



CITY COUNCIL MINUTES

August 05, 2024, at 7:00 PM

Wilsonville City Hall & 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 Monday, August 5, 2024. The Mayor called the meeting to order at 7:00 p.m., followed by roll call and the Pledge of Allegiance.

PRESENT

Mayor Fitzgerald
Council President Akervall
Councilor Linville
Councilor Berry
Councilor Dunwell

STAFF PRESENT

Amanda Guile-Hinman, City Attorney
Bill Evans, Communications & Marketing Manager
Bryan Cosgrove, City Manager
Dan Pauly, Planning Manager
Jeanna Troha, Assistant City Manager
Kimberly Veliz, City Recorder
Zoe Mombert, Assistant to the City Manager

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

Motion: Moved to approve the following order of the agenda.

Motion made by Councilor Akervall, Seconded by Councilor Berry.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Berry, Councilor Dunwell

Vote: Motion carried 5-0.

MAYOR'S BUSINESS

4. Upcoming Meetings

The Mayor updated the audience on the following items.

OMA Conference and MMC meeting

- July 2024 the Mayor attended the Oregon Mayors Association Annual Conference in Klamath Falls, and subsequently the Portland-area Metropolitan Mayors' Consortium meeting.
- At both meetings, the city mayors touched on some similar themes around housing and homelessness.
- The Supreme Court's ruling on the City of Grants Pass case regarding city authority over camping regulations on city property had plenty of discussion.
- It appeared that Oregon law would continue to guide how cities deal with this issue.
- There were several issues regarding what is termed as "objectively reasonable" standard that is entirely subjective and unworkable.
- This would be the source of extensive litigation, unless the Oregon legislature dealt with this issue, which the Mayor understood was being planned for the 2025 legislative session.
- The City's approach of having designated space for overnight camping appeared to be working.
- At the Metropolitan Mayors meeting the Metro's Supportive Housing Services bond-funded program was discussed.
- Metro appeared poised to bring changes to the program in the May 2025 election.
- The changes would provide both greater accountability for the implementation by the counties that oversee social services, and greater flexibility on the use of the funds to build new housing with supportive services.
- Clackamas County had been praised by cities for the County's willingness to assist cities with bond funding for the development of affordable housing.
- The County had provided to the City Metro bond funds for the construction of the Wilsonville Transit Center's new Transit Oriented Development affordable housing project.
- The City Attorney explained the funding is a little over \$500,00 over the next two fiscal years. Majority of the funding is going to emergency housing and rental assistance, motel vouchers, and a portion towards auto repair, gift cards for gas, Goodwill for clothing for job prep/interviews, and a portion will go to financial literacy courses. The city is also looking at installing personal charging stations.
- Overnight camping on private property. If you see someone camping on private property, email the City. Our camping code addresses camping on public property. Our entire system was based on the value of getting people out of homelessness. Information on camping can be found on our website.

Industrial and Residential Tours

- The Mayor and staff met July 2024 with industrial developers to tour the Basalt Creek and adjacent North Railroad UGB areas that are designated as future employment lands.
- As the Coffee Creek Regionally Significant Industrial Area continued to gradually build out, the City wanted to proactively look at future designated urban areas for new job employment growth.
- The City had an upcoming tour planned with staff from the Governor's Office and Land Conservation and Development, housing developers and real-estate interests to review residential housing development opportunities in Wilsonville.
- The tour would focus on the Town Center, the Wilsonville Transit Center TOD project, Villebois and the new Frog Pond West, South and East areas.

Aurora State Airport Master Plan Status

- The Mayor, along with Councilor Linville, attended the Oregon Department of Aviation's Aurora State Airport Master Plan Planning Advisory Committee work session.
- Councilor Linville is the City's representative on this committee and spoke in depth on this topic. There appear to be both good and bad aspects to where the master plan process is going.
- On a positive note, the Aviation Department has decided to not extend the runway south onto prime farmland of French Prairie.
- However, the Aviation Department still seeks to extend the runway by five hundred feet to the north to accommodate larger, heavier aircraft.
- The Oregon Aviation Department wants to either move the Wilsonville-Hubbard State Highway 551 or the Airport Air Traffic Control Tower to accommodate expansion of the Airport. Both proposals are multi-million-dollar projects that have questionable benefits for the public.
- As part of the Airport expansion, the Aviation Department proposes to take over one hundred acres of private property near the Airport that includes land zoned exclusively for farm use, rural residential and rural industrial.
- The nonprofit land-use conservation organization, Friends of French Prairie, started a people's petition opposing expansion of the Aurora State Airport.

DEI Committee Cultural Calendar for August

- The City's Diversity, Equity and Inclusion Committee has selected for each month various religious or ethnic dates of celebration and observance. During the month of August, the following dates of significance are recognized:
- International Day of the World's Indigenous Peoples
 - Celebrated August 9, 2024, recognizing the rich cultures, unique identities, and valuable contributions of Indigenous communities around the globe.
 - This day was proclaimed by the United Nations in 1994 to promote and protect the rights of the world's Indigenous population.
 - The City recognized the need to raise awareness about the issues faced by Indigenous communities and support their ongoing fight for justice and equality.

