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CITY COUNCIL FEBRUARY 2, 2015 AGENDA
REGULAR MEETING 7:00 PM
City Hall , 1001 Bridge St. Vernonia OR 97064

Vision Statement

Vernonia will continue to build a secure and diverse economic foundation while maintaining its historic atmosphere and undying sense of community through the values of: Pride – Integrity – Respect

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.

Work Session 6:30 pm -- WSC Insurance, Tom BeLusko Council Training

- 1. Call to Order and Pledge of Allegiance – Mayor Josette Mitchell**
- 2. Additions or Removal of Agenda Items**
- 3. Mayor Report**
 - A. Appointment – Brittanie Roberts to Budget Committee
- 4. Councilor Committee Meeting Reports**
- 5. Topics from the Floor/Audience Participation**

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.
- 6. Consent Agenda for Acceptance**

The Consent Agenda is a policy of the governing body to approve, in one motion, routine and/or noncontroversial items, which can be determined prior to the meeting.

 - A. Weekly Departmental Update January 16, 2015
- 7. Consent Agenda for Approval**
 - A. City Council Minutes January 20, 2015
 - B. City Council Special Meeting Minutes January 23, 2015
- 8. Unfinished Business**
 - A. Release of School District Funds held in Escrow for Construction of New Spencer Park
- 9. New Business**
 - A. Water Service Size and Rate Correction
- 10. Business from Departments**
 - A. Police Department – Chief Michael Conner
 - a) Memorandum -- Information Only – Regulating Exhaust Brakes
 - B. City Administrator – Gian Paolo Mammone
 - a) Weekly Departmental Update January 30, 2015

11. Ordinances/Resolutions

A. Ordinance 900 Amending Ordinance 745 Controlling Vehicular and Pedestrian Traffic; Providing Penalties;

B. Ordinance 901 Amending Title 9 Section 9-05 Flood Hazard Reduction

12. Correspondence

A. Work Session February 9, 2015 6:30 pm – Discussion City Council Rules and Regulations and Committee Powers and Duties Ordinance No. 880

B. Request for Work Session to get MOUs set up to identify two sites for debris management -- Councilor Tierney Liaison to Emergency Management Committee

13. Items from Mayor, Councilors, City Administrator

14. Recess to Executive Session as per ORS 196.660(2)

15. Return to Open Session for Final Action

Adjournment



WEEKLY DEPARTMENTAL UPDATES

JANUARY 16, 2015

ADMINISTRATION / UTILITY BILLING

- No Report this week.

POLICE DEPARTMENT - VPD

- **January 9th, 2015 – January 14th, 2015** – The total number of Calls for Service and Officer initiated activity was "70".
- **Reserve Officer Update:** Pending results of Medical & Psychological Evaluations. Should have results next week.
- **Surplus Patrol Vehicles:** VPD will be accepting sealed bids on two patrol vehicles through February 13, 2015

FINANCE

- The City's Federal Surplus program eligibility was renewed this week. Every three years we have to renew so that the City can take advantage of this program. Not only can we take surplussed items to sold we can also purchase a wide variety of items, including equipment, at a very low price. This program is run by the State Department of Administrative Services in Salem.
- City Staff and the Mayor met with our new project manager, Gordon Munro with Tetra Tech, Jon Forrester with OTAK and members of the funding agencies for the WWTP: Drew Davis with USDA and Evan Haas & Mike Pinney with DEQ. The meeting was organized so that all those who've been involved could bring Gordon up to speed on the status of the project and to ensure that everyone received the same information at the same time. The meeting was very productive and we are hopeful that we will be ready to advertise for bids by mid-March.
- Finance Director began the task of creating budget documents for the upcoming budget cycle. A separate budget is created for each of our 20 different funds that make up the entire City budget. In a few weeks, the Finance Director will begin meeting with the department heads to get their input on their budgets. A first draft will be done by early April.
- Finance Director contacted the Oregon Parks and Rec department to confirm that the cost of drawing up plans for the restroom for Spencer Park would be covered by the grant we received from them. It is an eligible cost and staff will be working with the Parks committee to get this project planned and finished this year.
- Finance Director processed payroll and paid invoices for the mid-month check run.

PUBLIC WORKS

- Public works staff finished the last of the water meter ground truthing. There were a few meters that were out of sequence and had to be verified.
- Public works staff and Parks maintenance staff cleaned up debris and graded the roads at the cemetery. The cemetery caretaker has been on vacation for the winter.
- Work has begun on raw water pump # 2 intake modifications.
- Staff identified and replaced numerous water meter boxes that were broken and replaced them. These were identified during the water meter ground truthing.
- Parks staff responded to numerous cases of minor vandalism at Vernonia Lake restrooms. The toilets appear to be targeted on almost a daily basis this week. The damage has been limited to the flush valves only so far but creates extra work for parks staff.
- Public works continues to cold patch streets when extra time or staffing allows. Winter time is very hard on the streets with freezing and thawing and then rain.
- Sewer Pump station # 2 continues to be somewhat troublesome. The issue seems to be in the computer that controls the generator. This generator was installed in 2007 and is entirely computer controlled.

PLANNING / BUILDING

- The City has received its letter from FEMA after the September 4, 2014 Community Assistance Visit (CAV) with a detailed information package which summarizes the findings and discussions from that meeting. The City has 60 days to respond with a plan on how the City will submit the required documentation to FEMA and to close the CAV in a timely manner.
- A primary purpose of the CAV visit was to assure enforcement of Vernonia's Flood Hazard Reduction Ordinance. Continued enforcement enables the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) to continue allowing flood insurance to be sold throughout the city.

LIBRARY

- The Library, "On the Shelves" column is back with this week's issue of the *Vernonia's Voice*. The column will include library program information and book recommendations as well as other information. The column will be in the paper once a month but look for library programs and hours in every issue of the paper.
- The library shelves are full beyond capacity. Library staff are removing items from the collection to make space, looking for books and materials that are damaged, not checking out, and out dated. Items that are in good condition will then be put in the Friends of the Library Book sale. Profits from the sale fund library programs and services. Mark your calendars for the Spring Book Sale: Friday, March 13 – Sunday, March 15.
- The Library Director is reviewing circulation statistics for each magazine as it comes up for renewal, canceling subscriptions that do not check out and purchasing new ones of interest. Now is a good time to make a suggestion to consider for the collection!

CITY CLERK / ADMINISTRATION

- City Recorder is ending one year and beginning another following the retention rules.
- City Recorder will be working on the Flood Hazard Reduction Ordinance to bring to Council on February 2, 2015
- City Hall will be closed Monday, January 19, 2015 in honor of Martin Luther King Jr. Day!
- The next City Council Meeting will be Tuesday, January 20, 2015 7:00 pm

CITY ADMINISTRATOR /ADMINISTRATION

- City Administrator Attended County/City Dinner Meeting in held at the Scout Cabin in Vernonia. The meeting was sponsored and hosted by the City of Vernonia. Among Mayors, Councilors , City Administrators, and other managers in Columbia County, other attendees were Commissioners Fisher, and Hyde.
- The PW crew did a great job at the cemetery. All PW department members worked to clean the fields, and grade and restore the internal vehicular paths. The bad weather and careless driving had done much damage to the internal driveway. The "SWAT Time like" action sprung in response to citizen concerns about the conditions of the cemetery. For this specific situation, many thanks to Shirlee Daughtry who, in addition to presenting to the City Council her concerns (and showing pictures) about the bad conditions of the cemetery...raked all the leaves from the grounds, and piled them for easy collection from our crew.

It is very nice when we can rely on the assistance and support of our citizens...and it is rewarding when we see that our residents feel comfortable to come to City Hall to voice their concerns and discuss their worries about City's operations. Constructive criticism from our residents will do a lot in helping us improving our ways and means...and in becoming a successful organization and community.



Before...



and after



And during

- The City Administrator, Finance Director, and PW Foreman met Jon Forrester (Otak Engineering), Gordon Munro (Tetra tech Engineering) and with representatives of DEQ, and USDA to discuss the Waste Water Treatment Plant (WWTP) Project. Because of the retirement of Brad Bogus, Mr. Munro is the new leading engineer for the WWTP project. The group wanted to finalize dates and strategies for the upcoming project.



