

City of Springfield  
Special Regular Meeting

MINUTES OF THE SPECIAL REGULAR MEETING OF  
THE SPRINGFIELD CITY COUNCIL HELD  
MONDAY, NOVEMBER 26, 2007

The City of Springfield Council met in special regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon, on Monday, November 26, 2007 at 6:05 p.m., with Mayor Leiken presiding.

ATTENDANCE

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

PLEDGE OF ALLEGIANCE

Mayor Leiken acknowledged a Boy Scout troop who was in the audience observing the Council to earn a badge. The troop leader said they were from Boy Scout Troop 91, representing the Springfield First Ward and the Latter Day Saints (LDS) Church on Presidents Street.

CONSENT CALENDAR

**IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR WOODROW TO APPROVE THE CONSENT CALENDAR. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST**

1. Ordinances

ORDINANCE NO. 6209 – AN ORDINANCE RATIFYING THE CREATION OF THE REGIONAL FIBER OPTIC CONSORTIUM, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE THE INTERGOVERNMENTAL AGREEMENT CREATING THE CONSORTIUM ON BEHALF OF THE CITY OF SPRINGFIELD, AND REPEALING ORDINANCES 5926 AND 5942.

2. Other Routine Matters

- a. Approve the Intergovernmental Agreement with the City of Eugene, Fire & EMS Department for Springfield to provide FireMed Ambulance Membership Program Administrative Services, with Eugene contributing \$185,000 to the FireMed Program this Fiscal Year.
- b. Authorize the City Manager to Sign the Contract with Ad Group in the Amount not to Exceed \$330,000 for 2008 FireMed Advertising and Marketing Services.

BUSINESS FROM THE CITY ATTORNEY

1. General Election Report of Board of Canvassers and Proclamation.

City Attorney Joe Leahy presented the staff report on this item. The City Attorney has forwarded for City Council approval, the Report of Board of Canvassers and Proclamation for the November 6, 2007 General Election for the election of Ballot Measure 20-131.

By law, Lane County Elections has 20 days from the date of the election to provide the certified election results to jurisdictions with measures on the ballot. The deadline date for those results is November 26, 2007.

Lane County Elections notified the City that the results would be available on November 26 for the City Recorder to pick up. The City Attorney's office will then prepare the Report of Board of Canvassers and Proclamation and will distribute those documents during the Regular Meeting of the City Council for their consideration.

Mayor Leiken thanked Mr. Leahy and City Recorder Amy Sowa for their work on this. He commended Ms. Sowa for her work as City Recorder.

**IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR WOODROW TO APPROVE THE NOVEMBER 6, 2007 GENERAL REPORT OF BOARD OF CANVASSERS AND PROCLAMATION FOR THE ELECTION OF BALLOT MEASURE 20-131. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.**

BUSINESS FROM THE AUDIENCE

1. Fred Simmons, 312 South 52<sup>nd</sup> Place, Springfield, OR Mr. Simmons discussed the process regarding the urban renewal district. He discussed the timing of the hearings and notices about the urban renewal district. He referred to a 1987 Court of Appeals case regarding a Portland Urban Renewal District. In that case, it was noted that urban renewal was a land use decision. If that was the case, the process by the City may be at fault. He would like an opportunity to sit down with the City Attorney to review that without going to a judicial court. He asked the Council to allow him to raise those questions with Mr. Leahy. If it went to court, it would be a long battle for everyone. This was a very complicated issue and not something the City did every day, but he felt a review was needed.

BUSINESS FROM THE CITY MANAGER

1. Downtown Urban Renewal Plan and Report.

ORDINANCE NO. 6210 – AN ORDINANCE APPROVING THE SPRINGFIELD DOWNTOWN URBAN RENEWAL PLAN AND REPORT AND ADOPTING A SEVERABILITY CLAUSE.

Community Development Manager John Tamulonis presented the staff report on this item. On November 6, 2007, the Springfield electorate authorized the City Council to allocate taxes to a downtown urban renewal district. Council conducted a public hearing on the Downtown Urban Renewal Plan and Report on November 19, 2007 and received testimony concerning the documents. Staff has responded with recommended revisions to the Plan and Report (see Attachment 4). Final action on the Downtown Urban Renewal Plan and Report at the November

26 meeting will result in an effective date prior to December 31, 2007, the deadline for establishing the district as of January 1, 2008.

