

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Thursday, September 6, 2018. Mayor Knapp called the meeting to order at 7:11 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

- Mayor Knapp
- Council President Starr
- Councilor Stevens
- Councilor Lehan
- Councilor Akervall - Excused

Staff present included:

- Bryan Cosgrove, City Manager
- Jeanna Troha, Assistant City Manager
- Barbara Jacobson, City Attorney
- Kimberly Veliz, City Recorder
- Kerry Rappold, Natural Resources Manager
- Nancy Kraushaar, Community Development Director
- Mark Ottenad, Public/Government Affairs Director
- Amanda Guile-Hinman, Assistant City Attorney
- Mike McCarty, Parks and Recreation Director
- Brian Stevenson, Parks and Recreation Program Manager
- Tod Blankenship, Parks Supervisor

Motion to approve the order of the agenda.

Motion: Councilor Starr moved to approve the order of the agenda. Councilor Stevens seconded the motion.

CITIZEN INPUT & 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.

None.

MAYOR'S BUSINESS

- A. Upcoming meetings were announced by the Mayor as well as the regional meetings he attended on behalf of the City.

COUNCILOR COMMENTS

- A. Council President Starr

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Mentioned the Metro Hazardous Waste Collection Day scheduled for September 15, 2018 from 9:00 a.m. to 2:00 p.m. at Wilsonville City Hall.

B. Councilor Stevens

Informed the audience of the below:

- The Wilsonville Library Board meeting scheduled for September 26, 2018.
- Emergency Preparedness Workshop scheduled for Saturday, September 11, 2018 at the Wilsonville LDS Church.

C. Councilor Lehan

Shared that the Ellingsen house south of Costco has been purchased by Sysco.

CONSENT AGENDA

Ms. Jacobson read the titles of the Consent Agenda items into the record.

A. Resolution No. 2687

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With Paul Brothers, Inc. For The Memorial Park Dog Park And Community Garden Parking Lot Project (Capital Improvement Project #9132).

B. Minutes of the, July 16, 2018; August 6, 2018 and August 20, 2018 Council Meetings.

Motion: Councilor Stevens moved to approve the Consent Agenda. Councilor Lehan seconded the motion.

Vote: Motion carried 4-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Starr	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Excused

PUBLIC HEARING

A. Ordinance No. 818 – 1st Reading

An Ordinance Of The City Of Wilsonville Repealing And Replacing Chapter 8 – Environment Of The Wilsonville Code And To Repeal Ordinance No. 482.

Ms. Jacobson read the title of Ordinance No. 818 into the record on first reading.

Mayor Knapp provided the public hearing format and opened the public hearing at 7:30 p.m.

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Kerry Rappold, Natural Resources Manager along with Amanda Guile-Hinman, Assistant City Attorney presented on Ordinance No. 818.

Staff's presentation encompassed the below:

Historical Context

- Staff saw need for clearer enforcement measures for stormwater management.
- Other parts of Chapter 8 needed some clean-up, but no substantive overhaul undertaken.

Overview of Revisions to Chapter 8

- Redrafting Erosion Prevention and Sediment Control Regulations
 - ESC permit requirement
 - ESC plans
 - Inspection requirements
- Redrafting Stormwater Enforcement Regulations
 - Enforcement delegated to City staff
 - Allows City inspections and right of entry
 - Outlines notice requirements prior to enforcement action
 - States various enforcement measures
 - Civil penalties
 - Stop work orders
 - Abatement requirements
 - Termination of permit
 - Provides for appeal procedure
- Housekeeping Matters
 - Renumbered sections
 - Checked/refined definitions
 - Removed outdated/superseded language

Council concurred that Attachment C would be more helpful earlier on or leading into the document to make it more apparent to the reader.

Staff informed that Attachment C (Chapter 8 Code Revision - Chart of Applicability of Chapter 8) matrix itself is not located in the Code. However, the verbiage supplied in the matrix is included in Chapter 8. Staff prefers the attachment itself not be incorporated in the Code. The attachment will be utilized to educate and inform community members.

The Mayor invited public testimony, seeing none he closed the public hearing at 7:49 p.m.

Motion: Councilor Lehan moved to adopt Ordinance No. 818 on first reading. Councilor Stevens seconded the motion.

Vote: Motion carried 4-0.

