

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

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A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, December 17, 2018. Mayor Knapp called the meeting to order at 7:12 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 - Excused  
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  
Keith Katko, Assistant Finance Director  
Amanda Guile-Hinman, Assistant City Attorney  
Mike McCarty, Parks and Recreation Director  
Brian Stevenson, Parks and Recreation Program Manager  
Bill Evans, Communications & Marketing Manager  
Zoe Monahan, Assistant to the City Manager  
Tod Blankenship, Parks Supervisor  
Erica Behler, Recreation Coordinator

Motion to approve the order of the agenda.

**Motion:** Councilor Starr 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 Starr	Yes
Councilor Stevens	Excused
Councilor Lehan	Yes
Councilor Akervall	Yes

**COMMUNICATIONS**

A. Comprehensive Annual Financial Report (Merina Company)

Finance Director Rodocker introduced Tonya Moffitt, a partner of the certified public accounting firm, Merina and Company, which conducted the City's annual audit. She noted that Councilors had already received copies of the audit.

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Tonya Moffitt presented the Annual Financial Report, noting she was pleased to report that the City's June 30, 2018 Financial Statements and Urban Renewal Agency both had a clean or unmodified opinion for their financial statements, the highest level of opinion possible for financial statements. The City also received a clean opinion on the Independent Auditor's Report required by minimum standards.

- She described Merina's auditing process and explained that the 2018 financial statements included two new pronouncements that changed from the 2017 financial statements that resulted from changes made by the Government Accounting Standards Board (GASB). The first change was to GASB 75, Other Post-Employment Benefits (OPEB), which resulted in some new line items in the financial statements. Those changes were made as requested by the Oversight Regulatory Agency for the financial statements. She commended staff for taking the initiative to implement GASB 87, which pertained to leases, two years early, adding the City was one of the first entities in the State of Oregon to do so. Because GASB 87 was new not all of the guidance was out yet, so that had involved a lot of work, including numerous phone calls between the City and GASB. She was happy to report that they agreed with how the City had handled and implemented that.
- For the City's financial statements, the Finance Department and City management had decided to do a Comprehensive Annual Financial Report, an award program that the City had earned for the June 30, 2017 financial statements, and Merina anticipated the City would also earn it for the 2018 financial statements. That meant the City had taken extra time and effort to include additional information into the financial statements. There was a statistical section in the back which contained ten years' worth of data that provided a snapshot of the City for the last decade and an opportunity to look at how the City was doing over time. She commended the staff for their effort in putting it together.

Mayor Knapp asked for more context about the award program, adding he was unaware if most cities Merina interacted with received those distinctions.

Ms. Moffitt responded that many of the Merina Company's clients strived to have excellent financial reporting, but Wilsonville was one of the State's gold stars and above average.

**CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS**

Dick Spence, 8428 SW Curry Drive, Wilsonville, OR appreciated and thanked Council President Starr for his eight years of work with the City. He was honored to call Council President Starr his friend. In those eight years, the City had grown in population, economic value, and prosperity and he wondered if the past eight years had been more of a passion, instead of work, for Council President Starr. As a Board member of the Wilsonville Community Sharing Food Bank, he thanked Council President Starr for his ongoing assistance in obtaining monies for the food bank to help citizens in need. Council President Starr was a great asset to the City and its citizens.

Council President Starr presented Mr. Spence with a check for \$1,000 for Wilsonville Community Sharing.

Doris Whaler, 10668 SW Edgewood Court, Wilsonville, OR thanked Council President Starr for his financial stewardship and reminisced that in his first year of service he had found \$1 million to cut from the budget. She also thanked him for his steady support of the Chamber of Commerce, and the hundreds of businesses it represented, and noted that he was always the point of contact when the Chamber needed to convey what businesses wanted and/or needed. The City's increased friendliness to local businesses had increased during his tenure. Most importantly, he had been a tremendous public servant, responsive to the public and fair in his decisions. She asked everyone present who supported Council President Starr

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but was not speaking to stand and noted they were just a few of his friends, not only for being a Councilor, but because he was a unique and special person who would be missed.

