

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, June 6, 2016. Mayor Knapp called the meeting to order at 8:13 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp
Councilor Starr
Councilor Fitzgerald - excused
Councilor Stevens
Councilor Lehan

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Barbara Jacobson, City Attorney
Sandra King, City Recorder
Nancy Kraushaar, Community Development Director
Chris Neamtzu, Planning Director
Dan Pauly, Associate Planner
Eric Mende, Engineer

Motion to approve the order of the agenda.

Motion: Councilor Starr moved to approve the order of the agenda. Councilor Stevens seconded the motion.

Vote: Motion carried 4-0.

MAYOR'S BUSINESS

A. Tourism Committee Appointments

1. Position #1 term ends 6/30/19 – Kathleen Mason, Aurora Colony Historical Society
2. Position #2 term ends 6/30/19 – Elaine Swyt, Mediaphysics; Wilsonville Parks & Recreation Advisory Board

Motion: Councilor Lehan moved to appoint Kathleen Mason and Elaine Swyt to positions one and two respectively, to the Tourism Committee for a term ending June 30, 2019. Councilor Starr seconded the motion.

Vote: Motion carried 4-0.

B. Upcoming Meetings

Mayor Knapp announced the regularly scheduled meeting and noted the regional meetings he attended on behalf of the City.

COMMUNICATIONS

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A. Washington County Visitors Association (WCVA) Report, Carolyn McCormick, CEO

Carolyn McCormick, CEO, Washington County Visitors Association explained the WCVA is a destination marketing organization funded by the transient lodging tax (TLT) who represents all of the cities in Washington County. Recently the WCVA rebranded their organization as “The Tualatin Valley” and they have embarked on a marketing program throughout the state.

She identified the number of dollars and full time jobs brought to Washington County by the travelers to the county and described the future hotel growth in the area, with most of the growth in Hillsboro. An overview of the capital project grant program was provided.

Mayor Knapp noted Ms. McCormick provides her expertise as a member of Wilsonville’s Tourism Committee, as does Mr. O’Malley of the Wilsonville Chamber of Commerce.

B. Walk Friendly Communities Bronze Level Designation

Planning Director Chris Neamtzu said Wilsonville received the Bronze Walk Friendly Communities (WFC) designation. The National Pedestrian and Bicycle Information Center based at the University of North Carolina in Chapel Hill recently announced that Wilsonville’s designation as a Walk Friendly Community is being extended for an additional 5-years; the City originally received the designation in 2011.

The Bronze level recognizes the City’s on-going efforts to improving a wide range of conditions related to walking, including safety, mobility, access and comfort.

The WFC designation is conferred only to applicant communities that are verified to have a commitment to improving and sustaining walkability and pedestrian safety through the adoption and implementation of comprehensive programs, plans and policies.

Wilsonville is one of only 58 Walk Friendly Cities across the nation. In Oregon, other Walk Friendly Communities include Corvallis, Bend, Sisters, and Tigard.

Receipt of this award is confirmation of the City Council’s commitment to proactive promotion of policies and programs that provide accessibility to all citizens and to creation of a city that places high value of mode choice and connectivity.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS – There was none.

COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

Council President Starr – (Park & Recreation Advisory Board Liaison) announced the date of the next Parks and Recreation Board meeting and that additional opportunities to hear more about the Parks and Recreation Aquatic Center will occur at the June 8th Planning Commission meeting, and at an open house to be held at the Parks and Recreation Building on June 29th.

Councilor Stevens – (Library Board and Wilsonville Seniors Liaison) reported the Library’s Summer Reading Program started June 1st; and announced other events scheduled at the Library. She announced

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the Wilsonville's Farmer Market held on Thursdays at Sofia Park in Villebois, and thanked city staff who participated in the Tonkin Run for the Love of Schools this past weekend.

Councilor Lehan– (Planning Commission and CCI Liaison) reported on the upcoming meeting of the DRB, and noted the open house on the Recreation and Aquatic Center to be held at the June 8th meeting of the Planning Commission. The Councilor reported the Murase Plaza and Town Center Park water features opened on June 1st.

CONSENT AGENDA

Ms. Jacobson read the title of the Consent Agenda item for the record.

A. **Resolution No. 2583**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute An Addendum To The Frog Pond Area Plan Contract With Angelo Planning Group

Motion: Councilor Stevens moved to approve the Consent Agenda. Councilor Lehan seconded the motion.

Vote: Motion carried 4-0.

