

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

---

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:30 p.m. on Monday, December 3, 2018. Mayor Knapp called the meeting to order at 7:39 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

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

Staff present included:

- Bryan Cosgrove, City Manager
- Jeanna Troha, Assistant City Manager
- Barbara Jacobson, City Attorney
- Kimberly Veliz, City Recorder
- Daniel Pauly, Senior Planner
- Chris Neamtzu, Community Development Director
- Cathy Rodocker, Finance Director
- Mark Ottenad, Public/Government Affairs Director
- Amanda Guile-Hinman, Assistant City Attorney
- Zach Weigel, Capital Projects Engineering Manager
- Steve Adams, Development Engineering Manager
- Zoe Monahan, Assistant to the City Manager

Motion to approve the order of the agenda.

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

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

**SUMMARY OF VOTES**

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

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

---

**COMMUNICATIONS**

A. Clackamas County Drive to Zero

Joseph Marek, Traffic Safety Program Manager, Clackamas County, showed a brief video produced in 2017 at the Clackamas County Fair that emphasized the number of acceptable fatal and serious injury crashes was zero. He and Clackamas County Traffic Outreach Coordinator Rob Sadowsky, outlined the work the County was doing with its Transportation Safety Action Plan and Drive to Zero via PowerPoint. Noting the action steps being taken by the County and other agencies to achieve the goal of zero fatal and serious injury crashes. Additional comments and responses to questions from Council were as follows:

- Wilsonville Police Department Officer Ben Toops was commended for his work inspecting trucks traveling through Wilsonville to ensure the safety of those trucks.
- The County wanted to engage a variety of partners in its work and had resources available to help Wilsonville support the Drive to Zero concept or develop its own traffic safety action plan. Funding was available for overtime traffic enforcements and Mr. Sadowsky would be available for presentations in high school classrooms, driver's education, and assemblies.
- The County asked that the City consider adopting its own Drive to Zero policy; developing a transportation safety action plan; encouraging officers to engage in traffic enforcement and minor decoy operations; hosting events for families; and engaging in shared branding and social media, all of which could be supported by the County.
- Although Wilsonville was the first city to see the Drive to Zero Transportation Safety Action Plan presentation, the County had been doing outreach to other cities with regard to how engineering and maintenance related to safety. The goal was that all cities in Clackamas County would have a transportation safety action plan. As communities continue to grow, and with the increasing modes of transportation, safety becomes a higher focus.
- The County has an active partnership with the City of Molalla and an upcoming presentation planned for the City of Canby. Additionally, a letter was recently sent to the local high schools highlighting services the County had to offer.
- The Transportation Safety Action Plan contained a section on senior driving because about 15% to 20% of serious and fatal crashes involved a senior driver. They met recently with the Clackamas County chapter of the American Association of Retired Persons (AARP) about expanding outreach into senior programs and collaborating with the American Automobile Association (AAA).
- Providing outreach in rural areas to those wanting to transition out of driving was another concern, so the County was working with Public Health and Social Services to find ways to increase the availability of rides.

Councilor Stevens noted the 55 and Alive AARP driving class for seniors was an informative course teaching seniors how to deal with things like slower reaction times and night driving. She commended the citizens of Wilsonville for regularly stopping at pedestrian crosswalks.

Councilor Lehan commended the addition of two large signs indicating an upcoming turn on 145<sup>th</sup> Avenue and Westfall Road, which eliminated drivers leaving the roadway and smashing into the fence.

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

---

Mayor Knapp thanked the presenters, adding that Council would discuss how to incorporate the Drive to Zero concept into the City's programs and/or goals.

**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.

Steve Benson, Chair, Wilsonville Parks and Recreation Advisory Board, stated he had worked with Mr. McCarty to create the following task list that he hoped Council would assign to the Parks and Recreation Advisory Board for 2019:

- Study, make, and/or provide Council with a list of Willamette River uses to improve access and activities.
- Study and provide Council with safety improvements in all of Wilsonville parks, including cost estimates and prioritization of improvements.
- Prioritize for Council the order of necessary improvements to be made in the parks master plan.
- Make recommendation to Council regarding the proximity of the two skate parks identified in the Memorial Park Master Plan.

Mr. Benson assured that these efforts would involve input from citizens, staff, and the Parks and Recreation Advisory Board. He was uncertain how Council would assign the list, but invited input on what the Parks and Recreation Advisory Board should focus on in 2019.