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CITY COUNCIL JANUARY 20, 2015 MINUTES
Work Session 6:30 PM Regular Meeting – 7:00 PM
City Hall, 1001 Bridge Street, Vernonia OR 97064

Councilors Present: Mayor, Josette Mitchell; Councilors: Jill Hult, Mike Seager, Kim Tierney and Randy Parrow

Staff Present: Chief Michael Conner; Angie Handegard, Finance Administrator
Joann Glass, City Recorder

Press: Vernonia's Voice, Scott Laird

Work Session – 6:30 pm – Mayor, Councilor, and City Administrator Roles

Council reviewed the information presented from the League of Oregon Cities on Mayor/Council/Administrator Form of Government including Basic Rules to Live By. Councilor Tierney said that she wanted to have this meeting to prevent what has happened in the past with common confusion and conflict of positions.

Councilor Parrow liked the performance expectations that were laid out.

Councilor Tierney liked what the information said about City Council role to set policy and the City Administrator roll is to carry out policy and make the budget work.

Gian Paolo liked the statement “Keep surprises down” explaining that the Council should not be blind sided

Councilor Tierney wants to make sure that the Committees have an input to the budget and are given that opportunity. In the past the Rules to Live By they have stumbled with.

Mayor Mitchell said that in their Council Rules they may request information from staff as long as it does not take more than thirty minutes to prepare.

Councilor Tierney remembered that in a work session she attended it was suggested that Council at the beginning of each year review the City Charter and the Rules and Regulations of the Council.

Councilor Hult agreed that reviewing the information was important and this was also suggested at the training she and Mike just attended.

City Council closed the Work Session at 6:50 pm

1. Call to Order and Pledge of Allegiance -- Mayor Mitchell called the regular City Council meeting to order at 7:00 pm

2. Additions or Removal of Agenda Items

Additions: Mayor Report B. Appointment to Budget Committee – Bruce McNair

New Business D. 446 Bridge Street Buyout – Dan Brown

Councilor Parrow moved, “To accept the agenda with the additions noted.” Councilor Tierney seconded the motion. Motion carried.

3. Mayor Report

A. Appoint Budget Officer

Councilor Tierney moved, "To appoint GianPaolo Mammone, City Administrator, as Budget Officer for Fiscal Year 2015-2016." Councilor Hult seconded the motion. Motion carried.

B. Appointment to Budget Committee – Bruce McNair

Mayor Mitchell, with Council consensus, appointed Bruce McNair to the Budget Committee.

4. Councilor Committee Meeting Reports

Not meeting reports were presented.

5. Topics from the Floor/Audience Participation

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.

Sally Harrison, thinks it is a great idea that Kala Cota, who writes poetry and has done a great job be honored as the "Poet Laureate of Vernonia"

Sally continued by suggesting that she has been looking into different types of wild flowers that reseed themselves and suggested they could be planted in the open spaces which would provide beauty and also not require a constant upkeep of mowing.

Sally commented on the discussion at the last meeting on the closing of the gate at the Cemetery and offered that she would volunteer to open and close the cemetery gate if this is the direction the Council would like to go.

Nathen Owen introduced himself to the Council as the new President of the Ridge Riders and introduced Courtney Tice as the Vice President and looked forward to meeting with the Council to resolve the issues before them.

Steve Calhoun shared with Council his concern with the LNG gas pipeline proposal to go under Rock Creek and hopes that the Council will take the possibility seriously as a potential harm to Rock Creek and the Cities water source. Steve shared how precious the Rock Creek water is to the citizens of the Vernonia Community and how important it is to protect.

Scott Laird shared with the Council the Vernonia Community Solutions Project newspaper. Seven thousand were published for the 1st issue and five thousand for the 2nd issue. The paper is a joint venture with the City, Vernonia School, Businesses and the Chamber of Commerce for marketing Vernonia. Scott asked that the city in their upcoming budget process support the project and consider having a person participate in promoting the paper. Scott shared that Bill Langmaid is helping with this project and is also a contact person. The two distributions has already shown that it is bringing people to Vernonia.

Scott Laird said that the Parks Committee is looking at all amenities to make Spencer Park useful now that it belongs to the City. The Committee is looking at additional improvements such as maintenance and sharing the responsibility in exchange for usage fees. Mayor Mitchell said that the Public Works Foreman should be included with any discussions about maintenance.

Brett Costley questioned when the computers and printer would be working at the Library as there is a high demand for them.

6. Consent Agenda for Acceptance

The Consent Agenda is a policy of the governing body to approve, in one motion, routine and/or noncontroversial items, which can be determined prior to the meeting.

A. Vernonia Library Minutes – December 2, 2014

Councilor Tierney moved, “To accept the December 2, 2014 Library Minutes as presented.” Councilor Seager seconded the motion. Motion carried.

7. Consent Agenda for Approval

A. City Council Minutes January 5, 2015

Councilor Tierney moved, “To approve the City Council January 5, 2015 minutes as presented.” Councilor Seager seconded the motion. Motion carried.

8. Unfinished Business

A. Water Bill Outstanding Balance – 1542 Bridge Street

GianPaolo wanted to make sure that Council understood what was the correct fee owed and his recommendation is for partial forgiveness which is 50%.

Councilor Parrow said that the 50% forgiveness is on the consumption base water charge and not the entire bill.

Mayor Mitchell agreed with the 50% on consumption and that both owner and renter need to have the bill sent to them to be paid. A minus two can be placed on the account number which will keep track of the payments until it is paid in full.

There was consensus of the Council for the 50% suggested on consumption and that the bill be sent to the owner of record and the renter.

B. Vernonia Community Learning Center Lease to Seniors

GianPaolo said that he had received from CAT the lease for approval.

Jim Tierney reminded Council that the Senior’s need to be out in two to three weeks of the building they are in. There are questions the seniors have with the lease for better clarity and realizes this needs to be finalized this week and requested that he be able to speak with the Attorney to help with the clarity.

Council suggested that Jim Tierney meet with the Seniors that were present at the meeting and come back with their recommendations at the end of the City Council meeting for further discussion.

C. IGA Spencer Park: City of Vernonia & Vernonia School District 47J

Councilor Hult moved, “To direct City Administrator, GianPaolo Mammone to sign the IGA between the City of Vernonia and Vernonia School District 47J.” Councilor Parrow seconded the motion. Motion carried.

D. Library Computers

GianPaolo explained that it was recommended from IT to get two new computers and four upgraded computers and the expenditure will be \$4,480.

Councilor Tierney questioned if a printer would also be included.

Angie Handegard, Finance Administrator explained that the printer will network with the new Computers and work. That is the problem now the printer will not network with the computers on site at this time.

Councilor Tierney moved, "To accept Option No. 3 to Purchase two new computer systems, and fix and upgrade four computers in order to have five computers available for the patrons and one for office use." Councilor Parrow seconded the motion. Motion carried.

9. New Business

A. Architectural Services – New Spencer Park

There are two distinct items for consideration:

1. Contracting out for Architectural/Engineering Drawings and construction of Restrooms
2. Construction of Picnic Shelter – Scott Laird (Parks and Rec Committee Chair) has been talking to School Superintendent about the opportunity to have the students design the Picnic Shelter, and to have a "Community Day" (Raise your Barn Amish style) type of experience in actually building the Picnic Shelter.

The Parks Committee is ready to move forward with construction of the restroom facility and the picnic shelter at Spencer Park. Staff will prepare an RFP for construction of the restroom once engineered drawings have been received. The Parks Committee is working with students from Vernonia High School to design blueprints for the picnic shelter using recovered lumber from the deconstruction of Washington Grade School. The design plans from the students will be approved by an engineer and the project will be built using volunteer labor from the community early this summer. Mayor Mitchell said that the Public Works Foreman needs to mark where the utilities are located such as water and sewer to help avoid any questions with the layout.

Oregon Parks and Rec has agreed to extend the project completion date to December 2015 and verified that the grant will pay for the design as well as construction of the restroom.

B. Proposed Budget Calendar Fiscal year 2015-2016

Angie Handegard, Finance Administrator explained that this is a draft and can be changed if needed by the group. The Scout Cabin has already been scheduled for the dates listed, but we can add, change, or eliminate dates as needed.

