



CITY COUNCIL MINUTES

June 20, 2022 at 7:30 PM

Wilsonville City Hall

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 7:30 p.m. on Monday, June 20, 2022. The Council President called the meeting to order at 7:34 p.m., followed by roll call and the Pledge of Allegiance.

PRESENT

Mayor Fitzgerald
Council President Akervall
Councilor Lehan
Councilor West
Councilor Linville

STAFF PRESENT

Amanda Guile-Hinman, City Attorney
Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Kimberly Veliz, City Recorder
Zoe Mombert, Assistant to the City Manager
Bill Evans, Communications & Marketing Manager
Katherine Smith, Assistant Finance Director
Mark Ottenad, Public/Government Affairs Director

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

Motion: Moved to approve the order of agenda.

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

Voting Yea:

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

Vote:

Motion carried 5-0.

MAYOR'S BUSINESS

4. Wilsonville Wildcats Week Proclamation

The Mayor read into the record a proclamation declaring June 20-24, 2022 as Wilsonville Wildcats Week. Next, Councilor Linville presented the Wilsonville Wildcats girls' golf team and coaches with proclamations. Coach Chris Bense then shared some words about the season. Photos with the team and City Council followed.

5. Upcoming Meetings

The Mayor reported on the following meeting and/or events:

Juneteenth Celebration

- City's Diversity, Equity and Inclusion (DEI) Committee hosted the Second Annual Wilsonville Juneteenth Celebration at Town Center Park.
- Juneteenth is a newly designated federal and state holiday memorializing the end of slavery in the United States.
- The event was wonderful and well attended with great activities. Activities included speeches, Afro-pop music, and Moroccan cuisine.
- The DEI Committee, staff, and participants were thanked for their role in the event. It was shared the event was attended by people from all different backgrounds.

Wilsonville Business Summit

- The week prior to the City Council meeting the City and Clackamas Community College co-hosted the Wilsonville Business Summit at the college's campus here in Wilsonville.
- During the summit, a number of local businesses conversed about advantages of doing business in Wilsonville. Also, discussed were workforce issues that local businesses are facing in this economy.
- A number of businesses shared their concern for attracting and retaining employees.
- The Mayor attended with Matt Lorenzen, the City's Economic Development Manager, along with other elected and appointed officials and area employers.

French Prairie Forum Meeting

- Economic development was the theme for the June meeting of the French Prairie Forum. Participants of the forum include surrounding local governments such as Wilsonville, Woodburn, St. Paul, and Donald.
- At the meeting, housing and new businesses were discussed.
- The Mayor reminded the Boone Bridge serves all of the increasing local activity.

Arts, Culture, and Heritage Commission Meeting

- The Mayor shared she is the City Council's liaison to the new Arts, Culture, and Heritage Commission.
- It was reported the Commission looked at priorities for the next year, which were identified at the last meeting.
- The Commission heard a presentation from the City of Hillsboro who is developing a public-arts program.
- In addition, the Commission heard from staff member Brian Stevenson of the Parks and Recreation Department regarding the new way the City would be deploying the Community Tourism Grant Program.
- It was recalled that the grant program had been modified to focus more on supporting cultural events and programs, and asked the Commission for recommendations on potential changes.

City Council Meeting

- The Mayor announced due to July 4 holiday the first City Council meeting in July had been cancelled. The next, City Council meeting was scheduled for Monday, July 18, 2022 at 7:00 p.m.

6. Willamette Falls Locks State Commission Remaining Funds

The City Manager explained there was about \$900 in remaining funds that the City had committed to the Willamette Falls Locks Commission. The Willamette Falls Locks Commission has ended with a new entity being formed. The City Council must decide whether to request the remaining funds be returned or allow the funds to be used for ongoing efforts.

City Manager stated staff's recommendation is that City Council allows the funding to be used towards ongoing efforts. To do so City Council would need a motion and a second.

The Mayor requested a motion and a second to allocate the remaining \$900 to the Willamette Falls Locks Authority.

Motion: Moved to authorize the City Manager to communicate to Clackamas County the City Council's permission to advance the City's unspent Willamette Falls Locks Commission funds to the account of the new Willamette Falls Locks Authority.

Motion made by Councilor Linville, Seconded by Councilor Lehan.

Councilor Linville provided a brief narrative of the Commission's work and recommendation.

Voting Yea:

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

Vote: Motion carried 5-0.

7. Fireworks Ban

The City Manager described the Fireworks Ban was added to the agenda as a placeholder. He added that during the last Council discussion of the topic there was no desire to move in any particular direction given the wetness of June. The City Manager explained staff would continue to educate residents about illegal fireworks.

