

City of Springfield
Special Regular Meeting

MINUTES OF THE SPECIAL REGULAR MEETING
OF THE SPRINGFIELD CITY COUNCIL HELD
TUESDAY, FEBRUARY 22, 2005.

Minutes of the Special Regular Meeting of the Springfield City Council held on Tuesday,
February 22, 2005, at 7 p.m.

ATTENDANCE

Present were Mayor Sid Leiken; Tammy Fitch, Christine Lundberg, Joe Pishioneri, Dave Ralston,
John Woodrow.

Absent: Anne Ballew

STAFF: City Manager Mike Kelly, Assistant City Manager Cynthia Pappas, Colin
Stephens, Nick Arnis, Gary McKenny, City Attorney Meg Kiernan, Ken
Vogeney, Al Girard.

CALL TO ORDER

Mayor Leiken called the meeting of the Springfield City Council to order at 7:12 p.m. He
welcomed Boy Scout Troop #51 from Thurston.

ROLL CALL

Roll was called. Councilor Anne Ballew was absent.

PLEDGE OF ALLEGIANCE

CONSENT CALENDAR

1. Claims

- a. Approval of the Financial Reports for 1st Quarter Ending September 30, 2004.
- b. Approval of the Financial Reports for 2nd Quarter Ending December 31, 2004.
- c. Approval of the January 2005 Disbursements for Approval.

2. Minutes

- a. January 10, 2005 – Special Regular Meeting
- b. February 7, 2005 – Work Session
- c. February 7, 2005 – Regular Meeting

3. Resolutions

a. RESOLUTION NO. 05-08 – A RESOLUTION PROVIDING GUIDANCE AND IMPLEMENTING TRANSPLAN TRANSPORTATION SYSTEM IMPROVEMENTS ROADWAY POLICY #2: MOTOR VEHICLE LEVEL OF SERVICE BY ACCEPTING A LOWER LEVEL OF SERVICE THAN “D” AT THE GATEWAY/INTERNATIONAL, GATEWAY/GAME FARM EAST, GATEWAY/KRUSE AND BELTLINE/HUTTON INTERSECTIONS.

4. Ordinances

a. ORDINANCE NO. 6115 – AN ORDINANCE AMENDING THE SPRINGFIELD MUNICIPAL CODE RELATING TO PROCEDURES FOR PUBLIC CONTRACTING BY DELETING EXISTING SECTIONS 2.700 THROUGH 2.722, “PURCHASING” AND ADOPTING, EXCEPT AS HEREIN SPECIFIED, STATE OF OREGON PUBLIC CONTRACT REQUIREMENTS AS SET FORTH IN ORS 279A, 279B AND 279C, “THE PUBLIC CONTRACTING CODE,” AND THE MODEL RULES ADOPTED BY THE ATTORNEY GENERAL OF THE STATE OF OREGON AS SET FORTH IN APPLICABLE OREGON ADMINISTRATIVE RULES, DIVISION 46, GENERAL PROVISIONS RELATED TO PUBLIC CONTRACTING OAR 137-046-0100 ET SEQ., DIVISION 47, PUBLIC PROCUREMENTS FOR GOODS OR SERVICES, OAR 137-047-0100 ET SEQ., DIVISION 48, CONSULTANT SELECTION: ARCHITECTURAL, ENGINEERING, LAND SURVEYING AND RELATED SERVICES CONTRACTS, OAR 137-048-0100 ET SEQ., AND DIVISION 49, GENERAL PROVISIONS RELATED TO PUBLIC CONTRACTS FOR CONSTRUCTION SERVICES, OAR 137-049-0100 ET SEQ., AND ADDING SECTIONS 2.700 THROUGH SECTION 2.722 “PUBLIC CONTRACTS” OF THE SPRINGFIELD MUNICIPAL CODE AND DECLARING AN EMERGENCY.

5. Other Routine Matters

- a. Approval of OLCC Liquor License Endorsement for Bright Oak Meats Located at 660 Main Street, Springfield, Oregon.
- b. Authorize the City Manager to Enter into the Intergovernmental Agreement with Lane County, Springfield Utility Board and Lane Transit District for the Martin Luther King Jr. Parkway Project.

Mr. Woodrow, seconded by Ms. Lundberg, moved to approve the Consent Calendar. The motion passed unanimously, 5:0.

