

MINUTES

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

July 25, 2011
7:30 p.m.

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

COUNCILORS ABSENT: George Brown.

Her Honor Mayor Kitty Piercy called the July 25, 2011, regular meeting of the Eugene City Council to order.

1. PUBLIC FORUM

Mayor Piercy reviewed the rules of the Public Forum.

Reverend Will I. Am Winget, 4501 Franklin Boulevard, Space 2, Glenwood, objected to discrimination against medical marijuana and spiritual marijuana. He spoke of the benefits of medical and spiritual marijuana. He contrasted marijuana to tobacco and suggested marijuana was less harmful. He believed he was discriminated against because of his need to drive to transport veterans to and from the hospital; if he smoked marijuana on the first day of the month he could be pulled over anytime within 30 days and charged with driving under the influence. He could not use marijuana as a medicine at public events. People who smoked marijuana on a regular basis frequently had jobs and their behavior was no problem until they challenged the status quo. He noted that when asked, past governors rejected taxes on marijuana as a source of revenue.

Duncan Rhodes, 1005 Lewis Avenue, #1, reported that the Whitaker Community Council Board of Directors voted on July 20 to oppose the closure of the north and south entrances to the fairgrounds and removal of the right-of-way because the entrances served as important connections between the College Hill neighborhood and the Westside and Whiteaker neighborhoods. Mr. Rhodes believed the action was in direct conflict with the triple bottom line and the City's 20-minute neighborhood initiative. He suggested the action would reduce the "eyes on the street" in the fairgrounds area. If the fairgrounds were experiencing crime, the City should increase police patrols and Lane County should improve the lighting at the fairgrounds. Mr. Rhodes reported that several female residents expressed concern about the closures as they would force them to take routes they felt were less safe. He encouraged residents to attend a public hearing on the topic before the Hearings Official on August 17 at 1:30 p.m.

Bob Macherione, 1994 Brewer Street, said the City sent him notice that the sign in front of his business in opposition to EmX violated the City's Sign Code. He maintained the Sign Code was intended to regulate signs for commerce, not signs expressing opinions. His sign was on private property and posed no public hazard. However, the City continued to send him notices. Mr. Macherione believed the City Council should revise the Sign Code to address his concerns and to remove the provision that allowed for anonymous complaints, which he considered unfair. Mr. Macherione quoted Thomas Jefferson: "The will of the people is the only legitimate foundation of any government, and to protect its expression

should be our first object.” He believed that message applied today. He also noted that the Oregon Constitution’s Bill of Rights prohibited laws restricting the freedom of expression. He suggested the City Attorney needed to revisit his opinion on the topic and promised to fight for his right to free speech.

Michael Lambros, 17 East Hillcrest Drive, discussed his concerns about “chem trails,” which he believed were caused by airplanes flying in grid formation that sprayed white lines. While he had contacted several regulatory agencies, he was unable to get an answer to his questions about the trails and did not know if the community should be concerned.

Nathan Fendrich, 2900 Firwood Way, shared an anecdote about his late mother-in-law’s dedication to the United States, saying that she had escaped Nazi Germany in 1936 with nothing and came to the United States. She was an extremely patriotic person, and when she was interviewed about six years ago and asked where she wanted to be buried, she said she wanted to be buried holding the American flag. He suggested that council meetings, because of their purpose as a forum for free speech, were an appropriate venue for the recital of the Pledge of Allegiance.

Mayor Piercy closed the Public Forum and thanked those who offered comment.

Ms. Ortiz thanked those who testified. She asked if the council could provide input regarding the proposed closures at the fairgrounds and indicated she preferred to retain the access that existed. She also thanked Mr. Fendrich for his remarks and commended the program *50 States, 50 Citizens*, which showed the experiences of immigrants.

Speaking to Mr. Macherione’s remarks, Mr. Clark said he would be interested in knowing how the City’s Sign Code differentiated between commercial and political speech. He was also concerned about the City’s acceptance of anonymous complaints given that the Constitution allowed for someone accused of something to face their accuser. He understood that anonymity was intended to protect people against retribution but he had some concerns about it. City Manager Jon Ruiz promised to provide additional information.

Ms. Taylor also questioned why Mr. Macherione’s sign was illegal.

Mayor Piercy said she had the opportunity to meet Mr. Fendrich’s mother-in-law and regretted her passing.

2. CONSENT CALENDAR -- The Consent Calendar was approved at the 5:30 p.m. work session.

Mayor Piercy adjourned the meeting at 7:47 p.m.

Respectfully submitted,

Beth Forrest

Beth Forrest
City Recorder

(Recorded by Kimberly Young)