- National Senior Citizens Day
 - Celebrated August 21, 2024, a day dedicated to honoring the contributions, wisdom, and achievements of our senior citizens.
 - Established by President Ronald Reagan in 1988, this day recognizes the vital role older adults play in our families, communities, and society.
 - This is a day to express gratitude for the lives and legacies of the older adults in our community, honor their lifetime of arduous work, and ensure they receive the respect and care they deserve.
- Raksha Bandhan
 - This popular, traditional Hindu ceremony celebrated in South Asia and around the world is celebrated on August 19, 2024.
 - On this day, sisters of all ages tie a *Rakhi* around the wrists of their brothers, symbolically protecting them.
 - The expression Raksha Bandhan means "the bond of protection, obligation, or care."

Wilsonville Rotary

- Later in the month of August the Mayor would have the opportunity to address the Rotary Club of Wilsonville at one of their regular meetings.
- August 8, 2024, at Town Center Park was the final Rotary concert of summer. The concert was to feature Hit Machine.

Movies in the Park

- On August 9, the movie "Migration" was to be shown at Town Center Park.
- The last Movies at the Park for the season was scheduled for August 23, 2024, with the movie "Wish" being played at lower Memorial Park in the River Shelter.

Party in the Park

- The annual Party in the Park event was scheduled for August 22, 2024, in Town Center Park.
- This event was formerly known as the Community Block Party, Party in the Park featured amazing entertainment which included live music, family and kid activities, games and giveaways, food truck vendors, and civic engagement opportunities with City staff.

City Council Meeting

- August 19, 2024, City Council meeting was cancelled.
- Due to the Monday, September 2, 2024, Labor Day holiday, the next City Council meeting was scheduled for Thursday, September 5, 2024.

COMMUNICATIONS

5. Civics Academy Graduation

The Assistant to the City Manager briefly presented on the Wilsonville Civics Academy, formerly Citizens Academy. The program started in 2015 and over 250 community members had since participated.

The Civics Academy members join City staff for a three-hour meeting, once a month for seven months. The Civics Academy offered participants the opportunity to learn about the City's programs and operations, meet City staff and elected officials and get to know fellow community members. The program was designed to prepare community members for roles on local-government boards and commissions, as well as area non-profits.

This year one staff person, Communications and Marketing Coordinator Lyanna Hoang participated in the program as well.

To graduate, participants can only miss two meetings and those that graduate also receive a City sign.

The following participants were acknowledged for having 100% attendance at all the Civics Academy sessions:

Brittney Stanley	Duane Fromhart	John Fogerty
John West	Justin Evans	Melanie Wylie

The Mayor then awarded signs and/or certificates to graduates.

The list of graduates was as follows:

Sienna Brown	Justin Evans	John Fogerty	Duane Fromhart
Jeffrey Garcia	Cheryl Gore	Randy Gore	Laura Gubin
Kyle Hagmeier	Helen Hamilton	Alex Hansen	Creed Harmon
Katie Harrington	Shannon Kibler	Glenn Lancaster	Paige Lubke
Cynthia Pelegrini	Laurie Popp	Rosemary Ricken	Janis Sanford
Shreya Shettigar	Orel Smith	Brittney Stanley	Kristin Thylen
John West	Melanie Wylie	Cassidy Young	

Council and graduates then took photos.

The Mayor then recessed the meeting for a brief break for refreshments.

The Mayor reconvened the meeting at 7:52 p.m.

6. Community Survey Results

The Communications & Marketing Manager presented the biennial National Community Survey (NCS), which gauged resident satisfaction across several areas to help City Council and staff determine where to allocate future resources. The survey indicated that Wilsonville residents enjoy a high quality of life and are highly satisfied with Wilsonville's core services and amenities.

The PowerPoint displayed and report has been made a part of the record.

After the presentation Councilor questions and comments of staff ensued.

CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS

This is an opportunity for visitors to address the City Council on any matter concerning City's Business or any matter over which the Council has control. It is also the time to address 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 citizen input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

The following Wilsonville residents provided public comment:

- Doris Wehler
- Adam Cunningham

The Mayor addressed some of the comments made by the speakers.

COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS

7. Council President Akervall

The Councilor Akervall shared she had been away for some family activities so she would hold her report for the next City Council meeting. She did, however, want to call attention to the many events happening at the Wilsonville Library in addition to the Summer Reading Program.

8. Councilor Linville

The Councilor Linville reported on the following meetings:

- Greater Portland Inc. (GPI) Small Cities Consortium meeting on July 25, 2024
- Aurora State Airport Master Planning PAC meeting on July 30, 2024
- Wilsonville Community Opioid Settlement Funds meeting on July 31, 2024
- Opioid Settlement Prevention, Treatment and Recovery Board on August 7, 2024

9. Councilor Berry

The Councilor Berry reported on the following:

- Clackamas County Coordinating Committee (C4) Subcommittee meeting on July 17, 2024
- Basalt Creek Tour on July 31, 2024
- Housing Our Future Task Force meeting on August 6, 2024

10. Councilor Dunwell

The Councilor Dunwell reported on the following meeting:

- Housing Our Future Task Force meeting on August 6, 2024

- The audience was encouraged to attend this meeting to hear discussions on housing, though there would be no opportunity for comments. It was reminded that many housing decisions are influenced by state law, such as Oregon's House Bill 2001. Therefore, effective communication was essential to foster understanding and avoid discord within the community. The Councilor emphasizes the importance of building a future for the community, encouraging collaboration, and overcoming challenges together. With the hope to create a model for constructive dialogue, rather than resorting to social media conflicts.

