

City of Springfield
Regular Meeting

MINUTES OF THE REGULAR MEETING OF
THE SPRINGFIELD CITY COUNCIL HELD
MONDAY FEBRUARY 7, 2005

The City of Springfield council met in regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon, on Monday, February 7, 2005, at 7:01 p.m., with Mayor Leiken presiding.

ATTENDANCE

Present were Mayor Leiken and Councilors Lundberg, Fitch, Ballew, Ralston, Pishioneri 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

1. Recognition of Briggs Middle School Students Haley Nation and Rachel Skordahl.

Mayor Leiken introduced Briggs Middle School Principal Mike Riplinger.

Mr. Riplinger introduced Haley Nation and Rachel Skordahl, the Briggs Middle School students who initiated and coordinated a Garage Sale to benefit Tsunami Victims. Mr. Riplinger acknowledged these students' hard work and perseverance to make this fund raising event a success. The Garage Sale made over \$2800.

Mayor Leiken presented Haley and Rachel with a letter acknowledging their efforts.

2. Recognition of Dave Puent for Twenty-five Years of Service to the City of Springfield.

City Manager Mike Kelly recognized Dave Puent for twenty-five years of service to the City of Springfield. Mr. Kelly acknowledged Mr. Puent's many contributions to the city and his current role as Community Services Manager. Mr. Puent is an excellent city ambassador and works to find common solutions that benefit the public and the private sides.

3. Readin' in the Rain Proclamation.

Springfield Library Adult Services Manager Jenny Peterson thanked the Mayor and Council for their support of Readin' in the Rain. She explained the Readin' in the Rain program and referred to a pamphlet that outlined events related to Readin' in the Rain. This year's featured book is "The Jump-off Creek" by Portland author Molly Gloss. The novel is based on actual journals of the women pioneers who homesteaded in Oregon in the late 1800's.

Mayor Leiken presented a proclamation to Librarian Jenny Peterson for Readin' in the Rain for the month of February.

CONSENT CALENDAR

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO APPROVE THE CONSENT CALENDAR. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

1. Claims
2. Minutes
 - a. January 18, 2005 – Work Session
 - b. January 18, 2005 – Regular Meeting
 - c. January 24, 2005 – Work Session/Goal Setting Session
3. Resolutions
4. Ordinances
 - a. ORDINANCE NO. 6114 – AN ORDINANCE PERTAINING TO SIGN STANDARDS AMENDING THE SPRINGFIELD MUNICIPAL CODE CHAPTER 8, AMENDING AND ADDING THE FOLLOWING SECTIONS OR PORTIONS THEREOF: 8.200, PURPOSE, 8.200(7)&(8); 8.202, DEFINITIONS; 8.204, DESIGN (5) ALLOWABLE STRESSES; 8.206, CONSTRUCTION (3) RESTRICTIONS ON COMBUSTIBLE MATERIALS, (4) ANCHORAGE, (5) DISPLAY SURFACES, (6) APPROVED PLASTICS; 8.208, PROJECTION AND CLEARANCE (4)(d) CLEARANCE OVER VEHICLE USE AREA; 8.214, ALTERNATE MATERIALS AND METHODS OF CONSTRUCTION; 8.216, TESTS; 8.218, PERMITS-REGULATIONS-FEES (1) PERMIT APPLICATIONS (f), (3) BANNER PERMIT FEES, (5) (b) EXPIRATION; 8.232, NON-CONFORMING SIGNS; 8.234, EXEMPT SIGNS (3) PUBLIC SIGNS, (7) DIRECTIONAL SIGNS, (9) ELECTION CAMPAIGN SIGNS (a) (10) BUILDING CONSTRUCTION SIGNS, (13) NEIGHBORHOOD WATCH, (16) MURALS, (17) SPECIAL EVENT/HOLIDAY SIGNS; 8.236, PROHIBITED SIGNS (5) ROTATING OR FLASHING SIGNS, (11) UNAUTHORIZED PUBLIC RIGHT OF WAY (12) ILLUMINATION/GLARE; 8.240, RESIDENTIAL DISTRICT SIGN STANDARDS (3) NON-RESIDENTIAL PROFESSIONAL OFFICES, (4) CHURCHES; 8.244, GENERAL OFFICE SIGN STANDARDS (4) LOGOS, (5) ILLUMINATION FROM SIGNS ON NON-RESIDENTIAL PROPERTY; 8.246, NEIGHBORHOOD COMMERCIAL (1) LOGOS, (2) ILLUMINATION FROM SIGNS ON NON-RESIDENTIAL PROPERTY; 8.248, COMMUNITY COMMERCIAL AND MAJOR RETAIL COMMERCIAL DISTRICT, (3) SECOND STORY BUSINESSES, (4) LOGOS (5) ILLUMINATION FROM SIGNS ON NON-RESIDENTIAL PROPERTY; 8.250, DOWNTOWN SIGN DISTRICT, (1) WALL SIGNS, (b) SECOND STORY BUSINESSES AND ABOVE, (4) LOGOS, (5) ILLUMINATION FROM SIGNS ON NON-RESIDENTIAL PROPERTY; 8.252, BOOTH KELLY SIGN DISTRICT, (3) LOGOS, (4) ILLUMINATION FROM SIGNS ON NON-RESIDENTIAL PROPERTY; 8.254, I-5 MALL DISTRICT, (4) SECOND STORY BUSINESSES, (5) LOGOS, &(8) ILLUMINATION FROM SIGNS ON NON-RESIDENTIAL PROPERTY; 8.256, I-5 COMMERCIAL SIGN DISTRICT, (6) ILLUMINATION; 8.258, LIGHT-MEDIUM,

