

MINUTES

Eugene City Council
McNutt Room--City Hall

April 12, 1995
11:30 a.m.

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

The adjourned meeting of April 10, 1995, of the Eugene City Council was called to order by Her Honor Mayor Ruth Bascom.

I. APPROVAL OF THE ORDER OF THE AGENDA

Ms. Nathanson moved, seconded by Mr. Laue, to approve the order of the agenda.

Ms. Keller moved, seconded by Mr. Hornbuckle, to amend the agenda by adding five minutes to Item IV and taking that time from Item VI. There was unanimous consensual approval of the amendment.

The main motion passed unanimously, 8:0.

II. ITEMS FROM THE MAYOR, COUNCIL, AND CITY MANAGER

A. Congratulations

Mr. Boles congratulated staff and the community on the successful distribution of Earth Machine composters. Mr. Laue added that the sale was also a big success because people are always willing to go for "a good deal." Ms. Keller noted that this was an example that it is possible to change behavior before attitudes.

B. Human Powered Vehicles Parade

Mr. Boles asked the council to agree to consider a Contingency Fund request for an upcoming Human-Powered Vehicles Parade. The council consented.

C. Citizen Review Board

Mr. Boles flagged for the Council Committee on Public Safety (CCPS) a request to establish a Citizen Review Board in conjunction with a complaint against the Department of Public Safety (DPS) arising from a recent incident in the Bethel area. Ms. Keller said that given that the department consumes much of

the City's resources, it is a mistake not to have citizen oversight. She added that there should also be oversight of the department's transition to community policing and asked that council officers schedule the issue for council discussion.

Mr. Gleason said that the District Attorney's Office, in an independent capacity, reviews any charges brought against DPS. He added that the Justice Department also reviews the department on a regular basis. There seemed to be council consensus that the CCPS consider the issue.

D. Lobbying Trip

Ms. Swanson Gribskov asked for a report on the recent lobbying trip to Washington D.C. made by some members of the council.

E. Neighborhood Meeting

Ms. Swanson Gribskov reported on a meeting she attended of the Active Bethel Citizens with councilors Farr and Keller. Mr. Farr thanked councilors Swanson Gribskov and Keller, saying it was productive. He expressed disappointment at the turnout and said more money should be allocated to neighborhood groups to advertise meetings.

F. Community Partnership for Gang Prevention

Ms. Swanson Gribskov said she continues to work with the Community Partnership for Gang Prevention and noted that the next meeting is at 3 p.m. this afternoon.

G. Yard Waste Recycling Program

Mr. Farr said that during a conference in Indianapolis last week he spoke with a person from Rochester, New York, who described a yard waste recycling program in the City of Rochester. Yard debris is picked up, mulched, and then sold at a profit to the city.

H. Neighborhood Composting

Noting that neighborhood composting is already being done on an ad hoc basis, Ms. Nathanson said she would like to have staff and the council think of ways to encourage the activity.

I. South Hills Development

Ms. Nathanson recalled that annexations in the south hills area at Hawkins Heights and Warren Street were allowed provided that developers complete a comprehensive plan to jointly collaborate in addressing transportation and other public facilities, open space, street design, and impacts to the environment and local development. She indicated that the Churchill Neighborhood group has expressed concern that the development will move ahead as either planned unit developments (PUDs) or subdivisions without a resolution

to comprehensive planning. She noted her interest and said the neighborhood group would bring its concerns to the Planning Commission this month and next.

J. Metropolitan Wastewater Management Commission (MMMC)

Ms. Keller expressed disappointment at not having seen a response from Mayor Bascom to Springfield Mayor Bill Morrisette's letter regarding his concern with the appointment, as the council's representative, of City Manager Mike Gleason to the MMMC. She asked council officers to schedule a council discussion and recalled that Mr. Gleason's appointment was meant to be temporary.

