

City of Springfield  
Work Session Meeting

MINUTES OF THE WORK SESSION MEETING OF  
THE SPRINGFIELD CITY COUNCIL HELD  
MONDAY, OCTOBER 15, 2007

The City of Springfield Council met in a work session in the Jesse Maine Meeting Room, 225 Fifth Street, Springfield, Oregon, on Monday, October 15, 2007 at 6:00 p.m., with Mayor Leiken presiding.

ATTENDANCE

Present were Mayor Leiken and Councilors Lundberg, Wylie, Ballew, Ralston, Woodrow and Pishioneri. Also present were Assistant City Manager Jeff Towery, City Attorney Joe Leahy, City Attorney Matt Cox, City Recorder Amy Sowa and members of the staff.

1. Barking Dogs, Continuous Annoyance Ordinance.

Animal Control Officer Tracy Sparks and City Attorney Matt Cox presented the staff report on this item. Adoption of this ordinance would add to the existing Springfield Municipal Code language regarding the offense of barking dog. Ms. Sparks believes that the ordinance as drafted will assist her in dealing with the public and in citing offenders who allow dogs to cause continuous annoyance through barking.

Mr. Cox said they had talked to other local jurisdictions and their animal control offices. The fifteen minute limitation was tailored from the Lane County and City of Eugene code.

Ms. Sparks did not believe there will be financial impact on the City but instead that the ordinance will make her job regarding noise disturbances due to barking dogs easier to manage.

Ms. Sparks said she had received a number of requests from citizens, both with barking dogs and those complaining about barking dogs, to make the definition of continuous more clear. She spoke with Lane County Animal Regulation about their code and how it helped to make it clear. She said the issue had surfaced during court proceedings as well when the judge asked for a definition of continuous barking. She noted the large volume of calls she received regarding barking dogs.

Councilor Woodrow asked how the time was documented, by the owner or by Ms. Sparks.

Ms. Sparks said due to time constraints, she was not able to go and sit and listen to see how long the dogs barked, and had to rely on the neighbor to document the time. That was how it had always been. There were instances where she did go out to listen to dogs bark when requested by a judge or if she knew it was an ongoing problem.

Councilor Woodrow also said he appreciated Ms. Sparks' work on this item.

City Attorney Joe Leahy said that he was aware of people bringing tape recorders of barking dogs to the Lane County Justice Court.

Ms. Sparks said the City of Eugene requested citizens record the barking dog in order to submit a complaint. Ms. Sparks did not feel that was necessary because not everyone had a tape recorder.

Councilor Pishioneri asked how the time was calculated. He gave an example of a dog barking for ten minutes, then stopping for five, then barking again for ten minutes, and so on. He also discussed other noise ordinances and the distance from the house. He appreciated where they were going with this ordinance. Barking dogs could be a nuisance. He asked how complaints were received.

Ms. Sparks said the citizen filed a written complaint.

Councilor Ralston said he didn't see a distinction between barking for 15 minutes at one stretch or a dog barking for five minutes off and on through the day or night. He would like to see the time quantified, such as number of minutes per hour. He discussed whining versus barking and if that could be considered. He discussed dogs inside the home.

Councilor Woodrow noted that whining was included in the ordinance.

Ms. Sparks said barking complaints were not taken regarding dogs inside homes. She said part of the complaint was to give a description of the dog and if they were in the home it was difficult to give a description.

Councilor Wylie said she agreed with Councilor Ralston regarding continual barking. She felt that it shouldn't be a complaint if a dog was barking for a specific reason, such as a wild animal in the yard, and not just barking continually.

Mr. Cox said part of the ordinance included the phrase that an owner had to unreasonably permit the dog to cause continuous annoyance. If there was an intruder or wild animal, that would be reasonable. He said they would look further into quantifying the time within an hour and check with other jurisdictions. He asked Councilor Pishioneri if he would like something included about distance from home.

Councilor Pishioneri said he didn't want to be unreasonable, but would like consideration taken that this ordinance matches the other noise ordinances.

