

MINUTES

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

July 12, 2010
7:30 p.m.

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

Mayor Kitty Piercy called the regular meeting of the Eugene City Council to order.

1. PUBLIC FORUM

Mayor Piercy reviewed the rules of the Public Forum.

Matt Denver, representing the Disciples of Dirt Mountain Bike Club, spoke in support of the City's purchase of a south Eugene property owned by Arlie & Company. He termed the purchase a rare opportunity for a good deal on park property that would be used as a regional park in the future. He envisioned uses that included mountain bicycling. He asked that the council consider using money from the 2006 parks bond to underwrite the acquisition.

Zachary Vishanoff, Ward 3, offered suggestions to Assistant City Manager Sarah Medary for better public hearings.

Steve Mertz, MTB Eugene, also supported the purchase of the south Eugene property owned by Arlie & Company. He suggested the acquisition would expand the parks program at a reasonable cost. He noted the many people in the community seeking recreation opportunities and suggested that many of them were interested in mountain biking.

Mary Salinas identified herself as a "spokesperson for the homeless." She spoke of the growing number of homeless people in the United States. She hoped the council would work to "deal with what's happening to us [the homeless]." She said if the community did not learn to integrate the homeless, "they would run you over." Ms. Salinas averred that a black resident who used the Eugene Mission was forced to take a shower before being allowed to enter the building, and was forced to "strip in front of them" and was given no towels, dirty pajamas, and a bed with dirty sheets. She asked the City to stop giving money to the Eugene Mission and to "deal with it."

Melissa Mona suggested that for the sake of fairness, all sidewalks should have the same delineations as the sidewalks at the Lane Transit District station or none at all. To do otherwise suggested that the City did not apply its laws in a fair and consistent manner.

Mayor Piercy closed the Public Forum.

Mayor Piercy encouraged those interested in the acquisition of the property owned by Arlie & Company to contact their councilors to voice their support.

Councilor Poling said City staff was looking into the purchase of the property owned by Arlie & Company but there were many issues to be addressed before the council would make a decision. He said if people supported the purchase, they should keep bringing it up.

Mayor Piercy observed that the Public Forum was an opportunity for the public to express their opinions, and those opinions were not always valid, but people had the right to have them. The council listened and then weighed the validity of what it heard.

Councilor Ortiz thanked those who offered comment. Speaking to Ms. Salinas' remarks, she said she was challenged by much of what Ms. Salinas said. The City was committed to helping the homeless. It did not contribute to the Eugene Mission, which was funded privately. The City directed its funding for the homeless through the Human Services Commission, and she encouraged Ms. Salinas to attend the commission's meetings.

2. CONSENT CALENDAR

A. Approval of City Council Minutes

- June 17, 2010, Meeting of the Joint Elected Officials
- May 10, 2010, Work Session

B. Approval of Tentative Working Agenda

Councilor Clark, seconded by Councilor Taylor, moved to approve the Consent Calendar as presented. Roll call vote; the motion passed unanimously, 8:0.

3. ACTION:

An Ordinance Concerning Walnut Street Mixed-Use Center

Assistant City Manager Sarah Medary reminded the council of its June 9 work session on the topic and the public hearing that occurred on June 23. She said staff was available to answer questions.

City Attorney Emily Jerome said the ordinance provided to the council included a title with the phrase "and providing an effective date." That phrase was a holdover from an earlier draft, and would be removed.

Councilor Clark, seconded by Councilor Taylor, moved to adopt an ordinance concerning the Walnut Station Mixed Use Center, included as Ordinance Version A with Exhibits A through I.

Councilor Zelenka, seconded by Councilor Ortiz, moved to amend the motion by adding the following new policy as Policy (r) of the Walnut Station Specific Area Plan on page 135 of the council's agenda packet, and to re-letter the existing Policy (r) to Policy (s).

"Due to the expected increase in residential density and lack of access to existing neighborhood parks, there is a goal of establishing a new neighborhood park for this area. Staff will work with landowners to find a suitable site of appropriate size and

configuration for a new neighborhood park on the north side of Franklin Boulevard in the Walnut Station Specific Area Plan.

Roll call vote; the amendment to the motion passed unanimously, 8:0.

Councilor Zelenka, seconded by Councilor Clark, moved to amend the motion by revising Policy (h) of the Walnut Station Specific Plan on page 134 of the council's agenda packet to add the following sentence to the end of that policy:

"This report shall be completed by October 30, 2012."

Roll call vote; the amendment to the motion passed unanimously, 8:0.

Councilor Taylor, seconded by Councilor Brown, moved to substitute Version D of the ordinance.

Councilor Taylor suggested the public would have more opportunity to be involved in decision-making if hearings were conducted by the Planning Commission rather than by the Hearings Official.

At the request of Councilor Zelenka, Planner Lydia McKinney explained the Type II Application process for hearings that took place before the Hearings Official. She said the process was typical for such applications. The process received the same type of notice as Planning Commission appeal hearings; the difference was the hearing body. Nothing changed in terms of appeal rights or fees.

Roll call vote; the amendment to the motion failed, 7:1; Councilor Taylor voting yes.

Councilor Zelenka envisioned that parking would be a big issue in such mixed use centers and suggested that the City "did not have it down yet," which was the reason for the planned parking evaluation. He suggested the council employ part of the proceeds of the alley vacation to pay for the needed parking and traffic studies.

Councilor Zelenka expressed concern about the form-based code, in particular in regard to its potential impact on livability. He said the code was an experiment that he supported but wanted to go slow to make sure "we get it right." He wanted to see how the code worked in this area before the concept as extended to other areas.

Councilor Taylor was also concerned about parking and the impact of the center on existing businesses, particularly the veterinarian business, and on nearby residents.

Roll call vote; the motion passed unanimously, 8:0.

4. ACTION:
Human Rights Commission Membership

Councilor Clark, seconded by Councilor Taylor, moved to concur in the Human Rights Commission's determination that the incumbent in Position 6 had failed to properly represent the commission due to attendance, and to direct that the position be filled from

the non-commission members of the commission's standing committees per Eugene Code 2.270.

Councilor Poling reported that he had received more detailed information about the vacancy that allowed him to support the motion. He wished the departing commissioner well in her future endeavors.

Mayor Piercy indicated that the commissioner in question understood the situation. She hoped that the individual was able to serve in the future when circumstances permitted it.

Councilor Taylor objected to allowing a commission to decide on appointments and indicated she would oppose the motion.

Mayor Piercy pointed out to Councilor Taylor that the commission was following its protocols and the final decision lay with the council.

Councilor Ortiz expressed appreciation for the explanation the council received, and cautioned the commission that the attendance rules governed all commissioners.

Councilor Zelenka indicated his intent to support the motion but also expressed interest in having all commissions and board operate under the same ground rules. At Councilor Zelenka's request, Human Rights Analyst Holly LeMasurier reviewed the appointments process.

Speaking to Councilor Zelenka's comments, Mayor Piercy recalled that the issue was on the list to be discussed at a future process session. She agreed there was an issue regarding the uniformity of how the council addressed such items.

Roll call vote; the motion passed 6:2; councilor Taylor and Solomon voting no.

Mayor Piercy adjourned the meeting of the Eugene City Council at 8:15 p.m.

Respectfully submitted,

Handwritten signature of Sandra J. Stubbs in cursive script. The word "Deputy" is written below the signature.

Beth Forrest,
City Recorder

(Recorded by Kimberly Young)