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**City of Florence**  
**City Council Minutes**  
**March 15, 2010**

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**CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE**

Mayor Brubaker opened the regular council meeting at 7:00 p.m. with the pledge of allegiance. Other members present included Council President Nola Xavier, Council Vice President Alan Burns, Councilors Suzanne Roberts and Dave Franzen. Staff in attendance included City Manager Robert Willoughby, Assistant City Manager Jacque Morgan, Public Works Director Mike Miller, and Police Chief Maurice Sanders.

**REPORT**

*2010 Census Process*

Mayor Brubaker said the census questionnaire was being sent out this week, and noted that citizens with PO Boxes would not receive one. He said beginning Friday afternoon the 19<sup>th</sup>, from 1:00-5:00 p.m. at city hall there will be a representative from the census staffing an info desk in the finance department's lobby. He said the desk would be staffed Monday, Wednesday and Friday for about a month and that we want everyone in the greater Florence area to be counted in the census.

**APPROVAL OF AGENDA**

Mayor Brubaker said under the Mayor/Council agenda item, there would be an addition of a report from Councilor Xavier on Urban Renewal and he would also be proposing a plan to resolve the differences on the Comp Plan co-adoption process and the Heceta Water District IGA under that same item.

**PUBLIC COMMENTS**

*Mayor Brubaker explained the purpose of this portion of the meeting and offered an opportunity for members of the audience to address the council regarding any matter not already on the agenda for that evening.*

**Bob Hursh - 5104 Woodlake Way:** Mr. Hursh referred to the city manager's summary report on March 1<sup>st</sup> which stated three reasons why the Board of Commissioners (BCC) did not adopt the city's 2020 Comp Plan. He said CM Willoughby had said there were unspecified insufficiencies in the ground water program. Mr. Hursh said he thought the BCC was very clear on this point; they want the city to remove the misleading inaccurate language and stop alluding to septic systems posing a problem. He went on to say that it was bothersome that the city continues to use this report when the person who wrote it disagrees with how you are using it. He said CM Willoughby stated that there are concerns about the annexation policy; the Mayor and Council have publically stated that their policy is "no forced annexation." Mr. Hursh said if this statement is true why was the council unwilling to include it in an agreement that binds the city. Mr. Hursh referred to Mr. Perry's letter and said if one reads it carefully it only says that allowing one or two people to stop the

natural process of city growth in the UGB should not be allowed and Mr. Hursh said he agreed that the majority of homeowners should decide on annexation. He said city staff is very competent and suggested that they be asked to wordsmith the Plan in a way that removes the fear and anxiety of the homeowners in the UGB.

Mr. Hursh said the Mayor had stood in front of the homeowner's association a year ago and made the statement, "no forced annexation." He said he supported the Mayor on his statement and on many occasions and has always considered him fair and honest but he had to question things when the Mayor says one thing and the city staff does another. Mr. Hursh referred to the Heceta Water District IGA and said he didn't understand why it was such a surprise that the county did not support the 2020 Comp Plan until the agreement is signed.

He said he wanted to give the city the district's perspective on the IGA process; as far as he was aware the district gave the city a draft several years ago; the city took time to respond and then sent the draft back to the district which was then reviewed by their attorney. Mr. Hursh said he was not sure how many times this had gone back and forth but he stated that the district had spent thousands of dollars in attorney fees in doing this.

He said the district's manager met with the public works director numerous times to work out the details; and when he came back to the Board he stated that they were in agreement but when they got the draft back from the city there were significant changes. He said we finally got our attorney to meet with the city to try to work things out; just when it appeared that we were there; there were more changes. He said more changes equate to more attorney fees; and finally the Board decided we had spent enough money and then asked him (Mr. Hursh) to meet with the city manager. He said that meeting was very open and candid and he was elated that the city manager was both honest and willing to work things out. He said they both voiced their positions and came to an understanding; just about that time Heceta lost their attorney because the city's attorney went to work for the firm that their attorney worked for and it then became a conflict of interest.

Mr. Hursh said after that our district manager and the city's public works director met and agreed that the best thing would be for the city to take the east side of Hwy 101 from Munsel Lake Road all the way up to Heceta's district office; and Heceta Water district would take the west side of Hwy 101. He said when they met again, he told CM Willoughby we couldn't meet the fire flow requirements and that was a deal breaker.

Mr. Hursh said CM Willoughby understood the problem and said that the city could not meet that either; and the last thing that Mr. Hursh saw was info from the city's engineers that validated the fact that the city could not meet the fire flow either. Mr. Hursh said their staff believes that their infrastructure would be at risk if they interfaced with the city's system because of the pressure surges during firefighting, because the city's system is about 20 psi higher than Heceta's. He said there are numerous ways to address fire flow issues

without having to have the required 3,500 gal/minute for three hours, although he could not speak intelligently about them but he knew they existed. He said Heceta Water district does not want to hinder the city or interfere with their Plan; however, we must be involved in annexation issues if for no other reason than anytime the city annexes an area within their boundary the potential for losing customers jumps 100 fold. He said every time we lose a customer the debt service increases for the remaining customers; two thirds of our debt service is paid by water sales revenue and not property tax assessment. He said every customer counts; we are elected to protect the district and to preserve its long term viability. He said he'd lived in Florence almost 9 years; has a degree in engineering; spent 30 years in the US Navy; he too could be insulted by words especially those words that are not backed up by the actions they imply.

With no further public comments; Mayor Brubaker moved on to the Consent Agenda.

