

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 Monday, October 4, 2021. Mayor Fitzgerald 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 Fitzgerald
Council President Akervall
Councilor Lehan
Councilor West
Councilor Linville

Staff present included:

Bryan Cosgrove, City Manager
Barbara Jacobson, City Attorney
Kimberly Veliz, City Recorder
Mark Ottenad, Public/Government Affairs Director
Zoe Mombert, Assistant to the City Manager
Cindy Luxhoj, Associate Planner
Philip Bradford, Associate Planner
Dan Pauly, Planning Manager
Kimberly Rybold, Senior Planner

Motion to approve the order of the agenda.

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

Vote: Motion carried 5-0.

SUMMARY OF VOTES

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

MAYOR'S BUSINESS

A. Upcoming Meetings

Mayor Fitzgerald reported on the meetings and events she recently attended which included:

Greater Portland Inc. (GPI) Economic Summit

- Held as a hybrid event on September 30, 2021.
- The Mayor recalled participants were masked and had their vaccination cards verified.

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- The name of the event was “Champions of Transformation” and featured a number of speakers, including:
 - Monique Claiborne, the newly named President & CEO of GPI.
 - Kofi Bonner, CEO of investment firm Bedrock who has done many public private partnerships including philanthropy.
 - The event’s featured executive was Emily Leproust, CEO of Twist Bioscience based out of San Francisco.

Dr. Leproust spoke about some of the excellent development work by GPI and the decision for Twist Bioscience to locate in Wilsonville. Twist Bioscience’s \$70 million capital expansion in Wilsonville. The City’s innovative Wilsonville Invest Now Tax Increment Finance program is to bring 200 new high-wage jobs to the community.

- The Mayor was thankful for the invitation to the summit given by Maria Pope, CEO of PGE.

Retirement Party for Library Director Pat Duke

- Pat Duke worked 25 years for the City.
- As Library Director, he brought a real emphasis on high-quality customer service and developing children’s literacy, especially with the Dolly Parton Imagination Library Program that provides a free book each month to children from birth to age five.
- Pat Duke led Library staff to develop public programs for different audiences that celebrate culture and literacy.
- Some of these programs include the Great Book Discussion groups, Book Notes concerts, Baby and Toddler Time, Family Storytime, Genealogy Club, Art Wall displays, Curiosity Café, First Friday Films, K thru 2 Book Adventures, and Lego Night. Of course, the pandemic had interrupted programs and led to more online presentations.
- Pat Duke worked with cities and libraries across the county to form the Library District of Clackamas County in 2008 that helps to fund library services to the public.
- Each library, including the Wilsonville Public Library, receives about \$1 million every 10 years for library renovations. It was recalled that the City undertook a \$1.3 million renovation at the Library with use of Library District funds.
- The Mayor wished Pat Duke well in his retirement and thanked him for all he has done.

Clackamas County Coordinating Committee (C4) Annual Retreat

- Held virtually the prior Friday and Saturday.
- Councilor Linville and the Mayor represented the City in discussions of various transit issues, including improving cross-regional inter-city routes.
- SMART Transit Director Dwight Brashear helped to lead presentations by public transit operators in Clackamas County, with SMART’s new bus on shoulder service featured prominently.
- One of the more salient issues raised was the need for better coordination and collaboration by TriMet with the smaller transit operators to improve transit services.

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- Therefore, the City continues to press Metro for SMART to have a seat at the Joint Policy Committee on Transportation (JPACT) that makes regional policy and funding decisions of federal transportation funds.
- Only when all of the Portland metro-area Federal Transit Administration urban-area transit providers have an equitable seat at the table will the City be able to make headway with TriMet to improve regional transit service.

Upcoming Meetings

The Mayor reported on the following upcoming meetings:

City Council Meeting

- The next City Council meeting is Monday, October 18, 2021.

Next Oregon Aviation Board Planning Session and Meeting

- The Mayor reported she would attend the meeting and anticipated participation from members of the public; with some members of City Council would be listening in on these meetings via Zoom.
- It was recalled the master planning process City Council had been talking about for years has not yet started. However, it was supposed to start at the end of the year. When it does start, it is intended to include citizen representation and representatives of the communities surrounding the airport.
- That new master plan process is intended to determine if a larger airport with more and larger jets and longer runway makes sense and is needed
- Given that the master planning process has not begun, the Mayor was surprised to read in a document published for the upcoming Aviation Board Planning Session called “Aurora State Airport Review” that the Aviation Department plans a \$32 million expansion of the Aurora State Airport starting in Fiscal Year 2024, including a major runway extension.
- The Mayor hopes this report is only the hope of the state agency, and not a predetermined outcome because the master planning process has not yet started. The official master planning process has received \$1 million in Federal Funds for the planning process.
- The Mayor reminded people are going to put in a lot of time into this process. Therefore, she wants to make sure that good representation of the communities, citizens are involved in the process, and that their time is put to good use.
- The Mayor hopes the master planning process it is not a predetermined outcome as it sounds like in that report. She further hopes it is a vision because a predetermined outcome would probably end up with the exact same situation that preceded this controversial 2011 Aurora State Airport Master Plan. Which is the one that the Oregon Court of Appeals recently found violated state land use and public process laws.
- The data and facts ascertained in a formal public process oriented master planning process including input from local area communities and residents should matter. The City Council will diligently continue advocating for and representing the interests of all of the citizens of Wilsonville.

