

# CityNews...

## Staff Article

### City Council August 6, 2007

#### Appointments to City Committees...

At the City Council Meeting on August 6, 2007 Mayor Sally Harrison made the following appointments to city committees: James Baraibar to the Planning Commission; ordained both the Public Works and Learning Center committees, which had been acting as ad hoc committees, and named Cindy Ball, Carl Holsey, Helen Hudson, George Tice, and Jim Tierney to the Public Works Committee. Kate Laird, Josette Mitchell, and Burt Tschache were appointed to the Learning Center Committee. Mr. Tierney and Ms. Mitchell were named presidents of their respective committees.

#### Sale of Surplus Property...

The Council deliberated the sale of surplus twenty acres near Cedar and Third Avenues. The property has been placed for sale, although council has the right to deny any bid it might receive. During the last public hearing there were no comments for or against the sale, and only one comment in writing received against the sale. Council directed staff to proceed with the sale with another public hearing set for September 4, 2007.

#### Parking Study Meeting...

The Planning Commission will discuss a Parking Plan for downtown at its regular meeting on September 6, 2007. The Planning commission has worked hard to prepare on the study leading to this meeting.

#### Engineering Study Proposed...

City Administration and the Public Works Committee are investigating the possibility of engaging an engineering firm to study city infrastructure needs and all of the city utility funds. City Administrator M.R. "Dick" Kline expressed the need for a comprehensive Master Plan for city utilities, and received permission to contact possible firms to address council and citizens in a public forum.

#### Councilor Shirlee Daughtry Honored...

Mayor Sally Harrison announced she has begun the process to re-dedicate Park Drive as "Shirlee's Way" in honor of Councilwoman Shirlee Daughtry.

### City Council August 20, 2007

#### Ordinances Passed...

At the City Council meeting on August 20 the council passed two ordinances which were described as mainly housekeeping issues. The first brought the city into compliance with FEMA requirements for the sale of flood insurance. The second clarified City procedure regarding citizen initiatives on the official ballot and in the voters' pamphlet. There was also discussion concerning a proposed ordinance that would have allowed area residents within five miles of city boundaries to serve on city committees. It was decided to rewrite the ordinance to include the stipulation that those requesting to serve on city committees from

outside city limits at least be taxpayers of the city, meaning property owners. The council also passed a resolution that would cover city volunteers with workers compensation insurance in the event that they are injured while serving the city.

#### Appointment to City Committee...

Mayor Sally Harrison appointed Roxanna Sherman-Heath to the Learning Center Committee.

#### Conveyance of Public Improvements...

City Administrator Kline discussed the fact that there is no ordinance that directs how improvements made by developers are conveyed to the city. Mr. Kline explained that in most cases when new housing developments are constructed, the developer usually will want to give the improvements they install to the city for maintenance purposes. These improvements include streets, sewers, and storm water systems. There need to be standards in place for development, and a conveyance procedure. He will be working on an ordinance to present in the near future. He also noted that there are current developers who will want to turn over improvements before an ordinance is created.

## Vernonia Planning Commission to Consider Adult Entertainment Ordinance

By Scott Laird

The Vernonia Planning Commission will hold a public hearing at its regularly scheduled meeting on September 20, 2007, to take public comment on a proposed city ordinance that would regulate the time, place, and manner that an Adult Entertainment business could operate in Vernonia.

The Planning Commission believes this type of business might attempt to locate in Vernonia based on predictions of potential area visitors because of the new State Park and increased traffic through the area. "There is the potential for a negative impact by people not socially invested in our community," said Planning Commissioner Heather Lewis. "Anonymity is an attraction for those types of businesses. We can't legally tell this type of business not to come here, but we can regulate how, when, and where they operate, and try to make the impact as minimal as possible."

The ordinance is intended to regulate businesses such as adult arcades or movie theaters, adult retail establishments, or exotic dance studios including bars. The ordinance is not intended to discriminate, nor is it intended to prohibit plays or dramatic presentations, scientific or educational displays or presentations, or dance or other exhibitions which would not normally be considered obscene.

The Planning Commission is asking for public input at the hearing. "We want people to come and speak their minds and express their opinions. What we want people to remember is we can't prohibit these types of businesses. What we can address is the unwanted secondary impacts these businesses can have in a community and our ability to regulate them.

Adult Entertainment establishments have historically led to increases in crime in areas where they are located. "We have done our research

and have data that shows increases in petty theft, vandalism, drug and liquor law abuses, prostitution, and other unwanted behaviors," said Lewis. "As a city, and from a public safety standpoint, it becomes very costly to monitor these types of establishments. The health and safety of the community can be jeopardized. We have put fees in place that help offset those costs, but there are still additional burdens on the community."

"Our job as the Planning Commission is to promote intelligent growth and to uphold the city's mission statement which is to provide a safe, peaceful and economically viable community. The Planning Commission wants to be as forward thinking as possible as a city and wants to be ahead - not behind - when dealing with these types of issues," continued Lewis. "It is very difficult to do this after a business is already here."

No one has applied to operate an Adult Entertainment business in the city of Vernonia, "...although we don't believe it is outside the realm of possibility," said Lewis.

The Commission has spent over a year researching this ordinance. According to Lewis, the State of Oregon Appellate Court has a history of being lenient towards Adult Entertainment businesses and in denying cities rights to regulate businesses of this nature. "Through our research we have constructed an ordinance with a background that can withstand scrutiny at the Ninth District Appeals and Supreme Court Levels. With strong public input we believe this ordinance will stand up if it is ever challenged," said Lewis.

Citizens interested in this ordinance can contact City Hall for more information.