

City of Springfield  
Regular Meeting

MINUTES OF THE REGULAR MEETING OF  
THE SPRINGFIELD CITY COUNCIL HELD  
MONDAY, OCTOBER 20, 2008

The City of Springfield Council met in regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon, on Monday, October 20, 2008 at 7:10 p.m., with Mayor Leiken presiding.

ATTENDANCE

Present were Mayor Leiken and Councilors Lundberg, Wylie, Ballew, Ralston, Woodrow and Pishioneri. Also present were City Manager Gino Grimaldi, Assistant City Manager Jeff Towery, City Attorney Matt Cox, City Attorney Bill Van Vactor, City Recorder Amy Sowa and members of the staff.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Leiken.

Mayor Leiken noted that State Representative Terry Beyer and Public Utility Commissioner Lee Beyer were in the audience.

SPRINGFIELD UPBEAT

1. Recognition of Nick Symmonds, Olympian and Springfield Resident.

Mayor Leiken said Nick Symmonds was a resident of Springfield and the 800M Champion during the Olympic Trials in Eugene this past summer. The Mayor noted some of Nick's career highlights in track. Nick graduated from Willamette University in Salem majoring in biochemistry, a demanding subject, yet he still continued to win championships for his running.

A video of Nick winning the 800M at the Olympic Trials was shown.

Mayor Leiken recognized University of Oregon Head Track and Field Coach, Vin Lananna who was in the audience.

The Mayor introduced Nick Symmonds and presented him with a key to the City.

Nick thanked everyone for this honor. He said it had been a dream of his to live in this community since he was 14 and started running track because of the Prefontaine Trail and Hayward Field. He purchased a house in Springfield two years ago next to Pre's trail. The community had embraced him and made him feel very welcome and were very supportive of him when he went to the Olympics in Beijing. He was proud to be a Springfield resident.

Mayor Leiken noted that Nick was very involved in the Big Brother/Big Sister Program in our community. He introduced Nick's 'little brother' Clayton Fritz.

Clayton came forward and presented a medal to Nick Symmonds. He said Nick had been his 'big brother' for almost a year, and even though Nick didn't win a medal at the Olympics, he won a medal at home.

Jude McKay from Big Brothers/Big Sisters said it was an honor to be connected to this great athlete. He presented an oversized card that had been signed by people with the Big Brothers/Big Sisters program wishing Nick well in the Olympics. The size of the card was an indication of the sentiment everyone in this community felt for Nick. It was a big card for a person with a big heart. Nick had been part of the Big Brothers/Big Sisters for nearly a year. Mr. McKay expressed his admiration for someone that was striving to be a world class athlete, to take time out of his schedule to spend time with a child in the community to make sure that child got the attention he needed. He congratulated Nick and thanked him for being a 'big brother'.

Mayor Leiken acknowledged members of the Thurston High and Springfield High track teams who were in the audience.

Mayor Leiken thanked Nick for coming to Council this evening and said he looked forward to watching his career in track and field.

2. League of Oregon Cities (LOC) & City County Insurance Bronze Safety Award for Fiscal Year 2008.

Human Resources Director Bill Spiry introduced this item. He asked Assistant City Manager Jeff Towery to read the statistics of reductions in employee time off due to medical conditions.

Mr. Spiry said staff had endeavored to reduce the number of days lost per year. He said his staff had worked hard on this issue, especially Janis Brew. To date, the City had zero days of time loss for the current fiscal year.

#### CONSENT CALENDAR

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

1. Claims
2. Minutes
  - a. October 6, 2008 – Council Work Session
  - b. October 6, 2008 – Council Regular Meeting
3. Resolutions
  - a. RESOLUTION NO. 08-43 – A RESOLUTION TO ACCEPT PERMIT PROJECT P30500; MORNINGVIEW SUBDIVISION.
4. Ordinances
5. Other Routine Matters

- a. Approval of Liquor License Endorsement for Kick City Located at 1650 28<sup>th</sup> Street, Springfield, Oregon.
- b. Approval of Liquor License Endorsement for Peabody's Pub & Pizza Located at Centennial Shopping Ctr., 563 W. Centennial Blvd., Springfield, Oregon.

