

MINUTES

Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401

January 25, 2017
12:00 p.m.

Councilors Present: Emily Semple, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Greg Evans, *Claire Syrett via phone*, Chris Pryor

Mayor Vinis opened the January 25, 2017, meeting of the Eugene City Council.

1. ACTION

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Clark, moved to put on hold the Measure 49 claim. **PASSED 7:0** (Councilor Evans not present for vote.)

2. CONSENT CLANEDAR

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Clark, moved to approve the items on the Consent Calendar, except items C and E.
PASSED 7:0 (Councilor Evans not present for vote)

Councilor Evans arrived at 12:08 p.m.

VOTE ON ITEM C: PASSED 8:0

Council discussion:

- Approval of fiber optic grant is a first step in moving forward with high-speed fiber plan.
- Grant will support the creation of new jobs in the downtown core.

VOTE ON ITEM E: PASSED 8:0

3. ACTION: An Ordinance Allowing a New Recreational Marijuana Facility to Locate Less Than 1,000 Feet from Looking Glass New Roads School

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Clark, moved to adopt Council Bill 5163, an ordinance allowing a new recreational marijuana facility to locate less than 1,000 feet from Looking Glass New Roads School (Attachment A).
PASSED 8:0

4. ACTION: Adoption of Resolution Annexing Land to the City of Eugene (Property Identified as Assessor's Map 18-02-09-20, Tax Lot 500) (Furtick; A 16-10)

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Clark, moved to adopt Resolution No. 5183 which approves the proposed annexation request consistent with the applicable approval criteria. **PASSED 8:0**

5. ACTION: An Ordinance Concerning the Rental Housing Code; Amending Section 8.415, 8.425 and 8.430 of the Eugene Code, 1971, and Repealing the Sunset Date

MOTION: Councilor Zelenka, seconded by Councilor Clark, moved to adopt Council Bill 5162, an ordinance amending the Rental Housing Code.

MOTION TO AMEND: Councilor Clark, seconded by Councilor Poling, moved to add a new section 7 to the ordinance to delete code 8.440. **FAILED 3-5;** Councilors Taylor, Poling, and Clark voted in favor.

Council discussion:

- Deleting 8.440 is to delete the fee; program has a surplus.
- Half of staff's time is spent on billing questions, should only cost \$150,000 in the budget.
- Program should be self-funded, but shouldn't have so many excess funds.
- In-depth review of the fees and operating costs is needed.
- Surplus funds may be used to increase outreach efforts; now have staff resources for this.
- Low number of complaints signifies the program's success; that is the goal.
- Directing the fee to the General Fund makes it vulnerable to budget cuts.
- Formal review process and strategies for outreach and operation is commendable.
- Eugene's fee is low compared to other communities.
- This is an essential service that the City should provide; helps the community as a whole.
- It is time to make the Rental Housing Code permanent, with built-in review requirements.

MOTION TO AMEND AND VOTE: Councilor Poling, seconded by Councilor Evans, moved to amend Section 3 of the Ordinance to revise subsection (5)(a)4.a. of EC 8.430 so that it reads as follows:

a. Repairs are needed to remedy the lack of essential services. Upon making this determination, the city manager shall fix a deadline for completing the repairs that is reasonable in the circumstances and is within 48 hours from issuance of the notice and order. However, if the city manager determines that the repairs cannot be completed within 48 hours, the owner or owner's agent shall, within 48 hours, submit a compliance schedule acceptable to the city. **PASSED 8:0**

Council discussion:

- Proposed amendment allows the landlords more time in the event of unavoidable circumstances or obstacles to complete repairs.
- This level of flexibility is needed to accommodate landlords who are trying to do the right thing.

MOTION TO AMEND AND VOTE: Councilor Poling, seconded by Councilor Clark, moved to (A) amend Finding C and Section 4 of the Ordinance to provide for a sunset date of April 30, 2020, so that those sections read as follows:

C. The Council has determined that the Rental Housing Code sunset date should be extended to April 30, 2020, and that revisions recommended by the Housing Policy Board be incorporated into the Rental Housing Code.

Section 4. Unless otherwise extended by action of the City Council, the sunset date and repeal of Ordinance Nos. 20329, 20408, 20480, 20494, 20568, and this Ordinance, is April 30, 2020.

and (B) to delete Section 5 of the Ordinance.

FAILED 3:5, Councilors Semple, Poling and Clark voting in favor.

Council discussion:

- Maintaining the sunset clause will require a public hearing and public comment.
- Purpose of a sunset is to ensure program review; section 5 does this already so a sunset isn't needed.
- Making program permanent is in keeping with all other cities that have similar protections.
- Vulnerable populations shouldn't have to vigilantly watch and work to keep this protection.
- Program has been renewed four times, reaffirming its effectiveness and importance.
- Advantage of a sunset is that it puts pressure on to make the program work.

VOTE ON MAIN MOTION AS AMENDED: PASSED 6:2, Councilors Poling and Clark opposed.

MOTION AND VOTE: Councilor Poling, seconded by Councilor Clark, moved to direct the City Manager to return to council with an in depth financial review and analysis of the rental housing code program, including fees charged and city operating costs, by February 1, 2018, and to schedule a public hearing for council to receive public comment on the program after the financial review. **PASSED 7:1**, Councilor Taylor opposed.

6. ACTION: A Resolution Opposing Transportation of Oil by Rail Through the City of Eugene

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Clark, moved to adopt Resolution 5181, opposing the transportation of oil by rail through the city of Eugene. **PASSED 6:2**, Councilors Poling and Clark opposed.

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Taylor, moved to extend the meeting 10 minutes. **PASSED 6:2**, Councilors Poling and Clark opposed.

Council discussion:

- Proposed resolution is too targeted on one payload; there are other dangerous materials transported by rail.
- Oil trains are demonstrably dangerous; this is a matter of public safety and wellbeing.
- The City of Eugene has no control over federal railroad regulations.
- City has limited authority, but can make an emphatic statement on this issue; many residents are concerned about the safety and environmental hazards.
- Resolution sends a message to federal elected officials that there are significant concerns.

The meeting adjourned at 1:34 p.m.

Respectfully submitted,



Chuck Crockett
Deputy City Recorder