SPECIAL HEAVY (1) MAXIMUM HEIGHT, (4) DIRECTIONAL SIGNS, (5) LOGOS, (6) ILLUMINATION FROM SIGNS ON NON-RESIDENTIAL PROPERTY; 8.260, BILLBOARD DISTRICTS (1) APPLICATION, (4) SIGN FACE REQUIREMENTS; 8.262, PUBLIC LAND AND OPEN SPACE (1) LOGOS, (2) ILLUMINATION FROM SIGNS ON NON-RESIDENTIAL PROPERTY; 8.264, SPECIAL LIGHT INDUSTRIAL DISTRICT (3) LOGOS, (5) ILLUMINATION FROM SIGNS ON NON-RESIDENTIAL PROPERTY; 8.266, SCHOOLS (1) LOGOS, (2) ILLUMINATION FROM SIGNS ON NON-RESIDENTIAL PROPERTY; 8.267, SPORTS FACILITY SIGN DISTRICT (3) LOGOS, (5) ILLUMINATION FROM SIGNS ON NON-RESIDENTIAL PROPERTY; MAP NO. 2, I-5 MALL AND I-5 COMMERCIAL DISTRICTS; AND DELETING AND RENUMBERING SECTION 8.206(4).

5. Other Routine Matters

- a. Authorize the City Manager to Execute a Contract with Mid-Valley Engineering in the Amount of \$150,000 for Survey/GPS Services for Sewer System Data Collection for the Stormwater Facility Master Plan and the Sanitary Sewer Master Plan.
- b. Award the Contract to L.H. Morris Electric of Springfield, OR in the Amount of \$39,359 for City Hall Relighting Project.
- c. Award the Subject Contract to Lantz Electric, Inc. in the Amount of \$17,140.00 for Project P20419; CDBG – Downtown Street Lighting Project.
- d. Approval of the OLCC Liquor License Endorsement for the Village Inn Restaurant and Lounge Located at 1875 Mohawk Boulevard, Springfield, OR.
- e. Accept the 2003/2004 Comprehensive Annual Financial Report and Management Letter.

ITEMS REMOVED FROM THE CONSENT CALENDAR

PUBLIC HEARINGS - Please limit comments to 3 minutes. Request to speak cards are available at both entrances. Please present cards to City Recorder. Speakers may not yield their time to others.

1. 2005-2010 Capital Improvement Program.

City Engineer Al Peroutka presented the staff report on this item. The draft 2005-2010 Capital Improvement Program was reviewed by the Planning Commission on January 4, 2005 and by the council in work session on January 18, 2005 and is now ready for public comment and final adoption.

The City Council reviewed the draft CIP in work session on January 18, 2005 and approved the CIP as drafted to be brought to public hearing at this meeting. After hearing public comments at this meeting, council is requested to adopt the Capital Improvement Program by motion.