At issue is whether the Downtown Urban Renewal Plan and Report should be adopted, adopted with revisions, or rejected by the Council.

On October 2, 2007, the Downtown Urban Renewal Plan was reviewed by the Planning Commission. The Planning Commission voted unanimously to recommend that the City Council approve the Downtown Urban Renewal Plan and Report with a minor text change describing how urban renewal would affect schools. Discussions with the affected taxing bodies, Lane County, School District 19, Lane ESD, Willamalane Park and Recreation District and Lane Community College were held. No affected taxing district has expressed opposition to the Plan or Report.

On November 19, 2007, the City Council conducted a public hearing on the Downtown Urban Renewal Plan and Report. Testimony was received from the public. In Attachment 2, staff has summarized these comments and added them to those received from earlier public meetings. Attachment 2 also contains recommended revisions to the Plan and Report that corresponds to Council discussion and direction received at the November 19<sup>th</sup> meeting.

Attachment 1 is the adopting ordinance which follows the required contents and makes the required findings and determinations described in ORS 457.095. The ordinance includes Exhibit A (Downtown Urban Renewal Plan and Report) and Exhibit B (Staff Report). Exhibit B provides findings for Council review related to the requirements of ORS 457 for the establishment of an urban renewal district and for the contents of an urban renewal plan and report. Attachment 3 is the legal description of the proposed Downtown Urban Renewal Plan. The legal description does not include any necessary adjustments for Meadow Park and connecting right-of-way or for any reduction in the size of the boundary proposed in the September 15, 2007 Draft Downtown Urban Renewal Plan and Report. If Council changes the boundary, the legal description would be adjusted as such.

Mr. Tamulonis distributed a document with some minor adjustments in the plan regarding spelling, grammar and other minor formatting changes. Council would be considering an ordinance adopting the Urban Renewal District Plan in Downtown. He referred to the ordinance which had the plan and staff reports as attachments and the boundary description from the September 15 Draft Plan which showed the boundary going out to 23<sup>rd</sup> Street.

Mr. Tamulonis noted there were a number of suggested recommendations from the community and Planning Commission members. He referred to Attachment 2, page 1, which outlined those seven recommendations. The remainder of Attachment 2 included the changes as they would appear in the plan if Council chose to add them into the plan. He said staff recommended Council include recommendations number two and seven. He could provide additional information if Council had questions about the other recommendations.

Councilor Ballew asked who would appropriately add or remove projects from the list in the plan. She asked if there should be some criteria to determine if items should be added or taken away. She asked if it was the Council's job or the Springfield Economic Development Agency's (SEDA) job.

Mr. Tamulonis said the Council could add or subtract items at this time. The list included suggestions from other taxing agencies. The list tried to keep opportunities open for the next twenty years. Determining factors whether to include certain projects could include the budget, advice from the advisory committee, priorities, and opportunities that could arise throughout the twenty years. Budgeting would be the limitation at this point. Staff recommended including as many generic versions of plans to allow flexibility.

Councilor Ballew asked if decisions for any new projects after Council adopted this plan would be made by SEDA.

Mr. Leahy said that was correct. Council would be interrelated because of the budget relationship with SEDA. SEDA would receive recommendations from the Council and from other people as opportunities arose.

Councilor Ballew asked if this would every come back to Council.

Mr. Tamulonis referred to pages 21 and 22 in the Plan, which outlined the process for expanding the plan's boundary or funding beyond those in the adopted Plan. He discussed minor and major amendments and the process for each. Acquisition of property would need to come back to Council. He noted, however, that no property had been identified for acquisition at this time.

Mr. Leahy said when talking to the consulting firm, it was noted that this was a fine line between telling the voters what SEDA was going to do and doing it, and allowing voters to take economic opportunities when they arose. This Plan was not so detailed as to lock SEDA into anything, but provided as much information to the voters as possible.

Councilor Ralston referred to the document distributed by Mr. Tamulonis with the scrivener's errors corrected. The description for 600 was listed as "DESCRIPTION OF PROJECTS TO BE UNDERTAKEN". He felt that should be changed to "DESCRIPTION OF PROJECTS THAT COULD BE UNDERTAKEN".

Mr. Tamulonis said that description came out of the Oregon Revised Statute (ORS). The list was examples of projects to consider. He explained further.