WITHDRAWAL OF TERRITORY FROM RAINBOW WATER DISTRICT

1. Rainbow Water District Withdrawal EC SP 04-29 Journal Number LRP2004-00035 (Johnson)

ORDINANCE NO. 2 – AN ORDINANCE WITHDRAWING CERTAIN REAL PROPERTY KNOWN AS JOHNSON, LOCATED IN SOUTHWEST SPRINGFIELD, SOUTH OF DIAMOND STREET, SOUTH OF CENTENNIAL BOULEVARD, EAST

OF ANDERSON LANE, SOUTH OF KELLOGG ROAD, AND INVOLVING APPROXIMATELY .24 ACRES IDENTIFIED AS TAX LOT 700 T17S R03W S33 MAP 11; HERETOFORE ANNEXED TO THE CITY OF SPRINGFIELD FROM THE RAINBOW WATER DISTRICT.

2. Rainbow Water District Withdrawal EC SP 04-23, Journal Number LRP2004-00036 (Bell)

ORDINANCE NO. 3 – AN ORDINANCE WITHDRAWING CERTAIN REAL PROPERTY KNOWN AS BELL, LOCATED IN WEST SPRINGFIELD, SOUTH OF DIAMOND STREET, EAST OF ASPEN STREET, WEST OF RAINBOW DRIVE, NORTH OF WEST D STREET, AND INVOLVING APPROXIMATELY .22 ACRES IDENTIFIED AS TAX LOT 217 T17S R03W S34 MAP 24; HERETOFORE ANNEXED TO THE CITY OF SPRINGFIELD FROM THE RAINBOW WATER DISTRICT.

3. Rainbow Water District Withdrawal EC SP 04-30, Journal Number LRP2004-00037 (Smith Investments)

ORDINANCE NO. 4 – AN ORDINANCE WITHDRAWING CERTAIN REAL PROPERTY KNOWN AS SMITH INVESTMENT/LAURA STREET LOCATED IN WEST SPRINGFIELD, SOUTH OF HAYDEN BRIDGE WAY AND HARLOW ROAD, NORTH OF LINDALE AVENUE, WEST OF LAURA STREET AND INCLUDING LAURA STREET RIGHT-OF-WAY, AND INVOLVING APPROXIMATELY .51 ACRES, IDENTIFIED AS T17S R03W S22 MAP 44 PART OF TAX LOT 7500; T17S R03W S27 MAP 14 PART OF TAX LOT 5000; HERETOFORE ANNEXED TO THE CITY OF SPRINGFIELD FROM THE RAINBOW WATER DISTRICT.

4. Rainbow Water District Withdrawal EC SP 04-43 Journal Number LRP2004-00038 (Blair)

ORDINANCE NO. 5 – AN ORDINANCE WITHDRAWING CERTAIN REAL PROPERTY KNOWN AS BLAIR, LOCATED IN NORTH SPRINGFIELD, NORTH OF HAYDEN BRIDGE ROAD, WEST OF 19TH STREET, SOUTH OF YOLANDA INVOLVING APPROXIMATELY 1.75 ACRES IDENTIFIED AS TAX LOT 1100 T17S R03W S24 MAP 34; HERETOFORE ANNEXED TO THE CITY OF SPRINGFIELD FROM THE RAINBOW WATER DISTRICT.

Amy Sowa of the City Manager's Office reviewed the four ordinances before the council.

Kitty Gayle was present for the item. She asked the council to conduct a public hearing and first reading on the ordinances, all withdrawing property from the Rainbow Water District due to annexation to the City of Springfield. She noted the dates of annexation for each property, and reported that the second reading and adoption of the ordinances was scheduled for the council's March 7 meeting.

Mayor Leiken opened the public hearing for the four ordinances before the council. There was no one present wishing to speak. Mayor Leiken closed the public hearing.

PUBLIC HEARING

a. PeaceHealth Zone Change and Master Plan Applications

Mr. Stephens was present for the staff report. He noted his previous presentation before the council at the 6 p.m. work session, and recommended the public hearing be opened.

Ms. Kieran briefly reviewed the State law in regard to *ex parte* contacts. She also reviewed the definition of an *ex parte* contact. Ms. Kieran noted the State law in regard to bias, and reviewed the test for bias.

Mayor Leiken opened the public hearing. He called for *ex parte* contacts or conflicts of interest.

