

MINUTES

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

November 15, 2010
7:30 p.m.

COUNCILORS PRESENT: Mike Clark, Betty Taylor, Jennifer Solomon, Andrea Ortiz, George Poling, Chris Pryor, Alan Zelenka, George Brown, members.

Her Honor Mayor Kitty Piercy called the public hearing of the Eugene City Council to order.

1. PUBLIC HEARING:

An Ordinance Concerning Authority of Traffic Control Officers to Direct Traffic and Amending Sections 2.660, 5.010, 5.060, 5.065, 5.275, and 5.276 of the Eugene Code, 1971

City Manager Jon Ruiz said the public hearing regarded amendments to the Eugene Code that would change the title of Community Service Specialist to Community Service Officer and give such individuals authority to direct traffic on streets and public thoroughfares. The amendments were required by State statute.

Mayor Piercy opened the public hearing. There being no one present who wished to speak, she closed the public hearing and called for council questions and comments.

Councilor Brown asked if Community Service Specialists had to issue tickets often. Captain Richard Stronach responded that Community Service Specialists had authority to write parking tickets and could issue citations for animal-related violations, but they did not do much of the latter. Responding to a follow-up question from Councilor Brown, Captain Stronach indicated that vehicle booting was a Parking Control responsibility but Community Service Specialists could authorize towing of abandoned vehicles.

2. PUBLIC HEARING:

An Ordinance Concerning Assessments for Street Improvements; Amending Sections of Chapter 7 of the Eugene Code, 1971, Including Section 7.175; Adding a New Section 7.180 to that Code; and Providing an Effective Date

City Manager Ruiz acknowledged the work of the Council Subcommittee on Street Assessment Policy, composed of councilors Poling, Taylor, and Solomon.

City Engineer Mark Schoening and Engineering Data Services Manager Fred McVey were present for the item. Mr. Schoening reminded the council of the work session held on the topic on September 22, at which time the council discussed an issue the subcommittee was unable to reach consensus on, that of the change in the methodology of how properties were assessed. He said there were two alternatives discussed at that time for apportioning costs among nonresidential properties, the existing methodology based on front footage and a methodology based on property area. Mr. Schoening said that staff was now

proposing a third option, which was an allocation based half on area and half on frontage. The three options were outlined in the agenda item summary provided to the council.

Mr. Schoening noted another issue that was raised in discussion, that of already improved dead end streets and cul-de-sacs and whether they should be assessed at the same rate as the properties abutting the street to be improved, or at a lesser rate. Staff recommended those properties be assessed at half the rate charged to properties abutting the street.

Mayor Piercy opened the public hearing.

Marguerite Zolman, 1174 Sheraton Drive, representing the Harlow Neighborhood Association, spoke in support of the amendments. She went on to speak of the poor condition of Arcadia Drive, which lacked sidewalks, gutters, and storm drains. She believed the road was incorrectly classified at present and suggested it should be classified as a collector street given that all properties on Arcadia Drive and east of Arcadia Drive had to use the street to exit and enter the neighborhood. Ms. Zolman said the Public Works Department had stated that the neighborhood was served by the Van Dyn-Bogart Collector, which did not serve Arcadia Drive. She questioned if neighborhoods were allowed only one collector street. Ms. Zolman said the amendments would ensure that those who benefited from Arcadia Drive would share in the cost of improving it. She asked the council to adopt the ordinance and fix Arcadia Drive before there was a fatality.

Mayor Piercy closed the public hearing and solicited council questions and comments.

Councilor Poling noted his long-term involvement in the Arcadia Drive issue and the frustration he experienced trying to get street studied with the goal of reclassifying it. He acknowledged he had yet to raise the issue with City Manager Ruiz and suggested it was time to start the discussion again.

Councilor Poling asked if it was true neighborhoods were allowed only one collector. Mr. Schoening said no. The City had not pursued the reclassification of Arcadia Drive from a local street to a neighborhood collector because it had not seemed worth the time and expense to change the classification when the actual problem was that the street was unimproved and should be improved to urban standards. The street classification did not prevent that from happening.

