



## CITY COUNCIL MINUTES

June 19, 2023 at 7:00 PM

Wilsonville City Hall & Remote Video Conferencing

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### CALL TO ORDER

#### 1. Roll Call

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, June 19, 2023. Mayor Fitzgerald called the meeting to order at 7:02 p.m., followed by roll call.

#### PRESENT

Mayor Fitzgerald  
Council President Akervall  
Councilor Linville  
Councilor Berry  
Councilor Dunwell

#### STAFF PRESENT

Amanda Guile-Hinman, City Attorney  
Andrew Barrett, Capital Projects Engineering Manager  
Bryan Cosgrove, City Manager  
Dwight Brashear, Transit Director  
Jeanna Troha, Assistant City Manager  
Kelsey Lewis, Grants & Programs Manager  
Kimberly Veliz, City Recorder  
Matt Lorenzen, Economic Development Manager  
Megan Adams, Law Clerk  
Zoe Mombert, Assistant to the City Manager

#### 2. Motion to approve the following order of the agenda.

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

Motion made by Councilor Akervall, Seconded by Councilor Dunwell.

#### Voting Yea:

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

**Vote:** Motion carried 5-0.

### 3. Pledge of Allegiance

Council, staff and the audience, recited the Pledge of Allegiance.

## **MAYOR'S BUSINESS**

### 4. Upcoming Meetings

The Mayor reported on the following events:

#### Frog Pond Primary School Groundbreaking

- The Mayor reported on the groundbreaking the prior week for the new Frog Pond Primary School.
- The Mayor and members of the City Council joined with West Linn-Wilsonville School District Superintendent Kathy Ludwig, School Board Chair Chelsea King, District Chief Operating Officer Pat McGough, and Capital Construction Manager Remo Douglas.
- The school will serve the rapidly growing Frog Pond neighborhood. This \$27 million primary school was scheduled to open in 2025 and accommodate up to 350 students.
- The new school will feature sustainable solar power panels, a high-efficiency energy envelope, bike access at multiple entrances and student safety measures such as a secure entry and intrusion-limiting glass.
- The plan features “learning neighborhoods” that integrate the school with the 10-acre property and covered patios.

#### Metro JPACT Washington DC Lobby Trip

- The Mayor reported on a recent trip to Washington DC with members of the Metro Joint Policy Advisory Committee on Transportation (JPACT). City staff on the trip included Mark Ottenad, Public/Government Affairs Director and Dwight Brashear, Transit Director.
- The Mayor shared there were presentations by the group about major projects such as:
  - Interstate 5 and the I-5 Boone Bridge needed improvements.
    - The Mayor stated it was made clear the City supported increased federal investment to improve the I-5 Boone Bridge and provide a safe bike/pedestrian and emergency-responder crossing over the Willamette River with the proposed French Prairie Bridge.
    - In addition, it was made clear that the Boone Bridge southbound auxiliary lane was also important.
  - SMART is a Federal Transit Administration direct-funding recipient for capital projects such as buses and supporting infrastructure.
    - During the trip Dwight Brashear, Transit Director reported on and discussed the City of Wilsonville’s transit program.
    - Over time SMART has won over \$3 million in competitive federal grants, including the purchase of “Low or No” emission buses powered by natural gas or electricity.
    - It was discussed that the City was seeking support for the proposed I-5 Bike/Pedestrian Bridge connecting over the highway the Town Center to the Wilsonville Transit Center.

- Another area of importance discussed was that the City has water rights to and operates water treatment and wastewater treatment plants on the Willamette River, which are subject to Federal Fish & Wildlife and US Army Corps of Engineers dam and river operations.
- The Mayor announced she and staff met privately with Senator Jeff Merkley and Congresswoman Andrea Salinas and staff members.
- Senator Merkley's staff asked about the situation with the Oregon Department of Aviation and the Aurora State Airport. They mentioned concern about the Federal Aviation Administration funding of the new Aurora State Airport Master Plan process.
- Congresswoman Salinas was interested in the proposed affordable housing Wilsonville Transit Center Transit Oriented Development (TOD). Congresswoman Salinas was glad to hear that the City was seeking support for the Federal Low Income Housing Tax Credit Program, which was administered by the State of Oregon.
- The Mayor and staff also met with Senator Ron Wyden and Congresswoman Suzanne Bonamici whom were interested in hearing about SMART's innovative transit programs, including Bus-on-Shoulder pilot projects with ODOT and proposed new service to Clackamas Town Center.
- In each of these meetings, the Congressional Briefing Booklet, created by staff was used to guide discussions.
- The Mayor shared besides the smoke from the Canadian wildfires, the trip was successful in presenting local issues of concerns with colleagues.