Pauline Xu, 28431 Orleans Avenue, Wilsonville, OR stated that she was opposed to building a tennis court in Regional Park 5 and the construction of homes in Regional Park 6. Under the Regional Park 5 Park Plan, there should only be a green space to the north of her home, with no tennis court, but now there was a tennis court located next to her house, less than 25 feet from her yard. Under the Regional Park 6 Park Plan, no single home should be built along Berlin Ave in the park area. That park should only have green space and a tennis court. Previously she had a broad, unobstructed view. Under the current plan, six houses in close proximity to her home, as well as more homes farther down the hill, would be built and obstruct the views around her home. The house four units down from her, with the same floor plan but upgraded interior, was worth only a little more than hers because her home was surrounded by the park and green space. When she had purchased her home, the realtor had confirmed the City's Park Plan would not be changed to allow for future homebuilding. They had purchased their home with peace of mind that the location would remain unchanged, as any potential homebuyer would want. Now, not only had the City unexpectedly decided to build houses in the area previously designed as green space, but also a tennis court in very close proximity to her home. That tennis court would generate noise and traffic; significantly decrease her quality of life, as well as her home's value. She requested that the City remove the proposed tennis court from the Plan for Regional Park 5 or relocate it to one of the other more suitable, larger areas around Villebois.

Mayor Knapp asked Mr. Cosgrove if those issues would be discussed under Ordinance No. 830.

Mr. Cosgrove responded that the park issue had already been dealt with. Ordinance No. 830 was only about zoning.

Mayor Knapp believed the staff report discussed the modifications the builder had.

Mr. Cosgrove confirmed there would be new information after changes were made that were based on previous public testimony, but comments on park design were closed.

Mayor Knapp stated the park design had been before several government bodies, including the Planning Commission, and had also been discussed by the Design Review Board (DRB) and City Council more than once. He was unclear as to whether or not the tennis court itself had been dealt with, but confirmed they could clarify that when they got to that point.

Mr. Cosgrove confirmed that staff could provide an update later when the Council addressed Ordinance No. 830.

## **MAYOR'S BUSINESS**

### **A. Outgoing City Councilor Presentation**

Mayor Knapp acknowledged Council President Starr for his eight years of service as a City Councilor. He and Council President Starr had developed a very positive working relationship during that time and he appreciated the engagement and the extent to which he had advocated for what he believed in and what he believed would best benefit the City. He noted that more often than not they had been able to reach a meeting of the minds on issues as they had arisen. Moreover, the City was stronger and more economically robust than it was eight years ago, which should be gratifying to Council President Starr as he looked back upon his time of service to the City. It was difficult for a new Councilor to know what

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effect they might have on the City over the course of their service, but over time it became clearer. He commended Council President Starr on how well he had represented the City and thanked him for his time working with City Council.

Councilor Lehan stated that she had enjoyed working with Council President Starr. He had done an excellent job as Council President, as demonstrated the many times he had to assume the role of chairing meetings, which frequently went quickly due a certain efficiency the Council President had to move through an agenda. She believed the Mayor and Council President had demonstrated repeatedly their ability to be a powerful team in the region, working outside of the City with other entities such as Washington County, the City of Tualatin, Metro, and the Joint Policy Advisory Committee (JPAC), to carry forward the interests of Wilsonville's citizens and she appreciated that.

Councilor Akervall stated that she appreciated being able to overlap the last two years' time. Since her first meeting, Council President Starr had been welcoming, and she was grateful for that as well as everyone who had been on City Council, as they had been collaborative and respectful of each other. She believed that was a reflection of Mr. Starr's genuine service that of which he embodied in his work as a Councilor. She thanked Council President Starr and stated that she had learned a lot from him and from serving in this diverse and thoughtful collection of voices with him.

Mr. Cosgrove asked that his statement regarding Council President Starr be placed in the record verbatim. Mr. Cosgrove communicated the following:

"I've written some things down that I want to read into the record, starting with some of the bigger projects you've been involved in and some of the kind of softer skills you brought to the Council, and then just some personal comments that I will read verbatim into the record so that someday if your great-grandkids want to know about their great-grandfather and what he did for Wilsonville, they can come back and there will be a record of it. So let's start with some of the bigger projects that you've helped usher across the finish line. One of the most recent ones that we've wrapped up is the big pipe lease agreement. That's that 68-in giant straw that will be delivering water from the Willamette all the way out to Hillsboro, and while that was, at some times, a contentious process, you were one of five members that kind of stuck to the guns to make sure that Wilsonville got what it needed out of that, and that's, namely, \$17 million will be coming back to the City's taxpayer and rate-payers, so that's a significant accomplishment on the part of the whole Council. The SMART Fleet building was pretty much in design when I got here, but I do know that you were instrumental in helping value-engineer that down from an estimated cost of \$10 to \$12 million down to about \$6.5 million; again, significant savings for the City's tax base. Multi-million-dollar upgrade to the sewer treatment plant, and that was a very unique project because it was one of the only ones that I know of in the State of Oregon that was an operate-design-build-operate, so we brought in a third party, CH2M Hill, to operate the plant for us while they were also designing and building a new plant on top of an old plant, and they had to keep that thing going at the same time. And that thing went off as well as could be expected. The Boeckman Bridge is another project that you were involved in, not to be confused with the Boeckman Dip Bridge, which will be a future project, but you were also involved in making sure that we had funding set aside for that from Urban Renewal. The Barber Street Bridge is another huge project that you were on Council for that helped shepherd across the finish line. You were a key proponent in the acquisition of riverfront property to be added to Boones Ferry Park. I know that you brought that up to the Mayor and you guys brought that into Executive Session and we got that going. That's going to be a gift that's going to give to the future of Wilsonville residents in perpetuity. You chaired the Economic Development and Urban Renewal Task Force. Both of those committees, you were instrumental in making sure that people were heard, that the business community was heard, and that our fellow taxing entities that are affected by decisions we make are involved in those decisions. You were a key proponent for

