



CITY COUNCIL DECEMBER 21, 2015 **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 Parrow**
- 2. Additions or Removal of Agenda Items**p. 1
- 3. Presentations**
 - A. The Preserve America Program – Michael Calhoun.....p. 2-3
 - B. Open Air market Year in Review – Bill Langmaid.....p. 4
- 4. Councilor Committee Meeting Reports**
- 5. Topics from the Floor/Audience Participation**
- 6. Consent Agenda for Approval**
 - A. City Council Meeting Minutes for December 7th, 2015.....p. 5-13
 - B. City Council Meeting Minutes for December 8th, 2015.....p. 14
- 7. Unfinished Business**
- 8. New Business**
 - A. Staff Report: Water Leak at 784 Spencer Avenue.....p. 15
 - B. Discussion with City Legal regarding Marijuana related activities- Ruben Cleaveland
- 9. Business from Departments**
 - A. Police Department – Chief Conner
 - B. City Administrator Report – J. Mitchell
- 10. Ordinances/Resolutions**
 - A. Ordinance 909: Amendments to Title 3.....p. 16-17
- 11. Correspondence**
- 12. Items from Mayor, Councilors, City Administrator**
- 13. Action Items Summary – City Administrator**

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.

THE PRESERVE AMERICA PROGRAM

NEWTON, NEW JERSEY—TASTE OF NEWTON EVENT

Preserve America is a federal program that encourages and supports community efforts to preserve and enjoy our priceless cultural and natural heritage. The program's goals include expanding knowledge about the nation's past, strengthening regional identities and local pride, increasing public participation in preservation, and supporting the economic vitality of our communities. Since 2003, the White House has been involved in supporting and promoting Preserve America. The First Lady designates Preserve America Communities and Stewards.

PRESERVE AMERICA COMMUNITIES

The Preserve America Communities designation recognizes communities that protect and celebrate their heritage, use their historic assets for economic development and community revitalization, and encourage people to experience and appreciate local historic resources and culture through tourism and education. Hundreds of communities have been designated in all 50 states, the District of Columbia, and U.S. territories. Municipalities, counties, urban neighborhoods, and tribal communities are all eligible.

Promotional tools, technical assistance, and grants (when funded by Congress) are among the benefits of designation. Preserve America Communities may also be featured in National Park Service Travel Itineraries and educational materials.

PRESERVE AMERICA STEWARDS

The Preserve America Stewards program honors exemplary volunteer efforts at historic resources around the country. Dozens of organizations have been recognized for programs successfully using volunteer time to help care for our cultural heritage. Government entities (federal, tribal, state, or local), non-profits, and businesses are eligible to apply.

EXECUTIVE ORDER 13287: "PRESERVE AMERICA"

The Preserve America Executive Order (2003) emphasizes federal policy for the protection, enhancement, and contemporary use of historic properties owned by the federal government. The order encourages agencies to seek partnerships with state, tribal, and local governments and the private sector to make more informed use of these resources for local economic development and other public benefits. The Advisory Council on Historic Preservation (ACHP) reviews agency stewardship and partnership efforts and, since 2006, has provided a status report to the President every three years.

PRESERVE AMERICA GRANTS

From 2006 through 2010 more than \$21 million in matching grants was awarded to 280 projects throughout the country.

CONTINUED >>>



"The Preserve America initiative is an inspiring and proactive approach to preserving our nation's history. It would be a privilege for any city in this nation to achieve the title 'Preserve America Community.'" —City of Santa Monica, California

NEW MEXICO SITEWATCH VOLUNTEERS



ADVISORY COUNCIL ON HISTORIC PRESERVATION
PRESERVING AMERICA'S HERITAGE





LEON COUNTY, FLORIDA—
JONES TENANT FARM HOUSE EXHIBIT

The Advisory Council on Historic Preservation, an independent federal agency, promotes the preservation, enhancement, and sustainable use of our diverse historic resources and advises the President and the Congress on national historic preservation policy.

EXPLORE AND ENJOY OUR HERITAGE

FOR MORE INFORMATION
ABOUT PRESERVE AMERICA:

www.preserveamerica.gov

[www.nps.gov/history/hps/hpg/
preserveamerica/index.htm](http://www.nps.gov/history/hps/hpg/preserveamerica/index.htm)

www.achp.gov

CC Mtg.

The grants are designed to support community preservation and use of historic and cultural sites for heritage tourism and education. Grant amounts ranged from \$20,000 to \$250,000 and required a 1:1 match. Though the Preserve America Grants have been authorized by Congress, no funding has been allocated for the grants in the current budget.

PRESERVE AMERICA PRESIDENTIAL AWARDS

Four awards were given annually from 2004-2008 to organizations, businesses, or government entities for exemplary accomplishments in the sustainable preservation of cultural or natural heritage assets; demonstrated commitment to heritage interpretation; and innovative integration of these assets into contemporary community life. Awards went to national initiatives and projects in 19 states.

EDUCATIONAL RECOGNITION AND OUTREACH

Since 2004, outstanding history teachers at the K-12 level have been recognized in each state, the District of Columbia, and U.S. territories, followed by selection of the National History Teacher of the Year. State winners receive \$1,000 and a core archive of history materials for their school libraries. The Gilder Lehrman Institute of American History administers this program, in association with HISTORY™, and Preserve America, and hosts a national recognition event each fall. Preserve America partners have also worked on service learning projects and on Youth Summit programs.

