



CITY COUNCIL MINUTES

January 19, 2023 at 7:00 PM

Wilsonville City Hall & Remote Video Conferencing

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, January 19, 2023. 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

Bryan Cosgrove, City Manager
Amanda Guile-Hinman, City Attorney
Kimberly Veliz, City Recorder
Zoe Mombert, Assistant to the City Manager
Jeanna Troha, Assistant City Manager
Mark Ottenad, Public/Government Affairs Director
Beth Wolf, Senior Systems Analyst

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

Motion: Moved to approve the order of the agenda.

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.

MAYOR'S BUSINESS

4. Vote for Council President

The Mayor explained the first item of business under Mayor's Business was to elect one of the members to be City Council President. The City Council President presides over City Council meetings when the Mayor is unable to attend, and performs other ceremonial duties.

Councilor Akervall was acknowledged by the Mayor for the tremendous job she had done over the past four years as City Council President.

A nomination for City Council President was requested.

Motion: Moved to nominate Councilor Akervall for president of the City Council.

Motion made by Councilor Dunwell, Seconded by Councilor Linville.

Council Linville commented she thought Council was in great hands with Councilor Akervall as council president.

Voting Yea:

Mayor Fitzgerald, Councilor Linville, Councilor Berry, Councilor Dunwell

Abstaining:

Councilor Akervall

Vote: Motion carried 4-0-1.

5. 2023-24 State Legislative Agenda and 2023 State Legislative Priorities

It was announced that at Work Session, Council considered and discussed both the 2023-24 State Legislative Agenda and a set of 2023 State Legislative Session Priorities.

The Mayor explained the Legislative Agenda was based on long-term City work products approved by the Council over time, including the comprehensive plan, various master plans, and strategies.

New this year was a set of 2023 State Legislative Session Priorities that responded to opportunities of the moment, sometimes of which the City had not formally adopted master plans or strategies.

These documents help guide staff and consultants gauge legislative proposals in relation to Council priorities during the legislative session.

The Mayor added with the election of State Representative Courtney Neron and State Senator Aaron Woods, both of whom were Wilsonville residents, the City was well positioned to be represented in the legislature.

The Mayor requested a motion to adopt the 2023-24 State Legislative Agenda and 2023 State Legislative Session Priorities.

Motion: Moved to adopt the 2023 State Legislative Priorities and Agenda as provided in the packet.

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.

6. Upcoming Meetings

The Mayor announced the following events that occurred since Council last met:

Martin Luther King Junior Holiday

- Holiday provided an opportunity to reflect on the accomplishments that had been made on the issue of civil rights and those that had yet to be accomplished.

Washington County Coordinating Committee Meeting

- Update from Metro on High Capacity Transit Strategy planning for the upcoming 2023 Regional Transportation Plan (RTP).
- Update from the Oregon Department of Transportation (ODOT) and TriMet on 2023 RTP project proposals.

American Legion Post 65

- The Mayor recalled she had met with the American Legion Post 65 members whom convene their meetings in Wilsonville.
- The Legion does many great things in the area some of which included raising money to help veterans and to provide scholarships for students.
- They Mayor broadcasted that the Legion had an upcoming Blood Drive scheduled.

Next, the Mayor announced upcoming events of note:

Lunar New Year

- Which was celebrated in a number of Asian countries, started Sunday, January 22, 2023.

City Day at the Capitol

- The Mayor and Council President Akervall planned to attend the City Day at the Capitol sponsored by the League of Oregon Cities (LOC) and the Oregon Mayors Association's.

Metropolitan Mayors Consortium

- During the meeting, members are scheduled to approve the 2023 State Legislative Agenda.
- As a collection of mayors representing two dozen cities, the agenda is quite diverse, however supported a number of priorities.

Meeting with Metro Councilor Garret Rosenthal

- The Mayor was scheduled to meet with Councilor Rosenthal to discuss City and SMART Regional Transportation Plan projects and the City of Wilsonville 2023 Legislative Priorities.

Meeting with Clackamas County Commissioner Paul Savas

- The Mayor was scheduled to meet with Commissioner Savas to discuss economic development, housing, transportation issues, Clackamas County Built for Zero program and homeless housing.