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getting the aquatic recreation center to a vote of the people, and we never said that we could deliver that, but I know that you were instrumental in making sure that people at least got a chance to get a vote on that. You served as Council President, as Councilor Lehan just mentioned, for a majority of the time you were on Council, and I think that speaks to your leadership skills and your ability to work within a team environment. Your focus on customer service and ensuring the business community was at the table, I think, is the hallmark of your background as well, but I think it also speaks to the kind of person you are that you care about how we treat people. Fiscal prudence, Councilor, I think Doris Whaler, Doris mentioned that so I won't go on about that. We could talk about the budget reductions, but I think what I would take away from that is that we were able to do that without necessarily eliminating a lot of staff, so we were able to find efficiencies that brought some value back to the taxpayers but also did it in a way that was good with staff, so I appreciate that. So the rest of this, I'm just going to read, okay? Serving as a local elected official requires sacrifice and commitment, and you know that all too well. This is your 192<sup>nd</sup> City Council meeting over eight years of service. Each one of those meetings probably averaged around four hours per meeting. As you know, we start at 5:00 o'clock, and we end sometimes at 9:00 o'clock, but most times we go past that. And as everyone on Council knows, the packets we send out are often more voluminous than the Code of Federal Regulations, so that requires you to read and prepare for each Council meeting. That's probably another 3 ½ hours that you need to prepare before you get here. So if you add all of that up, by my math that is around 2,700 hours of your life that you will never get back and that you are not compensated for. That doesn't include the mandatory two to three Budget Committee meetings per year, the Economic Development and Urban Renewal Task Force meetings, the Council liaison to other Boards and Commissions, all the special events, ribbon-cuttings, dedications, special Council meetings, and other duties as assigned. You did all of this for an annual average salary of zero dollars and zero cents. Tonight, Scott, I am happy to announce that we are tripling your salary for the last meeting. Jokes aside, this is all time that you could have been pursuing hobbies, spending time with your family, so, to Tina, your kids, your friends, thank you for sharing and supporting Scott in his desire to give back to the community. He has made a difference and is now part of a select group of people who have established policies, overseen projects, made investments, and remained true to the vision established by the City's founding fathers and mothers. This is a special place, and you have helped keep it that way. On a personal level, I want to tell you how much I appreciate that you have never personalized issues when you might disagree with your fellow Councilors or with me. By conducting yourself in this manner, you demonstrated that old adage that it's okay to disagree without being disagreeable. I suspect that you conducted yourself in this way because you value relationships above all else. You demonstrated empathy and compassion for the community you helped lead and for the employees who serve Wilsonville. Your presence, perspective, ability to read the room, and sense of humor will be greatly missed. It occurs to me tonight that you and the Mayor are the only two remaining elected officials that brought me on board, so I also value your wisdom and judgment. I wish you happiness and health in whatever comes next, and I thank you, and I will miss you."

Mr. Cosgrove presented Council President Starr with a gift and the Council took a group picture.

City Attorney Jacobson stated she would take her cue from the expediency of Council President Starr by simply saying ditto.