PRESERVE AMERICA SUMMIT AND THE FUTURE OF PRESERVATION

In recognition of the 40th anniversary of the National Historic Preservation Act, a Preserve America Summit was convened in 2006 to consider the future of the national preservation program. Key recommendations adopted by the ACHP improved resource identification, stewardship, community support, education, and program leadership. These are now being implemented by federal agencies in cooperation with non-federal partners.

PROGRAM INFORMATION

For more information about Preserve America and how to get involved, visit www.preserveamerica.gov. Preserve America is administered jointly by the ACHP and the Department of the Interior, in cooperation with the National Park Service, the U.S. Forest Service, the Bureau of Land Management, the National Oceanic and Atmospheric Administration, and other federal agencies.



ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 803 Washington DC 20004

Phone: 202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov

Wrap up for the 2015 season of Vernonia Open Air Market

2015 was a great year for the market and the vendors. Our new home on Adams Ave positioned us in direct line of sight with the linear trail, which we capitalized on by placing signage to direct trail users into the downtown area. We saw dozens of bike riders each day, most wishing to know about places to eat. We were able to direct them verbally, but hope to put signage in place for the 2016 season. We also identified a need for more bike racks in the Shay Park area, as well as adequate picnic tables.

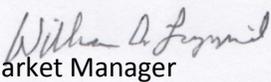
In 2013 and 2014, years when we lacked a permanent home and were located at different spots around town, we had few vendors (4 at most) and market activity was low. One of the successes from the 2015 market was the creation of a community of people that had similar needs, and this community had a regular place to meet.

We were also able to recruit 19 new vendors this season, with products ranging from pottery to beads to jewelry to woodworking. Everything home- and hand-made. Some vendors spend a single week at market, some spent multiple weeks. All of them considered it a worthwhile use of their time. We had an average of 7 vendors each week, and this created a recognizable space. People understood that they were seeing a open air marketplace without having to be told via signage.

Since each vendor measures success in different ways, it's hard to measure the economic impact of the market. I spoke to several vendors that grossed \$200 a day, another lined up future work worth thousands, and a third connected with community members in a way which will allow his real job to be far more successful. There were no vendors that walked away thinking that they did not want to come back, and all agreed that the market was a valuable asset to the Vernonia community.

We have since received inquiries from new vendors who are wondering about the 2016 season schedule. The market would like to request that in 2016 we be allowed the same space on Adams Ave, with the option of starting on the 14th of May. Thank you for the opportunity to represent our successes in 2015 and for the chance to continue these successes in the next year.

Regards,



Market Manager



CITY COUNCIL DECEMBER 7, 2015
REGULAR MEETING 7:00 PM MINUTES
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 Parrow

Mayor Parrow called the Meeting to Order at 7:00 pm.

In attendance: Mayor Parrow; Councilors Seager, Tierney, Hult & McNair.

2. Additions or Removal of Agenda Items.....p. 1

Mayor Parrow added Item 8, B: Vacation Hours, Councilor Tierney added Item 8, C: Marijuana Private Clubs. Councilor McNair made a Motion to approve the Agenda as written with the added items, Councilor Hult seconded the motion, motion carried.

3. Mayor Report

A. Letter from Darlene McLeod.....p. 2

Councilor Tierney thought that the Ordinance addressed Mrs. McLeod’s concerns.

B. Letter from Barbara Peterson.....p. 3

Councilor McNair stated that this doesn’t have an entire year of prior billing. City Administrator Mitchell said that the 14-month average consumption prior to the leak was 5,500 gallons, so the number presented was the additional usage due to the leak. Councilor Hult asked whether the leak was on the client’s side and City Administrator Mitchell replied that it was on Ms. Peterson’s side, but close to the meter, and there were no visible signs of a leak. Councilor Tierney stated that her understanding was that Council usually forgives only the added usage from the month prior to the discovery of the leak. Councilor McNair stated that he thought there were some months in Ms. Peterson’s history that showed 10,000 gallons. City Administrator Mitchell replied that there was no evidence of that much usage within the past few months.

According to custom, Council issues a prior month forgiveness of 50% of the consumption rate, which would be \$32.30. Councilor McNair stated that he has reservations about forgiving any usage cost as a practice, because it costs the City (and therefore the citizens) money. Councilor Tierney replied that she thought that usually when they did forgive some of the added usage; it was because Council felt some responsibility for the leak not getting detected soon enough. Councilor McNair agreed, but made the point that as a practice, he feels that it is fiscally irresponsible to forgive usage when the leak is on the property owner’s side. Councilor Hult stated that she agreed that this usage cost was not excessive, and that she feels that when the Council had made the decisions to forgive cost in the past it was fair. However, she sees Councilor McNair’s point. She stated that she thought it was a fair compromise to forgive 50% of the usage rate for the month prior to the leak being detected, rather than the request, which was the added usage rate for the past 5 months. Councilor Seager said that he was in favor of forgiving the full 5-month amount. Councilor Tierney thought that forgiving 50% of the one-month added usage rate (\$32.30) was fair. Mayor Parrow agreed with Councilor Tierney.

Councilor Tierney made a motion to credit Ms. Peterson’s account for \$32.30 (50% of the cost of the leak in October), Councilor Hult seconded, motion carried.

