

City of Springfield
Regular Meeting

MINUTES OF THE REGULAR MEETING OF
THE SPRINGFIELD CITY COUNCIL HELD
MONDAY, OCTOBER 18, 2004

The City of Springfield council met in regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon, on Monday, October 18, 2004, at 7:00 p.m., with Mayor Leiken presiding.

ATTENDANCE

Present were Mayor Leiken, Councilors Ballew, Lundberg, Fitch, Ralston and Woodrow. Also present were City Manager Mike Kelly, Assistant City Manager Cynthia Pappas, City Attorney Joe Leahy, City Recorder Amy Sowa and members of the staff.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Leiken.

SPRINGFIELD UPBEAT

CONSENT CALENDAR

IT WAS MOVED BY COUNCILOR FITCH, WITH A SECOND BY COUNCILOR BALLEW, TO ADOPT THE CONSENT CALENDAR. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

1. Claims

- a. Approval of the September 2004, Disbursements for Approval

2. Minutes

- a. September 27, 2004 – Work Session
- b. October 4, 2004 – Work Session
- c. October 4, 2004 – Regular Meeting

3. Resolutions

4. Ordinances

5. Other Routine Matters

- a. Authorize the City Manager to Sign a Contract with Fitch and Associates, LLC for Emergency Medical Services Financial and Operational Study in an Amount not to Exceed \$59,800.00.
- b. Award the Subject Contract to Grant's Landscape Services in the Amount of \$69,751.98 for Project P20276; Jasper Road Extension Landscape Project.

- c. Award the Subject Contract to Staton Companies in the Amount of \$14,163.00 for Removal of Miscellaneous Debris at Residence on Marcola Road.
- d. Endorsement of OLCC Liquor License Application for Naya's Taqueria, formerly Burrito Junior Taqueria, Located at 1835 Pioneer Parkway, Springfield, OR.
- e. Authorize the City Manager to Execute a Contract with Georgia Pacific Corporation to Purchase from the City of Springfield one 1987 Pierce Arrow Fire Pumper in the Amount of \$20,000.

ITEMS REMOVED FROM THE CONSENT CALENDAR

PUBLIC HEARINGS

1. Vacation of a Public Utility Easement Dedicated along the Western Property Line of Tax Lot 5600 as Identified on Assessors Map 17-03-26-24, Journal Number LRP2004-00027, Olson & Morris Watson-Alberts LLC.

ORDINANCE NO. 1 – AN ORDINANCE VACATING A 5' X 140' PUBLIC UTILITY EASEMENT BEGINNING AT THE SOUTHWESTERN CORNER OF TAX LOT 5600 ON ASSESSORS MAP 17-03-26-24 AND RUNNING NORTHERLY 140 FEET, WHICH MARKS THE SOUTHEAST CORNER OF LAND PARTITION PLAT NO. 2001-P1439 SPRINGFIELD, LANE COUNTY, OREGON, CITY JO. NO. LRP2004-00027. (FIRST READING)

Springfield Planner Kitti Gale presented the staff report on this item. The owner is requesting the vacation of a public utility easement and transfer of the property from public to private ownership in order to facilitate the development of Tax Lot 5600 and Tax Lot 5700 through Site Plan DRC2004-00035.

The applicant, on behalf of the owner, is requesting the vacation of a public utility easement that runs along the western property line of Tax Lot 5600. The easement was originally dedicated to facilitate utility access for Tax Lot 5700 directly to the north of Tax Lot 5600. Tax Lot 5700 has never been developed, nor are there any utilities located within the P.U.E. The owner of both tax lots has submitted Site Plan Review Application DRC2004-00035 proposing to develop both tax lots with two commercial buildings. Both tax lots have frontage and access to 'Q' Street; Tax Lot 5700 has access to 'Q' Street via a panhandle driveway abutting the easterly property line of Tax Lot 5600. The owner is requesting the vacation of the easement in order to facilitate the Site Plan proposal. Springfield Utility Board originally required the easement and has no objections to the vacation. Staff also recommends the vacation to facilitate Site Plan DRC2004-00035, which is being processed concurrently. The second reading of this request shall take place November 1, 2004.

