

City of Springfield
Regular Meeting

MINUTES OF THE REGULAR MEETING OF
THE SPRINGFIELD CITY COUNCIL HELD
TUESDAY, FEBRUARY 17, 2009

The City of Springfield Council met in regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon, on Tuesday, February 17, 2009 at 7:00 p.m., with Mayor Leiken presiding.

ATTENDANCE

Present were Mayor Leiken and Councilors Lundberg, Leezer, Ralston, Woodrow and Pishioneri. Also present were City Manager Gino Grimaldi, Assistant City Manager Jeff Towery, City Attorney Joe Leahy, City Attorney Matthew Cox, City Recorder Amy Sowa and members of the staff.

Councilor Wylie was absent (excused).

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Leiken.

SPRINGFIELD UPBEAT

1. Martin Luther King Jr. Speech Winners.

On Monday, January 19, 2009, the 11th annual Martin Luther King Jr. program was held at Springfield Middle School. Prior to the event, students from Thurston and Springfield High Schools competed in a speech contest centered on Dr. King, but focusing on his quest to eliminate poverty. The theme was based on Dr. King's famous 1965 march to Montgomery, Alabama. Twenty-two students entered the contest.

Springfield High School Student Caitlynn Holmes took first place with her speech. Springfield High School Student Amanda Lilley took second place with her speech.

The two winners read their speeches during the event on January 19.

Mayor Leiken introduced Caitlynn Holmes and Amanda Lilley and presented them with letters acknowledging their accomplishments.

2. WalMart Check Presentation to Fire and Life Safety.

Chief Murphy said Ken Hutchinson, General Manager from the Springfield WalMart, was unable to present due to a previous commitment. Chief Murphy extended Mr. Hutchinson's thanks to the Council for their cooperation between WalMart and the Fire and Life Safety and Police Department. He read from a letter to WalMart from the Fire Marshal recognizing them for their assistance in catching an arsonist in 2007.

Chief Murphy said WalMart had awarded the Fire and Life Safety Department a check for \$1500.

3. Metropolitan Wastewater Management Commission (MWMC) Award.

Mayor Leiken introduced Peter Ruffier, Eugene Wastewater Division Director, and asked him to come forward. The Mayor thanked Mr. Ruffier for his extraordinary work for Springfield. It seemed as if he was a City of Springfield employee. He presented a plaque to Mr. Ruffier for his service as the interim MWMC General Manager from July – December 2008. The Mayor noted that the MWMC was one of the better intergovernmental organizations in this area and was an envy to many. He again thanked Mr. Ruffier on behalf of the City.

Susie Smith, Public Works Director and former MWMC General Manager, came forward. She noted that she and Mr. Ruffier attended the Lane Council of Governments (LCOG) Appreciation dinner in January. Commissioner Faye Stewart, current chair of the MWMC, accepted an award on behalf of MWMC for “2008 Outstanding Intergovernmental Team, in recognition for dedicated service, leadership and commitment to the strengthening of local government through regional cooperation”. Ms. Smith said they felt it was very important that the individual partner agencies received that award because it was through their leadership and empowering of staff to work as a team. She and Mr. Ruffier presented Mayor Leiken with the Springfield Council plaque.

Mayor Leiken thanked Ms. Smith and Mr. Ruffier for the plaque. He noted the great leadership of Councilor Anne Ballew who served on the MWMC over a number of years. Councilor Leezer was now in that position.

CONSENT CALENDAR

IT WAS MOVED BY COUNCILOR RALSTON WITH A SECOND BY COUNCILOR LUNDBERG TO APPROVE THE CONSENT CALENDAR. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 Absent – Wylie).

