



## CITY COUNCIL MEETING MINUTES

December 20, 2021 at 7:00 PM

City Hall Council Chambers & Remote Video Conferencing

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### CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, December 20, 2021. Mayor Fitzgerald called the meeting to order at 7:15 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  
Jeanna Troha, Assistant City Manager  
Ryan Adams, Assistant City Attorney  
Kimberly Veliz, City Recorder  
Mark Ottenad, Public/Government Affairs Director  
Beth Wolf, Systems Analyst  
Zoe Mombert, Assistant to the City Manager  
Keith Katko, Finance Director  
Mike Nacrelli, Civil Engineer  
Delora Kerber, Public Works Director  
Martin Montalvo, Public Works Ops. Manager  
Bill Evans, Communications & Marketing Manager  
Katherine Smith, Assistant Finance Director  
Cindy Luxhoj, Associate Planner  
Zack Morse, Parks Maintenance Specialist  
Dustin Schull, Parks Supervisor  
Tommy Reeder, Parks Maintenance Specialist

3. Motion to approve the following order of the agenda.

**Motion:** Council President Akervall moved to approve the order of agenda with the modification Resolution No. 2937 be removed from the Consent Agenda and added to New Business. 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

**MAYOR'S BUSINESS**

4. Upcoming Meetings

The Mayor reported the City is currently conducting a brief survey to learn what Wilsonville residents are doing to prepare for emergencies. Resident's responses will inform a community awareness campaign to develop and improve the community's preparedness. A link to the survey can be found on the City's website.

The Mayor then detailed the following events and meetings that occurred since the last time Council met.

Aurora-Wilsonville Mayors' Letter to the Governor

- Two weeks ago, the Oregon Supreme Court upheld a ruling by the Court of Appeals in a case brought by the Cities of Aurora and Wilsonville.
- The Courts found that the Oregon Department of Aviation violated the state's land-use system when approving a 2011-12 Aurora State Airport Master Plan with a longer runway.
- Now the Department of Aviation is undertaking a new federally funded master planning process for the Aurora State Airport.
- The Mayor explained the new master planning process has gotten off to a rocky start.
- City of Aurora Mayor Brian Asher and the Mayor collaborated on writing a letter to Governor Brown. Seeking the Governor's intervention with the Department of Aviation to ensure a fair, valid master planning process with meaningful public engagement.
- It was explained as 'Mayors of the Aurora State Airport Area Communities,' the Mayors listed a number of significant public concerns, including:
  - The Department of Aviation's predisposition favoring an airport runway extension that enables increased sales of leaded aviation-fuel gas and is directly contrary to the Governor's Executive Order on Climate Action.
  - A master plan advisory committee stacked with a majority of interests financially benefiting by taxpayer-funded airport expansion.

- Exclusion of key state agencies which includes Departments of Agriculture and Environmental Quality, that work respectively with local-area farms and protecting public health and the environment.
- Biased airport master-planning public process that fails to provide meaningful community engagement.
- Promoting false information about the seismic resilience of the Aurora State Airport, which is listed at the lowest-level of Tier 3 airports in the Oregon Resilience Plan and located in an area subject to major potential damage in a projected 9.0 Cascadia Subduction Zone Earthquake.
- The Mayor looks forward to the Governor's assistance to improve this situation.

#### Oregon Army National Guard Ribbon-Cutting

- The Mayor attended the ribbon-cutting ceremony for the new Oregon Army National Guard recruiting office in Wilsonville.
- She described the ribbon cutting was hosted Captain Beaty of the Army National Guard. Chamber of Commerce president Jaimy Beltran and the Chamber of Commerce CEO Kevin Ferrasci O'Malley also attended the event.
- A number of City staff members attended, including those who have served or are serving in the Guard, which included Wilsonville City Manager Bryan Cosgrove and Assistant City Attorney Ryan Adams.
- On behalf of the Council, the Mayor thanked the soldiers of the Oregon Army National Guard whom are called-up from their day-jobs to become heroes in service to their community and country.
- The audience was encouraged to visit the recruiting station located in Town Center near Goodwill to learn about the Oregon Army National Guard's many opportunities.