Councilor Tierney asked that the budget be given to the Liaisons for each Committee for their input. She suggested that in the future this be done early to give the Committees time to work on.

Angie will have for each Committee a draft budget for the next City Council meeting.

C. OLCC License Renewals

No recorded OLCC violations were indicated at the listed locations for the previous year by the Vernonia Police Department

Recommendation process No. 3: Take no action. After March 4, 2015 the OLCC will process the renewal applications as if you made a favorable recommendation.

Council Consensus was to take no action

D. 446 Bridge Street Buyout – Dan Brown

- a) Adopt a Resolution regarding USACE and ODOT by property

Mayor Mitchell moved, "To adopt Resolution 15-01 A Resolution regarding USACE and ODOT for 446 Bridge Street, Vernonia Senior Citizens." Councilor Parrow seconded the motion. Motion carried.

- b) Approve and Authorize signing of purchase and sale agreement for 446 Bridge Street.

Mayor Mitchell moved, "To approve and authorize GianPaolo Mammone, City Administrator to sign the purchase and sale agreement for 446 Bridge Street, Vernonia Senior Citizens." Councilor Hult seconded the motion. Motion carried.

10. Business from Departments

A. Police Department – Chief Michael Conner

Chief Conner said that he is waiting on the psychological evaluation for two of the Reserve Officers. The third Reserve Officer is no longer available for the position.

Chief Conner said he has not heard back from the Bank owned property that a nuisance has been issued on.

B. City Administrator – GianPaolo Mammone

In the hand out to the Council GianPaolo reported on:

- a) The Waste Water Treatment Plant that he along with the Finance Director, Public Works Foreman, Jon Forrester (OTAK Engineering), Gordon Munro, Tetra Tech Engineering and representatives of DEQ, and USDA to discuss the Waste Water Treatment Plant (WWTP) Project. The project will start early March, 2015 and hopefully will be ready to advertise for bids by mid-march. This Project will stretch over two calendar years 2015-2016.

There are trees that need to be harvested at the Mill site in order to be able to "mine" the site for the clay necessary to raise the lagoon dykes was also discussed at this meeting. This could be done with the City directing the operations of a selective harvest, saving money by asking private collaboration in what would amount to a "Community event."

- b) The City Administrator will attend January 21, 2015 a Columbia County Department of Emergency Management Workshop about Readiness, Training Identification and Preparedness.

Council Consensus was for the City Administrator to contact Bruce McNair and establish a date to fall timber at the Mill site.

Mayor Mitchell questioned the amount of bills that were sent out that was reported in the January 9, 2015 Weekly Departmental Update. GianPaolo will verify with the Billing Specialist the correct number.

Councilor Hult questioned the status of the meeting with the downtown Businesses and their concern with the downtown trees.

Gian Paolo did not want to do this piece-mill and was looking at a Downtown Development meeting to discuss all the possibilities of what can be done with the downtown.

Dan Brown shared that there has already been a downtown revitalization plan done several years ago and questioned why reinvent the wheel.

Mayor Mitchell suggested that a meeting with the businesses be scheduled and hear their concerns and this be an informal meeting and a second meeting planned for looking at the downtown revitalization plan.

Councilor Parrow said the first meeting can be a fact finding meeting by keeping it simple

Councilor Tierney liked meeting with the Planning Commission, Council, and Businesses as a visioning process to get input and another meeting for the trees.

Mayor Mitchell suggested that there be two meetings one for the trees and the other can be more formal.

GianPaolo will schedule an informal meeting with the businesses.

11. Ordinances/Resolutions

A. Ordinance 900 An ordinance amending ordinance 745 An ordinance Controlling Vehicular and Pedestrian Traffic; Providing Penalties

Chief Conner asked that this Ordinance be tabled to the next City Council meeting. He did not have a problem with the changes that were being presented he wanted to correct some other sections of the ordinance before it is adopted.

Council Consensus was to table Ordinance 900 to the next City Council meeting.

12. Correspondence

A. Work Session Training Monday, February 2, 2015 6:30 pm Tom BeLusko, WSC Insurance

13. Items from Mayor, Councilors, City Administrator

Councilor Parrow shared that he will be a Great Grandfather

Councilor Hult shared that she works in St. Helens and would be willing to become the CCET City Liason and attend the meetings. Council gave Consensus and thanked Councilor Hult for volunteering to attend these meeting.

Councilor Seager shared that he along with Councilor Hult attended the Essentials for Elected Officials Training and it was very informative. One of the interesting topics was that Council meetings not go longer than 9:30 pm. He suggested that Council work toward this goal.

Councilor Hult shared that the training was very informative and that this was a new Resource and they will be working on having more time allotted for questions.

Councilor Tierney would like to see the City become a member of the Heals City. She thought the presentation at the City/County dinner was very informative and is a great resource.

14. Recess to Executive Session as per ORS 196.660(2)

*The City Council will now meet in Executive Session for the purpose of
(h) Legal Counsel*

City Attorney, Ruben Cleaveland was present via phone conversation

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

*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.

**Council may choose to allow other specified persons to attend.*

"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."

Council took a five minute break before recessing to Executive Session

15. Return to Open Session for Final Action

Council reported that a meeting will be planned with the Ridge Riders to discuss the suit that is before them. The City Recorder was directed to set the meeting up between the 26th and 30th of January.

Council continued in open session with Attorney Cleaveland to ask about the VCLC lease between the City and Senior Board. Jim Tierney was present for the discussion and questions the Seniors had about the lease that was presented earlier in the Council meeting.

1.3 The Seniors would like to be able to renegotiate the lease for 3 years Remove the word "extend"

Mayor Mitchell suggested that six months prior to the end of the third year they look at the lease for extension or renegotiation.

3.1 Sub Lease

The Friends of the Library "will" sublease a portion

3.2 Permitted Use

The Seniors would like to be able to have meals, brought in, which is a provision of Social Services and events.

4.0 Improvements

There was a question if the Seniors wanted to put up a portable temporary framing wall and use volunteers to build this wall to serve as a cubical for clothing storage.

4.2 Property Maintenance Inspections

CAT was going to be asked to provide a PMI for the building on a semiannual basis to give a snap shot of what the roof, siding etc. will need or will need to be maintained. The Seniors will provide this information to the City.

Ruben agreed to take the information that was discussed and incorporate into the lease and send a copy to GianPaolo, City Administrator and Jim Tierney for approval.

Councilor Seager moved, "To approve the lease with the additions and corrections noted by the City Attorney and to approve the City Administrator to sign the lease upon approval of changes." Councilor Parrow seconded the motion. Motion carried.

Adjournment: City Council adjourned the January 20, 2015 meeting at 10:55 pm

Signed this _____ day of _____, 2015

Josette M Mitchell, Mayor

Attest: _____
Joann M Glass, City Recorder



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CITY COUNCIL JANUARY 23, 2015 **MINUTES**
SPECIAL MEETING – 6:00 PM
City Hall, 1001 Bridge Street, Vernonia OR 97064

Councilors Present: Mayor, Josette Mitchell; Councilors: Jill Hult, Mike Seager, Kim Tierney. Randy Parrow was absent

Staff Present: GianPaolo Mammone, City Administrator; Joann Glass, City Recorder

1. **Open Special Meeting:** Mayor Mitchell opened the special City Council Meeting at 6:00 pm

2. **Agenda Additions:**

Councilor Tierney moved, “To accept the agenda as presented for the City Council Special Meeting.” Councilor Seager seconded the motion. Motion carried.

3. **New Business**
 - A. Review Lease between City and Seniors

Council reviewed the Retail Lease Agreement between the City of Vernonia and the Vernonia Senior Center for 939 Bridge Street and found that all changes, clarifications, corrections and concerns were addressed as requested.
 - B. Adopt Resolution 02-15 Resolution to Authorize Lease Agreement between City of Vernonia and the Vernonia Senior Center

Councilor Tierney moved, “To adopt Resolution No. 02-15 A Resolution to Authorize Lease Agreement between City of Vernonia and the Vernonia Senior Center.” Councilor Seager seconded the motion. Motion carried.
 - C. Motion – Authorize City Administrator to sign Lease Agreement

Councilor Seager moved, “To authorize the City Administrator to sign the Lease Agreement between City of Vernonia and the Vernonia Senior Center” Councilor Tierney seconded the motion. Motion carried.