Councilor Ralston said he still felt it should be changed. He didn't want to be locked into projects we couldn't undertake.

Mr. Tamulonis said that was an adjustment that could be made.

Mr. Leahy said they had made some language changes throughout the plan based on recommendations from the consultant that addressed that issue.

Mr. Tamulonis found reference in the recommended changes that referred to projects as 'examples' and as 'potential projects' and noted he would make the change in the description.

Mr. Leahy referred to the description paragraph on page 14 of the plan, section 600, which stated that "SEDA may fund these activities in full, or in part, or seek other sources of funding for them".

Councilor Ralston referred to Attachment 2-12, PLAN, page 23, 1200 RELOCATION. He asked where assistance for relocation would be coming from.

Mr. Tamulonis said it could be from SEDA funds. It would depend on the primary source of funding for the project. The funding could be through SEDA, Community Development Block Grant (CDBG), Oregon Department of Transportation (ODOT), or a developer.

Mr. Leahy said relocation assistance was mandated by State and Federal law.

Mayor Leiken said Councilor Ralston made a good point about the description of Section 600. He discussed the confusion to citizens when projects are listed that may not be done. It would be important to determine how we would respond back to the public. The City and SEDA needed to hear from the public and the advisory committee about what they wanted for the downtown. A Library could be one project or even a Lane Community College (LCC) annex. The plan needed to be flexible and open, but we needed to be careful how it was presented to the public. This is a twenty year plan and it would take time to determine what got done. The City needed to be patient and do it right, not set ourselves up for failure. The process part would be key.

Councilor Ballew suggested changing the description of Section 600 to "DESCRIPTION OF POTENTIAL PROJECTS TO BE UNDERTAKEN".

Mr. Leahy agreed that would be an appropriate change, leaving the original ORS language.

Councilor Wylie asked if staff was asking Council to adopt or not adopt the amendments.

Mr. Tamulonis said he could review the seven amendments. He discussed the request from Willamalane to include MeadowPark, which would amend the boundary slightly. That could be added by a minor amendment in the text in the tables. The dollar amount could remain the same since there was \$1M under park improvements. It could also be amended later, but would require a vote because it would be considered a major amendment. Item 6 would also be a Willamalane Park and Recreation facility and would be included in the \$1M for park improvements. Mr. Tamulonis discussed the other suggested changes. He discussed the Mill Race property and noted that although part of it was outside the city limits, part of the project could go into that area.

Mayor Leiken asked if Council could revisit these at a later time.

Mr. Tamulonis said all could be revisited at a later time, other than Revision 1, which would require a vote. He recommended Council include Revisions 2 and 7 in the plan.

Mayor Leiken said he would like to revisit the Mill Race project at a later time to see how United Front came out.

Mr. Tamulonis said if it was in the plan, it gave more flexibility. He discussed Revisions 4 and 5. Most were relatively small changes, except the boundary changes in Revision 1.

Councilor Pishioneri asked what the benefit would be of adding in the boundary at this time.

Mr. Tamulonis said it would give them flexibility to do it as a project later without going to the voters, or they could choose not to do it at all.

Councilor Ballew said she didn't support the boundaries as shown and did not want to expand it any further as was requested in Item 1.

Councilor Ralston asked if this was a public hearing and if it was appropriate time for Council to make comments.

Mayor Leiken noted that the public hearing had already taken place on November 19. Now was an appropriate time to make comments.

Councilor Wylie asked if staff recommended Council adopt all the changes or just certain changes.

Mr. Tamulonis said staff recommended Council accept Revisions 2 and 7, and Revision 3 would be helpful. He said it was up to Council whether or not to accept the others.

Councilor Wylie confirmed that it would be prudent to include these things, but it would in not obligate the City to do anything with the other items. Yes.

Discussion was held regarding projects outside of the boundary and whether or not SEDA funds could be used for those projects. It would depend on the size and cost in accordance with the plan.

Councilor Pishioneri asked why the MeadowPark item was included when Council had already decided to exclude it during a recent work session.

Mr. Tamulonis said it came from discussions with the agency. If Council rejected their proposal, he would send a formal letter to Willamalane acknowledging which projects were not accepted. He noted language in the ORS regarding Council officially accepting or rejecting proposals from affected agencies. He wanted to make sure the City met those ORS requirements.