Councilor Fitch said that the issue was raised in casual conversation and she had informed people that the council was still deliberating. Those contacts would not bias her decision. Councilors Lundberg and Woodrow indicated similar contacts. Other councilors had none.

Ms. Kieran recalled the council's earlier discussion at the 6 p.m. work session regarding the condition related to the building height and the expiration of the master plan. She clarified that the conditions in the master plan would not expire at any given time. If the City mandated a riparian setback, PeaceHealth could not pave that area over in 15 years. All the conditions survived the 15-year life of the master plan, which was primarily a time period during which time construction was intended to occur.

Mr. Stephens reviewed the relevant criteria for the master plan application, LRP 2005-0001, from Article 37 of the Springfield Development Code:

- (1) The zoning of the property is consistent with the Metro Plan diagram and/or applicable refinement plan diagram;
- (2) The request as conditioned conforms to the applicable Springfield Development Code requirements, Metro Plan policies, functional or refinement plan policies, applicable state statutes and administrative rules.
- (3) Proposed on-site and off-site public and private improvements are sufficient to accommodate the proposed phased development and any capacity requirements of public facilities plans; and provisions are made to assure construction of off-site improvements in conjunction with a schedule of the phasing.
- (4) The request provides adequate guidance for the design and coordination of future phases;
- (5) Inventoried natural resources, wetlands, open space areas, archaeological and historic features are evaluated and considered consistent with the Oregon Administrative Rule procedure for Statewide Planning Goal 5, and
- (6) Local public facilities plans and local street plans will not be adversely impacted by the proposed development.

Mr. Stephens reviewed the criteria for the rezoning application, ZON 2005-0002, from Article 12 of the Springfield Development Code:

- (1) Consistency with the Metro Plan Text and Diagram;
- (2) Consistency with applicable Refinement Plans, special area studies and functional plans; and
- (3) That the property can be served by the orderly and efficient extension key urban facilities and services as prescribed in the Metro Plan prior to or in conjunction with development.

Mr. Stephens said that all testimony and evidence must be directed to the criteria. Failure to raise an issue by the close of the record with sufficient specificity to afford the decision makers and all parties an opportunity to respond precluded appeal to the Land Use Board of Appeals (LUBA) on that issue.

Mayor Leiken reviewed the order of the proceedings.

Alan Yordy, Chief Executive Officer of PeaceHealth, thanked the council for its perseverance and hopes for RiverBend. He said many people had put their differences aside to find common ground. PeaceHealth owed them a great deal. He thanked the Jacqua family and CHOICES. He thought RiverBend would be a better development due to the input yet to come. He thanked the Planning staff and the Planning Commission for their work.

Mr. Yordy said the need for a new medical facility had never been greater. The hospital had critical census days almost weekly, several days weekly, far sooner than expected. He expected the patient load to grow as the baby boom generation retired. He looked forward to the day construction commenced.

Mr. Yordy noted that 30 percent of all of PeaceHealth's patients came from outside Lane County. He said that no hospital the size of PeaceHealth operated on less land than PeaceHealth did at its Hilyard campus. He thought there was no better site for the new hospital than the RiverBend site. He believed the decision before the council was more than a land use decision. It also regarded the future of the hospital and the community.

Mr. Yordy looked forward to working cooperatively with the community as work unfolded at the RiverBend campus. He thanked the council again for the work it had done.

Philip Farrington, 1200 Hilyard Street, Eugene, Land Use Director for PeaceHealth, summarized some of the elements of the master plan, noting it featured both a hospital and a robust commercial center providing services to the hospitals and residents. The area would be well-served by transit. Mr. Farrington said the master plan before the council was essentially the same one the council had seen before. It had been modified to reflect the plan amendments adopted in January 2005, which had been modified to conform with the Court of Appeals and LUBA rulings upon remand. However, those rulings did not result in many significant changes to the master plan. Mr. Farrington said the majority of the conditions of approval adopted by the council a year ago remained the same, with the modifications previously mentioned by Mr. Stephens.

Mr. Farrington urged the council to approve the text in Condition 29 it initially approved a year ago, which would give PeaceHealth some flexibility in how it met future parking demands. He said the council adopted the condition in recognition of the cost of parking structures and the financial demand other conditions placed upon the project. He pointed out that the proposed parking structure would be constructed without a subsidy, unlike most such structures. Mr. Farrington noted the aggressive transportation demand management (TDM) program in place at PeaceHealth's Hilyard campus and said a similar program would be instituted at the RiverBend campus.

