

**CITY OF WILSONVILLE**  
**CITY COUNCIL MEETING MINUTES**

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A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, June 3, 2019. Mayor Knapp called the meeting to order at 7:10 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

- Mayor Knapp
- Council President Akervall
- Councilor Stevens
- Councilor Lehan
- Councilor West

Staff present included:

- Bryan Cosgrove, City Manager
- Jeanna Troha, Assistant City Manager
- Barbara Jacobson, City Attorney
- Kimberly Veliz, City Recorder
- Chris Neamtzu, Community Development Director
- Cathy Rodocker, Finance Director
- Keith Katko, Assistant Finance Director
- Bill Evans, Communications & Marketing Manager
- Cindy Luxhoj, Associate Planner
- Rob Wurpes, Chief of Police
- Zach Weigel, Capital Projects Engineering Manager
- Dan Pauly, Planning Manager

Motion to approve the order of the agenda.

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

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

**SUMMARY OF VOTES**

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor West	Yes

**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.

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Dick Spence, Board Member of the Wilsonville Public Library Foundation, praised the efforts of Bill Evans, Communications and Marketing Manager, and his work on outreach for the Dolly Parton Imagination Library.

Hilly Alexander, Board Member of the Wilsonville Public Library Foundation, thanked staff and Council for their assistance getting the word out about the Dolly Parton Imagination Library. She stated it was too early to report on the uptick in registrations, but the library is very close to 800 active in the program. She noted the library sees anywhere between 12 and 20 children graduate from the program per month. She requested help for the ongoing effort. She added the information was being distributed in bilingual flyers in the summer reading packets.

Susan Hanson, Board Member of the Wilsonville Public Library Foundation, also praised Evans.

Jami Arbon, Wilsonville resident, thanked Council President Akervall for meeting with her. She invited Council to discuss lifting the ban on cannabis in the community. She summarized information she shared with Council in the past, namely studies indicated in communities where cannabis is legal, crime goes lower and property values go higher. She requested Council add an agenda item for her to speak educationally about cannabis' health benefits. She noted it is legal all around Wilsonville and community members have to travel to get medication. She added the City is leaving a 3 percent tax on the table. She emphasized she would like to be given more than 3 minutes for a formal educational presentation. She suggested Council visit KGW and review their study on CBD. She asked Council to continue to reconsider the ban.

Mayor Knapp stated this issue was put to a vote of the public. He noted the public said they did not want to have this in Wilsonville. He explained any citizen can undertake a ballot initiative to change a rule in the city. He emphasized it would be the advocates' responsibility to collect signatures to put it on the ballot and see if the citizens feel differently.

Alan Steiger, Wilsonville resident, stated he was a retired CPA and licensed municipal auditor and served on the Wilsonville Budget Committee for six years. He noted he continued to participate as a citizen. Mr. Steiger indicated he believed the 2019-2020 City and Urban Renewal budgets have been prepared on a conservative fiscal basis while maintaining service. He urged Council to adopt the budgets without amendment. He added as a past budget committee chair and citizen of Wilsonville, he was somewhat disappointed on the low Council attendance in this year's budget discussions. He emphasized the importance of the budget committee meetings for making informed decisions.

John Budiao, Wilsonville resident, thanked Susie Stevens for her service. He noted the Mayor has an appointment left and he is still interested in serving. He noted his volunteer efforts in Wilsonville over several years and work experience.

Kate Johnson, Wilsonville resident, read a letter to the Council endorsing the appointment of John Budiao to Council.

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**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 Stevens said leaving the Council was not an easy decision. She noted she has been thinking about it for a long time, and it took 15-20 minutes to send the message to let staff, the Mayor, and Councilors know she would resign. She explained she could not travel as much as she would like and serve on the Council. She indicated she wanted to travel extensively for a long, long time, and now has the opportunity. She emphasized she wants to travel while she is still strong and that life is short. She added it is hard for her to leave because she feels so strongly about the commitment she made when she ran in 2016. She wished the City, staff, and Council all the best. She said she will be watching from a distance, rooting for them all the way, and will certainly come back to volunteer. She added serving has been such an honor and enriching experience for her. She thanked everyone for all they have done and will do.