Council President Starr read a prepared speech stating:

"I am grateful to have been voted in twice by the citizens of Wilsonville to serve them for two terms with the best that I had. There are so many people to thank. I would like to call out just a few. To the Chamber of Commerce 2009 Board of Directors who pushed me to serve, thank you, I think; Doris Whaler, for helping me with my first campaign; to my friends in this City who supported me

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and liked that I ran and not them; to my coworkers and fellow Councilors who supported me in my service through the years and right now; thank you to Barbara Jacobson and Bryan Cosgrove, they are the two employees of the Council, for their great talent, leadership, and dedication to the City of Wilsonville; and to my wife, who always supported me, watched me on cable with the seven other viewers, and gave me lots of free advice on how to improve and communicate better. Just some parting words of advice to several departments: to Public Works, yes, you do many things that appear to be thankless tasks, but, yes, people see what you do, and they care, and they appreciate all of your hard work. To Legal, you ladies are studs. Keep up the good work, and I pity anyone who chooses to go to court against you. To Human Resources, take great care of the staff. You have some amazing people, and it's okay to let them know that every now and then. To Community Development, I appreciate all the ordinances and regulations, but, remember, your job is paid for by the citizens of this town. Fight for them and try your best to make the rules work for them as much as possible. To SMART, our transit system, keep leading the way with creativity and passion for your clients. To the Parks Department, thank you so much for making the City look beautiful and for keeping it safe. If you ever need more fertilizer, there is plenty to be found in both houses of the Oregon State Legislature and a mother lode in the Metro Council Chambers. To Engineering, keep the standards high and keep your bids technical enough to save the citizens money. To Finance, keep winning the awards for transparency. Trust is the most important characteristic you need to have with your citizens, and we just proved that again tonight. Bryan, keep the customer service culture, the stewardship culture, and a cut above all local cities, just like we are right now. And to Council, keep loving this town the way you do; serve, not dictate; listen more than talk; respect other people's money and property; also, preserve the continuity of our plans and strategies to keep the City focused, moving forward, and cost-effective, and never make it about a political party. Your positions are non-partisan because the focus should always be on our City and not with the fading whims of one political party or another. I wish Wilsonville nothing but the best way far into the future. Thank you. For Scott Simonton, I wanted to call you out because I wanted to say thank you. For all of the employees of this town, and for all the things that I'm passionate about, and what I care for customer service, and for saving money, and for ingenuity, and being a team player, and everything good about what this City represents, you are that employee, and I just wanted to thank you. I just see it all the time and I'm just so proud that I got to be a Councilor for those eight years that you were also here, so thank you."

Mayor Knapp called for a break for refreshments at 7:49 p.m. The meeting reconvened at 8:10 p.m.

**B. Upcoming Meetings**

The Mayor described his recent activities and the local and regional meetings he had attended on behalf of the City. He also announced upcoming meetings the City Hall office closures for the upcoming holiday season. He noted the Metropolitan Mayor's Consortium enabled him to have extensive dialogue with other community mayors, and he described the challenges many cities were facing in recruiting capable, strong advocates for their communities to run for Council. As such, he was aware of a number of communities in the region that were either looking into or had enacted changes to possibly allow for councilors to receive a small amount of compensation. He requested that staff look into and bring forward to Council what cities around the region were doing and to acknowledge any difficulties they might have. He also wanted Staff to assess what the appropriate process or mechanism would be if Wilsonville wanted to go a step beyond what other cities were doing. He anticipated that staff would not take on this task alone as it would involve some outreach. He asked if the Council would be ready to ask staff to bring that information back to a new Council after the first of the year.

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Councilor Lehan said she had brought the issue up before during various Budget Committee meetings because she had always felt that it was one thing to ask people to volunteer. However, another to ask them to go in the hole. It was time away from work, a person's own business, and it might involve childcare expenses. There were always expenses, and over time, they had continued to increase with meetings, committees, events, and functions. The driving alone was expensive which was why the Mayor was paid \$500 to cover the extra trips and general expenses. It helped keep the volunteerism at a zero sum gain. Other cities councils had compensation, more for the mayor, less for the councilors. Some cities paid per meeting, and she believed a nominal stipend was appropriate for Council, not just the Mayor. She believed Wilsonville needed to move in that direction. Tigard, for example, paid a half-time position salary to its mayor. The stipend needed to be tied to some escalator, whether that was regional or a clerk position. There needed to be an index because it was not reasonable to ask elected officials to pay themselves.

Councilor Akervall believed doing some; research would be a good idea. Citizens were always surprised to hear that being a City Councilor was a volunteer position. She believed Council had high expectations for staff and for each other to do the work required, which took considerable time. It would be good to have the information and to assess all of the factors related to Council's work.

Council President Starr stated the other side was the City wanted the role to be attractive enough that it would attract smart, capable people that would make good decisions to help Wilsonville continue to be a great place to live. He believed a stipend, so that people were not pulled backwards financially, was good. Staff should look at what other cities were doing to see how Wilsonville could continue to maintain the interest of its citizens to serve and obtain Councilors that made key decisions that saved more money in the end than was spent on a stipend.

Mayor Knapp stated that information gathering would be done under the guidance of Legal, as he did not believe Council could vote for themselves. It was more about the longer-term health and vitality of the City and attracting quality people to elected positions over time. He asked Mr. Cosgrove if that direction was clear enough at this point.