PUBLIC HEARINGS

Ms. Jacobson read the titles of Ordinance No. 792, 793 and 794 into the record. The public hearings may be held concurrently, however the motions on the Ordinances should be made separately.

A. **Ordinance No.792** – 1st reading

An Ordinance Of The City Of Wilsonville **Annexing** Approximately 10.2 Acres Of Territory Including A Segment Of SW Garden Acres Road Right-Of-Way And An Adjacent Parcel Of Land East Of SW Garden Acres Road North Of SW Ridder Road And The Current Republic Services Development Into The City Limits Of The City Of Wilsonville, Oregon. The Territory Is More Particularly Described As Tax Lot 600 Of Section 2C, T3S, R1W, Washington County, Oregon And Adjacent Right-Of-Way, Willamette Resource Incorporated, Petitioner.

Mayor Knapp called to order the public hearing on Ordinances 792, 793 and 794 at 8:57 p.m.

Dan Pauly, Associate Planner, presented the staff report.

Following their review at the May 9, 2016 meeting, the Development Review Board, Panel A, recommended approval of the applications for Annexation, Comprehensive Plan Map Amendment, and Zone Map Amendment for the subject property. The DRB also approved a Stage I Master Plan Revision, Stage II Final Plan, Site Design Review, Setback Waiver, and Type C Tree Removal Plan for development of a food waste to biogas to electricity facility on a portion of the property.

Republic Services has a growing operation in Wilsonville. The Wilsonville campus currently includes a Materials Recovery Facility (MRF) for processing and sorting waste, collection operations offices, maintenance shop, and storage and support services. Republic Services and their predecessor companies have owned approximately 10 acres north of their campus for many years, which currently sits outside

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Wilsonville City limits. In support of their continued growth, Republic Services wishes to annex the property into the City, adopt City Comprehensive Plan and Zoning designations, and adopt a master plan for their entire campus. Concurrently, Republic Services has submitted land use applications for the development of a food waste to biogas facility by their partner, SORT Bioenergy.

Mr. Pauly explained the location of the property, and the decisions made by the DRB regarding the annexation, Comprehensive Plan Map Amendment, and the Zone Map Amendment. The area is part of the Coffee Creek Master Plan and inside the UGB. The area is also considered regionally significant industrial lands (RSIA), and it will be designated as PDI-RSIA. The current Washington County designation of Future Development-20 will be changed to Wilsonville's PDI-RSIA zoning.

Mr. Pauly noted the changes that will be made to the current facility in the Stage I Master Plan Revision. Kinsman Road, which currently traverses the site, will be removed with the adoption of the TSP amendments and re-designation of Garden Acres as a collector road.

The SORT facility will process commercial food waste which will be converted into methane gas to be burned to create electricity which will then be sold to the electricity grid. The methane will also be used to power the CNG truck fleet. The food waste processing building will be entirely enclosed with negative air pressure, and odors will be controlled. Discharge to the sewer system has been addressed. The PD-RSIA standards are very strict and if all of the performance standards are not met the use will be prohibited. The applicant has demonstrated they will meet all of the performance standards. Mr. Pauly described the trees covering the site and the tree plan proposed by the applicant.

Councilor Starr asked if the property to the north has been notified and whether they have weighed in during the process, and if methane gas safety had been addressed. He also wanted to know the percentage of the effluent going into the city's sewer system.

Mr. Pauly responded the owner of that property has not voiced any concerns, they have heard from brokers who work in the industrial market who are concerned about the effect that odors would have on future development in the area. Currently that property is rural and it is expected to redevelop into industrial uses in the future. Regarding methane gas, industry safety standard protocols will be in place. The process does create solids that will be used to fertilize fields. Unlike a sewer treatment plant, there is control over the input and the output as well. Mr. Pauly added the sources of the raw material are commercial accounts, food manufactures, and food manufacturing byproducts in the region. The applicant must comply with all DEQ standards to retain their permit.

Mayor Knapp asked about the alignment of Clutter Road and how the businesses to the west will be affected.

Mr. Pauly explained the TSP amendment has this road tying into the new Ridder Road/Garden Acres Road. Although the final road design is not completed, the TSP does acknowledge this is an industrial area and the road will be designed for the truck turning radius.

The Mayor asked if the applicant would be responsible for the ongoing performance of the facility in the conditions, or will they only be responsible to build what they say they are going to build. The ongoing performance to manage odors will be important to the industrial neighbors and residents throughout the area and the city must be confident the odors are contained.