## **CONSENT AGENDA**

### **MINUTES**

*Consider approval of minutes from the February 24, 2010 special council meeting with the Fire District, March 1, 2010 regular council meeting minutes and the minutes of the March 8, 2010 special council meeting.*

Councilor Burns moved to approve the minutes of the special meeting with the Fire District of February 24, 2010; regular meeting of March 1, 2010 and the special council meeting of March 8, 2010. Second by Councilor Xavier, by voice all ayes, motion carried unanimously.

### **ACTION ITEMS**

#### **FIREWORKS PROHIBITION IN OLD TOWN DISTRICT AREA A, B AND THE PORT OF SIUSLAW PROPERTY**

*Consider approval of Ordinance No. 5, Series 2010, an ordinance amending Title 6 Chapter 1 of General Offenses for a localized ban of fireworks in Old Town District Areas A and B and the Port of Siuslaw Property.*

Mayor Brubaker said this item was a continuation of an agenda item regarding the prohibition of fireworks in the Old Town Area A and B and the Port property. He said this was continued because the council was deadlocked 2-2 on the issue. He asked for public comments.

**Leo Duwell - Bay St Business Owner:** Mr. Duwell said he and his wife had owned 5 successful businesses on Bay Street. He said he didn't agree with banning fireworks completely in the Old Town area, because we promote it by bringing people to Florence for Independence Day and it is good for business. He said he didn't agree with the issue of fire danger and thought it was unfortunate that the Port had banned setting legal fireworks off on their property. He said he thought if this was implemented it would say to the tourist, "Come to Florence and have no fun." He said one of his

grandchildren's prize things for the 4<sup>th</sup> is their fireworks that they get to set off themselves and not the big fireworks displays. He said it was unfortunate that our visitors would not be able to allow their children to participate in this along with the children that live in Old Town. He said if the issue is cleaning up the mess he thought that could be taken care of by Camp Florence Boys and he was sure that there are a lot of volunteers that could help clean up things along with the city's street sweeper. He said he agreed with banning illegal fireworks; but when it comes to legal fireworks he thought that was wrong; because it is good for business.

**John (Jay) Cable 75 Harbor Street:** Mr. Cable said he wanted to reiterate everything Leo had just said and agreed with him completely. He said as far as illegal fireworks he appreciated the danger and hazard of those fireworks. He said he can't believe the city would allow the sale of legal fireworks and extract a business license and condone them and yet within walking distance people would be cited and their fireworks confiscated. He said we've had legal fireworks for a long time, and he didn't believe it was a safety or fire issue; but he did believe that it was a litter issue. He said he had talked to representatives from the Boys and Girls Club and the Chamber of Commerce and they have all said that they would come down and help clean up the mess. He thought the logical solution was to crack down on the illegal fireworks and get the citizenry to participate in the cleanup of the legal fireworks.

Mayor Brubaker called for the first reading of Ordinance No. 5, Series 2010, by short title only acknowledging the council's familiarity with its content. Assistant City Manager Morgan gave the first reading. Councilor Roberts moved for approval of the first reading and called for the second reading. Second by Councilor Xavier, by roll call: 3-2 with Mayor Brubaker and Councilor Burns casting the dissenting votes, motion passed. Mayor Brubaker stated that because the first reading was not unanimous the second reading would be done at the next council meeting.

### **FLORENCE ENTERPRISE ZONE**

*Consider approval of Resolution No. 11, Series 2010, a resolution authorizing the submission of the application for the designation of the Florence Enterprise Zone to the Oregon Business Development Department to support business activity within the Florence community.*

ACM Morgan said the enterprise zone was a state program used to attract new businesses and/or to get existing businesses to expand by giving them an exemption on property taxes for up to three years on the value invested in new equipment and buildings on the property. She said Florence applied back in 1999 for our enterprise zone and it sunsets on June 30, 2010. She said the state had sent the city an application and had indicated that were 12 other enterprise zones that were also sun setting.

She said the city is gathering the appropriate information and if the council approves the resolution this evening, staff would submit it to the state in the next couple of weeks. She referred to the PowerPoint and said the current zone was at the top of the screen and pointed out the Port property on lower portion

of the map which included ICM, Mo's restaurant and the board walk. She said we have 117 acres that will be included in our application (.1 square miles) you can have up to 16 square miles and most counties that apply usually include the entire city in their enterprise zone.

She said Florence is going up against counties in the process and staff decided to reapply along with the Port of Siuslaw. She said what was added this year is the Old Middle School site property where we have development approval for where the Wyndham time share was going to go. She said by including this in our application we're also asking the state for what is called a "hotel/motel/resort" designation in an effort to try to entice Wyndham or a similar development back to that area. She said this is also in our Urban Renewal Agency District which means that if the Urban Renewal wanted to offer assistance to a developer they would have both the enterprise exemption along with urban renewal, which might entice a developer to come to the Florence area.

She said the legislators will look at the program again in 2013 so if we're approved by June we know for sure that we would have the enterprise zone until 2013. She said the legislators had been supportive of the enterprise zone in the past so the state office does not see an issue of this going away. She said we also have an E-Commerce zone for internet type businesses; that is also sun setting, but we have not asked for that in our application because the state has changed the rules and you cannot ask for that designation if you don't have a business that is applying and ready to go. She said if we get our enterprise zone status and in 6 months a call center is interested in our area we can apply for the E-Commerce zone at that time.

