

City of Springfield
Regular Meeting

MINUTES OF THE REGULAR MEETING OF
THE SPRINGFIELD CITY COUNCIL HELD
TUESDAY JULY 5, 2005

The City of Springfield Council met in regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon, on Tuesday, July 5, 2005, at 7:08 p.m., with Mayor Leiken presiding.

ATTENDANCE

Present were Mayor Leiken and Councilors Ballew, Ralston, Lundberg, Woodrow, Fitch and Pishioneri. 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 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. June 27, 2005 – Work Session
3. Resolutions
4. Ordinances
5. Other Routine Matters
 - a. Approval of the Liquor License Endorsement for Ruthie B's Antiques and Depot District Tea Room, Located at 346 Main Street, Springfield, OR.
 - b. Approval of the Liquor License Endorsement for Hayden Bridge Track Town Pizza, Located at 2454 Tenth Street, Springfield, OR.
 - c. Approval of the Liquor License Endorsement for Ashley's Gateway Bistro, Located at 3125 Gateway Street, Springfield, OR.
 - d. Approval of the Bid Award for Project P20425; Sanitary Sewer Replacement 2005 Between Centennial Boulevard and I-105, and Between 13th Street and Market Street and Vicinity to Eugene Sand and Gravel, Inc. in the amount of \$1,089,974.30.

ITEMS REMOVED FROM THE CONSENT CALENDAR

PUBLIC HEARINGS

1. Proposed Amendment of the Springfield Municipal Code, 1997.

ORDINANCE NO. 6131 – AN ORDINANCE AMENDING THE SPRINGFIELD MUNICIPAL CODE, 1997, CHAPTER 3 STREETS, TO ESTABLISH STREET NAMING, RENAMING AND ADDRESSING REGULATIONS BY ADDING SECTIONS 3.240 THROUGH 3.248, AND DECLARING AN EMERGENCY.

City Planner Gary Karp presented the staff report on this item. Currently, there is no comprehensive process for naming, renaming and addressing public and private streets in either the Springfield Development Code (SDC) or the Springfield Municipal Code, 1997 (SMC). Adoption of this ordinance will enable police and emergency vehicles to respond quickly to calls, expedite postal and other delivery services, avoid duplicate street names, and to locate business places and residences without difficulty.

In 1986, street naming and addressing regulations were found in the Springfield City Code, 1965 (Attachment 2). When the SDC was adopted in May of that year, the City Code text was deleted. However, only a portion of the text pertaining to street naming was placed in the SDC. As part of the research for the SDC “housekeeping” amendments that the City Council recently reviewed, staff determined that the current SDC street naming text does not provide adequate review of street naming and addressing issues. The proposed SMC text codifies current practices based upon language deleted from the Springfield City Code 1965, and adds procedures for changing street names. The SDC “housekeeping” amendments will delete the current street naming text and add a reference to the SMC (Attachment 3). The proposed SMC amendments have been reviewed and approved by the Police, Fire, Public Works and Development Services Departments. The emergency clause is necessary because of the many subdivisions that are currently being processed by Planning staff. The intent is to have this ordinance become effective immediately upon signature by the Mayor.

Councilor Ballew asked why this was an emergency.

Mr. Karp said this issue comes up frequently with the many subdivisions that are currently being processed by planning staff.

Councilor Ballew said more thought should go into when an ordinance is an emergency and when it is not.

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 ORDINANCE NO. 6131. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

2. Proposed Ordinance Amending Ordinance No. 6127 and Modifying the Metropolitan Wastewater Management Commission (MWMC) Intergovernmental Agreement (Agreement).

ORDINANCE NO. 6132 – AN ORDINANCE AMENDING ORDINANCE NO. 6127, MODIFYING THE METROPOLITAN WASTEWATER MANAGEMENT COMMISSION INTERGOVERNMENTAL AGREEMENT; DECLARING AN EMERGENCY; AND PROVIDING AN EFFECTIVE DATE.