Budget Committee Meeting

- On February 1, 2023, the Budget Committee was scheduled to hear a Mid-Year Review from Finance staff.

Clackamas County Coordinating Committee (C4)

- On February 2, 2023, the C4 would meet to approve the Metro Subcommittee nominees to serve on Metro's Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Land-Use Policy Advisory Committee.

City Council Meeting

- The next City Council meeting was scheduled for February 6, 2023.

COMMUNICATIONS

7. Chamber of Commerce Grant Update

Kevin Ferrasci O'Malley, Chamber of Commerce CEO shared details of a new regional program administered by the Wilsonville Chamber of Commerce. The program was intended to provide financial relief to small businesses impacted by the COVID-19 pandemic. Furthermore, the program was to provide training opportunities and consulting services to local businesses. The Oregon Business Recovery Center planned to allocate small business grants of up to \$10,000 to companies with no more than fifty full-time employees.

The PowerPoint and handouts provided by the CEO was added to the record.

Councilor comments and questions followed the update.

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

8. Councilor Akervall

Councilor Akervall shared she attended the Clackamas County Childcare Coalition on January 18, 2023.

Councilor Akervall then announced the below:

- Willamette Intake Facilities on January 19, 2023
- Regional Water Providers Consortium Board Meeting on February 1, 2023
- Budget Committee on February 1, 2023
- League of Oregon Cities (LOC) Day at the Capitol

9. Councilor Linville

Councilor Linville reported on the below:

- Clackamas County Coordinating Committee (C4) Metro Subcommittee on January 18, 2023
- Wilsonville Alliance for Inclusive Community (WAIC) on January 18, 2023
- Clackamas Workforce Partnership Board of Directors meeting on January 19, 2023

Councilor Linville announced the following:

- Clackamas Workforce Partnership Board of Directors meeting in April, 2023
- State of the Workforce Breakfast on January 25, 2023
- Clackamas Community College Facility Tour with Dr. David Plotkin on February 1, 2023

10. Councilor Berry

Councilor Berry announced she had attended the Clackamas County Coordinating Committee (C4) Metro Subcommittee on January 18, 2023.

11. Councilor Dunwell

Councilor Dunwell reported on the French Prairie Forum meeting she attended on January 18, 2023.

Councilor Dunwell then announced the following:

- League of Oregon Cities Essentials Workshop on January 26, 2023
- Willamette Falls and Landing Heritage Association Retreat and pre meeting with Executive Director Britta Stewart on February 3, 2023

CONSENT AGENDA

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

12. Resolution No. 3034

A Resolution Of The City Of Wilsonville Approving A Construction Contract With Northwest Playground Equipment, Inc. For The Murase Playground Inclusive Climber Project.

13. Minutes of the January 5, 2023 City Council Meeting.

Motion: Moved to approve the Consent Agenda as read.

Motion made by Councilor Berry, Seconded by Councilor Akervall.

Voting Yea:

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

Vote: Motion carried 5-0.

NEW BUSINESS

There was none.

CONTINUING BUSINESS

The City Attorney read the title of Ordinance Nos. 872 and 873 into the record on second reading.

The Mayor read the second reading script for Ordinance No. 872.

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.

The City Attorney reported there was no further input.

The Mayor called for the motion on Ordinance No. 872.

14. **Ordinance No. 872** - 2nd Reading (Quasi-Judicial)

An Ordinance of the City of Wilsonville Annexing Approximately 9.17 Acres of Property Located at 9710 SW Day Road for Development of a Warehouse/Manufacturing Building and Associated Site Improvements.

Motion: Moved to adopt Ordinance No. 872 on second 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.

The Mayor read the appeal rights statement for Ordinance No. 872. The Mayor explained those that desired to appeal this decision to the Oregon Land Use Board of Appeals, must file a notice of intent to appeal, stating the grounds of the appeal, in the form and within the time prescribed by State law.

The Mayor read the second reading script for Ordinance No. 873.

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.

The City Attorney reported there was no further input.