Bryan Cosgrove, City Manager stated he wanted to ensure there were no conflicts with the Parks and Recreation Advisory Board's charter. He would discuss the proposed items with Mr. McCarty and encourage him to work with the Parks and Recreations Advisory Board on the priorities for the Board's 2019 work plan.

Betsy Imholt, Wilsonville resident, voiced concerns about Regional Park 6. Ms. Imholt acknowledged Council's reconsideration of another body's decision was not done lightly, but it was important, and she asked that citizens be allowed to participate in the decision. Regional Park. She stated that it had been located in the same map area for 15 years, however would now be in a new place. She wanted to be able to look at the maps and have a voice. She appreciated the amount of work done between the developer and staff. However, considering the major change, she believed that citizens should be able to participate in discussion. She provided a handout that identified a very specific area of the park, which she recalled, had always been designated in the park's master plan as having important and significant trees, and now those trees would be removed.

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

---

Herman Walter, Villebois resident since 2016, stated many changes had occurred to the Master Plan through variances instead of amendments. He noted Wilsonville's mission statement included the preservation of the natural environment, so the planned removal of a minimum 76% of the trees on the former horse farm was both disturbing and ironic. He stated the original Villebois Master Plan would have resulted in a higher percentage of tree removal for construction of estate homes. Therefore, he believed there must be a way to balance the construction of the Claremont development with the preservation of natural resources and wildlife depending upon those resources. He noted that 89 smaller-footprint homes were planned in an area originally designated for less than 50 estate homes. Members of the Development Review Board (DRB) were disappointed by the lack of effort by the Applicant to have more discussion with the community, doing only the absolute minimum and notifying property owners within a 250-foot radius. The DRB cited the efforts made by Wilsonville Subaru in community outreach, stating they thought the subject process was being rushed, although it was still approved. The deviations from the Master Plan were significant and should not be considered a simple addition to the Plan. He respectfully requested Council to call up the DRB decision to approve the Applicants design as stated. He noted that Villebois residents were willing to participate in discussions with the Planning Department, the Applicant, and their design firm to achieve a common solution.

Judy Newton, Wilsonville resident, stated she had sent an email to City Council, which she read into the record and requested it become part of the official record.

Ben West, a Villebois resident, said that right after being elected to City Council, he received quite a few phone calls and messages from neighbors about changes to the Master Plan. He would like to see the vote held off until December 17, 2018 in order to help advocate and be a voice for the people in his neighborhood, as well as those who elected him.

Steve Benson noted the issue regarding the trees recently came before the Parks and Recreation Advisory Board. The list of trees to be removed involved non-natives, insignificant, or damaged trees. Another reason for the removal of those trees was due to there being so many dog owners, a circular dog park was going to be created and divided into two areas.

Mayor Knapp acknowledged the receipt of emails from concerned members of the community. He recounted that he had previously asked Councilor Lehan to take the lead on this issue. He then asked Councilor Lehan to provide her perspective.

Councilor Lehan stated it had been a tricky issue, because they were trying to thread a needle to keep all these interests and values in mind. Douglas fir is a fast-growing tree, and likely already too tight in that space. Since the trees were young and would grow to be enormous, it was important that they have more room. Decisions could not be made based only on the number of trees being removed, but must also take into account the needs of the neighbors, the goals of the Master Plan, the Tonquin Trail, and the viability of the project for the developer. Trying to balance all of those things was difficult, and the DRB did the best it could with the available information. Staff was not allowed on the property until recently, so tree assessment was limited, which was why the park was still conceptual. More information had become available to the

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

---

DRB and Council from Polygon, the developer that offered some exciting possibilities involving the reduction of two lots, which would save a significant amount of trees close to Berlin Avenue.

Councilor Stevens noted the trees residents were concerned about were on the two lots that Polygon was willing to forgo.

Daniel Pauly, Senior Planner explained that when developing the Villebois Master Plan, Staff had access to most of the property and to information to inform road alignment along existing wetlands and trees, taking existing landscape into high consideration. The landowners on the Specific Area Plan (SAP) to the north were not interested in being involved at that time and did not allow access to the property. Therefore, obtaining necessary details was not possible until now. An application was received in June from Polygon, showing a park consistent with the Master Plan, but an arborist report showed that many of the trees they wanted to preserve were not in the park. Realizing there might be some additional information in the future, the Wilsonville Code was written to not allow for changes to the Master Plan except for typically 10% of certain qualitative and quantitative matters. It also included language that said if there was a change that was significant, but necessary in order to preserve a significant resource previously not foreseen, that provision was there to do that. He recognized that people want to be involved, but at the same time, there was a high awareness from the DRB regarding the differing perspectives, making it a tough decision.

