



CITY COUNCIL APRIL 04, 2016 **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**

**3. Presentations**

**4. Councilor Committee Meeting Reports**

**5. Topics from the Floor/Audience Participation**

**6. Consent Agenda for Approval**

A. City Council Meeting Minutes for March 21, 2016..... Pg. 1-4

**7. Unfinished Business**

**8. New Business**

A. Public Works Committee Recommendation – Tony Schrader Application..... Pg. 5

**9. Business from Departments**

A. Police Department – Chief Conner  
OLCC Discussion

B. City Administrator Report – J. Mitchell

**10. Ordinances/Resolutions**

A. Ordinance 910: Marijuana Time, Place, Manner..... Pg 6-9

B. Resolution 03-16: A Resolution to Amend Transfer Out in Sewer Debt & Sewer Rehab... Pg. 10-11

**11. 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 council 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.”

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

**13. Correspondence**

**14. Items from Mayor and Councilors**

**15. 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.



CITY COUNCIL MARCH 21<sup>st</sup>, 2016 **MINUTES**  
REGULAR MEETING 7:00 PM  
City Hall, 1001 Bridge St. Vernonia OR 97064

---

**Mission Statement**

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

---

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

Mayor Parrow called the meeting to order at 7:01 pm.

**Additions or Removal of Agenda Items**

Mayor Parrow added to the agenda a Budget Committee application from George Tice.

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

**Mayor Report**

A. Budget Committee Member Applications

Council appointed both Brett Costley and George Tice to the Budget Committee.

**Presentations**

A. Columbia 9-1-1 Communications District Update – Steve Watson, Executive Director

Mr. Watson came to introduce himself to Council as he recently became the Executive Director for Columbia 9-1-1. He would also like to apologize for a representative having not come out in the last two and a half years. He will be making a greater effort to visit cities in Columbia County.

Columbia 9-1-1 Communications District is currently working on two projects: setting up the ability to text 9-1-1 and notifying residents that there is a new vendor for the outcall notification system.

Columbia County residents are projected to have the ability to text 9-1-1 by the end of Summer 2016. This will be an essential tool for those that are hearing impaired or if someone's in a situation where they aren't able to call safely but could text. Cell phones are used for approximately 70% of all 9-1-1 calls and they project that texting will gain momentum with the younger population and those with special needs. Columbia County will be among the first Districts to provide this service.

Lastly, on the district website there is a new outcall notification system vendor, Everbridge. They send notifications on behalf of the Emergency Responders. He would like to make people aware of this change so that they can go onto the website to register their cell phone numbers. Those who registered with the old vendor do not need to reregister as those phone numbers transferred to the new vendor. He was clear that people who register their phone numbers do not need to worry about solicitors as they do not sell your phone number. Those with special needs can also call the office to have a note put into their file that will give responders directions for when they are on a call (For example: gate combinations, hearing impaired, dogs, ect). This information needs to be updated every 6 months.

The website address to register your cell phone is <http://www.columbia911.com/>. City staff will put the information to register your phone on the cities Facebook page.

**Councilor Committee Meeting Reports**

Councilor McNair attended the Cemetery Committee Meeting on March 10<sup>th</sup>. At the meeting they discussed the fee increases which have been included in the council packet. He also stated that they worked on the Memorial Day Celebration and seem to have a good handle on it. They would like to incorporate recognition of the Urn Garden at the celebration by having it marked. They are currently working on deciding what to charge for the 3'x3' plots and how many will fit in the area.

Councilors Hult, Seager, and Tierney did not have updates.

### **Topics from the Floor/Audience Participation**

There were no topics from the floor.

### **Consent Agenda for Approval**

A. Cemetery Committee Meeting Minutes for February 11, 2016

B. City Council Meeting Minutes for March 07, 2016

Councilor Tierney moved to approve the Cemetery Committee Minutes from February 11, 2016 and the City Council Meeting Minutes from March 07, 2016. Councilor Seager seconded the motion, motion passed.

### **Unfinished Business**

#### **New Business**

A. Recommendation from Cemetery Committee –Fee Increases

City Administrator Mitchell explained the fee changes to Council. The Cemetery will bring this back to Council once they decide the prices for the Urn Garden. Council was in agreement with the proposed fee changes.

