

City of Springfield  
Regular Meeting

MINUTES OF THE REGULAR MEETING OF  
THE SPRINGFIELD CITY COUNCIL HELD  
MONDAY, JUNE 5, 2006

The City of Springfield Council met in regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon, on Monday, June 5, 2006 at 7:00 p.m., with Council President Woodrow presiding.

ATTENDANCE

Present were Councilors Ballew, Fitch, Ralston, Lundberg, Woodrow, and Pishioneri. Also present were City Manager Gino Grimaldi, Assistant City Manager Cynthia Pappas, City Attorney Joe Leahy, City Recorder Amy Sowa and members of the staff.

Mayor Leiken was absent (excused).

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilor Woodrow.

SPRINGFIELD UPBEAT

CONSENT CALENDAR

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

1. Claims
2. Minutes
  - a. May 1, 2006 – Work Session
  - b. May 1, 2006 – Regular Meeting
  - c. May 8, 2006 – Work Session
  - d. May 15, 2006 – Work Session
  - e. May 15, 2006 – Regular Meeting
  - f. May 22, 2006 – Work Session
  - g. May 22, 2006 – Special Regular Meeting
3. Resolutions
  - a. RESOLUTION NO. 06-23 – A RESOLUTION ADOPTING CHANGES TO THE ENGINEERING DESIGN STANDARDS AND PROCEDURES FOR DEVELOPMENT OF PUBLIC INFRASTRUCTURE WITHIN THE CITY OF SPRINGFIELD.
4. Ordinances

5. Other Routine Matters

ITEMS PULLED FROM THE CONSENT CALENDAR

PUBLIC HEARINGS

1. Annexation of Territory to the City of Springfield (Bui Journal Number LRP2006-00011).

RESOLUTION NO. 06-24 – A RESOLUTION INITIATING ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF SPRINGFIELD AND REQUESTING THAT THE LANE COUNTY LOCAL GOVERNMENT BOUNDARY COMMISSION APPROVES THE ANNEXATION BY EXPEDITED PROCESS.

City Planner Sarah Summers presented the staff report on this item. The applicant and owner have requested annexation of 0.88 acre of property located at West Quinalt Avenue approximately 200 feet west of Tamarack Street. Portions of West Quinalt Avenue and Fairview Drive will also be annexed. The area to be annexed is vacant. The purpose of the annexation is to allow the development of a Low Density Residential (LDR) subdivision. No annexation agreement was required.

The City Council is authorized by ORS 199.490(2)(a)(B) to initiate annexation upon receiving consent in writing from a majority of the electors registered in the territory to be annexed and the owners of more than half of the land to be annexed. Consent from the property owner has been given, and there is no residence or registered voters on the site. The applicant is proposing to combine the property to be annexed with Tax Lots 1000 and 3601 which are already inside city limits to form a 10-lot single family subdivision. The applicant plans to complete the cul-de-sac on West Quinalt Avenue and extend urban services to the site. The properties are within the UGB and are adjacent to the Springfield city limits. The City can ensure a minimum range of key urban services including but not limited to police, fire protection, library, parks and recreation, storm sewers, sanitary sewer and schools. The Springfield Utility Board (SUB) will serve the future subdivision.

The City Council Resolution, if approved, will be forwarded to the Lane County Local Government Boundary Commission. The owner is requesting the Expedited Annexation procedure through the Boundary Commission in order to be able to proceed as quickly as possible with the subdivision process which must be completed so houses can be built.

Councilor Woodrow opened the public hearing.

No one appeared to speak.

Councilor Woodrow closed the public hearing.

**IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR BALLEW TO ADOPT RESOLUTION NO. 06-24. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.**

2. Proposed Resolution Adopting Amendments to the Regional Wastewater System Development Charge (SDC) Methodology.

RESOLUTION NO. 06-25 – A RESOLUTION OF THE CITY OF SPRINGFIELD  
COMMON COUNCIL ADOPTING AN AMENDED METHODOLOGY AND CHARGE  
SCHEDULE FOR THE REGIONAL WASTEWATER SYSTEM DEVELOPMENT  
CHARGE AS SET FORTH IN THE SPRINGFIELD MUNICIPAL CODE.

