

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

A special meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Thursday, February 18, 2016. Mayor Knapp called the meeting to order at 7:23 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp
Councilor Starr
Councilor Fitzgerald
Councilor Stevens
Councilor Lehan

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Barbara Jacobson, City Attorney
Delora Kerber, Public Works Director
Chris Neamtzu, Planning Director
Nancy Kraushaar, Community Development Director
Mark Ottenad, Government and Public Affairs Director
Mike Kohlhoff, Special Projects Attorney
Patty Brescia, Senior Program Manager

Motion to approve the order of the agenda.

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

Vote: Motion carried 5-0.

MAYOR'S BUSINESS

A. City Attorney's Contract

Mayor Knapp indicated Barbara Jacobson has been acting as City Attorney since December 1, 2015 when Mike Kohlhoff retired. Councilors feel the City would be best served with the confirmation of Ms. Jacobson as City Attorney.

Motion: Councilor Starr moved to revise and approve the City Attorney employment contract appointing Barbara Jacobson as City Attorney, effective retroactively to December 1, 2015 with a base salary of \$140,300 and a total compensation package of \$153,410. Councilor Stevens seconded the motion.

Councilor Starr stated Ms. Jacobson has been with the City for five years, and during the past five years she has done a great job supporting the City Attorney and Council on a variety of issues. Ms. Jacobson did go through a competitive process for the Assistant City Attorney position. Over the past three months she has performed extremely well as the interim City Attorney and it was time to appoint her to the position of City Attorney. Councilor Starr looked forward to working with Ms. Jacobson for many years.

Councilor Stevens agreed with Councilor Starr's statements. Ms. Jacobson brings a depth of experience to the position which is advantageous to the City, particularly in land use issues and negotiations.

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Councilor Fitzgerald agreed with the statements of the previous Councilors and added this was a strategic decision in that Ms. Jacobson has great experience and completed the interim period, and has worked for a number of years with Mr. Kohlhoff.

Councilor Lehan agreed, adding this has been a transition over the past year and a half since Mr. Kohlhoff announced his retirement. Barbara was a competitive hire when she was initially hired, and later in the year when an assistant city attorney is hired will be a competitive process as well.

Mayor Knapp understood the legal department will remain at two attorneys, and the special services provided by Mr. Kohlhoff will be completed at the end of the fiscal year. At that time the city will recruit for a new assistant attorney.

Barbara Jacobson, Assistant City Attorney, provided an overview of her professional background, noting she worked both in private practice and the public sector.

Councilor Starr explained how the total compensation package was formulated to stay competitive and within the 63 percentile of the surrounding cities.

Vote: Motion carried 5-0.

B. Consul General's Commendation for Sister City Relationship

Wilsonville has had a valuable relationship with its Sister City Kitakata Japan, and has an active student exchange program. The Consul General of Japan presented the City with a framed commendation in recognition of the Sister City relationship. Mayor Knapp read the translation of the Commendation.

C. March for Meals Proclamation

Patty Brescia, Recreation Program Manager, introduced the March for Meals Proclamation. For the past 30 years the City has provided meals to seniors at the Community Center four days a week and home delivered meals for homebound seniors five days a week. The program is an example of how Wilsonville residents provide help to fellow citizens when the need arises. The program is supported by the 20 volunteers who deliver the meals.

Mayor Knapp read the proclamation into the record.

D. Upcoming Meetings

The Mayor announced the dates of the upcoming Council meetings and reported on the meetings he attended on behalf of the City, in particular the Smart Growth Conference held in Portland this year.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS – There was none.

COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

Council President Starr – (Park & Recreation Advisory Board Liaison) announced the next meeting date for the Parks and Recreation Advisory Board. The Councilor has been sharing the Recreation and Aquatic Center message with community clubs and organizations throughout the City in preparation of the ballot measure that will be before the voters in November. Councilor Starr attended the Chamber of Commerce Board meeting in January. He noted the Daddy-Daughter Dance scheduled for February has been sold out.

Councilor Fitzgerald – (Development Review Panels A & B Liaison) reported the DRB approved the application of the West Linn-Wilsonville School District Advance Road school, and announced the next

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meeting dates of the two panels. The Councilor attended the New Partners for Smart Growth Conference in Portland; as part of that conference Mr. Neamtzu lead a tour of the Villebois neighborhood.

Councilor Stevens – (Library Board and Wilsonville Seniors Liaison) stated that Paul Keller had been elected chair of the Wilsonville Seniors Board. Mr. Keller is a graduate of the Leadership Academy and brings new energy to the Board. The Councilor noted the next meeting date of the Library Board and said she also attended the New Partners for Smart Growth Conference.

Councilor Lehan – (Planning Commission and CCI Liaison) reported the Planning Commission held a work session on the Transit Master Plan at their last meeting, and received a presentation from the Engineering Staff on the Bicycle Wayfinding Signage plan. The next meeting date of the Commission was announced along with the tentative agenda items. Councilor Lehan stated she has been named Chair of the Oregon Historic Marker Committee which is looking for ideas and locations for the historical markers. Currently they are looking for an appropriate location to commemorate the Columbus Day Storm of 1962.