#### **Business from Departments**

A. Police Department – Absent

B. City Administrator Report – J. Mitchell

City Administrator Mitchell gave her report:

**Wastewater Treatment Plant:** City staff had the scheduled construction meeting on Wednesday, March 9th. Our USDA representative Drew Davis received a promotion, our new USDA representative is Sam Goldstein. The project is currently on time and in budget. The DAF system is scheduled to be delivered on April 14<sup>th</sup>. The next construction meeting is this Wednesday, March 23<sup>rd</sup> at 10am.

Councilor McNair would like to know why the new building at the site is so tall. City Administrator Mitchell will find out the reason for the height.

**Sewer Rates:** With the adoption of Resolution 02-16 amending the sewer rates, the new sewer rates will take effect in the next billing cycle. Staff will insert a breakdown into the utility bills outlining the charges and changes.

**Rose Avenue Project:** The SOQ was sent to IFA on March 7<sup>th</sup>, 2016. The City completed the Exemption paperwork outlining the items that would be exempt from the environmental review (engineering, grant administration, environmental review process). We are still waiting for IFA to approve the SOQ so we can publish it and accept applications.

**ODOT Crosswalk:** The specs for the bump out have still not been received.

**COV Timber Harvest:** The slash is piled up ready for fuel calculation by ODF. Once the fuel is calculated we can choose a day or two to burn off the slash. The timber harvest brought in \$7774.00 in profit that will be used for replanting purposes. Not all of the funds will be used for replanting as part of the 50 acres is not able to be planted. The remaining funds have not been ear marked for any particular use but Council had discussed a possible forest management plan in the past.

**California Avenue:** Staff has sent the RFP for engineering to IFA staff for sign off. IFA came back with further questions about whether or not they would fund the engineering of a fire truck hammerhead turn around, IFA also is deciding whether or not they will fund the engineering of the sewer since it will not become a city asset until the pipes are actually connected to the city infrastructure. The private property owner is willing to dedicate the easement prior to construction if that will help the project move forward and allow IFA to fund the engineering of the sewer line and its connection to the city sewer line on city property. The deadline for the project is fast approaching as the current building is set to be removed by March 2017.

**Seasonal Worker Posting:** Applications are still being accepted for the seasonal worker position. The deadline is Friday, March 25<sup>th</sup> at 3pm to get applications in. We have had a number of applicants submit applications. The Parks Committee will decide who will sit on the interview panel at their next meeting.

**DEQ Old City Dump:** The City Administrator and Parks Superintendent visited with DEQ and performed a site visit to the old City dump site off Noakes Rd. The City of Vernonia has an annual permit through DEQ for the dump. DEQ is looking to finalize permits for old dump sites that no longer pose an environmental hazard. At the site DEQ took pictures and documented the vegetation. They will also be checking well logs in the area via Clean Water Services. They will inform the City in the near future if they are finalizing and closing our permit. At the meeting they looked into what future uses for the site could be. The cities capital improvement plan proposes a possible reservoir on the site if one is ever needed. The property could also be sold once a deed notification is recorded.

**FEMA Public Assistance:** On March 1<sup>st</sup> I attended the mandatory meeting with OEM and FEMA in Deer Island. The meeting was to inform applicants who were looking for reimbursement from the declared disaster on Dec. 8<sup>th</sup>. The City turned in the paperwork that day to apply for assistance. On March 14<sup>th</sup> I met with John Moak our representative in the Public Assistance program to go over the public infrastructure costs and force accounts labor costs the city incurred during the high water event. There are two projects remaining on the cities list from the event: The Dewey Pool fence and the landslide clay debris. The landslide cleanup is delayed due to the clay being too wet for removal so it has been covered with straw to prevent erosion for the time being. Since our debris removal was complete (With these exceptions) within 30 days from the event date we can recoup 85% of the cost. Typically, FEMA hard and fast rule is to reimburse 75%, however they are installing a new program to motivate participants to move forward faster after disaster events. Thanks to the hard work of staff members; Angie Handegard, Eva Leininger, and Ben Fousek many of our costs will be reimbursed quite quickly as they are complete and well documented using financial reports, daily document logs from the event and GIS maps showing damage sties and debris pickup sites. Councilor Tierney inquired as to where the time reimbursement for the volunteers will be deposited. Finance Director Handegard will look into it and discuss it with Council at one of the Budget meetings if it is a substantial amount. Councilor McNair would like to recognize City Administrator Mitchell for all of her hard work during the high water event as well.

