

City of Springfield  
Regular Meeting

MINUTES OF THE REGULAR MEETING OF  
THE SPRINGFIELD CITY COUNCIL HELD  
TUESDAY, JANUARY 19, 2010

The City of Springfield Council met in regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon, on Tuesday, January 19, 2010 at 7:00 p.m., with Mayor Leiken presiding.

ATTENDANCE

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

Councilor Leezer was absent (excused).

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Leiken.

SPRINGFIELD UPBEAT

1. Recognition of Melissa Fechtel, Deputy Fire Marshal.

Fire Marshal Al Gerard introduced Melissa Fechtel, Deputy Fire Marshal. The Oregon State Fire Marshal's Fire and Life Safety Competency Recognition Program defines competencies, provides education and recognizes commitment and scope of practice among fire and life safety professionals in Oregon. The competency recognition program is a joint effort between the Office of the Oregon State Fire Marshal and the Oregon Fire Marshals Association.

The Competency Recognition Program has four levels with Fire Marshal as the highest achievable level.

The Oregon State Fire Marshal has issued Melissa Fechtel the Fire Marshal recognition. Melissa has obtained State recognition along with Springfield Fire & Life Safety's Deputy Chief Al Gerard and Deputy Fire Marshal Gilbert Gordon. Melissa's motivation, dedication and commitment to fire prevention and continuing education have enabled her to achieve this goal within four and a half years with the Springfield Fire Marshal's Office.

Mr. Gerard read from the award. He noted that Springfield had three people certified at this level, and there were about 14 certified in the State. Ms. Fechtel started as a volunteer at the front desk in Fire and Life Safety Administration and became very passionate and interested in becoming a Fire Marshal. She trained herself at her own expense and with a lot of effort to reach this level.

2. Amber Alert Awareness Day Proclamation.

Mayor Leiken said it had been 13 years since Amber Hagerman of Arlington, Texas, was abducted and murdered, the tragic event that started the AMBER Alert system. January 13 was AMBER Alert Awareness Day and he felt it was important for Springfield to acknowledge that day.

Councilor Pishioneri noted that cell phones could be programmed to receive notice of any AMBER alerts as a free service.

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 – LEEZER).**

1. Claims

2. Minutes

- b. December 7, 2009 – Work Session
- c. December 7, 2009 – Regular Meeting
- d. January 11, 2010 – Work Session

3. Resolutions

- a. RESOLUTION NO. 10-01 – A RESOLUTION TO ACCEPT PROJECT P20325; 69<sup>TH</sup> STREET RECONSTRUCTION FROM OREGON DEPARTMENT OF TRANSPORTATION (ODOT).
- b. RESOLUTION NO. 10-02 – A RESOLUTION TO ACCEPT CITY PROJECT P21008; S 67<sup>TH</sup> AND IVY STREET DRAINAGE IMPROVEMENTS.

4. Ordinances

5. Other Routine Matters

- a. Accept the City's 2009 Comprehensive Annual Financial Report
- b. Authorize and Direct the City Manager to Execute the Intergovernmental Agreement with Lane Transit District (LTD) Concerning EmX Operations.
- c. Approval of Liquor License Endorsement for Travel Lane County, Located at 3312 Gateway Street, Springfield, OR
- d. Approval of Liquor License Endorsement for Walgreens #07975, Located at 5807 Main Street, Springfield, OR.
- e. Approval of Liquor License Endorsement for Walgreens #09258, Located at 1210 Mohawk Blvd, Springfield, OR.
- f. Approval of Liquor License Endorsement for Walgreens #10812 located at 6 West Q Street, Springfield, OR.

ITEMS REMOVED

2.a. December 7, 2009 – JEO Meeting

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. Annexation of Territory to the City of Springfield (Portion of 19<sup>th</sup> Street Right-of-Way between Assessor's Map 17-03-24-00 and Map 17-03-24-31) Case Number C SP 2009 – LRP2009-00013.

