

Cross at Skinner Butte must be removed by mid-July

■ **COURT:** The Eugene Bible College will obtain the necessary permits to place the cross on its campus

By Chris Kenning
Freelance Reporter

The Skinner Butte Cross controversy drew to a close Monday in federal court, as U.S. Magistrate Thomas Coffin ruled that the city of Eugene will have until July 15 to remove the cross.

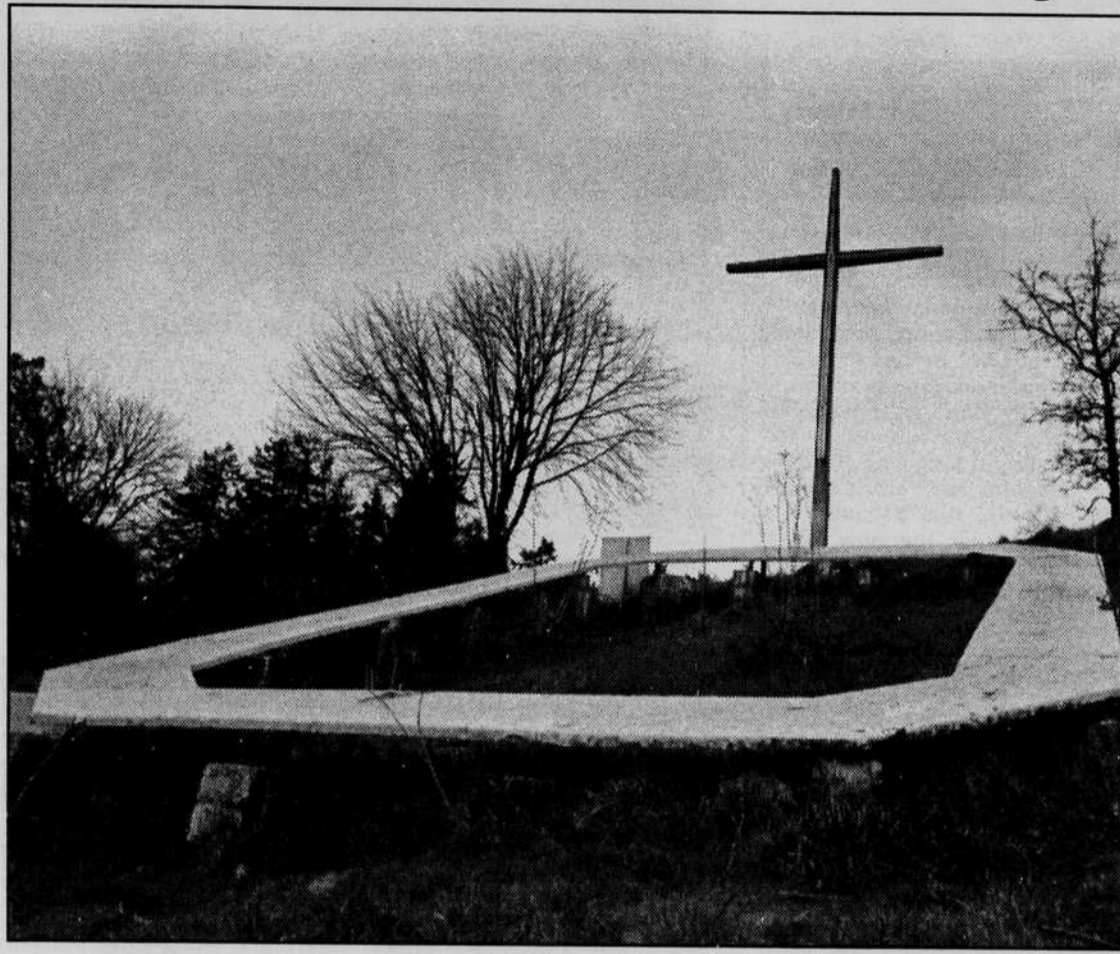
Attorneys for the plaintiffs had hoped to have the cross removed within ten days, saying that undue delays in the dismantling of the cross amounted to a violation of the Constitution.