Both parties signed the agreement at this meeting.
 - D. Consensus on direction Council expects for Special Onsite Inspector for WWTP

Mayor Mitchell explained that there were three options:
No. 1 Full RFP by the City and then conduct interviews and hire
No. 2. Tetra Tech hire within
No. 3 Tetra Tech contract a sub-contractor

Councilor Tierney questioned the cost
Mayor Mitchell said the cost is part of the contract and that all pay requests will be given out by USDA

Council Consensus was to choose option No. 3 for Tetra Tech to contract a sub-contractor for the Special Onsite Inspector

Council directed City Administrator to let the Public Works Committee know to attend meetings by invitation only that are held by Tetra Tech and the Inspector.

Gian Paolo reminded Council that Committees are advisory and they do not direct and suggested that Councilor Liaison Mike Seager relay to the Public Works Committee their role during the WWTP project.

Councilor Tierney requested that a work session be held to review the Council Meeting Rules and Regulations and to also review the Committee Ordinance for possible changes on the number of committees a volunteer may be able to serve on.

Council decided to have a work session February 9th at 6:30 pm .

Adjournment: City Council adjourned the Special Meeting at 6:27 pm

CITY OF VERNONIA
CITY COUNCIL AGENDA ITEM

FEBRUARY 02, 2015

From: GianPaolo Mammone, City Administrator
To: Mayor and City Council
Re: Release of School District funds held in escrow for construction of New Spencer Park

Agenda Item Summary:

Release of School District funds held in escrow for construction of New Spencer Park
(Escrow No. 73811005250B)

Background:

On July 14, 2011 the City of Vernonia, Vernonia School District 47J and Columbia County were directed to close escrow and hold the sum of \$1,000,000.00 representing estimated funds for Spencer Park Project Ticor Title Company Holder. On February 27, 2012 \$495,472.00 were released to Vernonia School District 47J, leaving an outstanding balance of \$504,128.00 still in hold.

Since then the outstanding balance of the Escrow Fund has been gaining interest, therefore the actual outstanding balance may be slightly different than the original \$504,128.00 (the actual number will be available at closing time.

An IGA between the City of Vernonia and the Vernonia School District 47J “Regarding the demolition of School Buildings and replacement park construction processes”, dated March, 20, 2012 listed parameters that needed to be met in order to consider the replacement and construction of all elements at New Spencer Park Phase 1 completed.

On January 20, 2015 the Vernonia City Council approved the newly drafted IGA between the City of Vernonia and Vernonia School District 47J. The contract was signed by the City Administrator and the School Superintendent.

A letter authorizing release of the outstanding balance of the escrow fund should be sent to Ticor Title Company. The School District and the County Commissioners Office will do the same.

Recommendation:

The City Administrator will be writing a letter to Ticor Title Company to release the outstanding balance of the escrow fund (Escrow No. 73811005250B) to the Vernonia School District 47J, and to close the account. The City Administrator is asking for Council authorization to sign the above described letter.

CITY OF VERNONIA
CITY COUNCIL AGENDA ITEM

FEBRUARY 02, 2015

From: Ben Fousek, GIS Consultant
Through: GianPaolo Mammone, City Administrator
To: Mayor and City Council
Re: Water Service Size and Rate Correction

Agenda Item Summary:

Water Service and Billing Project Update

Background:

In the Spring of 2014, City Council and Public Works Committee made the decision to switch water billing systems, and complete an inventory of all water services to meet the following goals:

1. Replace the old proprietary billing system with a more robust system.
COMPLETE – The switch to the new system occurred in April 2014. The initial switch over was not as smooth as expected due to the quality of data which was extracted from the old system. There was also a learning curve for staff using the new billing system, which was expected. Staff is now comfortable with the billing system and using it features. The result has been more efficient operations in billing and serving rate payers, as well as beginning to create the framework by which the staff can produce reports and extract the information required for understanding revenue, setting rates and making better decisions about the future.
2. Standardize billing and apply rates equally to accounts.
NEARING COMPLETION – Many factors led to the inconsistencies billing. The main source of the problem was the old billing system. In particular, the inability to generate useful reports or extract data in a useful form for analysis to identify problems with accounts, billing, etc., created an environment for more issues to arise. Other issues included lack of oversight and staff support. As a result of this project, expectations have been set, policies/ordinances of the City have been enforced, and staff has been provided with the necessary support environment to fix issues associated with billing.
3. Map locations and collect information for all water services.
COMPETE – Every single water service has been mapped, and associated water service and meter information has been collected. The process was quite an undertaking, and couldn't not have been completed without project development by the Public Works Committee (specifically Dale Webb), and public works staff.
4. Input and standardize information in the billing system.
NEARING COMPLETION – Only a few water services and associated meter data remain to be verified and missing data input in the billing system. This step in the project is the most important in terms billing operations and generating accurate information for decision making. As we are all aware, mistakes have been made in setting rates and making related decisions. Ginger Westlake, Josette Mitchell and I have worked hard as a team verify information, input data, standardize, and fix inconsistencies in the billing system.
5. Utilize collected water service information to assist City decision makers in setting accurate water and sewer rates.

IN PROGRESS – As members of the Public Works working group on rates, Josette Mitchell and I will be generating a report with the information requested to produce an accurate rate study.

6. Provide analysis of water service data to plan for future rate increases, budgeting and future capital improvements.

UPCOMING – This step is an extension of Goal 5 above. More questions will arise and be answered in this step. As an example, analysis of water meter age will be looked at in this step.

Water Service Statistics

The City has 1003 potential billable water services. Of these 867 are currently active. See attached maps for distribution of meters by status and type.

Water Meter Size and Rate Correction

As part of this project staff has identified accounts that were being billed for the wrong meter size. Accounts with incorrect meter size/rate have yet to be corrected pending a decision by City Council on policy to correct these errors. Please note that until this matter is resolved further analysis to generate data and information requested by Public Works Committee for the rate study cannot be fully completed.

Why are these meters/rates incorrect:

1. The meter size/rate was entered into the old billing system incorrectly.
2. In the past staff took it upon themselves to alter meter size/rate inappropriately.

What are the City Council's options for correcting the mistakes:

1. Pick a past date to refund or recoup revenue from these accounts.
2. Pick a past date to refund overcharged accounts and do not recoup revenue from undercharged accounts.
3. Do not refund or recoup revenue.

Please note that calculating the exact amount over/undercharged from any one point in time may require significant staff time due to recalculation of usage based on a particular meter size. The estimates listed in Attachment 1 are, just that estimates, based mostly on non-usage rates such as loan payments.

Attachments:

1. List of accounts that need meter size and rate correction.
2. Map of active/inactive water services as of January 28th.
3. Map of water services by type, e.g. residential, commercial, etc.

Recommendation:

Staff recommends that City Council discuss the issue and choose one of the options above so that staff can contact the affected customers explaining the error, correct the meter size/rate in the billing system, and continue with the analysis portion of the water service project.

Vernonia has a total of 1040 water service connections. The City has 37 no-charge water services; most of which are flood buyout properties. The remaining 1003 represent the potential billable water services. As of January 28th, there are 867 active water services and 136 inactive water services.