ORDINANCE NO. 1 – AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF SPRINGFIELD, LANE COUNTY METROPOLITAN WASTEWATER SERVICE DISTRICT, AND WILLAMALANE PARK AND RECREATION DISTRICT; AND WITHDRAWING THE SAME TERRITORY FROM THE RAINBOW WATER AND FIRE DISTRICT (FIRST READING).

City Planner Andy Limbird presented the staff report on this item. The City Council initiated the annexation action by adopting Resolution 09-23 on June 1, 2009 (Attachment 3, Exhibit B of the agenda packet). The subject annexation area was a portion of 19<sup>th</sup> Street right-of-way north of Yolanda Avenue, and included the intersection of 19<sup>th</sup> Street and undeveloped Hayden Bridge Road. The subject public right-of-way was partially developed as a narrow gravel road that terminated near the stub of Hayden Bridge Road right-of-way. The requested annexation area was about 0.66 acres in size and was contiguous with the Springfield City limits as defined in ORS 222.111(1). The current City limits were along the west boundary of the 19<sup>th</sup> Street right-of-way proposed for annexation.

The purpose of the annexation was to facilitate development of adjoining residential property to the west (already inside the City limits) that would derive access from 19<sup>th</sup> Street. An annexation agreement that addressed urban service provision and financing responsibility between the City and the adjoining property owners was attached (Attachment 4, Exhibit C of the agenda packet). The Staff Report (Attachment 1 of the agenda packet) included an analysis of the annexation request and recommended Council action. Maps of the annexation area were included as Attachment 2 of the agenda packet. The requirements in Springfield Development Code (SDC) Article 5.7-100 were addressed in the attached staff report. The annexation area could be served with the minimum level of key urban facilities and services as required in the *Eugene-Springfield Metropolitan Area General Plan* and as detailed in the attached Annexation Agreement. Services were immediately available or could be provided in a timely manner.

The City Council was authorized by ORS Chapter 222 and SDC Article 5.7-100 to initiate and act on annexation requests. In accordance with SDC 5.7-155 and ORS 222.040, 222.180 and 222.465, if approved the annexation would become effective 30 days after signature by the Mayor or upon acknowledgement by the State – whichever date was later. The adjoining property to the west was currently zoned Low Density Residential (LDR) and was located inside the Springfield urban growth boundary (UGB). Urban services were available at or near the west boundary of the subject site, or could be extended to serve the property. Although the subject annexation territory would have a nominal assessed value, there were currently no taxes assessed to the public right-of-way according to Lane County Assessment and Taxation records.

The Director's recommendation to the City Council was to (a) approve the annexation of territory to the City of Springfield, Willamalane Park and Recreation District, and Lane County Metropolitan

Wastewater Service District; and (b) withdraw the same annexation territory from the Rainbow Water and Fire District.

Mr. Limbird distributed comments from Lane County Transportation Planning that were received today. They reiterated comments found in the agenda packet. He noted the effective date of withdrawal from the water district that was changed from July 1, 2010 to June 30, 2010.

Mr. Leahy said the date was noted in Section 2 of the proposed ordinance. The date was changed to June 30, 2010 at the request of the County. He explained why the change was made and noted that the City Attorney's office disagreed with the change, but felt it would be prudent to process the water withdrawals in a timely manner to avoid double taxation. It didn't make any difference in the long run. A corrected ordinance had been given to the City Recorder for the second reading and adoption to be held February 1. The annexation for Wildish would also be amended to the June 30 date.

Councilor Simmons said in the letter from the County, they noted a restriction or barrier on the southerly portion of the property. He asked if the County had authority to tell the City what could be done on a City street.

Mr. Leahy said no, but he read that as a recommendation.