Mr. Cosgrove understood what the Councilors did as volunteers and why they would want to look into the issue. He was also aware of colleagues in other cities, and their approaches and models. He was keen on the process in terms of ensuring it was done correctly and had some recommendations to that end. The City should have an external committee with representatives from various aspects of the community be in charge. He would put something together to present to the Councilors, although any benefits adopted would only apply to the next Council that was seated in 2020, not the present Council.

**Motion:** Councilor Lehan moved to direct staff to look at and research the issue of Council Compensation and return with a recommendation on process. Councilor Akervall seconded the motion.

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

**SUMMARY OF VOTES**

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

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**COUNCILOR COMMENTS**

A. Council President Starr

Shared the following three questions he had since he became a Councilor. Was he spending his neighbors' money wisely; was he respecting one of the main foundations of a democracy, personal property rights; and did he strive for communication transparency in service to the public. He had done his best over the years to respect all three of those points. He believed the Council did a very good job of trying honor those three questions. As a Councilor, he learned that 80% of what he would have to do was gray and 20% was black and white, and a lot of items voted on had unintended consequences that might be more harsh than what the Council was voting on. He believed that philosophically he had either remained in the same position or moved towards the center because of all the different things that came at the Council when trying to come up with the right decision. The beauty of the word "Council" was that it is a group of people that made the decisions. He hoped this group had done a good job in leading its two employees, the City Attorney and City Manager. In addition, it was not one person's opinion, but the blend of opinions, because it mattered to hear other people's opinions. Even if he was already leaning one way on an issue, he always listened to everyone else's thoughts to ensure he was not missing anything and was making the best decision for the City of Wilsonville. He respected the Mayor and his dedication to the City. Although they did not agree on everything, they could debate the issues and try to figure out the best thing not for themselves, but for the City. He hoped that tradition would continue, and it had been a pleasure for him to serve with the Mayor and the Council for the last eight years. He appreciated how much members of the Council loved the City of Wilsonville and how much they had sacrificed for it.

B. Councilor Stevens - Excused.

C. Councilor Lehan

Wished a Merry Christmas and happy holidays to the City, the Council, and Staff. She commended Public Works on the great job it had done decorating the town with all of the various trees, in particular the colored, spiral tree at Boones Ferry and Wilsonville Road. She had watched Public Works put it up, trim it, and put the lights on, noting that each spiral was perfectly measured. She also commended Public Works for all of the decorations on the police station and thanked private businesses, such as Mercedes and ProGrass, for their beautiful decorations.

D. Councilor Akervall

Ms. Akervall also wished everyone happy holidays. She thanked staff and the Council for their work and service. She was reminded at this time of year how important it was to pause and send out some kindness and care to the community. She was grateful for the community leaders, its educators, and the people in the Parks Department that did that routinely and would continue to push that forward into the next year.

Mayor Knapp stated that it was apparent from the previous comments that Wilsonville's strength was that it looked out for the whole community and kept it in mind that not everyone had all the advantages. There were people in the community that had difficulties and tragic circumstances, but people survived difficult times through the acknowledgement of members of the community, their friends, and neighbors. One of Wilsonville's objectives was to have a community where everyone had a place, fit in, felt comfortable and supported, and was a part of the community, and a lot of the decisions that the Council made were in that larger context. He hoped the Council always kept that in mind. Wilsonville was a special town and needed to keep thoughtfully moving forward.

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**CONSENT AGENDA**

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

- A. Minutes of the November 27, 2018 Special Council Meeting.

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

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

**SUMMARY OF VOTES**

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

**PUBLIC HEARING**

- A. **Resolution No. 2702**

A Resolution of The City Of Wilsonville Adopting The 2018 Boones Ferry Park Master Plan.

Ms. Jacobson read the title of Resolution No. 2702 into the record.

Mayor Knapp provided the public hearing format and opened the public hearing at 8:41 p.m.

Mike McCarty, Parks and Recreation Director thanked the Council for all of the nice comments regarding staff, especially Parks and Recreation. Furthermore, he thanked Council President Starr and wished him the best. Staff had been working on the Boones Ferry Master Plan for quite some time, and believed they had a good product. Staff had a Work Session with Council on November 19, 2018 with few comments and a couple of suggestions. The Master Plan was recommended to move forward by the Parks and Recreation Board in July and adopted by the Planning Commission at a public hearing on November 14, 2018. Nothing had changed in the Master Plan since the last time staff was before the Council. They had worked diligently on the Master Plan and he was grateful for everyone's patience. He thanked staff for what they had achieved, a plan the City could be proud of for the next 15 to 20 years.