Mayor Knapp announced upcoming community events.

CONSENT AGENDA

Ms. Jacobson read the Consent Agenda items into the record.

- A. **Resolution No. 2564**
A Resolution Of The City Of Wilsonville Authorizing The Mayor To Sign A Local Agency Agreement With The State Of Oregon, Acting By And Through Its Department Of Transportation (ODOT) For Construction Of The Kinsman Road Extension (Capital Improvement Project #4004). (Staff – Weigel)

- B. **Resolution No. 2567**
A Resolution Of The City Of Wilsonville Adopting, Authorizing, And Ratifying Addendum No. 6 To The Development Agreement Of May 24, 2004 By And Between The City Of Wilsonville, The Urban Renewal Agency Of The City Of Wilsonville, And Villebois LLC Relating To Development Of Property Known As Villebois Grande Pointe (staff – Kohlhoff)

- C. Minutes of the January 21, 2016 and February 1, 2016 Council Meetings. (Staff – King)

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

Vote: Motion carried 5-0.

PUBLIC HEARING

- A. **Resolution No. 2566**
A Resolution Approving A Rate Increase For Republic Services Of Clackamas And Washington Counties For Solid-Waste And Recycling Collection And Disposal In The City Of Wilsonville. (Staff – Ottenad)

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Ms. Jacobson read the title of Resolution No. 2566 into the record.

Mayor Knapp announced the public hearing format and opened the public hearing at 8:07 p.m.

Mark Ottenad presented the staff report. Republic Services, Inc. is the successor in interest through acquisition of the City's solid-waste collection franchise that is governed by Ordinance No. 204 (1982). Republic Services provides a full-range of solid-waste services, including collection and disposal of garbage, large bulky items, recyclable materials and yard debris. Franchisee was last granted a 4.0 percent rate increase effective August 1, 2013.

Section 13 of Ordinance No. 204 provides six (6) total criteria that the Council "shall consider" in "determining the appropriate rate to be charged by the Franchisee":

- "1. The cost of performing the service provided by the franchisee;
- "2. The anticipated increase in the cost of providing service;
- "3. The need for equipment replacement and the need for additional equipment to meet service needs; compliance with federal, state and local law, ordinances and regulations; or technological change;
- "4. The investment of the franchisee and the value of its business and necessity that the franchisee shall have a reasonable rate of return;
- "5. The rates in other cities for similar services;
- "6. The public interest by assuring reasonable rates to enable the franchisee to provide efficient and beneficial service to the residents and other users of the service."

It appears that Wilsonville's rates will be below the average of all the rates aggregated throughout the region.

Councilors were concerned the original proposal for the rate increase for the two smallest sizes of commercial carts received the greatest rate increase. In response to this Republic Services offered an option "B" alternative, the commercial rates for the two smallest carts would be reduced, while the industrial rates would be increased by 25 cents per unit.

City staff notified the community of the requested rate increase and public hearing through media releases, web posts, social media and 12,500-circulation monthly Boones Ferry Messenger. The February 2016 issue of the all-city newsletter featured a front-page article on the proposed rate change. Similarly, the Jan. 27, 2016, edition of the Wilsonville Spokesman featured a large, above-the-fold article on the proposed rate change. Both articles featured a convenient link to the City's website page, www.ci.wilsonville.or.us/RateRequest, which includes background information on the rate increase request and a comment form.

Mr. Ottenad suggested the need for a new franchise agreement since the current agreement dates from 1982. Staff would welcome the direction to work with Republic Services to update the agreement.

A lengthy discussion followed, wherein the Councilors raised these concerns and/or questions or made the following suggestions:

- The franchise agreement should be updated and reflect competitive pricing
- It was suggested to lower the rates for the 20-gallon residential and 35-gallon commercial carts to \$15.00.
- Provide motivation and incentives for reducing the volume of trash by offering the smallest sized cart at a lower rate.
- Consider a reduced rate for seniors or small households.
- Provide trash pickup once per month for low trash generators.

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- Clarify the costs of fuel when the costs have gone down dramatically, and the use of CNG is increasing.
- How large is Metro's influence on the rates charged by Republic Services.
- Set a profit margin in the contract with a true up at the end of the year.
- Use Metro Community Enhancement Funds to subsidize households having difficulty paying for service; or to subsidize the \$15.00 20-gallon residential and 35-gallon commercial cart rates. Staff would need to look into this and return with information.
- Value of recyclable materials is down.
- Consider Lake Oswego's program as an example.
- Concern that 20-gallon cart residential users would put overflow trash into the recycling or yard waste bins.
- Sharing of a cart by neighbors with low volume of trash.
- Staff cautioned that unintended consequences may occur if policy changes were not thoroughly thought through.
- The 4.4% rate increase was questioned, and whether it was an absolute number.