Mayor Knapp thanked Councilor Stevens for her service, thoughtfulness, and ready wit. He pointed out in the City Charter, Chapter 7, Sections 29 and 30 described the vacancy filling process. He noted it is not very specific. He read, "Vacancies in elective offices of the city shall be filled by appointment by a majority of the incumbent membership of the Council." He explained it would take a majority of four Councilors, which is three, to make a decision on a replacement Councilor.

Mayor Knapp shared the below documents are included in the Council Candidate Application packet:

1. Standard volunteer application form and boards/commission application form.
2. Council goals 2017-2018 and new 2019-2020.
3. Council state legislative agenda.
4. State required Statement of Economic Interest (SEI).
5. List of meeting dates for Council 2019-2020.
6. List of outside meetings, which Council collectively is responsible for covering.
7. Wilsonville City Charter, Chapter VII - Vacancies in Office
8. Will need Council input: Specific questions for applicants.

Mayor Knapp proposed Council require applicants at least meet the standards of board and commission appointments. He explained the process is to post this vacancy on public media for 30 days, ask people who are interested to pick up an application packet and fill out an application, and then Council can see what kind of response there is. He suggested adding a few questions to the application. He indicated he needs more time to consider questions and go through procedures of other cities. Mayor Knapp added he was open to ideas or suggestions.

Councilor West agreed and suggested tailoring the board and commission application packet to a Councilor seat better. He asked if the Mayor meets applicants, interviews them, brings a list to Council, and then Council will discuss the applicants.

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Mayor Knapp stated the answer might be different depending on the number of applicants. He noted if there were a large amount of applicants, there will need to be a process to narrow the field to finalists. He suggested the Mayor and Council President be involved in that. He explained if more Councilors were involved, there would have to be a public meeting, but he was not opposed to having it open to the public. Mayor Knapp added he was kind of improvising at this point.

Councilor West stated he would like to see it be as public as possible. He noted he believed there will be many applications and suggested spreading the burden among the whole Council. He recommended when it gets down to the last 10 candidates, the Council make the process as public as possible.

Councilor Lehan stated the Mayor's outline sounded good. She indicated she believed it was reasonable if there are many applicants that the Mayor and Council President narrow it down to the top four. She noted it is hard to say how many finalists because sometimes it is an obvious break who stands out and sometimes it is not. Ms. Lehan added she would be happy for the Mayor and Council President to make the initial cut, and then Council can interview the top candidates.

Councilor Akervall stated she supports the process outlined by the Mayor.

Mr. Cosgrove suggested Council think about when the position should be filled.

Councilor Lehan suggested having the appointment on the second meeting in August or first meeting in September.

Mr. Cosgrove suggested determining the questions to ask and having a checklist of basic criteria all of the Council can agree upon.

Mayor Knapp noted the only criteria in the Charter was residency for 12 months in the City.

Mr. Cosgrove suggested the Mayor work with staff or the Council President to decide the important criteria and questions, and then he will send it out to Council. He explained Councilors can individually respond to him with comments, and then they will avoid serial meetings.

Mayor Knapp noted this probably would not be done until the middle of the month.

Mr. Cosgrove added staff needed questions and criteria, and then they will conduct outreach.

**COUNCILOR COMMENTS**

A. Council President Akervall

Last weekend attended Tualatin Valley Fire & Rescue (TVF&R) awards and recognition ceremony. Recognized the firefighters and community members. Noticed school is wrapping up

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and encouraged the community to welcome people in the parks and be aware of the increased foot traffic. Encouraged sign up to the Summer Reading Program.

B. Councilor Stevens

Noted Summer Reading Program is for kids and adults. Highlighted story in the Boones Ferry Messenger about Councilor Akervall and her day as a firefighter.

C. Councilor Lehan

Reminded tomorrow night, June 4, 2019, is the French Prairie Bridge Task Force meeting on the final design. Appointed to the Willamette Falls Heritage Area Coalition, now called the Willamette Falls and Landings Heritage Area Coalition, which is preparing recognition for half-century businesses. Explained they are looking for businesses in the heritage area that have been in business more than 50 years. Asked the community to bring information to her. Noted the group looks to acknowledge these businesses in 2020.