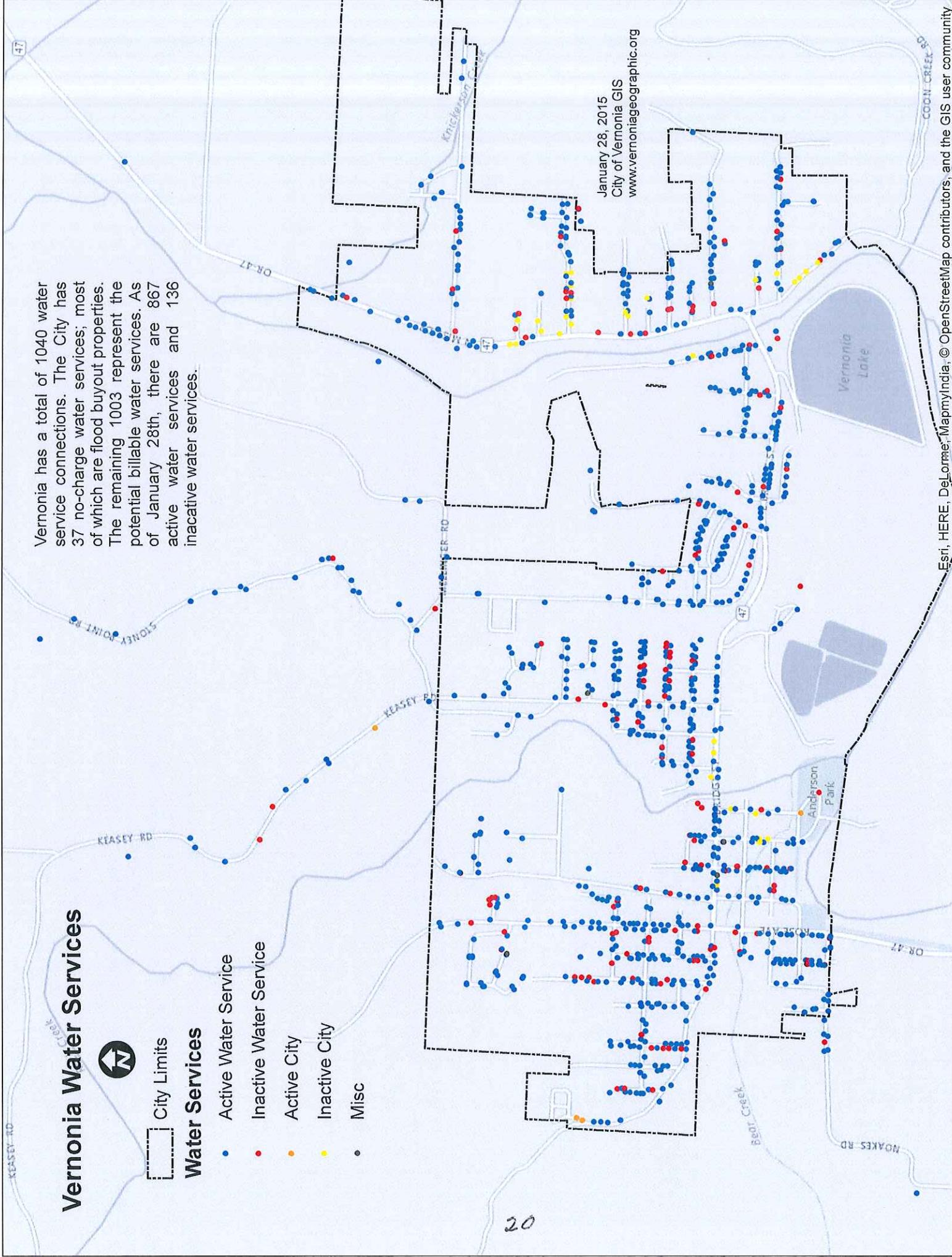
Vernonia Water Services



City Limits

Water Services

- Active Water Service
- Inactive Water Service
- Active City
- Inactive City
- Misc



January 28, 2015
 City of Vernonia GIS
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Vernonia Water Services

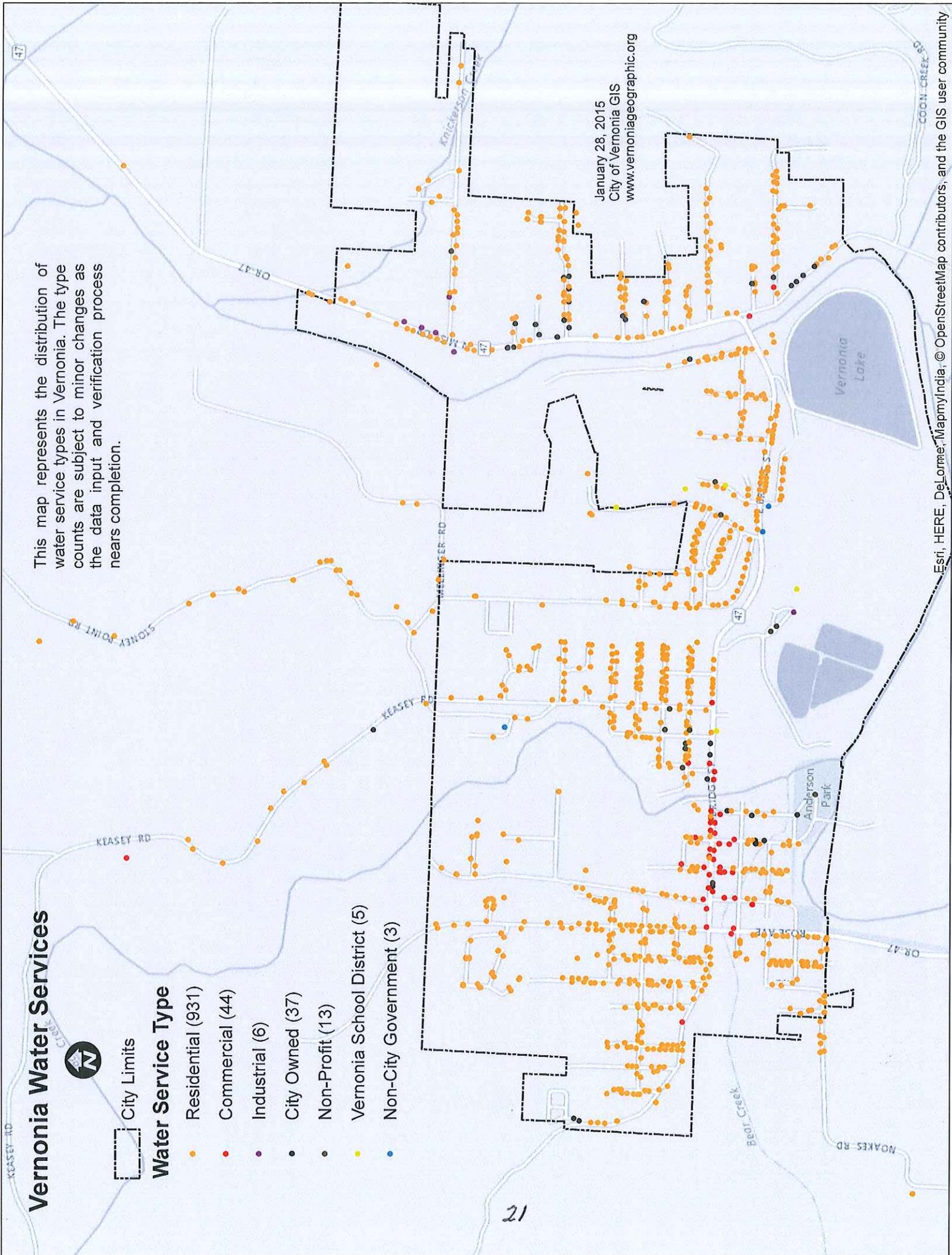


City Limits

Water Service Type

- Residential (931)
- Commercial (44)
- Industrial (6)
- City Owned (37)
- Non-Profit (13)
- Vernonia School District (5)
- Non-City Government (3)

This map represents the distribution of water service types in Vernonia. The type counts are subject to minor changes as the data input and verification process nears completion.



January 28, 2015
City of Vernonia GIS
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MEMORANDUM
INFORMATION ONLY
Vernonia Police Department

January 28, 2015

Exhaust Brakes: The use of exhaust brakes except when used for an emergency stop or to slow to avoid a collision.

Regulating exhaust brakes ordinances has been preempted by Federal Law and is no force or effect. Congress passed 40 USC § 14501, known as the Federal Aviation Administration Authorization Act, to deregulate the motor carrier industry. Central to this legislation was the preemption of most local and state regulation regarding motor carriers. An exception to this law allows states to enact reasonable regulations related to safety regulations for motor carriers, size and weight of the vehicle, liability insurance and hazardous cargo. While the exemptions allow some regulation by the state, they are not broad enough to allow local municipalities, such as the county to regulate motor carriers.



CITY OF VERNONIA CITY COUNCIL AGENDA ITEM SUMMARY

Discussion and Motion – Ordinance 900 An Ordinance Amending Ordinance 745 Controlling Vehicular and Pedestrian Traffic; Providing Penalties

Meeting Date: Feb. 2, 2015
Department: Administration
www.vernonia-or.gov

Agenda Section: Ordinance/Resolutions
Staff: City Recorder/Chief of Police
Contact Telephone: 503-429-5291

ISSUE STATEMENT AND SUMMARY An amendment needs to clarify the boundaries for bicycles roller skates, skateboards, sleds, etc. due to safety issues and enforcement of Walk your Wheels signs on the downtown zone sidewalks.