#### Juneteenth Celebration

- The Mayor and a number of Councilors attended the Juneteenth Celebration in Town Center Park hosted by the City's Diversity Equity and Inclusion Committee.
- This event commemorates the ending of slavery in the United States, and featured music, speeches, information booths and picnicking on the lawn. Swire Coca Cola, Hilton Garden Inn, and Oregon Tech. sponsored it.
- The Mayor shared the event provided a chance to reflect on the progress that has been made towards racial equality and justice, while acknowledging that more work still needs to be done.
- On behalf of the Council, the Mayor thanked members of the DEI Committee, who put the event together.

#### State Legislative Update

- The Senate reconvened after a lengthy walkout, which prevented a quorum for taking action on proposed legislation.
- House Bill (HB) 2662, which was an introduction of a bill to study advancement of the WES train from Wilsonville to Salem was waiting for consideration and was hoped to move forward.
- The bill was supported by cities up and down the Interstate 5 corridor.
- Senator Aaron Woods and Representatives Courtney Neron and Kevin Mannix had been instrumental in pushing to have this bill be one that has chance to be vote upon.

### “Pollinator Week” Proclamation

- The Mayor recalled in the Council packet was a proclamation for “Pollinator Week,” June 19 to 25, 2023.
- “Pollinator Week” was an annual celebration in support of pollinator health. It was also a time to raise awareness for pollinators and spread the word about what we can do to protect them.

### Council Meeting

- The next City Council meeting was scheduled for Monday, July 17, 2023. The first Council meeting of July was cancelled due to the Fourth of July holiday.

### 5. Boards/Commission Appointments/Reappointments

#### **Arts, Culture, and Heritage Commission – Reappointments**

Reappointment of Angela Sims and David Altman to the Arts, Culture, and Heritage Commission for a term beginning 7/1/2023 to 6/30/2026.

**Motion:** Moved to ratify the reappointment of Angela Sims and David Altman to the Arts, Culture, and Heritage Commission for a term beginning 7/1/2023 to 6/30/2026.

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.

#### **Arts, Culture, and Heritage Commission – Appointment**

Appointment of Sageera Oravil Abdulla Koya to the Arts, Culture, and Heritage Commission for a term beginning 7/1/2023 to 6/30/2026.

**Motion:** Moved to ratify the appointment of Sageera Oravil Abdulla Koya to the Arts, Culture, and Heritage Commission for a term beginning 7/1/2023 to 6/30/2026.

Motion made by Councilor Akervall, Seconded by Councilor Dunwell.

#### **Voting Yea:**

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

**Vote:** Motion carried 5-0.

#### **Kitakata Sister City Advisory Board – Appointment**

Appointment of Masaru Yatabe to the Kitakata Sister City Advisory Board for a term beginning 7/1/2023 to 12/31/2024.

**Motion:** Moved to ratify the appointment of Masaru Yatabe to the Kitakata Sister City Advisory Board for a term beginning 7/1/2023 to 12/31/2024.

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.

**Library Board – Appointment**

Appointment of Gay Walker to the Library Board for a term beginning 7/1/2023 to 6/30/2027.

**Motion:** Moved to ratify the appointment of Gay Walker to the Library Board for a term beginning 7/1/2023 to 6/30/2027.

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.

**Tourism Promotion Committee – Reappointment**

Reappointment of Elaine Owen to the Tourism Promotion Committee for a term beginning 7/1/2023 to 6/30/2026.

**Motion:** Moved to ratify the reappointment of Elaine Owen to the Tourism Promotion Committee for a term beginning 7/1/2023 to 6/30/2026.

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.

**Tourism Promotion Committee – Appointment**

Appointment of Sungmin Park to the Tourism Promotion Committee for a term beginning 7/1/2023 to 6/30/2026.

**Motion:** Moved to ratify the appointment of Sungmin Park to the Tourism Promotion Committee for a term beginning 7/1/2023 to 6/30/2026.

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.