1. Claims
2. Minutes
 - a. January 13, 2009 – JEO Meeting
 - b. January 20, 2009 – Work Session
3. Resolutions
4. Ordinances
 - a. ORDINANCE NO. 6235 – AN ORDINANCE OF THE CITY OF SPRINGFIELD, LANE COUNTY, OREGON, AUTHORIZING THE ISSUANCE OF SEWER REVENUE BONDS FOR A TOTAL NOT TO EXCEED \$24,000,000.
 - b. ORDINANCE NO. 6236 – AN ORDINANCE AMENDING SECTIONS 2.800, 2.802, 2.804, 2.806, 2.808, 2.810, 2.812, 2.814, 2.816, 2.818 “EMERGENCY MANAGEMENT” OF THE SPRINGFIELD MUNICIPAL CODE; AND ADOPTING A SEVERABILITY CLAUSE.

5. Other Routine Matters

- a. Approval of Liquor License Endorsement for White Horse Tavern, Located at 4360 Main Street, Springfield, Oregon.
- b. Acceptance of the Fiscal Year 2008 Comprehensive Annual Financial Report Issued by our Auditors, Grove, Mueller & Swank, PC CPAs.

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.

1. Motor Fuel Dealers License Tax.

ORDINANCE NO. 3 – AN ORDINANCE FIXING THE RATE OF TAX ON MOTOR FUEL DEALERS LICENSES AT \$0.07 PER GALLON, AMENDING SECTION 7.504 OF THE SPRINGFIELD MUNICIPAL CODE, AND SETTING AN EFFECTIVE DATE.

Assistant Public Works Director Len Goodwin presented the staff report on this item. Over the past year, staff have briefed the Council regularly on the decline in Street Operating Fund reserves resulting from stagnation of local and state fuel taxes, and the loss of County payments.

On May 27, 2008, the Council received a report from a Mayoral Task Force. The Task Force concluded that the City should not reduce the level of maintenance and preservation activities needed to maintain the overall condition and cost-effective stewardship of the street assets. They also concluded that the City needs to enhance current revenues, which are trending downward, to meet the maintenance and preservation program requirements. The Task Force recommended that the City implement a Street Preservation Fee, to impose a charge on all Springfield users of the system. A copy of that report is attached as Attachment 3.

The City has conducted extensive community outreach to gain public feedback, including an on-line survey and open house. The results of the outreach process reflect support for increasing revenues to maintain the City streets, and a preference toward an increase in the local fuel tax to generate the revenue. The survey results are provided in Attachment 4. Following extensive discussion at the January 12 work session, Council directed staff to prepare an ordinance implementing an increase in the local motor fuel license tax of \$0.04 per gallon. A copy of the proposed ordinance is attached as Attachment 2.

Mr. Goodwin said staff began the effort of stabilizing the Street Fund in 2000 when it became clear funding from the County would no longer be dependable and fuel tax revenues would not be sufficient. After a number of years, Council determined that the solution was a local fuel tax. In 2003 Council enacted a .03 per gallon fuel tax. At that time, staff relayed to Council that the fuel tax could provide a stable source of revenue for about four years. That revenue source actually provided strong revenues for the City for over five years. We had come to a point where the continued deterioration in our revenue streams had put us in a position to either find additional revenue or drastically reduce the level of services. Citizens on the Mayoral Task Force, citizens that participated in the online survey, and citizens in general had made it clear that Springfield citizens valued the quality of the streets in Springfield. They were committed to high quality

streets and expected the City to provide those. They also indicated the need to fund those services and their willingness to contribute to that need.

In 2008, the Mayoral Task Force's primary recommendation was to impose a Transportation System Maintenance Fee (TSMF) on all citizens. Council had concerns about the effectiveness, cost and fairness of the TSMF and directed staff to look further at a fuel tax option. In October 2008, staff brought the results of their research. At that time, Council asked for more public hearing, so staff held an open house and conducted an online survey, with 175 participants. The preference of the public that responded to the survey was to not let our streets deteriorate. The respondents also preferred a fuel tax rather than a TSMF if a fee was to be charged. Staff was bringing an ordinance before Council to raise the fuel tax from .03 to .07 per gallon, which would make Springfield's fuel tax the highest in the State. Other cities were considering similar fees to help maintain streets with less funds coming from State.