**City County Dinner:** will be April 19<sup>th</sup>, 2016 in Clatskanie. City Recorder Stephanie Borst will send the flyer for the dinner to Council members when available.

**Marijuana Tax:** Council discussed possible marijuana tax revenue. Finance Director Handegard stated that the revenue from the tax is unknown at this time but will be deposited into the general fund. Councilor Tierney stated that the tax is divided equally between all of the jurisdictions that allow sales. Of all of the tax revenue collected, 3% will be divided between the jurisdictions.

## **Ordinances/Resolutions**

### **A. Ordinance 910: Marijuana Time, Place, Manner**

Councilor McNair made a motion to adopt Ordinance 910: Marijuana Time, Place, Manner.

City Recorder Stephanie Borst read the first reading, by title only, of Ordinance 910: Marijuana Time, Place, Manner. The motion was seconded by Councilor Tierney, motion carried.

### **B. Resolution 02-16: A Resolution Amending Resolution 14-08 – Sewer Fees, Parks Fees, Cemetery Fees, and Library Fees**

Councilor Seager motioned to approve Resolution 02-16: A Resolution Amending Resolution 14-08 – Sewer Fees, Park Fees, Cemetery Fees, And Library Fees. The motion was seconded by Councilor Tierney, motion carried.

## **Correspondence**

Jordan Cove, LNG Plant, was denied by Federal Energy Regulatory Commission but has still not been denied by the Governor. Dan Sears is hosting an update meeting at City Hall on March 31<sup>st</sup> at 6:30. He would like Mayor Parrow to attend the meeting in hopes of having a conference call with other Mayors in the area.

## **Items from Mayor and Councilors**

Councilor Seager would like an update on what is happening at Airport Park. Administrator Mitchell stated that the danger trees are coming down this week and will be available for firewood. The Parks Committee decided to charge \$75 per cord of U-Cut firewood. Once the wood is available, notice of the wood cutting day will be posted on Facebook as well as the paper. The goal is to have the park available for camping by May 1<sup>st</sup>.

Councilor Tierney would like to revisit the airport culvert project and what the estimated cost is. Councilor Seager stated that the project will cost roughly \$6,000 more.

City Recorder Stephanie Borst helped Councilor Hult with her SEI Filing.

Councilor McNair would like to explore replanting the logging site rather than reseeding it. He would like to provide more opportunities for future generations than the mill provided us. If they would have replanted in 1957 we would have had an outstanding crop of trees at the site. City Administrator Mitchell stated that we could explore the potential of having a teaching program, or the forestry class, plant the site to help with cost savings for replanting.

## **Action Items Summary – City Administrator**

- Staff will post the information for registering your phone with Columbia 9-1-1 Communications for reverse 9-1-1 calls. A link to the site will be included.
- Staff will check on the reason for the building height at the Waste Water Treatment Plant.
- Staff will determine where the FEMA funds for volunteer time will be deposited and how much that will be.
- Staff will investigate how much can be expected from the marijuana tax and where that will be deposited as well.
- Staff will post a Facebook teaser for the firewood sales at Airport Park
- Staff will bring back to Council the cost of the airport culvert and what should be budgeted for.
- Staff will look into replanting options and whether or not there would be any cost savings having the forestry class do the planting.

## **Adjournment**

Mayor Parrow adjourned the meeting at 8:03pm.

These minutes were approved at the April 04, 2016 City Council Meeting.

---

Stephanie Borst, City Recorder

---

Randall J. Parrow, Mayor

Exhibit C  
Recommendation Letter Standard

---

Date: 3-25-2016

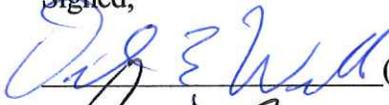
To: Vernonia City Council

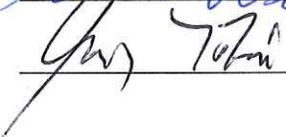
From: Public Works Committee

Re: Tony Schrader application to PWC

The Public Works Committee, at the March 22, 2016 committee meeting recommended by majority vote to give their approval of the Tony Schrader application to the PWC. Tony will be a good addition to the PWC because he has a good background in running a small water system and substantial understanding of infrastructure needs of a city.