Environmental Services Supervisor Ravi Brooksbank presented the staff report on this item. Council action is needed to implement amendments to the Regional Wastewater SDC Methodology, which were approved by the Metropolitan Wastewater Management Commission (MWMC).

In January of 2006, the MWMC contracted with Galardi Consulting to research available information related to wastewater system capacity requirements for non-residential users for the purpose of assessing wastewater system development charges. Ms. Galardi found that, for the most part, MWMC's existing SDC methodology, schedule and assumptions appear to be consistent with current industry practices; however, she made several recommendations for modifications to the SDC fee schedule related to eating and drinking type establishments.

The recommended changes include adding two new establishment types to the rate schedule and amending four existing establishment types. To accurately reflect existing flow and strength, three regular restaurant types were assigned a lower flow and higher strength. The drinking establishment type would be divided into two types to include one with minimal food preparation and one with restaurant food like preparation. Finally, a category was added for restaurant types with minimal food preparation. These proposed changes are highlighted in the attached Regional Wastewater SDC Methodology – Appendix D.

In addition to the proposed modifications stated above, staff made recommendations to the Commission for amending the methodology to allow the SDC rate schedule, which is based on project costs, to be periodically escalated by the Engineering News Record national 20-city average Construction Cost Index (ENR-CCI). This is typical in the industry and consistent with Springfield and Eugene practices.

At the Council's May 22<sup>nd</sup> work session, staff presented proposed amendments. In addition, staff informed Council that MWMC conducted a public hearing and adopted the updated methodology on April 20<sup>th</sup>, 2006. No testimony was provided at the public hearing. The Council discussed the methodology changes and was informed that the amendments would be brought to the Council's public hearing on June 5<sup>th</sup>, 2006.

Councilor Woodrow opened the public hearing.

1. Keri Schneider, 2718 Chad Drive, Eugene, OR Ms. Schneider said she was here on behalf of her father, Gary Hunt, owner of a Subway sandwich shop. She read from a letter from her father: "As small business owners who are subjected to the SDC fee structure in 2005, we would like it to be known that we support this new amendment being brought before you up for consideration. We believe this amendment to be fair and that the new calculations to determine the SDC fee for a Subway sandwich shop or a deli sandwich type shop is close to what we actually generate in wastewater. For our company, the issue is that we wanted to open a Subway sandwich shop on Gateway Street last year. We were aware of the SDC fee requirements and were expecting to pay a fee to cover the costs to deal with the wastewater that we would generate, but we found however, was that we were being classified with much larger food servers who generate more than double the amount of wastewater that we do and

we were being asked to pay the same fee that they would be charged. We have an investment of over \$175,000 into this restaurant, which for us is significant. The total SDC charges under the current calculation made the investment in our store almost \$189,000. It is our opinion that the amended version with the new calculations will make it significantly easier for smaller business people in our category to have a greater chance of achieving success with the start-up of their new Springfield based business. In June of last year I paid the amount required under the current fee system, but sent a letter asking if the City would consider changing the way that our type of business was categorized to more closely match what our actual wastewater amount is. The result of that were the proposed changes being discussed tonight. We are requesting that the contents of this letter be read into the Council meeting records.”

Councilor Woodrow closed the public hearing.

**IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR BALLEW TO ADOPT RESOLUTION NO. 06-25. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.**

3. Request for Metro Plan Amendment, Zone Change and Master Plan Amendment (PeaceHealth).

ORDINANCE NO. 1 – AN ORDINANCE AMENDING THE METROPOLITAN AREA GENERAL PLAN DIAGRAM BY REDESIGNATING APPROXIMATELY 3.5 ACRES OF LAND FROM MEDIUM DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL AT THE GATEWAY MDR SITE. (FIRST READING)

ORDINANCE NO. 2 – AN ORDINANCE REZONING 3.5 ACRES OF LAND FROM MEDIUM DENSITY RESIDENTIAL TO MEDICAL SERVICES IN ACCORDANCE WITH THE METRO PLAN DIAGRAM. (FIRST READING)

PeaceHealth has filed applications which, if approved, would allow it to expand its medical campus into portions of the 12 acres it purchased north of its approved master plan. These applications represent three separate actions:

- The first is a proposed plan amendment that would change the Metro Plan diagram by redesignating 3.5 acres of Medium Density Residential (MDR) plan designation to Community Commercial (CC) plan designation.
- The second rezones the 3.5 acres from MDR to Medical Services (MS) because hospitals are permitted uses in the MS zoning district.

The third is to amend the RiverBend Master Plan to include the additional acreage.

Approval of the applications will allow sufficient area north of the hospital to split the approved parking structure into two separate buildings and relocate them further to the north. This will provide room to move Building D from the west side of RiverBend Drive to the east and to modify roadways, utilities, vehicle and pedestrian circulation and surface parking lots. A list of the specific changes is contained in Attachment 4.

The Planning Commission held a public hearing on the applications on May 2, 2006 and voted to recommend that the Council approve the requests with conditions. Attachment 4 contains the

Planning Commission's recommended changes to the master plan conditions of approval in legislative format. The City Council is the approval authority for all three applications. Subsequent to the Planning Commission's public hearing, additional information related to storm drainage has become available. The City Engineer wishes to address it with new master plan Condition of Approval # 77 (see Attachment 3). This new condition is of a technical nature that doesn't require the application of discretionary judgment. Therefore, the Planning Commission's recommendation on the matter is not necessary.

Councilor Woodrow opened the public hearing and asked Council members to disclose any ex parte contact on this subject.

Councilor Fitch said she had no ex parte contact.

Councilor Pishioneri said he had no ex parte contact.

Councilor Woodrow said he had no ex parte contact.

Councilor Lundberg said she had conversations with landowners in that area, but their conversations had nothing to do with this subject.

Councilor Ballew said she had no ex parte contact.

Councilor Ralston said he had no ex parte contact.

Mr. Stephens said this was a quasi-judicial public hearing. Testimony and evidence submitted by participants this evening must be directed at the criteria as listed on the charts on the wall behind the Councilors. Failure to raise an issue with sufficient specificity to afford the decision makers and the parties an opportunity to respond to the issue may preclude an appeal to the Land Use Board of Appeals (LUBA) based on the issue. Mr. Stephens said he had presented the staff report during the work session. The applicant, represented by Phillip Farrington, had requested ten minutes to explain the complexity of the proposal.

Mr. Stephens noted that in addition to the two ordinances which had been read into the record, there was also an amendment to the RiverBend Master Plan which was adopted as a final decision by the City Council, rather than an ordinance. That was the third application. The final decision would be submitted in the Consent Calendar with the two ordinances at a later meeting.

Mr. Stephens said the Planning Commission held a public hearing on the applications on May 2, 2006 and voted to recommend that the Council approve the requests with conditions. Those conditions appeared as Attachment 5 included in the Agenda Packet. Staff recommended Council approve the proposed applications with the Planning Commission's conditions of approval.

1. Phillip Farrington, PeaceHealth, 123 International Way, Springfield, OR Mr. Farrington represented PeaceHealth. He thanked Council for this time to speak. He reminded Council that in March 2005, Council approved the Master Plan presented to them by PeaceHealth. Shortly after that approval, he was notified that a group of physicians wanted to make the medical center more robust which would require a change in the Master Plan. He said at that time, work began on the proposed amendments which were now before Council. He said the amendments represented a great improvement to the Master Plan approved a year ago. Council had originally wanted PeaceHealth to build the structured parking in the Master Plan. At that time, PeaceHealth did not own the property to the north. He explained how acquiring that property helped to reconfigure the parking structure in a much better way. He said there was slightly more structured parking in the proposal compared with the original plan. He said as part of the site plan modification following approval of this application, nearly forty percent of total parking provided onsite would be in structure at no subsidy to the taxpayer.