CONSENT AGENDA

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

11. **Resolution No. 3103**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A First Amendment To The Professional Services Agreement With Brown & Caldwell, Inc. For Engineering Consulting Services For The Boeckman Creek Flow Mitigation Project (Capital Improvement Project No. 7068).

12. **Resolution No. 3165**

Authorizing The City Manager To Execute A Second Amendment To The Professional Services Agreement With Consor, Inc. To Provide Construction Support Services For The West Side Level B Reservoir And Tooze Road Transmission Main Project (CIP No. 1149/1150/1151).

13. Minutes of the June 3, 2024, City Council Meeting.

Motion: Moved to approve the Consent Agenda as read.

Motion made by Councilor Akervall.

Amended Motion: Moved to adopt the Consent Agenda as read.

Motion made by Councilor Akervall, Seconded by Councilor Linville.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Berry, Councilor Dunwell

Vote: Motion carried 5-0.

NEW BUSINESS

There was none.

CONTINUING BUSINESS

There was none.

PUBLIC HEARING

14. **Ordinance No. 892** - 1st Reading (*Legislative Land Use Hearing*)

An Ordinance Of The City Of Wilsonville Adopting Amendments To The City's Development Code And Nuisance Code To Implement The Frog Pond East And South Master Plan And Make Related Updates To Residential Development Regulations Citywide.

The City Attorney read the title of Ordinance No. 892 into the record.

Next, the Mayor read the public hearing script.

It was noted in the staff report published prior to the City Council meeting that the proposed amendments to the Wilsonville Code contemplated by Ordinance No. 892 were still under review by the Planning Commission. Thus, the Planning Commission had not yet provided the City Council with a recommendation on the proposed amendments. Therefore, per Wilsonville City Code the Mayor would as a result open the public hearing on Ordinance No. 892 and then ask for a motion to continue the public hearing to November 8, 24 at 7:00 p.m.

The audience was informed that those interested in testifying on this matter, had the following opportunities to testify: first, they could testify in writing or orally before the Planning Commission, which continued its public hearing on this matter to October 9, 2024, at 6:00 p.m. Second, those interested in testifying could submit written testimony to the City by emailing Dan Pauly, Planning Manager, at pauly@ci.wilsonville.or.us. Third, oral testimony could be provided at the continued City Council public hearing date, assuming that a motion to continue passed.

The Mayor opened the public hearing at 9:05 p.m. and asked if there was a motion to continue the public hearing to November 18, 2024, at 7:00 p.m.

Motion: Moved to continue the public hearing for Ordinance No. 892 to a date and time certain of November 18 ,2024 at 7:00 p.m.

Motion made by Councilor Linville, Seconded by Councilor Akervall.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Berry, Councilor Dunwell

Vote: Motion carried 5-0.

CITY MANAGER'S BUSINESS

The City Manager reported that the Parks and Recreation Department received a \$500,000 grant for Memorial Park for playground equipment and just received news that they would receive another \$500,000 grant.

LEGAL BUSINESS

The City Attorney recalled that at a previous City Council meeting the Western States Regional Council of Carpenters discussed concerns regarding the exploitation of workers on construction projects by subcontractors failing to pay people who are acting as employees under them. While this was not done by Palindrome or its affiliated entity, PacifiCap, there were concerns about a prior project where a subcontractor of PacifiCap failed to pay employees.

In response, the City included additional language in its development agreement with Palindrome that, not only is Palindrome required to follow BOLI prevailing wage laws, so must its general contractor and all subcontractors. The agreement also requires Palindrome to submit to the City of all payroll reports and other wage reporting it is required to provide to Bureau of Labor & Industries (BOLI) and Metro, so if there is any issue regarding payment of employees of any contractor on the project, it can mean that Palindrome defaults on the agreement with the City.

The City Attorney and City Manager met with representatives of the Western States Regional Council of Carpenters on July 17, 2024.

Western States Regional Council of Carpenters representatives asked the City to explore an ordinance that would amend the City Code to require that an applicant for a building permit for a project above a certain dollar amount must disclose all subcontractors that will work on the project and to have those subcontractors listed with the building permit for inspection by the public. That way, anyone, including the union, could review the building permit and subcontractors working on projects and, if there is an issue with alleged "subcontractors" working on projects who are not identified on the permit, the City can take enforcement action against the project.

Staff would explore the feasibility of the proposed ordinance and would return to Council with more details.

ADJOURN

The Mayor adjourned the meeting at 9:20 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Julie Fitzgerald, Mayor

DRAFT