

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, November 2, 2015. Mayor Knapp called the meeting to order at 7:13 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp
Councilor Starr – Excused
Councilor Fitzgerald
Councilor Stevens – Excused
Councilor Lehan

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Mike Kohlhoff, City Attorney
Barbara Jacobson, Assistant City Attorney
Sandra King, City Recorder
Susan Cole, Finance Director
Cathy Rodocker, Assistant Finance Director
Pat Duke, Library Director
Deborah Gitlitz, Outreach Librarian
Jon Gail, Community Relations Coordinator
Nancy Kraushaar, Community Development Director

Motion to approve the order of the agenda.

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

Vote: Motion carried 3-0.

MAYOR’S BUSINESS

A. City Attorney’s Employment Contract

Mayor Knapp stated the City’s Attorney Mr. Kohlhoff has been with the City the past 35 years and has been instrumental and present in numerous contracts, negotiations and policies over the years to move the City forward. Mr. Kohlhoff will be retiring the end of November; but has agreed to assist during the transition period and help with complex projects that are currently underway. An employment agreement starting December 1 and running for the next six months is before the Council for consideration.

Motion: Councilor Fitzgerald moved to approve City of Wilsonville employment contract with Mike Kohlhoff for 2015-16. Councilor Lehan seconded the motion.

Councilor Lehan thought this was a good way to proceed with an orderly transition to a new City Attorney.

The Mayor agreed with the Councilor’s comments and introduced Ms. Barbara Jacobson, Assistant City Attorney who will continue in her position. He thought having Mr. Kohlhoff available for questions, and to address the complex projects that are underway will benefit the City.

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Vote: Motion carried 3-0.

Mr. Kohlhoff stated it has been an honor to serve the City of Wilsonville and its citizens as its City Attorney. He had confidence that Ms. Jacobson will do an excellent job.

Mayor Knapp announced the Board and Commission appointment opportunities and encouraged interested parties to apply.

B. Appoint Dave Becker to the Parks and Recreation Advisory Board to Fill The Unexpired Term of Adam Rahmlow. Term to begin 11/2/15 and end 12/31/18.

The Mayor indicated Councilor Starr interviewed Mr. Becker for the Parks and Recreation Advisory Board, and felt he would be an outstanding addition to the Board.

Motion: Councilor Lehan moved to appoint Dave Becker to the Parks and Recreation Advisory Board to fill the unexpired term of Adam Rahmlow with a term to begin 11/2/15 and end 12/31/18. Councilor Fitzgerald seconded the motion.

Vote: Motion carried 3-0.

C. Upcoming Meetings

Mayor Knapp provided an update on the meetings he attended on behalf of the City, in particular the first meeting of the Tourism Advisory Committee. He noted Councilor Lehan is the Council liaison to that Committee.

Councilor Lehan added the Committee is made up of seven individuals from a variety of tourism related interests in and outside of the community and they are an enthusiastic and talented group. The Committee will develop a one-year and a five-year plan for tourism promotion for the City.

COMMUNICATIONS

A. Kitakata Sister City Student Delegation

Mayor Knapp welcomed the Sister City Delegation from the city of Kitakata, Japan. He invited a representative to say a few words.

Bev Schalk, President of Wilsonville Sister City Association, stated the City and Kitakata, Japan has had a sister city relationship since October 1988. This year a delegation of 20 students and 2 chaperons were visiting Wilsonville. She thanked the Council and citizens for extending a warm welcome. The Students stood to be formally recognized and to have photographs taken with the Council.

Councilor Lehan stated the new Tourism Committee wants to focus on international travel, and they would be interested in what enhancements the students felt the City can make to encourage tourism.

B. Introduce New Library Outreach Librarian, Deborah Gitlitz (Duke)

Pat Duke acknowledged members of the Library Board and Library Foundation in the audience, and introduced Deborah Gitlitz. The position was created to reach out to citizens who were not currently

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using the library. Ms. Gitlitz's initial goal is to reach out to families who have pre-school children and bring the Dolly Parton's Imagination Library to them with the hope of enrolling the children in the program. Ms. Gitlitz outlined her library background and explained the goals she hoped to achieve.

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.

Fred Rine, resident of Sundial Apartments, raised the issue of rent increases he is experiencing at the Sundial Apartments. His rent increased \$60 per month last year; and was increased again this year by \$155 per month or 18% for a ten month lease. Mr. Rine was able to negotiate with the apartment complex for a reduced ten-month lease by \$30 a month or \$125.00 increase. The apartment management company is saying rents are increasing because property values are up. Mr Rine felt regulating property management companies was warranted.

Mayor Knapp thanked Mr. Rine for addressing Council and noted Council has heard reports that this is happening in the area; however, he did not know in what manner Council becomes involved, but it was helpful to have a resident's perspective.

COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

Councilor Fitzgerald – (Development Review Panels A & B Liaison) reported on the decisions made by the DRB-A. The Library Advisory Board enjoyed a tour of the library, and received a report on their Strategic Plan. Councilor Fitzgerald announced the Toy Drive, and that voters must turn in their ballots at the Library by 8 PM Tuesday.

Councilor Lehan– (Planning Commission and CCI Liaison) noted the Planning Commission is meeting next on November 12th due to the Veterans Day holiday. The Councilor announced the Local Historian Summit; this will be a chance to give input on historical feasibility for a national heritage area that would go from Lake Oswego to Mission Bottom State Park near Salem. She noted the annual leaf drop off day is the 21st of November in the City Hall parking lot and recommended residents keep storm drains clear of leaves to prevent flooding.