Brian Stevenson, Parks and Recreation Program Manager, shared some slides to illustrate the Master Plan, noting staff was very proud of the public outreach done for this project. They had done their best to hear from everyone in the community that wanted to comment. Staff had begun with three different plans, all with various elements. They scaled those down to one and made some changes to it that resulted in the final Master Plan. The number one element the community wanted in the Master Plan was river access. The final version of the Master Plan incorporated river access in a few different elements. There would be a dock to provide non-motorized boat access. There would also be the opportunity for non-motorized rentals, as well as a number of river overlooks, a trail that went alongside the river at the top of the bank, and a seasonal trail that would connect from the dock at the bottom of the hill up to the top. A dog park would be added along with some additional parking. Staff was proud of this Master Plan because it also incorporated a landing site for the future French Prairie Bridge and a number of trail connections to both current and future trails within the community. There were five phases to the Master Plan. The first phase involved all of the elements along the river. Phase 2 was the dog park area with a parking lot and

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restroom to serve that area. Phase 3 included the Tauchman House renovation, a new event plaza and relocating the basketball court. Phase 4 included a couple of trails going through the north end, as well as a small parking area, and Phase 5 was the landing site for the French Prairie Bridge and another small parking area.

Mayor Knapp thanked Mr. Stevenson and acknowledged the extensive public outreach and participation that had been a part of the process. The Council had envisioned a park that the entire City would be interested in and drawn to, and the Mater Plan seemed to develop some intriguing and interesting ways to use that acreage.

Council President Starr stated the Master Plan was a great start and he was excited for the river access, a major goal of the Council. He hoped to see another dock in the future but understood the plan needed to be executed in bite-size chunks. He looked forward to utilizing the new river access features.

Councilor Akervall stated she was excited to see the river features on the horizon. The river was an amazing community asset and it would be terrific to have more ways to engage with it.

Councilor Lehan confirmed with staff that the dock would enable people to board boats without falling out of them.

Mayor Knapp invited public testimony. Seeing none, he closed the public hearing at 8:49 p.m.

**Motion:** Council President Starr moved to approve Resolution No. 2702. Councilor Lehan seconded the motion.

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

**SUMMARY OF VOTES**

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

**B. Resolution No. 2718**

A Resolution Of The City Of Wilsonville Approving The Continuation And Modification Of The Recycling Surcharge Rates For Keller Drop Box, Inc. (D/B/A Republic Services Of Clackamas And Washington Counties).

Ms. Jacobson read the title of Resolution No. 2718 into the record.

Ms. Jacobson explained that this item was originally intended to be on consent, but it was noticed as a public hearing. Therefore, a public hearing needed to be opened for potential citizen commentary. Council had already been fully briefed on this matter and staff was available to answer questions.

Mayor Knapp provided the public hearing format and opened the public hearing at 8:50 p.m.

Amanda Guile-Hinman, Assistant City Attorney stated there was no official report or presentation for Council. Republic Services was in the audience but she did not believe they planned on testifying. Council should have received an email from Republic Services regarding the recycling market. The City

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had spoken with Republic Services regarding customer notification, and the City would work with them to ensure Council sent out a notice upon approval.

Ms. Jacobson clarified that the notice was only for the additional business charge.

Mayor Knapp invited public testimony. Seeing none, he closed the public hearing at 8:52 p.m.

Mayor Knapp reminded Council that this was a temporary surcharge for recycling purposes because of the down market in recyclables. It would be up for review in one year.

Council President Starr stated that it was unfortunate that the price was increasing because recyclables could not be shipped to China. He hoped that even though more money was being spent, people would be more responsible with how the recyclables were taken care of. He also hoped that this was a step in the right direction to figure out how to take care of this issue responsibly for the environment of the whole earth.

Mayor Knapp stated that ideally the City would help incentivize some domestic businesses to create a model whereby they could process and profit enough to justify running operations onshore and avoid sending it to China.

1. Councilor Lehan stated that the easiest and most efficient way to reduce the amount of recyclables is at the front end. Plastic items were continuously being bought and used and that needed to change.

Councilor Akervall agreed with Councilor Lehan.

**Motion:** Councilor Lehan moved to approve Resolution No. 2718. Councilor Starr seconded the motion.

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

**SUMMARY OF VOTES**

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

**C. Ordinance No. 830 – 1<sup>st</sup> Reading**

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Clackamas County Exclusive Farm Use (EFU) Zone To The Village (V) Zone On Approximately 25.69 Acres In The North Central Portion Of Villebois From 110<sup>th</sup> Avenue To Calais East Subdivision, South Of Tooze Road To Berlin Avenue; The Land Is More Particularly Described As Tax Lots 7200, 7290, 7300, 7400, 7500 and 7600, Section 15 AB, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon Polygon WLH LLC, Applicant.

