

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, May 4, 2015. Council President Starr called the meeting to order at 7:03 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp - excused
Council President Starr
Councilor Fitzgerald
Councilor Stevens
Councilor Lehan

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Mike Kohlhoff, City Attorney
Sandra King, City Recorder
Chris Neamtzu, Planning Director
Kristin Retherford, Economic Development Manager
Susan Cole, Finance Director
Dan Pauly, Associate Planner
Cathy Rodocker, Assistant Finance Director
Jon Gail, Community Liaison Coordinator
Chief Jeff Smith, CCSD
Jason Labrie, Utilities Supervisor, Water Distribution
Angela Handran, Community Liaison Specialist

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 4-0.

MAYOR'S BUSINESS

A. "If I Were Mayor" Award Presented to Mikala Hoffman

Ms. Handran reported Mikala Hoffman was the winner of the "If I Were Mayor" contest and presented the background on the statewide contest. Miss Hoffman's entry will be submitted into the State wide contest.

Mikala Hoffman spoke about the poster she designed which earned her the honor of winning the contest.

Council President Starr presented the award medal and a certificate to Mikala.

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B. Drinking Water Week Proclamation

Mr. Labrie, Utilities Supervisor for the Public Works Department provided a history of Drinking Water Week.

Council President Starr read the proclamation into the record.

C. Receipt of Certificate of Achievement for Excellence in Financial Reporting from GFOA.

Susan Cole, Finance Director commented the City of Wilsonville has received this award for the past eighteen years. The Certificate of Achievement is due to the excellent work of staff members Cathy Rodocker, and Keith Katko, as well as others in the Finance Department.

COMMUNICATIONS

A. CCSD Annual Report for 2014 presented by Chief Jeff Smith.

Chief Smith spoke about the highlights and trends observed in law enforcement in Wilsonville during the past year. The demand for services continues to grow as the city grows. Although the calls for service increased this past year Wilsonville maintains the second lowest crime rate in the Portland Metro area. The police officers in Wilsonville conduct “self-initiated officer activity” which include foot patrols, premise checks, suspicious vehicle stops, and subject stops among other activities. These officer initiated activities are one reason the City enjoys the low crime rate. Chief Smith noted the bicycle patrol officer program will be reinstated soon with the advent of good weather.

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.

Dawson Durig, an Eagle Scout in Boy Scout Troop 194 explained the 170 veterans buried in Pleasant View Cemetery have not been recognized for their service in wars dating from the Black Hawk war in the 1800's up to the Viet Nam War. Mr. Durig described the work done to prepare the cemetery and in the production of bronze medallions which will be placed on each of the veterans graves. Republic Services donated funds to help the Troop meet their goal to pay for the bronze medallions. Frank Lonergan of Republic Services presented a check to Boy Scout Troop 194 in the amount of \$1,000 to allow the project to be completed.

Mr. Durig invited the public to attend the Memorial Day ceremony honoring the veterans at the Pleasant View Cemetery.

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COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

Council President Starr – (Park & Recreation Advisory Board Liaison) announced WERK Day scheduled for May 9th. He noted the new playground equipment in Murase Park is in the process of being completed and should be opened in two weeks. The Councilor attended the grand opening of The World of Speed and thought it was a great addition to the City.

Councilor Fitzgerald – (Development Review Panels A & B Liaison) reported on the decisions made at the most recent meeting of DRB-Panel B. She said the ADA Transition Plan Public Open House would be held on May 7th.

Councilor Stevens – (Library Board and Wilsonville Seniors Liaison) stated she attended a special luncheon to honor the Korean War Veterans hosted by the students of Athey Creek Middle School. The Library Board applicants will be interviewed this week by Councilor Fitzgerald and her. She attended the Positive Aurora Airport Meeting, where it was noted the construction of the air traffic control tower is almost completed, and expected to be staffed in August. Wilsonville Community Seniors will be conducting their goal setting at their next meeting. She read a letter published in the Charbonneau Gazette from a woman who received help at the Community Center and announced the Wilsonville Garden Club Spring Plant Sale set for May 9th.