Since the January 18th work session we have had to make a few adjustments to the 2005-2010 CIP for projects funded through the Sewer Capital Projects fund, although no projects were required to be dropped from the CIP based on these adjustments. A lowered estimate of beginning cash balance required the reduction of additional contributions which were planned to the Harlow Pump Station project and the Sewer Wet Weather Peak Flow Abatement project for next year. The overall funding for these two projects for this and next fiscal year combined was reduced from \$2.2 million to \$2.0 million for the Harlow Road Pump Station and from \$1.8

million to \$1.5 million for the Sewer Wet Weather Peak Flow Abatement project. Also, we reviewed our work program for the Grandview (19th and Vera) Pump Station and decided that only the design and right-of-way acquisition will be possible this fiscal year, so we will request that the funding for those parts of the work be forwarded to this fiscal year at the next supplemental budget and the construction funding (\$250,000) has been scheduled into the first year of the CIP, rather than be included in the supplemental budget request.

Mayor Leiken opened the public hearing.

No one appeared to speak.

Mayor Leiken closed the public hearing.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO ADOPT THE 2005-2010 CAPITAL IMPROVEMENT PROGRAM. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

2. Annexation of Property (Jasper Meadows Master Plan Area) to the City of Springfield, File Number LRP2004-00028.

RESOLUTION NO. 05-05 – A RESOLUTION INITIATING EXPEDITED ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF SPRINGFIELD AND REQUESTING THAT THE LANE COUNTY LOCAL GOVERNMENT BOUNDARY COMMISSION APPROVE THE ANNEXATION.

Planning Supervisor Mel Oberst presented the staff report on this item. The applicant, Crossroads Development LLC, received approval for Phase 1 of Jasper Meadows in 2000. Subsequent approvals for two additional Phases were granted in 2002 and 2003. City Council approval of the Jasper Meadows Phase 3 Annexation in 2003 was contingent upon the submittal of a Master Plan for the remaining 67.2 acres of the Jasper Meadows Development Area. A Master Plan for the remaining 67.2 acres was reviewed and approved by the Hearings Official on January 7, 2005. The property owner of the subject territory is now requesting annexation under the Boundary Commission's expedited review process, in order to proceed with the plans for a phased residential development.

The subject territory is located south of the Mount Vernon Road and South 58th Street intersection, between Jasper Road and Weyerhauser Road, and is more accurately described as a portion of Tax Lot 507, Assessor's Map Number 18-02-03-00. Additionally, the subject territory is contiguous with City Limits along the northern property line.

Springfield Development Code Article 6.030(2) requires that territories considered for annexation "can be provided the minimum level of key urban facilities and services" as prescribed in Metro Plan Policy 8.a and in Glossary Term 23, Page V-3. Staff finds all key urban facilities and services are available to the subject territory contingent upon the execution of an Annexation Agreement.

The City Council is authorized by ORS 199.490(2)(a)(B) to initiate annexation upon receiving consent in writing from a majority of the registered electors and property owners residing in the

territory proposed to be annexed. There are no registered electors currently residing within the territory to be annexed and written consent from the sole property owner has been obtained.

Upon annexation, the subject territory will be zoned Low Density Residential (LDR), which is consistent with the LDR Metro Plan designation.

With City Council approval, this resolution will be forwarded to the Lane County Local Boundary Commission with a recommendation for approval through the expedited process without a public hearing.

Mr. Oberst said this item comes to council after a lot of hard work by the applicant and staff. Crossroads Development LLC has been a good applicant to work with and has been forthright and progressive in their attempts to get to this point. Staff recommends approval of the annexation request for the entire site, which will be governed by a master plan and annexation agreement that will assure the provision of services are in a timely matter, equitably distributed between property owners in the area, the developer and the city.

Councilor Ballew expressed concern regarding the sanitary sewer and stormwater because of the issue regarding Grandview Estates. She asked if there was assurance the property owners and developer would have some responsibility regarding sewer hook-up.

Mr. Oberst asked Supervising Engineer Ken Vogeney to address Councilor Ballew's concern.

Mr. Vogeney explained how the development would be serviced by sanitary sewer as noted in the master plan. The Jasper Road trunk sewer extension has been planned for in the future and is stated in the annexation agreement.

Councilor Ballew referred to the amount the developer has promised to pay towards the sanitary sewer and asked how we track that to collect the money.

Mr. Vogeney said the annexation agreement would be recorded against the property.

Councilor Ballew said the stormwater issue seemed still unresolved.

Mr. Vogeney discussed the wetland on this property. Through the master plan, the discharge of runoff, or stormwater, coming from their site would match the existing conditions. There is a provision in the annexation agreement that if they find that is not working, the city has a means to work with the developer to get some downstream stormwater improvements.

Councilor Ballew asked if the annexation agreement was enforceable.