Environmental Services Manager Susie Smith presented the staff report on this item. The Springfield City Council adopted Ordinance No. 6127 on May 23, 2005, adopting an updated MWMC Agreement. The Eugene City Council and the Lane County Commissioners subsequently reviewed and adopted the proposed Agreement with additional modifications made by the Eugene City Council. The Agreement can be modified only by unanimous consent among all three agencies' governing bodies. Therefore, the Agreement, as modified by Eugene and Lane County, is being returned to the Springfield City Council for consideration as an amendment to Ordinance No. 6127.

Ordinance No. 6127, enacted by the Springfield City Council in May, 2005, adopted an updated MWMC Agreement, which, among other things, creates MWMC as an "Intergovernmental Entity" pursuant to Oregon statutes. Eugene and Lane County reviewed the Agreement at roughly the same time; however, Springfield was the first to take action. The Eugene City Council further modified the Agreement to accomplish the following purposes (highlighted in legislative format in Attachment 2): 1) to specify the range of MWMC user charges and system development charges that are to be recommended by MWMC and adopted by the applicable governing bodies, and that are addressed in the dispute resolution process (see Agreement Sections 3.e.1. & 2., 8.c., 13., and 16.); and 2) to clarify the intent of the MWMC financial planning requirements relating to achieving full cost recovery, and to ensuring equity between current and future customers and among customer classes (see Agreement Sections 3.f.1., 4., & 5.).

The modifications incorporated by Eugene and Lane County were developed by regional staff, legal and bond counsel, and the Financial Advisor to MWMC to address various concerns expressed by Eugene councilors during their review. Staff believes that the modifications are inconsequential to the intent, the specified roles and functions, and the ability and procedures to implement the Agreement. Therefore, staff is recommending council approval of the attached ordinance, which brings Springfield's approved MWMC Agreement into alignment with that which was adopted by the other governing bodies, and corrects a minor scrivener's error in Ordinance No. 6127. Ordinance No. 6127 was enacted with an emergency clause, due to the pressing need for MWMC to issue revenue bonds to fund its 20-year capital improvements program. An emergency clause and an immediate effective date remain important aspects of the ordinance proposed for council consideration.

Councilor Ballew said after reading the changes, she agreed they were very minor. She asked about the change in the language from 'urbanizable areas' to 'urban boundary areas' and if that made a difference. MWMC only serves incorporated cities and River Road.

Ms. Smith said the forecasted planning area was within the urban growth boundary. That was one of the housekeeping amendments that updated the language to the current Metro Plan from the 1990 version.

Councilor Ballew asked if language was added regarding dispute resolution.

Ms. Smith said it remained the same.

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 ORDINANCE NO. 6132. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

Mayor Leiken said the urban growth boundary change was a good change.

3. Ordinances Adopting Metropolitan Area General Plan Diagram Amendments, Mid-Springfield Refinement Plan Diagram Amendments, and Zone Changes for 4 Tax Lots Located in the 600 Block of 34th Street (Journal Number LRP 2005-00015 and ZON 2005-00018, Tyndall Et Al, Applicants).

ORDINANCE NO. 3 – AN ORDINANCE AMENDING THE METROPOLITAN AREA GENERAL PLAN DIAGRAM BY REDESIGNATING APPROXIMATELY 1.55 ACRES OF LAND FROM LIGHT-MEDIUM INDUSTRIAL TO LOW DENSITY RESIDENTIAL (FIRST READING).

ORDINANCE NO. 4 – AN ORDINANCE AMENDING THE MID-SPRINGFIELD REFINEMENT PLAN DIAGRAM BY REDESIGNATING APPROXIMATELY 1.55 ACRES OF LAND FROM LIGHT-MEDIUM INDUSTRIAL TO LOW DENSITY RESIDENTIAL CONSISTENT WITH THE METROPOLITAN AREA GENERAL PLAN DIAGRAM DESIGNATION FOR THIS PROPERTY (FIRST READING).