ITEMS REMOVED

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.

Mayor Leiken excused himself from the meeting for a personal commitment. (7:27 p.m.)

Council President Lundberg presided over the remaining portion of the meeting.

1. Proposed Resolution Setting Local and Regional Wastewater User Fees.

RESOLUTION NO. 08-44 – A RESOLUTION OF THE CITY OF SPRINGFIELD COMMON COUNCIL SETTING LOCAL AND REGIONAL SEWER USER FEES AS SET FORTH IN THE SPRINGFIELD MUNICIPAL CODE.

Environmental Services Department and Assistant Manager of the Metropolitan Wastewater Management Commission (MWMC) Chuck Gottfried presented the staff report on this item. Due to revenue lost as a result of the closure of the Hynix Semiconductor Manufacturing America, Inc. facility, the current regional wastewater user fees will not produce sufficient revenue to meet revenue bonding requirements to support the regional Capital Improvement Program. Council action is needed to establish new rates for FY 08-09 to recover the lost revenue.

Each year, Springfield and Eugene adopt and implement the regional wastewater user fees set by the Metropolitan Wastewater Management Commission (MWMC) for the Regional Wastewater Program. In accordance with the MWMC intergovernmental agreement, these rates are established to provide adequate revenue to fund administration, operations and maintenance, and the Capital Improvement Program (CIP) associated with the regional wastewater facilities. A significant loss in revenue due to the closure of the Hynix Semiconductor Manufacturing America, Inc. ("Hynix") facility has created a projected revenue shortfall of about \$1 million per year. An interim (mid-year) rate action has been taken by MWMC to address this shortfall because MWMC must fund over \$91 million in capital improvement projects over the next two years to meet state and federal regulations and an Environmental Protection Agency Compliance Order by the end of 2009. MWMC plans to issue revenue bonds in 2008 and 2009 to secure the necessary funding. Without mitigation, the loss of Hynix revenue would adversely impact the sale of revenue bonds.

On September 25, MWMC held a public hearing and reviewed options to address the revenue shortfall, which included an evaluation of targeted budget reductions, project deferrals and user rate increases. On October 2, MWMC adopted Resolution 8-15 (Attachment C in the agenda packet) to increase regional wastewater user rates by 7 percent, effective December 1, 2008 to recover the lost revenue. This increase amounts to an additional \$1.10 on a residential customer's bill for this year.

This action will keep MWMC on its planned path of user rate adjustments, which includes an anticipated increase of 11 percent (or \$1.86) in 2009. Had MWMC elected not to adjust the rates adequately to recover the lost revenue, the 2009 increase would have to be significantly larger and the ability to issue bonds in 2009 would be impacted.

It should be noted that although local user fees are in this agenda item title and the resolution, this is because the Council establishes one combined schedule of user fees. The local component of the wastewater user fees will not be impacted by a Council action to enact MWMC's new regional wastewater fees.

Attachment A, a resolution establishing the regional wastewater user fees for FY 08-09, is provided in the agenda packet for Council consideration. Attachments B, C and D are provided as additional background information. It is requested that the Council consider adoption of the resolution following the public hearing.

Mr. Gottfried said the intergovernmental agreement (IGA) required that the MWMC maintain a bond rating of A. One requirement was a given revenue to debt service ratio. He explained. With the loss in revenue, MWMC would not be able to maintain the required ratios for future bond issues. MWMC anticipated a \$31M bond issued this year, with another \$57M in the following year. Without increased revenues, MWMC would lose their A Rating and would be in violation of the IGA. MWMC staff evaluated their project list with their consultant and looked for projects that could be cut or delayed. The projects included were part of the system and were required to be completed. Delaying some of the smaller projects would ultimately cost more. Rather than cut projects, staff presented cost savings to the commission, reductions in maintenance and increases in fees. MWMC studied the options and approved a revenue recovery plan over the next two years. That plan resulted in a 7 percent increase this year and 11 percent next year. He noted that Eugene was considering a similar resolution tomorrow.