City Attorney Joe Leahy confirmed that it was. Mr. Leahy said he had reviewed the annexation agreement and concurred with Mr. Vogeney's assessment.

Councilor Woodrow discussed widening of the street for access to this phase.

Mr. Vogeney said in the provisions of the master plan, the developer will be required to widen Mt. Vernon Road through their full frontage with the exception of the piece that is the alignment

for the future Jasper Road Extension (JRE) project. In the master plan, that section of the road has been deferred to a later date based on the completion date of the JRE.

Councilor Woodrow said the street would then be narrow, wide, narrow then wide again. Correct.

Mayor Leiken opened the public hearing.

No one appeared to speak.

Mayor Leiken closed the public hearing.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO ADOPT RESOLUTION NO. 05-05. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

Mr. Leahy noted that included in the agreement is a waiver of any claim under Ballot Measure 37.

3. Coordinated Urban Growth Boundary Population Projection for Area Within the Eugene-Springfield Metropolitan Area General Plan.

RESOLUTION NO. 05-06 – A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD ADOPTING A COORDINATED URBAN GROWTH BOUNDARY POPULATION PROJECTION.

Planning Manager Greg Mott presented the staff report on this item. Oregon Revised Statute requires cities with urban growth boundaries and the counties within which those cities are located to adopt “coordinated population projections.” After the 11 cities and Lane County have taken this action, the Lane Council of Governments’ Board will certify the completion of this coordination activity.

The Office of Economic Opportunity prepares annual population projections for all counties in the state. The counties in turn coordinate these projections with each city with an adopted urban growth boundary (ugb). The population projections aggregate total population within a county based on a variety of factors and influences generated by the cities and the county’s rural areas. These figures are allocated to each city through the “coordination” process. None of the cities or county can “claim” a population projection inconsistent with outcomes assumed by their respective comprehensive plans unless some event or circumstance has occurred that would justify such a change, i.e., a large prison.

These population projections are used by cities in preparation, updates or amendments of land use inventories, transportation plans and public facilities and services plans.

Mr. Mott distributed a table showing the Population Allocation for Urban Growth Boundary Areas in Lane County with Percent of Forecasted County Population which did not print out to be included in the agenda packet. This new table indicated the percentage of population that each of the communities represents as the total county population. Mr. Mott said this may be the first time that this projection has been brought before council during a public hearing. He felt that

because there are several proposed rule changes to the state legislature that require a coordinated population projection to be adopted, that it was important for council to adopt a resolution that includes these population projections. There is no requirement in the law for council to pass such a resolution, but Mr. Mott thought it would be best for citizen and council interest.

Mr. Mott said the State Economist prepares these projections based on variables that have occurred in each county during a certain period of time. They make adjustments primarily on the rate of growth, but based on the previous year's certified population used for revenue sharing. These figures are projections and are used exclusively for comprehensive planning purposes, inventory and for public facilities plans and transportation plans. Anytime a plan amendment comes before council, population projections should be used as part of the evaluation of those actions.

Mr. Mott referred to the table on Attachment 2 in the agenda packet. He explained the difference in the estimated rate of growth for 2005 from the 1997 projection compared to the 2004 projection.

Councilor Lundberg asked about the status of a prison in Junction City and if it would affect these figures. If it does affect the figures, would council need to come back to approve the new projections?

Mr. Mott said the projection is an annual process and it will be brought back to council each year. He discussed the different changes that could dramatically impact the projections.

Councilor Ballew asked what adjustments would need to be made if a facilities plan was designed according to the projections and those projections changed.

Mr. Mott said the changes to the projections are inconsequential. The basis the city has used for projecting infrastructure needs is what the planning area can accommodate. The population figures and what the plan can accommodate are not necessarily the same thing. Policy changes could affect facilities and transportation plans.

Councilor Ballew asked about the figures, which are a combination of Eugene and Springfield. She asked if those figures were available separately.

Mr. Mott said he has seen the figures separated, but they are not needed because the area has a single urban growth boundary (UGB). A spike in growth could occur separately in Springfield or Eugene without affecting the projections. Both the public facilities system and transportation system are metropolitan wide systems, not independent.

Councilor Ralston asked about the population outside the UGB. He asked why the population would go down outside the UGB.

Mr. Mott gave several examples. He noted that these projections were created prior to the passage of Ballot Measure 37. The impact of Ballot Measure 37 could significantly affect the population outside of UGB's. He discussed urban reserve areas.