ACM Morgan said we had a meeting with the local taxing districts to let them know about the enterprise zone and staff had not received any negative comments; in fact the city had received letters of support from the School District, Urban Renewal, LCC, and ambulance district; everyone is being positive towards this program. She said the Port of Siuslaw is a co-sponsor for this application and the city will continue as the zone sponsor; she said she had been working closely with the staff at the Port and the Port Commissioners will also be reviewing this resolution for adoption at their Wednesday meeting.

Mayor asked for public comment; hearing none he said he fully supports the application.

Councilor Burns moved to adopt Resolution No. 11, 2010 a resolution authorizing the submission of the application for the designation of the Florence Enterprise Zone. Second by Councilor Xavier, by voice all ayes, motion carried unanimously.

**CITY OF FLORENCE  
RESOLUTION NO. 11, SERIES 2010**

**A RESOLUTION AUTHORIZING THE SUBMISSION OF THE APPLICATION FOR THE  
DESIGNATION OF THE FLORENCE ENTERPRISE ZONE**

**WHEREAS;** The City of Florence is sponsoring an application for designation of an enterprise zone with the Port of Siuslaw, who has included certain Port District land within the enterprise zone designation; and

**WHEREAS;** The City of Florence is interested in an enterprise zone to encourage new business investment, job creation, higher incomes for local residents, greater diversity of economic activity; and

**WHEREAS;** The proposed enterprise zone has a total of 117.24 acres Exhibit A which equates to .18 square miles, and it meets other statutory limitations on size and configuration; it is depicted on the drawn-to-scale map Exhibit B and described in Exhibit C; and

**WHEREAS;** The proposed enterprise zone contains significant land that is reserved for industrial use, as indicated by land use zoning map(s) Exhibit D with the application, consistent with Comprehensive Plan(s) acknowledged by the Land Conservation and Development Commission, such industrial sites are accessible, serviced or serviceable, and otherwise ready for use and further development; and

**WHEREAS;** The designation of an enterprise zone does not grant or imply permission to develop land within the Zone without complying with prevailing zoning, regulatory and permitting processes and restrictions for applicable jurisdictions; nor does it indicate any intent to modify those processes or restrictions, except as otherwise in accordance with Comprehensive Plans;

**WHEREAS;** The City of Florence appreciates the impacts that a designated enterprise zone would have and the property tax exemptions that eligible business firms might receive therein, as governed by Oregon Revised Statutes (ORS) Chapter 285C and other provisions of Oregon Law.

**WHEREAS,** All of the other municipal corporations, school districts, special service districts and so forth, other than the sponsoring governments, that receive operating revenue through the levying of *ad valorem* taxes on real and personal property in any area of the proposed enterprise zone were sent notice and invited to a public meeting regarding this proposal on March 5, 2010, in order for these sponsoring governments to effectively consult with these other local taxing districts. Follow-up arrangements as agreed to with these consultations will be completed with affected districts within six months of the proposed enterprise zone's designation.

**WHEREAS,** The availability of enterprise zone exemptions to business firms that operate hotels, motels or destination resorts would help diversify local economic activity, provide useful employment for some segments of the labor force, and facilitate the expansion of accommodations for visitors which in turn will spend time and money in the area for business, recreation or other purposes.

**NOW THEREFORE BE IT RESOLVED THE CITY OF FLORENCE** proposes and applies for an Oregon enterprise zone to be named: The Florence Enterprise Zone, and requests that the director of the Oregon Business Development Department order the designation of this enterprise zone.

Section 1. Assistant City Manager Jacque Morgan is authorized to submit the enterprise zone application for the City of Florence and to make any substantive or technical change to the application materials, as necessary, after adoption of this resolution.

Section 2. The City of Florence will give priority to the use in the proposed enterprise zone, if designated, of any economic development or job training funds received from the federal government, consistent with ORS 285C.065(3)(d).

Section 3. The City of Florence and Port of Siuslaw commits, upon designation, to jointly appoint City Manager Robert S. Willoughby as the sponsoring local enterprise zone manager. Both entities will comply with the requirements and provisions of ORS 285C.105 and otherwise fulfill its duties under ORS 285C.050 to 285C.250.

Section 4. The City of Florence and Port of Siuslaw jointly commits, within six months of designation, to implement and to confirm for the department its fulfillment of such duties, as specified in OAR 123-065-0210, including but not limited to preparation of a list or map of local lands and buildings owned by the state or by municipal corporations within the enterprise zone that are not being used or designated for a public purpose and that have appropriate land use zoning, and to efforts for making such real property available for lease or purchase by authorized business firms under ORS 285C.110.

Section 5. The City of Florence as a sponsor of the proposed Florence Enterprise Zone exercises its option herewith under ORS 285C.070 that qualified property of and operated by a qualified business firm as a hotel, motel or destination resort may receive a property tax exemption in the Zone, and that such business firms are eligible for purposes of authorization upon the effective designation of the Zone.

Section 6. This Resolution shall become effective immediately upon its adoption.

### **TEMPORARY AGREEMENT MODIFICATION FOR ANIMAL SHELTER SERVICES**

*Consider directing staff to prepare an ordinance amendment to reflect changes to the current agreement between the City of Florence Police Department and the Florence Area Humane Society*

Mayor Brubaker said this item is a recommendation to reflect changes to the current agreement between the City of Florence Police Department and the Florence Area Humane Society (FAHS).