Mayor asked if there was public comment on Resolution No. 2566, seeing none he closed the public hearing at 9:02 p.m.

Mr. Cosgrove asked if the Mayor wanted to give Republic Services an opportunity to work their numbers, and if so he recommended leaving the public hearing open.

Mayor Knapp said he would reopen public comment if we were going to do that. If Republic Services would like to caucus, does staff feel like they have some sense of the discussion of Council and what they would like.

Mr. Cosgrove recommended that Council give direction on the two choices either subsidizing in-class or subsidizing out of class, or some combination thereof.

Councilor Fitzgerald thought having heard eighty percent of customers are being served with the small commercial can, that is she suggested a \$15.00 rate for those two smallest cans. Back to in-class, if the small commercial could be included, if we went to a rate on the largest residential rates, my figures show that its about 52 cents a gallon on the 65-ballon; 74 cents on the 35-gallon, so maybe those two could go up and keep the 20-gallon can at 75 cents per gallon. So one is not penalized, as you are now, paying \$1.15 because you are generating the least amount of trash.

Mr. Cosgrove thought the \$15 was a pretty dramatic swing of what we were talking about, because we were talking about different things than what I heard the mayor say. Addressing Republic Services representatives the City Manager asked if they would be able to discuss the fees tonight.

Mr. May said they would look at the figures, and again the preference is to like we did on our Option B and look at the industrial rates and stay out of class.

Councilor Starr asked if the commercial cans were available to everyone who lives in an apartment complex, or is one can assigned to each apartment. If it is a common dumpster, he did not know how incentives for reduced trash would be successful.

Mr. May these are individual carts assigned to each unit.

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Councilor Lehan suggested Republic Services caucus and not be limited to the \$15.00 but if they come up with something else. She did not want to push the differential too much between the three different residential cart sizes. There should be incentive, but as was mentioned before, it will be hard for a family to maintain a 20-gallon cart.

Mayor Knapp suggested Council consider an \$18.00 rather than a \$15.00 which will change the dynamic and it would be his personal preference to spread the differential amongst the rest of the residential and commercial rates, rather than the industrial rates.

Mr. Cosgrove suggested the representatives from Republic Services consider unintended consequences when they are discussing the numbers.

Mr. Ottenad confirmed the residential 20-gallon and the commercial 35-gallon carts are to be addressed.

Republic Services representatives and staff left to discuss the cart rates.

Mr. Cosgrove asked for a brief recess to allow the City Attorney to talk with the Mayor about the public hearing script.

Mayor Knapp declared a recess and reconvened the meeting at 9:22 p.m.

B. Ordinance No. 784 – 1st reading

An Ordinance Of The City Of Wilsonville Annexing Approximately 8.72 Acres Of Territory Located At The Southwest Corner Of SW Day Road And SW Boones Ferry Road Into The City Limits Of The City Of Wilsonville, Oregon. The Territory Is More Particularly Described As Tax Lots 400, 500 And 501 Of Section 2B, T3S, R1W, Washington County, Oregon, Universal Health Services, Inc., Willamette Valley Behavioral Health, Applicant. (Staff – Neamtzu)

C. Ordinance No. 785 – 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 8.72 - Acres Comprising Tax Lots 400, 500 And 501 Of Section 2B, T3S, R1W, Washington County, Oregon, Universal Health Services, Inc., Willamette Valley Behavioral Health, Applicant. (Staff – Neamtzu)

D. Ordinance No. 786 – 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 City's Planned Development Industrial – Regionally Significant Industrial Area (PDI-RSIA) Zone On Approximately 8.72 - Acres Comprising Tax Lots 400, 500 And 501 Of Section 2B, T3S, R1W, Washington County, Oregon, Universal Health Services, Inc., Willamette Valley Behavioral Health Facility, Applicant. (Staff – Neamtzu)

City Attorney Jacobson indicated the three ordinances may be taken concurrently in the public hearing and presentation. Ms. Jacobson read the title of Ordinance No. 784, Ordinance No. 785, and Ordinance No. 786 into the record noting the Council would make separate motions on each ordinance.

Mayor Knapp announced the public hearing format and opened the public hearing for all three ordinances at 9:24 p.m.

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Councilor Fitzgerald declared that she had attended the Development Review Board meeting when the proposal was reviewed, however, it would not affect her decision.

No members of the audience challenged any Councilor's participation in the public hearings.

Mr. Neamtzu presented the staff reports for the three ordinances via PowerPoint, noting the applicable review criteria were included in the three staff reports, which were made available at the side of the room.

Following their review at the January 25, 2016 meeting, the Development Review Board, Panel B, recommended approval of Annexation, Comprehensive Plan Map Amendment and Zone Map Amendment for the subject property. The DRB approved Stage I Preliminary Plan, Stage II Final Plan, Site Design Review, Type C Tree Removal Plan and Class II Signs for are included for reference.