#### Washington County Meetings

- The Mayor attended meetings of the Washington County Coordinating Committee (WCCC) and the Mayors of Washington County.
- The Mayor shared that a presentation was given at the Mayors of Washington County meeting by an epidemiologist about the COVID-19 omicron variant.
- At the meeting, a \$25,000 MS TIP Opportunity Fund Request by Westside Transportation Alliance to leverage a \$75K Metro Regional Travel Options (RTO) grant program application was announced.

#### Metropolitan Mayors Consortium (MMC)

- Attended two Metropolitan Mayors Consortium meetings where members elected 2022 officers and developed draft 2022 legislative priorities.

#### Upcoming Meetings and Events

- The Mayor hoped for everyone to have a good next couple of weeks during the Winter Holidays.
- The next City Council meeting is Thursday, January 20, 2022 in recognition of Martin Luther King Jr. Day on Monday, January 17, 2022

5. Appointments/Reappointments

**Budget Committee Appointments**

Appointment of Sam Scull and Alicia Moulton to the Budget Committee for a term beginning 1/1/2022 to 12/31/2024.

**Motion:** Councilor Akervall moved to ratify the appointment of Sam Scull and Alicia Moulton to the Budget Committee for a term beginning 1/1/2022 to 12/31/2024. 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

**Development Review Board Panel B - Reappointment**

Reappointment of Nicole Hendrix to the Development Review Board Panel B for a term beginning 1/1/2022 to 12/31/2023.

**Motion:** Councilor Akervall moved to ratify the reappointment of Nicole Hendrix to the Development Review Board Panel B for a term beginning 1/1/2022 to 12/31/2023. 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

**Development Review Board Panel B - Appointment**

Appointment of John Andrews to the Development Review Board Panel B for a term beginning 1/1/2022 to 12/31/2023.

**Motion:** Councilor Akervall moved to ratify the appointment of John Andrews to the Development Review Board Panel B for a term beginning 1/1/2022 to 12/31/2023. Councilors Linville and 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

**Kitakata Sister City Advisory Board - Reappointments**

Reappointment of Aaron Reyna and Kevin Stewart to the Kitakata Sister City Advisory Board for a term beginning 1/1/2022 to 12/31/2024.

**Motion:** Councilor Akervall moved to ratify the reappointment of Aaron Reyna and Kevin Stewart to the Kitakata Sister City Advisory Board for a term beginning 1/1/2022 to 12/31/2024. Councilors West and 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

**Kitakata Sister City Advisory Board - Appointment**

Appointment of Samuel Scarpone to the Kitakata Sister City Advisory Board for a term beginning 1/1/2022 to 12/31/2024.

**Motion:** Councilor Akervall moved to ratify the appointment of Samuel Scarpone to the Kitakata Sister City Advisory Board for a term beginning 1/1/2022 to 12/31/2024. Councilors Linville and 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

**Parks and Recreation Advisory Board - Appointment**

Appointment of John (Steve) Werts to the Parks and Recreation Advisory Board for a term beginning 1/1/2022 to 12/31/2023.

**Motion:** Councilor Akervall moved to ratify the appointment of John (Steve) Werts to the Parks and Recreation Advisory Board for a term beginning 1/1/2022 to 12/31/2023. 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

**Planning Commission - Reappointment**

Reappointment of Ronald Heberlein to the Planning Commission for a term beginning 1/1/2022 to 12/31/2025.

**Motion:** Councilor Akervall Linville moved to ratify the reappointment of Ronald Heberlein to the Planning Commission for a term beginning 1/1/2022 to 12/31/2025. 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

**Planning Commission – Appointment**

Appointment of Andrew Karr to the Planning Commission for a term beginning 1/1/2022 to 12/31/2025.

**Motion:** Councilor Akervall moved to ratify the appointment of Andrew Karr to the Planning Commission for a term beginning 1/1/2022 to 12/31/2025. Councilors Lehan and 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

**Development Review Board Panel A - Reappointment**

Reappointment of Kathryn Neil to the Development Review Board Panel A for a term beginning 1/1/2022 to 12/31/2023.

**Motion:** Councilor Akervall moved to ratify the reappointment of Kathryn Neil to the Development Review Board Panel A for a term beginning 1/1/2022 to 12/31/2023. 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

6. Municipal Court Judge Employment Agreement

Keith Katko, Finance Director summarized the staff report.

