

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

A special meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Thursday, September 10, 2020. Mayor Knapp called the meeting to order at 7:05 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

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

Staff present included:

- Bryan Cosgrove, City Manager
- Jeanna Troha, Assistant City Manager
- Barbara Jacobson, City Attorney
- Kimberly Veliz, City Recorder
- Chris Neamtzu, Community Develop. Director
- Mark Ottenad, Public/Government Affairs Director
- Miranda Bateschell, Planning Director
- Dan Pauly, Planning Manager
- Kimberly Rybold, Senior Planner
- Martin Montalvo, Public Works Ops. Manager
- Beth Wolf, Systems Analyst
- Andy Stone, IT Director

Motion to approve the order of the agenda.

Motion: Councilor West moved to approve the order of the agenda including the three issues (Wildfires Update, Resolution Nos. 2842 & 2851) discussed in Work Session for tonight’s meeting. Councilor Linville seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

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

MAYOR’S BUSINESS

A. ODOT I-205 Toll Project

This item was discussed following the Mayor’s announcement of upcoming meetings.

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City Manager Cosgrove shared that staff is requesting that Council approve the draft letter included in the packet regarding the I-5 Tolling Project.

Mayor Knapp then summarized the information included in the packet.

Councilor Linville agreed with most of the concerns and comments in the draft letter. In particular, she was concerned about the lack of discussion initially from the OTC about the local impacts of the tolling for Wilsonville. Furthermore, she is concerned with any of the proposals on spot tolling that may affect the City of Wilsonville and its residents in an unequitable way. In closing, Ms. Linville stated she does not see anything in the letter that she would not support in terms of communicating the concerns of Wilsonville.

Council West stated he opposes tolling on the I-5/I-205. He believes there are other creative ways to find funding mechanisms to deal with the transportation issues. Moreover, ODOT admitted to diversion issues with country roads, as they are not designed to handle the diversion from I-205. Furthermore, the diversion roads are maxed out as shown by the tragic fatality. It would be much more burdensome to have those roads maxed out further. Mr. West thinks Wilsonville's economy and residents would be negatively impacted. He reminded that Wilsonville already has to deal with I-5 gridlock, and the tolling would add to this gridlock.

Mr. West suggested that the letter be amended to add something about property values. Mr. West shared he has heard of studies that report property values are impacted by tolling. He stated a decrease in property values affects property taxes, which are used to fund essential services of government.

Mr. West pointed out that pricing could change depending on peak hours. He thinks during these peak-tolling times working families are likely to be traveling through these areas to get to and from work. Mr. West believes single parents and working families will be hit the hardest by tolling. Mr. West further explained he does not think tolling is equitable.

Mr. West reiterated his opposition to the tolling. He mentioned he does like the tone of the letter however, he would add something regarding how the tolling affects people's property values.

Councilor Akervall commented the draft letter references some of the concerns that were brought up by the letter from C4. Ms. Akervall agrees with the points made in the City's draft letter and C4's letter. She acknowledged there is a need for transportation funding. However, it seems that many things are still unanswered. She recounted this draft letter is asking that Council be able to investigate and get more information on some of those lingering questions. Ms. Akervall stated she definitely support Council trying to push for those answers because she thinks this could have a big impact on Wilsonville and surrounding communities. Ms. Akervall restated she is supportive of the letter and that it sounds accurate.

Councilor Lehan echoed the comments made by Councilor Akervall. Furthermore, she agrees with the points in the letter. Ms. Lehan shared she has concerns about tolling for which have been raised previously. She stated the City is a significant partner with ODOT and the Transportation

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Commission because of their role on I-5. Therefore, she wants to pursue these projects if they or we have ideas to look at all ideas in order to solve the bigger problem.

Mayor Knapp reported he has been in discussion on that topic of tolling in probably a dozen different meetings over the last year or two. In those meetings, the topic of decrease in property values has never been brought forward. Mayor Knapp thinks the bar to demonstrating a decrease in property values is significant at this point. In addition, if Council were going to put that forward Council would not want to do so without documentation that Council could point to. Mayor Knapp agreed there is certainly things that Council does not know however; he does not have that data to be able to support that now.