Mayor Leiken asked if this was the property next to the BowRack. It was. He called a conflict of interest because he may have a financial stake on this issue and removed himself from the discussion.

Councilor Ballew asked if staff could include more street names on the maps regarding properties to make it more clear where they are located.

Ms. Gale said she would address that issue in future information.

Councilor Fitch opened the public hearing.

No one appeared to speak.

Councilor Fitch closed the public hearing.

NO ACTION REQUESTED. FIRST READING ONLY.

Mayor Leiken rejoined the council.

BUSINESS FROM THE AUDIENCE

CORRESPONDENCE AND PETITIONS

ORDINANCES

1. International Fire Code Adoption, 2003 Edition.

ORDINANCE NO. 6098 – AN ORDINANCE ADOPTING A FIRE CODE FOR THE CITY OF SPRINGFIELD BY ADOPTING, AMENDING, AND ADDING ARTICLES TO THE STATE OF OREGON 2004 FIRE CODE AMENDMENTS REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIAL AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES AS HEREIN PROVIDED; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; AND, EACH AND ALL OF THE REGULATIONS, PROVISIONS, PENALTIES, CONDITIONS IN THE CITY OF SPRINGFIELD, REPEALING ORDINANCE NO. 5901 ADOPTED DECEMBER 7, 1998 OF THE CITY OF SPRINGFIELD, AND DECLARING AN EMERGENCY.

Springfield Fire Marshal Al Gerard presented the staff report for this item. The Department of Fire and Life Safety is currently enforcing the 1997 Edition of the Uniform Fire Code with Amendments. The Fire Code adopted by the city must be consistent with State Fire Protection Statutes, and equal to or more stringent than the Fire Code promulgated by the State Fire Marshal. The State Fire Marshal has adopted the 2003 Edition of the International Fire code with an effective date of October 1, 2004.

The significant change in this adoption is the former Fire Code (Uniform Fire Code) has been replaced by the International Fire Code. The new fire code is a blending of three different national fire codes into one and is the current standard model fire code nationwide.

Adoption of the 2003 Edition of the International Fire Code with Amendments will enable the Department of Fire and Life Safety to continue to provide a high level of fire safety protection within the city.

This is an emergency adoption in that this Ordinance shall take effect immediately upon its adoption and approval by the Mayor so that the City of Springfield Fire Code is compliant with State of Oregon 2004 Fire Code Amendments which became effective October 1, 2004.

Replacement of International Fire Code books will total approximately \$1590. \$1080 was spent out of the FY03-04 budget, with the remaining \$510 budgeted for FY04-05.

Councilor Ballew asked if there were any personnel implications related to this.

Mr. Gerard said there are no other implications other than fire personnel learning this new book.

Councilor Fitch asked if this was a requirement in order to receive grants.

Mr. Gerard said it is not required for grants, but is required to maintain the city's exempt status.

Councilor Ralston asked about permits for open burning requiring permission from the Springfield Fire Marshal. He asked if Lane Regional Air Pollution Authority (LRAPA) also had to give permission.

Mr. Gerard said LRAPA must be consulted. This code requires the property owner to ask the city, if it is an agricultural burn, if it is allowed. The city has regulations in conjunction with LRAPA for these requests. He gave examples of requests for ceremonial bon fires from schools, etc. There is no provision for bon fires in LRAPA's code, although they have been permitting them on an ad hoc basis. LRAPA is amending their code to allow for bon fires under permit through the Fire Marshall's office.

IT WAS MOVED BY COUNILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO ADOPT ORDINANCE NO. 6098. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

BUSINESS FROM THE CITY COUNCIL

1. Business from Council

a. Committee Reports

1. Councilor Fitch said Thursday, October 21 is the official opening of the Lane Transit District (LTD) Downtown Station. In conjunction with the Chamber of Commerce a breakfast meeting will be held from 7:30-8:30am followed by a formal ceremony with Congressman Peter DeFazio as the speaker from 8:30-9:00am.
2. Councilor Ballew went to the Metropolitan Policy Committee (MPC) meeting. In the past, it had been the year of the bridges. It now seems it will be the year of the freight. Oregon Department of Transportation (ODOT) will be coming to council to discuss freight routes and the implications, particularly regarding the McKenzie Highway during a Work Session on November 15.