- He described the area around Berlin Avenue and the existing trees, noting that removing a couple of lots was administratively possible.
- He displayed a plat map depicting Lots 64 and 65, confirming the developer had offered to combine those lots with existing open space in order to preserve appropriate trees, although some unhealthy trees would still be removed. Over time, part of the view would be blocked once those trees grew. Staff displayed Google maps depicting the area, as well as the location of trees to be preserved. In the DRB record, smaller, single-level homes were designated with stars. There were retaining walls along Berlin Avenue, with some of the houses being a bit higher, opening up the view shed. All the homes on the block side were single-level homes, which would maintain the view.

Councilor Lehan questioned the placement of the pedestrian walkway and suggested placing it between Lots 84 and 85. Mr. Pauly responded that alternatives were being considered in order to find the best connection while still meeting ADA standards.

Councilor Lehan hoped that refinements could occur before December 17, 2018.

Mayor Knapp noted issues had been raised about a proposed tennis court.

Councilor Lehan believed if neighbors did not want a tennis court, it was easy to give that up because they still have that land with the parks, and it could be added in the future.

Mayor Knapp noted that due to the elevated sight from the road, high fencing would be necessary, which might affect the aesthetics.

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

---

Councilor Lehan acknowledge the area offered a nice view of Mt. Hood.

Mayor Knapp reminded the call up process caused several things to happen, so Council should be clear on what that involved. Polygon had indicated if the decision were called up, they might walk on the whole project, which could affect the investment in the City. He said he wanted to understand the suggestion of 50 houses now being 89 in the Master Plan.

Mr. Pauly explained Villebois' layout was based on the SAP and he outlined the unit count changes that occurred over time in SAP North, noting the original approval went from 397 units to 473 units after the primary school was moved from SAP North to SAP East, and the number of lots assigned to SAP East were transferred to SAP North.

- As proposed by Polygon and assuming the two lots were removed, 466 units would result compared to the original 473 units, which was pretty close to the original amount for SAP North.
- The last SAP amendment was done with Phase 4 and showed 63 lots. However, a couple things had changed when considering unit types, Staff noted that even with estate-sized lots, it was not feasible to keep the trees in backyards due to the slopes and required grading. One thing Polygon did add to create a more open feeling similar to the estate lots was to introduce a lot of single-level homes in this phase, which were indicated by stars on the displayed map.
- He confirmed that notices had been mailed to 250-feet, a wider geographic area than the State required 100-feet. Additionally, notices were posted at the project site, online, and in the newspaper.
- He confirmed the proposal was for a subsection of SAP North, and the Villebois Master Plan allowed for a 10% margin in the number of homes, which reflected an increase in each of the different lot sizes.

Barbara Jacobson, City Attorney, noted offering the two lots was a big give from Polygon, especially since the redesign of the park was not their idea. She confirmed Polygon had stated they were on a tight timeframe, having a closing deadline with the property's owner, and any delays could cause the offer of those two lots to be removed. She confirmed the original park plan would result in most of the trees being removed, including the tree grove that would be saved on the two lots seen in the aerial image.

Mr. Pauly noted the DRB approval had included the two lots, and Polygon indicated that if the decision were called up, they would defend the original DRB approval. He confirmed the DRB vote was unanimous, which was not often the case. He clarified that as Councilor Lehan stated, the DRB vote regarded balancing the different concerns based on Staff's recommendation, not specifically to save the trees.

Mayor Knapp invited comments from previous speakers based on the new information presented.

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

---

Herman Walter stated anything that could be done to preserve the resources would be beneficial. He noted that English Hawthorn and sweet cherry trees, which were invasive species, comprised 13.2% of all the trees in the area, and most were dead or in poor or moderate condition. Of the trees to be removed, 45% were in good condition, and 33% of those were important. His concern was with the 11% likely to be retained because of the violations from the Applicant's subcontractors prior to his testimony before the DRB, which included building homes on Stockholm, blocking fire lanes, and violating the quiet hour ordinance.