Mr. Goodwin said people were driving more miles, but using less fuel by driving in fuel efficient vehicles. Both the Federal and State government acknowledged that a fuel tax was not a long-term solution, and both were looking at some long-term solutions. Staff was not proposing a new approach at this time, but a tax that could produce approximately \$1,100,000 a year in additional spending, restricted under State law, to be only spent within the right of way. The City had always used fuel tax funds for preservation and maintenance, not building new systems. System Development Charges (SDCs) were used for that purpose. The City needed to look at preservation of streets already in place. In the past year, the City had reduced approximately \$600,000 from its Street Fund to offset the loss of County and State funds, and the decline in gas tax receipts. Those reductions had allowed the Street Fund to end the fiscal year in balance, but had meant projects had been put on hold for all capital spending on the street system. That was a serious concern of the community. He spoke regarding the EmX project to Gateway and the work to overlay Pioneer Parkway in anticipation of that project that had been cancelled at this time due to funding. If the overlay was not done in the next year, the EmX would be travelling on streets in poor condition. Following the cuts in the last few years, now was the time to take action. No one on the staff wanted to bring the idea of increasing taxes to the Council. The reality was, however, that this local tax would be lost in the noise of the cost of fuel prices. The price of fuel may or may not go up when this tax was imposed due to the variation of the price of gas between .15 and .20 a gallon. The choices were to provide the level of services the citizens demanded, or reduce the service level and force deteriorating conditions. The State legislature was considering a proposal from the Governor for a substantial increase in vehicle registration and a small increase in the fuel tax. The track record of the State was not good for giving funds for local streets and it was unclear whether or not the Governor's program would pass in the current form, with modifications, or at all. Council had noted in their last work session on this topic that if the tax increase was imposed, and the State gave funds to the City, staff would revisit the fuel tax to make sure the City was not collecting more than was needed. Staff had conducted a study that indicated if the City imposed a .04 increase, we would have reasonable stability for the next seven or eight years, dependent on the economy. That would allow an opportunity to reflect on the citizen's responses and look for other solutions.

Mayor Leiken asked Council to refrain from asking questions until the end of the testimony.

Mayor Leiken opened the public hearing.

1. Curtiss Greer, 357 55th Street, Springfield, Oregon. Mr. Greer referred to the survey and noted that although people were fine with .02, the City was now suggesting they raise the fuel

tax .04. That would make Springfield the highest in the State. These types of actions built distrust in the government and asked the taxpayer to maintain the City's status quo. The City needed to learn to live within its means. He referred to the statement in the newspaper about the repeal, but said once the City had a tax in place, they would not repeal it as they said. He read from a quote; "In general, the art of government consists of taking as much money as possible from one party of the citizens to give it to the other".