4. Councilor Committee Meeting Reports

Councilor Hult attended the City/County Dinner in Rainier. U.S.G. is a pretty amazing company. It was a very interesting tour. The natural gypsum rock is quite beautiful. The Columbia County Economic Team Annual Breakfast was well attended. Larry Steele was their Keynote speaker. Employer of the Year was awarded to Right Line, another great manufacturing company, which she also thought was pretty cool. SHEDCo won an award for their business competition on Main Street, low-interest loans. They plan to award about 1 loan every 3 years.

Mayor Parrow attended the Library Board meeting and will discuss some of the items from it later this evening.

5. Topics from the Floor/Audience Participation

Frank and Amy Cieloha

The Columbia County Assessor's Office contacted the Cielohas recently. They are being charged back taxes since 2008. This is in regards to a shop that they built, and submitted permits to the City of Vernonia in April of 2008. The amount due is \$2,760.13. Mrs. Cieloha spoke with an appraiser who explained that once the permits are turned into the City of Vernonia, they then get forwarded to the County. The way the County found out about the Cielohas' shop was that the County got an aerial photo for a neighbor's project, which showed the Cielohas' shop. The City never submitted the permits, so the County wants to roll the back taxes into the Cielohas' next year's taxes. This would increase their house payment by \$300.00 per month.

The Cielohas didn't notice the change in the taxes because the land value has gone down, but then the school bond was passed. Land values have been all over the place. Mrs. Cieloha would like to know what the City is planning to do about this. She stated that this seems to be a chronic problem with the City according to the County Assessor and the appraiser that she talked to. Whether this is the case or not, Mrs. Cieloha doesn't know, but this is happening to them.

Councilor McNair wanted to know whether the County added interest. Mrs. Cieloha said she didn't think so. Councilor McNair asked about the land value. Mr. Cieloha replied that the land value has depreciated. Councilor McNair asked for clarification on whether the taxes were being charged according to higher assessed value than they should be or not. Mr. Cieloha replied that the back taxes are at a lower rate.

Councilor Tierney asked whether there was a penalty. Mrs. Cieloha replied that there wasn't a penalty. They had been concerned that their credit report would be affected, but it hasn't. Councilor McNair asked whether the County was going to lien their property. Mrs. Cieloha replied that they wouldn't and that they have a meeting scheduled to meet with the County Assessor to go over everything. The County wants to add it onto the property owners' next year's tax roll, which would add nearly \$3k to their normal \$4k rate.

Mr. Cieloha asked whether the Council knew of any previous instances where something like this had happened. Councilor McNair said that this was the first instance he knew of where something like this had happened. City Administrator Mitchell stated that the current system doesn't allow for this problem.

Councilor Tierney suggested that there is a Board where you can go in front of a Citizen Panel, the Property Tax Review Board. Perhaps they could build a case to get their back taxes reduced through them.

Mr. Cieloha asked whether this should go on Public Record as a possibility that others might have this same issue if they were building at the same time (2006/2007). City Administrator Mitchell stated that part of the issue was that the County has a responsibility to come to the City and check their building permits. Mr. Curl stated that the new lots created at the Bus Barn property were not filed with the County. Staff will make copies of the Cielohas' paperwork.

Jessica and Jordan Ray (74 Spencer Avenue)

Mrs. Ray reported that their usual usage rate was \$27-\$30 per month, but they had a total \$235 usage charge for the previous month. A foot away from the City Box there was an old City Box which was leaking on their side of the line. Mrs. Spencer wanted to know what their options were. They came home from their honeymoon to this issue. They only have 3 months of usage history. Mayor Parrow said that Staff will investigate this issue and bring it back to Council. Staff will put them on a payment plan due the 22nd and then Council can address this on the 21st.

Rob Curl

Mr. Curl wanted to talk about the water valve 2 inch vs ¾ inch charge. City Administrator Mitchell said that this issue went to the attorneys and neither of the attorneys has responded. Mr. Curl wants to know what the Council's consensus on this issue was on this issue. In 2008 he put in a 2 inch meter with the understanding that there would be no additional base fee charge. Due to the change in the base rate charge since then, he is stuck with the higher charge, but the usage is less than a regular house. Mayor Parrow responded that since this is an issue that has gone to the attorneys, it was improper for Council to discuss it without their advice. Councilor McNair stated that although he has a personal opinion, this was not the right time to express it. Mayor Parrow

stated that there is nothing they can say without hearing from the attorneys. Council would need a letter of disengagement from Mr. Curl’s attorney before the Council could work with Mr. Curl on this issue without the attorneys. Mr. Curl wanted to know what the Council’s feelings were on this subject. Council’s Tierney stated that this was one of the oddball issues that they have discussed addressing and that Council would like to talk about how to address these stand-alone issues and how to solve them.

6. Consent Agenda for Approval

- A. City Council Meeting Minutes for November 16th, 2015.....p. 4-7
- B. Library Board Meeting Minutes for November 3rd, 2015.....p. 8-9
- C. Monthly Departmental Update for November.....p. 10-13

Councilor McNair made a motion to accept the City Council Meeting Minutes for November 16th, 2015 as presented, Councilor Seager seconded, Councilor McNair rescinded the motion.

Councilor McNair made a motion to accept the Consent Agenda for Approval as presented, Councilor Seager seconded, motion carried.