Councilor Poling believed the extension of Arcadia Drive had increased traffic using the road. He asked if it was possible to study the street in isolation. City Manager Ruiz promised to return with more information.

Councilor Ortiz determined from Mr. Schoening that residential property owners were assessed the equivalent cost of a local residential street if they lived on a collector street. The City's share of the cost was paid by transportation systems development charges. The City had no similar funding source for local streets.

Councilor Zelenka joined the meeting via speakerphone.

Councilor Taylor asked if residents living on Arcadia Drive would be assessed less if the street was reclassified as a neighborhood collector. Mr. Schoening said no.

Councilor Taylor hoped the council would approve the ordinance in accordance with the committee's consensus recommendations. In regard to the item on which the committee did not reach consensus, she continued to prefer the area approach.

Councilor Poling asked if a resident living on an unimproved street would be assessed less for a neighborhood collector than for a residential street. Mr. Schoening said the answer depended on the nature of the improvement. The theory behind the methodology was that everyone paid about the same. He acknowledged it was possible the assessment could be less because residents living on a collector would be assessed for ten feet and residents living on a local street would be assessed the full width, although the street width was likely to be 20 feet.

Councilor Clark indicated his preference for the frontage approach.

Councilors Ortiz, Pryor, and Zelenka indicated they had not yet reached a position on the issue of area versus frontage.

Councilor Poling favored the half-frontage, half-area approach because it "struck a middle ground." He referred to the examples provided by staff and pointed out there was not much difference in the cost of the assessment to the property owner. Regarding the issue of dead end streets and cul-de-sacs, Councilor Poling indicated he was willing to reduce the assessment but believed those property owners still benefited because they had to use other streets to reach their houses. He proposed they should be assessed 75 percent of the full assessment.

Councilor Taylor believed the council should act before Councilor Solomon's term ended, given all the work she had put into the issue. She agreed with Councilor Poling that residents living on cul-de-sacs and dead-ends benefited from road improvement projects and further did not have to put up with the construction involved. She supported charging those residents, and was willing to accept the combination frontage-area approach described in the agenda item summary.

City Manager Ruiz indicated staff could return with three separate ordinances for the council to choose from on December 13.

Councilor Clark was unable to support assessing residents who lived on already improved dead end streets and cul-de-sacs because those residents had already paid for the street in front of their house.

Councilor Solomon indicated support for the combination frontage-area approach. She recalled the subcommittee was in unanimous agreement that those living on cul-de-sacs and dead-ends served by road that were to be improved should be assessed, and said she could support assessing those residents 75 percent of what residents directly benefitting would pay.

Councilor Taylor did not think the assessment system would ever be totally fair. Referring to the Crest Drive improvement, she said many of those most insistent on improving the street did not live on it and did not have to pay anything. However, they had to use those streets to access their homes and benefitted as much as anyone.

Councilor Pryor said he was tentatively inclined toward Ms. Solomon's position regarding cul-de-sacs and dead-end streets. He asked how often there were improved cul-de-sacs served by unimproved streets. Mr. Schoening indicated that was a fairly common situation.

Councilor Clark asked if the ordinance distinguished between cul-de-sacs with their own names and those that were numbered as part of another street. Mr. Schoening said no.

Councilor Zelenka expressed concern about residents who had recently paid for the street to be improved in their cul-de-sac and then had to pay for another improvement on the basis of benefit. He asked if it was possible to design a system that took that into consideration. He also supported the combination front-age-area approach.

Councilor Taylor asked if residents living on a cul-de-sac had ever formed a local improvement district (LID). Mr. Schoening said he was unaware of any. Councilor Taylor suggested such a thing had never happened.

Mayor Piercy adjourned the meeting of the Eugene City Council at 7:59 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Beth Forrest", with the word "Deputy" written below it in a smaller, cursive script.

Beth Forrest
City Recorder

(Recorded by Kimberly Young)