K. Girls Softball Tournament

Mr. Torrey asked that the council consider a funding request from contingency funds for support of a girls softball tournament this summer. There was consensual support to consider the application.

L. Personnel Policy

Mr. Gleason distributed copies of a resolution passed by the council delegating authority to the City Manager regarding testimony and review of personnel issues. He assured the council that no action is taken and nothing is said that is inconsistent with the document; however, the Intergovernmental Relations Committee may take it upon itself to review all personnel-related bills before the Legislature and flag any of concern to the council, specifically those that may be inconsistent with the resolution.

M. Council Process Session

Mayor Bascom asked councilors to review her memorandum regarding the council's April 17 process session and communicate any concerns to her by electronic mail.

N. McKenzie River Pollution

Mayor Bascom said neither she nor Mr. Laue, the council's representatives to the McKenzie Watershed Council (MWC), would be able to attend the next MWC meeting so they had met with staff to register their concern with polluted runoff into the McKenzie River from East Springfield. Mr. Boles asked for a written report on the issue.

O. Masonic Cemetery

Ms. Keller stated her understanding that the Masonic Cemetery Association was about to transfer title of the Eugene Skinner grave site to the City of Eugene and that the council had opened the possibility of funding for maintenance of the site for the City. She asked for the council to consider their application for funding. Council officers were asked to schedule the item for discussion.

III. ACTION: EAST BANK TRAIL

Christine Andersen, Public Works Director, introduced the topic and reviewed the information on the agenda summary, including funding issues and answers to questions raised at the April 10 public hearing.

Responding to a question from Ms. Swanson Gribkov, Ms. Anderson confirmed that the entire bikepath project could be completed within a three-or-four-year time period with funding from a variety of sources.

Mr. Farr pointed out that there were approximately 5,200 residents and 1,200 employed persons in the subject area that would have access to the bike trail with the proposed project.

Ms. Nathanson moved, seconded by Mr. Laue, to affirm the construction for the East Bank Trail following the alignment identified in the adopted Bikeways Master Plan, from the Greenway Bicycle Bridge to the Delta/Green Acres intersection, utilizing available resources to: 1) maximize the length of constructed path; 2) eliminate physical barriers for bicyclists; and 3) make viable connections to the existing transportation system.

Ms. Swanson Gribkov moved, seconded by Ms. Keller, to amend the motion by replacing 1) with "acquire necessary easements for full improvement of the trail."

Ms. Swanson Gribkov indicated that her amendment was intended to reaffirm for staff and the community the council's intent to build the entire bikepath, including providing the resources to accomplish it.

Ms. Keller expressed support for the amendment, saying it clearly restated the council's commitment to building the entire bikepath.

Mr. Boles urged support of the amendment.

Addressing a question from Mr. Torrey, City Attorney Glenn Klein said that for the purposes of this matter, there was no distinction between the use of the word "acquire" and "negotiate." Both words would direct staff to acquire, either through negotiation or other legal means, the easements necessary. In response to a follow-up question, Ms. Andersen said that the alignment identified in the Bikeways Master Plan would be followed, with any adjustments to that alignment coming back before the council for approval.

Ms. Nathanson noted that the amendment gave administrative flexibility to do acquisitions and constructions in the best order to get the trail completed. She added that the council was approving a general alignment and allowing for flexibility in the specific design of the path, mitigating some of the perceived or real negative impacts.

Mr. Farr expressed support for the amendment.

The motion to amend passed unanimously, 8:0.

Mr. Torrey moved, seconded by Mr. Farr, to amend the motion by adding a new #1 (and reordering the others) reading "first moneys would be used to construct a path from Owosso to Green Acres.