7. Unfinished Business

- A. Staff Report: Ordinance 880.....p. 14

Librarian Romtvedt reported that due to the fact that the language in the Ordinance has been interpreted in the past as employees not receiving compensation for the meeting, Staff is asking Council to allow the 2 current members on the Library Board that are also Staff to serve out their terms. She would also like for Council to clear up the language on the Ordinance in regards to Staff.

Councilor Tierney stated that it was more an issue of Board Members not being able to be neutral in regards to the running of the organization. Councilor Hult stated that she would like to review the Ordinance and make it clearer that the City doesn’t permit Staff to serve as voting members of the Board that employs them.

Nancy Burch’s term is up in 2016. Brandi Fennel was on the Board for a few months before being hired and her term will expire in 2019. Councilor Hult thought that she remembered there was something in the minutes when Brandi was hired that stated that there would be an open position on the Board. Councilor Hult thought she remembered learning in the Committee Training that Library Board Statutes take precedence over City Ordinance.

Councilor McNair said that although the Library Board is an advisory committee to the City and therefore doesn’t make budgetary decisions, he thinks that having Staff on the Board works against the idea of having citizen input to the Library through Board positions occupied by the general citizenry. Librarian Romtvedt said she understood Councilor McNair’s point of view but stated that she had been looking at historical data which set the precedence. If it is decided that Mrs. Burch and Ms. Fennel couldn’t serve out their terms on the Board, there would currently be 3 open Board positions and she was worried that it could be difficult to get quorum with that many open positions. Councilor Tierney said that quorum does change depending on how many committee/board members are currently serving.

Councilor Tierney stated that she wouldn’t like to create a hardship, but she would like to see the current open Board position filled, and then move in the direction of finding other volunteers to fill the other two positions. Councilor Hult voiced in favor of the idea of working with the Library toward getting this fixed and addressing this issue in the Ordinance. Councilor Tierney asked that Ms. Fennel resign from her Board position at the end of Mrs. Burch’s term. Staff will draft a letter stating that the City is expecting Mrs. Burch and Ms. Fennel’s resignation letters effective June 30th, 2016. City Administrator Mitchell mentioned that as they revisit this Ordinance, Council might want to keep in mind that they had previously discussed adding language that married couples could not serve on the same committee.

Councilor McNair would like to take out the language that states that a single person can’t serve on more than one City committee due to the fact that it is difficult to get volunteers as it is. Mayor Parrow clarified that means that McNair would like to make that issue a topic when they revisit this issue. Councilor Hult thought she remembered that they did make that change between Councilor McNair’s previous and current terms.

Librarian Romtvedt asked whether the language would be revised in the Ordinance. Councilor Tierney said that they would be making some changes to that effect. Councilor Hult stated that Council would be working toward adding language addressing Staff being on the Library Board/committees.

B. Staff Report: Title 3 - Livestock and Domesticated Fowl Amendmentp. 15-20

Limits

Councilor Tierney thought that it was 9 domesticated fowl maximum for any size lot, not 9+. City Administrator Mitchell stated that it depended on the amount of space property owners could allocate for each animal and that anything above 9 domesticated fowl per city lot would be based on square footage and go through a permitting process. Councilor Tierney would like it to more clearly say that any more than 9 poultry requires a permit. Councilor Hult agreed that she thought the language presented read that you only needed the appropriate allocated area, not the permit in addition to the specified space requirements.

Councilor McNair wanted to know how large the largest parcel in town is. City Administrator Mitchell stated that it was about 180,000 square feet or so. Councilor McNair wanted to know whether the city's permitting agency would have guidance as to whether a chicken farm would be allowed if they had the square footage. City Administrator Mitchell stated that the Council could vet a permitting process after the Ordinance was passed. Councilor Tierney would like to clarify the permitting process, although she thinks that it could be addressed by having a hard maximum number in the Ordinance, this could be addressed in the permitting process. Councilor Hult said that she thought that it would be okay to address maximum numbers in the permitting process.

Waste Disposal

Councilor Tierney would like to specify that if waste is buried, it should only be allowed to be buried on the owner's property. City Administrator Mitchell stated that burying it on someone else's property would be trespassing. Mayor Parrow stated that he thought the easiest way to address this concern would be to scratch burial as an option for waste disposal. Councilor Tierney said that she thought animal waste shouldn't be composted. City Administrator Mitchell stated that this might be an issue that needs to be investigated before placing that restriction in the Ordinance. Councilor Hult stated that she was fine with it the way it is. Councilor Tierney wants more parameters on burial from Mr. Bubl. City Administrator Mitchell stated that the owners would probably bury it deep enough on their own since otherwise they would be attracting pests to their own property. Councilor McNair thought this issue would already be addressed in the unreasonable accumulation of flies, offensive odors, etc. Councilors Hult and Tierney agreed with Councilor McNair.

Slaughtering

The Council consensus was that this item was acceptable.

Bees

Councilor McNair asked if limiting the amount of bee hives would hurt the chances of raising bees. Councilor Tierney said that the Wrights raise bees and she thinks they may have 3 hives on a 10,000 square foot lot. Mr. Curl said that he didn't think there was an increased issue with larger numbers of hives relating to lot size. Councilor Tierney wanted to know if the Ordinance stated that prospective beekeepers had to notify the neighbors of their intent to do so. City Administrator Mitchell confirmed this. Councilor Hult thought that limiting it to 1 hive per 5,000 square foot lot was too restrictive. Mayor Parrow suggested changing the limit to 2 hives per 5,000 square foot lot. Council Consensus was to change the limit on beehives to 2 hives per 5,000 square foot lot.