Chief Sanders said this was an opportunity to present an item that is a win/win for both the city and a non-profit organization. He said we have an agreement with FAHS that was initiated in 1996 which had never been modified or changed. He said there has been some issues in the last several years so we met with the FAHS to decide how to make this better. He said we agreed on how to get out of invoicing every individual dog that is brought through, which ties up the time of both the Humane Society and the police officer. He said the proposal is to establish an annual flat rate for the city to pay the FAHS for the services that they offer in the initial contract agreement.

He said we're asking, and the FAHS has agreed, to make every effort to accommodate cats as that has been a problem at times in the past. FAHS is asking the city to modify our code to lower the amount of time that a dog will be held before it can be adopted out. He said they have had opportunities to adopt animals but were unable to do so because of the time constraints under the code. He said there are two different time constraints that we're working under which are the Lane County and City of Florence ordinances; one calls for three days and the other one calls for 5 days plus 1. He said the agenda summary has the details; the temporary agreement that was entered into with the parties; it was done with the understanding that it could be nullified by the city council if you so choose.

Mayor Brubaker said the proposal is that the city would pay FAHS a flat rate of \$2,100/year for dogs and they would make every effort to add cats within that amount.

Councilor Roberts said the briefing mentions accommodating all animals inclusive of cats and the financial impact only mentions dogs. She said she had personally taken care of about 4 cats because they were abandoned and it disturbed her that there was no mention of cats in the agreement and she didn't want them to be left out. Chief Sanders referred to the third bullet point which states. "FAHS will make every effort possible to accommodate all (domestic) animals brought in by the City of Florence."

**Barbara Hall - Director of FAHS:** Ms. Hall said in the past they had never had financial assistance from the city for cats and they had always tried to accommodate cats. She said they don't expect to be paid to take in cats because there are no regulations for cats. She said they hope to have the animals for a shorter period of time; they now have a spay/neuter clinic at the shelter 6 days a month so they can get the animals altered and adopt them out right away. She said the main concern was the wording in the contract that didn't allow the shelter to adopt the animals out right away and because they were holding the animals for so long they missed chances to adopt them out.

Councilor Roberts said this agreement says all animals and suggested that it be altered to say "domestic" animals.

Mayor Brubaker said we want to be as flexible as possible but not over burden the FAHS. He said "all other animals" seems a little bit broad and agreed with Councilor Roberts suggestion of "companion/domestic."

Councilor Xavier said this was a temporary agreement from July 1, 2010-June 30, 2011 and asked if this was a trial to see how it works before we have a more permanent arrangement. Chief Sanders replied, exactly.

Councilor Burns moved to approve the temporary agreement modification-Animal Shelter Services to FCC 6-6-5-3. Second by Councilor Roberts, by voice all ayes, motion carried unanimously.

### **AIRPORT MASTER PLAN**

*Consider approving the Airport Master Plan as prepared by Century West Engineering, authorize the City Manager to submit a FAA grant application for the airport apron expansion project, and direct staff to amend the Realization 2020 Comp Plan to reflect the new Airport Master Plan Updates*

Mayor Brubaker said this was a presentation which has resulted in a lot of work for staff, our consultant and airport advisory committee members relating to an update to the Florence Airport Master Plan. He said also associated with that is the authorization to submit a grant application to the FAA for our apron expansion.

PWD Miller introduced David Miller and Joe Roshak from Century West Engineering who would walk the council through the Master Plan. He said there was a full version on the council's dais that evening and that staff wanted to answer all the council's questions. He said this is looking at a 20 year planning period; \$8.3 million worth of improvements over the next 20 years; a

lot of it has to do with growth projections and 95% of this is federally funded; it is the 5% that we have to fund in the future.

*(For the record Public Works Director Mike Miller will be referred to as PWD Miller and David Miller the consultant from Century West will be referred to as Mr. Miller.)*

**David Miller – Senior Aviation Planner:** Mr. Miller said he wanted to give a short presentation on the Airport Master Plan; in the packet was a summary report which covers some of the same materials. He referred to the PowerPoint and the schematic and said the Master Plan is defined by the FAA and we have to follow the guidelines for both content and process that are established by the FAA. He said the same master planning process is used at all publicly owned airports that receive FAA funding. He said this Master Plan update is an update of the last report which was adopted in 1997; by FAA rules, airports are required to maintain current plans and the definition of that is to update your plan every 7-10 years; and we're right on schedule. He said because it is a sequential process we always begin at the beginning; go back and collect data and inventory to document a snap shot in time of the airport, community and facilities in place.

Mr. Miller said the first phase is what we call the kickoff – data collection and then the forecast. Forecasting air traffic is limited for the most part to measuring activity of based aircraft and the volume of take offs and landings along with some various breakdowns of the types of aircraft. He said the goal of this process is to project what the FAA characterizes as a reasonable expectation of growth. The FAA is looking at airports to grow at a rate that is roughly comparable to what they see across the nation. He said in our case we're looking at a growth rate that is comparable to the projected population for the City of Florence – 2-3% on an average and we do expect an increase of aviation activities.

He said after that we begin to create the dynamics in terms of quantifying needs; the middle phase is really focusing on looking at the existing conditions at the airport; future demands projections and trying to determine what additional facility improvements will be needed over the 20 year planning period. He referred to the PowerPoint and said that is what each of the middle blocks cover; the things required now. He said there are only two items in the Master Plan process that the FAA signs off on; one is the city's forecasted traffic activity – that forecasts gets plugged into the national forecast. The second is the airport layout plan which is noted in phase 3 – technical drawings that represent the existing conditions to the airport but also items that are identified for future improvement. He said the last thing in Phase 3 is the capital improvement program and that is a prioritized list of planning level projects identifying each project that is identified in the 20 year planning period. He said this is a long term plan and when we prepare the capital improvement programs we prioritize between short, intermediate and long term needs. He said each project is identified for federal funding and as was mentioned previously, approximately 95% of the projected capital improvement costs identified by the Master Plan are eligible for funding through the FAA.