2. Bill Stramler, 958 McKenzie Crest Drive, Springfield, Oregon. Mr. Stramler said he was shocked that no one seemed concerned about the article in the Register Guard about Springfield raising their gas tax to .07 gallon. He was here to say 'no'. This was the worse time to raise taxes. This was not a tax on petroleum station operators, but on the citizens. The unemployment rate was growing, businesses were closing, and home foreclosures were rising. He just absorbed an increase in taxes for public safety and was now being asked to absorb this tax on gasoline. His top priority right now was to keep his house, but the Council still wanted to raise taxes rather than prioritize. If he didn't have money, he did without. Springfield's streets were in good condition compared to Eugene, and we should spend our dollars wisely. Salem was talking about additional taxes on beer, cigarettes and fuel. Something needed to give. He noted the stimulus package and who would pay for that. He asked the Council to let our country recover.
3. Michael Moreno, 210 Main Street #B, Springfield, Oregon. Mr. Moreno said he was grateful for the work the City Council and the staff did to keep our great city running. The City had come a long way and he appreciated that the Council had the education and the will to do what was needed. He said he hoped this fuel tax didn't backfire. People from Eugene and other areas bought gas here because it was cheapest here. That wouldn't happen if this gas tax was implemented. We would lose the business from those that come from other cities to get their gas here, and it could hurt the bottom line. People would go where gas was the cheapest.
4. Fred Simmons, 312 South 52nd Place, Springfield, Oregon. Mr. Simmons said the survey indicated 55% support for a .02 tax. We were in a significant rollback in the economy and Springfield residents would contribute close to \$15M to fund the stimulus package. What we would get back out of it was yet to be determined. A .02 tax would be difficult for people to absorb, .04 would be very complicated. He noted that small vehicles didn't have the same road wear as large vehicles. We should force the State of Oregon to sweep Main Street and take care of the subsurface drainage that was their responsibility. We should continue and expand the concept of value analysis when building new projects. He didn't think the citizens were prepared to pay .04. It would be appropriate to implement a .02 tax, then fundamentally cut where possible.
5. Ron Tyree, 4000 Spring Boulevard, Eugene, Oregon. Mr. Tyree said he represented the Oregon Petroleum Association, and operated an oil distributorship, Tyree Oil, which included gas stations, card locks and commercial business. He said he supported streets and road maintenance and keeping our transportation system updated. He sat on the Mayor's Task Force and was impressed with the program the City and Public Works Department had in place for maintaining streets. He also recognized the loss of funding and the impact that had on the budget. He supported fuel tax as a revenue source to repair streets, but not separate jurisdictions with different amounts. This caused confusions and unfair competitive situations between retailers. Currently, most cities in Lane County had a .03 fuel tax, with the exception of Eugene, which had a .05 tax. Stations located outside city limits in Lane County had no tax. The price discrepancies between jurisdictions caused customers to shift where they

purchased their fuel. If Springfield implemented the proposed .04 increase, bringing their tax to .07, customers would shift their purchases from Springfield stations to others outside Springfield. Since Eugene implemented their tax in 2003 and increased it to .05, they had lost 19.5% of their gas volume. This gas had been advertised as a gasoline tax, but would also be on diesel. Every trucking company located in Springfield, or that bought their fuel in Springfield, would be at a competitive disadvantage in their businesses. Many were already struggling with the downturn in economy. Those stations and trucking companies were owned and operated by local businesses. Those businesses and their jobs were in jeopardy. The Oregon Petroleum Association (OPA) was on record stating that if the tax passed by Council, they would start a signature campaign to place the issue on the ballot. If the City elected to refer it to the voters, they could put it on the May ballot. If the OPA referred it, it would cause a special election in September, costing the City. He highly recommended holding off, but if they felt they needed to go forward, he suggested they pass it on to the voters to decide.

6. Greg Shaver, 1225 Water Street, Springfield, Oregon. Mr. Shaver said he favored the tax, and he didn't like taxes. It was the wisest and best way to protect our investment. He formerly was a dry rot repair man and noted the benefit of fixing and maintaining before replacement was necessary. This was money that was really needed so the investment he had made for decades could be maintained in the most economical way. He also felt this was the fairest tax in the nation. He explained why. Lighter vehicles tended to use less fuel than heavier vehicles and respectively caused less damage. We had a history in Springfield that money that came in went out for the purpose intended. He would rather pay .04 each time he filled up then pay a huge bill in the future. He would also suggest finding a way to index the tax to inflation. He was sorry the State had not done their job on an adequate tax. He wished the Council success in passing this tax.
7. Eric Smith, 1351 Lawnridge Avenue, Springfield, Oregon. Mr. Smith said he was a local business owner. Springfield needed our roads maintained and was for this tax. He did note that setting a new precedent at this level may be too bold. Finding a compromise and staying even with Eugene (by raising .02 gallon) and making cuts were the better way to go. He appreciated Mr. Goodwin's report. He felt compromising would show the community we had a shortage of funds, but would not break new ground this year. He was for the tax, but not this aggressive.
8. George Jessie, 721 Aspen Street, Springfield, Oregon. Mr. Jessie said philosophically the gas tax was a reasonable user fee. He believed, however, this was the type of tax to be levied by the State, not local jurisdictions. It was more fair and equitable that all fuel consumers using the roadways throughout the State pay the same tax rate. He also believed it was more efficient for the State to be the collector of the tax, eliminating another layer of bureaucracy. Currently there was a hodgepodge of different fuel tax rates around the State which caused confusion and inefficiency. State and local governments needed to ensure they were using road fund revenues effectively and efficiently. He understood that those funds were not used just for road preservation. The State should increase the gas tax rate and distribute the revenue according to the revised distribution formula. Individuals and local governments should contact their State senators and legislative representatives to encourage that it happen. He noted that there was a meeting on Saturday at the Willamalane Senior Center with State representatives, including the Chair of Transportation Commission.