**Motion:** Councilor West moved to approve the two-year contract extension for the Municipal Court Judge Employment Agreement from January 7, 2022 to January 7, 2024. Seconded by Councilor Linville.

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

SUMMARY OF VOTES

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

**COMMUNICATIONS**

7. Diversity, Equity and Inclusion (DEI) Committee Mission and Vision

Zoe Mombert, Assistant to the City Manager along with Imran Haider, Diversity, Equity and Inclusion Chair provided the PowerPoint, which has been added to the record. During the presentation, Council heard the mission and vision statement crafted by the Diversity, Equity and Inclusion Committee. Furthermore, Council was informed about future work of the Diversity, Equity and Inclusion Committee.

Council comments followed the presentation.

## 8. Memorial Park Nature Play Update

Tommy Reeder, Parks Maintenance Specialist; Zack Morse, Parks Maintenance Specialist along with Dustin Schull, Parks Supervisor shared a brief presentation on the new 12,000-square-foot Nature Play Area at Memorial Park. Staff explained the project was designed and built in-house to provide meaningful interaction with nature. Furthermore, the Nature Play Area is intended to spark imaginative play among Wilsonville's youth.

Following the presentation Council appreciated staff for their work and creativity.

### **CITIZEN INPUT AND 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.*

The following individuals spoke in support of Resolution No. 2941:

- Susan Schenk
- David Niklas
- Benjamin Mefford
- Christopher Shotola-Hardt
- Deborah York Zundel
- Steve Van Wechel supports the Arts, Culture, and Heritage Commission however, feels the format of the commission would stifle creativity.

### **COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS**

#### 9. Council President Akervall

Ms. Akervall reported she listened to the Washington County Coordinating Committee meeting. She plans to attend the January 2022 meeting as well.

She then wished everyone a lovely holiday with love ones.

Lastly, Councilor Akervall reminded the Library began handing out take and make kits last Saturday.

#### 10. Councilor Lehan

Ms. Lehan attended the Nature Park Grand opening. She appreciated that nature playgrounds have made a comeback.

Councilor Lehan shared she attended the Willamette Falls and Landings Heritage Area meeting. She then recalled she had recently been appointed to the Willamette Falls Locks Authority and would attend the first meeting of the committee in January 2022.

In closing, Councilor Lehan wished all a merry Christmas, happy New Year and happy holiday season. Furthermore, she reminded all to be aware of the COVID-19 virus omicron variant.

11. Councilor West

Mr. West encouraged all citizens to complete the City's survey on emergency preparedness.

He concluded his remarks with wishing all good tidings, happiness, joy and a merry Christmas.

12. Councilor Linville

Forwarded greetings of the season to all and wished everyone a very restful holiday.

Councilor Linville then reported on the following past and upcoming meetings:

- Clackamas County Coordinating Committee (C4) Metro subcommittee on December 15, 2021.
  - Reminded there is work ahead to revise the regional transportation plan.
  - Transportation planning group brought an amendment to the regional transportation plan to include the project of tolling.
- Willamette Falls Locks Commission on January 19, 2022.
  - Congratulated Councilor Lehan on her appointment to the Willamette Falls Lock Authority.

The Mayors shared she along with other Mayor's in Clackamas County are being invited to sign a letter to the chair of the Joint Transportation Committee Commission expressing concerns about tolling. The Mayor noted once prepared she would circulate the letter with Councilors.

**CONSENT AGENDA**

Resolution No. 2937 was moved to New Business.

13. **Resolution No. 2940**

A Resolution And Order Amending Resolution No. 2915 To Further Extend The Local State Of Emergency And Emergency Measures, As Authorized By Resolution No. 2803.

14. **Resolution No. 2943**

A Resolution Of The City Of Wilsonville, Acting In Its Capacity As The Local Contract Review Board, Authorizing The City Manager To Execute A Contract With Invoice Cloud, Inc.

15. **Resolution No. 2945**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement With Murraysmith To Provide Phase 1 – Preliminary Engineering Consulting Services For The Charbonneau Lift Station Rehabilitation Project (Capital Improvement Project #2106).

16. **Resolution No. 2946**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Goods And Services Contract With Peterson Power Systems, Inc. For Annual Generator Maintenance.

