

MINUTES

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

**September 24, 2018
7:30 p.m.**

Councilors Present: Emily Semple, Betty Taylor, Alan Zelenka (*via phone*), Jennifer Yeh, Mike Clark, Claire Syrett, Chris Pyror

Councilors Absent: Greg Evans

Mayor Vinis opened the September 24, 2018, meeting of the Eugene City Council.

1. PUBLIC FORUM

1. Chris Gadsby – thanked the City Manager’s Office for providing a portapotty in the Whiteaker.
2. Debra McGee – asked council to ban gas leaf blowers and make the environment a priority.
3. David Piccioni – spoke about domestic terrorism and practices by the meat and dairy industry.
4. Jennifer Hoover – thanked the City for taking steps in the Whiteaker to address homeless issues.
5. Jim Neu - asked council about the status of the Riverfront Research Park Committee for oversight.
6. Brad Foster - thanked the City Manager’s Office for providing some clean-up in the Whiteaker.
7. Stefan Strek – spoke in favor of legalizing prostitution.
8. Dennis Sandow – shared concerns about an apartment complex being built in his neighborhood.
9. Eric Jackson – talked about homeless concerns particularly in the wake of 9th Circuit Court decision.
10. Shelly – asked council to designate a spot for the homeless.
11. Patrick Starnes – talked about homelessness issues and a shelter plan.

Council Discussion

- Thankful for all of the feedback, thanks, and criticisms communicated this evening.
- Addressed comments related to leaf blowers; at a minimum, the City should stop using them as an example to others.
- Expressed support and a need for State supported shelters.
- There is a significant problem with youth who are sex trafficked and exploited in our community; it is not appropriate to make light of that issue.
- The city needs more available bathrooms.
- Public forums are provided by the council to give people an opportunity to share their opinions; they are not required and the time should not be used to make inappropriate comments.
- The council might benefit from having different rules regarding the public forum that might better determine what is or is not appropriate.

2. CONSENT CALENDAR

- A. Approval of City Council Minutes
 - a. September 10, 2018, Work Session
 - b. September 10, 2018, Meeting
 - c. September 12, 2018, Work Session
- B. Approval of Tentative Working Agenda

MOTION AND VOTE: Councilor Clark, seconded by Councilor Taylor, moved to approve the items on the Consent Calendar. **PASSED 7:0**

3. **ACTION: A Resolution Granting a Measure 49 Claim and Waiving a Provision of Chapter 9 of the Eugene Code, 1971 for Property Located Adjacent to 70 West 24th Place, Eugene, Oregon (Assessor's Map 18-03-06-42, Tax Lot 2700)**

City Manager Jon Ruiz introduced the Measure 49 claim and summarized what happened at the last City Council meeting regarding this item. Assistant Planner Dan Lawler and Senior Planner Gabe Flock were available for questions.

Council Discussion

- Both sides have reasonable arguments; ultimately the use of the property is not being altered.
- Intend to bring a work session poll about revisiting the maximum building size on alley access lots.
- Guidance requested on how to think about the word "use" in this case.
- Questions asked about the appraisal determining the highest and best use of the property.
- The City changed the conditions under which the property owner could build ; a waiver is a reasonable thing to grant in this case.
- Questions asked about a testimonial concern that if council approved this Measure 49 claim it would cause a proliferation of similar claims and whether that would be a reason to deny this claim.
- This seems like an actual restriction on the property owner as she is now unable to create a modest home that can house a family.
- Measure 49 is a poorly crafted law; this is a one-off type exemption request that is reasonable and should be granted.
- Questions asked about time restrictions on filing Measure 49 claims.
- Granting this claim would be the fastest way to fix the problem, but not the right way.
- Granting this claim would not be in line with the intent of Measure 49.
- Questions asked about the difference between a restriction and prohibition of residential use.
- Clarification requested about what the consequences would be of a "no" vote and results of a "yes" vote.

MOTION AND VOTE: Councilor Clark, seconded by Councilor Taylor, moved to adopt the Resolution Granting a Measure 49 Claim for Property Located adjacent to 70 West 24th Place, Eugene Oregon. **FAILED 3:4**, Councilors Zelenka, Syrett, and Pryor in favor.

MOTION: Councilor Clark, seconded by Councilor Taylor, moved to adopt the Resolution Denying a Measure 49 Claim for Property Located adjacent to 70 West 24th Place, Eugene Oregon (Assessors Map 18-03-06-42, Tax Lot 2700).

Council Discussion

- Clarification requested about whether adopting the resolution on the table would mean that the City would have to pay the property owner's claim.

VOTE: PASSED 4:3, Councilors Zelenka, Syrett, and Pryor opposed.

The meeting adjourned at 9:01 p.m.

Respectfully submitted,



Elena Domingo
Deputy City Recorder

Link to the webcast of this City Council meeting: [here](#).