9. Mike Schmidt, 2915 Yolanda Ave., Springfield, Oregon. Mr. Schmidt said Council was doing a good job, but he thought .04 was out of line. It would have been fine if the economy was not in a downturn, but now it was not a good time. He noted that he and others had to take a 2 ½ % pay cut. It was too easy for him to drive to other areas for fuel. He said he thought the whole plan should be put to a vote to get a consensus of what the people wanted. The streets were in pretty good shape and this was a great area. He asked Council to continue the good work.

Mayor Leiken closed the public hearing.

Mayor Leiken asked Mr. Goodwin to comment about the application process for trucking companies who did not use our local streets.

Mr. Goodwin said there was an application process. After the tax passed in 2003, Council passed an amendment which provided that in the case of companies that owned vehicles that were subject to the State weight/mile tax and fueled them in Springfield, could receive a rebate of up to 80% of the local fuel tax. There were five trucking companies who had applied for that rebate, but he was not sure if there were others that had chosen not to apply.

Mayor Leiken thanked the citizens for testifying. He asked staff when this was coming back to the Council.

Mr. Grimaldi said it would come back to Council on March 2.

NO ACTION REQUESTED. FIRST READING ONLY.

2. Amendments to the Springfield Development Code, Chapters 3 Land Use Districts, 4 Development Standards, 5 the Development Review Process and Applications, 6 Definitions and Appendix 3 Temporary Glenwood Riverfront Plan District Master Plan Standards (Case Number LRP2008-00011)

ORDINANCE NO. 4 – AN ORDINANCE AMENDING THE SPRINGFIELD DEVELOPMENT CODE BY AMENDING SECTIONS 3.2-210; 3.2-215; 3.2-235A.; 3.2-440; 3.2-610; 3.2-715; 3.3-205; 3.3-220; 3.3-225; 3.3-235; 3.3-815; 3.3-825G.; 3.3-910B.; 4.3-110E.; 4.7-105A.; 4.7-140; 4.7-180A.; 4.7-190A.; 5.1-120; 5.3-115C.; 5.13-100; 5.13-105; 5.13-110; 5.13-115; 5.13-120; 5.13-125; 5.13-130; 5.13-135; 5.13-140; 5.14-110A.; 5.15-120H.; 5.15-125; 5.16-120B.; 5.20-120C.; TABLE 4.4-1; TABLE 5.4-1; AND SECTION 6.1-110 DOWNTOWN EXCEPTION AREA, INCIDENTAL EQUIPMENT, AND PARTITION PLAT; AND ADDING SECTIONS 5.13-116; 5.13-117; 5.13-131; 5.13-132; 5.13-133; 5.13-134; 5.20-140 AND APPENDIX 3 TEMPORARY GLENWOOD RIVERFRONT PLAN DISTRICT MASTER PLAN STANDARDS; AND ADOPTING A SEVERABILITY CLAUSE.

Planning Supervisor Jim Donovan presented the staff report on this item on behalf of Planner Gary Karp. The intent of the proposed amendments is to:

1. Establish a clearly defined Master Plan review process (Section 5.13-100) by:
 - Establishing specific Preliminary and Final Master Plan application review processes;

- Requiring a Preliminary Type II, rather than a Type III review procedure for smaller development proposals or those proposals which limit impacts on adjacent property and infrastructure;
 - Requiring the applicant to host a neighborhood meeting to inform the neighbors of the proposal prior to formal application submittal;
 - Assuring application completeness by requiring a Pre-Submittal Meeting prior to formal application submittal, as already required for Site Plan and land division applications; and
 - Redefining the categories of the Master Plan Modification process.
2. Address updated Springfield Fire Code regulations in the DWP Overlay District (Section 3.3-200).
 3. Eliminate Scrivener's errors that resulted as part of the SDC reformat project adopted by the Council in 2007 (various Sections).