Mr. Limbird said the challenge was that the properties to the south along that portion of 19<sup>th</sup> Street right-of-way were in the unincorporated areas. 19<sup>th</sup> Street south of this point to just north of Marcola Road was outside the City limits and under County jurisdiction. Staff had not supported or recommended extending that portion of 19<sup>th</sup> Street to the intersection of Yolanda as it would not serve any City territory. A question would be who would pay for that improvement to City standards. Whether the County would insist on providing a barricade where it transitioned from City to County was unclear. Staff would continue to have discussions with the County on that issue. He discussed an alternate access. Staff would support annexation of the properties that abutted the right-of-way, providing a mechanism for the improvements on 19<sup>th</sup> Street. Mr. Limbird said he had notified Mr. Fields of the ongoing dialogue between City and County staff.

Councilor Simmons said he had concerns regarding a barrier and access for fire and police services.

Councilor Pishioneri asked if this was the property west of a parcel that was brought to Council about a year ago.

Mr. Limbird said that was correct. Council recently received a restated annexation agreement for that property. The annexation was a follow-up to that annexation.

Councilor Pishioneri asked about traffic warrants and traffic controls.

Mr. Limbird said discussions could be held regarding an entrance standard for the south segment of 19<sup>th</sup> Street. Lane County's concerns seemed to be about traffic. A thirty lot subdivision would have a modest increase in traffic if everyone drove the same direction on 19<sup>th</sup> Street and back. It was possible that an alternate arrangement could be made at some point with an interim standard that would satisfy the County's concerns and provide for emergency access.

Councilor Pishioneri asked if this annexation would be integrated into the previous annexation.

Mr. Limbird said that was correct. The stumbling block had been the reserve strips the County held which would not allow access, but those had been released.

Councilor Pishioneri discussed flood plain issues on the north end of the property.

Mayor Leiken opened the public hearing.

1. Jim McClaughlin, 2428 Ranch Drive, Springfield, OR. Mr. McClaughlin said he owned property south of the property to be annexed. He was not sure he opposed the annexation, although he didn't understand a few things. The County's original comments in July 2009 addressed increased traffic and increased maintenance responsibility for adjacent owners. That was an issue the southern barricade would help to deal with. He now understood that this was a secondary access, not a primary access. If it was a secondary access, a barricade could be driven around by emergency vehicles because the 350 feet of right-of-way wasn't annexed and was still in the County. If that was the case, he believed the County had the right to manage it. He was not opposed to the development, but wanted to protect the frontage of his property. Originally this was a primary access, and the proposed profile was a center turn lane with bypass and setback sidewalks, which would be a huge profile. That may have changed if this was now a secondary access, which he felt would be more suitable. He was not opposed, but would like more detail on the County's recommendations to the barricade and the issue of maintenance and traffic for the two adjacent borders to the south.

Mayor Leiken closed the public hearing.

Mayor Leiken asked Mr. Limbird to meet with Mr. McClaughlin regarding his questions.

2. Amendments to the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) Consistent with Policy G.3 of Chapter III, Section G. Public Facilities and Services; and Amendments to Table 6, Table 18, Table 19, Map 3 and Map 8 of the Public Facilities and Services Plan, a Functional Plan of the Metro Plan (Case No. LRP2008-00016), City of Springfield Public Works Department, Applicant.

ORDINANCE NO. 2 – AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN (METRO PLAN) CONSISTENT WITH POLICY G.3 IN CHAPTER III, SECTION G. PUBLIC FACILITIES AND SERVICES ELEMENT; AMENDING TABLE 6, TABLE 18, TABLE 19, MAP 3 AND MAP 8 OF THE PUBLIC FACILITIES AND SERVICES PLAN (PFSP) TO UPDATE THE PROJECT LISTS AND MAPPED LOCATION OF THESE FACILITIES; AND ADOPTING A SEVERABILITY CLAUSE (FIRST READING).

City Planner Andy Limbird presented the staff report on this item. The City Council adopted plan amendments to the PFSP on September 21, 2009 (Ordinance 6245) after conducting a joint public hearing with the Lane County Board of Commissioners on July 22, 2009. At present, the Lane County Board of Commissioners had granted seven readings of the ordinance, but had not yet adopted an identical implementing ordinance. The PFSP plan amendments for projects outside the City limits would not take effect until co-adoption by Lane County. In the meantime, necessary updates to the City's stormwater Systems Development Charge (SDC) rates and other stormwater system planning and construction were contingent upon adoption of the plan amendments.