**Wilsonville-Metro Community Enhancement Committee – Appointment**

Appointment of Albert McGee and Devon Thorson to the Wilsonville-Metro Community Enhancement Committee for a term beginning 7/1/2023 to 6/30/2026.

**Motion:** Moved to ratify the appointment of Albert McGee and Devon Thorson to the Wilsonville-Metro Community Enhancement Committee for a term beginning 7/1/2023 to 6/30/2026.

Motion made by Councilor Akervall, Seconded by Councilor Dunwell.

**Voting Yea:**

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

**Vote:** Motion carried 5-0.

**Washington County Coordinating Committee – Appointments**

Appointment of Council President Akervall as the primary representative and Mayor Fitzgerald as the secondary alternate representative to the Washington County Coordinating Committee for a term beginning 6/19/2023 to 12/31/2024.

**Motion:** Moved to ratify the appointment of Council President Akervall as the primary representative and Mayor Fitzgerald as the secondary alternate representative to the Washington County Coordinating Committee for a term beginning 6/19/2023 to 12/31/2024.

Motion made by Councilor Linville, Seconded by Councilor Berry.

**Voting Yea:**

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

**Vote:** Motion carried 5-0.

6. Y2K URA Closure Commemoration

There was a brief break for refreshments to celebrate the closure of the Year 2000 (Y2K) Urban Renewal Plan.

Matt Lorenzen, Economic Development Manager displayed a PowerPoint, which has been added to the record. The presentation commemorated the closure of the Year 2000 Urban Renewal Area, established in 1990 to fund new infrastructure development. The year 2000 Urban Renewal Plan was a tool and visionary plan for developing the City of Wilsonville, improving roads, parks, bike and pedestrian facilities, and other key infrastructure to support the growing community. This 33 yearlong plan from 1990 to 2023 had helped fund many important projects, and facilitated the community's development.

In closing Councilor Berry commented that as a newly elected Councilor she appreciated the walk through the history of the Year 2000 Urban Renewal Plan.

## **COMMUNICATIONS**

### **7. Clackamas Community College Bond Projects Update**

Clackamas Community College President Tim Cook and Board Chair Irene Konev shared a PowerPoint, which had been added to the record. The presentation detailed the many major improvements funded with the passage of a \$90-million bond measure in November 2014.

In closing, the Mayor thanked the presenters for sharing the presentation with Council.

## **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 citizen input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

Erin Yatabe, Wilsonville resident, relayed concerns about the Boeckman Trail Project. These concerns were also provided in writing and had been added to the record.

The Mayor informed the speaker that there would be more open houses on this project. The Mayor added that Council does pay attention to citizens concerns.

## **COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS**

### **8. Council President Akervall**

Council President Akervall attended and reported on the following events:

- Diversity, Equity and Inclusion Lecture on June 8, 2023
- Urban Renewal Task Force Meetings
- Frog Pond Primary School Groundbreaking on June 12, 2023
- Juneteenth Celebration on June 17, 2023

Council President Akervall shared details about these upcoming events:

- Clackamas Cities Association Dinner hosted by the City of Wilsonville on June 22, 2023
- Diversity, Equity and Inclusion Lecture at Clackamas Community College on July 6, 2023

9. Councilor Linville

Councilor Linville planned to attend:

- Clackamas Cities Association Dinner hosted by the City of Wilsonville on June 22, 2023

Councilor Linville attended and reported on the following meeting:

- Opioid Settlement Prevention Treatment and Recovery Board meeting on June 7, 2023

10. Councilor Berry

Councilor Berry attended and provided details on the following:

- Frog Pond Primary School Groundbreaking on June 12, 2023
- Clackamas County Coordinating Committee (C4) Subcommittee on June 14, 2023
- Juneteenth Celebration on June 17, 2023

Councilor Berry planned to attend:

- Clackamas Cities Association Dinner hosted by the City of Wilsonville on June 22, 2023
- Leaders in Sustainability Award Presentation on June 29, 2023

11. Councilor Dunwell

Councilor Dunwell reported on the following past events:

- Juneteenth Celebration on June 17, 2023
- Frog Pond Primary School Groundbreaking

Councilor Dunwell reported on the following upcoming event:

- Wilsonville Rotary Club's Through a Child's Eyes (TACE) event in August 2023

## CONSENT AGENDA

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

12. **Resolution No. 3054**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Consultant Contract With Pivot Architecture For The Design Of The SMART Facility Expansion Project.