Mr. Farrington acknowledged the settlement reached between PeaceHealth and the Jacquas, and said a process would be embarked on to reexamine elements of the master plan to see how nodal development objectives could be reached in a financially sustainable way on parts of the

RiverBend campus and on properties not part of the master plan. However, that did not preclude the council's approval of the master plan to allow construction of the medical services building to proceed.

Mr. Farrington invited questions from the council.

Steve Moe, PO Box 847, Springfield, chair of the Springfield Planning Commission, said the commission reviewed the master plan application and had made some revisions, which it forwarded to the council. He invited the council to fix any flaws it perceived in the application, and urged the community to move on. He commended the Coalition for Health Options in Central Eugene-Springfield (CHOICES), 1,000 Friends of Oregon, and PeaceHealth for coming together to reach agreement. He said that Eugene's loss was Springfield's gain.

Corky Gourley, 1310 Market Street, Springfield Chamber of Commerce, expressed the chamber's support for the PeaceHealth RiverBend development. He said the chamber supported two viable hospitals for the good of the business community and general community at large. The project would create construction and health care jobs. He was excited to think about the spin-off opportunities that would occur. A new transportation system would be built in the area, improving the citizens' quality of life. He looked forward to the nodal development that would occur. He said the project would change the face of the Gateway area. He thanked CHOICES for being part of the community.

Jan Wilson, CHOICES, 1260 President Street, Eugene, noted the settlement reached earlier between PeaceHealth and CHOICES, which was included in the record. She reviewed the elements of the settlement, stressing the organization's goal was true nodal development. CHOICES had accepted everything in Phase I, but the nodal development element would occur through Phase II, and much would depend on the City Council to ensure that occurred. CHOICES would watch the process carefully. She said that PeaceHealth had agreed to build mixed-use medium-density residential on a portion of the site, and that would be done through a plan amendment process that the council would approve. She hoped that the area would be developed with a mixture of commercial and residential uses, with commercial on the ground floor.

Cecil Saxon, 4740 Main Street, Springfield, noted his family's general good health in the past and said as a result of illness in his family over the last three years he had learned how valuable a hospital was. He emphasized the importance of a regional hospital. He said the community was very fortunate to have PeaceHealth be as persistent as it had been to build the hospital. Mr. Saxon said that those who do not support the facility deserve to have to drive to another community for medical help.

Tom Lindley, 541 Colonial Drive, Springfield, submitted a letter into the record from 21 residents living along Colonial Drive requesting that sound buffering be installed along Colonial Drive near the Pioneer Parkway extension. He suggested that a soundwall be installed along the Beltline-Pioneer Parkway extension near Colonial Drive to reduce the impact of increased traffic on the neighborhood. Mr. Lindley suggested that the soundwall could be funded by building sidewalks on only one side and eliminating the proposed median strip, and by the use of asphalt rather than concrete. He asked that a staff member be assigned to work with the Colonial Drive residents to investigate sound buffering opportunities and funding.

Mr. Lindley spoke to the separation of Game Farm Road from the RiverBend development, and requested that the setback area be bermed to reduce the impact of the hospital.

Mr. Lindley also requested that truck traffic be kept off Colonial Drive during the hospital construction period as the street was not designed to accommodate trucks. He said the street was a public street but privately maintained. He asked that the impact of Building F on the neighborhood be minimized. He emphasized that the neighborhood did not oppose the PeaceHealth development. Mr. Lindley asked that the neighborhood be kept informed of any changes proposed to the master plan.

Randy Prince, PO Box 927, Eugene, suggested that there were seismic issues that remained to be addressed in the applications. He likened the local area to the area of Southeast Asia that recently experienced a devastating tsunami. He asked that the council ensure that the hospital location was the best in case of a giant earthquake, which he believed was certain to occur. Mr. Prince referred to State Goal 7, Areas Subject to Natural Disasters and Hazards, acknowledging that the applicant addressed the goal in its submittal. However, he believed that the test for whether the site was suitable occurred later in the process in the form of a site-specific, peer-reviewed, earthquake hazard study. He said that in 1994, the State began to require such studies be done before building permits were issued. Mr. Prince said such studies were extensive and must determine whether a facility would survive such an earthquake. He expressed concern that information would only be produced after the master plan was approved, creating momentum for the construction of the hospital. Mr. Prince was not satisfied that all the needed information related to natural disasters had reached the council as that information would only emerge in a site-specific study. He maintained that the hospital was being located in an area of high seismic risk and the building was proposed to be in a slope hazard zone. There would be “basin effects” from the hospital’s location at the edge of an alluvial area. He also believed the hospital would be affected by the upstream reservoirs in the case of an earthquake.