Mr. Torrey said it was apparent that the community wanted to proceed with completion of the bikepath. He explained that the Route Selection Principles in the Bikeways Master Plan called for locating routes which "provide service and safety to bicyclists destined to schools, major recreational sites, hubs of high activity such as University of Oregon, downtown Eugene, and Valley River Center." He said that the 5,200 people that live in the subject area have to ride 3.7 miles to get to the Owosso bike bridge, on a route which he believed was dangerous. He said it was reasonable to take the path north first and acquire the balance of the right-of-way easements second; and if the council chooses not to acquire the easements with the remaining funds, he suggested taking the route from the Greenway Bridge north and tying it in to the pond, then out to Goodpasture Island Road.

Mr. Boles was unsupportive of the amendment, saying it overly constrained staff in developing a sequence and the body had just voted to hold to the current alignment.

Ms. Keller was also unsupportive.

Mr. Farr said the section of the bikepath in question, in his opinion would be the most attractive. He added that he hoped the council would consider extending the bikeway system out to his ward eventually.

Ms. Nathanson said it was a question of equity and given the indication from staff that the entire bikepath would be complete within four years, she supported the amendment.

Ms. Swanson Gribkov said she opposed the amendment in recognition that staff needed as much latitude as possible to complete the project.

The motion to amend failed, 6:2; with Ms. Nathanson and Mr. Torrey voting in favor.

Mr. Boles called for the question. The motion to vote immediately passed, 6:2; with Mr. Hornbuckle and Ms. Nathanson opposed.

The main motion passed unanimously, as amended, 8:0.

Mr. Torrey indicated he voted in favor to leave open the possibility of voting to reconsider at the next meeting.

The council interrupted further discussion on this item to accommodate visiting legislators.

**IV. STATE REPRESENTATIVE CYNTHIA WOOTEN AND STATE TREASURER JIM HILL--
AFFORDABLE HOUSING**

State Treasurer Jim Hill indicated that the reason for his visit was to commend the City for its efforts to provide affordable housing. He acknowledged the sacrifices the City has made and said that the State is trying to do everything possible to find a way within its investment policy to invest in affordable housing. Representative Wooten added that the potential exists within the Public Employees Retirement Fund through investments in the secondary market, thereby making millions of new dollars available so that the State would become a joint venture partner with cities, housing authorities, nonprofit and private developers.

Mr. Boles said he was most excited about the prospect, calling it an appropriate use of State funds and many in the community were poised to take advantage of funding almost instantly.

Other councilors thanked Rep. Wooten and Treasurer Hill. Ms. Keller added the activity not only created housing but employed many in the community.

Addressing a question from Ms. Swanson Gribskov, Mr. Hill said funding would likely be realized within the next year.

III. ACTION: EAST BANK TRAIL (CONTINUED)

Ms. Nathanson moved, seconded by Mr. Laue, to direct staff to bring back an ordinance initiating eminent domain procedures for easement acquisition.

Ms. Swanson Gribskov said her intent was to provide staff with the maximum negotiating position and to get the item off the council's "table."

Ms. Keller noted that this was also done on April 10 for the bikepath in west Eugene not with the intention of necessarily moving forward with condemnation, but to provide a structure for staff.

Mr. Boles expressed support for the reasons already stated.

Mr. Hornbuckle expressed support, adding that to do otherwise would allow privatization of the river.

The motion passed unanimously, 8:0.

Addressing a question from Ms. Nathanson, Mr. Klein said the ordinance was the first step in the process of an eminent domain proceeding. Without the ordinance, the City Manager and City Attorney would have no authority to begin condemnation proceedings. In response to a follow-up question, staff said supporting the motion would not impact their flexibility in building the bikepath in whatever pattern made the most sense.

Mr. Laue expressed support for the motion, noting the issue would come back before the council in any case.

V. BALLOT REGARDING CENTENNIAL CAR CAMP

Ms. Nathanson moved, seconded by Mr. Laue, to authorize staff to use up to \$10,000, previously identified for planning for a permanent emergency shelter site, to continue the car camp until the end of May.

