

City of Springfield
Work Session Meeting

MINUTES OF THE WORK SESSION MEETING OF
THE SPRINGFIELD CITY COUNCIL HELD
MONDAY, NOVEMBER 13, 2006

City Manager Gino Grimaldi gave a brief update on the November 7, 2006 election results.

Mayor Leiken presented a framed certificate from the ICMA, Leaders of the Corp for Better Communities, for twenty years of dedicated service to local government to City Manager Gino Grimaldi.

The City of Springfield Council met in a work session in the Jesse Maine Meeting Room, 225 Fifth Street, Springfield, Oregon, on Monday, November 13, 2006 at 5:34 p.m., with Mayor Leiken presiding.

ATTENDANCE

Present were Mayor Leiken and Councilors Woodrow, Lundberg, Fitch (5:40 p.m.), Ballew, Ralston and Pishioneri. Also present were City Manager Gino Grimaldi, City Attorney Joe Leahy, City Recorder Amy Sowa and members of the staff.

1. Budget Committee Interviews.

Budget Officer Bob Brew presented the staff report on this item. The Budget Committee has a vacancy in Ward 2 due to the election of Hillary Larson-Wylie to the Ward 2 Council position. The person appointed will serve out the remainder of Councilor Wylie's term which will expire on December 31, 2007.

The Budget Committee has a vacancy in Ward 6 due to the December 31, 2006 term expiration of Rita Castillo. Ms. Castillo has served one term and is eligible to reapply. The person appointed will serve a three year term which will expire on December 31, 2009.

The Budget Committee has a vacancy in Ward 5 due to the December 31, 2006 term expiration of Daniel Bowie. Mr. Bowie has served two terms and is not eligible to reapply. The person appointed will serve a three year term which will expire on December 31, 2009. No applications have currently been received for this position.

In response to the news release dated October 4, 2006 one application has been received for the Ward 2 opening and one application for the Ward 6 opening for two of three available positions on the Budget Committee.

The Council is requested to interview one applicant for Ward 2 (Mr. Mark Molina) and one applicant for Ward 6 (Ms. Rita Castillo). The appointments are scheduled to be ratified at the Regular Session Meeting on November 20, 2006.

Mr. Brew said there were no applicants for the Ward 5 position. He asked Council if they would like to re-advertise or to recruit.

Councilor Lundberg proposed doing both.

Councilor Ralston asked if there was a list of names of people interested in volunteering with the City. He suggested contacting those people.

Mayor Leiken agreed that we should re-advertise and recruit.

The Mayor and Council discussed the questions and interviewed the two candidates.

- Mark Molina for Ward 2
- Rita Castillo for Ward 6

Council consensus was to appoint both Mark Molina and Rita Castillo to the Budget Committee during the November 20 Council meeting.

Councilor Fitch suggested bringing the new member in to educate them prior to the actual budget process.

Councilor Woodrow suggested staff contact Diana Garcia for the Ward 5 position.

2. Proposed Springfield Development Code (SDC) Amendment.

City Planner Gary Karp presented the staff report on this item. The Planning Commission has recommended amending the Springfield Development Code (SDC) regarding the “temporary” approval status for Emergency Medical Hardship Living Quarters.

The Planning Commission directed staff to review this regulation. In 1991, after several requests from the public, the City Council directed staff to add SDC Section 36.135 allowing temporary emergency living quarters when certain medical hardships are identified. Ordinance 5579 allowed a one-time maximum stay of 12 months. In 1994, after receiving a number of requests for timeline extensions, staff amended SDC Section 36.135. Ordinance 5728 allowed staff-approved, yearly timeline extensions without limitation and without public notice, based on a letter from a licensed primary care physician confirming the need for the patient to continue to require care. Since 1991, staff has processed 31 Emergency Medical Hardship applications. Approximately one-third of the applicants have requested time-line extensions. Three applications are still active: one was initially approved in 2006, with an expiration date of 2007; two were initially approved in 2002, with yearly timeline extensions since then.

On September 19, 2006, the Planning Commission held a work session on this issue. The Planning Commission directed staff to maintain the current 12-month initial approval timeline and place a limit on timeline extensions - allowing up to two 6-month extension opportunities that can be processed at the staff level. The intent was to define “temporary” as 24 months. However, since there may still be requests for additional timeline extensions at the staff level due to the duration of the patient’s incapacity, a process is established where the applicant would go directly to the City Council. The City Council would have the option to extend the timeline at its discretion using the same criteria as staff at a public hearing.

