

MINUTES

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

July 23, 2012
7:30p.m.

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

Her Honor Mayor Kitty Piercy called the July 23, 2012, regular meeting of the Eugene City Council to order. She expressed sympathy and support to the people of Aurora, Colorado affected by the shooting incident. Mayor Piercy also noted that this meeting is the last regular meeting in the City Council Chamber.

1. PUBLIC FORUM (16 participants)

John Flanery, spoke in support placing an advisory question on corporate personhood on the November ballot.

Josef Siekiel-Zdzienicki asked the council to read the environmental impact assessment recently published by Lane Transit District (LTD) regarding the proposed West Eugene EmX bus line.

Charlie Swanson spoke in favor of passing Resolution #5069, placing the issue of corporate power on the November ballot.

Stan Taylorspoke spoke in favor of Resolution #5069, asking the council to put the issue on the November ballot.

Leonard Hockley spoke in favor of Resolution #5069, asking the council to put the issue on the November ballot.

Michael Carrigan, Opportunity Village Eugene, urged the council to work quickly to find a safe place for homeless to be.

Barbara Prentice, Opportunity Village Eugene, asked the council to act quickly in the creation of a homeless village.

Ann Kelvin, Opportunity Village Eugene, advocated for "pocket neighborhoods" of no more than 30 (campers) members each.

Zachary Vishanoff talked about the skate park being developed by the City and asked the council to request a report from ODOT about the metal that fell under the bridge.

David Fidanque, spoke in opposition to the call for an advisory public vote on Resolution # 5069, noting that the resolution is so broadly worded it could negatively impact non-profit agencies such as Community Alliance of Lane County and St. Vincent De Paul Society.

John Haakanson spoke in support of local Eugene Police efforts to maintain safety in the park blocks downtown.

Tom Schneider asked the City Council to find a better long-term solution for sidewalk infill so the financial burden is not supported solely by residents.

Joe Tyndall spoke about Eugene's treatment of homeless people vs. those with money.

Wendy Butler-Boyeson advocated for the proposed West Eugene EmX line.

Marjorie Smith spoke about the health-related problems associated with the demolition of the buildings on the Capstone site near 11th and Olive, particularly for residents of Olive Plaza.

Bill Rodgers spoke in favor of Resolution #5069, asking Council to put the issue on the November ballot.

Mayor Piercy closed the public forum and thanked everyone for their comments, requests, suggestions and questions.

Councilors commented on the testimony about homeless issues and clarified that the council did not vote to implement an Opportunity Village in Eugene, they voted to request more information about potential sites and processes. Councilor Ortiz noted that she did not support the vote last week on this topic because things weren't moving fast enough. Councilor Brown also announced that a meeting will be held on 7/24/12 at Cesar Chavez School at 6:30 p.m. to discuss the possibility of a transitional camp near the school at 13th and Chambers Streets.

2. CONSENT CALENDAR

- A. Approval of City Council Minutes
- B. Approval of Tentative Working Agenda
- C. Adoption of Resolution 5066, Annexing Land to the City of Eugene (Satterwhite – A 12-1)
- D. Adoption of Resolution 5067 Approving a Low-Income Rental Housing Property Tax Exemption for the Property Located at 1535-1563 City View Street, Eugene (SVDP Property)
- E. Appointment to the Lane Regional Air Protection Authority
- F. Ratification of Unanimous Intergovernmental Relations (IGR) Committee Actions Pertaining to the League of Oregon Cities Legislative Priority Agenda

Councilor Brown, seconded by Councilor Farr moved to approve the Consent Calendar. Councilor Ortiz pulled item E. Vote: 8:0 the motion passed unanimously.

Item E: Councilor Ortiz expressed concern that she didn't see the recruitment for the board position of LRAPA. Staff responded that this position was recruited for along with all the others, in an open and public process.

Move to appoint Joseph Gonzales to Position 3 on the Lane Regional Air Protection Agency for a three-year term beginning July 23, 2012, and ending on June 30, 2015. Vote: the motion passed unanimously, 8:0.

3. PUBLIC HEARING: An Ordinance Concerning Sign Standards and Amending Sections 9.0500, 9.6610, 9.6615 and 9.6630 of the Eugene Code, 1971

Assistant City Attorney Jerry Lidz introduced the topic, providing background and reviewing the proposed amendments to the sign code standards. He noted that Council had asked for public comment specifically on the size of the signs.