Ms. Keller said Sacred Heart made a \$5,000 donation to the camp, resulting in a reduction of the need to \$5,000 and offered the following friendly amendment: to reduce the figure to \$5,000. Both the maker and the second accepted the friendly amendment.

The motion was unanimously approved as amended, 8:0.

Ms. Nathanson moved, seconded by Mr. Laue, to terminate the City of Eugene's position of primary responsibility for coordinating and funding a car camp for homeless people following closure in May, and to continue to refer the need to the Intergovernmental Human Services Committee (IHSC) which programs services and allocates funds for meeting emergency and basic human needs.

Ms. Keller expressed concern that the City would deal with the repercussions of not having the car camp, including public safety costs.

Mr. Torrey expressed support, adding he was not opposed to doing "our" share.

Ms. Nathanson pointed out that her motion suggested opposition to having the primary responsibility and it did not preclude the City from being part of the solution. She said the amount of money spent on start-up and closing the car camp could have produced several units of affordable housing. She added that the motion suggests something that is within the IHSC charge.

Mr. Boles said he supported the motion as this was an intergovernmental issue.

Mr. Hornbuckle invited the council to testify at the IHSC public hearing on funding allocations at 7:30 p.m. on April 13. He said other jurisdictions would continue to reject funding requests so long as the City continued to take the responsibility.

Mr. Laue said he supported the motion and indicated that the IHSC public hearing would be held in the Springfield City Hall Conference Room in the Library.

The motion passed unanimously, 8:0.

VI. WORK SESSION: LIBRARY SERVICES ALTERNATIVES--CHOICES FOR THE FUTURE

Jim Johnson, Library, Recreation, and Cultural Services Director, introduced the topic, saying this would begin the discussion about how to follow-up on the failure of the November Library bond issue and how to reframe the issue and improve Library services. He referred to the council poll assessing its preferences for the 15 strategies developed for addressing the issue. Mr. Johnson said the council is also asked to consider the citizen involvement process and assist in its development.

Addressing a question from Ms. Swanson Gribskov, Mr. Johnson said the Citizen Advisory Committee has recommended the citizen involvement process before the council and also that the council express its preferences for options but not necessarily substantially reduce them.

Ms. Keller questioned the use of surveys to disseminate information. Mr. Johnson said the survey questions would be preceded by information to provide respondents with the context.

Addressing a question from Mayor Bascom, Mr. Johnson said that one of the two surveys would produce statistically valid results and the planned series of meetings will answer the community's question. He added that the full process builds momentum toward the election.

Mr. Hornbuckle said he would oppose moving forward without producing a plan for addressing operating and maintenance costs. He said that the notion of a statistically valid survey was redundant; if it is not valid, it is not a survey. Distributing the "information you want people to have," he said, "is not a survey--it's campaigning for a measure before it's put on the ballot." Mr. Hornbuckle felt that was unnecessary from a political standpoint and, quite possibly, illegal. He said he opposed the creation of a departmental committee, i.e., using public money to recruit campaigners for the Library.

In response to a question from Mr. Torrey, Mr. Johnson said the total amount requested was \$51,000. Mr. Torrey expressed concern with spending that much on a citizen involvement plan, adding that he shared Mr. Hornbuckle's concern with illegal campaigning for a ballot measure.

Ms. Nathanson thanked staff and the committee for providing the variety of options available, adding they should not be narrowed until all the information is made public. She said it appeared, to many people in the past, that the council had prematurely limited the options.

Mr. Gleason recalled that the council adopted a new board and commission system over a year ago to broaden citizen participation. He said staff has attempted to do just that by giving the public as many options as possible and soliciting theirs, resulting in input from thousands of citizens as opposed to the hundreds that would have been involved under the old system.