Councilor Ralston said he had heard from a lot of constituents and those testifying at Council that supported the boundary ending at 14<sup>th</sup> Street. For any development to occur would take private money and SEDA would facilitate. Taxes forgone over the next twenty years would be nearly \$15M. He referred to the current economy and the risk for a recession. He felt it was irresponsible to take that additional money from City services. He could support going out to 14<sup>th</sup> Street, but he could not support going the extra seven blocks to 23<sup>rd</sup> Street and taking revenue out of City services. He would be voting against the plan. He was under the impression that the boundary was still up for discussion.

Councilor Woodrow noted that the boundary was voted on by Council with a 4 to 2 vote.

Councilor Ralston noted that he had voted in opposition.

Mayor Leiken said the information that went out to the public was for the boundary to extend to 23<sup>rd</sup> Street. The vote by the City was for that boundary. There were a lot of people that voted against it, but the majority voted in favor.

Councilor Ralston said he would suggest including as much as possible since it was not obligating SEDA to anything. Willamalane had supported this district and would be losing tax

revenue. As a trade off, they had asked for MeadowPark to be added in as a project. This would be the time to include it and make a final determination on whether or not to do anything later.

Councilor Lundberg asked for Council input on each of the suggested changes.

Revision 1 – 4 no, 2 yes, 1 abstain

Revision 2 – 6 yes, 1 abstain

Revision 3 – 6 yes, 1 abstain

Revision 4 – 6 yes, 1 abstain

Revision 5 – 6 yes, 1 abstain

Councilor Ballew asked about Revision 5. She asked about possible reduction in State funding to the schools and if SEDA would need to make up any loss and if it would affect outstanding bonds.

Mr. Tamulonis it would be a matter of reconstructing the plan. The forgone statement noted “at this time” or “under current regulations”. The adjustments at the State insured that urban renewal agencies that had bonds outstanding were protected.

Mayor Leiken referred to Revision 6, the Memorial Building, and said he was not comfortable fixing up a building that could be sold to a private owner.

Mr. Tamulonis said SEDA could do a project with conditions on certain things defined by the other agency.

Councilor Ballew suggested that if the building was sold, Willamalane would have to repay SEDA’s investment.

Mayor Leiken said he could approve it if that language could be added.

Mr. Tamulonis said if those concerns were raised by the SEDA board, the project could go forward with a number of conditions related to any concerns.

Councilor Lundberg said she had spent a lot of time in that building and the amount of repairs and upgrades needed were huge. She said it had no significant historical benefit. She felt it may be better to tear down the building rather than invest in upgrades. She would prefer SEDA look at purchasing that property rather than upgrade it.

Mayor Leiken suggested the City or SEDA consider buying the property from Willamalane.

Revision 6 – no 6, 1 abstain

Councilor Pishioneri noted that this did not mean SEDA couldn’t consider doing this project at a later date.

Revision 7 – yes 6, 1 abstain

Amendment to add the word POTENTIAL to the description on Section 600 – yes 6, 1 abstain.

**IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR WOODROW TO ADOPT ORDINANCE NO. 6210 APPROVING THE SPRINGFIELD DOWNTOWN URBAN RENEWAL PLAN AND REPORT INCLUDING REVISIONS NUMBER 2, 3, 4, 5, AND 7, MINOR CORRECTIONS TO TEXT AND FORMATTING AND THE LEGAL DESCRIPTION FOR THE PLAN INCLUDING THE POTENTIAL PROJECTS TO BE UNDERTAKEN, AND ADOPTING A SEVERABILITY CLAUSE. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 1 AGAINST (Ralston).**

Mr. Grimaldi said it was staff's recommendation that staff spend some time with Mr. Simmons to address his concerns.

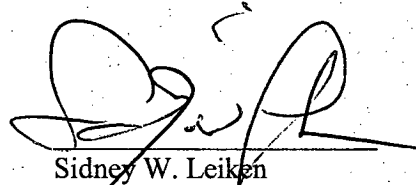
Mayor Leiken asked Mr. Grimaldi to provide a list of time staff had already spent on Mr. Simmons for his review.

Mr. Grimaldi said he could gather that information for the Mayor.

ADJOURNMENT

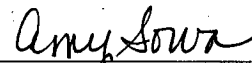
The meeting was adjourned at 6:57 p.m.

Minutes Recorder Amy Sowa



Sidney W. Leiken  
Mayor

Attest:

  
City Recorder