The Mayor opened the Public Hearing on this topic.

Dave Fidanque, ACLU, noted that the proposed 12 square foot size of signs is smaller than the standard size of flags and banners, which could possibly create a code violation where one was not intended. He said the ACLU would not be opposed to increasing the size to 15 square feet to accommodate the size of most standard flags (3 x 5). He said the ACLU would be opposed to a decrease in the size if it fell below 12 square feet.

Justin Thorp, Portland resident and attorney working with the Eugene ACLU, supported the proposed sign code amendments as long as the size didn't drop below 12-square-feet.

Bob Macherione noted that he put a sign in opposition to the West Eugene EmX on his property and the City required a permit and fee for the sign, which launched a review of the sign code. He also noted that additional fines were levied against him while negotiations with the ACLU were underway. He felt this was unfair and unjustified.

Josef Siekiel-Zdzienicki supported the size of the signs at 12-square-feet or larger.

Mayor Piercy closed the public hearing.

4. PUBLIC HEARING: An Ordinance Vacating a Portion of High Alley, Located Between East Broadway and East Broadway Alley (VRI 12-2)

Mayor Piercy opened the public hearing.

Paul Redhead supported the proposed alley vacation. He provided background on the previous uses of the old Eugene Hotel building.

John Lawless, TBG Architects, supported the proposed alley vacation and noted that all the local utilities and abutting property owner also support this action

Mayor Piercy closed the public record.

5. ACTION: Resolution 5068 Annexing Land to the City of Eugene (Getty - A 12-2)

Councilor Brown, seconded by Councilor Farr, moved to adopt Resolution 5068, which approves the proposed annexation request consistent with the applicable approval criteria.

Staff introduced the item. Discussion occurred about why this item is coming before the council if it is not contiguous to the city limits. Councilors also discussed deferring City tax implementation for a 10-year period of time or if the property is sold or otherwise transferred.

Councilor Zelenka, seconded by Councilor Brown moved to substitute to initiate a phased or progressive tax structure which would start at 69% and increase over the 10-year period of time to 100%.

Several councilors noted that a tax deferral option for currently un-annexed property owners in the River Road and Santa Clara area who wish to annex, but can't afford the higher tax rate at this time, might be willing to annex if a deferral or phased option were available.

Councilor Zelenka's substitute motion failed, 6:2, with Councilors Brown and Zelenka voting in favor.

The original motion passed unanimously, 8:0.

6. **ACTION: Resolution 5069 Calling a City Election on November 6, 2012, for the Purpose of Submitting an Advisory Measure to the Legal Electors of the City of Eugene Concerning Constitutional Rights of Corporations**

Councilor Brown, seconded by Councilor Farr, moved to adopt Resolution 5069 submitting an advisory question on rights of corporations and to authorize the expenditure of funds from the General Fund contingency account to cover expenses for the voters' pamphlet.

Several councilors indicated they would not support the motion as written because it was too broad, lumped all corporations, for- and not-for profit alike, into the same category and didn't include unions and special interest groups. Questions about timing, wording and the cost of putting this item on a 2013 ballot were discussed.

Councilor Zelenka, seconded by Councilor Taylor moved to table this item until Wednesday, July 25, 2012 for further discussion. The motion passed 6:2, with Councilors Clark and Poling opposed.

7. **ACTION: Resolution 5070 Authorizing Application for an Electronic Commerce Designation in the West Eugene Enterprise Zone**

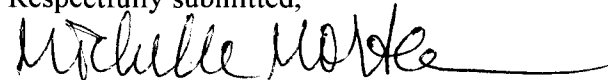
Councilor Brown, seconded by Councilor Farr moved to adopt Resolution 5070, authorizing application to the State of Oregon for an e-commerce designation in the West Eugene Enterprise Zone.

Councilors posed questions to staff about impacts, special requirements, criteria, exemptions, community benefit, wages and impact to the local tax structure. Councilor Ortiz noted that other ventures similar to this have been successful in helping businesses become established and grow; however, she asked staff to be mindful of the impact to neighborhood parking in areas where residential properties meet commercial.

The motion passed 7:1, with Councilor Taylor opposed.

The meeting adjourned at 9:50 p.m.

Respectfully submitted,



Michelle Mortensen
Deputy City Recorder