Mr. Neamtzu identified the location of the property in the Coffee Creek Industrial Area, the property borders and the features of the site. He identified a grove of London Plane trees on the site which will be protected and become a prominent feature in the development. The overhead utility lines crossing the property will be undergrounded as part of this project on both Day Road and Boones Ferry Road.

Universal Health Services Inc., Willamette Valley Behavioral Health (applicant) is seeking to annex 8.72 acres and adjacent SW Day Road and SW Boones Ferry Road right-of-way which would enable them to pursue development applications for an approximately 62,000-square foot Behavioral Health Facility. Annexation Ordinance No. 784 is consistent with Comprehensive Plan Map Amendment Ordinance No. 785 and Zone Map Amendment Ordinance No. 786. The applicant proposes to construct the project over the next year.

The Comprehensive Plan designation would be Future Development 20; Washington County has one designation for both Comprehensive Planning and Zoning; whereas Wilsonville has a two map system where the property would be put into the Industrial category on the Comprehensive Plan Map consistent with all of the industrial development in the City.

The Zone Map amendment would take the property from FD-20 to PDI-RSIA, and this is the first piece of property the City would zone in the PDI-RSIA.

The DRB reviewed the Stage I Master Plan, the Stage II Final Plan and the site design review package.

Mr. Neamtzu displayed the site plan pointing out Day Road is a three lane facility now, the project would provide an additional 16.5 feet of right of way on Day Road. The City's TSP shows Day Road at full build out as a five-lane cross section.

The parking lot, drive aisles and circulation was identified; the applicant is proposing 140 parking spaces. This number is based on the shift change numbers that are likely to occur for employees. Staff and the applicant spent quite a bit of time discussing the number of parking spaces, and in staff's professional opinion 140 is the appropriate number based on shift changes, guest and visitor experience at the site and the 100 bed facility. A large grove of native fir trees on the west side provides a significant buffer to the properties to the west. Large Douglas fir trees are found on the south side as well.

The building will be located on the setback line and will have central courtyards where visitors would have access to outdoor space and programs held in the courtyards.

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Approval of the proposed ordinances would enable development of an approximately 62,000-square foot behavioral health facility with adult inpatient crisis stabilization services and mental health programs, inpatient child and adolescent services, inpatient geriatric services, autism programs, women's programs, substance abuse treatment, and behavioral pain management, as well as outpatient services. In addition, the facility will serve a number of veterans with behavioral and mental health needs.

The DRB reviewed the request for two waivers, the first is height. The Day Road overlay requires a 48 foot building height, but the applicant is requesting a 38 foot building. The applicant has requested a waiver on the glazing. The Code requires 20% glazing on Day Road and Boones Ferry Road. The Day Road frontage was more prominent and important from a glazing perspective, the applicant has 24% glazing on Day Road, and it is satisfied on the Day Road frontage. The waiver request was for 4% less on the Boones Ferry Road side and the applicant will address the operational and privacy issues for the clients at the facility.

Overall the two frontages combined achieve a 20% glazing, but technically when the code is applied the Boones Ferry Road frontage is four percent shy; however the applicant has done a number of things to activate the public right of way by bringing in an art element and district gateway signage for the entire Coffee Creek Area at the corner of Boones Ferry and Day Roads. These are the tradeoffs staff considered when evaluating a waiver request. The applicant came forward with tree preservation, public art and the district gateway signage.

Mr. Neamtzu talked about the location of the building on the property, the floor plan of the buildings, the architectural renderings of the building elevations, the landscaping plan, the tree preservation plan, the signage plan, and the public art possibilities.

Councilor Starr asked how the structuring of the annexation and purchase work, did the purchase take place first, and then the annexation? He also questioned the adequacy of the number of parking spaces.

Mr. Neamtzu had not been apprised of the real estate purchase transaction; typically there is an option to purchase and the property purchase is finalized after the approval. Regarding the number of parking spaces, Mr. Neamtzu explained staff considered the number of employees per shift as well as shift overlap, the nature of the business, the visitor blocks, and patients driving themselves to the facility to arrive at the number of spaces.

Councilor Fitzgerald wanted to know how the patients arrived and left the facility.

Mr. Neamtzu said the applicant team would cover how patients arrived and were released. The annexation will bring the territory into SMART's service area, allowing SMART to benefit from the payroll tax generated.

Councilor Stevens asked if the street and sidewalk improvements were being paid for by SDCs as well as the gateway wall and sign. Mr. Neamtzu indicated all of those public improvements were the obligation of the developer.

Mayor Knapp asked for a motion to extend the meeting past 10 p.m.

Motion: Councilor Starr moved to continue the City Council meeting past 10 pm to 11 pm. Councilor Fitzgerald seconded the motion.

Vote: Motion carried 5-0.

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Mayor Knapp called for the Applicant's presentation.