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October is “Long-Term Residents Month”

- This national month of recognition celebrates the federal Nursing Home Reform Act of 1987. It guarantees residents who live in long-term care facilities their individual rights, in order to promote and maintain their dignity and autonomy.
- In Wilsonville, there are a lot of older senior age populations and in addition to the largely retired residents of the Charbonneau District, Wilsonville hosts 6 assisted living and residential care facilities.
- As a City that seeks to improve the health and well-being of residents, the Parks and Recreation Department operates an active program of senior activities and fitness at the Community Center. Highlighted on the City’s website and in recent publication of activities offered for people of older ages in the community. All the assisted living and residential care facilities in Wilsonville facilitate their residents’ ability to participate in programs at the Community Center.
- The Mayor noted in Wilsonville many of the volunteers who serve on nonprofit boards around the City in different functions and those that volunteer on City committees are often retirees. The Mayor stated, the City is blessed to have a significant cohort of retirees who volunteer their skills and time to making Wilsonville a better place to live, work and recreate.

COMMUNICATIONS

A. None.

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.

There was no public input.

COUNCILOR COMMENTS

A. Council President Akervall

Announced she was happy to attend the retirement party for Pat Duke whom was the director of the Library for many years. She appreciated the fantastic work done at the Library under Pat’s leadership.

Councilor Akervall also attended a webinar on Middle Housing that was moderated by Miranda Bateschell, Planning Director. During the webinar, a number of different projects from areas across the state were presented. In addition, there was discussion from leaders in the industry about their contributions to create viable projects as well as some of the challenges that exist.

Reminded everyone of the Harvest Festival scheduled at Murase Park on October 16, 2021

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B. Councilor Lehan

Reported due to a death in her family she was unable to attend Pat Duke's retirement. Councilor Lehan then expressed admiration for Pat Duke's many years of work at the Library and the many accolades he brought to library programming.

Councilor Lehan then showed the audience a compost bucket. She explained the City is giving away free compost buckets to Wilsonville residents with a limit of one per household. Those interested in receiving a compost bucket should read the latest Boones Ferry Messenger for details of the giveaway program.

It was mentioned that another event listed in Boones Ferry Messenger was Bulky Waste Day. Councilor Lehan reminded Bulky Waste Day is free and is held on October 23, 2021 at Republic Services on Ridder Road. The audience was encouraged to read the rules for the event because of the pandemic a mask must be worn and participants must be able to offload their own items. Councilor Lehan reminded that at the event donations of toiletries were being accepted for Wilsonville Community Sharing.

C. Councilor West

Echoed the kind words towards Pat Duke and added that he is one of the kindest, sweetest, compassionate, and nicest persons. Councilor West shared he was unable to attend the retirement due to a scheduling conflict. Councilor West thanked Pat Duke for his service to the Wilsonville community and wished him the best.

Councilor West explained he was unable to attend the Wilsonville-Metro Community Enhancement Committee meeting due to a scheduling conflict with work.

He attended the Development Review Board meeting where the topic of the Piazza was discussed.

In closing, Councilor West encouraged everybody take advantage of the Bulky Waste Day.

D. Councilor Linville

Ms. Linville reported the subcommittee for the Willamette Falls Locks Commission met and identified a list of potential candidates to serve on the Willamette Falls Locks Authority. The subcommittee is in the process of checking with the potential candidates to ensure they are willing to have their names submitted for nomination. Councilor Linville informed the Willamette Falls Locks Commission would meet on October 27, 2021 to make a final decision about the 11 member Willamette Falls Locks Authority recommendations. The final recommendations would be forwarded to the Governor whom would make the final decision on appointees by the end of the year.

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Councilor Linville reminded the audience of Indigenous Peoples' Day. She recalled how the day is often confused with Columbus Day, which was not a positive day for the indigenous peoples in the United States. Ms. Linville recalled the importance of supporting and recognizing indigenous people.

Next, Councilor Linville shared some items in her emergency preparedness kit. Items included solar power pack, hand charged radio/flashlight, solar USB port chargeable, lanterns and light bulbs.