Councilor Ballew asked what the increase would be in years to come after the 11 percent increase.

Mr. Gottfried said the increase after the 11 percent would be 5 percent.

Councilor Ralston asked if the rates would be adjusted again if a major employer came in to take the place of Hynix.

Mr. Gottfried said the rates were revised each year and could be adjusted accordingly if a new business came in to take the place of Hynix.

Council President Lundberg opened the public hearing.

No one appeared to speak.

Council President Lundberg closed the public hearing.

**IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR BALLEW TO ADOPT RESOLUTION NO. 08-44. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.**

2. Public Hearing and Adoption of Draft Stormwater Facility Master Plan, Project 50281.

RESOLUTION NO. 08-45 – A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD ADOPTING THE CITY OF SPRINGFIELD STORMWATER FACILITY MASTER PLAN, SEPTEMBER 2008.

George Walker, Environmental Services Supervisor for Water Resources, presented the staff report on this item. The final draft of the City's Stormwater Facility Master Plan (Plan) has been completed by the City's consultant (URS Corp). The Plan identifies recommended capital improvement projects for the City's stormwater system. Staff is requesting Council to initiate the formal steps for use and implementation of the plan.

The City's consultant has submitted the final draft of our Stormwater Facility Master Plan, which will replace the City's two existing and outdated Stormwater Master Plans. The Plan provides a summary of the City's existing and future stormwater needs, and a description of the approach used for preparing the Plan. Sections are included describing the study area characteristics and their impact on the development of the hydraulic model. Subsequent sections of the document present a prioritized list of capital improvement projects for the City's stormwater systems. The attached Council Briefing Memorandum provides a more detailed discussion of the elements of the Plan and its uses.

The Plan provides basic data for the City's capital improvements program, as well as support for the development community, and is the foundation document for future infrastructure planning and financing at the City.

In a separate action, staff is requesting Council to initial appropriate amendments to the Eugene-Springfield Metropolitan Area General Plan and the Public Facilities and Services Plan (PFSP). The Springfield Planning Commission will hold a joint meeting with the Lane County Planning Commission this fall concerning the Metro Plan and PFSP amendments. A meeting with the Lane County Commissioners and Springfield City Council will be scheduled in early 2009.

Staff is moving forward with the steps necessary to fund and finance the resulting Capital Improvement Projects identified in the Plan. These steps include developing a capital financing plan; updating the City's SDC methodologies; and evaluating the need to increase user fees.

Staff recommended adoption of this plan.

Mr. Walker noted a scrivener's error on the map. Figure 3-12 in the book was a series of maps and when edits were created, one of the layers was left off. That layer had since been turned back on and would be included with the plan.

Councilor Ballew asked if staff would get copies of that corrected map to the Council.

Mr. Walker said they would get that to Council.

Councilor Ballew asked if Eugene had done a similar wastewater plan.

Mr. Walker said they had a different timeline than Springfield. They were a phase one community with their stormwater management plan requirements. He thought they were on their second edition of their stormwater facility master plan. Springfield was a phase two city and our requirements were different.

Council President Lundberg opened the public hearing.

No one appeared to speak.

Council President Lundberg closed the public hearing.

**IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR BALLEW TO ADOPT RESOLUTION NO. 08-45 AS AMENDED WITH THE CORRECTED MAP. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.**

3. Supplemental Budget Resolution.

RESOLUTION NO. 08-46 – A RESOLUTION ADJUSTING RESOURCES AND REQUIREMENTS IN THE FOLLOWING FUNDS: GENERAL, STREET, JAIL OPERATIONS, SPECIAL REVENUE, TRANSIENT ROOM TAX, COMMUNITY DEVELOPMENT, RIVERBEND DEVELOPMENT, BUILDING CODE, FIRE LOCAL OPTION LEVY, POLICE LOCAL OPTION LEVY, BANCROFT, BOND SINKING, LOCAL WASTEWATER CAPITAL, REGIONAL WASTEWATER REVENUE BOND CAPITAL PROJECT, DEVELOPMENT ASSESSMENT CAPITAL, DEVELOPMENT PROJECTS, DRAINAGE CAPITAL PROJECTS, POLICE BUILDING BOND CAPITAL, REGIONAL WASTEWATER CAPITAL, STREET CAPITAL, SDC LOCAL STORM IMPROVEMENT, SDC LOCAL WASTEWATER REIMBURSEMENT, SDC LOCAL WASTEWATER IMPROVEMENT, SDC REGIONAL WASTEWATER REIMBURSEMENT, SDC REGIONAL WASTEWATER IMPROVEMENT, SDC TRANSPORTATION REIMBURSEMENT, SDC TRANSPORTATION IMPROVEMENT, LOCAL WASTEWATER OPERATIONS, REGIONAL WASTEWATER OPERATIONS, AMBULANCE, DRAINAGE OPERATING, BOOTH-KELLY, REGIONAL FIBER CONSORTIUM, INSURANCE, VEHICLE & EQUIPMENT, AND SDC ADMINISTRATION.

Budget Officer Bob Brew presented the staff report on this item. At various times during the fiscal year the Council is requested to make adjustments to the annual budget to reflect needed changes in planned activities, to recognize new revenues, or to make other required adjustments. These adjustments to resources and requirements change the current budget and are processed through supplemental budget requests scheduled by the Finance Department on an annual basis.

The overall financial impact of the Supplemental Budget Resolution is to increase total appropriations by \$23,052,048. While this number is very large, it is fairly typical for the first supplemental budget of the year. For instance, the first supplemental budget of FY08 was \$20,154,175. The bulk of this amount relates to continuing capital projects, and reflects the Finance Department's on-going commitment to transparency.

Capital projects are fully budgeted in the first year they are undertaken. Any money that is unspent during the first year can be rebudgeted in the next year, until the project is complete. It has been the City of Springfield's policy to close out the end of one fiscal year by placing all unspent capital project money into reserves and then to reappropriate funds during the first supplemental budget. It would be legal to simply reappropriate these projects out of beginning cash rather than use our current method – this would artificially reduce our beginning cash

adjustments and capital project reappropriations – but then Council and our citizens could not tell the scope of capital projects and other contracts continuing into the new year.

Budgeted beginning cash is calculated in February or March and is based on estimates of expenditures and revenues to be recorded by year-end (June 30). The more accurate those estimates, the smaller the Beginning Cash adjustment in the operating (i.e. non-capital) funds. In many years, the adjustment to beginning cash in the General Fund is positive, as staff attempts to budget conservatively; however, this year the adjustment is negative (-\$663,146) due to some unanticipated expenses near year-end. This amount represents less than 1.6% of total fund resources and was a result of inaccurate expenses estimates by some Departments rather than them over-spending their budget authority.

Staff is closely monitoring the current year's budget and impacts that current economic conditions may have on the budget. A comprehensive evaluation of the budget will be completed in December. If needed, adjustments may be made to the existing budget.

Mr. Brew described the four categories for adjustments: adjustments to beginning cash, re-appropriation or carryovers, reallocation of existing resources, and new appropriation requests.

Mr. Brew referred to Attachment A, page 6 of 6, the intergovernmental agreement (IGA) between Springfield and Lane County. Lane County agreed to give \$250,000 in Road Funds to the City, and the City agreed to give \$250,000 of General Fund money to Lane County. He explained how the transactions worked regarding street cleaning and drainage.