Grandfather Clause

Councilor Hult asked why the limit on this clause was 6 months to come into compliance after the Ordinance goes into effect. City Administrator Mitchell stated that the citizens that were being addressed in this clause had said that 6 months was enough time for them to come into compliance. Councilor Tierney said that she didn't hear that from everyone in the room during the Work Session (she pointed out Mr. Goodman and Ms. Matheney). City Administrator Mitchell clarified that Mr. Goodman had said that since he has a 10,000 square foot lot, he could bring the number of his animals down to the Ordinance's requirements within 6 months.

Mrs. Cieloha asked whether this Ordinance would allow the raising of too many livestock in close proximity to neighbors. City Administrator Mitchell stated that this Ordinance was in response to too many citizens being out of compliance with the old one. Councilor Hult stated that standard livestock were not

allowed without permit. City Administrator Mitchell stated that this would help to address the issue of raising livestock in the City limits. Councilor Hult said that if you see a violation, it is your right to complain so that the nuisance abatement process can address this issue. The Council used many different sources from neighboring municipalities to come up with the new Ordinance as a way to try and be fair to both the people that want to raise some livestock and their neighbors. Councilor Tierney said that they were trying to tighten up on the issue and still be reasonable.

Council consensus was that the Grandfather Clause was acceptable as presented.

C. Staff Report: Books on Wheels.....p. 21-22

Librarian Romtvedt presented a proposed draft of the Books on Wheels rules. This program will look a bit like Meals on Wheels but with books. Staff revised the rules and regulations for this program after consulting Multnomah and Washington Counties who have similar programs.

Councilor Tierney asked whether there was money in the City budget for the reimbursement of gas/mileage for the person that would be delivering the books. Librarian Romtvedt replied that the current plan was to use the current Meals on Wheels driver for the participants that are in that program also and then use a volunteer driver for those that don't participate in Meals on Wheels. She isn't projecting that this program would impact the budget with the current plan. The Meals on Wheels coordinator is their contact person for the deliveries. Audeen Wagoner specified that this really was a simple plan.

Councilor Hult asked whether they would need to use the City car. Would the use of volunteers for this project raise an insurance issue? Would it be better to use a City Staff member? Were there other incentives that could be used to get volunteers? City Administrator Mitchell said that the City could potentially reimburse the gas money, as they already do this for people that mow the open lots.

Mayor Parrow said that he thought the Library Board worked really hard on this and presented a great product.

Councilor McNair made a motion to approve the Books on Wheels program for the 2015-2016 fiscal year, Councilor Hult seconded the motion, motion carried.

8. New Business

A. Staff Report: Food For Fines.....p. 23

Librarian Romtvedt reported that nationwide, this is a common program. The Vernonia Public Library has done this in the past. Patrons bring food and each item donated will take \$1 off their fines. She would be working with the Director of Vernonia Cares Food Bank to create a list of accepted donation items. Librarian Romtvedt talked to Mrs. Welch who suggested picking a slower time of the year to start this.

With the cost of food, some people may just want to pay their fines. So, perhaps the fines could be donated to Vernonia Cares Food Bank during that 2-week period. This could be anywhere from \$20-\$100. One suggestion was to cut fines in half to encourage participation in this program. However, she was not sure whether this would generate more participation and benefit the Food Bank enough. They would like to do this program in February.

Councilor McNair asked whether the Library is having issues collecting fines. Librarian Romtvedt said they weren't having issues collecting fines.

Councilor Hult said that she needed clarification on the program. She asked if patrons participate during that time, then their fees would be cut in half for that period only. She wasn't sure about the idea of cutting the fines in half. Perhaps this year the Library could start with the program without cutting the fines, and then add the ½ price fees if needed next year. Librarian Romtvedt said that perhaps that was a good idea, as this is also something that may bring regular Vernonia Cares Food Bank donors into the Library as well. Councilors Tierney and Seager agreed with the idea of charging the full fees this year.

Councilor Hult made a motion that the Vernonia Public Library host the Food for Fines program from the 1st through the 15th of February, 2016; Councilor McNair seconded the motion, motion carried.

B. Vacation Hours

Councilor McNair asked whether this was the maximum number for any City employee's vacation time. Finance Director Handgard confirmed this. City Administrator Mitchell explained that this request came to the

past City Administrator prior to him leaving. When the current City Administrator got the request, there were no surplus funds, so Staff was waiting to see what happened with Water and Sewer before presenting the request.

Councilor Tierney asked which of the three presented options was preferred by the employee. City Administrator Mitchell replied that he would prefer to be cashed out. Councilor McNair asked whether there had been any effort to alleviate this issue. Have other Staff members been trained to run the water plant? City Administrator Mitchell said yes, but the accrual was just too high to catch up. Finance Director Handegard said that the issue was that there wasn't any time available for this employee to take the vacation and keep vacation hour accrual down.

Councilor McNair said that the reason they give vacation hours is for them to be taken. He thinks there is an issue with the Council giving too much vacation time to Staff. These are non-union positions, so the Council could negotiate less vacation for all employees when the time comes.

Mayor Parrow said that he was willing to cash out the full 106 hours (Option 1). Councilor Tierney would prefer the split (Option 2). Councilors McNair and Hult agreed with Councilor Tierney. Mayor Parrow clarified that Option 2 means the employee would lose half of the accrued hours.