City Manager Cosgrove shared Mr. Ottenad is listening to the meeting. Furthermore, Mr. Ottenad indicated he may be able to put in some language that says Wilsonville would hope the Oregon Department of Transportation (ODOT) and others would study and include some money to study perceived or real impacts on quality of life. Certainly, it would be hard to quantify reduction in property values based on increased traffic an argument could be made if you own commercial property your property values would go up. Therefore, that might be more problematic. However, staff can certainly add some language about potential impacts on quality of life for neighborhoods.

Councilor Linville shared much that she has read about the impacts of tolls are tolling adjacent to communities. If it references anything about property values, it is done within the context of economic development. The impacts on economic development which might be multiple kinds of impacts on a city that has a toll either adjacent to it or within it. Ms. Linville shared she wonders if it is more an issue of economic impacts rather than quality of life. Ms. Linville recommended if staff amends the letter that it be within the context of speaking about the economic impacts on the city rather than the quality of life.

Mayor Knapp summarized from discussion heard that Council was in general agreement to add a little more wording. Furthermore, Council seemed to be in favor of amending the letter to include the additional language suggested by Mr. Ottenad. In addition, granting Mr. Ottenad the authority to figure out where to put the extra wording he outlined. Even if it does not quite exactly fit one or the other category.

Motion: Councilor West moved to send the letter as drafted with potential updates about quality of life and economic impact on the community. Councilor Akervall seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

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

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B. Upcoming Meetings

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

The I-5 Toll Project was discussed following the Mayor’s announcement of upcoming meetings.

C. Resolution No. 2851

A Resolution And order Declaring A Local State Of Emergency And Authorizing Emergency Measures, As Authorized By Resolution No. 2803.

Ms. Jacobson supplied background information on Resolution No. 2851. Ms. Jacobson stated for the record this resolution came out of a meeting earlier today between various City and County staff members. During the joint meeting, discussion took place about the emergencies surrounding the wildfires in the area, the potential need to work together, share resources, and the ability to submit for federal and state reimbursement.

Ms. Jacobson informed Resolution No. 2851 is not the same declaration of emergency as the resolution for COVID-19. Resolution No. 2851 is separate as it deals uniquely with the fires and gives the City authority to take emergency steps to quickly contract to share resources and to submit for reimbursement with respect to issues having to deal with the fire. In addition, it gives the City additional police power to ensure public safety and health. Furthermore, it allows police to move people when they need to be moved. Moreover, it allows curfew regulations to be enacted, if there was a compelling reason to do so. Since, it is unknown how long the fire situation will occur the emergency declaration is set to expire on October 15, 2020. With the hope, the fires will be resolved well before that date. Ms. Jacobson reported there is no downside to approving this resolution as it provides the City the ability to work collaboratively with other cities and county agencies and apply for reimbursement if funds become available.

Motion: Councilor Linville moved to approve Resolution No. 2851. Councilor Akervall seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

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

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COMMUNICATIONS

A. Wildfires Update

Martin Montalvo, Public Works Ops. Manager provided a short PowerPoint, which has been made a part of the record.

Mr. Montalvo updated that as of yesterday the Emergency Operations Center (EOC) started taking actions for staff safety. Such actions include allowing staff in designated evacuation and get ready areas to handle personal arrangements. In addition, the City Manager made the decision to close City Hall and other City facilities today and tomorrow with the exception of Transit, Public Works and the Police Department due to the poor air quality. Essential employees continue their duties and cover emergency assignments. Over the weekend, the EOC will revisit the closures of facilities for Monday.

Mr. Montalvo recalled that prior to his presentation Council approved an emergency declaration in preparation for response to the wildfires. He thanked Council for taking this action.