D. Councilor West

Shout out to the Wilsonville Peacemakers who quilt beautiful pieces of art to help those who go through tragedy. Noted these pieces are stunning and will be going out to the families and victims of the Villebois Fire. Thanked the Peacemakers for sharing their art and doing it in such a meaningful and impactful way. Thanked the businesses that have stepped up in helping these families too.

Following Council comments, Mayor Knapp briefly updated on the I-5 Wilsonville Facilities plan, which is to add another lane from Wilsonville Road down to the 551 Exit with a double off-ramp at Exit 551. ODOT has shown that will significantly improve traffic flow on the freeway, and wants to couple that with work on and seismic upgrade of the bridge. Mayor Knapp noted the revised proposal asks for \$3.5 million dollars to do preliminary engineering and feasibility work for the overall project. Explained it now sits in the Ways and Means Committee where funding has to be achieved. Hoped Ways and Means will hold a work session on it, and cautiously optimistic to receive the \$3.5 million for preliminary engineering, so that if there were federal funds available, it would be ready to qualify.

**PUBLIC HEARING**

A. **Resolution No. 2750**

A Resolution Of The City Of Wilsonville Adopting The Budget, Making Appropriations, Declaring The Ad Valorem Tax Levy, And Classifying The Levy As Provided By ORS 310.060(2) For Fiscal Year 2019-20.

Ms. Jacobson read the title of Resolution No. 2750 into the record.

Mayor Knapp provided the public hearing format and opened the public hearing at 8:07 p.m.

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No Councilor declared a conflict of interest, bias, or conclusion from information gained outside the hearing. No Councilor’s participation was challenged by any member of the audience.

Cathy Rodocker, Finance Director, along with Keith Katko, Assistant Finance Director, presented the budget and property tax levy approved by the Budget Committee. Ms. Rodocker noted the Committee added one FTE to the Police Department, but did not increase the funding.

Councilor Stevens noted staff recommended the addition of the FTE and is not asking for additional resources.

The Mayor invited public testimony, seeing none he closed the public hearing at 8:11 p.m.

Council appreciated staff and the Budget Committee for their work and collaboration on the budget process.

**Motion:** Councilor Akervall moved to approve Resolution No. 2570 and adopt the Fiscal Year 19-20 Budget for the City of Wilsonville in the total amount of \$212,573,216 and levying the full amount of the City General Tax Rate of \$2.5206. Councilor Stevens seconded the motion.

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

**SUMMARY OF VOTES**

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor West	Yes

Ms. Jacobson read the title of Resolution Nos. 2751 and 2752 into the record.

Mayor Knapp provided the public hearing format and opened the public hearing on Resolution Nos. 2751 and 2752 at 8:19 p.m.

No Councilor declared a conflict of interest, bias, or conclusion from information gained outside the hearing for Resolution Nos. 2751 and 2752. No Councilor’s participation was challenged by any member of the audience.

Ms. Rodocker and Mr. Katko presented the staff report.

The Mayor invited public testimony, seeing none he closed the public hearing at 8:21 p.m.

**B. Resolution No. 2751**  
A Resolution Declaring The City’s Eligibility To Receive State Shared Revenues.

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**Motion:** Councilor West moved to approve Resolution No. 2751. Councilor Akervall seconded the motion.

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

**SUMMARY OF VOTES**

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor West	Yes

**C. Resolution No. 2752**

A Resolution Declaring The City’s Election To Receive State Shared Revenues.

**Motion:** Councilor West moved to approve Resolution No. 2752. Councilor Lehan seconded the motion.

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

**SUMMARY OF VOTES**

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor West	Yes

**D. Ordinance No. 836 – 1<sup>st</sup> Reading**

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Residential Agricultural Holding (RA-H) Zone To The Planned Development Industrial (PDI) Zone With Special Considerations For Screening And Buffering From The Adjacent Existing Residential Use On Approximately 6.16 Acres Comprising Tax Lots 300 And 500 Of Section 14A, T3S, R1W, Clackamas County, Oregon, Nicoli Pacific, LLC, Applicant/Owner.