13. **Resolution No. 3060**

A Resolution To Allocate Community Enhancement Funds For Fiscal Year 2023/2024.



14. **Resolution No. 3066**

A Resolution Of The City Of Wilsonville Authorizing Acquisition Of The Fourth Group Of Property And Property Interests Related To Construction Of The Boeckman Road Corridor Project.

15. **Resolution No. 3072**

A Resolution Of The City Of Wilsonville Acting Through Its South Metro Area Regional Transit Department, Authorizing The Fare Reduction On Route 1X In Coordination With Salem Area Mass Transit District To Enhance Equity To All Passengers.

16. **Resolution No. 3074**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement Contract Amendment With Carollo Engineers For The Wastewater Treatment Plant Master Plan Project (Capital Improvement Project #2104).

17. Sponsor Tax Reimbursement Agreement – Regionally Significant Industrial Sites

**Motion:** Moved to approve the Consent Agenda as read with the exception of the minutes.

Motion made by Councilor Linville, Seconded by Councilor Dunwell.

**Voting Yea:**

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

**Vote:** Motion carried 5-0.

**NEW BUSINESS**

18. Minutes of the June 5, 2023 City Council Meeting.

The City Attorney stated for the record the next item on the agenda was the minutes of the June 5, 2023 City Council meeting.

Councilor Berry noted a correction to the minutes. The Councilor recalled the Mayor was excused at the June 5, 2023 City Council meeting. Therefore, the minutes should reflect that Council President Akervall had called the meeting to order rather than Mayor Fitzgerald.

The City Attorney stated for the record, the section referred to was after the Called to Order, Roll Call, and Pledge Allegiance in the second sentence instead of Mayor Fitzgerald it should read Council President Akervall called the meeting to order at 7:06 p.m.

**Motion:** Moved to approve the minutes with the changes read into the record.

Motion made by Councilor Dunwell, Seconded by Councilor Berry.

**Voting Yea:**

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

**Vote:** Motion carried 5-0.

**19. Resolution No. 3059**

A Resolution Of The City Of Wilsonville Approving A Civil Exclusion Policy For City Facilities.

The City Attorney read the title of Resolution No. 3059 into the record.

Amanda Guile-Hinman, City Attorney reintroduced Megan Adams, Law Clerk. The duo then provided the staff report and PowerPoint, which had been made a part of the record.

Council was informed that at the dais they all received a revised version of the Civil Exclusion Policy. Based on the Council feedback revised policy implemented a flexible appellate procedure; clarified the writ of review authority for exclusions; categorized specific offenses to more appropriate tiers; increased exclusion periods for serious offenses; and expanded language to clarify offense parameters. In addition, the revised version clarified the language regarding offenses in which the penalty was an immediate exclusion for the remainder of the day with no warning; and provided clarification on affected offenses 22-24,27,37-40,43.

It was explained that Councilor Linville proposed some changes under written notice. Therefore, the City Attorney recommended that it be changed from identify the provision of law to now identify the conduct violation. That was consistent with the defined terms in the policy as conduct violation was a defined term.

The second proposed change was under *Appeal to City Manager* and *Appeal to Municipal Court* sections of the policy.

The below paragraph in the *Appeal to City Manager* section would be revised to read:

The City Manager will rescind the exclusion upon a showing that: (1) it was more likely than not that the excluded individual did not commit the Conduct Violation(s); (2) extenuating circumstances warrant reducing or dismissing the exclusion order; or (3) the excluded individual was engaged in the lawful exercise of any right or privilege guaranteed under the United States Constitution, Constitution of the State of Oregon, or any other law. The City Manager may seek evidence from the Excluding Officer to aid in the City Manager's decision. The City Manager's decision will be provided to the email and/or mailing address provided by the individual.

The below paragraph in the *Appeal to Municipal* section would be revised to read:

The Municipal Court shall dismiss the exclusion upon a showing that: (1) it was more likely than not that the excluded individual did not commit the Conduct Violation(s); (2) extenuating circumstances warrant reducing or dismissing the exclusion order; or (3) the excluded individual was engaged in the lawful exercise of any right or privilege guaranteed under the United States Constitution, Constitution of the State of Oregon, or any other law.