ORDINANCE NO. 5 – AN ORDINANCE REZONING TAX LOTS 3800, 3900, 4000 AND 4100, ASSESSOR'S MAP 17-02-31-21, FROM LIGHT-MEDIUM INDUSTRIAL TO LOW DENSITY RESIDENTIAL (1.55 ACRES) CONSISTENT WITH THE METROPOLITAN AREA GENERAL PLAN DIAGRAM DESIGNATION FOR THIS PROPERTY (FIRST READING).

Planning Manager Greg Mott said the ordinances, if adopted, would allow the property owners to continue the existing residential use of this land in conformance with the comprehensive plan and city zoning laws.

The requested action was based upon an extension of the record of the Planning Commission hearing from June 21st to July 12th. That extension required the council hearing to be rescheduled for July 18th. In order to allow the council to vote on these proposals prior to recess and without

an emergency clause, the first reading, without a public hearing, must occur as scheduled on July 5th.

Councilor Ballew asked about the sharing of cost.

Mr. Mott said it was split half by the property owners and half by the city as directed by council.

Mr. Kelly reminded council of the applicant's dilemma with the zoning issues.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO RESCHEDULE THE PUBLIC HEARING ON THESE ITEMS UNTIL JULY 18, 2005. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO RESCHEDULE THE PUBLIC HEARING ON ORDINANCE NO. 3, 4 AND 5 TO JULY 18, 2005. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

BUSINESS FROM THE AUDIENCE

1. Curtiss Greer, 357 55th Street, Springfield, OR Mr. Greer said he received a pamphlet that council had not seen yet which he wanted to speak about regarding sewer and drainage fees. He noted that one of the council goals was to partner with citizens. He discussed his perception of what partnering meant. He felt the information circulated by city staff showed partnering meant to circumvent the direction your partner wants. They have legal authority to do so, but he questioned the ethics. He discussed the pamphlet regarding fees and the use of those fees for inappropriate uses. He asked if the council and city staff could tell the citizens with a clear conscience what they were doing was right.
2. Fred Simmons, 312 South 52nd Place, Springfield, OR Mr. Simmons discussed the contract council would be reviewing on the Justice Center programming and that it had been cleaned up. He noted one portion that still concerned him; the intimation that Mr. Liebert would be the owners' representative. He said that may be a good idea, but to enact one contract and then grant the holder of that contract an advantage for a second contract was a problem unless there was proven capacity locally to save money in that process. The contract was closer to what it should be than it was before, but there was still the one issue.

COUNCIL RESPONSE

CORRESPONDENCE AND PETITIONS

BIDS

ORDINANCES

BUSINESS FROM THE CITY COUNCIL

1. Business from Council
 - a. Committee Reports

1. Mayor Leiken said there was a meeting on the Public Safety District last Thursday. The Mayor, Councilor Lundberg and Councilor Woodrow attended. He said he was impressed with the dialogue from smaller communities in Lane County. They had the same challenges that Eugene and Springfield had. He referred to an article today that noted the number one issue confronting sheriff departments throughout the county as far as law enforcement and safety is methamphetamine.

Councilor Ballew asked about the outcome of the meeting.

Mayor Leiken said this first meeting was information sharing and there would be five more meetings. Public Safety in Lane County does have significant challenges that need to be fixed together. The first meeting was a chance for input. Future meetings would include discussions on how the cities and county could come together to work on the issues, such as the meth problem.

Councilor Lundberg said she started on the Public Safety Coordinating Council (PSCC) in 1998 and the discussion was the same. She discussed a measure that was put to the voters that was defeated. She said the same issues would come forward if another measure were to be drafted, but she hoped that with all the cities, including the rural cities, and county behind it, something could pass. She questioned the amount of money the city gives to the PSCC and the effectiveness of the group. She encouraged anyone to listen to Linda Wagner who had done extensive research and learned that it took the right people running the programs. She said it was encouraging to have everyone at the table wanting to fix the problem.

Councilor Woodrow said it was encouraging to see the communities come together. There was unified agreement that this was something that all communities needed to address.