He said there is some money that is allocated on an annual basis but that is for larger projects; there are additional FAA funds that airport sponsors are able to apply for; they are not guaranteed but it's a process that all airports work through in dealing with the FAA in Seattle; it's a matter of having your plan in synch with the development program.

Mr. Miller said the first step in the process is to have a good plan and one that has been thoroughly reviewed and is supported both locally and at the FAA. He said the environmental review process involves a couple of items. We summarize known environmental conditions that could potentially come into play with an airport improvement project. He said it is important to note that every federally funded project through the FAA requires the project to go through a screening on the environmental issues. He said the way the FAA approaches the issue is that they would prefer to have the detail environmental analysis done on a project by project basis. So if one would do a runway extension project, there would be a standalone environmental process required by the FAA.

Mr. Miller said the other environmental concern is noise and we did update the airport noise contours that FAA requires. This is a computerized model that was developed by the FAA to measure airport activity and to forecast that activity. He said traffic activity is entered into the model and it is very specific on the types of aircraft; time of day/daytime versus nighttime; which direction the runway is used. He said with that we've been able to update the noise exposure amount contours for the airport. He said the level of noise that the FAA considers to be significant is contained within the airport property. He said there are some close developments along the south of the airport and this airport does not have a lot of noise.

He said the FAA began requiring a much more robust planning process as a result of airports building things that had to be torn out and replaced because they weren't planned properly or built in the wrong place. He said the FAA requires that airports go through a periodic planning process and from that the goal is to have a clear articulated development program that is financially feasible, but also sets priorities. He said the goal is to maintain your existing facilities (that's a big point) and also identify the future development or facility needs; it's important to reemphasize that an Airport Master Plan is a facility plan, not a business development or marketing plan; it's designed to get to the business of defining facility needs and enable the process to be effective and efficient.

Mr. Miller said ultimately airports that are looking to the future are facing challenges of all sorts and one of them is computerization, navigational aids and instrument approach capabilities; so part of the evaluation of the Plan is to make sure the airport is looking to the future as well.

He said the Florence Municipal Airport is in the federal system which makes it eligible for federal money. He said this is also classified as a utility airport; or general aviation and that is defined for small airplanes and small airplanes by the FAA definition is an airplane that weighs less than 12,500 lbs. He said all

of the planning that is involved in this airport and facility improvements, the perimeters for evaluating the runway length, are based on the smaller planes. He said quite often there is an assumption when we do a master plan that the role is to make a smaller airport larger and that is not the case. In fact what we're working on is making this airport that is designed for the smaller planes as safe and efficient as possible.

He said an example of that is the runway extension; the master plan identifies a 400' runway extension on the north end and that length would be added to the current 3,000' for a total of 3,400' which corresponds to the length required to accommodate a 100 small airplane fleet as defined by the FAA, a combination of airplane types, single, multi engine and turbo props, and small airplanes under 12,500 lbs. He said the intent of the extension is not to significantly expand the capabilities of the airport; it's to allow the airport to maximize its operational capabilities.

He said the Airport Advisory Committee put in a lot of hours reviewing the material, and when they looked at the runway extension they went back and started with the 1997 Plan which also included a north runway extension of approximately the same length. Mr. Miller said we went back and looked at a prior recommendation; we didn't start all over again, we revalidated or revised a prior recommendation, we had to test to see whether it's still valid, still desirable and still recommended. He said in this case we looked at the 400' extension to the north; a shorter extension to the north and we also looked at an extension to the south and the local consensus was that given the development to the south and the proximity to the airport it would be better to avoid extending the runway to the south and locate it to the north as previously recommended.

He said one issue with the north runway extension is there has been a considerable amount of sand dune removal over the last several years to obtain a clear approach to the current north end of the runway. He said the analysis showed that some additional sand removal will be required and it is anticipated that it could be done over a period of several years. He said we talked with FAA about the idea of building the extension without removing any sand and using a partial displaced threshold and as the sand was removed the displaced threshold could be eliminated.

Mayor Brubaker asked if they had calculated how much the threshold would have to be displaced if we did not remove anymore sand. Mr. Miller said with the 400' extension we could displace the threshold 200', or about ½ of it. He said we have fairly good topographical information because the engineering firm doing the analysis of the other terrain removal is in excess of 200,000 cubic yards of sand. He said the port had expressed an interest in taking the sand, perhaps redistributing it on port property; that could significantly reduce the cost of hauling it. He said the flexibility in terms of how the city pursues this will depend on funding; the FAA had expressed flexibility; whether one large project or a project done over time.

He said the parallel taxiway on the east side would be extended as well, and that would give the airplanes a 3,400' length which is about a 15% increase over the current length, and it serves the needs of small airplanes. He noted that the airport has a couple of turbo prop aircraft, one based here and another company that operates several planes in and out.