He said the extension of St. Joseph Place and RiverBend Drive connecting the two met one of the conditions established in the original Master Plan. The structured parking met another condition. The proposal had the benefit of improving wayfinding, circulation and access, not only to the hospital but to the other key medical facilities. It preserved the existing access to properties east of Baldy View Lane and impacts to neighboring properties were being minimized. These were improvements to the Master Plan while still staying within the zoning allowance in the original Master Plan, keeping it under 99 acres of CC or MUC on the site. There was still adequate land on site for MDR housing and the trip cap remained the same. He said he was available to answer questions.

2. Adam Kerner, Anshen and Allen Architects, 16720 15<sup>th</sup> Avenue NW, Shoreline, WA Mr. Kerner spoke in support of the amendments. He said his practice and the practice of his firm was designing first rate health care facilities, hospitals, around the country and in the United Kingdom. He said they had worked on the RiverBend project for four or five years. He recalled when he and members of his firm first saw the site and the opportunity for the top notch hospital facility of their careers. He said it had proven to be a great opportunity and the vision had grown. He said one of the steps PeaceHealth was willing to take regarding this project was their willingness to provide structured parking on a site like this. He said many hospitals would pave the site and put in a sea of parking. PeaceHealth wanted to do the right thing to provide better wayfinding, closer access for patients to their medical facility, and provide a level that was more calming and soothing. He said the original Master Plan was somewhat awkward in accommodating the structured parking on site. He said there was a hope to make it more efficient and clear for patients and their families as they arrived at the hospital and the proposed amendments did just that. He said it was a minor amendment, but the affect was rather dramatic and that was the intent of the amendments. He said he was available to answer any questions.
3. Dr. Rick Kincade, PeaceHealth Medical Group, 1162 Willamette Street, Eugene, OR Dr. Kincade spoke in support of the amendment. He said he would be the primary tenant of the RiverBend Medical Facility known as Building D on the original Master Plan. In the proposed amendment, the building would move across to be adjacent with the hospital. He said he represented the Oregon Medical Group which included 120 physicians. Over half of those physicians would be housed in that facility and would primarily be surgery and medical specialists as well as some primary care physicians. He said they planned on having imaging services at this site, a pharmacy and a small amount of retail specific to medical care. He said the movement of the building to the new location would provide easier access for patients. He discussed the benefits of the new proposed parking structures for patients and providers. He said the group was excited about the opportunity to service the hospital and the community.
4. Dr. Christine Kollmorgan, 1200 Hilyard Street, Suite 450, Eugene, OR Dr. Kollmorgan spoke in support of the amendments. She said she was a general surgeon and president of Northwest Specialty Clinics, a group of 37 specialists that would be located in the north building in the proposed Master Plan. She said although the specialists are separate from PeaceHealth, they do share the same vision and were excited to move on to provide viable, long-term, sophisticated health care in this community. Essential to having a successful medical community such as this, required a pleasant atmosphere for the patient, including easy access to and from the facility. She said they were very pleased with the final result and the new Master Plan.
5. Jim Hanks, 4765 Village Plaza Loop, Suite 201, Eugene, OR Mr. Hanks spoke in support of the proposed amendments. He discussed the circulation for the parking at the site. He said the new plan was far superior to the old plan. He explained. He said they were very concerned about having a sea of parking at the site. He said each time a meeting was held

regarding this site, discussion was held regarding the outcome to enhance the healing mission of the hospital. He said parking fulfills that in many ways. He said during the site review the parking would be more defined. He discussed the reduction of actual number of employees on site at the new campus compared to the existing campus due to the RiverBend annex several blocks away that was now housing Oregon Medical Labs (OML). He said the number of beds would also be reduced, so fewer parking stalls on campus would be required. The plan did allow flexibility regarding parking.