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Mayor Knapp	Yes
Council President Starr	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Excused

B. **Ordinance No. 826** – 1st Reading

An Ordinance Of The City Of Wilsonville Adopting The 2018 Parks And Recreation Comprehensive Master Plan As A Sub-Element Of The City Of Wilsonville Comprehensive Plan, Replacing All Prior Parks And Recreation Master Plans, And Repealing Ordinance No. 625.

Ms. Jacobson read the title of Ordinance No. 826 into the record on first reading.

Mayor Knapp provided the public hearing format and opened the public hearing at 7:50 p.m.

Parks and Recreation Director Mike McCarty, Parks and Recreation Program Manager Brian Stevenson, and Parks Supervisor Tod Blankenship presented on Ordinance No. 826.

Purpose of this Plan

- Update 2007 Parks and Recreation Master Plan.
- Follow City of Wilsonville 2013 Comprehensive Plan principles.
- Provide a vision for future parks, recreation, open space and trails.
- Serve as an action plan for providing a high level of service.
- Address park development, recreation services, trails, open space & natural resource preservation, current deficiencies, and the need for future facilities.

Master Planning Components

1. Information Gathering & Analysis
 - Review background data
 - Stakeholder Focus Groups
 - Community Survey
 - Inventory Update & Gap Analysis
 - Organizational and Program Review
 - Analyze and Coalesce Data
2. Findings & Visioning
3. Goals & Recommendations
4. Draft and Final Plans

Key Findings

- Appreciation of existing parks, programs, and services
- Parks highly valued by residents
- Desire for river access
- Trail connectivity priority for residents

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- Need to add synthetic turf fields
- Concern for lack of indoor recreation and aquatic facilities
- Quality and maintenance of facilities and amenities important to residents
- Protect/preserve natural areas and environment high priority
- Safety and security high priority
- Desire to increase special/cultural events

Parks and Recreation mission statement was displayed:

“Recognizing community history, enriching the quality of life and fostering a safe environment, the Wilsonville Parks and Recreation Department shall provide, preserve, maintain, improve and enhance recreational opportunities, social services, natural resources and parkland for current and future generations.”

The following was shared from the City Council feedback previously received:

Integrated Pest Management (IPM) Plan

- Objective 3.9 (p 132) – The Department should work with other City Departments for creation and implementation of a City-wide IPM Plan
- Action 3.9a – Select optimal integrated pest management strategies that balance social, environmental and economic factors. The goals for selecting treatment principles and developing pest management strategies include:
 - Preservation of natural system, including pollinator habitat
 - Emphasize practices to minimize risk to human health
 - Reduce and eliminate, where possible, chemical pest control treatments
 - Ensure cost-effectiveness in the short and long term
 - Evaluate the efficacy of the integrated pest management

Natural Resources

- Objective 3.10 (p 133) – Maintain and Improve Wilsonville’s Natural Areas, including Tree City and Bee City USA designations.
- Action 3.10a – Provide appropriate care of natural resources paying attention to bio diversity, chemical pest control management and eco-friendly practices while following the City’s IPM Plan.
- Action 3.10b – Tree City and Bee City USA designations.
- Action 3.10c – Creation and implementation of Urban Forestry Management Plan.

Joint Use Agreement with School District

- Objective 3.5 (p 131) Review current Joint Use Agreement (JUA) with the school system and how it is benefitting the Parks and Recreation Department.
 - The Department should look to maximize potential usage of school facilities as a key goal of any joint operating agreement.
 - Action 3.5.a – Review current Joint Use Agreement with schools to maximize potential.

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- Action 3.5.b – Ensure that all existing and future partnerships are accurately portrayed in a signed agreement.

Synthetic Turf

- Objective 1.8 (p 127) – Consider Development of Synthetic Turf Fields
 - The Department should consider development of synthetic turf fields in an effort to meet the demand of the community for year-round play. Staff should explore synthetic surfaces that best meet the needs of the community.
 - Action 1.8.a – Develop priorities for consideration of installation of synthetic turf fields analyzing financial projections for construction and replacement, O&M budget projections, safety and environmental concerns and a pro-forma for operations.

Sport Tournaments

- Objective 1.7b (p 125) – Indoor Sports Facility Feasibility Study*
 - Conduct a feasibility /conceptual study to determine the feasibility and best method to gain community support for an indoor sports facility. Includes: Conceptual plans, financial projections, pro-forma for operations.