He said the next item on the list (which are not necessarily in order) is a shorter term project called the Terminal Apron Reconfiguration and Expansion; expand the airport parking apron and reconfiguration of the elements within that. He said this is in large part due to the fact that the current apron reaches capacity during busy times of the year. He said the basic plan would be to expand the apron southward and reconfigure the parking for more efficiency for the smaller plane parking and the business type aircraft. He said the business type aircraft are ideally parked in drive through positions where the aircraft can taxi through the parking spot as opposed to a small plane that gets pushed into a tie down. He said right now the Meriflight airplane parks over the top of about three of the smaller plane tie downs. He said the existing fueling area will be reconfigured for more efficiency and to meet FAA standards. He said once the apron is built out in 20 years it's likely that it will reach its capacity and we've accommodated some additional parking to the north.

He said one of the more important plan elements is the development of the new helicopter parking pad; this will be constructed of concrete, typically it's more durable for helicopters skids and the important planning consideration for this is to separate it physically from the parked aircraft because of the rotator wash and the movement of the helicopter moving in and out. He said it is a parking pad and not a designed landing area and it will be located on the south end and south of the apron expansion; it will be used primarily by Medevac helicopters and other itinerant helicopters for short term parking.

Mr. Miller said the majority of the aircraft storage capacity is located from the north end of the apron to the north end of the runway. It is a very efficient lay out, you still have fairly substantial amounts of unused capacity of about 14 unused hangar areas that are not leased. He said we wanted to define it a little more than in the prior plan; we've laid out a continuation of hangar rows, we've also anticipated that down the road - 20 years or more - the current terminal area apron could reach its capacity so we want to make sure that we've reserved enough area somewhere else in the airport and as it turns out this is about the only part of the airport that can accommodate developing a new parking apron when the time comes. He said the capital improvement program has a long list of projects to accomplish over a 20 year period; the projects are developed on the basis of need or demand. The FAA doesn't fund projects based on speculations; so when more hangar sites are needed then we would do taxiway improvements, but you wouldn't do something like that years in advance. He said even though there are projects listed throughout the 20 year period it's likely that some of those projects will end up being deferred beyond the 20 years.

Mr. Miller said right now the airport operates exclusively under visual flight rules, the aircrafts are operating without benefit of instrument approach, and

the addition of instrument approach has been identified for a number of years and is still on the list. He said through some coordination with FAA there is a GPS system (global positioning approach) that would be an improvement to the airport. He said that is something that the city could move forward on immediately, the first step is another level of feasibility analysis that the FAA would provide along with some additional instructional survey that is required to support that; but it is also eligible for FAA funding. He said the FAA policy has effectively phased out building any new conventionally based instrument approach in favor of satellite navigation. He said the benefit for the airport sponsor is that you don't need to invest in navigational aids.

He said as far as the Airport Industrial Park; we have looked at the north runway extension as it is related to the adjacent industrial park and the adjacent industrial lots and we have determined that the planned improvements for the airfield will not affect or limit the development of the port industrial park property. He said there was concern expressed because the north approach goes right through port industrial property.

Mayor Brubaker asked what would be the maximum height for a building built on the Port property without violating the Plan with the FAA. Mr. Miller said we looked at the lots that were under the approach path and it's different for every lot because of the varied terrain; but after reviewing the lots and terrain and taking into account the size of a typical industrial building (35' tall), there would not be a problem.

PWD Miller added that on most of the lots it could be 35-40' and the further you get away it could be as high as 60'.

Mr. Miller said the primary source of funding is through the FAA and because Florence is in the National Airport System it is eligible to receive federal funding through the Airport Improvement Program. He said there is up to \$150,000 per year allocated to airports like Florence in the non-primary entitlement grants that are use it or lose it; it can be rolled over if you don't use the money, but after 4 years the money on the oldest year goes back into the system in Washington DC. He said the FAA office in Seattle is very keen on not letting airports let their money lapse.

He said federal grants require a 5% local match, and with the advent of Connect Oregon funding the match has been reduced to 0 in many cases.

He said Oregon Department of Aviation manages a couple of different programs that the airport can take advantage of; one is the pavement maintenance program, which is the ongoing crack filling and seal coating of pavements and that conserves some of the other funding needs for other projects. He said the other program, that has been suspended temporarily, is the Financial Aid to Municipalities or FAM Grants. He said under FAA funding there is discretionary funding; another pot of money to fund large projects and it is used for projects that probably couldn't be funded through non-primary entitlements alone. He said an example of that is the runway extension; it is a large project that you could roll over in 4 years especially if you're looking at

sand removal. It's typical of the FAA to have discretionary grants in the excess of \$1 million dollars and sometimes significantly more.

He referred to the airport layout plans in the council's agenda packet and said essentially the airport configuration is very simple; a single runway with a parallel taxiway and a central aircraft parking area. He said the hangar area is north of the main area and it is developed in a linear fashion which is very efficient. He referred to the map and said the existing buildings are in grey and the open red boxes are essentially vacant hangar sites and those could all be built without any additional expenditure of airport funds. He said the near term priorities are focusing on the apron area, initially some other security related improvements and as projects work through eventually the north runway extension rises up in priority and by that time some additional hangar improvements may be needed.

Mr. Miller said from a land use standpoint the airport is a very compact efficient layout without a lot of wasted space. He said staff had done an excellent job making the most of the limited space available especially since the airfield was designed and constructed back in the 1960's. He said as one looks back at the footprint of the airport (an airport for small airplanes); the footprint of the airport is that of a small airport and there had been a lot of discussion in our process if we could expand this airport and the simple answer is that the airport has some finite limits and it is now at the right size. He said the proposed improvements do not require property acquisition; the property for the runway extension has already been acquired by the city so it's making the most of what the city has.