Steve Pfeiffer, Land Use Attorney, 1120 NW Couch, Portland, 97204 spoke on behalf of the Applicant. Mr. Pfeiffer understood the decision by Council was a policy decision on whether to annex and if so, what comp map and zone map designations to assign to the property. This was a traditional course for annexation and the applicant was in support of both. The applicant is providing a strong and significant sense of what they propose to do with the property, should the Council approve the annexation and the comprehensive map and zone map changes. Locating the mental health facility in Coffee Creek will provide a strong employment base and with a series of architectural, pedestrian and transportation infrastructure as an amenity that goes beyond what one might expect from an employment user. Mr. Pfeiffer introduced the members of the applicant team.

Rob Minor, Director, Universal Health National Director of Development, described who Universal is, their mission and history and why they've come to Wilsonville.

Ken Sandblast, Westlake Engineering, Director of Planning, led the team in the preparation of the application.

Ron Escarda, North West Region Operations for Universal Health Services, will discuss the operations of the facility, the experiences encountered in other locations and what the City can expect.

Ken Sandblast, Director of Planning at Westlake Consultants, explained a community meeting and open house was held in January 2016, and 100 different property owners were notified and invited to attend the event. Less than 10 people came to the open house but those attending the open house provided good feedback. Mr. Sandblast indicated the applicant has been working with City staff for over a year and the site plan is the result of that collaboration. He discussed the evolution of the site plan and identified unique features. The original plan was more traditional than what the Council is viewing; when an industrial site develops one looks to taking the property out to the edges and to develop it as part of its industrial use. This use does not do that, during the pre-app staff was clear the original traditional site plan was not acceptable in Wilsonville. The parking area is designed to work with the ground and minimize the grading for the site, allowing the predominant stand of trees on the site to be saved. The facility was located in the north east corner; the gateway was made a key feature of the project. Landscaping is approximately 40 percent of the site.

Mr. Sandblast showed slides of the project. The building was designed to create a plaza that is open to the public connectivity; the front of the building faces Day Road and creates a plaza for both the public and users.

Questions:

Councilor Lehan asked what the average length of stay was for patients.

Mr. Escarda said the typical length of stay was 9-12 days, depending of the programing and functional blend. It is a short stay crisis stabilization facility. They do not do long term commitments; it is essentially a private, freestanding behavior health facility with relatively short stays.

Councilor Starr wanted to know if the applicant had any concerns regarding the amount of parking.

Mr. Escarda did not. He was comfortable with the parking numbers; his facility in Kirkland is a 156 bed hospital and they have about 197 spaces which is sufficient to meet all of the needs, even for the different

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schools that come in to do clinical rotation sessions. The Certificate of Need is for 100 beds giving them a finite capacity they cannot grow beyond, leaving the variable of the outpatient services. Should the outpatient services outstrip capacity, they will be moved into the community in rented and/or leased spaces.

Councilor Starr commented it did not look like there was a point to turn a car around at the end of the parking lot on the east end to leave.

Elizabeth Hutter, CEO of Cedar Hills Hospital in Portland, pointed out one can back into the far spaces and then pull forward with a three-point turn, which is successful at her hospital.

Councilor Starr asked about what “crisis intervention facility” would mean to neighboring business, and the possibility of risk.

Mr. Escarda replied many of their facilities are in industrial or commercial areas as well as residential settings. Cedar Hills is within a residential area, and the neighborhood is shared with residents, apartment buildings and small businesses, the same with the Kirkland Washington facility which neighbors a high school, fire department and residential area. Neither of those facilities have had issues with the community. Crisis intervention and crisis stabilization, our entire purpose and mission is to provide a quiet peaceful, serene location for patients who are having mental illness or in the middle of a significant life crisis to work through those issues. Everything we do programmatically, esthetically from a management perspective is geared towards facilitating that kind of experience for clients and patients and for their families. He did not foresee any issue with the neighboring businesses. It will be a locked, secure facility, except for the lobby.

Councilor Fitzgerald wanted to know how the UHS staff interacted with the community.

Mr. Escarda said the staff of UHS interacts with the community in a variety of ways: they support non-profits and other agencies in the community; they are sponsors of the National Alliance of the Mentally Ill (NAMI). Staff interacts with church groups, host AA groups in the facility, staff volunteers and typically live in the community where a hospital is located. The jobs are well paying and attract medical professionals who live in the community. UHS provides adolescent suicide education and prevention resources to schools, churches and civic groups.

Councilor Fitzgerald asked how patients arrive and depart from the hospital.

Mr. Escarda explained there was no set or finite ratio, the majority of the patients arrive either in the company of family or friends, or via ambulance because they are being transferred from emergency departments or other transferring facilities as well as serving patients who walk in the front door. UHS has the ability to provide free assessments and act as a referral and triage service for the community. One can call the facility and ask for information and services, whether UHS provides them or not, UHS will help you find those services in the community. They integrate with the community service providers acting as a triage center

Mr. Minor added many of their patients come from emergency rooms of med-surg hospitals where they have been admitted and they need psychiatric services so they come to us by medical transport.

