



CITY COUNCIL MINUTES

December 18, 2023 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, December 18, 2023. Mayor Fitzgerald called the meeting to order at 7:01 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
Bryan Cosgrove, City Manager
Cindy Luxhoj, Associate Planner
Jeanna Troha, Assistant City Manager
Kimberly Veliz, City Recorder
Mark Ottenad, Public/Government Affairs Director
Stephanie Davidson, Assistant City Attorney
Zoe Mombert, Assistant to the City Manager

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

The Mayor explained West Linn Mayor Rory Bialostosky would be presenting to Council on polling on tolling. However, the timeframe of his arrival was unknown due to the timing of West Linn's Council meeting.

Motion: Moved to amend the agenda to move the Communication section to coincide with the Councilor comments.

Motion made by Councilor Berry, Seconded by Councilor Dunwell.

Voting Yea:

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

Vote: Motion carried 5-0.

Motion: Moved to approve the agenda as amended.

Motion made by Councilor Berry, Seconded by Councilor Dunwell.

Voting Yea:

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

Vote: Motion carried 5-0.

MAYOR'S BUSINESS

4. Boards/Commission Appointments/Reappointments

Arts, Culture, and Heritage Commission – Appointment

Appointment of Nadine Elbitar to the Arts, Culture, and Heritage Commission for a term beginning 1/1/2024 to 6/30/2024.

Motion: Moved to ratify the appointment of Nadine Elbitar to the Arts, Culture, and Heritage Commission for a term beginning 1/1/2024 to 6/30/2024.

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.

Budget Committee – Appointment

Appointment of Christopher Moore to the Budget Committee for a term beginning 1/1/2024 to 12/31/2024.

Motion: Moved to ratify the appointment of Christopher Moore to the Budget Committee for a term beginning 1/1/2024 to 12/31/2024.

Motion made by Councilor Akervall, Seconded by Councilors Berry and Dunwell.

Voting Yea:

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

Vote: Motion carried 5-0.

Budget Committee – Appointment

Appointment of Tabi Traughber and Tyler Beach to the Budget Committee for a term beginning 1/1/2024 to 12/31/2026.

Motion: Moved to ratify the appointment of Tabi Traughber and Tyler Beach to the Budget Committee for a term beginning 1/1/2024 to 12/31/2026.

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.

Development Review Board – Reappointment

Reappointment of John Andrews and Megan Chuinard to the Development Review Board for a term beginning 1/1/2024 to 12/31/2025.

Motion: Moved to ratify the reappointment of John Andrews and Megan Chuinard to the Development Review Board for a term beginning 1/1/2024 to 12/31/2025.

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.

Development Review Board – Appointment

Appointment of Kamran Mesbah to the Development Review Board for a term beginning 1/1/2024 to 12/31/2025.

Motion: Moved to ratify the appointment of Kamran Mesbah to the Development Review Board for a term beginning 1/1/2024 to 12/31/2025.

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.

Diversity, Equity and Inclusion Committee – Reappointment

Reappointment of David Siha, Tracy (Tre) Hester, and Fay Gyapong-Porter to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2024 to 12/31/2026.

Motion: Moved to ratify the reappointment of David Siha, Tracy (Tre) Hester, and Fay Gyapong-Porter to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2024 to 12/31/2026.

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.

Diversity, Equity and Inclusion Committee – Appointment

Appointment of Justin Brown to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2024 to 12/31/2024.

Motion: Moved to ratify the appointment of Justin Brown to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2024 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.

Diversity, Equity and Inclusion Committee – Appointment

Appointment of Carolina Wilde to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2024 to 12/31/2026.

Motion: Moved to ratify the appointment of Carolina Wilde to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2024 to 12/31/2026.

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.

Diversity, Equity and Inclusion Committee – Student Appointment

Reappointment of George Luo and Aasha Patel to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2024 to 12/31/2024.

Motion: Moved to ratify the reappointment of George Luo and Aasha Patel to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2024 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.

Kitakata Sister City Advisory Board – Reappointment

Reappointment of John (Michael) Bohlen and Adrienne Scritsmier to the Kitakata Sister City Advisory Board for a term beginning 1/1/2024 to 12/31/2026.

Motion: Moved to ratify the reappointment of John (Michael) Bohlen and Adrienne Scritsmier to the Kitakata Sister City Advisory Board for a term beginning 1/1/2024 to 12/31/2026.

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.

Kitakata Sister City Advisory Board – Appointment

Appointment of Karen Kreitzer to the Kitakata Sister City Advisory Board for a term beginning 1/1/2024 to 12/31/2026.

Motion: Moved to ratify the appointment of Karen Kreitzer to the Kitakata Sister City Advisory Board for a term beginning 1/1/2024 to 12/31/2026.

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.

Parks and Recreation Board – Appointment

Appointment of Bill Bagnall and Paul Diller to the Parks and Recreation Board for a term beginning 1/1/2024 to 12/31/2027.