Mr. Brew also pointed out that the supplemental budget included transaction of MWMC because the City served as the administrator for that agency, but did not include transactions for the urban renewal districts.

Councilor Ballew asked if \$23M was a large amount for a supplemental budget.

Mr. Brew said the first supplemental budget for last year was about \$19M. Most of that amount had to do with capital projects. The fiscal year ended in the middle of the construction season, and several factors could change the timing of projects during that time. That made it difficult to estimate the amount that would be carried over to the next year.

Council President Lundberg opened the public hearing.

1. Fred Simmons, 312 South 52<sup>nd</sup> Place, Springfield, OR. Mr. Simmons said what caught his attention regarding this supplemental budget was the explanation in the Register Guard of the \$250,000 transfer to Lane County, which made it seem like a shell game. He said it was ironic the legislative branch of the Federal government had reapproved the local schools payment to Lane County and we were still involved in this transaction. He felt something was wrong with this, but he didn't know what. He wanted to preserve his judicial right to protest. He asked Council not to approve that Lane County transaction. He felt it should be brought before legal counsel for review. He noted the lack of citizens at the meeting on this subject.

Mr. Grimaldi said the arrangement with Lane County was reviewed by the City Attorney's office.

Council President Lundberg closed the public hearing.

Councilor Ballew asked Mr. Grimaldi for more information on the Lane County transfer.

Mr. Grimaldi said this was put into place before the portion of Federal funding was allocated to the County. This transfer would allow Lane County to legally convert Road Fund into General Fund with no net impact to the City's budget.

**IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR BALLEW TO ADOPT RESOLUTION NO. 08-46. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.**

BUSINESS FROM THE AUDIENCE

1. Craig Murphy, 4105 Main Street, Suite D, Springfield, OR. Mr. Murphy said he was the editor of a new paper in Springfield called the Springfield Times. This would be a weekly publication starting with a website that would be up this week at springfieldtimes.net. A print copy would start up in the next few weeks. Mr. Murphy and his boss, Scott Olson, were doing the work now. Mr. Olson was from Oregon and had been in the paper business for about 20 years. Mr. Murphy had been in the paper business for about 10 years, grew up in Washington and recently moved to Springfield to start this paper. He said he was looking forward to getting to know the Council and the community. He provided their location and said they would soon have internet and email.

Councilor Lundberg welcomed Mr. Murphy to the community.

2. Bob Keefer, Superintendent of Willamalane Parks and Recreation District, 250 South 32<sup>nd</sup> Street, Springfield. Mr. Keefer said it was a great event honoring Nick Symmonds.

Mr. Keefer said he wanted to talk to Council about the after school programs. He thanked the Mayor and Chief Smith for participating in the "Lights on After School" event last Thursday. Mr. Keefer was out of town and not able to attend, but there were over 300 people at Mt. Vernon that evening supporting after school programs. Similar events were held throughout the nation.

Mr. Keefer noted that he just celebrated his 8<sup>th</sup> year at Willamalane. He appreciated TEAM Springfield and the way they worked together. Other jurisdictions that he had worked for did not have the same level of cooperation as we had here. He shared his appreciation for the City Council in helping to make that work so well. He referred to the Springfield Tomorrow report that TEAM Springfield worked on together that had the vision of the community included. One of the things that came out of the project was finding out what the community wanted, which was done through a survey. One of the top 16 projects was affordable after school programs. The Willamalane Board now had a measure on the ballot that they hoped the community would support. If the measure passed, our community could have extended, affordable after school programs in all the elementary and middle schools (17 schools in all). While in Baltimore at the National Park and Recreation Conference, he attended a session on wellness for children. One of the subjects that came up was that extending after school opportunities tied in to wellness for kids. He provided that report from the National League of Cities to the Mayor and Council. He had included some strategies in that direction in partnership with TEAM Springfield. Mr. Keefer said he appreciated the time to speak before Council.