All of the listed projects rose to the level of "significant" projects as defined by Oregon statute. The listed projects were necessary for Springfield to accommodate planned growth within the

existing City limits. City Council already adopted the amended tables and maps that contained projects both inside and outside the City limits. However, the Lane County Board of Commissioners appeared unlikely to co-adopt an identical project list in the near future. Staff was recommending adopting sole jurisdiction amendments to the PFSP; specifically, only those significant projects that were entirely within the current City limits. The revised tables and maps listing significant projects inside the current City limits formed Attachment 3 of the agenda packet. Upon adoption of a sole jurisdiction ordinance, Springfield would be able to undertake project planning and implement new SDC rates for the listed projects. Final adoption of the sole jurisdiction ordinance would come into effect 30 days after second reading and adoption of the Ordinance by City Council – currently projected as March 3, 2010. Staff would apprise the Springfield Planning Commission of the reduced list of projects at the meeting on January 20, 2010. Staff and Counsel advise that the revised lists and maps only remove those projects outside the current City limits, and therefore were not inconsistent with the adopted recommendation of the Planning Commission.

Mr. Limbird said this topic may be pushed further on the County's agenda. He explained the single jurisdiction ordinance that was before Council at this time. Revised lists and maps only removed projects that were outside the Springfield City Limits.

Councilor Simmons said Council had adopted the PFSP. If we changed the PFSP, the unintended consequences could get very complicated. Once they set in motion the SDC component, it would have to be recalculated. Stormwater going out of the City limits had a profound effect on how we planned the future of our community. He stood opposed to the altered ordinance as the Council had already adopted what had a strong foundation. The City had asked the County to join us and adopt the plan, but they had not. It was unfair to the City and the property owners that could be adversely impacted by this going halfway. The City adopted it on faith and on good quality staff work, and it was up to the County to move it forward. The City had set the SDC's on this plan and we needed to continue on that road.

Mr. Limbird said the intent was a stop gap interim measure. Ideally, in the coming months, there would be co-adoption of the full PFSP by the County and the City could bring back in the projects outside City limits.

Councilor Simmons said the names and contact numbers of the County Commissioners holding this up should go out to all those who were affected.

Mayor Leiken opened the public hearing.

No one appeared to speak.

Mayor Leiken closed the public hearing.

3. Adoption of Springfield Commercial and Industrial Buildable Lands Inventory, Economic Opportunities Analysis, Economic Development Objectives and Implementation Strategies, Case Number LRP2007-00031.

RESOLUTION NO. 10-03 – A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD ADOPTING THE DRAFT SPRINGFIELD COMMERCIAL AND INDUSTRIAL BUILDABLE LANDS INVENTORY, ECONOMIC

OPPORTUNITIES ANALYSIS, ECONOMIC DEVELOPMENT OBJECTIVES AND IMPLEMENTATION STRATEGIES AS PART OF THE SPRINGFIELD 2030 REFINEMENT PLAN PURSUANT TO LCDC'S ECONOMIC DEVELOPMENT GOAL AND RULE IN ORDER TO CARRY OUT MANDATE OF 2007 OR LAWS CHAPTER 650 REQUIRING SPRINGFIELD TO ESTABLISH ITS OWN URBAN GROWTH BOUNDARY PURSUANT TO STATEWIDE LAND USE GOALS.

Planning Supervisor Linda Pauly presented the staff report on this item. On December 15, 2009 the Springfield Planning Commission conducted a public hearing to receive testimony on the *Springfield Commercial and Industrial Buildable Lands Inventory, Economic Opportunities Analysis and the Economic Development Objectives and Implementation Strategies*. After consideration of the record and testimony, the Planning Commission voted unanimously to forward a recommendation to the Council to adopt the work products of the study. Applicable criteria included 2007 Or Laws Chapter 650, State Economic Development Planning Goals and Rules OAR 660-0015, OAR 660-009-0020, OAR 660-009-0025 as amended by LCDC in 2007, and applicable comprehensive plan policies.