Councilor Lehan– (Planning Commission and CCI Liaison) noted the meeting date of the next Planning Commission meeting and topics to be covered during the meeting. Spa Saturday at the Community Center, and Wilsonville Festival of Arts were announced. The Councilor invited the public to participate in the work days at Pleasant View Cemetery during the next two Saturdays to prepare the cemetery for the Memorial Day celebration.

CONSENT AGENDA

Mr. Kohlhoff read the title of the items on the Consent Agenda for the record.

A. Minutes of the April 6, 2015 and April 20, 2015 Council Meetings.

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

Vote: Motion carried 4-0.

PUBLIC HEARING

A. **Resolution No. 2528**
A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2014-15.

Mr. Kohlhoff read the title of Resolution No. 2528 into the record.

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Council President Starr opened the public hearing at 7:56 p.m. and provided the hearing protocol.

Ms. Rodocker presented the staff report. Oregon's Local Budget Law allows the Council to amend the adopted budget for an occurrence or condition that was not known at the time the budget was adopted. A transfer resolution moves expenditures from one category to another within a specific fund and does not increase the overall budget that was approved during the annual budget process. A supplemental budget adjustment will impact the budget by increasing revenues and/or expenditures. The supplemental adjustment can also recognize expenditures that exceed 10 percent of the adopted budget expenditures or 15 percent of the funds' adopted contingency.

The budget adjustment gives the General Fund the budget authority for overnight loans to the Eastside Urban Renewal District in the amount of \$2,000,000 and the Westside Urban Renewal District in the amount of \$1,000,000. This overnight funding strategy significantly reduces the associated borrowing costs to the Districts versus the traditional overnight funding through a financial institution. Local Budget Law requires a public hearing for a budget adjustment as part of the adoption process.

Council President Starr invited public comment, hearing nothing he closed the public hearing at 7:59 p.m.

Motion: Councilor Fitzgerald moved to approve Resolution No. 2528. Councilor Stevens seconded the motion.

Vote: Motion carried 4-0.

B. Ordinance No. 768 – First Reading

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Public Facility (PF) Zone To The Village (V) Zone On Approximately 3.58 Acres Northwest Of SW Villebois Drive North Between SW Orleans Avenue And SW Costa Circle West. Comprising Tax Lot 3100 And Adjacent Right-Of-Way Of Section 15ac, T3S, R1W, Clackamas County, Oregon, RCS-Villebois Development LLC, Applicant.

Ordinance No. 768 was read into the record by title only on first reading by Mr. Kohlhoff.

Council President Starr opened the public hearing at 8:01 p.m. and stated the hearing format.

Mr. Pauly presented the staff report with aid from a PowerPoint slide show. The zone map amendment will rezone the land proposed to be developed as Neighborhood Park 4, Montague Park in the central part of Villebois as well as adjacent right-of-way. The proposed zoning is consistent with the Comprehensive Plan designation of Residential-Village. He identified the location of the proposed park, which will be a private park maintained by the home owners association (HOA), however it will have public access. Mr. Pauly described the amenities that will be included in the park. The pickle ball court will be discussed further by the DRB at their

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next meeting and may be replaced with a putting green; however, the area meets the standards of the code. Mr. Pauly stated a restroom is not included in this park design since it is a private park, and facilities are available nearby. Restrooms are planned for Regional Park 5 a block away and this park will be constructed in the next 12 months. He identified a number of trees to be removed due to their poor condition.

Development Review Board Panel 'A' recommended the Council approve the Zone Map Amendment during their April 13th meeting. At the same meeting the Development Review Board continued to May 11th the Public Hearing for the development applications submitted concurrently with the Zone Map Amendment. The purpose for the continued hearing is for further testimony and discussion whether to locate a Pickleball/basketball court in the northwest corner of the park, and if not what the alternative park design should be.

Although the home was no longer there, Councilor Lehan expressed concern with losing the historic connection to the Lucias Seeley homestead, and suggested if the location of the home was known to photograph the location and trees before they were removed to create a historical reference.

Mr. Kohlhoff would ask the applicant if he would be willing to work with the City on that.