Motion: Moved to ratify the appointment of Bill Bagnall and Paul Diller to the Parks and Recreation Board for a term beginning 1/1/2024 to 12/31/2027.

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.

Planning Commission – Reappointment

Reappointment of Jennifer Willard to the Planning Commission for a term beginning 1/1/2024 to 12/31/2027.

Motion: Moved to ratify the reappointment of Jennifer Willard to the Planning Commission for a term beginning 1/1/2024 to 12/31/2027.

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.

Planning Commission – Appointment

Appointment of Matt Constantine, Sam Scull, and Yana Semenova to the Planning Commission for a term beginning 1/1/2024 to 12/31/2027.

Motion: Moved to ratify the appointment of Matt Constantine, Sam Scull, and Yana Semenova to the Planning Commission for a term beginning 1/1/2024 to 12/31/2027.

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 – Appointment

Appointment of Lynn Sanders to the Tourism Promotion Committee for a term beginning 1/1/2024 to 6/30/2026.

Motion: Moved to ratify the appointment of Lynn Sanders to the Tourism Promotion Committee for a term beginning 1/1/2024 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.

5. Upcoming Meetings

The Mayor reported on a few items that occurred since the last City Council meeting.

Washington County Coordinating Committee (WCCC) Meeting

- On December 4, 2023, the Mayor attended the WCCC meeting, where a number of transportation issues were reviewed.
- There was discussion of prioritizing Future Major Streets Transportation Improvement projects due to road-construction costs escalation, which was resulting in fewer projects that can be accomplished and higher costs.
- Metro staff reported about the new 2024 Urban Growth Report that projects housing and employment land needs over the next 20 years.
- The only Metro area city that had indicated interest in a potential Urban Growth Boundary Expansion was Sherwood.
- Wilsonville had its hands full with advancing the new Frog Pond East and South UGB expansion areas, as well as finishing Frog Pond West and Villebois neighborhood developments.

Joint Transportation Committee Subcommittee Hearing

- The Mayor attended along with one hundred-fifty area residents attended a public hearing on tolling held at Wilsonville City Hall by the Oregon Legislature’s Joint Transportation Committee Subcommittee on Transportation Planning.
- Based on legislative direction, the Oregon Department of Transportation was working on plans to toll I-5 and I-205 as a way to generate highway-improvement revenue and to manage traffic congestion.

- The focus of the legislature’s public meeting was on three specific issues:
 - Impact of tolling on local residents with limited alternative routes;
 - Public transportation; and
 - Proximity to retirement communities.
- The City’s testimony raised issues of concern regarding tolling Wilsonville residents and businesses that must use the Boone Bridge when coming and going to or from Charbonneau.
- The Mayor shared that City of Wilsonville Councilors, Representative Neron and Senator Woods had been actively advocating for an exemption from tolling for Wilsonville residents and businesses that need to cross the Boone Bridge.
- The Mayor noted the Councilors and other local elected officials whom provided public testimony at the hearing.
- The Mayor recalled in her testimony, she shared the hope that the legislature as they conducted the pause on tolling, would take a serious look at alternative methods of funding the highway construction, funding needs that plague states.
- The Mayor added the Boone Bridge to be effective needed to have an I-5 southbound auxiliary lane. The City does not want to rebuild the same exact bridge and have the same problems. In addition, the City wanted to have pedestrian/bike access across the Willamette River.

Lastly, the Mayor shared the next City Council meeting was scheduled for Thursday, January 4, 2024.

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.

There was none.

COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS

6. Council President Akervall

Councilor Akervall and the Assistant to the City Manager visited second graders at Lowrie Elementary in November 2023. The Council President shared highlights of the letters she received from the students after the visit.

7. Councilor Linville

No report.

8. Councilor Berry

Councilor Berry provided details of the below events:

- Clackamas County Coordinating Committee Metro Subcommittee on December 13, 2023
- Joint Transportation Committee Subcommittee Hearing on December 14, 2023
- Diversity, Equity and Inclusion Committee Las Posadas Celebration on December 19, 2023

9. Councilor Dunwell

Councilor Dunwell provided details of the below events:

- Willamette Falls and Landings Heritage Area Coalition meeting on December 18, 2023
- Willamette Falls and Landings Heritage Area Coalition retreat on January 2024 at City Hall
- Craft Show at Ordnance Brewing in Wilsonville.
 - There the Councilor spoke about arts in Wilsonville and the Arts, Culture, and Heritage Commission with local artist and retired Wilsonville High School Art Teacher Christopher Shotola-Hardt. Councilor Dunwell then as a holiday gift gave the Councilors prints she purchased at the craft show.

