

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, September 21, 2020. Mayor Knapp called the meeting to order at 7:08 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 - Excused
- Councilor West
- Councilor Linville

Staff present included:

- Bryan Cosgrove, City Manager
- Jeanna Troha, Assistant City Manager
- Barbara Jacobson, City Attorney
- Kimberly Veliz, City Recorder
- Dan Pauly, Planning Manager
- Beth Wolf, Systems Analyst
- Andy Stone, IT Director
- Cindy Luxhoj, Associate Planner
- Keith Katko, Assistant Finance Director
- Zach Weigel, Capital Projects Engineering Manager
- Ryan Adams, Assistant City Attorney

Motion to approve the order of the agenda.

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

Vote: Motion carried 4-0.

SUMMARY OF VOTES

| | |
|----------------------------|---------|
| Mayor Knapp | Yes |
| Council President Akervall | Yes |
| Councilor Lehan | Excused |
| Councilor West | Yes |
| Councilor Linville | Yes |

MAYOR'S BUSINESS

A. Upcoming Meetings

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

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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.

Andrew Engel, asked Council to help those facing eviction due to the pandemic, find needed resources. Mr. Engel urged Council to put together resources to study and understand how many Wilsonville residents are at risk of eviction due to the crisis. He further requested Council fulfill the liaison role in an expedited manner to provide Wilsonville residents with necessary information and connections to community resources.

Garet Prior discussed moving forward on the equity committee. Mr. Prior recalled on June 15, 2020 Council approved the Equitable Housing Strategic Plan and at that time called for an equity committee. Mr. Prior mentioned that there are five key items to create such a committee, which includes 1) scope 2) group diversity 3) decision-making power 4) management structure and 5) resources. He also, shared he would like this item to be scheduled on the October or November Council agenda.

City Manager Cosgrove reported staff is researching best practices for creating a diversity, equity, and inclusion (DEI) committee. Furthermore, staff is contacting other Oregon cities to learn more about their DEI committees. Mr. Cosgrove shared before staff makes a recommendation they desire to have a community conversation. Mr. Cosgrove anticipates the community conversation will occur fourth quarter of 2020 or first quarter of 2021.

City Manager Cosgrove stated there are many things that need to be done by the City in terms of diversity, equity, and inclusion. He feels a more centralized approach is necessary and an umbrella committee should be formed in order to touch on all issues.

Mr. Cosgrove reminded Council the City of Wilsonville has provided Wilsonville Community Sharing with resources to help community members in need. Mr. Cosgrove shared that staff will continue to push out information about resources once it is available. He will also talk with staff to see if additional outreach can be done. Mr. Cosgrove explained the City website is constantly updated with information regarding available resources for those in need of assistance.

Lastly, Mr. Cosgrove announced he received Mr. Prior's input and will incorporate the information provided into the City's research.

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COUNCILOR COMMENTS

A. Council President Akervall

Councilor Akervall reported the following:

- Attended the Clackamas County Workforce Partnership event.
- Tuned into the League of Oregon Cities (LOC) statewide call.
- Plans to participate in upcoming Willamette Intake Facilities (WIF) call.
- Informed the school district made changes to the delivery of school meals.

B. Councilor West

Gave a shout out to Dr. Laura La Joie of Joy of Life Chiropractic, John Budiao, Wilsonville high school students and Frog Pond Farms all of whom assisted those in need due to the wildfires. Councilor West shared that he is proud of Wilsonville citizens and gave residents kudos for having big hearts.

C. Councilor Linville

Reported the French Prairie Forum was canceled. The next meeting is planned for October 12, 2020.

Ms. Linville then followed up on the comments provided by Mr. Engel during citizens input.

Ms. Linville detailed the governor extended the foreclosure moratorium until December 31, 2020. However, did not do anything about renters because on September 4, 2020 the Centers for Disease Control and Prevention (CDC) extended the moratorium on evictions. Ms. Linville stated the extension was published in the in the federal register guidelines. Additionally, in the publication, there is a form tenants, lessees, and residents of residential properties can use to negotiate an agreement with their landlords to stop eviction. This process does not relieve renters of their responsibility to pay rent. However, it does allow them to make an agreement. Ms. Linville desires for the City to make this information available for the public.