In response to a question from Mr. Boles, Mr. Johnson said that the Citizen Involvement Committee (CIC) was very supportive of creating a departmental

committee as well as the other elements of the plan. Mr. Boles said he was not supportive for the following reasons: 1) it avoids the larger issue of linking operation and maintenance funding to the alternative--it simply looks to the alternative side and it is an issue the council cannot avoid; 2) the council is in the middle of reconciling the work plan for the organization against the historical demands and the council's set of goals, and it would be more appropriate for this issue to be addressed in that context.

Mr. Laue said that having voters disagree with the council does not make the need "go away" and that is the case with the Library. He expressed support for the options and convening a citizen advisory committee, but was opposed to allocating \$50,000 for a citizen involvement plan. He said he preferred to discuss the council goals work program, including the allocation of resources, before addressing the Library specifically.

Addressing a question from Mr. Farr, Carol Hildebrand, Library Services Director, indicated 80 percent of the households with Library cards use the Library, which amounts to about 50 percent of the City's population. Mr. Farr wondered why more people did not use the Library. Mr. Johnson said one of the dilemmas is wanting to greatly improve services while at the same time having trouble serving its current customers. Ms. Hildebrand added that when asked why they do not use the Library, people say the Library needs expanded hours and more books and space.

Mayor Bascom noted that the last three important measures which lost at the polls have not had full council support and urged consensual support.

Ms. Keller agreed with Mayor Bascom that the Library will not go forward without council unanimity, adding that she could not approve the expenditure if she believed there was no support to move forward with the Library in 1997. She was, however, supportive of moving forward with laying the ground work, adding that there was no other facility that was used by 50 percent of the population. Ms. Keller said this was a way of letting the community know that the council is reopening the discussion of the Library, in an inclusive way.

Ms. Swanson Gribkov said the amount of the expenditure did not diminish, in her mind, the importance of the Library. She supported delegating the work to another group, i.e., a departmental committee.

Mr. Hornbuckle said he could not support the plan because he had not seen anything that told him there was sufficient political courage to generate funding. He said there was an erroneous presumption that this was a technical issue, but the overwhelming nay votes were motivated for financial reasons--a political problem the council had yet to address.

Ms. Nathanson said she was willing to consider some options as a part of something else as she believed they were neither sufficient or adequate by themselves. She asked the council to consider what it meant by the term "library." She also asked the council for the opportunity to consider engaging an urban design professional to assist the committee.

Ms. Nathanson moved, seconded by Mr. Laue, to approve the complete list of service options and the appointment of a departmental advisory committee.

Mr. Johnson pointed out that the survey suggested no council support for Option L. There was consensual council support for dropping Option L.

Addressing a concern expressed by Ms. Keller, Mr. Johnson said he and Ms. Hildebrand would staff the committee, and its composition would likely be reduced, since no funding has been allocated. He said it was difficult to ascertain the committee's charge, given the council's discussion.

Mr. Laue asked that the committee link the Library to the Council Goals Work Plan.

Mr. Boles moved, seconded by Mr. Torrey, to extend the discussion by five minutes. The motion passed, 7:1; with Ms. Keller opposed.

Ms. Keller left the meeting.

Mr. Boles was unresponsive, saying staff could do just as well as a committee. He asked for a shorter list of options, adding that the council needed to get consensual agreement before putting anything before the community.

Mr. Torrey expressed support, but said the funding questions should be addressed. He said he also was interested in reducing the list.


Mr. Johnson said he still had not clearly discerned the committee's charge. Mr. Gleason suggested that the committee develop its charge and bring it back to the council for approval.

Mr. Laue indicated support, adding that his expectation was that the committee would highlight the Library link to the council's goals and how the issue might move forward, and any funding for further citizen involvement would be decided at that time and the allocation, if any, made. He added that there were a number of core facility issues that the council needed to address and he preferred to address them comprehensively.

The motion passed, 5:2; with Mr. Hornbuckle and Mr. Boles opposed.

The meeting adjourned at 1:37 p.m.

Respectfully submitted,



Michael Gleason
City Manager

(Recorded by Yolanda Paule)
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