



CITY COUNCIL MEETING MINUTES

February 24, 2022 at 7:00 PM

City Hall Council Chambers & Remote Video Conferencing

CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Thursday, February 24, 2022. The Mayor called the meeting to order at 7:12 p.m., followed by roll call and the Pledge of Allegiance.

PRESENT

Mayor Julie Fitzgerald
Council President Kristin Akervall
Councilor Charlotte Lehan
Councilor Ben West
Councilor Joann Linville

STAFF PRESENT

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Kimberly Veliz, City Recorder
Miranda Bateschell, Planning Director
Philip Bradford, Associate Planner
Zoe Mombert, Assistant to the City Manager

3. Motion to approve the following order of the agenda as amended.

Motion: Move to approve the order of the agenda as amended.

Motion made by Councilor West, Seconded by Council President Akervall.

Vote: Motion carried 5-0.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor Lehan, Councilor West, Councilor Linville

MAYOR'S BUSINESS

4. Upcoming Meetings

The Mayor report on the following past meetings and events:

Interviews for Arts, Culture and Heritage Commission

- Over the past couple of weeks, the Mayor conducted several interviews of applicants who seek to serve on the City's new Arts, Culture and Heritage Commission; and the Parks and Recreation Advisory Board.
- The City was fortunate to receive an excellent set of applications from a variety of community members with diverse backgrounds. The Mayor shared she looked forward to advancing for Council consideration nine (9) of the applicants for confirmation to the Arts, Culture, and Heritage Commission and one (1) applicant to the Parks and Recreation Advisory Board.

Tour of ESS, Inc.

- The City had the pleasure of being the site for the regional economic-development agency Greater Portland Inc. meeting. During the meeting, they looked at climate smart industries in the City of Wilsonville.
- The Mayor shared Councilor Linville and Matt Lorenzen, Economic Development Manager also attended the meeting.
- The group toured ESS, Inc., or Energy Storage Solutions is a rapidly growing company that makes large, industrial, grid-grade 'iron-flow' batteries that are environmentally sustainable.
- In addition, a presentation by a panel from PGE and others discussed energy storage.
- After the tour, the City hosted a luncheon meeting at the nearby Parkway Woods High-Tech Campus to discuss economic-development issues for manufacturers in the climate-tech industry.

Tours of Wilsonville for Elected Officials

- The Mayor had the opportunity to host Metro Councilor Garret Rosenthal and Clackamas County Commissioner Paul Savas on tours of Wilsonville.
- Both of these elected officials serve in capacities that make land-use and transportation-funding decisions that directly affect Wilsonville.

Regional Meetings

- The Mayor attended the Washington County Coordinating Committee meeting, C4 Metro Subcommittee, the Washington County Commission Chair and Mayors meeting and the French Prairie Forum meeting.
- Topics of discussion at these meetings have tended to focus on ODOT's I-205 Toll Program and Regional Congestion Pricing Program, as well as the pending update to the Regional Transportation Plan.

Testimony before the Oregon Transportation Commission (OTC)

- The Mayor recalled that at the last Council meeting she had discussed issues of concern by area cities regarding the proposed I-205 Toll Program.
- The City followed suit and re-issued the January letter to the OTC last week, and the Mayor testified before the OTC.
- In addition, the Clackamas County Coordinating Committee (C4) drafted a letter regarding the same concerns.

Oregon Legislature Is in Session

- The Oregon Legislative Assembly has convened for the short session.
- The City, the League of Oregon Cities, the Metropolitan Mayors Consortium and others have been busy reviewing proposed legislation and considering testimony on potential bills to be heard in House and Senate committees.
- The Mayor shared she had spoken to Representative Courtney Neron about potential bills the City was considering testifying on.
- The City testified on proposed legislation modifying current “substantial completion law” that determines when and how housing development is substantially complete and occupancy permits issued.
- The City found that the proposed law is unnecessary and carries potential unintended consequences detrimental to both local governments and new homeowners.
- The amended bill now clarifies the public improvements and conditions of development a local government may require as an assessment of “substantial completion” prior to land use approval of a residential subdivision.
- The bill also creates a study group consisting of local government and housing industry representatives to analyze administrative procedures for approving residential construction projects, identify best practices, and propose regulatory changes necessary to reduce project approval time and increase residential construction.
- The City also testified in opposition to an Urban Growth Boundary Expansion bill and a proposed task force that would be a waste of taxpayer resources by focusing on the wrong issues for cities. The bill would do nothing to help cities to develop housing or industrial sites.

The Mayor report on the following upcoming meetings and events:

Oregon Department of Aviation - Aurora State Airport meetings

- Councilor Lehan and Community Development Director Chris Neamtzu plan to attend the second Aurora State Airport Master Plan Planning Advisory Committee on Tuesday, March 1, 3:00 p.m. to 5:00 p.m., on Zoom.
- Members of the public are welcome to observe and provide comments at the end of the meeting.
- After the PAC meeting, the Aviation Department is hosting a virtual Aurora State Airport Master Plan first Public Open House on Tuesday, March 1, 5:00 p.m. to 7:00 p.m.
- Links for these meetings are available on the City’s website.