BACKGROUND

A. Council Action History.

Vernonia City Council deemed it necessary to amend certain sections of Ordinance 745, An Ordinance Controlling Vehicular and Pedestrian Traffic, on June 2, 2001 Section 11 and Section 27.

B. Analysis and Policy Issues

Section 27. [Bicycles, Roller Skates, Skateboards, Sleds, etc.]

1. No person shall ride, operate or use roller skates, roller blades, skateboards, scooters, skis, toboggans, sleds, or similar devices on a street or sidewalk adjacent to Bridge Street between Weed Avenue and ~~California Street~~; ~~on any street or sidewalk adjacent to Madison Avenue between Bridge Street and Maple Street~~; ~~or on any street or sidewalk adjacent to Jefferson Avenue between Bridge Street and Maple Street~~ Adams Avenue; including Madison Avenue, Jefferson Avenue, Adams Avenue, Shady Lane and Maple Street.
2. No person shall ride, operate or use a bicycle on any sidewalk adjacent to Bridge Street between Weed Avenue and Adams Avenue; including Madison Avenue, Jefferson Avenue, Adams Avenue, Shady Lane and Maple Street. For purposes of this Section; walking with a bicycle shall not be considered riding, operation or use.
2. 3. No person shall ride, operate or use skis, toboggans, sleds or similar devices on any street, except as authorized, or except to cross at a crosswalk.
3. 4. A person riding, operating or using a bicycle, skateboard, scooter, roller skates, roller blades or similar devices on any other sidewalk shall yield the right-of-way to pedestrians, and shall slow down and give audible signals before overtaking and passing pedestrians. Courtesy and caution shall be used at all times when riding any of the above-described devices on any other sidewalk.
5. It is prohibited for a person riding, operating or using a bicycle, skateboard, scooter, roller skates, roller blades or similar devices to use public curbs, steps, or railings as a jump or apparatus for maneuvers. Any person who damages public or private property as a result of any violation of this section may be held responsible for the cost of repair. (Amended by Ordinance 764 July 2, 2001).

Section 2. Section 31 of Ordinance 745 is amended to read as follows:

Section 31. [Bicycle Operating Rules] In addition to observing all other applicable provisions of this ordinance and state law pertaining to bicycles, a person shall:

1. Not leave a bicycle, except in a bicycle rack. If no rack is provided, the person shall leave the bicycle so as not to obstruct any roadway, sidewalk, driveway or building entrance. A person shall not leave a bicycle in violation of motor vehicle parking provisions.
2. Not ride, operate or use a bicycle on a sidewalk adjacent to Bridge Street between Rose Avenue and Adams Avenue; including Madison Avenue, Jefferson Avenue, Adams Avenue, Shady Lane and Maple Street ~~California Street; on any sidewalk adjacent to Madison Avenue between Bridge Street and Maple Street; or on any sidewalk adjacent to Jefferson Avenue between Bridge Street and Maple Street.~~ For purposes of this Section; walking with a bicycle shall not be considered riding, operation or use.
3. ~~A person riding, operating or using a bicycle on any other sidewalk shall yield the right of way to pedestrians and shall slow down and give audible signals before overtaking and passing pedestrians. Courtesy and caution shall be used at all times when riding a bicycle on a sidewalk.~~

C. Timing. For the safety of pedestrians

STAFF RECOMMENDATION

Staff recommends that Council approve the amendment to Ordinance No. 745

SUGGESTED MOTION AFTER PUBLIC COMMENTS: City Council moves that we adopt Ordinance 900 an Ordinance amending Ordinance 745 Section 27 Bicycles, Roller Skates, Skateboards, Sleds, etc. and Section 31 Bicycle Operating Rules.

ATTACHMENTS

Ordinance 745

ORDINANCE NO. _____

An Ordinance amending Ordinance 745 Controlling Vehicular and Pedestrian Traffic; Providing Penalties

WHEREAS, the Vernonia City Council deems it necessary to amend certain sections of Ordinance 745, An Ordinance Controlling Vehicular and Pedestrian Traffic; Providing Penalties, adopted May 16, 2000.

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

Ordinance 745 is amended as follows [additions in underline and deletions in ~~strikeout~~]:

Section 1. Section 27 of Ordinance 745 is amended to read as follows:

Section 27. [Bicycles, Roller Skates, Skateboards, Sleds, etc.]

1. No person shall ride, operate or use roller skates, roller blades, skateboards, scooters, skis, toboggans, sleds, or similar devices on a street or sidewalk adjacent to Bridge Street between Weed Avenue and ~~California Street~~; on any street or sidewalk adjacent to Madison Avenue between Bridge Street and Maple Street; or on any street or sidewalk adjacent to Jefferson Avenue between Bridge Street and Maple Street Adams Avenue; including Madison Avenue, Jefferson Avenue, Adams Avenue, Shady Lane and Maple Street.
2. No person shall ride, operate or use a bicycle on any sidewalk adjacent to Bridge Street between Weed Avenue and Adams Avenue; including Madison Avenue, Jefferson Avenue, Adams Avenue, Shady Lane and Maple Street. For purposes of this Section; walking with a bicycle shall not be considered riding, operation or use.
- ~~2.~~ 3. No person shall ride, operate or use skis, toboggans, sleds or similar devices on any street, except as authorized, or except to cross at a crosswalk.
- ~~3.~~ 4. A person riding, operating or using a bicycle, skateboard, scooter, roller skates, roller blades or similar devices on any other sidewalk shall yield the right-of-way to pedestrians, and shall slow down and give audible signals before overtaking and passing pedestrians. Courtesy and caution shall be used at all times when riding any of the above-described devices on any other sidewalk.
5. It is prohibited for a person riding, operating or using a bicycle, skateboard, scooter, roller skates, roller blades or similar devices to use public curbs, steps, or railings as a jump or apparatus for maneuvers. Any person who damages public or private property as a result of any violation of this section may be held responsible for the cost of repair. (Amended by Ordinance 764 July 2, 2001).

Section 2. Section 31 of Ordinance 745 is amended to read as follows:

Section 31. [Bicycle Operating Rules] In addition to observing all other applicable provisions of this ordinance and state law pertaining to bicycles, a person shall:

1. Not leave a bicycle, except in a bicycle rack. If no rack is provided, the person shall leave the bicycle so as not to obstruct any roadway, sidewalk, driveway or building entrance. A person shall not leave a bicycle in violation of motor vehicle parking provisions.
2. Not ride, operate or use a bicycle on a sidewalk adjacent to Bridge Street between Rose Avenue and Adams Avenue; including Madison Avenue, Jefferson Avenue, Adams Avenue, Shady Lane and Maple Street ~~California Street; on any sidewalk adjacent to Madison Avenue between Bridge Street and Maple Street; or on any sidewalk adjacent to Jefferson Avenue between Bridge Street and Maple Street.~~ For purposes of this Section; walking with a bicycle shall not be considered riding, operation or use.
3. ~~A person riding, operating or using a bicycle on any other sidewalk shall yield the right of way to pedestrians and shall slow down and give audible signals before overtaking and passing pedestrians. Courtesy and caution shall be used at all times when riding a bicycle on a sidewalk.~~

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 (30th) day after its adoption and authentication.

Section 3. 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 by title only for the first time this _____ day of January, 2015 by the following vote:
 Ayes: _____ Nays: _____ Abstain: _____ Absent: _____

Read by title only for the second time and passed this _____ day of January 2015 by the following vote:
 Ayes: _____ Nays: _____ Abstain: _____ Absent: _____

Signed by me, Josette M Mitchell, Mayor in authentication of its adoption this _____ day of January, 2015

 Josette M. Mitchell, Mayor

Attest: _____
 Joann M Glass, City Recorder

AN ORDINANCE OF THE CITY OF VERNONIA AMENDING TITLE 9
SECTION 9-05 FLOOD HAZARD REDUCTION

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 9 Land Use and Development regulations was adopted June 15, 2009

WHEREAS, the City meet with the Natural Hazards Program Specialist to discuss the City's participation in the National Flood Insurance Program (NFIP), called a Community Assistance Visit (CAV),

WHEREAS, the CAV visit found some deficiencies in Title 9-05 Flood Hazard Reduction for permitting floodplain development,

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

Section 1: the City does hereby adopt the amendments to Title 9 Section 9-05 Flood Hazard Reduction according to the text attached Exhibit A, and;

Section 2: the City does hereby amend Title 9 Section 9-05 Flood Hazard Reduction 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 _____ day of February, 2015 by the following vote:

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

Adopted as read for a second time on this _____ day of February 2015 by the following vote:

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

Signed by me, Josette M. Mitchell, mayor, in authentication of its adoption this _____ day of February 2015.

