

MINUTES

Eugene City Council
Special Meeting
McNutt Room--City Hall

November 4, 1996
5:30 p.m.

COUNCILORS PRESENT: Tim Laue, Laurie Swanson Gribskov, Pat Farr, Kevin Hornbuckle, Barbara Keller, Nancy Nathanson, Jim Torrey.

COUNCILORS ABSENT: Shawn Boles.

The meeting of November 4, 1996, of the Eugene City Council was called to order; Her Honor Mayor Ruth Bascom presiding.

I. APPROVAL OF THE AGENDA AND TIME ESTIMATES

Mr. Laue moved, seconded by Ms. Swanson Gribskov, to adopt the order of the agenda. The motion passed, 6:1; with Ms. Keller opposed.

II. REQUEST FOR ANNEXATION OF PROPERTY LOCATED IN THE SOUTHERN GLENWOOD AREA (A 96-31-- WILDISH INDUSTRIAL DEVELOPMENT CORP, ET. AL.)

City Manager Linda Norris asked the council to consider Resolution Number 4507, furthering annexation to the City of Eugene.

Res. No. 4507--A resolution furthering annexation to the City of Eugene and the Lane County Metropolitan Service District for the territory described as Area A located in the southern Glenwood area. The effective date for the annexation will be January 3, 2000.

Mr. Laue moved, seconded by Ms. Swanson Gribskov, to adopt the resolution.

Ms. Keller asked when the Glenwood jurisdictional matter would come before the Springfield City Council and what the impact on that City would be. Cathy Czerniak, Planning Division, was unsure when the item would come before the Springfield City Council, noting that it had been deferred once. She said that depending on the outcome of the jurisdictional study and assuming the associated Metro Plan amendment occurred, if all of Glenwood were transferred to Springfield, Area A along with properties in Glenwood that are already annexed to Eugene would be transferred. She noted that

there is a process in the State statute that allows for transfers of territory between cities. Ms. Czerniak recalled that the process of transfer between cities was used in Alton Baker Park. Addressing a follow-up question from Ms. Keller, Ms. Czerniak said the resolution for Area B was provided as a way to streamline a possible future annexation process, recognizing that the applicants had initially submitted the annexation to go directly to the Boundary Commission with a delayed effective date.

City Attorney Glenn Klein noted that Mr. Hornbuckle was absent when the item from the October 28 public hearing came before the council previously; however, he was provided with a copy of the audio cassette and has received all the information that was distributed to the full council.

The motion passed unanimously, 7:0.

Ms. Norris asked the council to consider Resolution Number 4508, furthering annexation to the City of Eugene for the territory described as Area B.

Res. No. 4508—A resolution furthering annexation to the City of Eugene and the Lane County Metropolitan Service District for all or any part of the territory described as Area B located in the southern Glenwood area. The effective date for the annexation will be January 3, 2000.

Mr. Laue moved, seconded by Ms. Swanson Gribskov, to adopt the resolution.

Ms. Keller said she preferred to postpone the inclusion of Area B, pending further analysis.

Mayor Bascom recalled previous planning carried out for the area, adding that it is supported by extensive public testimony.

Referring to page 5 of the agenda item summary, Mr. Hornbuckle ascertained that the phrase "the Wildish area is already developed with a number of industrial uses" only applied to Area A. He agreed with Ms. Keller, and some of the public testimony, that since the action was postdated to the year 2000, there was no need to do this now.

Ms. Czerniak clarified that the council's action on annexation was only advisory to the Boundary Commission. If the council decided not to adopt the resolution for Area B, any of the property owners could move forward with an annexation request and submit that directly to the Boundary Commission. The commission would be obligated to review the request based on adopted policies and plans. The commission does not have the option of attaching a delayed effective date without authorization to do so from the annexing city, so before the jurisdictional issue is resolved, one of the owners could have the property annexed through the Boundary Commission with an immediate effective date.

In response to a question from Mr. Laue, Ms. Czerniak said that with the resolution adopted, the Boundary Commission would be bound to apply the delayed effective date.

Addressing another question from Ms. Keller, Ms. Czerniak said that the City could submit testimony before the Boundary Commission. Ms. Keller said she would rather have the jurisdictional issue settled before moving forward with annexations.

Mr. Torrey recalled that one of the five conditions agreed to between the cities was that Eugene would allow Springfield to retain the Glenwood Refinement Plan.

Mr. Laue asked if the decision to approve the resolutions could be reconsidered. Mr. Klein said the council would be able to reconsider its decision only if the annexation was not yet initiated with the Boundary Commission. Addressing a follow-up question from Mr. Laue, Ms. Czerniak said that once the Boundary Commission receives an application for annexation, it is bound to process the application under the method used to initiate it.

Mr. Laue said his greatest concern has to do with the greenway and river frontage, but given the applicant's effort to work cooperatively with the City of Eugene, he would support it.

Ms. Swanson Gribkov expressed support for the resolution, recalling all the work that went before--work she described as good faith negotiation.

In response to a question from Mr. Laue, Mr. Klein said that if there is a dispute between the council and the City of Springfield over what would happen in the event the jurisdiction is transferred, if the council does not approve of the jurisdiction being transferred, it would not be transferred.

The motion passed; 5:2; with Ms. Keller and Mr. Hornbuckle opposed.

III. SECOND READING: BOUNDARY REVISIONS TO ORDINANCE PROHIBITING DOGS AND SKATEBOARD RIDING IN THE 13TH AND ALDER AREA

Ms. Norris asked the council to consider Council Bill 4598 by council bill number only.

CB 4598--An ordinance concerning dogs and skateboards; amending Section 4.427 to the Eugene Code, 1971; amending Section 5.450 of that code; and declaring an emergency.

Mr. Laue moved, seconded by Ms. Swanson Gribkov, that the bill be approved and given final passage.

Ms. Keller reiterated her concern that the problems of drug traffic and other street crimes were not being addressed directly. She said she did not believe that skateboards and dogs are the real problem.

Mr. Ferr said he was unhappy about extending the ban but less happy about the people that are being victimized by irresponsible skateboarders and dog owners. He urged passage, pending analysis of other options.

Mayor Bascom said she was concerned about providing space for skateboarders and she described current efforts toward that end.

Mr. Laue acknowledged that this was not an easy issue. He recalled that much of the sentiment against the ban was raised as a result of the enforcement action taken by the Rapid Deployment Unit (RDU), which moved the problem west of the ban. Mr. Laue said he would oppose the motion but added that until the City faced the issue of adequate staffing, these types of problems would not be solved. He said there were strategies that might work better.

Mr. Torrey said he supported the extension but would not support further extensions. He agreed with Mr. Laue that the ban was not the solution, but added that until other solutions are found, the Police Department needed the tools it needed to address these problems.

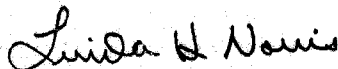
Ms. Swanson Gribskov recalled that the council cut back the area of the original extension request and this was a compromise she could support.

Mr. Hornbuckle opposed the notion of the ban because it did not get to the essence of the problem. He said that it was clear from the discussions that the council and staff intended to have the ordinance do more than ban skateboards and dogs from the area. Mr. Hornbuckle said he would continue to oppose the ordinance until the council held a discussion on the City's use of the "sweep," as requested by Ms. Keller.

The motion passed, 4:3; with councilors Keller, Hornbuckle, and Laue opposed and became ordinance 20071.

The meeting adjourned at 6:05 p.m.

Respectfully Submitted,



Linda H. Norris
City Manager pro tem

(Recorded by Yolanda Paule)
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