Ms. Jacobson read the title of Ordinance No. 836 into the record on first reading.

Mayor Knapp 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 Councilor’s participation was challenged by any member of the audience.

Cindy Luxhoj, Associate Planner presented the PowerPoint and the staff report.

Councilor Lehan confirmed there were 57 units in the Walnut Park mobile home park.



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Councilor Stevens asked for clarification on buffering.

Ms. Luxhoj explained the screening and buffering overlay zone requires a buffer of 10 to 20 feet wide and then landscaping or screening to either include a 6-foot wall or a sight obscuring fence. The applicant is proposing a 6-foot wall that is set back 10 feet from the property line and between the property line and the wall, there will be landscaping including trees, groundcover, and shrubs. There will need to be one functional gate for maintenance.

Councilor Stevens asked if there was discussion about noise.

Ms. Luxhoj replied there is some concern with noise because of the nature of the business. In the stage 2 review, there will be an industrial building on the eastern part of the site and a storage yard on the western side. One aspect of the wall is it would reduce noise from the development.

Attorney Jacobson noted the Development Review Board (DRB) will be reviewing these plans and all of the details will need to be filled in.

Staff clarified usually the zone amendment and project plans are in one package, but the reason they have been separated them is to get the zone map amendment through Council review and into the appeal period in order to have all the application processed by the end of July. Added the applicant did not have all the details at the time of this application.

Staff clarified the development three industrial buildings, two on the parcel to the south and one on the parcel to the north. Noted it is being developed in three phases. Explained Phase One would include an industrial building on the eastern side on the southern parcel and a storage yard on the western side. Explained Phase Two would be developing a second building in the storage yard. Stated Phase Three would be the third building on the northern parcel. Added they are only submitting Phase One at this point.

Mayor Knapp noted the property has been vacant land for a long time. He stated all the concerns about pedestrian protections, turning movements, trucks, and proximity of trucks to residential will come during the DRB meeting. He asked for clarification on the letter from the Fair House and Council of Oregon.

Dan Pauly, Planning Manager, explained Wilsonville has a two map system, which includes a Comprehensive Planning Map and a Zoning Map. He noted this letter does not reflect that interaction. He stated the property is essentially planned or zoned for industrial, but the rezoning occurs at the time of development. He explained in the housing needs analysis and buildable lands inventory for jobs, this property has always been considered industrial land, going back to 40 years ago.

Attorney Jacobson stated she will reach out to the attorneys in the letter and explain the issue.

Mayor Knapp summarized the supposition in the letter seems to be that the City is chipping away at land that could be residential, but the land was always planned to be industrial.



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Attorney Jacobson explained in the Comprehensive Plan, there is specific language that addresses this is going to be industrial, but there is an existing mobile home park there. She stated the idea is the park has priority as long as it is still there, and there is specific language that protections need to be observed. She indicated if it ever went away of its own volition, then it would default to industrial, but as long as it is there, it has to be given deference.

Councilor Lehan encouraged Attorney Jacobson to clarify this as well to Fair House and Council of Oregon.

Councilor West asked, hypothetically, could that property be expanded for more housing.

Mr. Pauly replied only one house could be built there, not multiple units.

Councilor Lehan explained the history of land zoning in that area.

The applicant Dave Nicoli spoke in favor of approval.

The Mayor invited public testimony. Seeing none, he closed the public hearing at 8:46 p.m.

Councilor Lehan stated Council was sensitive to the housing issue, partly because of the closure of Thunderbird. She noted they were acutely aware of the vulnerability of the individuals who tend to live in mobile home parks and how there can be short notice when property is sold. She said Council understood land will eventually develop into something else. She added she appreciated the applicant reached out to the neighborhood.

Councilor West shared Councilor Lehan’s concerns and appreciation for outreach.

**Motion:** Councilor Lehan moved to adopt Ordinance No. 836 on first reading. Councilor West seconded the motion.

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

**SUMMARY OF VOTES**

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor West	Yes

**CITY MANAGER’S BUSINESS**

City Manager Cosgrove announced he attended the Memorial Day Ceremony at the Korean War Memorial held in Town Center Park and would be attending the upcoming ribbon cutting for EyeHealth Northwest.