She then appreciated City Manager Cosgrove for the work he is doing with the community around diversity, equity, and inclusion. Ms. Linville re-emphasized during a June 2020, Council meeting when the Equitable Housing Strategic Plan was approved there was also a motion approved for City leadership to look at various DEI models that relate to housing. Ms. Linville wishes to keep this work out in the front. She agrees with City Manager Cosgrove on having an overarching committee. To ensure, work is not done in a silo but rather looked at in a larger context.

Mr. Cosgrove will request staff member Bill Evans to reach out directly to Councilor Linville to discuss what can be done in terms of outreach and coordination with Wilsonville Community Sharing regarding the extension forms for renters.

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CONSENT AGENDA

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

A. Resolution No. 2836

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With Northstar Electrical Contractors, Inc. To Construct CIP 4722 - LED Street Light Conversion – Phase 1 Project.

B. Resolution No. 2850

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Amend An Existing Personal Services Agreement Contract With Murraysmith Associates For The Design And Construction Oversight Of CIP# 4722 Led Street Light Conversion Phase 1 Project.

C. Resolution No. 2845

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Personal Services Agreement Contract With Tetra Tech For Development Of The City’s Water System Risk And Resilience Assessment And Emergency Response Plan As Required By The America’s Water Infrastructure Act Of 2018.

D. Resolution No. 2846

A Resolution Of The City Of Wilsonville Authorizing The Sole Source Selection Of The Backyard Habitat Certification Program For FY 2020-2021 Through FY 2022-2023.

E. Resolution No. 2847

A Resolution Of The City Of Wilsonville Authorizing The Sole Source Selection Of Friends Of Trees For FY 2020-2021 Through FY 2022-2023.

F. Minutes of the May 6, 2019 City Council Meeting.

Motion: Councilor Akervall moved to approve the Consent Agenda. Councilor Linville seconded the motion.

Vote: Motion carried 4-0.

SUMMARY OF VOTES

| | |
|----------------------------|---------|
| Mayor Knapp | Yes |
| Council President Akervall | Yes |
| Councilor Lehan | Excused |
| Councilor West | Yes |
| Councilor Linville | Yes |

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NEW BUSINESS

A. Resolution No. 2843

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Contract With Angelo Planning Group, Inc. For The Middle Housing In Wilsonville Project.

Ms. Jacobson read the title of Resolution No. 2843 into the record.

Dan Pauly, Planning Manager provided the staff report.

Motion: Councilor Linville moved to approve Resolution No. 2843. Councilor Akervall seconded the motion.

Council discussion ensued.

Vote: Motion carried 4-0.

SUMMARY OF VOTES

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|----------------------------|---------|
| Mayor Knapp | Yes |
| Council President Akervall | Yes |
| Councilor Lehan | Excused |
| Councilor West | Yes |
| Councilor Linville | Yes |

CONTINUING BUSINESS

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

Staff informed Council there has been no additional information to receive to consider since the first reading of Ordinance Nos. 844 and 845.

A. 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.

Motion: Councilor Linville moved to approve Ordinance No. 844 on second reading. Councilor West seconded the motion.

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Vote: Motion carried 4-0.

SUMMARY OF VOTES

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|----------------------------|---------|
| Mayor Knapp | Yes |
| Council President Akervall | Yes |
| Councilor Lehan | Excused |
| Councilor West | Yes |
| Councilor Linville | Yes |

B. 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.

Motion: Councilor Linville moved to approve Ordinance No. 845 on second reading. Councilor West seconded the motion.

Vote: Motion carried 4-0.

SUMMARY OF VOTES

| | |
|----------------------------|---------|
| Mayor Knapp | Yes |
| Council President Akervall | Yes |
| Councilor Lehan | Excused |
| Councilor West | Yes |
| Councilor Linville | Yes |

PUBLIC HEARING

Ms. Jacobson read the title of Ordinance Nos. 842 and 843 into the record on first reading.

Mayor Knapp provided the public hearing format for Ordinance Nos. 842 and 843 and opened the public hearing at 8:08 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 Luxhøj, Associate Planner provided the PowerPoint for Ordinance Nos. 842 and 843, which has been made a part of the record.

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Land Use Attorney Michael Robinson of Schwabe Williamson & Wyatt represented the applicant West Hills Land Development, LLC. Mr. Robinson shared he would provide a short initial presentation and then turn it over to Li Alligood, planner and Mike Peebles, engineer both of Otak, Inc.