Ms. Jacobson read the title of Ordinance No. 830 into the record on first reading.

Mayor Knapp provided the public hearing format and opened the public hearing at 8:57 p.m.

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Councilor Lehan corrected that the title of Ordinance No. 830 should have been read as Section 15 AB, not Section 5 AB.

Daniel Pauly, Senior Planner announced that the criteria applicable to the application was stated on Page 2 of Attachment 2 to the Ordinance, which had been entered into the record. Copies were made available on the counter at the side of the room. Staff had discussed this project extensively a couple of weeks ago. No appeals of the DRB's decision had been received. The last piece of the application was the zone change in the north central part of Villebois, which was displayed on a map. Once that was rezoned, the only portion of Villebois that would not be rezoned would be the projects immediately around the Piazza, which was a fairly big milestone in building out Villebois. The City had adopted the Comprehensive Plan that applied to the whole Villebois Master Plan Area with the understanding that it would be rezoned to the Zone Village, created specifically for Villebois, when proposed and approved for development. The proposed Ordinance No. 830 would change it from the current Clackamas County designation of Exclusive Farm Use to the proposed Village Zone along with the remainder of Villebois.

- He was informed today that the different design options the Applicant had developed would be available tomorrow, after which the conversation with the community would continue, and administrative decisions would be made regarding reduced lots and proper alignment of the trail connection to what worked best for the neighbors.
- The tennis court had been discussed at length, particularly at the Parks and Recreation Board, as well as the DRB, about the number of tennis courts and whether they should be there at all. Both the Parks and Recreation Board and the DRB made a decision fully aware of competing interests and items to balance. They had decided on a single tennis court oriented north-south in the eastern portion of Regional Park 5. He confirmed it would not be a lit court and would have daytime play hours only. He also confirmed that the distance from homes would remain the same. It was a reasonable distance, across the street, and there would be landscape buffering on both sides of the street. Most of the public comments staff had heard were concerns about parking impacts and the amount of space the tennis court would take up in the eastern portion, which led to a reduction in tennis courts from two to one. The tennis court would likely also function as a pickle ball court.

Mayor Knapp asked if pickle ball play was as noisy as tennis.

Mr. Pauly replied that staff had not received any noise complaints regarding any other pickle ball courts that had been built in Villebois.

Mayor Knapp asked from what venues public testimony had been received.

Mr. Pauly replied that staff had spoken to some of the neighbors, as well as the Parks and Recreation Board, prior to the issue being presented to DRB. He confirmed that DRB had public testimony options, people had shown up to give their comments, and there was written testimony on the record at DRB. After that, the issue was discussed at Council. He confirmed that the Master Plan, under which the park was designed, had been reviewed by the Planning Commission and had a long history.

Councilor Akervall remembered one of the citizens' concerns was the loss of green lawn open play space. When she had reviewed her packet, a table on Page 492 showed the Master Plan, the Proposed Plan, and the acreage in size of the overall park, as well as the lawn play areas.

Mr. Cosgrove interjected and noted that Councilor Akervall's comment did not apply to what was before the Council this evening, adding that opening that door could bring a possible legal challenge. He recommended allowing staff to administratively do what they need to do, but not allow comments on a park, as zoning had nothing to do with the park.

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Mr. Pauly elaborated that there had been many opportunities, notice, and specific outreach. There were extensive discussions just last week, and staff intended to update the Council on those talks, but the DRB decision was finalized as of Tuesday, December 11, 2018.

Mr. Cosgrove stated the Council could not revisit the topic, but were sensitive to the fact that it was an issue for the neighborhood and they would do everything they could to ensure that whatever final elements were in the park were in tune with the sensitivities of the neighborhood.

Mayor Knapp requested legal advice because a member of the public wanted to speak.

Mr. Cosgrove replied that the person could speak to the zoning. However, could not get into the park issue as it was already addressed.

Ms. Jacobson clarified that any member of the public could testify about anything. However, it could not be considered as a part of the zoning designation and the speaker would need to be made aware of that. The only issue before Council this evening was the proposed zoning change, not elements within the park itself.

Mr. Pauly pointed out that the Applicant was present to answer questions, but had no additional commentary.

Mayor Knapp invited public testimony. He indicated that Mr. Yang had submitted a speaker card and asked if he still wanted to speak, noting his comments would have to address the proposed zoning change, not elements of the park, because that was previously decided.