COUNCIL RESPONSE

CORRESPONDENCE AND PETITIONS

1. Correspondence from Lora Ferrin Regarding Early Spaying and Neutering of Puppies.

Councilor Woodrow referred to this letter and said he took her letter very seriously. He wanted it known that the City did not advocate people spaying or neutering their pets too early. He explained the Code regarding licensing after the dog was six months old. The City was not promoting spaying or neutering earlier than recommended by the veterinarian.

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

BIDS

ORDINANCES

BUSINESS FROM THE CITY COUNCIL

None.

BUSINESS FROM THE CITY MANAGER

1. Council Initiation of Type II, Site Specific Amendments of the Metropolitan Area General Plan (Metro Plan) Consistent with Policy G.3, Chapter III, Section G of the Metro Plan; Amendments to Tables 6, 18 and 19 and Maps 3 and 8 of the Public Facilities and Services Plan (PFSP); and to Various Text in the PFSP and Metro Plan.

Environmental Services Supervisor for Water Resources George Walker presented the staff report on this item. The City contracted with URS Corp to update the City's near 30 year old stormwater master plans; plans of this type supplement, but do not substitute for the *PFSP* and therefore do not need to be incorporated into the *PFSP*. However, some recommendations prepared by URS for this study, including 24 proposed Capital Improvement Projects and completed projects, do require amendment of the *PFSP* because they are considered significant by Oregon Administrative Rule (660-011-0045).

The new Stormwater Facility Master Plan (Plan) for the City of Springfield updates and improves the existing outdated master plans. The Plan supplements the *PFSP* by implementing Policy G.3 of the Metro Plan: "Use local facility master plans, refinements plans, and ordinances as the guide for detailed planning and project implementation." The Plan's list of projects includes 24 significant projects that need to be included on the *PFSP* project list. Significant projects are those with pipes greater than 36" diameter, detention basins, water quality facilities or new outfalls. Three projects on the *PFSP* list have been completed and 15 projects have been re-configured or eliminated; therefore these projects should be deleted from the tables and maps. 14 projects from earlier plans and staff determined locations remain as original on the project list for a total of 38 stormwater projects. Springfield and Lane County only will conduct public hearings (joint Planning Commissions; joint elected officials).

Mr. Walker said there were some differences in the facility plan and project list. The amendments would be presented to the joint elected officials and the Springfield and Lane County Planning Commissions near the first of the year because of a 90 day notification period. These amendments would facilitate cost recovery for both constructed and infrastructure projects and establish funding for future growth through the SDC program.

Councilor Ballew asked if the projects that were lined out on the list were completed or no longer needed.

Mr. Walker said that was correct. The requirement was to use legislative format to show some have been completed and some reformatted.

**IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR BALLEW TO INITIATE AMENDMENTS TO THE *PFSP* MAPS AND TABLES; CONCURRENT *METRO PLAN* AMENDMENTS AS PROVIDED IN CHAPTER VI AMENDMENTS TO THE PLAN OF THE *PFSP*, CHAPTER IV *METRO PLAN* REVIEW, AMENDMENTS AND REFINEMENTS, AND SECTION 5.14-120 OF THE SPRINGFIELD DEVELOPMENT CODE, TO ADD, MODIFY OR REMOVE VARIOUS STORMWATER SYSTEM PROJECTS WITHIN SPRINGFIELD'S URBAN GROWTH BOUNDARY CONSISTENT WITH THE RECOMMENDATIONS CONTAINED IN THE RECENTLY COMPLETED STORMWATER FACILITY MASTER PLAN OF THE CITY OF SPRINGFIELD 2008. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.**

BUSINESS FROM THE CITY ATTORNEY

City Attorney Matt Cox noted that the Ed Harms Dedication ceremony would take place on Wednesday, October 22 at 10:00am at the Springfield Justice Center.

ADJOURNMENT

The meeting was adjourned at approximately 8:05 p.m.

Minutes Recorder Amy Sowa

  
Sidney W. Leiken  
Mayor

Attest:

  
City Recorder