Councilor Tierney would like the following option: the employee takes 53 hours of vacation and gets the remaining 53 cashed out. Councilor Hult said that she thought that was how Option 2 read. City Administrator Mitchell stated that Option 3 would be problematic, as another staff member in the Public Works department is going away to a training this month. City Administrator Mitchell specified that the 53 hour payout was splitting the cost of the expiring hours with the staff member. The reason they were presenting these options is because the staff member in question wasn't necessarily at fault for not taking the vacation hours due to lack of other qualified personnel to take over while they took the vacation time.

Councilor Hult stated that she was fine with Option 1. Councilor Tierney would like him to take some of the hours as vacation, as the respite would be good for him. However, she understands if that isn't a possibility due to it being so late in the year. Mayor Parrow said that he sees that the current City Administrator will be on top of this issue so it doesn't become a problem again in the future.

Council consensus was to cash out 66 hours and roll the additional 40 hours into 2016.

C. Marijuana Private Clubs

Councilor Tierney said that her desire to address this stems from the publicity of Vernonia Brands. Their website said that they plan on having a hospitality area, which she thought sounded like patrons could ingest the product on-site. This is different from her understanding of the current law which restricts it to home use only. She thinks that this is becoming a state-wide issue. She would like to know if there is a way to prohibit allowing a private club where people could ingest marijuana on-site. The current law seems to make it clear is that the ingestion of marijuana is not allowed in public places, but some agencies are getting around this by charging a cover charge. She would like to see this get addressed. She is concerned with the idea that the increased traffic to a private club like that may lead to an increase of DUIIs.

Mayor Parrow stated that his understanding is that this would be like a wine-tour, where you are on a bus with a sober bus driver. City Administrator Mitchell stated that the City Attorney said that this issue (ingestion of marijuana) was addressed with the indoor Clean Air Act HB 24, which has been approved and will go into effect January 1, 2016. It follows the idea of employees being entitled to a smoke-free workplace. Councilor Tierney stated that she understood that after it goes into effect, there may be a question as to the definition of "public places."

Councilor McNair asked about DUII enforcement. Councilor Tierney said that it isn't like they can do a breathalyzer. Chief Conner said that they more often try to prove impairment and work with the Drug Investigation Specialist. Councilor McNair stated that if the establishment allows patrons to drive under the influence, they are liable for any related damages, just like alcohol. However, this business could bring increased questionable traffic into the area.

Councilor Tierney said that she understands that people aren't judging their level of intoxication with marijuana as they might with alcohol and that the lack of regulation on these products can make their effect questionable. City Administrator Mitchell said that her understanding is that OLCC will probably be limiting

marijuana-related businesses will be limited to only conducting business as 1 of 2 different types of Marijuana establishments: dispensaries or private clubs, not both.

Councilor Tierney would like to not allow private clubs in the city limits. Councilor Hult thought that the Indoor Clean Air Act would address this, but if not, she can see where this might be an issue to be addressed. Councilor Tierney pointed out that this is currently an issue in Portland with the private clubs.

Mrs. Ray stated that this may impact the City budget if they allow this. Council should look at the financial aspect of this subject as well.

She asked if Council like to revisit this as an Ordinance Emergency Declaration before the first of the year or not. Council would have to make their determination on allowance or disallowance before the Indoor Clean Air Act goes into effect. Consensus was in favor of adding this to the next agenda, 4 in favor and 1 abstain (Councilor McNair, due to lack of more knowledge on this subject).

9. Business from Departments

A. Police Department – Chief Conner

The City of Vernonia is on Flood Watch. The Nehalem crested today at 12.29 feet and Rock Creek crested at 8.97 feet. Mr. Laird posted the link to the Rock Creek gauge last year. You can look it up if you google “Vernonia” and “Flood.” The State was here earlier this afternoon and dropped a flood-measuring device to see if they can help predict flood forecasting better. We are expecting afternoon precipitation. There will probably be water in the roads. They are unsure of what will happen in Vernonia. The precipitation is expected to be 5-7 inches of rain tomorrow, and the main worry is that the storm will stall and drop more precipitation. City Administrator Mitchell prepared an Emergency Declaration, so Council is advised to watch the gauges in case the Council will need to declare an emergency meeting.

Chief Conner has contacted ODOT about the green bridge crashes. The one person that he got in contact with leaned toward the idea that this was more of a City issue.

B. City Administrator Report – J. Mitchell

The WWTP project is moving along. Staff is waiting on information regarding the cost savings associated with no putting the trail back to full height. Once that information comes in, if the savings are great USDA said they would allow us to use the funding to pay for the no-rise assessment required by the State. The state will require that the City assess the effect to properties downstream in the event of high water. The projected cost of reinstalling the trail is \$7,000 for no-rise. Poo-gloos predesign estimate was too high. Staff is working with Gordon to try and bring that number down.

Staff has not received proposed sewer rate analysis from FCS. Staff is still hoping to have numbers for the second Council meeting in December. The two options presented are to either pay off the loan in 20 years at current rates or pay off in 30 years with amortization.

