# MINUTES

**Eugene City Council**
**Harris Hall, 125 East 8th Avenue**
**Eugene, Oregon 97401**

**July 16, 2018**
**7:30 p.m.**

**Councilors Present:** Emily Semple, Betty Taylor, Alan Zelenka, Jennifer Yeh, Mike Clark, Greg Evans, Claire Syrett, Chris Pyror

Mayor Vinis opened the July 16, 2018, public hearing of the Eugene City Council.

1. **PUBLIC HEARING: An Ordinance Concerning the Skinner Butte Height Limitation Area, and Amending Section 9.6715 of the Eugene Code, 1971 (City File CA 18-3)**

   Mayor Vinis opened the quasi-judicial public hearing.

   Council Discussion
   - All councilors disclosed that they individually met with Casey Barrett and Brian Obie to discuss the Obie project.

   Support
   1. Casey Barrett - spoke in support of the Skinner Butte height limitation area.
   2. Sue Prichard - spoke in support of the Skinner Butte height limitation area.
   3. Sean Camblin - spoke in support of the Skinner Butte height limitation area.
   4. Stephanie Kimmel - spoke in support of the Skinner Butte height limitation area.
   5. Tim Campbell - spoke in support of the Skinner Butte height limitation area.
   6. Chris Boone – spoke in support of the Skinner Butte height limitation area.
   7. Jenny Ulum - spoke in support of the Skinner Butte height limitation area.
   8. Tom Stewart - spoke in support of the Skinner Butte height limitation area.
   9. Brittany Quick-Warner - spoke in support of the Skinner Butte height limitation area.
   11. Claire Barnum - spoke in support of the Skinner Butte height limitation area.

   Neutral
   No one spoke with a neutral stance on this issue.

   Oppose
   1. Kimberly Gladen – spoke in opposition to the Skinner Butte height limitation area.

   Mayor Vinis closed the public hearing and the public record.

2. **PUBLIC HEARING: An Ordinance Concerning a Roof Sign for Property Identified as Map/Tax Lot 17-03-31-11-02800 (City File CA 18-3)**

   Mayor Vinis opened the quasi-judicial public hearing.

   Support
   1. Sue Prichard - spoke in support of the proposed roof sign.
   2. Andy Vobora - spoke in support of the proposed roof sign.
   3. Sean Camblin - spoke in support of the proposed roof sign.
   4. Michael DeLuise - spoke in support of the proposed roof sign.

5. Roger Rutan – spoke in support of the proposed roof sign.
6. Jacob Fox - spoke in support of the proposed roof sign.
7. Bob Hart - spoke in support of the proposed roof sign.
8. Jodi Sommers - spoke in support of the proposed roof sign.
9. Jessica Blaine - spoke in support of the proposed roof sign.
10. Larry Gilbert - spoke in support of the proposed roof sign.
11. Dana Turell - spoke in support of the proposed roof sign.
12. JB Carney - spoke in support of the proposed roof sign.
13. Erik Parrish - spoke in support of the proposed roof sign.
14. Irene Alltucker - spoke in support of the proposed roof sign.
15. Nicole Roselio - spoke in support of the proposed roof sign.
16. Brian Obie - spoke in support of the proposed roof sign.

Neutral
1. John Barofsky - spoke about the sign code and how it relates to the proposed roof sign.

Oppose
1. Susan Connolly - spoke in opposition to the proposed roof sign.
2. Isaac McCoy-Sulentic - spoke in opposition to the proposed roof sign.
3. Kimberly Gladen - spoke in opposition to the proposed roof sign.

Council Discussion
- Appreciation expressed for the testimony on this issue. The sign code is out of touch with current technology and a work session poll on this issue will be requested.

Mayor Vinis closed the public hearing and the public record.

3. **PUBLIC HEARING: An Ordinance Vacating E. 5th Alley, located between Pearl Street and Oak Street, and a portion of Pearl Alley, located between E. 5th Alley and E. 6th Avenue, and providing for an effective date (City File VRI 18-2)**

Mayor Vinis opened the quasi-judicial public hearing.

Support
1. Sue Prichard - spoke in support of vacating E. 5th Alley.
2. Phil Farrington - spoke in support of vacating E. 5th Alley.
3. Jenny Ulum - spoke in support of vacating E. 5th Alley.

Neutral
No one spoke with a neutral stance on this issue.

Oppose
No one spoke in opposition to this issue.

Council Discussion
- Information requested about how much the alley was assessed at and how that number was determined.

Mayor Vinis closed the public hearing and the public record.

4. **PUBLIC HEARING: An Ordinance Concerning the Location of Recreational Retail Marijuana Uses and Amending Sections 9.2160, 9.2161, 9.2450, 9.2451, 9.3115, 9.3116, 9.3146, 9.3210, 9.3211, 9.3515, 9.3810, 9.3811, 9.3910 and 9.3911 of the Eugene Code, 1971. (City File CA 18-4)**

Mayor Vinis opened the public hearing.

1. John Barofsky – discussed Planning Commission hearings regarding marijuana buffer zone.
2. Sherry Schaefers – spoke in support of a marijuana buffer to maintain a vibrant downtown.
3. Pete Knox - spoke in support of a marijuana buffer to maintain a vibrant downtown.
4. David Nelkin – asked Council not to pass a buffer; important to keep rental options open.
5. Sue Prichard – spoke in favor of a marijuana buffer to encourage a vibrant downtown.
6. Tiffany Edwards – asked the Council to implement a 1,000 foot marijuana buffer zone.
7. Christiane Ochoa – spoke in support of a buffer zone on behalf of Lane County Public Health.
8. Sam Barber – spoke in support of a buffer to help stabilize the cannabis industry.
9. Richard Johnson – spoke in opposition to the buffer zone and grandfathering current shops.