Josette M. Mitchell, Mayor

Attest: _____
Joann M Glass, City Recorder

9-05.01-40 [Lands to Which This Chapter Applies]

This chapter shall apply to all areas of special flood hazards within the jurisdiction of the City of Vernonia.

9-05.01-50 [Basis for Establishing the Areas of Special Flood Hazard]

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific an engineering report entitled "The Flood Insurance Study for Columbia County, Oregon and Incorporated Areas" dated November 26, 2010, with accompanying Flood Insurance Rate Maps (FIRMs) is hereby adopted by reference declared to be a part of this chapter-ordinance. The Flood Insurance Study is on file at Vernonia City Hall, 1001 Bridge Street, Vernonia, OR 97064. **The best available information for flood hazard area identification as outlined in Section 4-3.2 shall be the basis for regulation until a new FIRM is issued which incorporates the data utilized under Section 4.3.2.**

9-05.01-60 [Severability]

If any section, clause, sentence, or phrase of the ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

9-05.02 [Administrative Provisions] [Development Permit Required]

9-05.02-10 [Establishment of Development Permit]

A. Flood Plain Development Permit Required. A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 3.2. The permit shall be for all structures including manufactured homes, as set forth in the "DEFINITIONS", and for all development including fill and other activities, also set forth in the "DEFINITIONS". Except for floodway restrictions described in Section 9-05.03-30 a Flood Plain development permit shall be obtained in accordance with the Type I permit provisions before construction or development begins within any area of special flood hazard established in Section 9-05.01-50. Any development or change in land use in the floodplain, including but not limited to new or modified structures; stairways; porches; decks; fences; walls; excavation; filling; paving drilling or drilling of piles; mining; dredging; land clearing or landscaping; or permanent storage of materials and/or equipment requires a Flood Plain Development Permit.

B. Application for Flood Plain Development Permit. An application for a Flood Plain

Development Permit shall be made on forms furnished by the City of Vernonia and may include but not be limited to plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

1. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;

2. Elevation in relation to mean sea level to which any structure has been flood proofed;
3. Certification by a registered professional engineer or architect that the flood proofing methods for any nonresidential structure meet the flood proofing criteria in Section 5.2.2; and
4. Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.
5. Location of all proposed fences, walls, stairways and plantings.

9-05.02-20 [Designation of the Planning Commission or Administrative Staff]

The Planning Commission or Administrative City Staff are hereby appointed to administer and implement this chapter by granting or denying development permit application in accordance with the provisions herein.

9-05.02-30 [Duties and Responsibilities of the Planning Commission]

Duties of the Planning Commission or City Staff shall include, but not be limited to:

A. Permit Review

1. Review all development permits to determine that the permit requirements of this chapter have been satisfied;
2. Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required;
3. Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of Subsection 9-05.03-30.A are met;

B. Use of Other Base Flood Data. When base flood elevation data has not been provided (A and V Zones) in accordance with ~~Section 9-05.01-50~~ **Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD**, the Planning Commission shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer **Section 5.2, Specific Standards and 9-05.03-30 5.4 [Floodways]**; to ~~administer Sections 9-05.03-20;~~

C. Substantial Damage Determination Process. The cost of improvements or repair shall be determined in accordance with the following guidelines:

1. Except as indicated in subsections (4) and (5) below, all costs associated with the repair of "substantial damage," including emergency repairs, must be included.
2. The costs associated with the correction of pre-existing violations of state or local health, sanitary, or safety code specifications that have been identified in writing prior to the improvement of repair by the building official, the director of environmental health, or any other

local code enforcement official and that are the minimum necessary to assure safe living conditions, should not be included.

3. Except as indicated in subsections (4) and (5) below, the costs of complying with any county, state, or federal regulation other than those costs described in subsection (2) must be included.

4. Costs associated with the following items are not to be included:

- a. The preparation and approval of all required plans, calculations, certifications, and specifications;
- b. The performance of surveys or other geotechnical or engineering studies and the resulting reports;
- c. Permit and review fees assessed by the city or others;
- d. The construction, demolition, repair, or modification of outside improvements, including landscaping, fences, swimming pools, detached garages, etc.

5. Proposed alteration of a designated historic building or structure is not to be considered a substantial improvement, unless the alteration causes a loss of the said designation.

The building official or city's designee shall make the final determination of whether the proposed building's or structure's improvement constitutes a "substantial improvement" or "substantial damage" to the subject building or structure.

D. Information to be Obtained and Maintained

- 1. When base flood elevation data has not been provided (**A and V Zones**) in accordance with ~~Section 9-05.01-50~~ **Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD**, the Planning Commission shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, **in order to administer Section 5.2, Specific Standards and 9-05.03-30 5.4 [Floodways]; to administer Sections 9-05.03-20;**
- 2. For all new or substantially improved floodproofed structures **where elevation data is provided through the Flood Insurance study, FIRM, or as required in Section 4.3-2:**
 - a. **Verify Obtain** and record the actual elevation (in relation to mean sea level) **to which the structure was floodproofed**, and
 - b. Maintain the floodproofing certifications required **by this chapter in Section 4.1-2(3).**
- 3. Maintain for public inspection all records pertaining to the provision of this chapter **ordinance.**

E. Alteration of Water Course

- 1. Notify adjacent communities **State Department of Land Conservation and Development** ~~and any required state agency~~ prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

2. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

F. Interpretation of **FIRM Flood Plain Management** Boundaries. Make interpretations where needed, as to exact location of the ~~Flood Plain Management area~~ **boundaries of the areas of special flood hazards** (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation to the ~~Planning Commission or the City's designee.~~ Such appeals shall be granted consistent with the standards of section 60-6 or the Rules and Regulations of the National Flood Insurance Program (44 DFT 59-76 as provided in Section 4.4.

9-05.03 [Flood Hazard Reduction Provisions]

9-05.03-10 [General Standards]

In all **floodplain management** areas of special flood hazards, the following standards are required:

A. Anchoring.

1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or **and** lateral movement of the structure;
2. All manufactured homes must likewise be anchored to prevent flotation, collapse, or lateral move All manufactured homes must likewise be anchored to ~~prevent~~ resist flotation, collapse, or and lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, the use of over-the-top or frame ties to ground anchors (See FEMA's FEMA-85 "Protecting Manufactured Homes from Floods and Other Hazards" guidebook for additional techniques). Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques)

B. Construction Materials and Methods.

1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage;
3. Electrical, heating, ventilation, plumbing, and air-conditioning equipment and service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
4. Consideration will be given to new technologies only after being reviewed and adopted by FEMA.

C. Utilities.

1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems;
2. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and
3. Onsite waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

D. Subdivision Proposals.

1. All subdivision proposals shall be consistent with the need to minimize flood damage;
2. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize **or eliminate** flood damage;
3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and

4. Where Design Flood Elevation base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least fifty (50) lots or five (5) acres (whichever is less).

E. Review of Building Permits. Where elevation data is not available either through flood insurance studies the Flood Insurance Study, FIRM, or from another authoritative source (Subsection 9-05.02-30.B), (Section 4.3-2), applications for floodplain development and building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs or past flooding, etc., where available. Failure to elevate at least three (3) feet above the highest adjacent grade in these zones may result in higher insurance rates. and/or refusal of the city to grant a permit.