Mr. Escarda noted the majority of our patients are brought to our facility, dropped off and picked up later; few of our patient population drive themselves to the facility and park their cars for 9-10 days and then

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leave. Typically they leave accompanied by a family member or social services agency responsible for the next level of care.

Councilor Fitzgerald wanted a summary of the types of cases that would be handled at this facility specifically and the range of ages.

Mr. Escarda said from a clinical perspective UHS is a free standing facility, focusing on mental health issues and behavioral health diagnosis. Patients are suffering from depressive disorders, mood disorders, and defective disorders, stress issues resulting in trauma or PTSD. Twenty to forty of the beds will be dedicated to care for children and adolescents. The typical diagnosis is people suffering from an immediate short-term mental health crisis. They are either suicidal or gravely disabled and not able to care for themselves because of their mental illness, and they need medical attention, intervention and/or stabilization so they can be returned to a physical and emotional state of being where they can go back to conducting their normal lives. The typical client profile is your friends and family and neighbors who are going through a significant mental illness. They are not those who are forensically committed, criminally insane or sexual offenders. Patients range in age from children to adults.

Mayor Knapp asked how UHS related with the other institutions in the community such as Oregon Institute of Technology and Pioneer Pacific College for example.

Mr. Escarda responded UHS provides teaching around behavioral health, and medicine around behavioral health; the majority of our facilities host students from nursing programs for psychiatric clinical rotations, MSW students, provides intern rotations for third year medical students from UW medical school, and offers four Ph.D. programs with internships at the Kirkland facility. UHS is open to be a teaching facility when there is opportunity and interest in the community. UHS is not typically involved with correctional facilities.

The Mayor asked how long accreditation from the state took and how that aligns with the construction of the hospital. He also asked if the neighborhood outreach raised any concerns.

Mr. Escarda indicated the Certificate of Need application was submitted to the Oregon Department of Health a month ago and they expect to receive a decision within 90 days, followed by a 30 day appeal period, followed by design and construction. They anticipate starting construction this year.

Mr. Sandblast said adjacent property owners were concerned about the existing vegetation and the lighting. The lighting plan was approved and vetted through the DRB. The west and south property lines have a substantial change in topography and it creates a natural transition. He indicated they had spoken with the neighboring property owner and expects to continue to do so throughout the process.

Ms. Jacobson clarified Council is deciding on the annexation tonight. However, there would be no entitlement, so if the project did not go forward, a new zoning application would have to be submitted.

Mr. Cosgrove reiterated the annexation would go through, but there is no entitlement based on the annexation. They would have to pay property taxes to the city for a vacant piece of property, but no use would be assigned to the property.

Councilor Starr asked if the property would become more valuable once it is annexed.

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Mr. Cosgrove thought that would be based on the market, it would make it easier to market the property if it was in the City, but that's a benefit to the city as well because it is expediting the land use process for a use we want to see.

Councilor Starr asked if there was some kind of assurance if the property was annexed, it would be for this project only.

Ms. Jacobson stated there was no assurance the applicant would be able to build, they still need to get the Certificate of Need from the State. If UHS could not build, the site would be available for another industrial use that would fit the requirements of City Code and a new application would go through the planning process.

Mayor Knapp called for public testimony in favor of, opposed and neutral to the proposal. Seeing none, he closed the public hearing at 10:38 p.m. and called for any further comment from the Applicant.

Representative of UHS were excited about being in Wilsonville. They complimented City staff who facilitated the discussions and who made the project better.

Motion: Councilor Lehan moved to adopt Ordinance No. 784 on first reading. Councilor Fitzgerald seconded the motion.

Vote: Motion carried 5-0.

Motion: Councilor Fitzgerald moved to adopt Ordinance No. 785 on first reading. Councilor Lehan seconded the motion.

Vote: Motion carried 5-0.

Motion: Councilor Stevens moved to adopt Ordinance No. 786 on first reading. Councilor Fitzgerald seconded the motion.

Councilors thought this was an excellent project and it will be a beneficial addition to the community.

Vote: Motion carried 5-0.

Mayor Knapp read the rules of appeal into the record for all three ordinances.

Motion: Councilor Fitzgerald moved to change the order of the agenda to address the requested rate increase by Republic Services. Councilor Stevens seconded the motion.

Vote: Motion carried 5-0.

The City Council returned to the Public Hearing Item "A" Resolution No. 2566 regarding the requested rate increase by Republic Services at this time.

Mr. Ottenad indicated Mr. May and Mr. Lonergan prepared a table showing (below) the following: Proposed A is the original proposal; Proposed B is the modification Option B; Proposed C is the \$18.00 per cart Council requested for the smallest residential and commercial carts; Proposed D is a modification

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of Proposed C, where the smallest cart is \$20.00. Republic Services explained the issues they are considering and why they are offering an alternative Option D.

**Republic Services – City of Wilsonville – 2016 Rates Effective 3/1/16
Exhibit 1 February 18, 2016 Council Meeting**

Rates that are unchanged from the original are not represented in this chart.