Alice Waggoner, 2250 Debra Drive, Springfield, manager of Environmental Services at Sacred Heart Hospital, said high patient census days were becoming very common. She said that the RiverBend campus would give the hospital an opportunity to place patients in beds soon after they left the emergency room. She hoped the City Council would approve the master plan application quickly so building could commence soon.

David Rodriguez, 87984 Heather Drive, Springfield, showed the council a copy of 1996 flood data which indicated the entire flood area in the location of the proposed hospital was lower than claimed by PeaceHealth. The models used did not employ all of the available data. He indicated that Michael Hughes, a fluvial geomorphologist and expert on channel migration, would submit testimony demonstrating that the applicant’s submission was “superficial, superscientific, and biased.” Mr. Rodriguez maintained that the site in question was inappropriate for the hospital. He further maintained the amendments made to the Gateway Refinement Plan, the zoning changes, and the master plan amendments were in violations of State Goal 7 as it pertained to newly identified flood hazards. He said half of the complex would be within the meander belt of the McKenzie River. Mr. Rodriguez said the council needed a crash course on channel migration, which could cause erosion of the bank to the hospital itself.

Regarding the assertion that the stretch of river in question was stable, Mr. Rodriguez disagreed. He said that Sony experienced flooding in 1996. He said the river was constantly moving. He noted his submission of written testimony.

Rick Annanasio, 2100 SW River Parkway, Portland, representing David Evans and Associates, identified himself as a senior water resource engineer with more than 20 years experience. He had designed the flood study for PeaceHealth, which was based on the latest survey data from the

City and County and a hydro survey conducted by his firm. The study had been peer-reviewed and as well as reviewed by the City and Lane County. Mr. Annanasio said the study examined the fill from the project and cumulative fill throughout the city and found little effect, and what effect there was was well within the City's code. Regarding Mr. Rodriguez's calls for a channel migration zone (CMZ) study, Mr. Annanasio said the RiverBend site was a disconnected migration area (DMA) and by those guidelines, outside the CMZ.

Mr. Annanasio said the question was, is the river stable in this area? He had reviewed aerial photos dating from 1936 to 2004 and determined the river bank had only moved nominally. The bends had matured somewhat but there had been very little movement on the west bank. There was no physical evidence the bends were moving. Mr. Annanasio noted that the trees along the west bank were about 80 years old. There were no predictive indicators the meander was moving.

Jim Weston, 2398 Greiner Street, Eugene, Director of Facilities Management for PeaceHealth, spoke in support of the application. He had been involved in the planning process and said the planning had been thorough and well thought out. All features of the plan would provide for the safety and security of visitors and staff as well as protection of the environment. The facility would be a wonderful and vibrant addition to the community. He urged the council's approval of the master plan and rezoning applications.

Tom Boyatt, 644 A Street, Oregon Department of Transportation, Senior Region Planner, noted the council's earlier discussion regarding surface parking versus parking structures, and said there may be an unintended consequence of obviating the trip cap if parking was to be allowed on the Sony property. He noted that PeaceHealth had not owned that property when the trip cap was established. Mr. Boyatt believed the issue could be worked through, but if all trips came through the Beltline-I-5 interchange and were not accounted for, there would be a problem.

Brian Terrett, 77 East 11th Avenue, Eugene, Public Information Director for PeaceHealth, discussed the community outreach effort conducted by PeaceHealth in regard to the project. He submitted a petition containing 305 names expressing support for the project. In addition, he submitted a list of 187 physicians expressing support for the project.

Gretchen Pierce, 3143 Fox Hollow Road, Eugene, identified herself as a volunteer member of the PeaceHealth Oregon Region Board. She had been involved in the project since she had joined the board through her participation in a planning committee. That commenced six years ago. After an exhaustive study, the RiverBend site was selected. She said the board was very committed to the RiverBend site because it enhanced patient care and gave the facility room to grow. She said because of the hospital's size and significance and the growing patient load, it was important that the master plan receive approval. The current facility was at capacity. She urged the council to approve the master plan as quickly as possible so that construction could commence. The project was several months behind schedule, and those costs were growing monthly. Due to the high increased costs, the hospital would like some flexibility in how it dealt with the parking structure. She thanked the council for its time and attention to the issue. She submitted written testimony.