The study provided technical analysis to determine the amount of land that would be required to provide for economic development in Springfield, based on the inventory of land available under existing Metro Plan residential designations, Plan policies, and statutory provisions for making such a determination. The Study concluded that the available supply of commercial and industrial buildable land in Springfield and the metro urban area east of I-5 did not fully meet Springfield's projected 20-year commercial and industrial land needs under current plan designations and policies. Springfield would decide how to address the deficit as well as other urban land needs (public, residential, recreational, etc.) as it moved toward meeting its statutory duty to establish its own UGB.

Adoption of the study would establish a clear economic development direction that identified the city's strengths and opportunities, and its position in the broader Southern Willamette Valley region. Adoption of the study would facilitate employment opportunities and job creation in Springfield by identifying industrial/employment land needs and developing an economic development strategy aimed at selected target industries. The key conclusions in the analysis of land availability and capacity for employment uses in Springfield were:

- The City assumes that 52% of new employment growth in Springfield will not require vacant land.
- Springfield will need employment land with sites characteristics that cannot be found within the existing UGB.
- Springfield will need to add land to its Urban Growth Boundary to accommodate forecast employment growth and provide larger sites for target industry employers if the City is to meet local community development objectives.

Ms. Pauly explained each conclusion as noted in Attachment 1, page 2 of the agenda packet. Final adoption of the CIBL would require a subsequent Metro Plan amendment action by Springfield and Lane County.

Ms. Pauly said subsequent action in compliance with HB3337 to establish a separate UGB for Springfield could rely in part on the study, a variation of the study, or on entirely new documentation. The adoption of the UGB was an interim process and depending on how the record developed, the background assumptions, analysis and determinations could change. The CIBL inventory, Economic Opportunities Analysis, and Economic Development Objectives were

the result of a rigorous public involvement process. The documents before Council were prepared by the City's consultant, ECONorthwest, in collaboration with staff, the CIBL Stakeholder Advisory Committee, and the CIBL Technical Advisory Committee. She reviewed the public process, including presentations to both the Planning Commission and City Council. The study was informed by the results of an online community development survey and two community visioning workshops. The community development survey results and draft work products of the study were available at open houses. Drafts of all interim work products and documentation of the CIBL Stakeholder Committee process had been posted on the Planning Division webpage throughout the project. A summary of the CIBL Stakeholder Committee processes was in the agenda packet as Attachment 1-180. Complete documentation of the planning process was included in the record pertaining to Case LRP2007-00031. Comments received on earlier versions of the draft documents had been addressed and incorporated into the product. Notice of tonight's public hearing had been noticed in the Register Guard and emailed to the CIBL Stakeholder Committee and interested parties list and posted on the City's webpage. The CIBL Inventory Analysis was consistent with the requirements of Goal 9 and Goal 9 rule. Descriptions of the requirements for this type of study were addressed in the document, Attachment 1, page 21 of the agenda packet. She reviewed the key conclusions as listed above in the staff report.

Ms. Pauly said the City was acting under a statutory requirement to establish a separate UGB, and the CIBL study work products were necessary components of Springfield's UGB determination. The CIBL provided data, analysis, and objectives that informed other concurrent City planning studies. The locally adopted CIBL would guide concurrent planning studies and future land use actions in Springfield, including, but not limited to, Glenwood Refinement Plan amendments, and adoption of a Downtown District Plan. The CIBL would be included in a future Metro Plan amendment, the Springfield 2030 Refinement Plan, to be jointly adopted by Springfield and Lane County. She noted that Springfield's response to the deficiency and employment site needs identified in the analysis was not the subject of tonight's hearing, nor were possible amendments to Springfield's UGB or potential locations for possible UGB expansion. The joint Planning Commissions of Springfield and Lane County would be conducting a public hearing on the UGB alternatives analysis, which would address those things and the Springfield 2030 Refinement Plan on February 17, 2010.