The Planning Commission held a work session on the proposed amendments on September 19, 2008, and a public hearing on October 7, 2008, which was held over until December 2, 2008. At that meeting, the Planning Commission voted 6-0, with one abstention to recommend that the City Council approve the amending Ordinance. There was public testimony regarding the Master Plan review process. The proposed Master Plan text includes staff's responses to comments raised by private sector planners who submitted oral and written comments and the Planning Commission's comments. There was no public testimony regarding the proposed DWP Overlay District or Scrivener's errors amendments.

The City Council held a work session on the proposed amendments on January 26, 2009.

The Master Plan application review fees will need to be amended to establish a fee for the proposed Type II review application. This will be accomplished by separate resolution this Spring. It is anticipated that the proposed fee will be similar to a Preliminary Type II Site Plan or Subdivision review fee. Attachment 1, page 54.

Councilor Pishioneri referred to Attachment 1-5, number 14 which was underlined.

Mr. Donovan said that was a typo and would be corrected before the final reading and adoption of the ordinance.

Mayor Leiken opened the public hearing.

No one appeared to speak.

Mayor Leiken closed the public hearing.

NO ACTION REQUESTED. FIRST READING ONLY.

3. Supplemental Budget Resolution.

RESOLUTION NO. 09-05 – A RESOLUTION ADJUSTING RESOURCES AND REQUIREMENTS IN THE FOLLOWING FUNDS: GENERAL, JAIL OPERATIONS, SPECIAL REVENUE, POLICE LOCAL OPTION LEVY, REGIONAL WASTEWATER REVENUE BOND CAPITAL PROJECT, DEVELOPMENT PROJECTS, SDC LOCAL

STORM IMPROVEMENT, SDC LOCAL WASTEWATER IMPROVEMENT, SDC
TRANSPORTATION REIMBURSEMENT, SDC TRANSPORTATION IMPROVEMENT,
BOOTH-KELLY, 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.

This is the second of three scheduled FY09 supplemental budget requests to come before Council. The supplemental budget being presented includes adjusting resources and requirements in the General Fund, Jail Operations Fund, Special Revenue Fund, Police Local Option Levy Fund, Regional Wastewater Revenue Bond Capital Project Fund, Development Projects Fund, SDC Local Storm Improvement Fund, SDC Local Wastewater Improvement Fund, SDC Transportation Reimbursement Fund, SDC Transportation Improvement Fund, Booth-Kelly Fund, Vehicle & Equipment Fund, and SDC Administration Fund.

The City Council is asked to approve the attached Supplemental Budget Resolution.

The overall financial impact of the Supplemental Budget Resolution is to increase total appropriations by \$406,960 and expenditure appropriations by \$881,771.

Mr. Brew referred to Attachment A, page 3, "New appropriations, Jail". He said the Jail portion of the Justice Center would be done earlier than projected so they were moving funds from the levy that was passed for that purpose to hire staff.

Councilor Pishioneri asked how many personal computers (PC) would be purchased with the \$35,000 grant the Library received.

Library Director Rob Everett said it was replacing all current public internet stations over the next two years and adding six stations this year. They were also looking for space to add more in the teen area. There would also be additional money in that grant that would be directed towards upgrading technology in the Library Meeting Room that would be used for public meetings. The grant covered the cost of the equipment and came with software packages.

Mayor Leiken opened the public hearing.

No one appeared to speak.

Mayor Leiken closed the public hearing.

IT WAS MOVED BY COUNCILOR RALSTON WITH A SECOND BY COUNCILOR LUNDBERG TO ADOPT RESOLUTION NO. 09-05. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 Absent – Wylie).