Councilor Fitch said ODOT will be bringing another issue to MPC regarding doing some of the work and justification on the offramps for the new bridge. It will most

likely be the direction from both Eugene and Springfield that it come back to the MPC first so there is coordination in getting the studies done that are needed in the next eighteen months before they do the formal environmental study.

3. Councilor Woodrow said he attended the annual retreat for McKenzie Watershed Council on Saturday. A new business plan was adopted for McKenzie Shed Alliance which is the non-profit arm of the McKenzie Watershed Council. They will be merging the Watershed Council's handling of the funds from Pacific Cascade to the Watershed Alliance. Councilor Woodrow is on both boards.

Councilor Woodrow reported that he attended a Public Safety Coordinating Council (PSCC) agenda meeting last Thursday. The Chair position will change July 1 rather than January 1.

4. Councilor Ballew said she went to a meeting on Friday sponsored by the City of Eugene and Lane Council of Governments (LCOG). The meeting involved other Metropolitan Planning Organizations (MPO's). They discussed whether or not to organize an association similar to the Mayor's Association or League of Oregon Cities (LOC). She had to leave the meeting early to attend another meeting, so does not know the outcome of the meeting.

Councilor Ballew then attended the LOC's Finance and Tax Committee meeting. There is more of an effort by the HomeBuilder's Association (HBA) at the state level to cap part of the system development charges (SDC's). She said it could be difficult. They also discussed telecommunications. The cities won, more or less, the case with Qwest. There will be more on that, such as the city's effort to go to a utility tax. Springfield is a little ahead of others on that issue.

5. Mayor Leiken discussed the Mayor's Art Show last week. It was a packed house. Our art show has as many entries as Eugene's art show. He suggested going through the Northwest Community Credit Union side to see the displays by the kids. We have a number of very talented youth in this community and he was very impressed. The Emerald Arts Center will be holding its dedication on Friday, October 22. This is a great opportunity.

Mayor Leiken also acknowledged the LTD Station Dedication. He thought that Senator Smith may be in attendance.

b. Other Business

BUSINESS FROM THE CITY MANAGER

City Manager Mike Kelly said he received a letter from Springfield Economic Development Agency (SEDA) Chair Tamalyn Fitch asking council to refer the draft Urban Renewal Plan to the taxing districts affected by the plan. It is an ORS requirement that the City Council transfer this draft plan to the taxing agencies for their review and comment.

IT WAS MOVED BY COUNCILOR BALLEW WITH A SECOND BY COUNCILOR WOODROW TO AUTHORIZE THE MAYOR TO FORWARD THE DRAFT URBAN

RENEAL PLAN OUT TO THE POTENTIALLY AFFECTED TAXING AGENCIES AS REQUIRED UNDER ORS 457. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

Mr. Tamulonis referred to a letter on blue paper that was distributed to the council. This is the letter that would be going out to those agencies along with the draft plan. He said notification would be going out regarding a potential public hearing that council will be holding on November 15 for discussion and possible adoption of the plan. This notification must go out three weeks prior to that meeting. This notice will be mailed to the electors in Springfield and Glenwood. He said he would provide copies of those notices to the City Council. One of the notices was entered into the public record.

BUSINESS FROM THE CITY ATTORNEY

Mr. Leahy reminded council that a debate between the two council candidates would be occurring on Tuesday, October 19 at 7:30 a.m. at Northwest Community Credit Union in Gateway.

ADJOURNMENT

The meeting was adjourned at 7:16 p.m.

Minutes Recorder Amy Sowa

Sidney W. Leiken
Mayor

Attest:

Amy Sowa
City Recorder