Judy. Newton asked if the removal of a tree or several trees in a large stand of trees would start a domino effect, causing the removal of additional trees. She was concerned about removing the trees piecemeal and starting a domino effect.

Councilor Lehan agreed that was always a concern with a tree grove. She explained the trees on the edge were at the biggest risk, but the arborist would be the one making the best guess. She noted the City went out of its way to save the large, sentinel tree on the corner of Brown Road and Wilsonville Road, next to Wiedemann Park so as not to lose most of that grove. Those decisions were made tree by tree as to their efficacy. The trees in question were young enough to end up with a healthier stand of trees by thinning them out in the middle. She confirmed a certified, tree-risk-management arborist had been working on the project, although there were no certainties with hazardous trees. She cited another example of trees being preserved at the entrance to Camelot, but a number of them still failed in the first 10 years.

Mr. West requested clarification about Polygon's stance, and if they were issuing an ultimatum.

Mr. Cosgrove clarified Polygon was willing to give the concession unless Council called it up, because they have an approval to proceed with the development as laid out by staff with the two extra lots. The removal of those two lots was still on the table, in recognition of concerns expressed to Council, although that concession would be off the table if Council called up the decision. He confirmed the original plan called for a lot more tree removal than the plan approved by the DRB, so more trees were being saved and it preserved a view shed the neighbors were concerned about. He noted this issue must be resolved within 120 days after the application was deemed complete, making the deadline March 1, 2019.

Mayor Knapp noted the limited time frame in which to call up the decision. He reiterated the offer from Polygon to preserve two large lots and the appropriate trees, as well as additional green space and doubling the space of the park, although if the decision were to be called up they would not guarantee that.

Mr. West asked why there was such a dramatic increase from 50 homes to 89 homes.

Mr. Cosgrove explained a range of density was allowed for each SAP, and the number of units was still less than the allowable amount after eliminating the two lots.

Mr. West acknowledged the difficulty of the decision, nonetheless many neighbors might not be aware of the last minute concession, so it would be nice to know their viewpoints.

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

---

Betsy. Imholt said she had hoped to work toward a discussion with the planners and developers. She had been obsessively studying the arborist reports, which showed moderate trees. There were no important trees and only a couple good trees. As shown in her handout, there were important trees in the grove where the houses were proposed and they would be removed even with the two lots. She did not know why the park could not be shifted or why that specific piece of land was chosen for development. There were only about 20 important trees on the entire site, and Polygon was cutting down half of them. She would like to have a brief discussion about that.

Councilor Lehan noted there were many complicated elements to consider, such as the terrain, storm drainage, road and trail placement, etc., so those who were not planners might have a hard time understanding everything involved. She questioned the location of the pedestrian connection, and inquired about moving Lot 84 closer to Lot 83 and put the path between Lots 84 and 85; but that was a minor matter. Developing part of the big triangle into houses would impact a lot of circulation. Council was looking for a solution without redoing the entire plan, which would be costly. The plan had a lot of work in it and already had DRB approval, which was why Council considered the sacrifice of those two lots, where most of the big trees were, to be a big concession from the developer, and Council had tried its best to find a compromise.

Mayor Knapp confirmed there was no motion with regard to calling up this question from the DRB approval. He asked if the Council's consensus or desire was to see this worked out between staff and the developer.

Councilor Lehan believed this could be an opportunity to include a neighborhood representative to meet with the planners on some of the minor issues, like the pathway, so matters were not made worse.

Mr. Cosgrove offered to make a commitment to share the arborist's report regarding the stand of trees on those two lots, as well as any changes to the plan. He suggested a meeting with the citizens who spoke this evening, as well as those who attended the DRB. He wanted to make very clear that if anyone had any major reservations they should contact Mr. Pauly within a certain amount of time.

Ms. Jacobson noted nothing at tonight's meeting extended the call up or appeal period, so if any neighbors wished to exercise their appeal rights, they would need to do it within the time read at the DRB hearing.

Mr. Pauly clarified that a hearing was scheduled on December 17, 2018, but it was limited in purview as it regarded the zone change.

Council President Starr said he was curious how to determine if trees are important or not, and asked if there was a way for citizens to work with the City to plant trees that were deemed more important for the area.

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

---

Mr. Pauly explained it was generally a good idea to plant, even understory, for the next generation of trees in the park. He reminded that most of the trees were younger Douglas fir; the oldest trees were less than 80 years old, which was considered differently than if they were 200- or 300-year-old white oak.