Signed,

  
\_\_\_\_\_  
(Committee Secretary)

  
\_\_\_\_\_  
(Committee Chair)

Ord. No.

Establishing an Ordinance for all City Committees

2-6-12

## **ORDINANCE NO. 910**

### **An Ordinance regulating the location and operation of marijuana facilities**

WHEREAS, the Oregon Legislature enacted House Bill 3400 in 2015, which allows cities and counties to adopt reasonable conditions on the manner of operation of marijuana producers, wholesalers and retailers;

WHEREAS, under Oregon law, local governments may regulate the operation and location of certain types of businesses within their jurisdiction except when such action has been specifically and expressly preempted by state statute;

WHEREAS, the City Council of the City of Vernonia desires to regulate marijuana facilities in the City to protect and benefit the public health, safety and welfare of existing and future residents and businesses of the City;

WHEREAS, the City Council finds that the unique characteristics of marijuana facilities constitute a nuisance if unregulated; and

WHEREAS, due to the nuisance characteristics, it is necessary to establish particular placement requirements for such operations as reasonable time, place, and manner type conditions.

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

#### **Section 1. Definitions.**

“Marijuana” means all or part of the plant Cannabis family Moraceae, whether growing or not; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed of the plant which is incapable of germination.

“Medical marijuana” refers to marijuana dried, produced, processed, kept, stored, delivered, transferred, dispensed or otherwise provided for the exclusive benefit of and use by a person to mitigate symptoms or effects of person’s debilitating medical condition as defined in ORS 475.302, including any amendments thereto.

“Marijuana facility” means any facility or operation designed, intended or used for the purpose of delivering, processing, dispensing, transferring, smoking, ingesting, offering marijuana related tourist activities or otherwise providing marijuana or medical marijuana.

“Marijuana producer” means an entity licensed by the Oregon Liquor Control Commission to manufacture, plant, cultivate, grow or harvest marijuana.

“Operator” means a marijuana producer, or any person who owns, operates or otherwise has legal responsibility for a marijuana facility. All medical marijuana operators must meet the qualifications established by the Oregon Health Authority, if any, and be approved by the Oregon Health Authority to operate a registry, if applicable. All other marijuana operators must meet the qualifications established by the Oregon Liquor Control Commission and be approved by the Oregon Liquor Control Commission to operate a marijuana facility.

## **Section 2. Standards of Operation.**

- a.** Location: A marijuana facility shall not be located within 1000 feet of another marijuana facility. Such distance shall be measured between the closest points of the respective lot lines. A marijuana facility shall not be co-located on the same tax lot or within the same building with any marijuana social club, smoking club, or marijuana producer. A marijuana social club or smoking club means an association or organization of persons dedicated to a particular interest or activity related to or concerning marijuana.
- b.** On Site Use: Marijuana, medical marijuana or tobacco products may not be smoked, ingested, consumed, vaporized (“vaped”), sampled or otherwise used on the premises of a marijuana facility or on the premises used by a marijuana producer to manufacture, plant, cultivate, grow or harvest marijuana.
- c.** Operating Hours: Operating hours for marijuana facilities shall not be earlier than 8:00 a.m. or later than 10:00 p.m. on the same day.
- d.** Compliance with Other Laws: Marijuana facilities must comply with all applicable laws and regulations, including, but not limited to, the building and fire codes.
- e.** Public View: All doorways, windows and other openings shall be located, covered and screened in such a manner to prevent viewing of marijuana products in the interior from any exterior public or semipublic area. Screening shall be such that it does not give the appearance of blight, neglect, or abandoned premises.
- f.** Signage: Signage for marijuana facilities shall not include logos or illustrations, and shall emphasize identification of the facility without drawing undue attention. All signs depicting the marijuana plant in whole or in part are expressly prohibited.
- g.** Lighting: Marijuana facilities must maintain adequate outdoor lighting over each exterior door.
- h.** On Site Manufacturing: Manufacturing or production of any extracts, oils, resins or similar derivatives of marijuana is prohibited at a marijuana facility or on the premises used by a marijuana producer to manufacture, plant, cultivate, grow or harvest marijuana. Use of open flames or gases in the preparation of any product is prohibited at a marijuana

facility or on the premises used by a marijuana producer to manufacture, plant, cultivate, grow or harvest marijuana.