CONSENT AGENDA

Mr. Kohlhoff read the Consent Agenda items for the record.

A. Minutes of the October 5, 2015 Council Meeting.

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

Vote: Motion carried 3-0.

PUBLIC HEARING

A. **Ordinance No. 776-**

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An Ordinance Of The City Of Wilsonville Amending Wilsonville Code Chapter 3, Right Of Way And Public Easement Management Section, By Amending Section 3.410, Franchise Required, And Adding A New Section 3.415, Franchise Fees.

Mr. Kohlhoff read the title of Ordinance No. 776 into the record on the first reading and noted the item should be continued to the first meeting in December.

Motion: Councilor Lehan moved to continue Ordinance No. 776 on first reading to the December 7, 2015 Council Meeting. Councilor Fitzgerald seconded the motion.

Vote: Motion carried 3-0.

B. Ordinance No. 777 – 1st Reading

An Ordinance Of The City Of Wilsonville Adding Section 10.250, Amending Section 10.430, Renumbering Sections 10.500 And 10.550, And Repealing Section 10.530 Of The Wilsonville City Code.

Mr. Kohlhoff read the title of Ordinance No. 777 by title into the record on the first reading.

Mayor Knapp opened the public hearing on Ordinance No. 777 at 8:02 p.m. and read the hearing protocol.

The staff report was presented by Mr. Kohlhoff. Chapter 10 of the Wilsonville City Code currently has a penalty section stating that except as specifically otherwise provided within the Chapter “a violation of any provision of the chapter is punishable by a fine of up to \$1,000 or imprisonment not to exceed one year”. Given law enforcement’s assessment that many of the provisions contained within Chapter 10 are of a less serious nature than others, Section 10.530 should be deleted and Section 10.430 should be applied, unless otherwise specifically noted within a particular section of Chapter 10.

In conjunction with the above revision, Section 10.250 was added to Chapter 10.200 Animals in order to retain the potential higher penalty provisions for the serious offenses under that Chapter, while still applying the lesser punishment to 10.240 (1) (leash law provision) and 10.240 (2) (scoop law provision).

Mayor Knapp asked for clarification on what the ordinance accomplishes, is the issue the amount of discretion, or the fine, or the category of the violation as a misdemeanor.

Mr. Kohlhoff explained the changes deal with the category of the violation. If a category is a misdemeanor one would be entitled to have an attorney present, and if the violator could not afford one, the City would be required to provide one. In addition, it would be rare to have an incarceration for these types of offences; rather than have that potential there, it made more sense from both a justice point of view and an administrative point of view to reduce the violation category. The judge is also allowed to exercise discretion in applying the fine amount.

Mayor Knapp referred to page 1 of 3, Section 5, sub-item 1 where the language reads “fine not to exceed”; however in item 2 the language reads “up to”, and asked for the distinction between the wordings.

Mr. Kohlhoff indicated staff would review and bring any changes back on second reading.

The Mayor called for public testimony, hearing none he closed the public hearing at 8:08 p.m.

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Motion: Councilor Lehan moved to adopt Ordinance No. 777 on first reading and get some clarification on the issue the Mayor raised in paragraph 5 by second reading. Councilor Fitzgerald seconded the motion.

Vote: Motion carried 3-0.

NEW BUSINESS

A. **Resolution No. 2555**

A Resolution Of The City Of Wilsonville Authorizing Guidelines Governing The Use Of City Funds for Utility Bill Paying Assistance.

Mr. Kohlhoff read the title of Resolution No. 2555 by title into the record.

The staff report was presented by Susan Cole. The resolution would approve guidelines as discussed at the October 19th Council meeting. The guidelines are proposed to govern the use of City funds for Wilsonville Community Sharing's (WCS) utility bill-paying assistance program. The guidelines are largely based on the procedures used by Clackamas County Social Services and reflect the current process used by staff of WCS to award assistance.

Councilor Fitzgerald thought the guidelines were thorough and clear and would allow for incorporation of whatever the current standards of living, income, and inflation levels were in the year by stating "60% of median income by household size".

Mayor Knapp wanted to know if the numbers used by Clackamas County contained in the guidelines would evolve over time. Could the 60% value be changed up or down?

Ms. Cole responded Wilsonville Community Sharing follows Clackamas County guidelines. Should the County change their guidelines then Wilsonville Community Sharing would update their guidelines. Once each year WCS will true up with the County, and on an annual basis they would follow what the County does, so if the County does change their guidelines then in August or September WCS would true up to the County's guidelines and check in yearly with Clackamas County Social Services.

Councilor Fitzgerald confirmed that should it be necessary the Council had the discretion to adjust the caps for utility bill paying assistance.

Ms. Cole stated the caps have been in place for some time and they struck a good balance between the need in the community and the funds available over the course of the year. It does leave room for the City to adjust the caps if the need is determined. The reporting by WCS will go to the Finance Department for review.

Motion: Councilor Lehan moved to adopt Resolution No. 2555. Councilor Fitzgerald seconded the motion.

Councilor Lehan indicated the guidelines have been discussed with WCS and worked with them to have a cohesive program.

Vote: Motion carried 3-0.

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CITY MANAGER'S BUSINESS – There was no report.

LEGAL BUSINESS – There was no report.

ADJOURN

Mayor Knapp adjourned the meeting at 8:13 p.m.

Respectfully submitted,

Sandra C. King, MMC, City Recorder

ATTEST:

Tim Knapp, Mayor