Lastly, Councilor Linville congratulated Pat Duke on his retirement.

CONSENT AGENDA

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

A. Resolution No. 2914

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement With The Leo Company, LLC, For Government Relations And Emergency Preparedness Training Consulting Services.

B. Resolution No. 2925

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With R.C. Contracting, LLC To Construct The Municipal Parking Lots Slurry Seal Project.

C. Minutes of the September 20, 2021 City Council meeting.

Motion: Councilor Lehan moved to approve the Consent Agenda as read. Councilor Linville seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

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

NEW BUSINESS

A. None.

CONTINUING BUSINESS

A. None.

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PUBLIC HEARING

A. Ordinance No. 850 – 1st Reading (Legislative Hearing)

An Ordinance Of The City Of Wilsonville Adopting The Wilsonville Town Center Streetscape Plan As An Appendix To The Wilsonville Town Center Plan, A Sub-Element Of The Comprehensive Plan.

Ms. Jacobson read the title of Ordinance No. 850 into the record on first reading.

Mayor Fitzgerald provided the public hearing format and opened the public hearing at 7:41 p.m.

Philip Bradford, Associate Planner along with Ben Weber, Consultant SERA Design provided the staff report and PowerPoint, both of which has been made a part of the record.

Council then asked clarifying question of staff and provided comment.

Mayor Fitzgerald invited additional speakers, seeing none she closed the public hearing at 8:11 p.m.

Motion: Councilor Akervall moved to approve Ordinance No. 850 on first reading. Councilor Lehan seconded the motion.

Council discussion ensued.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

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

B. Ordinance No. 851 – 1st Reading (Legislative Hearing)

An Ordinance Of The City Of Wilsonville Amending The Text Of The Wilsonville Comprehensive Plan, Text Of The Development Code, The Frog Pond West Master Plan, And The Villebois Village Master Plan; Adopting A Legislative Zone Map Amendment To Rezone Residential Properties In The Old Town Neighborhood To The Newly Established Old Town Residential Zone; And Declaring Development In Planned Development Residential Zones As Legal Non-Conforming To Increase The Allowance Of Middle Housing In Wilsonville.

Ms. Jacobson read the title of Ordinance No. 851 into the record on first reading.

Mayor Fitzgerald provided the public hearing format and opened the public hearing at 8:19 p.m.

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Staff requested that the City Attorney reread the title of Ordinance No. 851 to ensure the correct title was read as the ordinance title had been updated.

Ms. Jacobson read the updated title of Ordinance No. 851 into the record on first reading.

Dan Pauly, Planning Manager then provided the staff report and PowerPoint, both of which had been made a part of the record.

Kate Rogers joined Mr. Pauly; Consultant of APG joined to respond to Council's clarifying questions.

Following the presentation staff explained, they respectively disagree with Home Builders Association point about the new language. Staff noted the reason for the disagreement is the new language essentially closes potential loopholes around middle housing land divisions. Staff then proceeded to provide examples. It was mentioned that the consultants share the same interpretation as staff.

Council asked clarifying questions of staff.

Mayor Fitzgerald then invited public testimony.

Roseann Johnson, Assistant Director of Government Affairs at Home Builders Association of Metro Portland provided public testimony. Ms. Johnson explained the Home Builders Association has a couple concerns about the proposed code amendments. However, by in large the Home Builders Association supports the tremendous list. Ms. Johnson appreciated that accessory dwelling units (ADUs) can go through the middle housing land division. However, she stated that cluster housing as being defined is by all intents and purposes if it functions, as middle housing calling it a different name does not change its function. Therefore, it should be required to proceed through a middle housing expedited land division. She further stated it would be a nightmare for the financial community to be able to discern the difference between these resulting lots of parcels in the middle housing land division.

Councilor Linville asked Mr. Pauly to respond to the concerns Ms. Johnson had regarding the financing component.

Mr. Pauly stated staff does not truly know if there would be an issue. He explained the City of Wilsonville is clear in definitions.

The Mayor asked for additional speakers, seeing none she closed the public hearing at 9:05 p.m.

Motion: Councilor Linville moved of approval of Ordinance No. 851 on first reading. Councilor Lehan seconded the motion.

Councilor West shared he was on the fence with this item. He wanted to support the work of the City however; he noted concern for the naming used because property designations/types matter when purchasing housing.

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Councilor Lehan added that the City of Wilsonville has some of the most competent planning staff you would ever find in a city of this size. Moreover, staff and the Planning Commission have worked on this recommendation for more than a year. Ms. Lehan announced her faith in both City staff and Planning Commissioners.

Councilor Linville reminded that the City already has a code and legislation is allowing jurisdictions to take the requirements and make it fit with the City’s code. Therefore, the City has an obligation to make sure the language is consistent with its code. She too mentioned her faith in staff and Planning Commissioners.