It was explained Clackamas County declared an emergency declaration on the September 8, 2020. Furthermore, the Governor declared a conflagration for the fires. He shared there are talks between counties and the state for federal resources. The City has received requests for mutual aid and have been fielding those requests as staff and/or resources are available.

Mr. Montalvo reported that at 2:00 p.m. today the air quality was at 125. The air quality changed to the 170s around 5:00 p.m. He recounted because of the poor air quality the City Manager made the decisions to close City facilities and will be monitoring the situation over the weekend.

Mr. Cosgrove added Portland, Oregon has the worst air quality indicator in the world right now.

Mr. Montalvo continued to explain the City of Wilsonville and some neighboring areas are at a level one with some transitioning to level two. Furthermore, the level three area has been expanded. He detailed level one means be ready, pack your bags. Level two means be set, take bags out to the garage. Level three is go, put your bags in the car and leave.

Staff has spoken to some homeowners' association (HOA) presidents and community members. Specifically, the general manager for Charbonneau who has been working with the HOAs and their emergency management group. Charbonneau has internal communication systems ready to send public alerts from local emergency management.

The Police Department is at a heightened posture in case the City changes to a level two or three. Everyone that is registered with public alerts will get a notification letting them know if the evacuation level changes. If mandatory evacuations occur, the Police Department will start moving through portions of the City advising residents of the evacuations.

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In preparation for the wildfires over the last few days, Public Works and Parks staff have been staging emergency equipment throughout the City. In addition, staff has been splitting the equipment on the west side and east side in preparation of any wildfires making it into the area. Staff is prepared to assist the Police Department and/or Fire Department with road closures or providing them with any heavy equipment, they may require.

Mr. Montalvo explained Transit Manager Dwight Brashear has been preparing SMART if a mandatory evacuation occurs. Mr. Brashear has past experiences in New Orleans helping with mass evacuations and public transportation. Along with Mr. Brashear, Transit Operations Manager Eric Loomis has been brought into early conversations so, they both are ready to assist the City and the region with whatever resources SMART has to offer.

Prior to the end of his presentation Mr. Montalvo showed Council helpful online tools located on the City's website under the wildfire response webpage.

Following the presentation Council asked question of Mr. Montalvo.

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.

Mayor Knapp shared that Council received an email from a citizen (Jonathan Galbreath) about helping to transport individual if an evacuation were to occur. Mayor Knapp commented if you have neighbors or somebody that you know that needs help being transported and you have capability then do so.

There was no public input.

COUNCILOR COMMENTS

A. Council President Akervall

Reminded the West Linn- Wilsonville school Zoom meetings for tomorrow have been cancelled. Additional information can be found on the schools website.

Attended the Clackamas County Business Alliance *Get Moving 2020* presentation

Ms. Akervall shared her thoughts are with the whole community, neighbors, families, businesses and City staff. She is tremendously grateful for the work City staff is doing to keep residents safe.

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B. Councilor Lehan

Councilor Lehan acknowledged the City Manager and all City departments for being on top of wildfire situation. Ms. Lehan shared she is pleased to be a part of a city that follows these issues closely and anticipates things ahead of time. She is proud of the City and hopes we come through this disaster on the other side and are able to help neighboring communities.

C. Councilor West

Councilor West wished for everyone to stay safe. Mr. West shared his neighbors have their families from the Silverton, Woodburn and Molalla area staying with them. He disclosed he has family in Molalla for whom are concerned about their property. He shared people he is close to have already lost their homes and have nowhere to go. He understands that is the story of many. Mr. West encouraged everyone to take the necessary steps to care of their health and each other. He acknowledged 2020 has been tough and stress inducing for all. He reminded we are all neighbors and we all love our community and to check on others. Check on those you would not normally reached out to. Mr. West stated this is a time to put aside differences and come together. He thinks times like these are when a community's character is tested. Mr. West trusts and believes in the City's character, trusts the wisdom of this Council and City staff. He thinks everybody on Council is feeling the pain along with the City. He also thinks City staff is operating in the utmost professionalism and on top of communication.