Council Discussion

- Anecdotal reports that crime increases near marijuana businesses are not true; EPD reported that there was a decrease in crime near these establishments, with the exception of fraud.
- Request made for an updated map and a count of retail establishments in downtown in order to compare related to number of marijuana businesses.
- Information requested about the approximate time each of the marijuana businesses opened.

Mayor Vinis closed the public hearing.

5. **PUBLIC HEARING: A Resolution Granting a Measure 49 Claim and Waiving a Provision of Chapter 9 of the Eugene Code, 1971 for Property Located Adjacent to 70 West 24th Place, Eugene, Oregon (Assessor's Map 18-03-06-42, Tax Lot 2700)**

Mayor Vinis opened the public hearing.

1. Bill Kloos – asked for time to respond to any testimony submitted related to the claim.

Mayor Vinis closed the public hearing.

**MOTION AND VOTE:** Councilor Zelenka, seconded by Councilor Clark, requested that the record be open for another week. **PASSED 8:0**

6. **PUBLIC HEARING: An Ordinance Concerning the Prohibition of Smoking on Public Right-of-way Adjacent to Opted-In Properties; the Prohibition of Smoking Within the Downtown Core and Allowing for Properties to Opt-Out; and Amending Section 6.230 of the Eugene Code, 1971.**

Mayor Vinis opened the public hearing.

1. Pamela Krause - spoke in support of a smoking ban downtown.
2. Pete Knox - shared concern that a ban goes too far, but the opt-in/out is a compromise.
3. Nick Weldon - talked about how the proposed ban does not go far enough.
4. Sue Prichard - spoke in support of the proposed smoking ban ordinance.

5. Susan Connolly - spoke in support of the proposed smoking ban ordinance.
6. David Piccioni - shared concerns about implementing a smoking ban.
7. Tiffany Edwards - supported the smoking ban ordinance on behalf of the Chamber of Commerce.
8. Matt Sayre - spoke in support of the smoking ban on behalf of Technology Association.
9. Avi Naiman - spoke in support of the smoking ban; encouraged a ban for the entire city.
10. Claire Barnum - spoke in support of the proposed smoking ban.
11. Frank Wilson – shared support for proposed smoking ban on behalf of Lane Transit District.
12. Robert Blake – spoke in support of proposed smoking ban and shared some related ideas.
13. Chief Rodney Budlee Swiftfoot Augustana Retzmann-Butterfly – spoke about smoking rights.
14. Christopher Friend – spoke in support of ban on behalf of the Cancer Advocacy Network.
15. Kimberly Gladen – spoke in favor of the proposed smoking ban ordinance.
16. June Simon – asked Council to produce research that smoking outside is harmful to others.
17. Rob Bennett – spoke in favor of the proposed ban on behalf of Newberry Child Care.
18. Jeffrey Keim – expressed disappointment at Council for rushing smoking ban decision.
19. Jason Buckley – spoke in opposition to the proposed smoking ban ordinance.
20. Susan Caldwell – shared support for a total smoking ban in all public places.
21. Christy Inskip – spoke in favor of the smoking ban on behalf of Lane County Public Health.

Council Discussion

- More information requested about the meaning of "City Manager discretion" in the context of the opt-out provision being considered.
- Concerns expressed that opt-out areas would create pockets of smoke; unsure where people could go to smoke if this passed.
- Downtown should not be singled out as a smoke-free zone; if there is going to be a ban it should be citywide.
- Concerns expressed about making smoking illegal for the homeless, in addition to not being able to sleep legally.
- Questions asked about enforcement of the proposed smoking ban and whether police officers will be issuing citations.

Mayor Vinis closed the public hearing.

**7. PUBLIC HEARING AND POSSIBLE ACTION: A Resolution Adopting "Picture. Plan. Play. A Vision and Implementation Plan for Eugene's Parks and Recreation System"**

Mayor Vinis opened the public hearing.

1. Marjorie Smith – shared support for the parks plan and praise for the public outreach.
2. Dana Turell – shared support for the thorough and thoughtful parks plan.

Council Discussion

- Clarification requested about the slight modifications made since the draft plan was proposed.

**MOTION AND VOTE:** Councilor Clark, seconded by Councilor Taylor, moved to adopt the resolution presented in Attachment A, adopting "Picture. Plan. Play. A Vision and Implementation Plan for Eugene's Parks and Recreation System. **PASSED 8:0**

Mayor Vinis closed the public hearing.

8. **ACTION: Wildlife Feeding**

**MOTION AND VOTE:** Councilor Clark, seconded by Councilor Taylor, moved to adopt Council Bill 5189 that updates the City's Nuisance Code.

Council Discussion

- More effective to use education and cooperation instead of passing this ordinance.
- The City should buy and distribute rat traps throughout the city.
- The City should help people make changes, including the purchase and distribution of compliant composting bins.
- Questions asked about enforcement, education, and fines.
- Without passing this ordinance, the Oregon Department of Fish and Wildlife will not help the City with trapping turkeys and do not believe education is enough to deal with the turkey population.

**MOTION AND VOTE:** Councilor Syrett, seconded by Councilor Clark, moved to call the question. **FAILED 5:4**, Mayor Vinis voted against the motion with Councilors Semple, Taylor, Zelenka, and Clark.

Council Discussion

- The Oregon Fish and Wildlife originally brought the turkeys here, but are supportive of the ordinance as it will allow them to be involved in mitigating the impacts.

**VOTE: PASSED 6:2**, Councilors Semple and Taylor opposed.

The meeting adjourned at 10:10 p.m.

Respectfully submitted,

Elena Domingo
Deputy City Recorder