- i. Storage and Disposal: Outdoor storage of merchandise, raw materials or other materials associated with marijuana use is prohibited. Facilities must securely dispose of marijuana remnants or byproducts. Marijuana remnants or byproducts may not be disposed of in exterior refuse containers.
- j. Odor: No Operator shall allow, permit or cause the odor of marijuana to emanate from their premises to any other property. Odor of marijuana is the characteristic of marijuana that may be perceived by the sense of smell. For purposes of this section, every law enforcement officer that is certified by the Oregon Board of Police Standards and Training, is sufficiently trained to identify the odor of marijuana and whose opinion as to the presence of the odor of marijuana shall be presumed affirmative proof thereof.

**Section 3. Remedies**

- a. Failure to comply with the requirements of this Ordinance constitutes a civil infraction. Violations are punishable by fines not to exceed \$500.00 per day. Each day a violation continues constitutes a separate offense.
- b. In addition to violations of this Ordinance constituting a civil infraction, a violation is also a nuisance, subject to abatement and other remedies provided in the City nuisance ordinances.
- c. The remedies provided in this Section are not exclusive and shall not prevent the City from exercising any other remedy available under the law, not shall the provisions of this Ordinance prohibit or restrict any prosecutor from pursuing criminal charges under state or federal law. Such remedies include, but are not limited to, any equitable remedies such as temporary restraining orders or other injunctive relief.

**Section 4. Severability.** If any section, subsection, paragraph, sentence or word in this Ordinance is deemed to be invalid or beyond the authority of the City, either on its face or as applied, the invalidity of such provision shall not affect the other sections, subsections, paragraphs, sentences, or words of this Ordinance, and the application thereof; and to that end, sections, subsections paragraphs, sentences and words of this Ordinance shall be deemed severable.

**Section 5. Effective Date.** This Ordinance shall take effect thirty (30) days after its passage.

**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.



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

**April 4, 2016**

---

**From:** Angie Handegard, Finance Director  
**To:** Mayor and City Council  
**Re:** Amendment of Transfer Out from Sewer Fund

---

**Agenda Item Summary:**

Due to un-reimbursable City Administrator salary expense in the Sewer Rehab Fund, this fund currently has a negative balance. It is not allowed under Oregon Budget Law to carry forward a negative ending fund balance. In addition, the Sewer Fund is forecasted to end the year with a fairly small ending fund balance (\$29,328). I recommend that we decrease the amount of Transfer Out from Sewer Fund from \$243,746 to \$215,000. I also recommend that we decrease the amount of Transfer In to the Sewer Debt Fund from \$228,746 to \$180,000 and Transfer In to the Sewer Rehab from \$0 to \$20,000.

**Attachments:**

Resolution 03-16: A Resolution to Amend Transfer Out in Sewer Debt & Sewer Rehab

**Motion:**

-

**RESOLUTION NO. 03-16**

**A RESOLUTION TO AMEND TRANSFER OUT IN SEWER FUND TO SEWER DEBT & SEWER REHAB**

**WHEREAS**, the City’s adopted FY 2015-2016 Sewer Fund Budget shows a transfer out of \$228,746 to Sewer Debt Fund and the Sewer Rehab Fund will end the year with a negative fund balance;

**WHEREAS**, The Budget Law provides that a city may re-appropriate funds in the current year adopted budget; and

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the Council of the City of Vernonia, Oregon, that the budget for the fiscal year 2015-2016 is amended to include the adjusted appropriations within the following funds:

Interfund transfers for Fiscal Year 2015-2016

<b>SEWER</b>	<b>ADOPTED</b>	<b>CHANGES</b>	<b>NEW BUDGET</b>
9850-99	243,746.00	-28,746.00	215,000.00
<b>SEWER DEBT</b>			
9467-99	228,746.00	-48,746.00	180,000.00
<b>SEWER REHAB</b>			
9467-99	0.00	20,000.00	20,000.00

INTRODUCED FOR CONSIDERATION AND VOTE ON THIS 4th DAY OF APRIL, 2016

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

Signed by me, Randall J Parrow, Mayor, in authentication of its adoption this

4<sup>th</sup> day of April, 2016

\_\_\_\_\_  
Randall J Parrow, Mayor

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