Gerry Gaydos, 2820 Emerald Street, Eugene, expressed support for the hospital proposal and those who cared enough to come together to make the hospital proposal a better project. He said that the Lane Transit District (LTD) Board of Directors had not taken a position on the proposal but had worked with PeaceHealth and Springfield staff to bring transit, in particular Bus Rapid

Transit, to the site efficiently and effectively. He thanked the Jacquas, CHOICES, and the council for their careful review of the issue.

Sister Monica Herron, former administrator of Sacred Heart Hospital, spoke in support of the RiverBend project. She expressed appreciation for the time the council had spent on the project. As a former Sacred Heart administrator, she was very aware of the inadequacies of the current facility. She was very concerned about the medical needs of the entire community. She asked the council to support the project and approve the master plan application.

Dan Reese, 1996 Villard Street, Eugene, emphasized the importance of the testimony the council heard earlier about the medical needs of Mr. Saxon's family. He said the testimony the council heard was centered on issues of land use, and he had found that frustrating as one who worked with patients. He had been concerned they were not more of a focus of the debate. He said that those needs need to be a priority. He believed that the RiverBend campus was in the best interests of the patients. A healing environment was not a cliché. Mr. Reese said he was impressed by the council's diligence in the matter and urged it to approve the master plan application and zone changes.

Terry Lewis, 562 Colonial Drive, Springfield, believed he should have been better informed about the Pioneer Parkway extension. He believed the noise that resulted from the extension would make backyards unusable for residents. He asked the council what it wanted the project to look like ultimately. He advocated for a sound wall to be included in the project to mitigate the high noise levels from four lanes of traffic. Mr. Lewis suggested that otherwise, the result would be different fences built of different materials by residents.

Mayor Leiken closed the oral testimony. He called on the applicant for summation.

Mr. Farrington addressed issues raised in testimony. Regarding the agreement reached between the Jacquas and PeaceHealth and the height limitations established in the agreement, he reminded the council that the agreement was a private one and that, as the Jacquas' legal counsel noted, it was reached with the realization that they could realize their objectives through that venue they could not realize through the land use process. He believed PeaceHealth had gone beyond the bounds of what would have otherwise been required by the City. Mr. Farrington said the RiverBend master plan constituted a framework for proceeding, and should be sufficiently flexible to allow PeaceHealth to both implement the agreement and meet new demands as they arose over time.

Mr. Farrington thanked all those who participated in the public process and made the project a better one.

Regarding the suggestion offered in testimony that the hospital entrance be located on Martin Luther King, Jr. Parkway, Mr. Farrington noted that a condition of approval precluded the hospital from taking access to Martin Luther King, Jr. Parkway. He said the hospital was dedicated to working with the neighborhood regarding access to the site.

Regarding Mr. Prince's testimony, Mr. Farrington recalled testimony submitted by PeaceHealth regarding the seismic risk that indicated the hospital location was in an area of relatively low seismic risk, amplification hazard, and low risk of slope instability. He noted the site-specific studies and evaluations that had occurred as part of the third phase of the geotechnical study. Mr. Farrington said that the concerns raised by Mr. Prince had been addressed both in terms of the criteria of approval and to PeaceHealth's own satisfaction. He said the hospital would be built to

current seismic standards to ensure it could be immediately occupied after any seismic event, should it occur. He acknowledged the heightened concern regarding tsunamis but suggested that was not a risk the development faced.

Regarding the potential risks of flooding, Mr. Farrington noted Mr. Annanasio's testimony. He suggested Mr. Rodriguez might be unaware that the RiverBend annex site north of the hospital site was not within the floodway. He said no portion of the development was proposed to be located in the floodway. He said work done by Mr. Annanasio's firm was far more detailed than had ever been done before for three river miles of the McKenzie River. The study established predevelopment conditions for those three miles and a post-project analysis examined the cumulative impacts of development for both the site and the entire community. Those studies were peer-reviewed before they were submitted to City, which had them further peer reviewed. Mr. Farrington said the City and the court had concluded that the application complied with State Goal 7.