Mayor Leiken asked if the Planning Commission had a unanimous recommendation on this item.

Yes.

Mayor Leiken opened the public hearing.

1. Mia Nelson 975 W. 5<sup>th</sup> #5, Eugene, OR. Ms. Nelson said she was here representing herself and Landwatch Lane County. She referred to a letter she had submitted today and also asked Council to read the letter from Sid Friedman from 1000 Friends of Oregon. Both she and Mr. Friedman didn't feel Springfield could substantiate an expansion of their UGB. She hoped Council could be visionary for Springfield's future. To be visionary, they needed to do things that weren't obviously a good idea in the moment. Most of the mistakes made in the past seemed like good ideas until looking back. It might be easy to conclude that groups like Landwatch and 1000 Friends were the enemy of the City's future economy and expansion, but she would encourage Council to look at a 3-D map of the topography of Springfield. The real issue was that Springfield was surrounded by natural constraints: Eugene on one side and mountains all around. There was not much land that was good for industrial development that

wasn't already taken. She referred to page 4 in her letter which had reference to a chart pulled from the Economic Opportunities Analysis, and noted the number of jobs for industrial development. Almost all of the UGB expansion was for a few hundred jobs. She then referred to the chart on page 5 of her letter that showed the smaller land uses, such as new office jobs. Per acre, those jobs offered twenty times more job density than the warehouse and industrial.

2. Jim Spickerman, Gleaves, Swearingen, 975 Oak Street, Suite 800, Eugene, OR. Mr. Spickerman said he was here on behalf of Richard Boyles, Puzzle Parts, LLC. Puzzle Parts owned a sixty-two acre parcel in north Gateway which could be appropriate to be put into the City's UGB. He expressed support of the CIBL. He had read it thoroughly and felt it could be substantiated.
3. Jim Welsh, 90050 Killian Lane, Elmira, OR. Mr. Welsh said he was here on behalf of the Springfield Board of Realtors. The Board was very supportive of Springfield having their own UGB. They realized and appreciated how much work there was in developing land inventory. It took a lot of work, a lot of predictions, and a lot of assumptions. Their level of trust with staff and the consultants was very high. He felt the discussion during the work session was important where the Council realized how much the economy was changing and that the City needed to be flexible. The adaptability of Springfield's Planning Commission and City Council would make a difference. They appreciated moving this forward in a timely fashion.

Mayor Leiken closed the public hearing.

**IT WAS MOVED BY COUNCILOR RALSTON WITH A SECOND BY COUNCILOR LUNDBERG TO ADOPT RESOLUTION NO. 10-03. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 ABSENT – LEEZER).**

#### BUSINESS FROM THE AUDIENCE

1. M.S. Addams, 521 5<sup>th</sup> Street, Springfield, OR. Ms. Addams said her thesis statement was "The people of the United States in the form of our government must put legal mechanisms in place to provide healthcare and charity to themselves". She just finished a road trip with a genius from China that was only seventeen years old in his second school year in the U.S. This young man was held in the arms of love that embraced him from thousands of miles away. At seventeen, he was no longer a child, but a man with more responsibility than most of us could imagine. She re-learned that she did not want to trigger racial or ethnic fear. She repeated her thesis statement. She was here because the Council was the nearest governing body to where she lived and were politically active persons. What they thought and what they did was important. They represented this town and she was here as a citizen asking her representatives to support health care and basic social services for all. By formally asking them to support what was good for the people of Springfield, herself and the Council, she was using legal and regular channels. She had the right to speak to the Council and they did not have the right to ignore her. She repeated her thesis statement. She asked why we couldn't have it here as other countries. She repeated her thesis statement. If Americans had not provided themselves with legal mechanisms for providing healthcare and basic social services, then the Chinese would have no compulsion to provide these things for us. She was an American and she may have to share the Council's fate. There wasn't a moment to lose and people needed to talk to each other, even if they didn't like what they heard. We were all

in the same boat. It could be fun working for the common good as long as we were clear about our short term goals. Universal health care and basic social services for all was a short term goal. She said we must provide for one another.