15. **Ordinance No. 873** - 2nd Reading (Quasi-Judicial)

An Ordinance of the City of Wilsonville Approving a Zone Map Amendment from the Washington County Future Development – 20 Acre (FD-10) Zone to the Planned Development Industrial – Regionally Significant Industrial Area (PDI-RSIA) Zone on Approximately 9.17 Acres Located at 9710 SW Day Road for Development of a Warehouse/Manufacturing Building and Associated Site Improvements.

Motion: Moved to adopt Ordinance No. 873 on second reading.

Motion made by Councilor Berry, Seconded by Councilor Akervall.

Voting Yea:

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

Vote: Motion carried 5-0.

The Mayor read the appeal rights statement for Ordinance No. 873. The Mayor explained those that desired to appeal this decision to the Oregon Land Use Board of Appeals, must file a notice of intent to appeal, stating the grounds of the appeal, in the form and within the time prescribed by State law.

Next, the City Attorney read the title of Ordinance No. 874 into the record on second reading.

The Mayor read the second reading script for the Ordinance No. 874.

The City Attorney reported there was no further input.

The Mayor called for the motion on Ordinance No. 874.

16. Ordinance No. 874 - 2nd Reading

An Ordinance Of The City Of Wilsonville Amending Wilsonville Code Section 6.150, "Special Use Of Streets And Sidewalks And Large Special Events Signs And Street Banners."

Motion: Moved to approve Ordinance No. 874.

Motion made by Councilor Dunwell, Seconded by Councilor Akervall.

Voting Yea:

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

Vote: Motion carried 5-0.

PUBLIC HEARING

There was none.

CITY MANAGER'S BUSINESS

17. City Council Goal Setting & Retreat

The City Manager shared that Council should receive an email from Core Strength Assessment which needed to be filled out prior to the Council training session. Council was reminded that when they speak to Facilitator Sara Singer-Wilson they should share their ideas on training subjects and/or anything they would like included in the Friday night training session.

LEGAL BUSINESS

18. Prohibited Camping

The City Attorney reminded there was currently a questionnaire on Let's Talk, Wilsonville! about prohibited camping. The webpage also had a Frequently Asked Questions (FAQ) section, which had information about the project and the reasons for it. In addition, an article on the topic was planned for a future Boones Ferry Messenger.

The City Attorney reminded Council that the City was undertaking a review and update to the local code provisions regarding camping on City property and City rights-of-way such as streets and sidewalks in response to new state laws and federal court cases. The City Attorney reiterated the state-mandated every city in Oregon to undertake this process. The goal of the City's camping code update project was to do the update in a way that was humane, and complied with state and federal law, by establishing clear rules about where, when, and how camping was allowed or not allowed on City property and rights-of-way.

Cities cannot outright prohibit sitting, sleeping, or lying on all public rights-of-way or public property if there are no shelter beds available within the city. Due to federal court rulings, a city's ability to regulate sleeping in its public places was directly related to a community's ability to provide shelter for individuals who might otherwise need to use public places to sleep. State law lets cities regulate where, when and how people can and cannot camp on city-owned property as long as the regulations are objectively reasonable.

Time, place, and manner regulations help make public rights-of-way accessible and safe to unhoused and housed individuals. They also allow for clearer management by the City. Under state law and federal court cases, cities may enact objectively reasonable time, place, and manner regulations. These are "where, when and how" an individual may camp on public rights-of-way or City property. Time restrictions would be a time when a person may camp, such as overnight. Place regulations establish where an individual may camp. They could also define types of public property where camping is not allowed such as on restricted utility facilities or near existing shelters. Manner regulations establish how an individual may camp on rights-of-way or City property, such as the size of a camp, or items in and around a camp, or not allowing open fires or unauthorized electrical hookups in the like.

Through the community questionnaire available on Let's Talk, Wilsonville! City staff sought input from community members about what time, place, and manner regulations are most important to them. Staff was undertaking stakeholder interviews with service providers, community and business groups, other government entities, and persons with lived experiences.

The information from the outreach would be shared with Council and the community at the City Council's February 23, 2023 Work Session.

Moreover, the City Attorney can be contacted with questions and information can be found on the City's website.

ADJOURN

The Mayor adjourned the meeting at 7:54 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Julie Fitzgerald, Mayor

DRAFT