In closing, Mr. West reminded we are all in this together. He encouraged those that need help to not shy away from asking and encouraged all to take care of each other.

D. Councilor Linville

Councilor Linville reported the Willamette Falls Lock Commission met last Wednesday. The staff whom were originally contracted with the project of opening and working on a plan for the Locks, which sunset on June 30. It is anticipated that the 7 to 14 million dollars that are required to get the Locks up and running is not likely to be forthcoming in the legislative session given the state's budget issues related to COVID-19. Ms. Linville imagines now with this fire situation as well. The Army Corps. of Engineers has about three hundred thousand dollars this year and will have another three hundred thousand dollars next year to continue to do repairs on the Locks. Wilsonville Concrete products the marine industrial company has moved their loading machinery from Wilsonville to the Port of Saint Helens. They were hopeful they could use the water travel because it is the most efficient way to transport their products. Ms. Linville stated the Commission was sorry it was not going to be possible to get the Locks open and help Wilsonville Concrete. Ms. Linville thinks the Locks Commission itself does not expire until 2023 although she is not certain what the work will be of the Commission in the meantime.

Ms. Linville then personally thanked Mr. Cosgrove, City staff, and in particular Martin Montalvo and his staff for the work that they are doing getting Wilsonville prepared for whatever might happen with these wildfires and potential evacuations.

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She then reminded everyone to turn their gas off before they evacuate. She also shared the gas should be turned back on by a professional.

Furthermore. Ms. Linville stated she is keeping everybody in her thoughts and prayers. She hopes this is over soon.

CONSENT AGENDA

Ms. Jacobson recalled Resolution No. 2842 had been removed from the Consent Agenda and would be heard at a future meeting. Ms. Jacobson then proceeded to read the titles of the Consent Agenda items into the record.

- A. Minutes of April 1, 2019; September 5, 2019; November 4, 2019; February 20, 2020; March 2 & 16 2020; April 20, 2020; May 4, 2020; June 15, 2020 and July 6 & 20, 2020; August 17, 2020 Council Meetings.

Motion: Councilor West moved to approve the Consent Agenda as read. Councilor Akervall seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

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

NEW BUSINESS

A. **Resolution No. 2844**

A Resolution And Order Amending Resolution No. 2834 To Further Extend The Local State Of Emergency And Emergency Measures, As Authorized By Resolution No. 2803.

Ms. Jacobson read the title of Resolution No. 2844 into the record.

Ms. Jacobson then explained the current COVID-19 resolution expires soon and the governor has extended the state’s emergency declaration on COVID-19. Therefore, the City will similarly extended the emergency declaration to go along with the state. Resolution No. 2844 expires November 3, 2020 the same day the states order expires. The Council will meet close to the date of the expiration in the event the emergency declaration needs to be extended.

Motion: Councilor Akervall moved to approve Resolution No. 2844. Councilor Lehan seconded the motion.

Vote: Motion carried 5-0.

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SUMMARY OF VOTES

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

CONTINUING BUSINESS

A. None.

PUBLIC HEARING

City Attorney Jacobson reported the applicant for Ordinance Nos. 842 and 843 has offered to continue these items. The applicant assumed that due to the wildfires it might be a busy night. Furthermore, the applicant is not pressed to have these items approved immediately.

A. Ordinance No. 842

An Ordinance Of The City Of Wilsonville Annexing Approximately 17.57 Acres Of Property Located On The West Side Of SW Stafford Road South Of SW Frog Pond Lane Into The City Limits Of The City Of Wilsonville, Oregon; The Land Is More Particularly Described As Tax Lots 1500 And 1700, A Portion Of SW Frog Pond Lane Right-Of-Way, And A Portion Of SW Stafford Road Right-Of-Way, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Walter Remmers, William Ray Morgan, And Janice Ellen Morgan, Petitioners.

B. Ordinance No. 843

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 15.93 Acres On The West Side Of SW Stafford Road South Of SW Frog Pond Lane; The Land Is More Particularly Described As Tax Lots 1500 And 1700, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. West Hills Land Development LLC, Applicant.