City Attorney Interviews

- The Mayor announced the City Council would be conducting interviews for a new City Attorney Barbara Jacobson was retiring.
- The Mayor thanked Ms. Jacobson for her high-quality legal work; Ms. Jacobson has defended the City's public interests in multiple forums. Her latest victory was confirmed by the Oregon Supreme Court, which agreed that the Oregon Department of Aviation violated Oregon's public-process and land-use laws.

City Council Meeting

- The Mayor reminded the next regular City Council meeting is scheduled for Monday, March 7, 2022.

5. Arts, Culture, and Heritage Commission & Parks and Recreation Advisory Board Appointments

Arts, Culture, and Heritage Commission - Appointments (1-Year Term)

Appointment of David Altman, Elaine Swyt and Angela Sims to the Arts, Culture, and Heritage Commission for a term beginning 2/24/2022 to 6/30/2023.

Motion: Move to ratify the appointment of David Altman, Elaine Swyt and Angela Sims to the Arts, Culture, and Heritage Commission for a term beginning 2/24/2022 to 6/30/2023.

Motion made by Council President Akervall, Seconded by Councilor Lehan.

Vote: Motion carried 5-0.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor Lehan, Councilor West, Councilor Linville

Arts, Culture, and Heritage Commission - Appointments (2-Year Term)

Appointment of Steven Traugh, Joan Carlson and Jason Jones to the Arts, Culture, and Heritage Commission for a term beginning 2/24/2022 to 6/30/2024.

Motion: Move to ratify the appointment of Steven Traugh, Joan Carlson and Jason Jones to the Arts, Culture, and Heritage Commission for a term beginning 2/24/2022 to 6/30/2024.

Motion made by Council President Akervall, Seconded by Councilor Lehan.

Vote: Motion carried 5-0.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor Lehan, Councilor West, Councilor Linville

Arts, Culture, and Heritage Commission - Appointments (3-Year Term)

Appointment of Benjamin Mefford, Susan Schenk and Deborah Zundel to the Arts, Culture, and Heritage Commission for a term beginning 2/24/2022 to 6/30/2025.

Motion: Move to ratify the appointment of Benjamin Mefford, Susan Schenk and Deborah Zundel to the Arts, Culture, and Heritage Commission for a term beginning 2/24/2022 to 6/30/2025.

Motion made by Council President Akervall, Seconded by Councilor Lehan.

Vote: Motion carried 5-0.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor Lehan, Councilor West, Councilor Linville

Parks and Recreation Advisory Board – Appointment (Unexpired Term)

Appointment of Amanda Harmon to the Parks and Recreation Advisory Board for a term beginning 2/24/2022 to 12/31/2024.

Motion: Move to ratify the appointment of Amanda Harmon to the Parks and Recreation Advisory Board for a term beginning 2/24/2022 to 12/31/2024.

Motion made by Council President Akervall, Seconded by Councilor Lehan.

Vote: Motion carried 5-0.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor Lehan, Councilor West, Councilor Linville

COMMUNICATIONS

6. Family Empowerment Center

María de Lourdes Horton, Caitlin Sullivan and Andrew Kilstrom all representatives from the West Linn-Wilsonville School District presented details of the work of the district's Family Empowerment Center. The program was established to provide families with food, clothing, supplies, mental health resources and other support. The program allows families to take a more active role in the education of their children.

Council questions and comments followed the presentation.

CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS

*This is an opportunity for visitors to address the City Council on items **not** on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.*

There were none.

COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS

7. Council President Akervall

Provided details on the following meetings and events she attended:

- Tualatin Valley Fire and Rescue (TVF&R) Annual Award Ceremony
- Clackamas County Child Care Taskforce Meeting

Announced and provided information on the following upcoming events:

- City of Wilsonville Photo Contest

8. Councilor Lehan

Councilor Lehan shared her screen to display photos of tugboats owned by the Burner family whom own Wilsonville Concrete. She explained the Burners have a couple of vessel that they are getting rid of they are past their prime. Councilor Lehan explained the Burners are thinking of giving the 1937 tugboat named Lady B away. The hope is to give Lady B to either Willamette Falls and Landings Heritage Area Coalition and/or their foundation or perhaps a city park.

Councilor Lehan then showed another boat named Rainbow, which is a bit taller therefore, would require to be dismantled.

Announced and provided information on the following upcoming meeting:

- Aurora Airport meetings

Provided details on the following upcoming meetings she planned to attend:

- Memorial Park new skate park meeting

9. Councilor West

Recalled the Wilsonville Library turned 40 and wished the Library a happy birthday. Councilor West also congratulated the Dolly Parton's Imagination Library program for 10 years with Wilsonville Library.