On October 17, 2006, the Planning Commission held another work session and a public hearing on this issue. The Planning Commission made some minor text revisions and voted 4-2, with one

absent to forward the SDC amendment to the City Council. The two no votes represented a point of view that there should be no time limit for this use. Property owners and residents of the three active applications referenced above were mailed notice of the proposed SDC amendment. There was no public testimony at the Planning Commission hearing. The City Council public hearing for this item is scheduled for November 20, 2006.

Councilor Pishioneri said there was already a review system in place including limits, and Council set policy and was not a review board. He said he didn't think Council should be placed in a review situation.

Councilor Ralston said he agreed with the recommendation of the Planning Commission. By its nature it was an emergency so it should not be indefinite. At some point, there needed to be a review to determine when it would end.

Councilor Ballew asked for clarification about this procedure.

Mr. Karp explained what the procedure allowed. He said it would allow someone to put a recreational vehicle (RV) on their property to house either a person who was ill or the care provider for someone that was ill. A doctor's letter was required regarding the illness. The RV would be a temporary condition for that purpose. The RV would be required to be hooked up to the sanitary sewer and electricity.

Councilor Ballew said she did not want to hear these requests often, but felt there should be a time limit.

Mr. Karp said the ordinance before Council included an ending date of two years unless the applicant went to the Council and asked for another extension. That was the issue Councilor Pishioneri was raising.

Councilor Woodrow said he recalled when a similar request had been made. He asked why someone that needed to provide twenty-four hour care to someone would live outside the main residence. There had to be a point where emergency care needed to be more defined. He said it didn't make sense that the caregiver would spend eight to ten hours outside of the residence of the person needing taken care of.

Mr. Karp said the option of a care provider or patient living in the unit had been part of the process since 1993.

Councilor Pishioneri reviewed the number of cases that had been extended. He felt those extensions could be dealt with administratively. There should be limits, but it should be done administratively.

Councilor Lundberg said these were temporary situations, dealing with someone that was ill. If Council wanted to make a policy choice, she thought two years would be enough time for a deadline for people to find more permanent facilities. She would prefer not to have indefinite extensions and did not want it to become a Council decision for further extensions.

Councilor Fitch said she would look at it like a land use decision. On rare occasions, it would come to Council for a decision. She noted an example of needing an extra few weeks to make other accommodations. Council would have the ability to assist in those cases.

Councilor Ralston reviewed the Planning Commission proposal. He said it would not happen very often that Council would hear these cases. He reviewed a personal case and noted that it could sometimes take a little longer than two years to get things in order. He agreed with the Planning Commission suggestions.

Councilor Lundberg said in most cases, the person would move into the main residence, rather than additional living quarters. She asked if there was anything that would keep someone from coming to Council asking for an extension.

Mr. Grimaldi said it would need to be authorized in an ordinance for Council.

Mr. Grile noted that it would be a land use decision.

Councilor Pishioneri said if Council set themselves up as a review panel, there could be a lot of people coming to Council for extensions in other situations. Council needed to put trust in the staff to look at exceptions. He said twenty-four months was adequate. People would know one year ahead of time if additional plans needed to be made.

Councilor Woodrow said if it was in the ordinance, Council would more likely hear from more people. If it was not in the ordinance, citizens could talk to Council to ask for help. He said two years was enough time to plan for a permanent situation.

Councilor Ralston asked about the difference between what the Planning Commission was proposing and what existed now.

Mr. Karp said currently, there were no deadlines on their extensions.

Mr. Leahy said there had been no criteria on the existing code for extensions, or criteria related to the plan. He understood the philosophical difference in whether or not the Council wanted to be involved as an appellate body. The ordinance before Council was to clean up the existing code and to put a two year limitation on the housing. The existing situations would be exempted from the new ordinance. He said it was up to Council to determine if they wanted to hear the appeals or to have the Planning Commission make the final decision. Either way, the Council would probably still have people come before them for assistance.

Councilor Ralston said he did not want staff to take the responsibility.

Councilor Fitch asked if the Council could not allow an appeal since it was a land use question.

Mr. Leahy said the citizen could take it to Land Use Board of Appeals (LUBA).

Mr. Karp agreed.

Mr. Grile said the current code was unclear on these issues.

Councilor Fitch asked if this would require an appeal process. She noted the cost to the City of going to LUBA.

Mr. Leahy said under the ordinance before Council, the citizen would go to the Planning Commission. The question from Councilor Pishioneri was whether it would then come to Council or to LUBA.

Councilor Pishioneri said he agreed there should be limitations and agreed with grandfathering the existing cases. He felt ordinances were the City's policy and guidelines, and could be reviewed. The ordinance should be as clean as possible, with a system in place regarding the timeline and criteria. He didn't want people to automatically go to Council if they didn't like the requirements.

Mayor Leiken asked if other cities had a similar ordinance in place.