On November 30th the City of Vernonia was notified via email that the CDBG Application for the Rose Avenue Project was funded. The City hopes to have the contract from IFA available for review prior to the December 21st Council meeting. At the December 21st, 2015 Council meeting Council will formally approve the contract and authorize the signing of it. After the Council approves the IFA Contract and names a Chief Environmental officer, it may serve Council to schedule a workshop to go over the next steps in the project process. The public procurement of Grant Administration and Architect will be next steps discussed. Staff hasn't heard about FFF top-off funding, which will help with the street installation, etc.

The City Planner, City Administrator, Upper Nehalem Watershed Council, ODFW, and DSL met to review the Nickerson Ridge culvert and wetland riparian areas. DSL had verbally communicated that they still had an open violation prior to the meeting. At the meeting DSL Representative Dan Cary stated that when looking deeper into the file the violation had been closed. So the City Planner and City Administrator are discussing whether or not the City owns the culvert since the City accepted the subdivision in 2000. If that is the case then ODFW and the UNWC would like to see the City remove the culvert next summer and restoration to the creek happen with the help of UNWC. DSL and the City will continue to push on the requirement that both entities had of the subdivision which was to recorder on the property deeds the 50 foot riparian setback. Staff will document what the culvert is doing tomorrow during the high-water event. Although the files have been

closed, DSL is willing to help the City with the fight to restore the creek-bed as much as possible. The plan is that Public Works will dig up the line running to hydrant to see whether they are 6-inch lines or not.

ODOT is in favor of the crosswalk request. The length of the crosswalk is longer than most and will require the City to put bump outs or a median type island, we will know more when the approval and conditions notice comes approximately December 17th. Staff will visit how to pay for this after hearing more from ODOT.

Councilor McNair asked whether a resolution or MOU from Council in support would help with the Photo Solutions project. City Administrator Mitchell stated that Geotech required that the elevation certificate for the site be approved first. Councilor McNair wants Staff to create the document for Council to approve in favor of this project. Council consensus was that Staff should move forward with the drafting of the document.

NW Land Designs has been moving loads of logs to the mills.

Meetings Attended:

11/18 Councilor Hult and I attended the City County dinner at the USG Plant in Rainier. ColPac introduced the new funding mechanism AGORA Platform. Their representative will be contacting the City and asking for us to prioritize our most wished for projects to match with available funding.

11/24 City Administrator went to meeting in St. Helens regarding the final opportunity extension for Photo Solutions to be bought out. In attendance at the meeting Betsy Johnson, OEM Dennis Siegrist, CCC Tony Hyde, Brad Curtis, CAT Representatives, Dan Brown, Mark Ellsworth, OBDD Denny Houle. The City will be working with representatives from the above agencies in working to move forward with the buyout of Photo Solutions and the potential relocation of the facility.

12/6 City Administrator met with Envision Columbia County in St. Helens. City Administrator Michael Sykes was also in attendance. The members of ECC are looking to have all City Councils in Columbia County make good on the statement of Senator Ron Wyden and call for a Safety Summit in regards to energy businesses and the safety practices within Columbia County. Their representatives were asked to come and present to Council at a future date. Small woodland owners would like to know what is in their spring from Weyerhaeuser. They would like to know what chemicals are being sprayed on the forest adjacent to their spring. Councilor Tierney would like the Emergency Preparedness Committee to be present at this summit.

Staff hasn't received a bill on the cost per foot of the culvert used at the Vernonia Airport Culvert yet.

10. Ordinances/Resolutions

A. Ordinance 908: An Ordinance amending Ordinance 745 Controlling Vehicular and Pedestrian Traffic; Providing Penalties.....p. 24-26

Interim City Recorder Nicholas Welch read the second reading (by title only) of Ordinance 908: An Ordinance amending Ordinance 745 Controlling Vehicular and Pedestrian Traffic; Providing Penalties.

B. Ordinance 909: Amendments to Title 3.....p. 27-33

Councilor Tierney made a motion that the City of Vernonia adopts Ordinance 909: Amendments to Title 3-06 Livestock and Domesticated Fowl with the amendments stated; Councilor Hult seconded, motion carried.

Interim City Recorder Nicholas Welch read the first reading (by title only) of Ordinance 909: Amendments to Title 3.

11. Correspondence

A. Agora Platform.....p. 34

12. Items from Mayor, Councilors, City Administrator

Councilor Seager was in a YouTube video test-flying a brand-new airplane for the company he works with.

Councilor Tierney attended the interviews for City Recorder and would like to commend the Staff on the process of screening, the panel, and the timed typing test. She thought there were good candidates and she was pleased with the process so far. She has had concerns with the interview process in the past, but was very pleased with the work Staff has done to come up with the data they have. Councilor Tierney will be retiring from her job at Multnomah County Health on December 17th.

Mayor Parrow reminded everyone of the City Party Thursday 6:30 p.m. at the Scout Cabin. Saturday the 12th will be the Spirit of Christmas Parade at 5:30 p.m. Come sit on Santa's lap.

City Administrator Mitchell reminded everyone that if you would like to bring dessert or appetizer, please feel free to do so. There will be a gift exchange of items under \$20 if anyone wants to participate. Staff will have rules for the gift exchange available when you sign up to participate.

Mayor Parrow would like to commend staff on the steps they have taken today in the event of a possible emergency.

Mr. Laird reported that the Portland Timbers won the championship.

13. Action Items Summary – City Administrator

Staff will review the Ray's bill and bring this issue back to Council with a request.

Staff will bring back ORD 880 in January regarding language on spouses, City Staff members serving on committees, and eligibility of individuals to be on multiple committees.