Councilor Wylie said regarding other noises, she was awakened often in the night from train whistles and she hoped that could be addressed at some point.

Councilor Pishioneri asked if they would consider a person gone on vacation as a defense for a barking dog.

No. Ms. Sparks said all dog owners received a warning from her before they were cited. If the homeowner was not home when she came to the house, she would leave a doorhanger and they usually called her back. She also encouraged the neighbors to talk to each other before filing a complaint with her office.

Councilor Lundberg said issuing warnings was good. Some people had great dogs that barked when the owner was out. The owners often didn't know the dog was barking if they were out. She appreciated that Ms. Sparks was working with the owners and resolving it in a community service way.

Mayor Leiken thanked Ms. Sparks for bringing this item to Council.

2. Review Options for Council Goal to Analyze Municipal WiFi as an Incentive for Economic Development in Nodal Zones.

Information Technology Director Rod Lathrop presented this item. In January 2007 the City Council adopted a goal to identify possible WiFi locations in nodal development locations. It is estimated that as many as 400 municipalities through out the United States may be considering municipal WiFi networks.

There are many reasons for considering a municipal WiFi network. One of the chief benefits is to mobilize traditional municipal services, such as Police/Fire, Public Works, and Development Services. Additional benefits for municipal WiFi networks include social inclusion by providing Internet services at low or no cost to under-served populations, possible economic development gains, and demonstrating to the world that Springfield is a contemporary, wireless-enabled digital city.

Municipally owned WiFi networks can cost as much as \$75,000 - \$150,000 per square mile. Due to the significant geographic distribution of our City and the associated high capital costs this option is not presented here.

Many Cities such as Portland, Oregon and San Francisco, California are trying to develop Municipal WiFi networks as Public/Private partnerships. Four options are presented for Council discussion, ranging in cost from little more than staff time up to \$10,000 plus additional staff costs for items such as Coverage and Interference engineering reports.

EarthLink, the dominant provider in the Public/Private partnership market space, has recently suspended new projects after losing \$30M in the most recent quarter. Due to other failures and underperforming projects in the municipal WiFi market, coupled with pending technical innovations such as WiMax, Option 4 "No action at this time" is the IT recommendation.

Mr. Lathrop discussed the municipal service and noted that the mobile data computer Police Chief Smith used for his department was much more economical than any Wi-Fi service for internal communications.

Councilor Ralston said he never liked this idea and this report just reinforced his opinion.

Mr. Lathrop said the one place this had been a success was in small rural towns because it gave those that couldn't get access to the internet in their homes, a broadband choice. Most larger cities were reconsidering this service because of the many issues and costs.

Mayor Leiken said it was challenging for the government to get involved in something like this, particularly when private carriers could provide the service and sell subscriptions. He asked if that was what Clearwire was doing.

Mr. Lathrop said Clearwire was doing very well. That's what the City of Eugene was using out at the airport.

Councilor Wylie said this should be left up to the private sector.

Mr. Lathrop said it originally made sense, but hadn't panned out.

Mayor Leiken noted that he thought there should be a way to capture revenue from things going through the air, but realized that would be another discussion at another time.

### 3. City Property Naming Privilege.

Community Relations Coordinator Niel Laudati presented the staff report on this item. The City currently has no official policy on the naming of buildings and facilities. Following a February 2007 City Council Work Session on the issue of naming, staff developed the attached draft policy. The policy is separated into Honorary and Philanthropic naming opportunities. Staff developed the policy with initial input from Councilor Joe Pishioneri, the council liaison for the project.

The attached document outlines a proposed process for both Honorary and Philanthropic naming opportunities. Along with opportunities for public engagement, the policy stipulates that the final decision in all cases rests with the City Council.

Mr. Laudati thanked Councilor Pishioneri, council liaison on this committee, and City Attorney Joe Leahy for reviewing the many versions of this policy. He said the policy was split into two sections: Honorary Naming and Philanthropic Naming. He explained the honorary naming part of the policy. He discussed some of the highlights of the policy. Council would have the final say on any recommendations that came from this policy.