10. Councilor Linville

Provide details of the C4 Metro Subcommittee:

- Recalled Governor Brown had issued Executive Order 20-04, which directed state agencies to reduce climate pollution. She explained in response to this order Land Conservation and Development Commission (LCDC) required the Oregon transportation planning rules and other related administrative rules be updated.
- The draft of the transportation and housing rules on reduction of the greenhouse gas emissions can be located on the oregon.gov website.
- The C4 Metro Subcommittee had not yet taken any action on these items.
- Council was reminded that earlier in the day Mark Ottenad, Public/Government Affairs Director sent them information that specifically related to the issues and concerns regarding implementation of tolling on Interstate 205.
- It was explained that the C4 Metro Subcommittee, C4 and regional groups in the area responsible for transportation issues had coalesced around and agreed with the issues and concerns and communicated these to ODOT on numerous occasions. However, the issues had not been fully addressed.
- The regional transportation plan and the Metro transportation improvement plan require amendments to be approved by the regional groups in order for tolling to move forward.
- The groups have decided to wait one month to give ODOT an opportunity to address the list of concerns and issues.
- ODOT stated if approvals of amendments were delayed then improvements on the Abernathy Bridge would also be delayed.

Councilor Linville attended the Greater Portland Inc. tour of ESS, Inc.

Clackamas Community College Board Member Woods notified Ms. Linville the college is preparing their application for the governor's Future Ready Oregon Competitive Workforce Readiness Grants for educational institutions. She planned to meet with Member Woods; Matt Lorenzen, Economic Development Manager; and ESS Inc. Human Resources Director to discuss the grant and the company's needs.

In addition, she reported attending the National Air Transportation Association meeting.

Lastly, Councilor Linville encouraged the audience to visit Lux Sucre in Charbonneau as it has a new location.

CONSENT AGENDA

The City Attorney read the Consent Agenda titles into the record.

11. **Resolution No. 2952**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With R.L. Reimers Co. For The Corral Creek And Rivergreen Lift Stations Rehabilitation Project (Capital Improvement Project #2105).

12. Resolution No. 2953

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With Braun Construction & Design, LLC DBA Braun Construction For Construction Of The 95th Avenue Storm Line Repairs Project (Capital Improvement Project 7062).

13. Resolution No. 2962

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement Contract Amendment With Stantec Consulting Services For Construction Support Services For The Willamette River Water Treatment Plant Expansion Project (Capital Improvement Project #1144).

14. Minutes of the February 7, 2022 City Council Meeting.

Motion: Move to approve the Consent Agenda as read.

Motion made by Councilor Lehan, Seconded by Councilor West.

Vote: Motion carried 5-0.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor Lehan, Councilor West, Councilor Linville

NEW BUSINESS

None.

CONTINUING BUSINESS

None.

PUBLIC HEARING

The City Attorney read the titles of Ordinance Nos. 854 and 855 into the record on first reading.

The Mayor provided the public hearing format and opened the public hearing at 8:12 p.m.

No Councilor declared a conflict of interest, bias, or conclusion from information gained outside the hearing. No member of the audience challenged any of the Councilor's participation.

Staff provided the staff report and PowerPoint, which has been made a part of the record.

The City Attorney reported no comments had been received since the Development Review Board hearing.

The applicant agreed with the information presented by staff.

The Mayor invited public testimony, seeing none the Mayor closed the public hearing at 8:22 p.m.

15. Ordinance No. 854 - 1st Reading (*Quasi-Judicial*)

An Ordinance Of The City Of Wilsonville Annexing Approximately 9.74 Acres Of Property Located On The West Side Of SW Stafford Road North Of SW Frog Pond Lane Into The City Limits Of The City Of Wilsonville, Oregon; The Land Is More Particularly Described As Tax Lots 100, 300 And 302, And A Portion Of SW Stafford Road Right-Of-Way, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Paul C. Chaney, Janene P. Chaney, Petitioners.

Motion: Move to adopt Ordinance No. 854 on first reading.

Motion made by Councilor Lehan, Seconded by Councilor West.

Vote: Motion carried 5-0.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor Lehan, Councilor West, Councilor Linville

16. Ordinance No. 855 - 1st Reading (*Quasi-Judicial*)

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Clackamas County Rural Residential Farm Forest 5-Acre (RRFF-5) Zone To The Residential Neighborhood (RN) Zone On Approximately 8.46 Acres On The West Side Of SW Stafford Road North Of SW Frog Pond Lane; The Land Is More Particularly Described As Tax Lots 100, 300 And 302, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Venture Properties, Inc., Applicant.

Motion: Move to adopt Ordinance No. 855 on first reading.

Motion made by Councilor Lehan, Seconded by Councilor West.

Vote: Motion carried 5-0.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor Lehan, Councilor West, Councilor Linville

CITY MANAGER'S BUSINESS

There was no report.

LEGAL BUSINESS

The City Attorney announced that this week the City of Wilsonville received two payments in full for court cases judgments. The City Attorney shared the court cases won by the City of Wilsonville had been for the Aurora Airport case and the Wilsonville Subaru case. She further explained neither of those judgments was going to make the City rich. However, the cases were milestones indicating that both cases are finally complete and the City was victorious. The City Attorney explained the City cannot recover attorney fees but can recover court costs. However, most of the court costs recovered are to be paid back to the state because cities do not pay filing. Therefore, the fees are more symbolic than anything else.

ADJOURN

Mayor Fitzgerald adjourned the meeting at 8:25 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Julie Fitzgerald, Mayor