The following was shared from the Planning Commission feedback previously received:

Public Art

Action 1.6.c (p 125) – “Explore opportunities to feature existing and future public art at various park locations.”

Future Development

- Action 1.7.h (p 127) – Future Development
 - Ensure adequate parks and recreation facilities are provided in all future planning areas, including areas added to the UGB and annexed into the City, including the Basalt Creek Planning Area.
 - Work closely with City departments and private developers early and throughout the planning process to make sure the parks and recreational needs of the community are being met.
 - Work with Oregon Parks and Recreation for public access to, and development of, 15 acre Willamette Meridian Landing site.

For the record, staff informed that comments and suggested language made during Work Session will be included in the materials at the second reading of Ordinance No. 826.

Staff stated that they will verify and then update the language used for the Frog Pond neighborhood park and bring those modifications to the second reading. Additionally, staff informed they will perform a search of the word should and replace with the word shall.

Staff stated for the record that there was a typo on 3.10a, pesticide management becomes pest management.

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It was mentioned that the next steps for staff include listing priorities in order of short term and long term. Once priorities have been set, then funding options can be reviewed and discussed.

The below Parks and Recreation Comprehensive Master Plan edits were provided for the record to be incorporated into the plan. Adjustments are highlighted:

1.2.f* <i>Complete Boeckman Creek Regional Trail</i> Design and Construction of trail from Memorial Park to Canyon Creek Park	\$2,400,000	Staff Time	Ongoing
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1.7.d* <i>Development Frog Pond West Trailhead Park</i> Design and construction of neighborhood park including connection to	\$1,500,000	Staff Time	Short-Term
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ADD

1.7.h* <i>Frog Pond Neighborhood Park</i> Design and construction of neighborhood park	\$2,400,000 (funded by developer)	Staff Time	Mid-Term
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1.7.h* Future Development becomes 1.7i*
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The Mayor invited public testimony, seeing none he closed the public hearing at 8:13 p.m.

Council appreciated staff and expressed the importance of parks to the community.

Council demonstrated interest in knowing how many private recreational facilities such as church gymnasiums, indoor soccer venues, and other such amenities are located in Wilsonville.

Motion: Councilor Starr moved to approve Ordinance No. 826 on first reading and then amended the motion to include all the edits and carryovers from Work Session and; the edits included in the post packet handout and; the word should to be changed to shall in the document. Councilor Lehan seconded the motion.

Vote: Motion carried 4-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Starr	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Excused

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CITY MANAGER'S BUSINESS

City Manager Cosgrove shared a letter submitted to the Municipal Court from a driver that participated in the diversion program.

It was noted that the Community Survey results are complete and will be presented to Council in October.

Mr. Cosgrove left the meeting at 8:25 p.m.

LEGAL BUSINESS

City Attorney Jacobson and Council discussed the recent ruling from the Ninth Circuit Court of Appeals, *Martin v. City of Boise* decided on September 4, 2018. Attorney Jacobson summarized the ruling made is very broad-based. Ms. Jacobson reported that essentially this case holds that the cruel and unusual punishments clause of the Eighth Amendment precludes the enforcement of a statute prohibiting sleeping outside against homeless individuals with no access to alternative shelter. Furthermore, as long as there is no option of sleeping indoors, the government cannot criminalize indigent, homeless people for sleeping outdoors, on public property, on the false premise they had a choice in the matter.

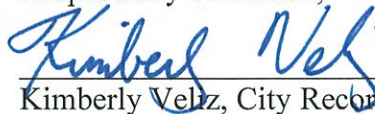
It was mentioned that the City of Portland's interpretation of the ruling is if a person sleeps in a space and moves on that is fine. However, a person cannot place a tent or make the space their camp or home base.

Discussion ensued about homeless camping outside and in vehicles. In closing the City Attorney along with the Chief of Police will review the City's ordinances on the issue.

ADJOURN

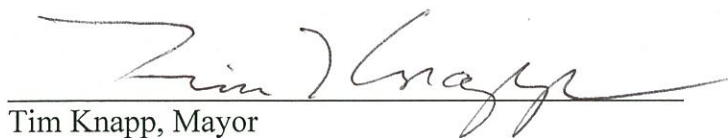
Mayor Knapp adjourned the meeting at 8:41 p.m.

Respectfully submitted,



Kimberly Velz, City Recorder

ATTEST:



Tim Knapp, Mayor