Councilor Pishioneri asked about Building I's parking being moved south.

Mr. Farrington said an early minor amendment included moving of the building.

Councilor Pishioneri asked about Building D being moved, the parking and the pond.

Mr. Farrington said the pond was a separate issue that may change to a different type of water feature. The area where Building D was originally located could be left for surface parking if needed. This was the flexibility in parking Mr. Hanks had discussed.

Councilor Lundberg asked about concerns from neighbors along GameFarm Road several years ago regarding the buildings or the parking closer to the road. She asked what the plans were for trees, etc. so the neighbors would not be looking at parking.

Mr. Farrington said all buildings on the west side of MLK Parkway were essentially the same as in the approved Master Plan. They had always proposed along GameFarm Road a multi-use path along the frontage, but also a landscaped buffer within a thirty-foot setback, triple that which was required. He said they did talk with the neighbors about another use besides MDR in that area, so this new proposal may be preferable to the neighbors. Some of the buildings would provide sound buffer from the road noise from the MLK Parkway. Any individual site plan would come before staff for review which would show precise building locations.

Councilor Lundberg said it was important to keep the City and Council informed of the activities going on in that area. She referred to the recent closure of GameFarm Road.

Mr. Farrington apologized for not notifying Councilor Lundberg personally. He did notify the president of the GameFarm neighbors and there were some signs posted. He said they did it on the weekend in the hope to minimize the impact to the neighborhood and in advance to the other closures coming with the roundabout project.

Councilor Lundberg appreciated that and noted the importance for the citizens to know how they could get around when these projects come along.

Mr. Farrington said they held a neighborhood meeting with about 40 residents about six weeks ago. Another meeting would be scheduled later this month or in July. Representatives from the City and ODOT would be present at that meeting to discuss the projects, staging areas and impacts.

Mr. Stephens said he did not need to respond to any of the testimony.

Councilor Ralston said this was a perfect example of the kind of common sense amendments he liked to see. He said he had been very adamant about the parking structures and he didn't want to

see a lot of on street parking. The proposed configuration made much more sense for the doctors and the patients. He was very happy to see this process take place.

Councilor Woodrow closed the public hearing.

NO ACTION REQUESTED. FIRST READING ONLY.

#### BUSINESS FROM THE AUDIENCE

1. Kenneth Raymen, 2150 Laura Street #25, Springfield, OR Mr. Raymen said he lived along the section of Laura Street between Harlow Road and Highway 126. He said the section was only six-tenths of a mile. He said the northern and southern ends were under County jurisdiction and the center three-tenths of a mile was under City jurisdiction. He said the County sectors had been extensively upgraded in recent years, whereas the center section had remained the same. He said it had been very dangerous without shoulders for easy pedestrian access. In the Spring of 2005, he went to the Lane County Board of Commissioners Capital Improvement Program (CIP) meeting and made the following requests: 1) construct a paved, walkway/bike path on the east side of the center section of Laura Street; and 2) reduce the 40 mph speed limit on the six-tenths of a mile on Laura Street. Initial County response was a \$900,000 project for the three-tenths of a mile that would be built no sooner than 2011. This Spring he attended the County's Road Advisory Committee meeting and said the proposed project was unnecessary and that all that was needed was his original request. A County employee took Mr. Raymen aside and said something was in the works that he would probably be satisfied with, and he was right. A month ago, the walkway/bike path was constructed and the \$900,000 project was off the board. He said the construction was a joint effort between the County and the City. He thanked the Board of Commissioners last month at their meeting and he was thanking Council tonight at their meeting. He said he had also been informed the City had submitted its request to ODOT to reduce the speed limit. He said the quick turnaround on this project was due to the need to reroute traffic during the construction of the Roundabout on Harlow Road and Pioneer Parkway to Laura Street and 5<sup>th</sup> Street. The walkway/bike path made Laura Street safer for the thousands of residents who live nearby.