Mr. Karp said there were a few cities and some counties, most with a two-year limitation.

Mayor Leiken asked if any of them had been challenged in LUBA or Court of Appeals.

Mr. Leahy said this was used in Lane County and Springfield.

Mayor Leiken agreed with Councilor Pishioneri that the appeal should go to the City Manager. He didn't feel Council was qualified to make determinations on these situations. The professional City staff was in a better situation to make qualified determinations. He referred to a similar case that occurred last year.

Mr. Leahy said it would not be Council's opinion, but would be a doctor's recommendation.

Mayor Leiken said he wanted this as clean as possible.

Mr. Leahy said Council would be reviewing the plan and the need for time, but not the doctor's evaluation.

Councilor Lundberg said it was a land use issue and was about a timeline. The timeline should be set at two years. If another need came up and people came before the Council and didn't like their decision, they would go to LUBA anyway. It needed to be clear that it was temporary for two years.

Councilor Woodrow asked if the ordinance as presented with the removal of the section regarding Council deciding on extensions was acceptable.

Planning Manager Greg Mott said the land use decision was from the initial point where the two-year limit was started. If someone objected to the two-year limit, they would need to do that within ten days of the initial decision or they would lose their right to appeal.

Councilor Pishioneri agreed with way the ordinance was written, except for the extension by Council.

Mr. Karp said the text did read that way.

Mr. Mott said anyone who had a residence, except in the Historic District, could build an accessory dwelling, a permanent structure either attached or detached. If it went to temporary emergency to more long-term, there was a provision to construct another dwelling for anyone.

Council asked staff to bring the ordinance back as it was with the removal of Sections B and C on the last page of the ordinance.

Mr. Karp said there would be a public hearing on this ordinance on November 20, 2006.

3. Council Goal Session Planning Update.

City Manager Gino Grimaldi presented the staff report on this item. Preparations are underway to develop an agenda for the upcoming Council goal setting session. Staff is looking for input from Council to ensure the session meets Council's needs and provides the best use of time allotted.

Date Options:

1. A tentative date of Saturday, January 20, 2007 has been set and will follow a scheduled Team Springfield meeting.
2. Council may decide to choose another date, including a weeknight.

Time commitment:

Four hours are typically allotted for Council goal setting.

Current Plan:

Similar to last year, a third-party facilitator will be available to help focus and process discussion. A program is being designed that will include a team-building session, that could incorporate a style assessment tool (such as Meyers-Briggs) and include participation from City directors.

The team-building session may last for 1½ - 2 hours. The facilitator will then lead council through a two-hour goal setting session.

Councilor Ralston said there was a ribbon cutting for Willamalane's new facility following the TEAM Springfield meeting on January 20. He said he would like to attend that event. He didn't understand the need to review the goals for four hours, as he was happy with the goals the way they were.

Mr. Grimaldi said part of the four hours would include team building. He said team building was not always done until things were not going well. Things were going well, and it was a good time to touch base with the new councilor. He said there may not be significant changes in the goals and five-year goals; however there would need to be discussion on the targets and what needed to be done next. He would appreciate conversation about what could be beyond those goals. He said it was Council's decision.

Councilor Ralston said four hours was not necessary. He noted that January 20 would not work for him due to a personal conflict.

Mr. Grimaldi said it was important for everyone to be there.

Council agreed.

Councilor Pishioneri said it would be helpful to have the team building.

Councilor Lundberg agreed that team building was important with the new member on the Council. She said she didn't care which day it was held. She said there were many opportunities coming to Springfield, including Glenwood.

Councilor Ballew said she would like information ahead of time on what's left undone. She would like information from staff on what needed to be done.

Councilor Fitch said staff relied on the goals to plan their action plan, and it was critical to have discussion on those goals. It was important to hear the goals verbalized and know where the Council had energy. Council would be faced with giving direction on what tasks the City should or should not be taking the lead role. Everyone needed to be in attendance.

Councilor Woodrow said he felt team building was important including senior staff. It was important to keep the cohesiveness which was already in place. A date when everyone could attend was crucial.

Mayor Leiken agreed. He said he would be doing his State of the City address prior to goal setting. The emphasis of his State of the City address would be on the opportunities in Glenwood and downtown. He said goal setting included listening to all of the Council's ideas and thoughts about where the City was today and where it would be when they left office. He said he cherished how responsible Council had been about addressing issues of today as well as the issues of the future, to leave the City better than when they arrived. He said it helped staff with concrete ideas of what they needed to do. The date would need to be changed so everyone was there.

ADJOURNMENT

The meeting was adjourned at approximately 6:45 pm.

Minutes Recorder – Amy Sowa

Sid Leiken
Mayor

Attest:

Amy Sowa
City Recorder