COUNCIL RESPONSE

BUSINESS FROM THE AUDIENCE

1. Leonard Tarantola, 34801 Matthews Road, Eugene, Oregon. Mr. Tarantola said he read with interest the recent article on the system development charges (SDC) and how they impacted residential builders more than commercial builders. He said he was a commercial builder that built small business parks. He recently did a nearly \$1M project in Eugene that was doing alright. He had been watching a similar property in Springfield and planning to do a project on the property, but after reading he reviewed the impact of the SDCs for that size project. He said they would be about \$200,000, a large percentage for a \$1M project. He pointed out that a couple of thousand dollars on a residential home was about one or two percent, but \$200,000 on a \$1M was substantially more. He had lost interest in pursuing this due to the large fee. This would keep him from doing the project, putting people to work, and the City getting any SDCs. He asked why builders were funding new transportation systems, when it killed the ability for them to build and pursue projects in the community.

CORRESPONDENCE AND PETITIONS

1. Correspondence from Dennis Carr, Chief Human Resource Office, Lane Community College (LCC), 4000 East 30th Avenue, Eugene, Oregon Regarding Two Diversity and Cultural Competency Trainings to be held at LCC in February.

IT WAS MOVED BY COUNCILOR RALSTON WITH A SECOND BY COUNCILOR LUNDBERG TO ACCEPT CORRESPONDENCE FOR FILING. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 Absent – Wylie).

Mayor Leiken asked if staff could meet with Mr. Tarantola (speaker from Business from the Audience) regarding the SDCs.

Mr. Grimaldi said Assistant Public Works Director Len Goodwin would speak with him.

BIDS

ORDINANCES

1. An Ordinance Amending Springfield Municipal Code Section 4.004 Definitions to Add the Definition of "City Manager".

ORDINANCE NO. 5 – AN ORDINANCE AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 4.004 DEFINITIONS TO ADD THE DEFINITION OF "CITY MANAGER".

Environmental Services Supervisor Bill Hamann presented the staff report on this item. A review of Springfield Municipal Code, Chapter 4: Utilities, indicates it is necessary to include language defining the term "City Manager."

In order to effectively carry out the many activities and actions stipulated in Springfield City Code Sections 4.002 – 4.094 and associated Administrative Rule 5.0503, the City Manager must delegate responsibility to subordinate City Staff. A recent review of the above mentioned code indicates a need to add specific language in order define the term "City Manager" within the body of Chapter 4 of the Code. This addition will help to strengthen the City's position if such delegation is challenged.

There is no financial impact.

NO ACTION REQUESTED. FIRST READING ONLY.

BUSINESS FROM THE CITY COUNCIL

1. Committee Appointments

a. Library Board Appointments.

Library Director Rob Everett presented the staff report on this item. The Library Board has one vacancy caused by the expiration of Betty Adams' term. Ms. Adams chose not to apply for a 2nd term.

The Board reviewed applications and interviewed both candidates on February 3rd and 5th.

The Board recommends the appointment of Carol Philips to the board. Her 4-year term will run until December 31, 2012.

Ms. Philips is a 12-year resident of Springfield and a regular patron of the Library. She currently works as the Programming Manager of the Hult Center for the Performing Arts in Eugene. She has extensive experience working for non-profit performing arts organizations and in developing community partnerships and fund raising strategies. Her experience and expertise will be a welcome addition to the Board.

IT WAS MOVED BY COUNCILOR RALSTON WITH A SECOND BY COUNCILOR LUNDBERG TO APPOINT CAROL PHILIPS TO THE SPRINGFIELD LIBRARY BOARD WITH A TERM EXPIRING DECEMBER 31, 2012. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 Absent – Wylie).