Mr. Pauly said the applicant is responsible for the ongoing performance of the facility, and if they are not meeting the performance standards, they will be shut down. Odor control is a top priority for staff. Staff

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has toured the Durham plant run by Clearwater Services which uses technology similar technology to that being proposed at this location. Because odor is a major concern, staff hired experts to review the project, and the experts are confident that odor will not be an issue during the processing.

Mayor Knapp mentioned the fats, oils and grease and asked whether the technology will address these items so they do not negatively impact the city's wastewater treatment plant.

Mr. Eric Mende, Capital Projects Engineering Manager explained further. When the application first came in staff had a lot of questions since this is a new technology. CH2M Hill was brought in as the technical expert as was Randy Watson, the City's Pre-treatment Coordinator, and staff gained a higher comfort level as we learned about the technology. The industrial pre-treatment discharge permit will address discharge issues, and performance standards in the Code will be included as conditions of approval. Mr. Mende explained the process used in a wastewater treatment plant is an aerobic process which can create odors, versus the anaerobic totally contained process used at this new plant. He was confident the applicant would perform on their promises. Performance standards will be in place, including frequent monitoring, the applicant will prepare operations and monitoring plans. The standards the applicant will be held to are the same standard the City holds itself to for the wastewater plant. Staff has high confidence the applicant will do what they need to do and they do need a DEQ permit which will provide additional conditions they will need to meet.

Mr. Cosgrove asked if the trucks entering the site will be covered which could add to the odor aspect of the processing. Mr. Mende deferred that question to the applicant.

Mayor Knapp asked if the applicant had plans to enlarge their plant if they were successful.

Mr. Pauly thought the applicant had built in the ability to grow by not operating at 100 percent capacity up front; however, adding additional digesters or towers has not been discussed.

Councilor Starr asked if the city's wastewater plant was prepared to handle grease.

Mr. Mende understood the operator would be turning grease into methane and then burn it to generate electricity to sell back to the grid. What would be going down the sewer system are mostly suspended solids.

Councilor Starr asked if the rodent issue has been addressed. Mr. Pauly said that was one of the criteria the applicant addressed. Being a fully enclosed system and a clean system inside will prevent a rodent population.

Mayor Knapp invited the applicant to make their presentation.

Ben Altman, Pioneer Design Group, 9020 SW Washington Square Road, Portland, represented the applicant Republic Services and SORT Bio-energy. Mr. Altman introduced Brian May with Republic Services and Paul Woods from SORT Bio-Energy. Mr. Altman indicated the annexation of the property into the City is the first step in moving forward with the application. The real focus is the site development activity. He pointed out the drawing showing the Clutter Road curve is not the final design, but is representative and needs to be worked out with the City.

Mr. Woods acknowledged the excellent work of the staff throughout the project. He stated for SORT to make the application to the City, they complied with state code and noticed every owner or occupant of property within a one-half mile radius of the property and held a community meeting in January 2016.

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There has been a lot of outreach and notice to the public about the project and how it operates. From a material handling standpoint, this material is generated within the Portland Metro area, and the project is intended to serve the Portland-Metro area and to remove commercial food waste from the landfill, provide an alternative that captures the bio-energy value and nutrient value in the food waste. Mr. Woods explained the process used in processing the food waste, noting there was no overnight storage of the material, there will not be any storage of the material on the floor over night or aggregation of material in a manner to allow odor to compound. The food waste is collected that day, brought to the facility, dumped on the floor for pre-processing, and by the end of the day it is in the tanks where it is fully contained and the odor is controlled.

Once the material is in the anaerobic digestion system it is using natural anaerobic bacteria to convert the carbon and the hydrogen in the food waste into methane gas retaining the nutrient value. Once the slurry is removed from the anaerobic digester it is de-watered, the solids are reused, and the liquids go to the sewer. It is hoped the liquids will be applied to the land because of the nutrient value.

Mr. Woods explained how the grease in the digester will be converted into energy and how the odors will be controlled through the use of different technologies. He stated they agree with all of the conditions placed on the project and that trees will be preserved to provide a buffer to the adjoining properties, and truck traffic will be during off-peak hours.

Brian May, Republic Services, commented today over 15,000 tons of commercial food waste comes to Willamette Resources which is then transferred to Corvallis. The transfer may take up to three days. With the SORT process, the material will come into a negative air facility, be processed the same day, and go directly into a confined system, which will be an improvement. There will be a reduction in trips since the 15,000 tons will not be trucked out, but processed on site.