Mr. Miller said the draft report was submitted to the FAA and the city last fall. The FAA has completed their review and essentially had no comment which is a good sign. He said staff and the advisory committee provided considerable review and comment and he thought they had accounted for all of those comments in the final documents. He said that brings us to where we are this evening and the final two steps to be taken, should the city desire:

1. Adoption by the city
2. Submittal of the Plan back to the FAA which will complete this project.

Mayor Brubaker asked if there were other smaller improvements that we will need to do. PWD Miller said there were a few:

1. With the apron extension is the fencing project; we have a 4' fence in front of the terminal building and we're having incidents of wild life hopping over the fence so part of the project is to eliminate the 4' fence and put up an 8' cyclone fence to eliminate the hazard of deer on the airport.
2. Demolishing the existing lighted windcone/segmented circle; construct a new lighted windsock/segmented circle.
3. Demolish the existing rotating beacon and tower; construct a new airport rotating beacon and tower.
4. Expand and reconfigure the existing tie-down.
5. Expand and reconfigure the existing tie-down apron (7,200 square yards).

6. Construct a helicopter parking pad.
7. Relocate the existing fuel pump island.
8. Construct new drainage improvements as necessary.

Councilor Roberts stated her concern that the city might not be able to obtain the required \$28,000 match and since the funding is not set in concrete it would affect her vote, knowing the city doesn't have the money.

**Joe Roshak-Century West:** Mr. Roshak said he heads up the engineering construction side of Century West as it relates to airports. He said through Connect Oregon a certain portion of the program that the state does for inter-modal projects has been dedicated (this time around) to rural airports, specifically to make federal grants available for projects like the city's. He said over \$5 million of this program has been dedicated to these projects.

He said the state said that anyone who is a rural airport and eligible for these funds, like Florence, should apply for it. He said their recommendation to city staff was to make the application for the FAA grant because a portion of that money will be lost if you don't do a project. He went on to say that in April, Century West will prepare the grant application for the Connect Oregon program. He said as soon as the city receives the federal grant they process the Connect Oregon grant and this project would be fully funded.

Councilor Roberts said it was her understanding that there are several available pots of money in the state. She said she saw an email several weeks ago that said, "don't ask for any money to do any pot holes or repave your airport." CM Willoughby said that came from the Oregon Department of Aviation, putting a restriction on pavement maintenance for at least a year, but that doesn't affect this project. Mr. Roshak said those funds are generated through aviation fuel taxes and they are dedicated to the state and go around the state in a cycle. He said they do crack sealing, fixing pot holes, seal coating and re-stripping in a rotation of three year cycles across the state. He said the state had run into some funding problems so that program had been suspended for this year.

Councilor Burns asked about the north runway extension and read from the council agenda, "...a 400 ft. extension of the runway designed to accommodate 100% of the small airplanes that currently use the airport..."

Mr. Miller apologized for that and clarified that what he intended to say is that the extension was based on the needs of the small airplane fleet that is currently here today. He said there are some aircraft that are currently operating that cannot operate with a full load of passengers or fuel.

Councilor Burns said since we can accommodate the airplanes would it be wiser to spend the money to improve our infrastructure such as pavement maintenance and terminal apron reconfiguration. Mr. Miller replied, yes, and that's how the capital improvement program has been structured. He said generally the priorities are; the apron reconfiguration and a considerable amount of pavement maintenance which is prioritized ahead of the runway

extension which is scheduled out to 2015-2019. Councilor Burns said in the 1997 Airport Master Plan and again in 2004 the lowering of the sand dunes was discussed at that time. He said if we lowered the sand dune and expanded the runway it would accommodate all those airplanes. He said now we're going to expand it another 400' and we'll get to a point where we can't expand anymore.

Mr. Miller clarified that the 400' that we're talking about today, is the same 400' that was discussed in the 1997, and there had been no extension of the runway since 1997. He said the issue at that time was to get an unobstructed approach to the current runway which we now have with the sand removal; it's the same runway extension, just the next step.

Mayor Brubaker said he would like to hear from the Airport Advisory Committee for their position on this proposed plan.

**Sam Spayd - 90888 Southview:** Mr. Spayd said he was speaking as Chairman of the Advisory Committee and that the committee had worked very closely with Century West along with talking to the users of the airport to ensure what they were doing was something they felt as pilots was important for the development and expansion of the airport and the committee was 100% in support of the proposal.

Mayor Brubaker said following up with Councilor Roberts concern, it is absolutely essential to be fiscally prudent. He wanted to reaffirm for the viewers that in any case, the match money is not City of Florence property tax; this is going to be funds from other sources, whether grant funding or forming an area commission on transportation in Lane County to get additional ODOT money to build somewhere other than in Eugene, such as a flyover on the interstate. He said he wanted to emphasize that this is to make the existing airport better, not to expand the airport, there might be more flights but they would be propeller small aircraft flights in the future.

Councilor Burns moved to accept the Master Plan as prepared by Century West and further authorize the City Manager to submit an FAA Grant application in the amount of \$571,836 and to direct staff to amend the Realization 2020 Comp Plan reflecting the new Airport Master Plan update as prepared by Century West Engineering. Second by Councilor Franzen, by voice all ayes, motion carried unanimously.

## **REPORTS**

### **MONTHLY REPORTS**

*Mayor Brubaker gave the council an opportunity to make comments or ask questions on of the department's monthly reports.*

*Assistant City Manager*

Councilor Roberts thanked CM Morgan for putting information in the monthly report regarding businesses in Eugene.