Councilor Stevens commented the parks in Villebois were brimming this past weekend; she thought the area was well planned for parks, they are beautiful, and they are a wonderful amenity. Councilors Lehan and Fitzgerald agreed with Councilor Stevens.

Regarding the amphitheater, Mr. Kohlhoff said the original master plan contained a larger amphitheater with larger restroom facilities; however it was determined there would not be enough parking and the amphitheater was reduced, and the restroom removed since another was close by.

Rudy Kadlub, 11422 SW Barber Street, Wilsonville, master planner and builder of Villebois said if information was available, he would agree to place a marker honoring the previous use of the land. He thanked Councilors for their comments about the parks, there were many to thank for the Master Plan, noting the open space is by design.

Councilor Fitzgerald asked how many people can sit in the amphitheater area. Mr. Kadlub said the area would seat 50-100 people to accommodate neighborhood events.

Council President Starr invited the public to testify, no one came forward, and he asked for a motion to close the public hearing.

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

Vote: Motion carried 4-0.

The public hearing was closed at 8:27 p.m.

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Motion: Councilor Fitzgerald moved to approve Ordinance No. 768 on first reading. Councilor Stevens seconded the motion.

Vote: Motion carried 4-0.

NEW BUSINESS

A. **Resolution No. 2529**

A Resolution Of The City Of Wilsonville Adopting A New Fee Schedule For Land Use Development And Planning Review Fees, And Repealing Resolution No. 2050.

Mr. Kohlhoff read Resolution No. 2529 into the record by title only.

The staff report was prepared by Susan Cole, Finance Director. The Community Development (CD) Fund resources are falling behind the fund's requirements. Staff recommends increasing the Land Use Development and Planning Review Fees to catch up with price changes according to changes in the Consumer Price Index, from 2007 and through Fiscal Year 2015-16. Staff recommends increasing these fees in two stages: First, an 8 percent increase on July 1, 2015, followed by an additional 10 percent increase on January 15, 2016.

Following the Council Work Session on April 6, 2015 on this topic, staff reviewed various stair-step approaches to increasing these fees. The Land Use Development and Planning Review Fees are expansive and complex, many layering onto others as a project proceeds through the process, and many have a formula component based upon units, acres, and the like. The complexity of these fees hampers simple explanations to the public, and a two-step approach to increasing the fees is recommended to balance the City's need while minimizing confusion by the public, and spacing the increase to give applicants a chance to absorb the additional increases over a reasonable timeframe.

Staff obtained the City of Portland Land Use fee schedule, and compared that city's fees to Wilsonville. The comparison chart was provided to the Councilors.

Council President Starr asked Ms. Cole to explain the contingency separation.

Ms. Cole stated previous to this fiscal year, the Building Inspections program and the Community Development program were combined into one fund. However, Oregon State law does specify that building inspection and building fees need to be held separately and only used for those purposes.

The City decided it was not transparent to have the two functions together in the same fund, because the numbers were added together and it looked as if the Community Development fund had more resources to apply to the Planning function than it did. In this current year the two funds were separated. The Community Development fund contains the planning function, capital design and engineering, and urban renewal management. All the building permits and

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inspections and fees associated with that is now in its own fund titled “Building Inspections fund”. The combined fund balance was about \$4.9 million. However, staff did a reconciliation and determined \$2.6 million of that combined fund belonged to the Building Inspection fund which is the amount that was transferred.

This left \$2.3 million for Community Development, which has subsequently been drawn down. The adopted budget had a drawdown of \$471,000 and the proposed budget for next fiscal year is proposing to draw that down again by \$371,000. The proposed fee increase will add about \$60,000 in revenue into the Community Development fund.

Ms. Cole said the ongoing revenues do not match the ongoing expenses. Staff has proposed an in-depth technical review of the fund in the next fiscal year to divide the fund into its various functions and to insure each function is recovering its costs accordingly. After this review Council will decide on whether there will be further changes to permit fees, possible changes in the capital improvement program overhead rates, and possible changes to the general fund subsidy to the Planning Department. She anticipated this work to be completed in seven to eight months.

Council President Star commented the City is using the CPI to get the fund back on track and then at the end of the year staff will have a better idea of what solutions will be needed.