Mr. Robinson then commented the applicant agrees with the Development Review Board's unanimous recommendation for approval of applications by City Council. The applicant also agrees with the planning department staff report submitted to City Council. Furthermore, Mr. Robinson agrees with the concerns about affordability however, reminded the Equitable Housing Strategic Plan is not an approval for this application. He encouraged further discussion of this matter but reiterated it does not relate to either of these quasi-judicial applications. Mr. Robinson explained Council adopted the Equitable Housing Strategic Plan, June 2020. However, the applicant's applications were submitted in January 2020. Therefore, under state law only those standards in effect on the date submitted are approval standards.

Ms. Alligood shared she was also presenting on behalf of the applicant. She then provided a couple of comments. Ms. Alligood mentioned that this is the fourth subdivision in Frog Pond west and the third subdivision by the applicant West Hills Land Development, LLC. Furthermore, as mentioned by City staff the Development Review Board approved the other applications. Therefore, the applicant is only here for the approval of the annexation and zone changes.

Garet Prior, Wilsonville resident asked the Council to defer taking action on Ordinance Nos. 842 and 843. Mr. Prior requested the deferment so additional policy and affordability analysis could be completed. Mr. Prior agreed with Mr. Robinson that there are regulatory limitations on what can be considered in the application. Mr. Prior stated he does see the application being approved eventually because it meets the legal requirements. Mr. Prior shared he understands the regulatory limitations however; he still feels additional analysis done would help inform the longer-term work.

Mr. Robinson requested to provide a rebuttal to Mr. Prior's testimony.

Ms. Jacobson reported from a protocol respective Council should allow the applicant to provide rebuttal. She further stated the applicant is correct this application does precede the passing of the Equitable Housing Strategic Plan.

Mr. Robinson stated there is no basis for deferring an action on this application. He informed if the equitable housing study were relevant to an approval criterion the applicant would have completed that work with City staff. Mr. Robinson explained it does not mean the applicant is not concerned about affordability. However, there is nothing to analyze in the context of the approval for the applications. He further explained the 120-day clock is running and if Council defers these items, there is no extension of the clock. The reason being it is not relevant to the approval criteria.

Mayor Knapp invited additional speakers, seeing none he closed the public hearing at 8:26 p.m.

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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.

Motion: Councilor West moved to approve Ordinance No. 842 on first reading. Councilor Akervall seconded the motion.

Council discussion ensued.

Vote: Motion carried 4-0.

SUMMARY OF VOTES

| | |
|----------------------------|---------|
| Mayor Knapp | Yes |
| Council President Akervall | Yes |
| Councilor Lehan | Excused |
| Councilor West | Yes |
| Councilor Linville | Yes |

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 West moved to adopt Ordinance No. 843 on first reading. Councilor Akervall seconded the motion.

Vote: Motion carried 4-0.

SUMMARY OF VOTES

| | |
|----------------------------|---------|
| Mayor Knapp | Yes |
| Council President Akervall | Yes |
| Councilor Lehan | Excused |
| Councilor West | Yes |
| Councilor Linville | Yes |

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C. Resolution No. 2849

A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2020-21.

Ms. Jacobson read the title of Resolution No. 2849 into the record.

Mayor Knapp provided the public hearing format and opened the public hearing at 8:38 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.

Keith Katko, Assistant Finance Director provided the staff report.

Clarifying questions from Council followed.

Mayor Knapp invited public testimony, seeing none he closed the public hearing at 8:45 p.m.

Motion: Councilor Linville moved to approve Resolution No. 2849. Councilor West seconded the motion.

Vote: Motion carried 4-0.

SUMMARY OF VOTES

| | |
|----------------------------|---------|
| Mayor Knapp | Yes |
| Council President Akervall | Yes |
| Councilor Lehan | Excused |
| Councilor West | Yes |
| Councilor Linville | Yes |

CITY MANAGER’S BUSINESS

Shared many City facilities had been closed due to hazardous air quality.

Reported that the City has its first positive COVID-19 case.

LEGAL BUSINESS

No Report.

ADJOURN

Mayor Knapp adjourned the meeting at 8:49 p.m.

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Respectfully submitted,

DocuSigned by:

Kimberly Veliz

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Kimberly Veliz, City Recorder

ATTEST:

DocuSigned by:

Tim Knapp

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Tim Knapp, Mayor