

MINUTES

Eugene City Council
Council Chamber—City Hall
777 Pearl Street—Eugene, Oregon

September 12, 2011
7:30 p.m.

COUNCILORS PRESENT: Betty Taylor, George Brown, Andrea Ortiz, George Poling, Mike Clark, Chris Pryor, Alan Zelenka, Pat Farr.

Her Honor Mayor Kitty Piercy called the September 12, 2011, regular meeting of the Eugene City Council to order.

1. PUBLIC FORUM

Mayor Piercy reviewed the rules of the Public Forum.

Gary Jenkins, 90939 Prairie Road, reminded the council of his previous testimony about an incident involving his son and the Eugene police. He reported he had been informed that the Police Auditor saw a resolution to the problem caused by the incident and was willing to serve as a mediator. He suggested an appropriate resolution would be polygraph tests for all involved in the incident. He sought direction from the council before entering into mediation with Police Chief Pete Kerns as he did not want to enter into mediation and wind up in worse condition than before.

George Cole, 2760 West 11th Avenue, said the opponents of EmX were still active because they felt the project was not a wise expenditure of funds and believed the community's transportation needs could be met by restructuring Lane Transit District (LTD) routes. He said that LTD kept changing the criteria and the agency admitted to doing so. He reported that LTD staff had suggested at a meeting earlier in the evening that route restructuring would still be required after EmX was expanded to the west. Mr. Cole recalled the money he expended on legal fees to fight LTD's plans to take a portion of his property for a 100-space park and ride facility. Instead, LTD built a 46-space lot at Fred Meyer which earlier in the day contained only five cars. He maintained that LTD wanted to foster congestion to force people to ride the bus and he believed that was an infringement on freedom.

Bob Macherione, 1994 Brewer Street, reported he had filed an appeal of his Sign Code violation and the American Civil Liberties Union (ACLU) had subsequently sent the City a letter asking it to stop its current approach to Sign Code enforcement. In spite of that, the City had not stopped its enforcement efforts and he did not understand why. He did not know who was directing the City Manager and City Attorney to proceed. Mr. Macherione provided the council with a copy of the ACLU's letter and reviewed the letter's salient points and asked why the City Council would allow the City to generate so much paperwork for thousands of taxpayer dollars in a case it had no chance of winning. All the City had to do was rewrite the ordinance to meet the letter of the law. He asked the council to direct the City Manager and City Attorney to stop enforcement of the City's Sign Code until the City had an enforceable ordinance. Mr. Macherione suggested the ACLU was more knowledgeable than the City Attorney in matters related to free speech. He said his only crime was to disagree with the mayor and council about

its donation of City-owned infrastructure to LTD to run six buses an hour. He did not think the route was appropriate or needed and LTD was dishonest in its projections. He called for a citywide vote.

Mayor Piercy closed the Public Forum. She suggested to Mr. Jenkins that the best thing he could do in his situation was to work with the Police Auditor.

2. CONSENT CALENDAR

A. Approval of City Council Minutes

- June 20, 2011, Work Session
- June 22, 2011, Work Session
- June 27, 2011, Work Session
- June 29, 2011, Work Session
- July 11, 2011, Work Session
- July 11, 2011, Regular Meeting
- July 13, 2011, Work Session
- July 20, 2011, Work Session
- July 25, 2011, Work Session
- July 25, 2011, Regular Meeting
- July 27, 2011, Work Session

B. Approval of Tentative Working Agenda

Councilor Taylor, seconded by Councilor Brown, moved to approve the items on the Consent Calendar.

Mr. Farr pulled the minutes of the June 27, 2011, work session.

Roll call vote: The motion, with the exception of the minutes of June 27, 2011, passed unanimously, 8:0.

Mr. Farr referred to the June 27 minutes, which reflected the council's request to display the United States flag at City Council meetings, and wanted to place on the record the fact that the flag was now on display.

Roll call vote: The motion passed unanimously, 8:0.

3. Adoption of Resolution 5041 Concurring with Lane County's Findings Regarding Vacation of Portions of County Roads within the Lane County Fairgrounds

Councilor Taylor, seconded by Councilor Brown, moved to adopt Resolution 5041 Concurring with Lane County's findings regarding vacations of portions of county roads within the Lane County Fairgrounds.

Assistant City Manager Sarah Medary introduced the item, reporting that Lane County requested City adoption of a resolution concurring with a County decision to vacate the entrance roads to the fairgrounds. She reported that all emergency services and bicycling routing concerns had been addressed.

Peggy Keppler of the Public Works Department was present to answer questions.

Responding to a question from Mayor Piercy, Ms. Keppler said the County initially proposed to close all three entrances but agreed to retain the Monroe Street entrance for bicycle use. City staff would work with Lane County Fairgrounds staff to ensure that there was proper signage.

Responding to questions from Councilor Zelenka, Ms. Keppler used the map included in the council's packet to illustrate the route bicyclists would take through the fairgrounds and confirmed that the Fire Department would have access through the fairgrounds gates.

Roll call vote: The motion passed unanimously, 8:0.

4. Executive Session

The council met in the McNutt Room in executive session in accordance with Oregon Revised Statutes 192.660(2)(h).

Mayor Piercy adjourned the meeting at 8:48 p.m.

Respectfully submitted,



Beth Forrest
City Recorder

(Recorded by Kimberly Young)