Mayor Leiken asked about the figure of 72.9 percent and if that meant that 72.9 percent of the metropolitan area is Eugene/Springfield. That was correct. He asked about the twenty year supply of buildable residential land.

Mr. Mott said the last time the city was required to analyze residential land inventory was during periodic review in 1999. That periodic review was based on the 1995 database. The outyear for that projection was 2015. At the time, the city had a surplus of residential development in the metropolitan area based on certain assumptions about what the land could be used for. Those assumptions may not be as accurate as reality. During the monitoring report it was discovered that Springfield was building out detached single family residential at a much higher rate than anticipated. He explained. That caused that part of Springfield's inventory to be consumed at about twice the rate expected. It is difficult to project if this trend will continue. He discussed sloped land and land in the flood plain. City Councils can make policy decisions that would affect that inventory either by requiring minimum and low density residential, by reducing minimum lot size or by increasing minimum densities and medium and high densities. Council could also make decisions to remove obstacles regarding the type of housing allowed. He noted that the HomeBuilders' Association (HBA) suggested that the inventory the city has is inaccurate based on some things done in periodic review. HBA has appealed the periodic review actions to the Land Use Board of Appeals (LUBA) and the Land Conservation and Development Commission (LCDC). Last week the LCDC did not find in favor of the HBA issues. LUBA has not yet made their decision.

Mayor Leiken discussed the rise in the prime lending rate, lumber prices and other issues that will affect the housing industry. He noted that staff could outline proposals for UGB changes in a matter of months, but having it go through the political process could take years. He said the council needs to know the projections to determine when they should begin the process of adding UGB. That information may take some time to obtain. Council as policymakers needs to know what to look for in the future.

Mr. Mott said the legal requirement of both the City of Eugene and the City of Springfield is to goal compliance. Expanding the UGB may be the only solution if the buildable inventory reaches saturation. The community is well served by avoiding such a crisis. There are other issues surrounding expansion of the UGB such as schools, parks, businesses and residents.

Mayor Leiken said he appreciated the population projection information that was provided.

Mayor Leiken opened the public hearing.

No one appeared to speak.

Mayor Leiken closed the public hearing.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCIL LUNDBERG TO ADOPT RESOLUTION NO. 05-06. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

BUSINESS FROM THE AUDIENCE - Limited to 20 minutes. Please limit comments to 3 minutes. Request to Speak cards are available at both entrances. Please present cards to City

Recorder. Speakers may not yield their time to others.

1. Megan Finnessy, McKenzie Watershed Council, P.O. Box 53, Springfield, OR. Ms. Finnessy had requested and was approved to speak for ten minutes before council regarding the McKenzie Watershed Council Annual Report. Ms. Finnessy thanked the Mayor and council for the opportunity to come before the council. She referred to the annual briefing included in the agenda packet under Correspondence and Petition. The City of Springfield is a strong supporter of the McKenzie Watershed Council (MWC) and has been partnering with the organization for many years. The MWC is in its twelfth year, formed in 1993 and is a forum for exchanging information, a vehicle for resolving issues and an advisory to managing agencies within the watershed. The MWC brings together residents, organizations, businesses, elected officials and government agencies to collaboratively address ecological and management issues throughout the watershed. The MWC operates on the framework of five goals listed on the second page of the report. The watershed provides water for area residents, a home for many fish and other species, recreation opportunities, productive timber and agriculture lands and hydro-electric power generation. She described the many MWC programs, including education through the schools. The MWC is currently working through a business planning process that is working to diversify funding. Funding from Springfield has helped leverage additional funding to support MWC activities. She explained other issues the MWC is addressing. The MWC is a community based organization with strong local support that continues to implement the goals of the statewide Oregon plan for salmon and watersheds.

Councilor Woodrow commended Ms. Finnessy for her work on the MWC. He said Ms. Finnessy has been the Council Coordinator for about a year and a half and has done an excellent job in this position. She is proficient at organizing and getting things done.

Councilor Ralston asked who the major consumers were from the watershed.

Ms. Finnessy said the City of Eugene is the major consumer. Springfield Utility Board does have some of their wells draw water from the McKenzie River.

Mayor Leiken said we appreciate being a partner with the MWC. The McKenzie River is a beautiful part of our community.