Mr. Farrington concluded his remarks by saying the process had been exhaustive. All the issues had been addressed in the framework of the plan, but the process was not complete. More process and public review would follow.

Mr. Yordy concluded the PeaceHealth summation. He said that Eugene and Springfield were one community at the end of the day. He hoped the hospital would be a resource to bring region together. He hoped that all members of the community could be proud of the development when it occurred.

Mr. Stephens invited the councilors to e-mail him any questions they had prior to the close of the record, which would close at 5:30 p.m. on March 1.

Councilor Woodrow, seconded by Ms. Lundberg, moved to hold the record open until March 1, 2005, allowing seven days for the applicant to rebut submitted testimony, and continuing the hearing to March 22, 2005. The motion passed unanimously, 5:0

Mayor Leiken indicated interest in more information on the parking structure issue and the concerns expressed by the residents of Colonial Drive.

Mayor Leiken called for a brief recess.

BUSINESS FROM THE AUDIENCE

Markus Tipler, 3783 Oregon Street, spoke on the issue of code enforcement. He distributed copies Section 5002 of the code and reviewed an issue of contention between himself and staff regarding the status of vehicle he owned. He contended the vehicle in question was a recreational vehicle. The enforcement staff contended it was a storage vehicle. If it was not a recreational vehicle, he must store it in a building with a door or behind a six-foot fence. The last line in the code addressed legally parked recreational vehicles. He circulated a copy of the permit he must buy for the vehicle every two years, which referred to the recreation use of the ATV. Staff indicated that the City Council meant campers and motor homes. He had contacted City Attorney Joe Leahy for his opinion, and it was Mr. Leahy's opinion that the Oregon Revised Statute reference was to a vehicle that allowed for human occupancy. He said that the law should be based on common sense. He appealed to the council and mayor for assistance. He said the code

did not preclude him from having as many boats or motorcycles as he wanted. He wanted to be able to park the vehicle in his garage.

Mayor Leiken suggested that the council discuss the issue at an upcoming meeting. He asked for information about when the ordinance in question was adopted.

Mr. Ralston suggested the matter was one of interpretation, and that staff merely reinterpret the code in question.

Ms. Fitch suggested that the council president and mayor meet with code enforcement staff. She pointed out if the code referred to other sources, she did not want to proceed without legal input. She also questioned if there was a code update scheduled.

Mr. Tippler referred the councils to sections 11 and 3, relating to parking and fence materials, which he considered deserving of further examination.

BUSINESS FROM THE COUNCIL

1. Committee Appointments

Councilor Woodrow, seconded by Councilor Lundberg, moved to appoint Maren Tomlin to the Historic Commission with a term to expire March 1, 2006. The motion passed unanimously, 5:0.

Councilor Woodrow, seconded by Councilor Lundberg, moved to appoint James McNett to the Historic Commission with a term to expire March 1, 2006. The motion passed unanimously, 5:0.

2. Reports from Council

Councilor Fitch reported that she had attended her first meeting of the Governor's Fire Service Council meeting earlier that day. As information arose, she would share it with the council.

Councilor Pishioneri reported that he had attended the Asian Celebration at the Lane County convention and it was very nice. He noted that the organization had some events scheduled in Springfield in the coming year.

Mayor Leiken noted a suggestion from Mayor Kitty Piercy of Eugene that an additional Eugene representative be added to the Lane Regional Air Pollution Agency (LRAPA) Board. Deputy City Manager Cynthia Pappas indicated she would provide the council with a copy of Mayor Piercy's request. Mr. Ralston thought Springfield was underrepresented on the board.

Mayor Leiken said Chief Jerry Smith had agreed to take his place on the Domestic Preparedness work group. He thanked the chief, noting more of his time would be occupied with transportation-related issues.

Mayor Leiken expressed appreciation to Nick Arnis of City staff for attending a transportation-related meeting in his place. He noted he was meeting with the Oregon Department of Transportation Director Bruce Warner the following day in Salem.

BUSINESS FROM THE CITY MANAGER

There was none.

BUSINESS FROM THE CITY ATTORNEY

There was none.

ADJOURNMENT

Mayor Leiken adjourned the meeting at 8:54 p.m.

Minutes Recorder – Kim Young

Sidney W. Leiken
Mayor

Attest:

Amy Sowa
City Recorder