### *Police*

Councilor Roberts noted that the numbers of arrests are up this year and the jail had been full. Mayor Brubaker asked Chief why the arrests are up; Chief Sanders said he did not have specific details but he would follow up with actual numbers in an email.

### *Public Works*

#### *Water Table*

Mayor Brubaker said he went out and looked at the water table in the hole and we have a full aquifer.

#### *Wings and Wheels*

Councilor Roberts asked the Airport Manager Gary Rose if he had heard anything in relation to the suggestion of combining Wings and Wheels with the Chowder Blues and Brews weekend. Mr. Rose said he had not heard anything more but he would be attending the Chamber board meeting this week to see where things were headed.

## **CITY MANAGER REPORT**

### *RTMP*

CM Willoughby said the city received information from the county's rural tourism marketing program (RTMP) that the county approve our request for \$72,368. He said it was interesting to note that as we look at transit room tax revenues compared to prior years; even since Driftwood Shores had been annexed into the city; that those numbers are up a little bit for tourism which is a good sign.

Mayor Brubaker asked about the time table for the RTMP money and if there was an allocation process. CM Willoughby said the city filed an application which details how the city would use the funds. ACM Morgan said all of the RTMP funds will go to the FEC this year.

## **MAYOR AND COUNCIL REPORTS**

### *Councilor Xavier – New Rhody Bus*

Councilor Xavier said the city received the new bus on Thursday the 4<sup>th</sup>; and it was introduced at a ribbon cutting ceremony at the Home Show. She said it is a very nice bus with several improvements that we didn't have in the older bus and it is now on the road. She said the wheel chair lift has been moved up to the front so it is much more user friendly and you don't have to be in a wheel chair if you need it; if the steps are not possible for you to navigate they can lower the ramp and you can get into the bus with the wheel chair ramp. She said there are two wheel chair bays in it and we are thrilled to have the new bus.

She said it took us about 2 years to work through the funding process; as it turns out that worked in our favor because of the federal transportation money, the city did not have to pay a local match for the bus. She said there is a touch of "duck" green on the top, (she tried to get purple) and spring green on the sides. She said it is really set apart from the other buses in town and

on the side it says, "Florence Public Transportation." She said the Advisory Committee thought that was an important element because we felt that citizens mistook the bus for those from one of the assisted living facilities. She said the old white bus is being recycled and returned to Lane Transit where they will take applications from nonprofit agencies that need a bus but don't need to have as a dependable bus as the city, as the city's bus is on the road 8 hours a day/five days a week.

### *Urban Renewal*

Councilor Xavier said at their last meeting the Urban Renewal Agency approved two grants for local businesses. She said one of them is to do some work on the Kyle building and the other is to add new parking spaces replacing all the gravel, and paving the rest of the lot along with putting drainage in at the Humane Society.

She said there are several different levels of Urban Renewal grants under \$5,000 which is a gift grant with no match required and business owners are welcome to come in and pick up a packet of information. She said there are matching grants that are available; although we haven't received an application for that yet, but she was aware of several that were being worked on. She said there is still grant money available and if there are business owners out there looking for assistance, she encouraged them to get in touch with Urban Renewal.

Councilor Roberts asked about the estimate on the Kyle building. Councilor Xavier said they don't get the whole thing all at once, this is going to be the west side of the building to replace the paint that is chipping off along with moss removal and power washing for a total of \$3,200.

### *County Co-Adoption*

Mayor Brubaker said he would like to discuss the county co-adoption of our Comp Plan and the IGA with HWD, and it seemed to him that if one cut through the posturing, rhetoric; the fact of the matter is that we are a lot closer than adversarial types would lead people to believe about agreements in both areas. He said there had been repeated instances of people saying, that if the city incorporates the words, "no forced annexation," in our Comp Plan it would solve everything. He said the reason that won't work is the fact that there is no Oregon statute that recognizes that term. He said there are specific provisions under ORS 229..... about the various ways that annexations can proceed and nowhere is that used.

He proposed that the council put on their April 5<sup>th</sup> agenda a list of particulars that he would be working on for discussion on these issues. He said he believed that the majority of these particulars, while very consistent with currently adopted council policy, have been misarticulated or deliberately obfuscated and needed clarification. He said the next step, would be to look at the facts and see just how close or far apart we are and he thought that many people would be surprised if we approached this on a policy basis and not on a personal basis how close we really were to agreements.

He said it would surprise people to learn that the current Plan would not force anyone to annex if their septic system fails; they would just fix it; this is another deliberate obfuscation. He said after discussing the list of particulars in open session, the goal would be to see what we think of the list and maybe out of 20 items there are only 2 left that we haven't agreed upon and maybe those 2 are deal breakers by the county or the water district, it's something we don't know right now as we didn't have a chance to rebut comments at the county meeting. He said we all deserve good governance in west Lane County and he thought this city council had always wanted to be in that position and provided that role.

Councilor Burns expressed his concern about elected officials meeting with city staff and that city elected officials were not included in the meetings. He said from his standpoint, staff, and the city manager should be talking to the district manager at HWD and should not have an elected official in the room unless there is a city elected official there also. CM Willoughby said we did try that shortly after he came to the city; we had two elected officials from the city meeting with two elected officials from the district and after the district withdrew that proposal and submitted an entire new proposal the meetings didn't continue.

With no further business, Mayor Brubaker adjourned the meeting at 9:54 p.m.

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**Phil Brubaker**  
**Mayor**

**ATTEST:**

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**Jacque Morgan**  
**Acting City Recorder**