The Mayor agreed with comments made by Councilor Linville and Councilor Lehan and acknowledged Councilor West's comments.

Motion Clarified: Councilor Linville moved to adopt Ordinance No. 851 on first reading. Councilor Lehan seconded the motion.

Withdrawal of Motion: Councilor Linville moved to withdraw the motion and restate. Councilor West seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

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

City Attorney Jacobson informed Council of their options to restate the motion. She explained Council could clarify the motion to state that it includes the changes Mr. Pauly indicated on the slide that he showed. Another option was at second reading Ordinance No. 851 can come back with a markup of all of the changes that need to be made in case there is any additional.

The below is the miscellaneous language clean ups displayed in the PowerPoint by Mr. Pauly:

- Remove “fee schedule” from Ordinance title
- October 1 memo
 - Typographical edits
 - Clarifying edits
- Clarifying edits not yet mentioned
 - Number of design elements
 - Window coverage reduction
 - Density exemptions
 - Frog Pond West small lot attached req.

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Restated Motion: Councilor Linville moved to adopt Ordinance No. 851 on first reading with the recommendations that had been read into the record by Mr. Pauly. Councilor Lehan seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

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

C. Ordinance No. 852 – 1st Reading (*Quasi-Judicial Hearing*)

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From Public Facility (PF) Zone To The Village (V) Zone On Approximately 1.40 Acres In The Villebois Village Center, Adjacent To The Piazza At Villebois To The Northeast And Northwest; The Land Is More Particularly Described As Tax Lot 2800 And Adjacent Right-Of-Way, Section 15AC, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Costa Pacific Communities, Applicant.

Ms. Jacobson read the title of Ordinance No. 852 into the record on first reading.

Mayor Fitzgerald provided the public hearing format and opened the public hearing at 9:20 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.

Cindy Luxhoj, Associate Planner with the assistance of Dan Pauly, Planning Manager provided the staff report and PowerPoint, both of which has been made a part of the record.

Staff confirmed the action City Council was taking on Ordinance No. 852 was strictly on zoning and not on the component portions of the project or anything related to the specification or standards that are being applied to the project application.

City Attorney Jacobson reported explained Ordinance No. 852 is a change to the zoning and not an approval in any way shape or form of the plan, which is scheduled to be go back to the Development Review Board at their next meeting. Ms. Jacobson recalled she had asked the question about the up zoning on and the impact of taxes and was told it would be negligible. Furthermore, she understood the applicant wanted to go forward with the zone change now even though the Development Review Board has not approved the plan.

Mayor Fitzgerald invited public testimony.

Garret Prior, Wilsonville resident, spoke in support of Ordinance No. 852.

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Michele Sandlin, Wilsonville resident asked a clarifying question of staff.

Staff responded that the zone map amendment applies to only the two sites that are part of lot 76. The other two parcels where Buildings B and C, and parking are proposed to be located are already zoned Village. The only parts of the applications that are being considered by Development Review Board, that are contingent on City Council approval of the zone map amendment are for the PDP the FDP and the tree plan for lot 76. Therefore, in terms of what is actually being built from the ground would still be subject to further Development Review Board review at the October 25, 2021 meeting.

Stacy Connery, with Pacific Community Design whom was representing the applicant Rudy Kadlub of Costa Pacific Communities, spoke in support of Ordinance No. 852.

Seeing no further public testimony the Mayor closed the public hearing at 9:39 p.m.

Motion: Councilor Lehan moved to adopt Ordinance No. 852 on first reading. Councilor West seconded the motion.

Councilor Lehan thought it was appropriate she make the motion because on her first City Council meeting in 1991 is when this property was annexed into Wilsonville. Councilor Lehan recalled she was on Council from 1995 to 1997 when the Dammasch State Hospital closed and the City spent two or three years fighting for the location of the of the Coffee Creek Correctional Facility, in order to have Villebois. Councilor Lehan commented the process of developing Villebois had taken over twenty years. However, this was the final piece to bring it into City of Wilsonville.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

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

CITY MANAGER’S BUSINESS

No Report.

LEGAL BUSINESS

No Report.

The Mayor mentioned for the record Council had been efficient with their time in the Work Session with an extra 30 minutes prior to the Council meeting. Therefore, Council held the Executive Session earlier.

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ADJOURN

Mayor Fitzgerald adjourned the meeting at 9:43 p.m.

Respectfully submitted,

DocuSigned by:
Kimberly Veliz
E781DE10276B498...

Kimberly Veliz, City Recorder

ATTEST:

DocuSigned by:
Julie Fitzgerald
8A974AF3ADE042E...

Julie Fitzgerald, Mayor