	Quantity	Current Rate	Proposed A	Proposed B	Proposed C	Proposed D
Residential Cart Rates						
20 gallon	555	\$21.84	\$23.00	\$23.00	\$18.00	\$20.00
35 gallon	2497	24.54	25.89	25.89	26.69	26.37
65 gallon	996	32.34	34.12	34.12	34.92	34.60
Commercial Rates						
35 gallon	136	16.48	25.89	21.85	18.00	20.00
Industrial Rates						
10 yard	336	103.88	115.25	115.25	116.80	116.00
20 yard	975	103.88	115.25	115.25	116.80	116.00
30 yard	934	141.80	145.25	145.25	146.80	146.00
40 yard	860	163.38	165.25	165.25	166.80	166.00
10 yard compactor	237	106.00	115.00	115.25	116.80	116.00
20 yard compactor	439	138.22	145.00	145.25	146.80	146.00
30 yard compactor	93	201.40	205.00	205.25	206.80	206.00
40 yard compactor	149	268.39	275.00	275.25	276.80	276.00

Mr. May explained the input provided by Council was considered. He pointed out no rate adjustments were made to the commercial rates for carts greater than 35-gallon which is where most of the multi-family residents fall. Intentionally they were excluded to reduce the impact on multi-family residents. They did not want to over incentivized people to use the 20-gallon residential carts resulting in increased contamination of the comingle stream and yard debris.

Mayor Knapp observed the subsidy of Proposed C and Proposed D is contained in the larger sized residential carts, and the commercial subsidy is contained in the industrial adjustment. He asked if Council had specific questions of the applicant or staff.

Councilor Starr understood Council was looking at Proposed D, because after Republic Services reviewed the rates, they felt more inclined to go with Proposed D because there would be a decreased effect of people comingling. If we want to achieve the ultimate goal, Proposed D would reach more of the desired effect of a combination of a policy decision and doing the right thing for the environment.

Councilor Fitzgerald thought Proposed D would be a good solution, and it achieves signaling to residents that we care about generating less trash, and not increasing costs, and not impacting the industrial rates. For the interest of moving forward the Councilor preferred Proposed D.

Councilor Stevens agreed, but she was concerned people would opt for the 20-gallon cart, and then have an event where the cart is overflowing and the balance goes into the recycling bin. She hoped this did not create the incentive to switch to the 20-gallon cart when the 35-gallon cart is the appropriate cart size for their household.

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Mayor Knapp asked if Republic Services felt this was a reasonable approach and preferable to postponing a decision for a month to allow more work.

Mr. May said it was preferable, the incentive for the 20-gallon cart is achieved in that it is now \$2.38 lower than the average; the 35-gallon cart is now just 30 cents above the average; and the 65-gallon cart is below the average. They were comfortable with Proposed D.

Mr. Cosgrove noted the residential rates are being equalized, even though it is termed a 35-gallon commercial rate – it really is residential.

Motion: Councilor Lehan moved to approve Resolution No. 2566 with the rates indicated in Proposal D. Councilor Fitzgerald seconded the motion.

Councilor Lehan thanked Republic Services for their willingness to make the adjustments and work through the issues.

Mr. Cosgrove commented the City works with a lot of franchisees and every time we ask Republic Services to do something for the community, whether it is leaf day or shred they are very responsive and a pleasure to work with. Thank you for the community support you provide as well.

Councilor Fitzgerald thanked Republic Services for indulging in the conversation; she looked forward to the policy changes and for keeping our city clean and safe.

Mayor Knapp heard that Council favors staff to rework the statute and meet with the contractors and franchisees and bring back to Council an updated ordinance to control our solid waste contact.

Mr. Cosgrove indicated staff will move forward with the review of the franchise agreement and bring that back to Council.

Mayor Knapp wanted to know if Council preferred to see small annual increases as compared to a larger increase every three years.

Mr. Cosgrove recommended learning what the best practices are and what works for both entities which would be considered and incorporated into the agreement.

Councilor Starr asked if there was a way to help people who are having trouble paying their garbage bills.

Mr. Cosgrove recommended making that a separate to address later. If Council was interested in using the Metro Enhancement Funds or a portion of them to help folks of a certain income level, then that is direction Council can give to Staff. The Metro Enhancement Committee is newly formed; we can have that discussion as part of this new committee.

Councilor Stevens has volunteered to chair the Metro Enhancement Funds committee but they have not met yet, to earmark anything without a discussion before the committee meets is premature.

Mr. Cosgrove was not aware of anyone who has asked for help paying their garbage bill. If it is something Council is interested in, staff can explore it; it is a separate issue than dealing with the franchisee.

Vote: Motion carried 5-0.

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Mr. Cosgrove confirmed the direction to staff is to work with Republic Services to update the franchise agreement.

NEW BUSINESS

A. **Resolution No. 2565**

A Resolution Of The City Of Wilsonville To Amend The Year 2000 Urban Renewal Plan To Add Property, Remove Property And Add A Project, The Tenth Amendment. (Staff – Kraushaar)

Ms. Jacobson read the title of Resolution No. 2565 into the record.