The Mayor requested staff communicate with homeowner associations so they too can distribute education materials.

COMMUNICATIONS

None.

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 was none.

COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS

8. Council President Akervall

Council President Akervall mentioned she had also attended the Juneteenth event. She then appreciated Diversity, Equity and Inclusion Committee and staff for producing the event.

Council President Akervall shared some of the remarks received from Lowrie Primary School second grade students. The students had participated in a virtual presentation learning about the City of Wilsonville.

9. Councilor Lehan

Councilor Lehan recalled her past experience of presenting to the second grade students.

Councilor Lehan then informed City Council of the Willamette Falls Locks Commission and Willamette Falls Locks Authority joint meeting and tour.

10. Councilor West

Councilor West informed he also attended the Juneteenth event, which was a blast. He added the food was fantastic and he had many great interactions with participants.

11. Councilor Linville

Councilor Linville commented on Juneteenth. She then provided a summary of the recent Clackamas County Coordinating Committee (C4) Subcommittee meeting.

CONSENT AGENDA

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

12. **Resolution No. 2983**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Second Amendment To The Professional Services Agreement With Murraysmith, Inc. To Provide Construction Inspection Services For The Corral Creek And Rivergreen Lift Stations Rehabilitation Project (Capital Improvement Project #2105).

13. **Resolution No. 2984**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute An Amendment To The Professional Services Contract With Moore Iacofano Goltsman, Inc. For Frog Pond East And South Master Planning.

14. Minutes of the June 6, 2022 City Council Meeting.

Motion: Moved to adopt the Consent Agenda as read.

Motion made by Councilor Lehan, Seconded by Councilor West.

Voting Yea:

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

Vote: Motion carried 5-0.

NEW BUSINESS

None.

CONTINUING BUSINESS

None.

PUBLIC HEARING

None.

CITY MANAGER'S BUSINESS

No report.

LEGAL BUSINESS

The City Attorney Reported on the below items:

Aurora Airport

The City Attorney shared for Council's consideration whether to authorize the City Attorney to voluntarily dismiss Marion County Circuit Court Case Number 19-CV-54498 against the Oregon Department of Aviation Board.

Motion: Moved to make a motion to the effect of information immediately shared by the City Attorney.

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

Voting Yea:

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

Vote: Motion carried 5-0.

Public Contract Code

The City Attorney explained the next two items for Council's consideration are concerning the City's public contracting code. These items involve some needed clarity and efficiency with regard to smaller up dollar amount public contracts. Council was informed the City's public contracting code has two implicitly conflicting provisions.

The first conflicting provision states the City Manager has the authority to sign contracts with a value of \$100,000 or less without Council approval. However, another provision in the code states that Council must approve any contract of amendment of more than 15% of the original contract amount with no consideration if the new current total contract amount is still under the City Manager's \$100,000 signing authority. In essence, this implicit conflict means that if a contract was originally \$25,000 and needs a \$5,000 amendment, there could be interpretations that that \$5,000 amendment would need to come to Council for approval.

The City Attorney further explained for efficiency and based on the City Manager's inherent \$100,000 signing authority for Council's consideration is whether to authorize the City Manager to sign contract amendments, where the total amount, including amendments is within the City Manager's contract signing authority.

Motion: Moved to make a motion to the effect of information immediately shared by the City Attorney.

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

Voting Yea:

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

Vote: Motion carried 5-0.

The last item for Council's consideration was also regarding the City's public contracting code. The City Attorney explained the City's public contracting code was open to interpretation regarding the authority to extend the term of a contract. The code states that the City Manager may extend a contract for a single term not to exceed the initial term. Read most narrowly this provision would prohibit extending a contract for a term longer than the initial term. Read more broadly, it could be interpreted to allow each extension to not be longer than the initial term. The contracts particularly impacted by this provision are the City's small on-call services contracts, which may initially be for only one year, but the contract amount has not been spent over that year or even over a second year. The City Attorney further explained for efficiency and since the City Manager has expressed limits to the contract amount that may be approved without Council Review. For the Council's consideration is whether to authorize the City Manager to sign extension of contract terms so long as such contracts, including any amendments that are still within the City Manager's signing authority of \$100,000.

Motion: Moved to make a motion to the effect of information immediately shared by the City Attorney.

Motion made by Councilor West, Seconded by Councilor Lehan.

Voting Yea:

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

Vote: Motion carried 5-0.

Lastly, the City Attorney shared she would be on vacation from July 4 through July 15, 2022.

ADJOURN

The Mayor adjourned the meeting at 8:20 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Julie Fitzgerald, Mayor