

City of Springfield  
Regular Meeting

MINUTES OF THE SPECIAL REGULAR MEETING OF  
THE SPRINGFIELD CITY COUNCIL HELD  
MONDAY, AUGUST 21, 2006

The City of Springfield Council met in special regular session in the Jesse Maine Room, 225 Fifth Street, Springfield, Oregon, on Monday, August 21, 2006 at 5:30p.m., with Mayor Leiken presiding.

ATTENDANCE

Present were Mayor Leiken and Councilors Ballew, Fitch, Ralston, Lundberg, Woodrow, and Pishioneri. Also present were City Manager Gino Grimaldi, Assistant City Manager Cynthia Pappas, City Attorney Joe Leahy, Administrative Coordinator Julie Wilson and members of the staff.

BUSINESS FROM THE CITY MANAGER

1. Council Approval of the Issuance of a Residential Building Permit Prior to Annexation.

Gino Grimaldi recognized Colin Stephens and thanked him for his service as he is leaving the City for new employment opportunities. He has worked on many projects while working for the City.

City Planner Colin Stephens introduced this topic. The Council is asked to vote on a motion to allow the Community Services Division to issue permits to build one single-family home on a site that is currently outside of the City Limits, but within 300 feet of a public sanitary sewer line.

The Home Builders Association (HBA) of Lane County has undertaken a project to utilize volunteer labor and donated materials to construct a house for a needy family. Home Builders call the project the "Reynolds Makeover" after the family name of the project beneficiaries. To meet its desired schedule, Home Builders would like the building permits to be issued in August. Typically, a property within 300 feet of a public sewer must annex to the City prior to building permit issuance.

The property to be annexed is comprised of two lots on the north side of Lomond Street between Loch Drive and 23rd Street. They were created in 1965 as part of the Loch Lomond Terrace subdivision. Both the platting of the subdivision and the subsequent development of the land with houses was done under Lane County's jurisdiction. The area remains outside of the City Limits but within Springfield's portion of the Urban Growth Boundary. All of the un-annexed houses in this area are served by on-site septic systems.

Oregon Administrative Rules (OAR) section 340-071-0160(4) requires that a new single-family dwelling hook up to an available sewerage system if it is within 300 feet of such a facility. The Reynolds house property is approximately 200 feet to the west of an available public sewer. The existing house on the lot to the west must also be annexed because portions of its on-site septic system are located on the Reynolds site. This private system must be abandoned and rerouted to the public system as a component of the new house construction.

Home Builders have begun the Annexation application process. There is an anticipated hearing date of September 18th for the Council to vote on a recommendation to the Boundary Commission. Under the Boundary Commission's expedited process, the earliest that the property could be formally annexed to the City would be mid-October. Should the Council approve this request to release the building permits in advance of annexation, Home Builders may begin construction in August. Occupancy of the new home will be withheld until the Boundary Commission approves the annexation and the house is connected to the sewer. The applicant will be responsible for the cost of extending the sewer to the site.

Mr. Stephens provided brief information regarding the development issues meeting. That meeting included city staff that reviewed the application and the developer, regarding the annexation. The annexation application was reviewed during this meeting. This should be a straightforward annexation. Staff has not yet seen the application. Because of this he would ask that any motion by council include language stipulating that the building permits would not be issued until the City receives the actual application from the Home Builders and occupancy to the home will not be granted until both properties are fully annexed.

Councilor Pishioneri expressed opposition to issuing a permit before they are in the City. Also there are concerns regarding annexation in island lots. Annexation of islands of County and City could cause many problems, especially for emergency services. The project is noble and serves a cause. It is a great idea. He expressed concern that it appears we may be providing a special favor for a particular organization. He recognized the good work of the Home Builders Association (HBA). There are many others that have special circumstances and special needs. Are we willing to set a precedent to allow them the same courtesy we are considering at this time? HBA is aware of timing issues for projects. He asked what the emergent need was for this project to go through as well as what the community need was to provide this special processing outside the normal process. The project is a great project but the process may not be a good one.

Councilor Lundberg concurred with comments made by Councilor Pishioneri. She asked how this topic ended up being brought to Council during a special meeting. Colin Stephens said this topic was brought up during a July 31 work session, then it was brought before Council leadership for consideration. Gino Grimaldi said there were some issues with septic tanks that were not anticipated. It slowed the project down. There may have been some other issues also.

Mayor Leiken asked Ed McMahon, HBA if he would like to answer questions. Mr. McMahon said they had a timeline that would have worked well and could have had the annexation approved prior to council summer recess. Unfortunately, four days before they closed on the lot, the neighbors brought in an easement to let them know that the lateral lines were on this lot. Prior to that they were not aware. This delayed closing by about two weeks to try and sort out details. That was the delay on the project.

Councilor Fitch has worked on volunteer projects. She acknowledged the magnitude of trying to get people to volunteer time, effort and money is great. You never know when it all comes together. The reality is that there are certain times you can get builders to do these projects, times they are not able to. It would be nice to hear this topic during a regular meeting, but the reality is there were some circumstances that lead staff to believe that this was something to consider and bring before Council. We may not be setting a precedent forever that we would have to approve or deny requests of this sort. If someone is willing to build a house for free, for a needy family, she was willing to look at this at a special session. These would probably not come up too often.

It would be nice to have it all follow schedule but that does not always happen so she would most likely support the request.

Councilor Ballew concurred with comments made by Councilor Pishioneri. We have to see extraordinary circumstances to support an island annexation.

Councilor Woodrow said Councilor Pishioneri made good points. He recognized that this is an issue that is outside of the norm. We have been flexible in the past, approximately 5-6 months ago, and allowed a zone change so individuals could sell their homes properly for financing reasons. He did not like island annexations, but has been aware of the HBA efforts related to this project. They should be commended for their efforts. He would support the proposal and recognized it was a worthwhile and needy project.

Ed McMahon said the entire section which was not annexed in at this time, will eventually have to be annexed. They are all on septic lines. As soon as the septic lines fail, they will not receive a repair permit, they will be required to hook up to the sewer. That island will eventually be annexed.

The group briefly discussed River Road annexation issues.

Councilor Ralston said we encourage people within the Urban Growth Boundary area to annex, for good reasons. This is a worthy cause and he would support it.

**IT WAS MOVED BY COUNCILOR WOODROW, WITH A SECOND BY COUNCILOR FITCH, TO APPROVE A MOTION TO ALLOW THE COMMUNITY SERVICES DIVISION TO ISSUE PERMITS TO BUILD ONE SINGLE-FAMILY HOME ON A SITE THAT IS CURRENTLY OUTSIDE OF THE CITY LIMITS, BUT WITHIN 300 FEET OF A PUBLIC SANITARY SEWER LINE, UPON RECEIPT OF AN ANNEXATION APPLICATION AND THAT NO OCCUPANCY OCCURS UNTIL THE BOUNDARY COMMISSION APPROVES THE ANNEXATION. THE MOTION PASSED WITH A VOTE OF 4 FOR AND 3 AGAINST (BALLEW, LUNDBERG, PISHIONERI).**

ADJOURNMENT

The meeting adjourned at 5:45 pm

Minutes Recorder Julie Wilson

\_\_\_\_\_  
Sidney W. Leiken  
Mayor

Attest:

\_\_\_\_\_  
City Recorder