Mr. Woods spoke to the handling of methane gas, and said they would be following all of the NFPA (National Fire Protection Association) rules and requirements about gas handling safety. The technology provider is experienced in designing anaerobic digesters, including the gas handling system and gas handling sphere.

Mr. Altman added the project has been reviewed by Tualatin Valley Fire and Rescue (TVF&R) who has completed their preliminary review, and they will also review the plans at the building permitting stage. Secondary access has been provided for TVF&R, and the building will have fire sprinklers.

The Mayor asked about the timing of the process with materials arriving every day, but being removed from the tank every 24 days.

Mr. Woods said the material is processed every day. It is pumped into a predigesting tank; from there material is pumped into and out of the digester 24/7 into the post digestion tank; it is not a batch process but rather it is a continuous process.

Mayor Knapp asked if the input stream was dependent on a contract with Metro, and were they building this and hoping to get the contract, or are they getting the City's approval to take to Metro to get the contract, and then build. Will there be future expansion.

Mr. Woods said Metro's concern has been the ability to site such a facility within the Metro boundary, there is still the business element that needs to be closed for the project to be successful. Regarding future expansion, it has been difficult to get to this point so expansion is unimaginable at this stage.

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Mr. May said the site will be tightly configured with these improvements.

The Mayor was concerned about the road and the deletion of Kinsman in the TSP.

Mr. Altman indicated he provided testimony on the TSP amendment, with the amendment on Garden Acres and the removal of Kinsman the TSP still retains the section from Boeckman Road north to Day Road. However, he thought there would be a problem delivering that section because of the rail road crossing at grade, wetlands on one side and industrial existing development on the other and continuation of the BPA right of way, and the south side of Ridder Road the south side of the substation prohibit that connection. While it is probably the preferred alternative for having a straight route he did not see it as a deliverable objective, and the fall back will be this alignment and access to it from Boeckman will be via 95th or Grahams Ferry. With this alignment and the way the TSP is being amended it maintains the circulation to the north to the best degree given the other circumstances that Kinsman is not a deliverable option. Mr. Altman said the traffic report addresses the truck route in detail. The majority of the truck traffic will be during off-peak hours or at night.

Mayor Knapp invited the public to testify.

Killian Condon, 700 NE Multnomah St, Portland, spoke on behalf of DEQ. Mr. Condon stated the DEQ has not yet received an application because the land use application is pending. The DEQ is neutral on the facility; in lieu of the application the DEQ does view this type of technology favorably. He is familiar with the technology which has been used favorably in Ireland.

Mayor Knapp asked if this type of technology is being used in Oregon or the United States that the DEQ is familiar with.

Mr. Condon responded these plants are being based in urban locations in Europe to treat both food and wastewater with great success. In Oregon the DEQ recently permitted an anaerobic digester in Tillamook. From the perspective of DEQ the facility planned here is more technology advanced than the facility in Tillamook. The DEQ will permit the facility and require an operations plan. Within the operations plan are specifics under which the facility will operate and through enforcement, compliance and inspections the DEQ has the ability to stop or close the facility. If they are not complying with the permit or the operations plan, the DEQ has tools to guide this facility to compliance. From a technological perspective DEQ views this favorably from all environmental perspectives including greenhouse emissions.

The Mayor asked if there was anyone who wanted to speak, seeing none, he asked for a motion to close the public hearing.

Motion: Councilor Stevens moved to close the public hearing. Councilor Starr seconded the motion.

Vote: Motion carried 4-0.

The public hearing was declared closed at 10:03 p.m.

Council protocol required a motion to continue the meeting past 10 o'clock.

Motion: Councilor Stevens moved to extend the meeting until the Council finishes the agenda. The motion was seconded by Councilors Starr and Lehan.

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Vote: Motion carries 4-0.

Motion: Councilor Stevens moved to approve Ordinance No. 792 on first reading. Councilor Lehan seconded the motion.

Vote: Motion carried 4-0.

B. Ordinance No. 793 – 1st Reading

An Ordinance Of The City Of Wilsonville Approving A **Comprehensive Plan Map Amendment** From The Washington County Future Development – 20 (FD-20) District To The City Of Wilsonville Industrial Designation On Approximately 10.2 Acres Comprising Tax Lot 600 Of Section 2C, T3S, R1W, Washington County, Oregon And Adjacent Right-Of-Way, Willamette Resource Incorporated, Applicant/Owner.