CONSENT AGENDA

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

1. **Resolution No. 3096**
A Resolution Of The City Of Wilsonville Authorizing Applying The Current Parks System Development Charge To The Multifamily Portion Of The Wilsonville Transit Center Transit-Oriented Development Project.
2. **Resolution No. 3097**
A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With Tapani, Inc. For The Charbonneau Lift Station Rehabilitation Project (Capital Improvement Project #2106).
3. **Resolution No. 3104**
A Resolution Of The City Council Revising Section 4.E. Of The Diversity, Equity And Inclusion (DEI) Committee Charter.
4. **Resolution No. 3105**
A Resolution Of The City Of Wilsonville Authorizing The Purchase Of One Asphalt Patch Truck From Premier Truck Group Of Portland.
5. Minutes of the December 4, 2023 City Council Meeting.

Motion: Moved to approve the Consent Agenda as read.

Motion made by Councilor Berry, Seconded by Councilor Dunwell.

Voting Yea:

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

Vote: Motion carried 5-0.

NEW BUSINESS

There was none.

CONTINUING BUSINESS

1. **Resolution No. 3091**

A Resolution Of The City Of Wilsonville Adopting The Findings And Recommendations Of The Solid Waste Collection Rate Report Date October 2023 And Modifying The Current Republic Services Rate Schedule For Collection And Disposal Of Solid Waste, Recyclables, Organic Materials And Other Materials, Effective February 1, 2024.

The City Attorney read the title of Resolution No. 3091 into the record.

Next, the City Attorney reminded the Mayor the public typically does not give input during continuing business. However, Republic Services was present, and it was up to the presiding officer to allow comments from them after the staff report if the Mayor was so inclined.

Mark Ottenad, Public/Government Affairs Director, and consultant Chris Bell of Chris Bell Associates provided the staff report and PowerPoints, which had been made a part of the record.

Council clarifying questions followed the presentation.

Motion: Moved to adopt Resolution No. 3091.

Motion made by Councilor Berry, Seconded by Councilor Akervall.

The Mayor appreciated Council, consultants and staff for their work on the resolution.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Berry, Councilor Dunwell

Voting Nay:

Councilor Linville,

Vote: Motion carried 4-1.

PUBLIC HEARING

The City Attorney read the title of Ordinance Nos. 884 and 885 into the record on first reading.

The Mayor provided the public hearing format and opened the public hearing at 8:23 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.

Cindy Luxhoj, Associate Planner provided the staff report and PowerPoint, which has been made a part of the record.

Council asked clarifying question.

The City Attorney stated there was no legal comment.

Applicant representative Glenn Southerland of AKS Engineering stated there was no applicant presentation. However, he was available to answer any questions of Council.

The Mayor invited public testimony, seeing none the Mayor closed the public hearing on Ordinance Nos. 884 and 885 at 8:32 p.m.

The Mayor then requested a motion on Ordinance No. 884.

1. **Ordinance No. 884** - *1st Reading (Quasi-Judicial Hearing)*

An Ordinance Of The City Of Wilsonville Annexing Approximately 2.02 Acres Of Property Located At The Northwest Corner Of SW Frog Pond Lane And SW Stafford Road For Development Of An 11-Lot Residential Subdivision.

Motion: Moved to adopt Ordinance No. 884 on first reading.

Motion made by Berry, Seconded by Dunwell.

Voting Yea:

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

Vote: Motion carried 5-0.

The Mayor then requested a motion on Ordinance No. 885.

2. **Ordinance No. 885** - *1st Reading (Quasi-Judicial Hearing)*

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 2.02 Acres Located At The Northwest Corner Of SW Frog Pond Lane And SW Stafford Road For Development Of An 11-Lot Residential Subdivision.

Motion: Moved to adopt Ordinance No. 885 on first reading.

Motion made by Berry, Seconded by Dunwell.

Voting Yea:

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

Vote: Motion carried 5-0.

CITY MANAGER'S BUSINESS

Council commented on the City Manager Reports.

The City Manager wished Council happy holidays and safe travels.

LEGAL BUSINESS

There was no report.

COMMUNICATIONS

1. Polling on Tolling Request

West Linn Mayor Rory Bialostosky discussed a possible collaboration among local jurisdictions to better understand resident's attitudes toward tolling. Mayor Bialostosky's requested the City of Wilsonville contributed \$5,000 toward the administration of a statistically valid survey that is to be conducted in early 2024 to gather data from area residents in Portland's tri-county area and shared with Oregon Department of Transportation and local lawmakers to inform future decisions on tolling and/or possible alternatives. Mayor Bialostosky estimated the total cost of the survey would be \$33,000 with each city contributing \$5,000. The cities participating would have the opportunity to build the survey questions.

Council comments and questions ensued.

Motion: Moved to commit \$5,000 to the survey as proposed.

Motion made by Berry, Seconded by Dunwell.

Council discussion ensued.

Voting Yea:

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

Vote: Motion carried 5-0.

It was clarified that elected officials would be the representatives of the cities. Therefore, Councilors whom were interested in representing the City of Wilsonville were asked to contact the City Manager with their interest.

ADJOURN

Mayor Fitzgerald adjourned the meeting at 9:00 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Julie Fitzgerald, Mayor