Motion: Councilor Linville moved to continue Ordinance Nos. 842 and 843 to the September 21, 2020 City Council meeting. Councilor West seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

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

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Ms. Jacobson read the title of Ordinance Nos. 844 and 845 into the record on first reading.

C. Ordinance No. 844

An Ordinance Of The City Of Wilsonville Annexing Approximately 5.85 Acres Of Property Located On The South Side Of SW Clutter Street Just West Of SW Garden Acres Road Into The City Limits Of The City Of Wilsonville, Oregon; The Land Is More Particularly Described As Tax Lot 2100, Section 3D, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon. Chris And Sonya Bickford Petitioners.

D. Ordinance No. 845

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Washington County Future Development, 20-Acre (FD-20) Zone To The Planned Development Industrial – Regionally Significant Industrial Area (PDI-RSIA) Zone On Approximately 5.85 Acres On The South Side Of SW Clutter Street Just West Of SW Garden Acres Road; The Land Is More Particularly Described As Tax Lot 2100, Section 3D, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon. Panattoni Development Company, Inc., Applicant.

Mayor Knapp provided the public hearing format and opened the public hearing for Ordinance Nos. 844 and 845 at 8:34 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.

Kim Rybold, Senior Planner provided the PowerPoint and staff report.

Applicant Lee Leighton appreciated the excellent guidance that was received from City staff in helping prepare the complex application. Mr. Leighton shared his excitement to be the first project moving forward with construction in Coffee Creek. He shared his team’s eagerness to be the guinea pig for the process. He appreciated that the technical issues are straightforward.

Mr. Leighton shared this areas project development plan will include extending public utilities as needed and constructing Clutter Street. Furthermore, it was shared the applicant has had extensive coordination with the City’s civil engineering team. Mr. Leighton informed that Design Engineer Chad Lawrence was on Zoom if Council had any specific questions.

Mayor Knapp invited additional speakers, seeing none he closed the public hearing at 8:47 p.m.

Motion: Councilor Lehan moved to adopt Ordinance No. 844 on first reading. Councilor Linville seconded the motion.

Councilor Lehan shared her excitement that this project is moving forward. She added the City had been working on this area a long time, since before the prison was built.

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Councilor Linville also shared her excitement for the development. Ms. Linville recalled when she applied for appointment to the City Council this project was identified as one of the areas that she was particularly interested in. Ms. Linville shared she understood the development review process and was excited to see how the form based code process would work.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

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

Motion: Councilor Linville moved to adopt Ordinance No. 845 on first reading. Councilor Lehan seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

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

CITY MANAGER’S BUSINESS

City Manager Cosgrove reiterated the importance of being prepared in the event of evacuations due to the wildfires. Mr. Cosgrove strongly encouraged everyone to opt in to receive emergency text alerts from Clackamas County. He also shared those with iPhones can turn on government alerts by going into settings, then notifications at the bottom of that list, there you will find the following three tabs; Amber alerts, government notices and emergency notices. Mr. Cosgrove highly encouraged the notices to be turned on.

Mr. Cosgrove appreciate the comments from Council and the community regarding City staff. He shared City staff will continue to do everything possible to provide services, protect property and residents.

LEGAL BUSINESS

City Attorney Jacobson shared that September 20, 2020 is the due date for the brief to Land Use Board of Appeals (LUBA) with respects to the Aurora Airport.

Ms. Jacobson informed there were no updates on the City of Aurora’s ask at the last Council meeting regarding TLM Holding.

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Lastly, Ms. Jacobson wished City Manager Cosgrove happy birthday.

ADJOURN

Mayor Knapp adjourned the meeting at 8:55 p.m.

Respectfully submitted,

DocuSigned by:
Kimberly Veliz
E781DE10276B498

Kimberly Veliz, City Recorder

ATTEST:

DocuSigned by:
Tim Knapp
C2B6698B3949461

Tim Knapp, Mayor