Council President Starr believed there should be some discussion with the neighbors about the pedestrian cut-through or trees to be planted, so the neighbors were involved in some way.

Councilor Lehan add if a functional forest habitat was desired in the park, rather than playgrounds, the understory was absolutely critical. She recommended talking with Mr. Benson, who had created tremendous habitat on his lot. Because the property had been used by livestock, the understory on the site was quite limited.

Mayor Knapp clarified that in no way did the Council intend to denigrate the work of the DRB and staff working with them. It was only when the discussion became very intense after the DRB decision that the dialogue with the developer led to the offer to make this change, which had not been in front of the DRB, and therefore could not have been considered by the DRB. He was hopeful that the concession would be a successful improvement, and thanked staff for the additional work.

Mr. Cosgrove encouraged anyone with additional comments to reach out to Mr. Pauly.

**MAYOR'S BUSINESS**

A. Upcoming Meetings

Upcoming meetings were announced by the Mayor, and he reported on the local and regional meetings he had attended on behalf of the City. He noted the video of the hearing on the Aurora Airport was available online.

B. Proposal to Borrow \$3.6 million

*The Proposal to Borrow \$3.6 million was added to the agenda.*

Mayor Knapp noted that staff had been consulting with potential private-sector investors to help fund the Garden Acres Road improvements in the Coffee Creek Industrial Employment Area, but the project was still \$3.6 million short, as investors wanted to be sure, the public infrastructure was available to support their investment. Staff proposed borrowing the money from the State, as the City desires construction to begin in 2019.

**Motion:** Councilor Lehan moved to approve the \$3.6 million Regionally Significant Industrial Site Loan application to Business Oregon for Garden Acres Road. Councilor Akervall seconded the motion.

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

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

---

**SUMMARY OF VOTES**

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

**COUNCILOR COMMENTS**

A. Council President Starr – Passed.

B. Councilor Stevens

Councilor Stevens stated that she would be attending the Library Board meeting on Wednesday. She had attended the Tree Lighting ceremony and commended the Parks and Recreation Department for doing a great job. She announced the Holiday Light Drives, noting that SMART would provide transportation from the Community Center at 6:30 p.m. on December 17 and 18 to see the Portland International Raceway (PIR) lights, noting further information is available on the City's website.

C. Councilor Lehan

Councilor Lehan announced that the French Prairie Bike Task Force would be meeting at City Hall on December 5, 2018 from 6:00 to 9:00 p.m. She thanked staff for all the work they did on the Villebois issue.

D. Councilor Akervall

Councilor Akervall announced that the School District would hold a Future High School Possibilities Community Forum on Wednesday, December 5, 2018 at 6:00 p.m. at Meridian Creek Middle School.

**CONSENT AGENDA**

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

A. **Resolution No. 2713**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement With AKS Engineering & Forestry For Phase 1 Alternatives Analysis And Preliminary Design Services For The Coffee Creek Industrial Area Regional Stormwater Facility Project (#7060).

B. **Resolution No. 2717**

A Resolution Adopting The Canvass Of Votes Of The November 6, 2018 General Election.

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

---

C. Minutes of the October 1, 2018 Council Meeting.

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

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

**SUMMARY OF VOTES**

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

**CITY MANAGER'S BUSINESS**

No report.

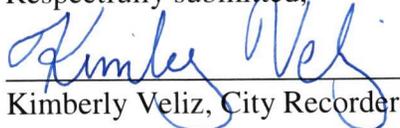
**LEGAL BUSINESS**

Ms. Jacobson informed Council of the Land Use Board of Appeals (LUBA) decision regarding the Basalt Creek agreement between Tualatin, Metro, Washington County, and Wilsonville. After oral argument before the LUBA panel, LUBA determined it was an arbitration issue rather than a land use decision. There was another pending appeal of the Tualatin Concept Plan where the same argument would be made, although that case was being held to see if the petitioners wished to continue or wait until the comprehensive plans came forward since that would definitely be a land use decision appealable in Wilsonville and Tualatin. She informed Council that the City had won the Subaru case, and commended the entire legal team for all their work.

**ADJOURN**

Mayor Knapp adjourned the meeting at 9:32 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Kimberly Veliz, City Recorder

ATTEST:

  
\_\_\_\_\_  
Tim Knapp, Mayor