2. David Rodriguez, 87984 Heather Drive, Springfield, OR. Mr. Rodriguez referred to an aerial map showing the Gateway area with the proposed PeaceHealth site. Mr. Rodriguez said he is a visionary and several years ago he was trying to get the Oregon Rivers' Museum, a freshwater interpretative center up and running. He did not want to go into the specifics or who was behind its destruction. Three years ago, Mr. Rodriguez came before the Planning Commission and the City Council to address a flaw in the groundwater models surrounding Weyerhaeuser, but the council did not listen. Two years later, the city acknowledged that he was correct. He described other issues regarding Weyerhaeuser. He said he hoped council would consider his testimony tonight based on his past warnings. He said he was here tonight regarding PeaceHealth. The location of the proposed PeaceHealth site is along the outside of the river bend and on the downstream end of a meander. He described the flow of rivers and meanders. This issue was not considered during the planning process for PeaceHealth. The McKenzie is a meandering and migrating river and this needs to be recognized. He has

addressed new information to the Planning Commission that the city cannot ignore. He provided copies of information that he provided to the Planning Commission. He said he would provide additional information at the next PeaceHealth Public Hearing. He said PeaceHealth cannot be located that close to the McKenzie River. Oregon does not address this information and it is time to pay attention.

3. Fred Simmons, 312 S. 52nd Place, Springfield, OR Mr. Simmons said he understands that staff will be commencing with mailing out the license application on the telecom portion of the Utility Tax. There seems to be a legitimate 180 degree dispute over the question of the referendum and the effective date. Mr. Simmons has asked staff for a mailing list of those applications once they have been mailed as they would be public records. He feels there is an honest dispute and may result in legal action. The disagreement is among issues and not people. Mr. Simmons also spoke on the storm drain issue on Main Street. It involves Main Street, Franklin Boulevard, the maintenance of the storm drain, complaints from businesses because of odors and problem, signalization issues with ODOT and street light issues. Mr. Simmons said he would be meeting on Tuesday to try to identify those things and come to some results. It appears there is a problem which needs to be addressed. The city may be underbilling the state for our efforts or overbilling them. Clear resolution of those issues needs to be made. The timely response from staff did not include several items.

COUNCIL RESPONSE

CORRESPONDENCE AND PETITIONS

1. Correspondence from Megan Finnessy, McKenzie Watershed Council, P.O. Box 53, Springfield, OR Regarding the McKenzie Watershed Council Annual Report.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO ACCEPT THE CORRESPONDENCE FOR FILING. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

BIDS

ORDINANCES

BUSINESS FROM THE CITY COUNCIL

1. Committee Appointments
 - a. Library Board Appointment.

Library Director Bob Russell presented this item. The Library Board has one vacancy, due to the expiration of the term of Mark Danburg-Wyld. Mr. Danburg-Wyld has moved to Eugene, and is not eligible for reappointment.

To be eligible for appointment to the Library Board, applicants must be registered voters and live within the city limits. (One member of the board may live outside the city if he or she owns property within the city.) Both applicants are registered voters living within the city limits.

There were two applicants for this position. The Library Board interviewed both applicants at its January 13 meeting, and unanimously recommended the appointment of Betty Adams.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO APPOINT BETTY ADAMS TO THE LIBRARY BOARD WITH AN EXPIRATION DATE OF DECEMBER 31, 2008. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

2. Business from Council

a. Committee Reports

Councilor Pishioneri said he attended the Tsunami Relief event at the Fairgrounds last week. A lot of people attended and it was a nice event. There were a number of items up for sale at the Silent Auction. It was a very worthwhile event.

Councilor Ralston said he tries to go to all of the D.A.R.E. graduations, but he is unable to attend the graduation at Paige Elementary on Wednesday, February 9 at 9:30am. He asked if someone else could go as representative of the city. It means a great deal to the students and parents to have someone from the city attend and show they care. This program is not just for the kids, but for the parents as well.

Mr. Kelly said he could attend if none of the councilors were available.

Mayor Leiken noted that Ms. Pappas represented the city at the Tsunami Relief press conference when the Mayor was unable to attend. It was much appreciated.

Mayor Leiken said that he, Councilor Ralston, Councilor Woodrow and Mike Kelly attended the NAACP dinner on February 5. Also, on the morning of February 5, the Mayor and council, along with city staff attended the TEAM Springfield meeting. Mayor Leiken planned to travel to Salem on Tuesday for a meeting regarding Region II Transportation issues.

b. Other Business

Councilor Ralston said he received a call from someone regarding the city's policies on stored vehicles. The citizen has two sand rails and has received a citation for improper storage of the sand rails. The city code evidently allows All Terrain Vehicles (ATV's), including snowmobiles, motorcycles, RV's and boats, but sand rails are considered another kind of vehicle. Stored vehicles have to be stored behind a six foot fence and only one stored vehicle is allowed, but this citizen has two sand rails. The citizen asked Councilor Ralston to check into revising the city code. The citizen also discussed chain link fence and nylon cloth to obstruct the view of these vehicles.