#### COUNCIL RESPONSE

#### CORRESPONDENCE AND PETITIONS

1. Correspondence from Stefano Viggiano, LTD Director of Development Services, P.O. Box 7070, Eugene, OR Thanking Council for their Approval to Proceed to the Next Step of the Pioneer Parkway EmX Project Development.
2. Correspondence from Buck Biggs, Best Cash, 1840 Main Street, Springfield, OR Regarding Electronic Data Reporting.
3. Correspondence from Bill Dwyer, Chair, Lane County Board of Commissioners, 125 East 8<sup>th</sup> Avenue, Eugene, OR Regarding Lane Metro Partnership.

**IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR BALLEW TO ACCEPT THE CORRESPONDENCE FOR FILING. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.**

#### BIDS

## ORDINANCES

### BUSINESS FROM THE CITY COUNCIL

Councilor Fitch discussed the winning teams from Oregon State University in softball.

### BUSINESS FROM THE CITY MANAGER

### BUSINESS FROM THE CITY ATTORNEY

1. Property Acquisition for the 42<sup>nd</sup> Street Reconstruction Project, Main Street to Mt. Vernon Road (P20457).

RESOLUTION NO. 06-26 – A RESOLUTION AUTHORIZING THE INSTITUTION OF A PROCEEDING IN EMINENT DOMAIN FOR THE ACQUISITION OF PROPERTY INTEREST FOR 42<sup>ND</sup> STREET RECONSTRUCTION PROJECT, CITY OF SPRINGFIELD PROJECT NO. P20457 AND THE IMMEDIATE POSSESSION OF PROPERTY.

Civil Engineer Jeff Paschall presented the staff report on this item. Phase 2 of the 42<sup>nd</sup> Street project is in the final design phase and is scheduled to go out for bids this summer. In order to meet this goal, all of the necessary right of way must be secured. When the right of way acquisition process began, Lane County, on behalf of the City, had 17 parcels to negotiate. To date, the County has successfully completed negotiations for all but one of these parcels, which is the same parcel we discussed with Council on May 1, 2006. Unfortunately, the owner of this parcel has rejected the City's initial offer and has declined to submit any written counteroffers. Although Lane County staff has continued verbal negotiations, we remain unable to negotiate satisfactory terms for acquisition of the necessary right of way based on fair market value. As a note, the City normally funds this type of project by assessing a share of the cost to each benefiting property owner with property fronting the proposed road project. In this case, however, the City has secured funding not only to pay for the full costs of the street improvements, but also to pay property owners for needed property acquisitions.

In December 2004, the City and Lane County entered into an Intergovernmental Agreement (IGA) for Right of Way Acquisition Services. Under the terms of the IGA, the attached resolution will authorize Lane County to proceed with eminent domain. If the condemnation process continues to conclusion without reaching a satisfactory settlement to both parties through negotiation, a jury (or judge if both parties agree) will decide the value of the property based on expert testimony (appraisers).

In order for the project to remain on schedule, staff asks the Council to exercise powers of eminent domain and adopt the resolution.

Mr. Paschall also noted that the property owner declined to sign a permit of entry to allow the project to continue moving ahead while they continued with negotiations. In an effort to keep the project moving ahead, Council was being asked to utilize their power of eminent domain and adopt the attached resolution.

Councilor Ralston said he would never support powers of eminent domain. He said he would rather keep the citizens happy rather than having them feel the City was enforcing eminent domain.

Councilor Woodrow asked if this was the only property remaining.

Mr. Paschall said a few others were still being negotiated, but those appeared to be in the process of being resolved at this time. Most of the property owners had accepted the appraisals Lane County had received.

IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR BALLEW TO ADOPT RESOLUTION NO. 06-26. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 1 AGAINST (Ralston).

ADJOURNMENT

The meeting was adjourned at 7:40 p.m.

Minutes Recorder Amy Sowa

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Sidney W. Leiken  
Mayor

Attest:

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City Recorder