



## **CITY COUNCIL MINUTES**

**September 19, 2022 at 7:00 PM**

**Wilsonville City Hall & Remote Video Conferencing**

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### **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, September 19, 2022. The Mayor called the meeting to order at 7:11 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:**

Bryan Cosgrove, City Manager  
Kimberly Veliz, City Recorder  
Zoe Mombert, Assistant to the City Manager  
Ryan Adams, Assistant City Attorney  
Matt Lorenzen, Economic Development Manager  
Chris Neamtzu, Community Development Director  
Miranda Bateschell, Planning Director  
Mark Ottenad, Public/Government Affairs Director  
Georgia McAlister, Associate Planner  
Andrew Barrett, Capital Projects Engineering Manager  
Cindy Luxhoj, Associate Planner  
Dwight Brashear, Transit Director  
Zach Weigel, City Engineer

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

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

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

**Voting Yea:**

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

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

## **MAYOR'S BUSINESS**

4. 2023 Legislative Concepts Request to Rep. Courtney Neron (HD-26)

The Mayor explained there was a special item on Mayor's Business for Council consideration. The Mayor recalled at Work Session, Council discussed potential legislative concepts for the 2023 session of the Oregon legislature.

The Mayor further explained if enacted, these legislative concepts would fulfill City Council Goals. Moreover, State Representative Courtney Neron of House District 26 whom represents the City of Wilsonville had indicated a willingness to consider introducing legislation on behalf of the City if asked.

The Mayor stated the legislative concepts from state legislators are due by September 23, 2022.

The Mayor briefly reviewed the four (4) legislative concepts that Council heard and discussed during Work Session:

- 1) Aurora State Airport coordinated intergovernmental planning; public utilities requirement for state airports of 150 acres, transportation facility does not provide land-use goal exception.
- 2) SMART service territory alignment with city boundaries; adjustment of TriMet district boundary.
- 3) ODOT Public Transportation Division study of WES North Willamette Valley Extension from Wilsonville to Salem, with stops in Woodburn and Keizer
- 4) Reauthorize and fund the Business Oregon Regionally Significant Industrial Sites (RSIS) Program

The Mayor requested a motion to advance a request to Representative Neron to consider submitting the City's legislative concepts, to the Legislative Council as potential bill drafts for the 2023 Legislative session.

**Motion:** Moved to advance the concepts in the manner described.

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

Discussion ensued.

**Voting Yea:**

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

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

## 5. Upcoming Meetings

The Mayor reported on the following events that occurred since the last Council meeting:

### Emergency Preparedness Fair

- City staff, police, fire and others had tables with information on how to prepare for emergencies.
- Community members were taught how to put together their emergency preparedness kits.

### Oregon Transportation Commission

- The Mayor testified and presented issues of concern by the City Council and constituents regarding the proposed Oregon Highway Plan Toll Amendment.
- The Mayor had recommended that a standard be implemented for meaningful community engagement with elected officials and community leaders.
- The Mayor recalled many of the points made were echoed in the letters submitted to the Oregon Transportation Committee by both Clackamas and Washington County Coordinating Committees.

The Mayor then announced the following upcoming events:

### Economic Development Conference

- The Mayor planned to attend the Economic Development Conference along with Matt Lorenzen, Economic Development Manager
- The conference would provide an opportunity to meet with regional business and government leaders. One leader in particular is the Mayor of Oakland, California, whom has helped to lead an economic revitalization of that city.

### Metro Workshop

- The Mayor shared she would also be attending the Metro workshop on the upcoming regional transportation.

### Tualatin Valley Fire and Rescue (TVF&R) Open House

- Reminded Council that on Saturday, October 1, 2022 they were all invited to an open house at the new Charbonneau Fire Station No 4.
- The station opened in September of 2021, COVID protocols delayed a grand opening.
- The new 2,600-square-foot station has a paramedic vehicle, sleeping quarters, a supply room, kitchen and exercise room.
- The new facility would provide TVF&R faster response times to medical emergencies and allow it to more easily assist Charbonneau in case of a natural disaster.

### City Council Meeting

- The next City Council meeting was scheduled for Monday, October 3, 2022 at 7:00 pm.

### **COMMUNICATIONS**

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

Joseph Schaefer of the City of Aurora thanked City Council and staff for their work regarding the Aurora Airport.

Katelyn LeBlanc and Bianca Pinoli of the Wilsonville High School Robotics Team shared information about their team and invited Council to the Girls Generation competition.

Miles Pengilly, State Government Affairs Manager for TriMet spoke about the legislative concept regarding the SMART service territory alignment with city boundaries; adjustment of TriMet district boundary. Mr. Pengilly reported that TriMet supports the City's goal of coterminous boundaries. However, TriMet questions the need for new legislation to address this issue as existing state statute provides two paths for withdrawing from the transit district.

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

#### 6. Council President Akervall

Reported on the below meeting, she attended since the last City Council meeting:

- Washington County Coordinating Committee

Announced the following upcoming events:

- Bulky Waste Day
- Meeting at Wilsonville Library for potential host families for the exchange delegation from Japan

#### 7. Councilor Lehan

Provided the details of the upcoming Bulky Waste Day scheduled for Saturday, September 24, 2022.