Motion: Councilor Stevens moved to approve Resolution No. 2529. Councilor Lehan seconded the motion.

Councilor Fitzgerald stated none of the Councilors liked to raise fees, but it was clear changes were necessary.

Council President Starr added the revenues were not supporting the services the City needed to provide to the public. Although the 18 percent increase is significant, we might find ourselves in a position where another adjustment may be necessary after the consultants complete their work.

Vote: Motion carried 4-0.

B. Resolution No. 2530

A Resolution Authorizing An Intergovernmental Agreement With The Urban Renewal Agency Of The City Of Wilsonville Pertaining To Short Term Subordinate Urban Renewal Debt For Both The Year 2000 Plan And West Side Districts.

Mr. Kohlhoff read Resolution No. 2530 into the record by title only.

The staff report was prepared by Susan Cole, Finance Director. Both the Year 2000 Plan and West Side districts have a capital projects that are under construction. Short-term borrowing is necessary to complete these projects. Both districts have sufficient cash balances in their debt service funds to allow for repayment of borrowing on a short term basis – short term being defined as “over-night.”

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Previously, the Urban Renewal Agency would enter into an agreement with a financial institution for these types of transactions. The City's General Fund has the capacity to loan the funds on a short term basis. The Urban Renewal Agency is now able to borrow from the City's General Fund provided both the City and Agency agree to the terms of the borrowing and it serves a public purpose. The terms of the borrowing are as follows:

- City lends to Agency \$3,000,000 at 1.5 percent (1.5%).
- The Agency repays the amount from tax increment funds on hand the day after receipt of the loan.
- Total interest to the General Fund, therefore, will be approximately \$123.
- The borrowing is subordinate to outstanding senior lien debt.

By borrowing from City funds the Agency is able to avoid loan origination fees and legal costs associated with borrowing from a financial institution, estimated to be more than \$10,000 for this type of financing. The public purpose is to fund projects authorized in the urban renewal plans for the two respective districts.

Authorizing the IGA by the respective Resolutions of the City and the Agency will provide cash resources of \$2.0 million to pay for costs associated with Canyon Creek Road between Boeckman Road and Vlahos Drive within the Year 2000 Plan district, as well as Murase Park improvements and preliminary work on the Old Town Escape project. It will also provide \$1 million to pay for costs associated with extending Barber Road west into Villebois within the West Side district, as well as park improvements within the district.

Borrowing and repayment will occur within the month of May 2015. The IGA anticipates the loan and repayment occurring on May 18 and May 19, respectively.

The form of the Resolutions and IGA were approved by the Legal Department. The City is a home rule city and as such under its Charter it has the authority to act in ways that are necessary and convenient under the laws and Constitution of the State of Oregon. The Oregon Constitution, Article XI, Section 9 limits the powers of cities to loan its credit to private corporations. The Agency is not a private corporation, but is a unit of local government as is the City. Specifically, the laws in ORS Chapter 190 provide for intergovernmental agreements between units of local governments to provide for functions or activities which they are authorized to do (building road projects are such functions or activities) and to provide for apportioning the responsibility for providing funds to pay for the expenses incurred in the performance of the functions or activities, which is what is occurring in this IGA.

Further, the only current general obligation bond outstanding for the City is for library purposes and has an outstanding principal balance of \$355,000, due to paid off by January 1, 2016. The overall debt capacity of the City is estimated to be \$104 million; hence the City is well within its overall debt capacity.

Motion: Councilor Lehan moved to approve Resolution No. 2530. Councilor Fitzgerald seconded the motion.

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Vote: Motion carried 4-0.

CITY MANAGER'S BUSINESS

Mr. Cosgrove recognized and thanked Angela Handran for her work on organizing and staging the successful Volunteer Appreciation Dinner and a Show that 240 people attended. He added department heads discussed the issue of documenting historical buildings and places and planned to have the Building Department take photographs with the Library archiving the documents.

LEGAL BUSINESS – No report was given.

ADJOURN

Council President Starr adjourned the meeting at 8:41p.m.

Respectfully submitted,

Sandra C. King, MMC, City Recorder

ATTEST:

Council President Scott Starr