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Additionally, City Manager Cosgrove complimented Building Official Dan Carlson and the Building Department for expediting the process of getting residents back in town home units that were deemed unoccupiable.

**LEGAL BUSINESS**

Council was reminded about the upcoming Kinder Morgan regional disaster training on June 25 and 26.

Attorney Jacobson noted she received a letter from the attorney from French Prairie asking the City to continue to support them concerning the Aurora Airport, to stay in contact with the Oregon Department of Aviation, and to express its interest to provide input on the Master Plan. She asked Council for consensus on the issue.

Mayor Knapp encouraged the Council to support French Prairie. He reminded the Council of its policy questioning the industrialization of farmland south of the river, which is in conflict with the Aurora Airport runway extension. He explained according to the attorneys, the airport's Master Plan is basically invalid because it was never legally adopted. He stated the position of the City has been to support following state land use law. He indicated there may or may not be a lot of activity to try to remedy the apparent inadequacies of the Master Plan process and the status of the Master Plan itself. Mayor Knapp noted the proponents of the airport are asking the City to reassert its interest in being a party to the Master Plan process if they undertake to reengage it. He stated he believed the over flights to Wilsonville do make the City an effected party, and it would be entirely appropriate for the City to ask to be party to any official process that is reopened or initiated.

Councilor Lehan agreed. She stated she felt strongly, at the very least, the City needed to be on the intergovernmental agreement and change the map. She noted the map was always unfair to the City of Wilsonville, Clackamas County, and the City of Canby. Ms. Lehan explained the runway is linear and not just a circle around Aurora. She emphasized the City needed a seat at the table and to be a part of the process because it is certainly impacted. She recalled when people testified about the expansion of the runway, the expansion intended to allow larger and larger aircraft to land and takeoff there. She emphasized things have changed and it has become a different airport. She stated she hears from the residents of Charbonneau that the jets are louder and different.

Councilor Stevens agreed. She stated she is not sure what has changed, particularly over the Park at Merryfield. She noted Charbonneau has dealt with this for many years. She agreed the map is strange. She indicated if nothing else, the City needed to have notice of meetings to be informed and have transparency. Ms. Stevens emphasized the need to be on the list for notices of meetings and to be included in the intergovernmental agreement. She added if the air traffic is going to increase, the City should have a say.

Councilor Akervall agreed. She noted to be engaged seemed like the responsible thing to do,

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Ms. Jacobson summarized the Council continues to be interested in this, is an impacted party, wants notice, and, as soon as they start working on the master plan, wants a seat at the table. She stated she would draft something for Council to review.

Ms. Jacobson reported she is working with the Chief of Police to take all the precautions possible to address the shooting incident in Memorial Park. She explained they are working to join Clackamas County's exclusion program through an agreement.

Ms. Jacobson provided details on the Clackamas County Sheriff's Office exclusion program. It was reported the exclusion program gives sheriff the right to excluded those being disruptive in City property.

Mr. Cosgrove explained it was mostly meant to protect public safety, and the process would be judicious.

Ms. Jacobson gave an example of a repeat offender who would do donuts with a car in Memorial Park parking lot. In the program, the person would receive a warning and then exclusion.

Mayor Knapp confirmed this would require ongoing, close coordination between city staff and police.

Mr. Cosgrove further explained the coordination would be facility by facility.

Ms. Jacobson explained all the city facilities are listed in the agreement so the police have authority.

Mr. Cosgrove clarified the police need some type of statutory authority like this.

Councilor Stevens asked who makes the contact with law enforcement.

Mr. Cosgrove replied anyone could, citizens, staff, or business owners. He added this is really for repeat offenders or egregious offenses.

Council agreed to continue with the exclusion program as detailed by the City Attorney.

**ADJOURN**

Mayor Knapp adjourned the meeting at 9:09 p.m.

Respectfully submitted,

DocuSigned by:

*Kimberly Veliz*

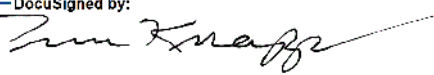
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Kimberly Veliz, City Recorder

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ATTEST:

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Tim Knapp, Mayor