2. Business from Council

a. Committee Reports

1. Councilor Woodrow said he had become part of the Oregon Freight Advisory Council (OFAC) which held their quarterly meeting last week in Salem. Their primary concern was bottlenecks in the Portland area. There were no trucking agencies from the south part of the Willamette Valley present. He did mention that to staff who were going to check into that. He mentioned to the OFAC that it might be better for them to partner with Metropolitan Policy Organizations (MPO) or City Councils to move their agenda forward by working together.
2. Mayor Leiken said he testified last week with the League of Oregon Cities (LOC) before the Transportation Committee regarding the transportation bill. Hopefully, they would be putting forth a good package. They were just now beginning deliberations under Representative Beyer's committee. The Senate will go through the same deliberations. Testifying before the House was positive, but it was unclear what the package would look like once it had gone through both the House and Senate. Most of the members of the committee were very receptive to the cities' needs, especially regarding preservation and maintenance. They all seemed to be

supportive of changing the formula for disbursement to State (50%), counties (30%) and cities (20%), which would increase the amount coming back to the cities. When he served on the Governor's Visioning Committee they deliberated on how to finance this. One of the strategies was to implement a .02 fuel tax, which was low due to the cost of fuel being so high at the time, and an increase in vehicle fees. The gas prices were now nearly half of what they were last summer and auto sales were very low. They may look at increasing the fuel tax and decreasing fees. There was a strong commitment from Representative Beyer for a solid transportation package. The LOC was doing a good job of staying on top of this issue. He was committed as the LOCs Transportation Chair, with input from Councilors and staff.

Councilor Ralston said Mr. Jessie had testified that he thought the State should be levying the fuel tax to make it fair throughout the State. He thought that made a lot of sense.

Mayor Leiken said the State has not levied anything since 1991. He agreed it would be best and suggested every citizen phone their State representatives to ask for a quality package from the State so they didn't have to rely on the cities to increase their own fuel tax. To this point, the State legislature had failed to do that.

3. Councilor Pishioneri discussed social gambling and the correspondence he received from Matt Cox in the City Attorney's office. He expressed his appreciation. He hoped the rest of the Council had an opportunity to read it and would suggest that when other citizens brought up the subject, the Council continued to take the high road and follow the law. Until something new came from the Attorney General's office on this subject, he didn't want to address this any further.
4. Councilor Woodrow reported on the Metropolitan Policy Committee (MPC). He said Lane Transit District (LTD) was requesting STP-U funds being diverted from the cities to LTD to compensate for some of their operational loss. They were looking at a 14.7% reduction in services. If they had \$2M from the STP-U funds, they could replace 6.8% of their services. City staff would be bringing information to Council on this subject.

Mayor Leiken said there had been some meetings with LTD Board leadership and staff. The Mayor made no promises that the City would support that request. He was not going to speak for the Council, and he let them know it could be a challenge. He also made it clear that Council had not discussed this issue. Part of this needed to come from the State and Federal packages.

Councilor Woodrow said he appreciated that. One of the stipulations that Councilors Woodrow and Lundberg made to the MPC was that they wouldn't make a decision until the whole Council had looked at this and had all of the information.

b. Other Business

BUSINESS FROM THE CITY MANAGER

1. January 2009, Disbursement for Approval.

Finance Director Bob Duey presented the staff report on this item. Checks totaling \$4,606,612.68 were issued in JANUARY 2009. Documentation supporting these payments has been reviewed.

Councilor Leezer declared a conflict of interest and abstained because a payment was made to her business.

Councilor Woodrow asked about a merchant service fees. He declared a possible conflict and chose to abstain.

IT WAS MOVED BY COUNCILOR RALSTON WITH A SECOND BY COUNCILOR LUNDBERG TO APPROVE THE JANUARY 2009, DISBURSEMENTS FOR APPROVAL. THE MOTION PASSED WITH A VOTE OF 3 FOR AND 0 AGAINST (2 Abstentions – Leezer and Woodrow) (1 Absent – Wylie).

BUSINESS FROM THE CITY ATTORNEY

ADJOURNMENT

The meeting was adjourned at approximately 8:10 p.m.

Minutes Recorder Amy Sowa


~~Sidney W. Leiken~~ Dave Ralston
Mayor Council President

Attest:


City Recorder