Mr. Leahy said the citizen spoke on several occasions with Jackie Murdoch, City Code Enforcement Officer, and with Mr. Leahy. The difficulty is that the present language in the code does not include sand rails or the equivalent. It would require a modification to the city code. Ms. Murdoch has been very courteous in trying to work out a solution with this citizen.

Councilor Ralston said it would be a small modification to the code to include sand rails under the definition of ATV's.

Mayor Leiken suggested the citizen contact others in the community that have sand rails and are faced with this same problem.

Mr. Kelly said this is not a large time-consuming effort, yet there is a work plan that staff is working on regarding council priorities. Whatever time spent on a code revision would take time away from the established work plan, but staff would be more than happy to do so if council directed. He said he appreciated Councilor Ralston bringing this issue to the attention of the council so they could determine whether or not this was a big enough issue in the community to direct staff to bring back options for a code change relating to this issue. It is healthy for councilors to bring these types of issues to council for discussion and direction. It is best when these issues can be dealt with at the staff level. This issue has been discussed with staff and the City Attorney, but with the language in the code as it is, there is nothing more staff can do. It is now up to the council to determine if they want staff to pursue a code change.

Councilor Woodrow asked if there was a time frame when this citizen would be fined.

Councilor Ralston said last time he went to the citizen's home, the citizen was putting up a fence, yet the issue remains that he has two sand rails and code only allows one.

Mr. Leahy said that the citizen has not yet been cited and Ms. Murdoch is working with him on a resolution in a manner to avoid a citation.

Councilor Woodrow said it is not something that needs to be pushed through on an emergency basis.

Mr. Leahy said that if council did ask staff to push it through on an emergency basis, staff would ask Ms. Murdoch not to cite the citizen pending resolution by the council.

Councilor Fitch said at this time she would like to leave it up to staff to find a common sense solution. The citizen could bring forward a petition showing that there are a number of these in the city, and council could look at directing staff to bring some options for a code change. She does not feel that with limited city resources, staff time would be best spent on an issue that may only affect this one citizen.

Councilor Ralston said this will be an issue with this citizen unless the solution involves no citation.

Councilor Fitch suggested the citizen come before the council with his concerns.

Councilor Ralston asked about canvas portable garages and if they were prohibited in the city.

Mr. Puente addressed this question. He said up until two years ago, those were considered structures which had to comply with the building code. The building code has since come out

with a state amendment that does not require permits or inspection services on these structures if they are less than five hundred square feet.

BUSINESS FROM THE CITY MANAGER

1. Martin Luther King Jr. Parkway Bike Lanes.

RESOLUTION NO. 05-07– A RESOLUTION AMENDING RESOLUTION NO. 04-30, NUMBER 2, BIKE AND PEDESTRIAN PATHS, TO ALLOW FOR BIKE LANES ON THE SOUTHERN SEGMENT OF THE MARTIN LUTHER KING JR. PARKWAY PROJECT.

Transportation Manager Nick Arnis presented the staff report on this item. The Martin Luther King Jr. Parkway, the \$9.3 million city arterial road project, is about 50% designed with the first phase scheduled for construction in 2005. When the council approved the project design elements on July 6, 2004, design element #2, the bike and pedestrian paths were also approved. Element #2 reads: *“Locate bike and pedestrian routes on Game Farm Road South where feasible but create easements where possible and with neighborhood support in the area near the Parkway project for bike and pedestrian paths.”* When the project design elements were approved in 2004, the designs for the soundwall, planting strip, travel lanes, and shoulders were unknown in the southern segment of the project. The 50% designed project allows for a six foot shoulder on the outside travel lanes with room for a planting strip and soundwall. Until the 50% design was completed the width of the shoulder was undetermined. Since the shoulder can be six feet, it is possible to include a bike lane along the southern segment of the Parkway with no additional right of way. A bike lane completes bike connectivity for the Parkway, is consistent with the Transportation Planning Rule (TPR) that requires bike lanes on new collector and arterial streets, and the bike lane does not need additional right of way in the narrow section of the Parkway project. Staff recommends amending Resolution 04-30 #2 to allow for a bike lane on the Parkway.