17. Minutes of the December 6, 2021 City Council Meeting.

The Assistant City Attorney read the titles of the Consent Agenda items into the record.

**Motion:** Councilor West 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**

18. **Resolution No. 2941**

A Resolution Of The City Of Wilsonville City Council Creating The Arts, Culture, And Heritage Commission.

The Assistant City Attorney read the title of Resolution No. 2941 into the record.

Mark Ottenad, Public/Government Affairs Director along with Consultant Bill Flood provided a summary of the staff report.

**Motion:** Councilor Linville moved to adopt Resolution No. 2941. 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

19. **Resolution No. 2937**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Contractors Contract With 2KG Contractors, Inc. To Construct The City Hall Renovation Project.

The Assistant City Attorney read the title of Resolution No. 2937 into the record.

The City Manager noted that Council had already received an extensive report on the resolution during Work Session. However, if needed the Public Works Operations Manager was available to answer any additional questions.

**Motion:** Councilor Akervall moved to adopt Resolution No. 2937. Councilor Lehan seconded the motion.

Council discussion ensued.

**Vote:** Motion carried 4-1.

SUMMARY OF VOTES

Mayor Fitzgerald	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	No
Councilor Linville	Yes

**CONTINUING BUSINESS**

20. **Ordinance No. 853** - *2nd Reading*

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Residential Agricultural-Holding (RA-H) Zone (Renamed By Ordinance No. 851 To Future Development Agricultural-Holding (FDA-H) Effective November 18, 2021) To The Planned Development Residential-4 (PDR-4) Zone On Approximately 2.39 Acres Comprising Tax Lot 5500, Section 13AA, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Meridian United Church Of Christ, Applicant/Owner.

The Assistant City Attorney read the title of Ordinance No. 853 into the record on second reading.

The Mayor then read the second reading script into the record.

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.

Council President Akervall announced she would be abstaining from this vote because she was not present for the first reading.

Cindy Luxhoj, Associate Planner explained there had not been any public comment or questions since the first reading of Ordinance No. 853.

**Motion:** Councilor Linville moved to close the public hearing. Councilor Lehan seconded the motion.

The Mayor confirmed and the Assistant City Attorney agreed Council was now ready to vote on Ordinance No. 853.

**Motion:** Councilor West moved to adopt Ordinance No. 853 on second reading. Councilor Lehan seconded the motion.

**Vote:** Motion carried 4-0-1.

SUMMARY OF VOTES

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

The Mayor announced that those who desire to appeal this decision to the Oregon Land Use Board of Appeals (LUBA) must make applications stating the grounds of the appeal in the form and within the time prescribed by state law.

**PUBLIC HEARING**

21. **Resolution No. 2942**

A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2021-22.

The Assistant City Attorney read the title of Resolution No. 2942 into the record.

Keith Katko, Finance Director presented the staff report.

Councilor West asked if the City Hall Renovation could be pulled from the Supplemental Budget Adjustment, as he was not voting for that item. However, he approved the other items included in the resolution.

Staff explained procedural they were unable at this time to remove the City Hall Renovation from the Supplemental Budget Adjustment.

Mr. Katko noted for the record that the resolution had a scrivener's error on the date of adoption. He corrected that the date of adoption was December 20, 2021.

Mayor Fitzgerald called to order the Wilsonville City Council public hearing on Resolution No. 2942 at 9:33 p.m. The Mayor read the public hearing script into the record.

The Mayor asked for public input. There was none. The Mayor closed the public hearing at 9:40 p.m.

Clarifying questions regarding procedure ensued.

**Motion:** Councilor Akervall moved to approve Resolution No. 2942 with the error corrected in the final line of the resolution to December 20, 2021. Councilor Linville seconded the motion.

Council comments 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

**CITY MANAGER’S BUSINESS**

The City Manager wished Council a happy, safe holiday and New Year. He then thanked Council for the good work they do in the community.

**LEGAL BUSINESS**

The Assistant City Attorney echoed the comments of the City Manager.

**ADJOURN**

Mayor Fitzgerald adjourned the meeting at 9:44 p.m.

Respectfully submitted,

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 Kimberly Veliz, City Recorder

ATTEST:

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 Julie Fitzgerald, Mayor