The revised language provided extra flexibility to that appellate person or body whom will make the judgment call.

It was mentioned there was a scrivener's error that would be corrected which no Council motion necessary to make that edit. The City Attorney explained an A was missing and the word should be area and not are.

Staff were asked clarifying question.

**Motion:** Moved to approve Resolution No 3059 with the Exhibit A distributed today and the amendments to that Exhibit A as read into the record.

Motion made by Councilor Linville, Seconded by Councilor Akervall.

Staff was thanked for their work.

**Voting Yea:**

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

**Vote:** Motion carried 5-0.

**CONTINUING BUSINESS**

There was none.

**PUBLIC HEARING**

**20. Ordinance No. 880**

An Ordinance Of The City Of Wilsonville Adopting An Updated Transit Master Plan As A Sub-Element Of The Transportation System Plan, Replacing All Prior Transit Master Plans, And Repealing Ordinance No. 805 And Ordinance No. 828.

The Mayor provided the public hearing format.

The City Attorney read the title of Ordinance No. 880 into the record on first reading.

The Mayor opened the public hearing at 8:55 p.m.

Kelsey Lewis, Grants & Programs Manager along with consultants Michelle Poyourow of Jarrett Walker + Associates, and Brenda Martin of EnviroIssues provided the staff report and PowerPoint, which had been made a part of the record.

Council asked clarifying questions and requested a note be added to the Plan regarding the Title VI policy on coverage.

The Mayor invited public testimony, seeing none the Mayor closed the public hearing on Ordinance No. 880 at 9:45 p.m.

The Mayor then requested a motion on Ordinance No. 880.

**Motion:** Moved to adopt Ordinance No 880 on first reading.

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.

**CITY MANAGER’S BUSINESS**

The City Manager echoed the comments made by Councilor Dunwell regarding Pamela Slaughter’s speech during the Juneteenth event as he too enjoyed it. He added that the DEI Committee was doing great work through the DEI Lecture Series. Moreover, the lectures allow an opportunity for people to present their perspectives in a way that does not blame or shame anyone. Rather, it opened individuals’ eyes to the unique experiences of others. Lastly, he complimented the DEI Committee and the Assistant to the City Manager for the great work they are doing.

The City Manager informed he would be out of the office Wednesday through Monday. However, would be available by phone if anything major were to occur. Otherwise, Jeanna Troha, Assistant City Manager would be overseeing things in his absence.

**LEGAL BUSINESS**

The City Attorney reported on the conversation she and the Assistant City Manager had with Clackamas County staff on implementation measures with regard to camping and connection to services.

Coordinated Housing Access (CHA) best method to get people connected with housing resources.

Group email distribution to share information being created to include Code Compliance Coordinator, Police/Law Enforcement, Heart of the City, Wilsonville Community Sharing and Clackamas County Outreach Coordinator.

Every Thursday, a consortium of individuals gather to review a list of services needed, identify persons with the highest priority need, and connect them to services. Services might be for housing, mental health, addiction, job training, or others.

When an individual is on City property at a time camping is not allowed, or at a location camping is not allowed, the Code Compliance Coordinator will make contact with that individual. The Code Compliance Coordinator will provide a pamphlet with educational information that includes contact information for

Coordinated Housing Access. The Code Compliance Coordinator will ask the individual if staff can connect them to services. An email will be sent to the group distribution list to begin making those connections to resources provides and the individual in need.

Clackamas County hosts a monthly housing community meeting to provide updates on everything they are doing with regard to housing. Initially, a member of City staff would attend those meetings.

Another resource for those in need is the phone number 211. By calling 211 individuals can access information and connect to housing and other services.

Council was informed signage had been ordered. There was discussion of potentially adding another small sign with a QR code to access the information on the City's website.

The Mayor shared she was still focused on working with Clackamas County to have skilled social workers make contact with individuals in need, as described in the Clackamas County videos.

The City Attorney explained that Clackamas County was trying to staff up for those positions. However, there was a shortage.

The City Attorney explained City staff would remain in constant communication with Clackamas County to create a relationship with them.

The Mayor reiterated she wanted to ensure the people who need resources have access to them.

**ADJOURN**

The Mayor adjourned the meeting at 10:00 p.m.

Respectfully submitted,

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Kimberly Veliz, City Recorder

ATTEST:

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Julie Fitzgerald, Mayor