Councilor Fitch asked if there was any concern with the bus coming in to the bus station conflicting with bike traffic.

Mr. Arnis explained how the bus would enter the bus station and where the bike lanes would go to a separate multi-use path in that area. It would be very clear for the bike riders.

Councilor Lundberg asked what the proposed speed limit was for that segment of the road.

Mr. Arnis said it was 45 miles per hour along that segment.

Councilor Lundberg expressed concern over the speed of traffic so close to the bike traffic. She discussed the bike paths along Pioneer Parkway and how they would connect to the MLK Parkway. She asked if Game Farm Road was scheduled to have bike lanes installed in the future.

Mr. Arnis addressed her concerns about the bike path along Pioneer Parkway, noting that the city would continue to maintain that bike path. He explained how the bike path would go through the roundabout. It has been anticipated that there would be improvements to Game Farm Road in the future with either a shoulder, sidewalk or bike lane. That has not yet been determined and bike paths along that road may be difficult with the many curb cuts and the amount of right-of-way.

Councilor Lundberg said she sees the reasoning for this bike lane, but would like to see it more separated from the traffic. She said the bike path on Pioneer Parkway is ideal because it is completely off of the road and away from traffic.

Mr. Arnis said the future of Game Farm Road will change with the construction of the MLK Parkway. Traffic will be reduced and it will become more of a neighborhood collector street. He noted that even without a designated bike lane on MLK Parkway, people will still ride their bikes because there will be a six foot shoulder.

Councilor Pishioneri asked how the center bike lane on Pioneer Parkway would transition to the MLK Parkway.

Mr. Arnis explained where the bike lanes would split off and go across crosswalks. Mr. Arnis said that although not everyone would be comfortable using a bike lane on a 45 miles per hour road, there are others that will ride on the shoulder whether there is a designated bike lane or not, as they do on Main Street and Franklin Boulevard. The city is offering a safer place for them to ride their bikes by putting in the striping and signage. This does not mean that bike lanes could not go on Game Farm Road in the future. The resolution refers to acquiring easements throughout the adjoining neighborhoods for additional access.

Councilor Fitch said that runners will also use these bike lanes. She asked if staff had looked at a curb with a raised area for the bike lane to distinguish it as a separate part of the road from the traffic. This would keep cars from pulling over onto the shoulder. She asked if they had just planned on painting the broad white strip to signify the bike lane.

Mr. Arnis confirmed that the plan was to paint the white stripe. The shoulder does allow a place for traffic to pull over if their car breaks down. He said he was not sure if the raised type of bike lane would fit into the six foot shoulder. He said he understands the concerns and could look into different colors of concrete or striping.

Councilor Fitch said if it was done in concrete, she would recommend a different color of concrete to differentiate it from the roadway.

Councilor Ralston asked about putting bumps between the car traffic and the bike lane.

Mr. Arnis said that is something else they could look into as well as grooves in the pavement.

Councilor Pishioneri said bikes will go down that roadway anyway, and anything the city can do to differentiate that lane will enhance the bike riders' safety.

Councilor Woodrow referred to an earlier decision to take additional right-of-way from citizens. He questioned the need to take the additional property from those citizens if it left us with a six foot shoulder.

Mr. Arnis explained that the six feet was needed for the shoulder regardless if there was a bike lane or not. The decision was made because it was not yet clear how large the footings for the soundwall would be or the size of the planter strips.

Councilor Woodrow recalled that the county overrode the city on the decision to take the additional right-of-way. That was correct.

Councilor Ballew said this is something the Public Works department could solve without bringing it to council.

Councilor Lundberg said this answers the necessity to comply with our transportation planning rule, but will not encourage people to use a bike, but only allows them to use a bike. She discussed other bike paths that are much more widely used because of their location away from the traffic. She will support this, but common sense needs to be matched with planning connectivity.

Mr. Arnis said staff would contact the Oregon Department of Transportation (ODOT) and their bike/pedestrian coordinator who has had a lot of experience in this area. Staff will also consider all of council's suggestions to make it safer.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO ADOPT RESOLUTION NO. 05-07. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

BUSINESS FROM THE CITY ATTORNEY

ADJOURNMENT

The meeting was adjourned at 8:36 p.m.

Minutes Recorder Amy Sowa

Sidney W. Leiken
Mayor

Attest:

City Recorder