Staff will be prepared for an Emergency Declaration Ordinance if there is a flood event.

Staff will bring back the Marijuana issue on the 21st.

Staff will look into the Cieloha issue and bring back the findings to the Council.

Staff will wait to get a disengagement letter from Mr. Curl's attorney. Once that is received, then this issue could possibly be brought back to a Workshop in January. Council discussed possibly addressing the Water Ordinance issues during the Healthy Cities Work Session scheduled for January 25th.

Staff will present a timeline to Council on CDBG hiring process on January 4th.

Adjournment

Mayor Parrow adjourned the meeting at 9:57 p.m.

These minutes were approved at the December 21st, 2015 City Council meeting.

Nicholas D. Welch, Interim City Recorder

Randall J. Parrow, Mayor



CITY COUNCIL DECEMBER 8, 2015
EMERGENCY MEETING 8:00 PM MINUTES
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 – Councilor Tierney

Councilor Tierney called the Meeting to Order at 8:24 pm.

In attendance: Councilors Tierney, Hult & McNair. Absent: Mayor Parrow and Councilor Seager

2. Additions or Removal of Agenda Items.....p. 1

3. New Business

A. Resolution 18-15: Declaration of a State of Emergency.....p. 2-3

Councilor McNair asked what this resolution would effect if adopted. Chief Conner reported that it activates the County assistance a little faster. He also reported that Anderson Park was cut off from the rest of town and that the CAN system had already notified residents in the 97064 zip code that Vernonia is on Flood Watch. Councilor Tierney clarified that this Resolution would open up the potential for FEMA to reimburse the City for costs associated with this event.

Councilor McNair made a motion that the City of Vernonia adopts Resolution 18-15: Declaration of a State of Emergency; Councilor Hult seconded the motion, motion carried by unanimous vote of the 3 Councilors present.

Adjournment

Councilor Tierney adjourned the meeting at 8:33 p.m.

These minutes were approved at the December 21st, 2015 City Council meeting.

Nicholas D. Welch, Interim City Recorder

Randall J. Parrow, Mayor

CITY OF VERNONIA
CITY COUNCIL AGENDA ITEM

December 21, 2015

From: Josette Mitchell, City Administrator
To: Mayor and City Council
Re: **Water Leak -784 Spencer Avenue**

Agenda Item Summary:

Jessica and Jordan Ray came to the December 7th City Council meeting and asked for Council to forgive the consumption charges on their account for the month of December bill. They had a large leak, they hired a plumber to come and identify the problem and fix it. The plumber identified that there was an old water box that had been left underground that sunk and severed the water line right near the meter causing the loss of water.

Council asked staff to look into the issue. Staff has found that the water box left underground did cause the line break.

Staff used the consumption charge minus the base fee and minus the account holders average usage and came up with the charge strictly associated with the leak. The amount of consumption charge related to the leak was \$207.40.

Staff is looking for direction from Council to resolve this issue.

CITY OF VERNONIA
CITY COUNCIL AGENDA ITEM

December 21, 2015

From: Josette Mitchell, City Administrator
To: Mayor and City Council
Re: **Second Reading of Ordinance 909: Amending Title 3 – Livestock and Domesticated Fowl**

Agenda Item Summary:

This is the second reading of Ordinance 909. An ordinance amending Title 3 regarding Livestock and Domesticated Fowl.

Attachments:

- Ord. 909 Amending Title 3 Section 3-06.03 Livestock and Domesticated Fowl

ORDINANCE NO. 909

**AN ORDINANCE OF THE CITY OF VERNONIA AMENDING TITLE 3
SECTION 3-06 LIVESTOCK AND DOMESTICATED FOWL**

The City of Vernonia ordains:

WHEREAS, in 2005 the City began the process of codifying their ordinances of rules and regulations into a single municipal code in order to improve administrative efficiency,

WHEREAS, Title 3 Public Protection was adopted May 5, 2014

WHEREAS, the City held a Work Session to discuss the City's permitted Livestock and Domesticated Fowl,

WHEREAS, the City Council found some deficiencies in Title 3-06 Public Protection for permitting the raising of Livestock and Domesticated Fowl,

NOW THEREFORE, the City Council of Vernonia does ordain as follows:

Section 1: the City does hereby adopt the amendments to Title 3 Section 3-06 Public Protection according to the text attached Exhibit A, and;

Section 2: the City does hereby amend Title 3 Section 3-06 Public Protection and replace the regulations with those identified as the attached Exhibit A, and

Section 3: Effective Date: Under the provisions of the City of Vernonia Charter of 1998, Chapter VIII, the Council finds it may provide two readings at the same hearing and that this ordinance may take effect in 30 days from the date of decision.

Section 4: Council Clerk's Duties: The Council Clerk is hereby directed, upon its adoption and authentication, to number this ordinance as the next adopted ordinance of the City of Vernonia.

(Must be read in full if requested)

Adopted as read by title only this 7th day of December, 2015 by the following vote:

Ayes:____ Nays:____ Abstain:____ Absent:____

Adopted as read for a second time on this 21st day of December, 2015 by the following vote:

Ayes:____ Nays:____ Abstain:____ Absent:____

Signed by me, Randall J. Parrow, mayor, in authentication of its adoption this 21st day of December, 2015.

Randall J. Parrow, Mayor

Attest:_____
Nicholas Welch, Interim City Recorder