### COUNCIL RESPONSE

### CORRESPONDENCE AND PETITIONS

### BIDS

### ORDINANCES

### BUSINESS FROM THE CITY COUNCIL

1. Committee Appointments
2. Business from Council
  - a. Committee Reports
    1. Councilor Pishioneri reported on Travel Lane County. He said they were preparing for a soft opening of the new location in Gateway. He said there was a full sized drift boat inside, as well as a synthetic tree and other items.
    2. Councilor Ralston said he was no longer Chair of the Human Services Commission (HSC). He also noted that they still needed a representative from the Springfield Budget Committee.

Mr. Grimaldi said they were talking with someone to fill that role.

3. Councilor Lundberg reported on the Metropolitan Policy Committee (MPC). Adoption of the framework of the STP-U was held up because of a County veto.

Councilor Wylie said at the last MPC meeting they held election of officers and she was elected Vice Chair. There was a subcommittee which Councilor Lundberg was part of that had done a great deal of work to discuss the framework of the distribution of STP-U funds. All were in agreement with the subcommittee, but at the last meeting, Commissioner Handy wanted additional measurements of the success of reducing vehicle miles travelled (VMT) on the STP funds. They were told the science didn't exist for those figures, but at his request, staff would work on trying to find those measurements. Lane Transit District (LTD) made the motion, which was seconded, everyone voted, and the County vetoed. This item would come back to MPC again, but it was holding up the work for the application. Staff had to prepare the application package.

4. Councilor Simmons referred to the HSC. He had received a report that the Veteran's Administration (VA) had pulled the funding for the City of Eugene's homeless veteran's program. The report noted that an audit had been performed and the homeless program had not utilized the funds for the purpose intended. The money

appropriated through the VA homeless program would now be administered by another agency. He asked Councilor Ralston if the Homeless Veteran's Program had been discussed at the HSC.

Councilor Ralston said it had been discussed. He would find out more information.

Councilor Simmons said funds were being used for housing others besides veterans.

Councilor Ralston said he was now on the committee studying veteran's funding, so he would find out.

5. Mayor Leiken referred to STP-U funding issue from the MPC meeting. He asked to be kept in loop on this item. The City needed to do due diligence with ODOT so they were aware that the County was holding up the project. He asked staff to let him know if he or the Council could do anything, such as getting a message to our State representatives. He asked Councilors Wylie and Lundberg if there was anything he could do regarding working with Commissioners Sorenson and Handy.

Councilor Lundberg said Commissioner Sorenson was at the subcommittee meeting and agreed with the framework. At the MPC meeting, he voted with Handy against the framework.

6. Councilor Simmons reported that Commissioner Fleenor was the new representative for the Metropolitan Wastewater Management Commission (MWMC).

#### BUSINESS FROM THE CITY MANAGER

1. November 2009, Disbursements for Approval.

Councilor Lundberg declared a conflict of interest and recused herself from this item as there was a payment to her employer, Marshal's Heating, in the disbursements.

Finance Director Bob Duey presented the staff report on this item. The November 2009 Disbursements for Approval is attached for your review and approval.

Checks totaling \$7,621,118.77 were issued in November 2009. Documentation supporting these payments has been reviewed.

Councilor Simmons noted the amount spent to GFOA (Government Finance Officer Association). Mr. Duey said their dues had increased slightly. Councilor Simmons noted that the disbursements to Primrose were actually being done in a conveyance to the bonding company that was assisting the City with the completion of the sub-basin projects.

**IT WAS MOVED BY COUNCILOR RALSTON WITH A SECOND BY COUNCILOR PISHIONERI TO APPROVE THE NOVEMBER 2009 DISBURSEMENTS FOR APPROVAL. THE MOTION PASSED WITH A VOTE OF 4 FOR AND 0 AGAINST (1 ABSTENTION - LUNDBERG, AND ONE ABSENT - LEEZER).**

2. December 2009, Disbursement for Approval

Councilor Lundberg declared a conflict of interest and recused herself from this item as there was a payment to her employer, Marshal's Heating, in the disbursements.