Mr. Kelly said the origin of this came from the proposal from the Lane County law enforcement for a Public Safety District. There were two processes; the land use process and the measure itself. The Springfield City Council voted 3 to 2 to forward the land use request and approve the Metro Plan amendment that would allow a district. The Eugene Council did not approve that amendment, so the Lane County Commissioners met with the Eugene Mayor and Council to see what could be done. Out of that discussion came the suggestion to meet with all cities and the county. He said it was a good meeting and showed the will to do something together.

Councilor Ballew said it was difficult to predict what the public would support regarding additional financing. She said it would be helpful to show not only new ways with additional funding, but also ways to address the problem with existing resources.

2. Councilor Ralston said applications were being received for the 9th position of the Lane Regional Air Pollution Authority (LRAPA) Board. The application deadline was July 8, the board would review applications on July 12, with interviews occurring on August 9. Applications were available at LRAPA and online. Five applications had been received so far.

Mayor Leiken asked council what they wanted to do with LRAPA.

Councilor Ballew said she would suggest waiting until the new board member was appointed.

Councilor Ralston said the discussion on this should come forward in a work session.

BUSINESS FROM THE CITY MANAGER

1. Justice Center Programming Consultant Contract.

Project Manager Carole Knapel presented the staff report on this item. In order to begin the design of the Justice Center, certain pre-design services are required. Specifically, a Functional Program must be developed. The contract also includes the consultant's participation in selection of the architect. The City Manager has negotiated the contract which is included with the Agenda Packet with Liebert and Associates to perform this work.

In order for an architect to begin the design of the Justice Center, certain pre-design services are required. Specifically a Functional Program must be developed to provide guidance for the design of the facility. This program document will be a narrative description of all the activities, programs and services which will occur in the new facility. The most efficient adjacencies for operation and staffing of the facility will be addressed.

On June 20, 2005, the City Council authorized the City Manager to negotiate a contract with Liebert and Associates to perform this work at a cost not to exceed \$100,000. The proposed contract has been negotiated in the amount of \$93,600.

The proposed schedule of activities indicates that the pre-design work must begin immediately. A personal service contract for the development of the functional program will allow this work to proceed. This contract has been reviewed by the City Attorney and is consistent with ORS 279 and with the applicable City Ordinance provisions.

Councilor Ballew referred to the point made by Mr. Simmons regarding disconnect of the owners' representative. She said he made a good point.

Ms. Knapel said there was a reference to the owners' representative on page 21 of 43 of the contract under Scope of Services. She said it was under "other consulting services available" and was not part of the proposed contract.

Councilor Ballew noted the large amount of information related to the jail versus that of the police station. She said the police station was the main part of the building and the construction of the jail was still contingent upon funding for operations.

Ms. Knapel said there was more information regarding the jail because the jail was something new to Springfield. She said a lot of time would be spent on the Police Station, as it was the primary focus.

Mr. Leahy said he hadn't been clear on the connection when Mr. Simmons discussed the owners' representative, so he was glad to hear Ms. Knapel's explanation. There may not be the connection Mr. Simmons thought there was. He said he wanted to be sure this contract was for this programming consultant for this amount and for the listed functions. If this person were hired for another function, that contract would have to come before council for a decision. It may be in the context of a bidding situation, a request for proposal (RFP) or with a recommendation to continue with Mr. Liebert. Council would make the judgment at that time whether or not staff made a case for any of those situations. That was correct.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO APPROVE THE CONTRACT WITH LIEBERT AND ASSOCIATES IN THE AMOUNT OF \$93,600 FOR PREDESIGN ARCHITECTURAL SERVICES / FUNCTIONAL PROGRAMMING FOR THE JUSTICE CENTER PROJECT AND AUTHORIZE CITY MANAGER TO EXECUTE THE CONTRACT. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

BUSINESS FROM THE CITY ATTORNEY

Mr. Leahy introduced Matt Cox from the City Attorney's office. Mr. Leahy said they were fortunate to have Mr. Cox in the office and noted the knowledge Mr. Cox brought with him to the position.

ADJOURNMENT

The meeting was adjourned at approximately 7:38 p.m.

Minutes Recorder Amy Sowa

Sidney W. Leiken
Mayor

Attest:

City Recorder