Mr. Yang replied that the elements of the park were a part of the change, a part of the whole plan.

Mr. Cosgrove stated that Mr. Yang could speak but he had to address the conditions related to the zone change.

Mayor Knapp reiterated that the issue before the Council was the change in zoning from the Exclusive Farm Use to a part of Villebois Village.

Mr. Yang asked if a relocation of Regional Park 6 was a part of the zoning change.

Mayor Knapp replied that it was not. That testimony was already heard and considered in front of the Parks and Recreation Board, DRB and the Council. It was a closed issue.

Mr. Yang confirmed that individual elements within the park were not a part of tonight's discussion and declined to speak further.

Councilor Lehan stated that there was confusion around a procedural issue in that Council was supposed to be updated on the changes made post DRB, and although the Council was pleased with how cooperative the Applicant was in making the changes, they had never seen them.

Mr. Cosgrove clarified that staff was committed to bringing those changes before Council once they were finalized. They had received recommendations, and the tweaks that were made from public comment. Moreover, staff was working cooperatively with the Applicant to make those changes. Those changes would also be communicated to the Council and the neighborhood. He confirmed that everything related to the park had been approved.

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Councilor Akervall asked how those changes would be communicated to the neighborhood.

Mr. Pauly stated legal notices would go out. In addition, staff would also reach out to those interested parties that had been involved to notify them of the options and give them time to comment. That option was not available this evening because staff wanted to take the time to allow for comments. Staff would do a Class II Administrative Review, which included sending notice to surrounding properties and would be appealable to DRB, once the recommendations and changes were completed.

Mayor Knapp stated that he was now confused as Planner Pauly had specifically mentioned options and he believed there were no options.

Staff clarified the question was where the neighbors' preferred location of the path connection from the street to be. The number of tennis courts was reduced from two to one, based on community feedback, its location was established, and not an option. The tennis courts were a particular discussion point when the developer had a neighborhood meeting. They then took that feedback and made modifications accordingly.

Mayor Knapp invited additional speakers. Seeing none, he closed the public hearing at 9:14 p.m.

Council President Starr asked if he should abstain since the issue required a first and second vote.

Ms. Jacobson answered that if he had not reviewed the full record, he should abstain.

Mr. Cosgrove noted Council President Starr could vote on it because he had been involved the entire time. He would not have to come back and vote a second time as he would no longer be on the Council.

Mayor Knapp stated that he had been with the City from the beginning stages of planning Villebois and was likely involved in the concept planning part of the process. Throughout that process, there had been open public hearings for people to express their opinions. It was difficult when people were not aware early enough to enter their voices into the dialogue before decisions were made, and the City needed to keep working to notice people, although the City did more than was required and would continue to do so. It had also been demonstrated that people were frequently apprehensive about change, about build-out that had not occurred yet, and over the course of the whole Villebois development period, a high-quality community had been produced. People enjoyed living there. It was a robust and desirable community. He believed the City had done well with its response to citizens and the way things were built. He would ask people to not prejudge what the outcome would be until it was seen. The City and the developer had been responsive to the concerns of the neighborhood through the many steps. That continued to be true and he did not anticipate the outcome being a problem to any great extent, and it would, perhaps, be better than people were worried about. He believed it would continue to be a desirable community through these last steps of construction.

**Motion:** Councilor Lehan moved to adopt Ordinance No. 830 on first reading. Councilor Akervall seconded the motion.

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

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**SUMMARY OF VOTES**

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

**CITY MANAGER'S BUSINESS**

Mr. Cosgrove wished the Council, staff and community Happy Holidays. Also, notified Council that he would be taking some time off the following week. He thanked Councilor Lehan for her kind words regarding Public Works and ensured that he would pass those on.

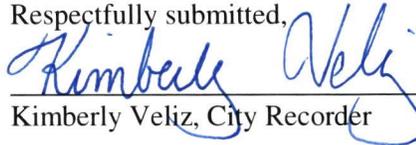
**LEGAL BUSINESS**

Ms. Jacobson also wished everyone Happy Holidays.

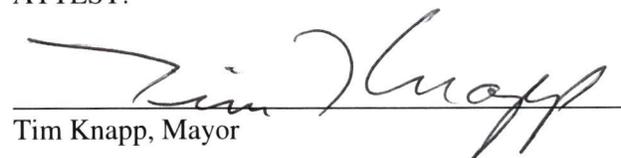
**ADJOURN**

Mayor Knapp adjourned the meeting at 9:20 p.m.

Respectfully submitted,

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

ATTEST:

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