Finance Director Bob Duey presented the staff report on this item. The December 2009 Disbursements for Approval is attached for your review and approval.

Checks totaling \$9,150,089.64 were issued in December 2009. Documentation supporting these payments has been reviewed.

**IT WAS MOVED BY COUNCILOR RALSTON WITH A SECOND BY COUNCILOR PISHIONERI TO APPROVE THE DECEMBER 2009 DISBURSEMENTS FOR APPROVAL. THE MOTION PASSED WITH A VOTE OF 4 FOR AND 0 AGAINST (1 ABSTENTION – LUNDBERG, AND ONE ABSENT – LEEZER).**

3. Declaration of Real Property as Surplus.

RESOLUTION NO. 10-04 – A RESOLUTION DECLARING CERTAIN REAL PROPERTY OWNED BY THE CITY OF SPRINGFIELD SURPLUS AND DIRECTING THE CITY MANAGER TO OFFER SUCH PROPERTY FOR SALE.

Civil Engineer Matt Stouder presented the staff report on this item. In 1986, by Bargain and Sale deed shown in Attachment 2 of the agenda packet, the City acquired a portion of property along 58<sup>th</sup> St described in Attachment 3 of the agenda packet, for use as public street right-of-way. With the recent construction of the Bob Straub Parkway, approximately 0.251 acres of this right-of-way was no longer needed for public use. The abutting property owner, Elder Health and Living Corporation, had expressed interest in acquiring the property, and owned the parcels on both sides of the right-of-way. If acquired, Elder Health and Living intended to construct an addition to their existing assisted care facility.

Staff recommended that the property be offered for public sale consistent with the provisions of Municipal Code Section 2.714 and the relevant provision of Oregon Revised Statutes regulating the disposal of public property. If offered for sale, staff requested reservation of a 10 foot Public Utility Easement across the frontage of Daisy Street for future utilities, as well as a deed restriction on the property such that access to the parcel would not be permitted from the Bob Straub Parkway. These requests were described in Attachment 1 of the agenda packet.

Mr. Stouder noted that at least one representative of the requesting party was in the audience.

Councilor Pishioneri asked which media would be used to post notice.

Mr. Stouder said it could be placed in either The Register Guard or The Springfield Times.

Councilor Pishioneri asked if there could be a link on the City's webpage when public property was available for sale.

Mr. Leahy said there was not currently a link, but a link could be added.

Councilor Simmons asked if The Springfield Times was eligible to post legal notices.

Mr. Leahy said it was a two pronged test. They met the State statute for time in circulation and percentage of circulation to subscribers. The other test was more subjective that stated the governmental entity should be utilizing a notice provision that would be designed to reach the people they were interested in providing the notice to. The City did not need to place the ads with The Springfield Times, but we could. Some notices would be more appropriate to be placed in The Register Guard. He noted the difference in circulation between The Register Guard and The Springfield Times.

Councilor Simmons said if it was noticed in a paper, it was also listed electronically on the paper's website.

Mr. Leahy said Councilor Pishioneri's question was regarding real property, which had to be a public notice in a newspaper of general circulation. In addition to that, the City could post it on the City's website. Other surplus items could also be listed on the City's website.

**IT WAS MOVED BY COUNCILOR RALSTON WITH A SECOND BY COUNCILOR LUNDBERG TO ADOPT RESOLUTION NO. 10-04. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 ABSENT – LEEZER).**

Mr. Grimaldi reminded the Mayor and Council about the TEAM Springfield meeting on Saturday, January 23 at 8:30 a.m. at Thurston Elementary.

BUSINESS FROM THE CITY ATTORNEY

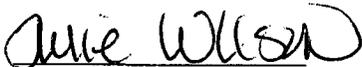
ADJOURNMENT

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

Minutes Recorder Amy Sowa

  
Sidney W. Leiken  
Mayor

Attest:

  
Julie Wilson  
City Recorder