this \_\_\_\_ day of \_\_\_\_, 2017

Read for the second time by title only and passed this \_\_\_\_ day of \_\_\_\_, 2017.

Ayes: \_\_\_\_\_, Nays: \_\_\_\_\_ Abstain: \_\_\_\_\_ Absent: \_\_\_\_\_

\_\_\_\_\_  
Mario P. Leonetti, Mayor

ATTEST:

\_\_\_\_\_  
Stephanie Borst, City Recorder