Mayor Knapp recused himself since he owns property in the Old Town area, in the abundance of caution, and stepped down from the dais.

Council President Starr assumed the gavel.

Ms. Kraushaar presented the staff report via PowerPoint. On November 7, 2014, the Wilsonville City Council adopted the October 27, 2014 Urban Renewal Strategic Plan (the “Strategic Plan”) which recommends:

- Removing acreage from existing urban renewal areas in order to be able to create a new urban renewal area in Coffee Creek Industrial Area;
- Moving the “Old Town Escape” Project from the West Side Urban Renewal Plan to the Year 2000 Urban Renewal Plan to enable completion of the project;
- Reallocating funding for “livability projects” to Town Center planning.

This type of amendment is considered a minor Council Approved Amendments pursuant to Section 1200 of the Plan. Resolution No. 2565 adopts the proposed amendment to the Year 2000 UR Plan.

Upon adoption, the boundary of the Year 2000 Urban Renewal Area will be modified to remove and add property. Additionally, upon adoption of this resolution the “Old Town Escape” project, which has been removed from the West Side Urban Renewal Plan, will be added to the Year 2000 Plan. These actions will free up acreage to allow the creation of an urban renewal area in Coffee Creek Industrial Area and provide \$7 million for the “Old Town Escape” project implementation between Boones Ferry Road and Kinsman Road.

This amendment will not become effective until after the Second Amendment to the West Side Urban Renewal Plan goes into effect. On February 1, 2016, the City Council adopted on second reading Ordinance 783 which enacted the amendment to become effective 30 days thereafter. The resolution states that the 10th amendment will become effective on March 2, 2016. Termination of this Plan is anticipated for 2019/2020.

Motion: Councilor Stevens moved to approve Resolution No. 2565. Councilor Fitzgerald seconded the motion.

Vote: Motion carried 5-0.

Mayor Knapp returned to the dais at this time.

B. **Resolution No 2568**

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A Resolution Of The City Of Wilsonville Authorizing The Mayor To Approve And Sign The Final Version Of The Agreement Of Understanding Between The City Of Wilsonville, The State Of Oregon Department Of Transportation, The City Of Newberg, Yamhill County, Clackamas County, And The Ladd Hill Neighborhood Association Regarding Newberg-Dundee Bypass Phase 1/ OR 219 / Wilsonville Road. (Staff – Kraushaar)

Ms. Jacobson read the title of Resolution No. 2568 into the record.

Ms. Kraushaar presented the staff report.

A City of Wilsonville resolution authorizing the Mayor to approve and sign the final Agreement of Understanding – Newberg-Dundee Bypass Phase 1/OR 219/Wilsonville Road. The most recent draft was provided to the City Council. As the document is finalized, the mayor will be authorized to approve and sign the agreement on behalf of the City Council. This will facilitate final approval of the agreement by all parties and advance design changes to satisfy City of Wilsonville concerns regarding current project design impacts on Wilsonville Road safety and system management and operations.

The City of Wilsonville City Council and staff have been working with the Oregon Department of Transportation (ODOT), the Ladd Hill Neighborhood Association, the City of Newberg, Clackamas County, and Yamhill County to resolve concerns about potential safety and traffic impacts on Wilsonville Road associated with the future Phase 1 Newberg-Dundee Bypass.

These stakeholders have concluded that changes to the current project plan will result in a superior design for the Wilsonville Road intersection with OR 219. The preferred design is called Option 4 Final Environmental Impact Statement (FEIS) Wilsonville Road Relocation (Option 4 FEIS). The subject resolution describes the changes and allows the Mayor to approve and execute the Agreement of Understanding that will acknowledge each of the parties' understanding and agreement to the design change. The Agreement of Understanding will move forward the design changes supported by the City of Wilsonville. Time is of the essence to advance changes to the recently advertised contract for the Bypass project. The changes are expected to be designed and constructed by August 2020.

The Option 4 EIS design will resolve concerns about safety and increased traffic on Wilsonville Road that were anticipated with an OR 219/Wilsonville Road intersection configuration directly across from the Newberg-Dundee Bypass connection to OR 219. Ms. Kraushaar described the turning movements to access Wilsonville Road through the temporary intersection, and the final intersection design. Staff thanked Representative Davis and his efforts to convince ODOT to change the design and secure the funding for the intersection.

Motion: Councilor Fitzgerald moved to approve Resolution No. 2568. Councilor Starr seconded the motion.

Councilor Fitzgerald thanked everyone for their work on achieving an acceptable resolution.

Vote: Motion carried 5-0.

CITY MANAGER'S BUSINESS – No report.

LEGAL BUSINESS – No report.

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ADJOURN

Mayor Knapp adjourned the meeting at 11:18 p.m.

Respectfully submitted,

Sandra C. King, MMC, City Recorder

ATTEST:

Tim Knapp, Mayor