Bill Gary, the Eugene city attorney, argued that while physical removal of the cross would not be terribly complicated, various permit processes could take up to four weeks.

The Eugene Bible College, which is slated to receive the cross, will need to obtain several types of permits before the cross can be housed on its campus.

"The building permits, site plans, engineering studies, and permits necessary to relocate the cross must be approved before the actual removal can occur," Gary said.

Coffin's ruling also denied a last-minute motion by the defense to dismiss the case. Bill Wheatley, who is head attorney for the American Legion and is fighting to keep the cross as a war memorial, argued that the decision by a lower federal court should not reverse the decision by the Oregon Supreme Court.



A U.S. Magistrate pushed the removal date of the Skinner Butte cross back until mid-July so the necessary permits can be obtained. The cross will be moved to the Eugene Bible College campus.

"The cross is a symbol of sacrifice on a war memorial, as a cross is a symbol of mercy on a hospital ship," Wheatley said, explaining why the cross is a meaningful historical landmark.

Charles Porter, a lawyer representing the plaintiffs who wanted

the cross taken down, said the city "shouldn't have anything to do with" moving the monument to the Eugene Bible College.

Attorneys for the plaintiffs argued that, despite the meaning the cross may have for some people, "popular prejudice and ma-

majority decision cannot subvert the Constitution." They likened the importance of the constitutional violation the cross presents with slavery and suppression of the press.

However, Gary argued that the city was not favoring any religion,

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— Bill Wheatley
Defense Lawyer

and the selection of the Bible College was based on non-religious criteria. The city considered accessibility issues for those who still want to visit the cross.

"The cross has stood for forty years, and the city's plan will be respectful of all involved," Gary said.

Despite objections, Coffin called it a "reasonable time frame" and approved the plan. He suggested that dismantling the cross on Memorial Day would be timely, but did not require it. Coffin further ruled that costs of the move would be shared between the Bible College and the city.

Reaction to the verdict was mixed; Wheatley called the decision "disappointing." Wheatley has ten days to file a stay with the 9th District Court to bar the removal. He said he was "definitely considering" the appeal but would need to study the options.

However, defense attorneys called an appeal "hopeless and meaningless," stating that any mix of church and state is clearly unconstitutional.

Gary said the city's goal was to "allow the community to put the divisive issue behind them."

City staff postpones closing access road to Skinner Butte

■ **BUTTE:** The city opted to postpone the road closure while considering feedback from Eugene residents

By Jennifer Schmitt
Community Editor

Controversy continues to center around Skinner Butte, but this time it is regarding the access road leading to the butte and not the cross.

According to a city proposal, the access road was supposed to be closed on Mar. 21. But community suggestions and alternatives for dealing with problems concerning

property destruction and vandalism have postponed the closure.

The access road to Skinner Butte will remain open during the day while Eugene city staff considers community suggestions. The gate to the road is opened at 7 a.m. and closed at 11 p.m.

"We are going to stay at a status quo and not change the access hours right now while we consider the options," said Eric Jones, public information coordinator for the city of Eugene.

The suggestions proposed by Eugene residents focus on using volunteers to upkeep the butte instead of closing access.

"The suggestions seem to center on having volunteers clean up the graffiti, patch the damaged asphalt and reseed the parts of the hill that have been destroyed by off-road vehicles," Jones said.

Eugene city staff will be considering the suggestions and should have recommendations formulated by the end of the week.

"We want to see if there is a realistic way to address the problems, taking Measure 47 and funding into consideration," Jones said.

Jones said volunteers are a good idea but that realistically it can be hard to get volunteers to do day-to-day maintenance.

"People don't seem to have a problem volunteering for the one-time projects like reseeding the hillside," he said, "but it is hard for people to commit to daily work like emptying trash cans."

Jones said Measure 47 will play a large role in the outcome of the access road. Because of city-wide cuts, there may not be enough money to fund opening and closing the gates to the road, he said.

"If we use volunteers, we want to make sure their efforts are going toward what they expected," he said. "We don't want to get all of that volunteer help for something we can't afford to keep open."

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