F. Crawlspace Construction. Below-grade crawlspaces are allowed subject to the following standards as found in FEMA Technical Bulletin 11-01, Crawlspace Construction for Buildings Located in Special Flood Hazard Areas:

1. The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Hydrostatic loads and the effects of buoyancy can usually be addressed through the required openings stated in Section B below. Because of hydrodynamic loads, crawlspace construction is not allowed in areas with flood velocities greater than five (5) feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer. Other types of foundations are recommended for these areas.
2. The crawlspace is an enclosed area below Design Flood Elevation and, as such, must have openings that equalize hydrostatic pressures by allowing the automatic entry and exit of floodwaters. The bottom of each flood vent opening can be no more than one (1) foot above the lowest adjacent exterior grade.
3. Portions of the building below the Design Flood Elevation must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawlspace used to elevate the building, but also any joists, insulation, or other materials that extend below the Design Flood Elevation. The recommended construction practice is to elevate the bottom of joists and all insulation above Design Flood Elevation.
4. Any building utility systems within the crawlspace must be elevated above Design Flood Elevation or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions. Ductwork, in particular, must either be placed above the Design Flood Elevation or sealed from floodwaters.

Commented [VHS1]: Stated in 9-05.03-20 (A)(2)

5. The interior grade of a crawlspace below the Design Flood Elevation must not be more than two (2) feet below the lowest adjacent exterior grade.
6. The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall must not exceed four (4) feet at any point. The height limitation is the maximum allowable unsupported wall height according to the engineering analyses and building code requirements for flood hazard areas.
7. There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event. The type of drainage system will vary because of the site gradient and other drainage characteristics, such as soil types. Possible options include natural drainage through porous, well-drained soils and drainage systems such as perforated pipes, drainage tiles or gravel or crushed stone drainage by gravity or mechanical means.
8. The velocity of floodwaters at the site should not exceed five (5) feet per second for any crawlspace. For velocities in excess of five (5) feet per second, other foundation types should be used.

For more detailed information refer to FEMA Technical Bulletin 11-01.

9-05.03-20 [Specific Standards]

In all areas of special flood hazards where the ~~Design Flood Elevation~~ **base flood elevation** data has been provided (**AH and AE on the communities FIRM**) as set forth in **Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD**, or **Section 4.3-2, Use of Other Base Flood Data (In A and V Zones)**, ~~9-05.01-50 [Basis for Establishing the Areas of Special Flood Hazard] or Subsection 9-05.02-30.B Use of Other Base Flood Data~~, the following provisions are required.

A. Residential Construction.

1. ~~Except for floodway restrictions described in Section 9-05.03-30, New construction and substantial improvement, as defined in 9-05.01-30, of any residential structure shall have the lowest floor, including basement, elevated to one (1) foot or more above the base flood elevation, a minimum of three (3) feet above the Design Flood Elevation or one (1) foot above the Flood of Record.~~ **New construction and substantial improvement, as defined in 9-05.01-30, of any residential structure shall have the lowest floor, including basement, elevated to one (1) foot or more above the base flood elevation.**
2. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:
 - a. A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided;
 - b. The bottom of all openings shall be no higher than one (1) foot above grade;

Commented [VHS2]: Is there a definitions section somewhere that has the definition of substantial improvement as improvement that equals or exceeds 50% in market value of some higher standard?

- c. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters;
- d. Flood vents are required in a garage if the garage is below the Design Flood Elevation.

B. Nonresidential Construction. ~~Except for floodway restrictions described in Section 9-05.03-30,~~ New construction and substantial improvement, as defined in ~~9-05.01-30,~~ of any commercial, industrial or other nonresidential structure which has been damaged by flooding shall either have the lowest floor, including basement, elevated to **or above the level of the base flood elevation; or together with attendant utility and sanitary facilities, shall: a minimum of three (3) feet above Design Flood Elevation, but no less than one (1) foot above the Flood of Record.**

- 1. be floodproofed so that below the Design Flood Elevation **base flood level** the structure is watertight with walls substantially impermeable to the passage of water;
- 2. have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
- 3. be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in ~~Paragraph 9-05.02-30.C.2; Section 4.3-3(2).~~
- 4. Nonresidential structures that are elevated but not flood proofed, must meet the same standards for space below the lowest floor as described in ~~9-05.03-20.A.2 5.21(2).~~
- 5. Applicants flood proofing nonresidential buildings shall be notified that flood insurance premiums will be based upon rates that are one (1) foot below the flood proofed level (e.g., a building constructed to the Design Flood Elevation will be rated as one (1) foot below that level);

C. Manufactured Homes. ~~Except for floodway restrictions described in Section 9-05.03-30,~~ all manufactured homes to be placed or substantially improved, as defined in ~~9-05.01-30,~~ due to flood damage, and located within Zones A1-30, AH, and AE shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is a minimum of three (3) feet above the Design Flood Elevation, but no less than one (1) foot above the Flood of Record. The manufactured home shall be anchored to an adequately anchored foundation system in accordance with the provisions of ~~Subsection 9-05.03-10.A.2.~~

- 1. All manufactured homes to be placed or substantially improved on sites shall be elevated on a permanent foundation so the bottom of the longitudinal chassis frame shall be at or above the Base flood Elevation.
- 2. The manufactured home shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- 3. Electrical crossover connections shall be a minimum of 12 inches above the Base Flood Elevation.
- 4. Crossover ducts may be installed below BFE, but must be constructed to prevent floodwaters from entering or accumulating within system components. This may require an engineers certification.

D. Recreational Vehicles.

Recreational vehicles placed on sites are required to either:

- a. Be on the site for fewer than 180 consecutive days,
- b. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
- c. Meet the requirements ~~Section C. above of 5.2-3-above~~ and the elevation and anchoring requirements for manufactured homes.

- E. **Base Flood Elevations with no Floodways.** In areas where a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within a special flood hazard area, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

9-05.03-30 [Before Regulatory Floodway]

In areas where a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

9-05.03-31 [Floodways]

Located within the Flood Plain Management Area are areas designated as floodways. Since the floodway is an entirely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potentials, the following provisions apply:

- 1. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge.
- 2. If section (1) above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 5.0, PROVISIONS FOR FLOOD HAZARD REDUCTION

- A. ~~Special flood hazard areas with designated floodways. In addition to those NFIP requirements for designated floodways, Vernonia shall restrict land uses within such areas to include the prohibition of construction or reconstruction of residential structures except for: (a) Repairs, reconstruction, or improvements to a structure which do not alter the original footprint, or proof of a "No Rise Certification" in accordance with FEMA Region~~

~~X. A residential dwelling located partially within a designated floodway will be considered as totally within a designated floodway and must comply with this section.~~

~~B. Special flood hazard areas without designated floodways. When a regulatory floodway for a creek or stream (i.e. Bear Creek) has not been designated, the City may require that applicants for new construction and substantial improvements reasonably utilize the best available information from a federal, state, or other source to consider the cumulative effect of existing, proposed, and anticipated future development and determine that there will be no increase in the water surface elevation of the base flood. Building and development near streams without a designated floodway shall comply with the requirements of Section 44 CFR 60.3 (b) (3) and (4), and (c) (10) of the NFIP regulations revised as of October 1, 2008.~~

9-05.04 [Additional Provisions]

9-05.04-10 [Penalty]

A. A violation of any provision of this chapter shall, upon conviction, be punishable by a fine of not more than five hundred dollars (\$500.00). A violation of this chapter shall be considered a separate offense for each day the violation continues.

B. In case a building or other structure is or is proposed to be located, constructed, maintained, repaired, altered or used, or land is or is proposed to be used, in violation of this ordinance, the building or land thus in violation shall constitute a nuisance and the City may, as an alternative to other remedies that are legally available for enforcing this ordinance, institute injunction, mandamus, abatement or other appropriate proceedings to prevent, enjoin temporarily or permanently, abate or remove the unlawful location, construction, maintenance, repair, alteration or use.

C. **Subject to removal.** A building, sited upon property in violation of this ordinance, shall be subject to removal from such property. However, the building owner must be given a reasonable opportunity to bring the property into compliance before action for removal can be taken. If action finally is taken by the appropriate authority to bring compliance, the expenses involved may be made a lien against the property.

D. Warning and Disclaimer of Liability.

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of Vernonia or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made there under.

9-06-01 [Critical Facility]

9-06-01-10 Construction of new critical facilities shall be, to the extent possible, located outside the limits of the Special Flood Hazard Area (SFHA) (100-year floodplain).

Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available.

Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet above BFE or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be projected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.