Councilor Lehan shared her concern about the emerald ash borer, which is a bug. The emerald ash borer kills trees especially ash trees. She then asked staff to provide Council with a report on the City's response to this issue.

Lastly, Councilor Lehan reported that she attended Ruth Johnson's 100<sup>th</sup> birthday party. Councilor Lehan then read a poem for Council written by Ms. Johnson as a thank you for the Wilsonville swag.

8. Councilor West

No report.

9. Councilor Linville

Reported on the below meeting, she attended since the last City Council meeting:

- Clackamas County Coordinating Committee (C4) Metro Subcommittee

Announced the following upcoming event she planned to attend:

- Bulky Waste Day
- Clackamas Workforce Partnership Board Retreat

Councilor Linville reminded residents about the monthly City Manager Reports included in the Council packets. She then explained the reports included pages and pages of projects being worked on by City staff.

Lastly, Councilor Linville brought up concerns about Oregon Department of Transportation's strategies for meaningful public engagement.

## **CONSENT AGENDA**

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

10. **Resolution No. 2985**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement Contract Amendment With Murraysmith, Inc. For Owner's Representative Services For The Boeckman Road Corridor Project (Capital Improvement Project # 2102, 4205, 4206, 4212, And 7067).

11. **Resolution No. 2996**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Enter Into A Development Agreement With BTC III Grahams Ferry IC, LLC For Construction Of Oversized Public Water Infrastructure Improvements.

12. **Resolution No. 3000**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement Contract Amendment With Murraysmith, Inc. To Provide Final Design And Construction Support Services For The Charbonneau Lift Station Rehabilitation Project (Capital Improvement Project #2106).

13. Minutes of the September 8, 2022 City Council Meeting.

**Motion:** Moved to adopt the Consent Agenda.

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.

**NEW BUSINESS**

The Assistant City Attorney read the title of Resolution No. 2986 into the record.

14. **Resolution No. 2986**

A Resolution Of The City Of Wilsonville Authorizing Acquisition Of Property And Property Interests Related To Construction Of The Willamette Water Supply Program Right-Of-Way Enhancement Projects.

Andrew Barrett, Capital Projects Engineering Manager provided the staff report and PowerPoint, which has been made a part of the record.

Clarifying questions followed the presentation.

**Motion:** Moved to adopt Resolution No. 2986.

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

**Voting Yea:**

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

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

**CONTINUING BUSINESS**

The Assistant City Attorney read the title of Ordinance Nos. 866 and 867 into the record on second reading.

The Mayor read the second reading script.

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.

Staff reported there was no further input.

The Mayor then called for the motion on Ordinance No. 866.

15. **Ordinance No. 866** - *2nd Reading (Quasi-Judicial)*

An Ordinance Of The City Of Wilsonville Annexing Approximately 11.17 Acres Of Property Located South Of SW Frog Pond Lane At 7480 And 7500 SW Frog Pond Lane For Development Of A 19-Lot Residential Subdivision.

**Motion:** Moved to adopt Ordinance No. 866 on second reading.

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 Mayor then announced those who desire to appeal this decision to the Oregon Land Use Board of Appeals; they 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 then called for the motion on Ordinance No. 867.

16. **Ordinance No. 867** - *2nd Reading (Quasi-Judicial)*

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 10.94 Acres Located South Of SW Frog Pond Lane At 7480 And 7500 SW Frog Pond Lane For Development Of A 19-Lot Residential Subdivision.

**Motion:** Moved to adopt Ordinance No. 867 on second reading.

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.

The Mayor then announced those who desire to appeal this decision to the Oregon Land Use Board of Appeals; they 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.

## **PUBLIC HEARING**

The Assistant City Attorney read the title of Ordinance Nos. 868 and 869 into the record on first reading.

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

The Mayor provided the public hearing format and opened the public hearing at 8:15 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.

The City Council then asked questions of staff.

Staff informed there was no applicant presentation.

The Mayor invited public testimony, seeing none the Mayor closed the public hearing on Ordinance Nos. 868 and 869 at 8:19 p.m.

The Mayor requested a motion on Ordinance No. 868.

### **17. Ordinance No. 868 - 1st Reading (Quasi-Judicial Hearing)**

An Ordinance Of The City Of Wilsonville Annexing Approximately 4.92 Acres Of Property Located North Of SW Frog Pond Lane At 7315 SW Frog Pond Lane For Development Of A 12-Lot Residential Subdivision.

**Motion:** Moved to adopt Ordinance No. 868 on first reading.

Motion made by Council West, Seconded by Councilor Lehan.

### **Voting Yea:**

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

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

The Mayor requested a motion on Ordinance No. 869.

### **18. Ordinance No. 869 - 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 4.07 Acres Located South Of SW Frog Pond Lane At 7314 SW Frog Pond Lane For Development Of A 12-Lot Residential Subdivision.



**Motion:** Moved to adopt Ordinance No. 869 on first reading.

Motion made by Councilor Linville, Seconded by Councilor Lehan.

**Voting Yea:**

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

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

**CITY MANAGER'S BUSINESS**

There was none.

**LEGAL BUSINESS**

There was none.

**ADJOURN**

The Mayor adjourned the meeting at 8:23 p.m.

Respectfully submitted,

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Kimberly Veliz, City Recorder

ATTEST:

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Julie Fitzgerald, Mayor