Motion: Councilor Starr moved to approve Ordinance No. 793 on first reading. Councilor Stevens seconded the motion.

Vote: Motion carried 4-0.

C. Ordinance No. 794 – 1st Reading

An Ordinance Of The City Of Wilsonville Approving A **Zone Map Amendment** From The Washington County Future Development-20 (FD-20) Zone To The Planned Development Industrial-Regionally Significant Industrial Area (PDI-RSIA) Zone On Approximately 10.2 Acres Comprising Tax Lot 600 Of Section 2C, T3S, R1W, Washington County, Oregon And Adjacent Right-Of-Way, Willamette Resource Incorporated, Applicant/Owner.

Motion: Councilor Lehan moved to approve Ordinance No. 794 on first reading. Councilor Starr seconded the motion.

Vote: Motion carried 4-0.

CONTINUING BUSINESS

Ms. Jacobson read the titles of Ordinance No. 790 and 791 into the record on second reading.

A. Ordinance No. 790 – 2nd reading

An Ordinance Of The City Of Wilsonville Approving A **Comprehensive Plan Map Amendment** From Residential 0-1 Dwelling Units Per Acre To Residential 4-5 Units Per Acre On Approximately 4.37 Acres Located At 28500 And 28530 SW Canyon Creek Road South – Comprising Tax Lots 900 And 1000 Of Section 13B, Township 3 South, Range 1 West, Clackamas County, Oregon, Beth Ann Boeckman And Karen And Marvin Lewallen – Owners, Scott Miller, SAMM-MILLER LLC – Applicant.

Motion: Councilor Starr moved to adopt Ordinance No. 790 on second reading. Councilor Stevens seconded the motion.

Vote: Motion carried 4-0.
Councilor Starr - Yes

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Councilor Fitzgerald - excused
Councilor Stevens - Yes
Councilor Lehan - Yes
Mayor Knapp - Yes

B. Ordinance No. 791 – 2nd Reading

An Ordinance Of The City Of Wilsonville Approving A **Zone Map Amendment** From The Residential Agriculture-Holding (RA-H) Zone To The Planned Development Residential-3 (PDR-3) Zone On Approximately 4.37 Acres Located At 28500 And 28530 SW Canyon Creek Road South- Comprising Tax Lots 900 And 1000 Of Section 13B, Township 3 South, Range 1 West, Clackamas County, Oregon, Beth Ann Boeckman And Karen And Marvin Lewallen – Owners. Scott Miller, SAMM-MILLER LLC – Applicant.

Motion: Councilor Lehan moved to adopt Ordinance No. 791 on second reading. Councilor Stevens seconded the motion.

Vote: Motion carried 4-0.
Councilor Starr - Yes
Councilor Fitzgerald - excused
Councilor Stevens - Yes
Councilor Lehan - Yes
Mayor Knapp - Yes

C. Ordinance No. 789 – 2nd Reading

An Ordinance Of The City Of Wilsonville Approving A Minor Amendment To Wilsonville's 2013 Transportation Systems Plan (2016 **TSP Amendment**)

Ms. Jacobson read the title of Ordinance No. 789 into the record for second reading.

Mr. Mende summarized the actions taken since the Planning Commission meeting of April 13, 2016 and identified the additional projects added to the amendment.

Motion: Councilor Stevens moved to adopt Ordinance No. 789 on second reading including the truck turning spot improvement on Wilsonville Road and Kinsman Road. Councilor Lehan seconded the motion.

Councilor Starr asked if the turning radius improvements at Wilsonville Road and Kinsman Road should be included in the TSP without the particulars.

Mr. Cosgrove stated it was advisable to have the project in the TSP even without the details, since the work could not be completed if the project was not in the plan.

Vote: Motion carried 4-0.
Councilor Starr - Yes
Councilor Fitzgerald - excused
Councilor Stevens - Yes
Councilor Lehan - Yes
Mayor Knapp - Yes

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CITY MANAGER'S BUSINESS

The City Manager asked if Council desired a recess for the second meeting in August if the work load and business items are not negatively impacted. Council was agreeable if the break did not impact city business.

LEGAL BUSINESS – No report.

ADJOURN

Mayor Knapp adjourned the meeting at 10:15 p.m.

Respectfully submitted,

Sandra C. King, MMC, City Recorder

ATTEST:

Tim Knapp, Mayor