Councilor Ralston said he recalled when a citizen came and asked that a street be renamed. He asked if this policy related to this type of request. He didn't see any mention of naming streets in this policy. He said he had objected to the name change because there was no process in place.

Mr. Laudati said this policy was generated from a January meeting regarding naming of a public building.

Mr. Leahy said this policy did not relate to streets. Renaming a street involved coordination with the post office, Public Works Department, regional partners and the Lane Council of Governments (LCOG).

Councilor Wylie asked if there was a policy for naming a street. She said she lived on South E Street and there was a lot of confusion related to that name.

Mr. Goodwin said the City standard was a rectangular grid where all east/west streets were named for letters in the alphabet, and all north/south streets were named by number. Within subdivision, however, the developer of the subdivision had the right to apply for a naming convention for naming the streets within the subdivision, as long as those names didn't involve inappropriate words, did not duplicate names in Eugene, and did not create confusion. Those could be rejected by the Council, but he had not seen Council reject subdivision naming conventions.

Councilor Wylie asked about her situation of trying to rename a street.

Mr. Goodwin said it would be an action of the Council to change that street name.

Mr. Leahy said Council had avoided those because it could cause confusion for the Police and Fire departments and not all neighbors would be agreeable to a change. There was a name change sometime back for a development to try to promote that it was high end housing, but since then Council had been reluctant to get into street renaming.

Mr. Laudati noted that two of the things Councilor Pishioneri wanted included in this policy had been included: 1) The proposal must be in writing; and 2) The final approval must be made by Council. Mr. Laudati reviewed philanthropic naming.

Councilor Lundberg said in the past, Council had often had a chance to review and provide input on the make-up of committees appointed for different tasks. She would like Council to have the opportunity to review any naming committees the City Manager may appoint. She felt it would also give the public an opportunity to see the make-up of the committee. She also noted that there could be a situation when something needed to be unnamed.

Councilor Pishioneri said the policy was well written and was what he wanted and what he felt the Council would feel was important. He didn't completely agree with Councilor Lundberg's suggestion to have Council's input on the committee because he felt it added more steps to the process. He said he would trust the City Manager's office to choose an unbiased committee.

Councilor Lundberg said Council approved all committees that gave Council recommendations.

Mayor Leiken asked for further clarification on committees.

Mr. Towery said this policy did allow other committees to take on the responsibility of recommending a name. He gave the example of naming a meeting room in the Justice Center and using the Police Planning Task Force (PPTF) as the naming committee. There could be language in the policy that the City Manager runs the committee membership by the Council for review. He asked if they wanted it noted in the policy that if a new committee was formed by the City Manager, that the Council have a chance to review and provide input, but if a standing committee was used, there would be no need for Council review.

Mayor Leiken said he liked having the City Manager bring the names of the proposed committee to the Council either way. It would also give Council a chance to appoint a Council liaison to the committee.

Councilor Lundberg said she would just like to see the category of people that would be on the committee. The Council had to make the final decision and she wanted to have input regarding the committee.

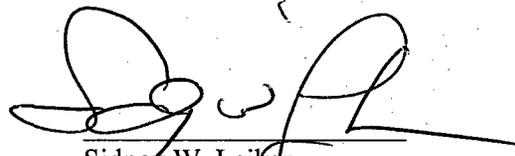
Mr. Towery said staff could add language to reflect that in the policy.

Council commended Mr. Laudati and Mr. Leahy for their work creating this policy and thanked Councilor Pishioneri for serving as liaison.

ADJOURNMENT

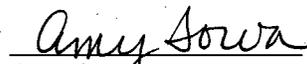
The meeting was adjourned at 6:47 pm.

Minutes Recorder – Amy Sowa



Sidney W. Leiken  
Mayor

Attest:



Amy Sowa  
City Recorder