

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, September 4, 2014. Mayor Knapp called the meeting to order at 7:14 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp
Council President Starr
Councilor Goddard - absent
Councilor Fitzgerald
Councilor Stevens

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Mike Kohlhoff, City Attorney
Sandra King, City Recorder
Stephan Lashbrook, SMART Director
Mark Ottenad, Government Affairs Director
Cathy Rodocker, Assistant Finance Director
Nancy Kraushaar, Community Development Director
Kristin Retherford, Economic Development Director
Kerry Rappold, Natural Resources Manager
Steve Adams, City Engineer
Zach Weigel, Engineering

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 4-0.

MAYOR'S BUSINESS

A. Upcoming Council meetings were announced.

Mayor Knapp acknowledged the Boy Scouts in the audience. Joseph Wilde introduced his Troop mates from Troop 135; the boys are working on a communications merit badge and one of the requirements is to attend a council meeting.

The Mayor mentioned the upcoming City Council election where there will be two vacancies. Two candidates have filed for office, incumbent Scott Starr, and former Mayor Charlotte Lehan. He spoke about the business round table co-hosted by Oregon Tech and the City of Wilsonville where the discussion focused on science and engineering education.

COMMUNICATIONS

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- A. Ron Adams, Chair, Clackamas Community College (CCC) Board of Education, Bond Measure Support

Ron Adams introduced Bob Cochran of CCC, and distributed information on what Ballot Measure 3-447 will achieve if it is successful. The goals of the bond measure are to:

- increase local access to affordable education programs that would allow students to transfer to four-year universities or obtain training for family wage jobs;
- train students in high-demand careers such as nursing, engineering and manufacturing; and
- update and modernize equipment, labs and facilities so students are adequately trained to meet current industry standards.

Mr. Adams distributed Endorsement Statement for County Voters' Pamphlet forms should the Council wish to complete them.

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.

There was none.

COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

Council President Starr – (*Park & Recreation Advisory Board Liaison*) reported the Parks and Recreation department has moved into their new offices in Town Center Park.

The Economic Development team of the Urban Renewal Task Force will be meeting September 23rd to discuss next steps. The Councilor spoke with a West Linn Wilsonville School Board member who was impressed with the facilities and offerings OIT provided in Wilsonville. He thought the cost per credit at both Clackamas Community College and OIT was an extraordinary value.

Councilor Starr noted during work session Council discussed the addition of the phrase “and businesses” to the Old Town Neighborhood sign located on Boones Ferry Road.

Motion: Councilor Starr moved to make the adjustment to the *Old Town Neighborhood* sign by adding the term “and businesses”. Councilor Fitzgerald seconded the motion.

Mr. Cosgrove stated Council had the option of directing staff to bring a staff report to the next Council meeting allowing public input; or direct the City Manager to add the language.

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Mayor Knapp asked if it was Councilor Starr's intent to have the City Manager move forward with the sign change. Councilor Starr indicated that was his intent and the seconder agreed.

Mayor Knapp abstained from the vote because he owns business property in the Old Town area.

Vote: Motion carried 3-0-1
 Mayor Knapp abstained

Councilor Fitzgerald – (*Development Review Panels A & B Liaison*) talked about the discussions that took place with the business leaders in high technology at OIT recently. She reinforced the need for an education that includes trades, manufacturing and the arts. She suggested including students at the next discussion. Councilor Fitzgerald reported on the upcoming meeting dates and approvals made by the DRB Panels. DRB Panel A approved the application by Sage Group to build six carriage homes in Villebois, and Panel B approved an application to remodel of the former Kraven's building.

Councilor Stevens – (*Planning Commission; CCI; Wilsonville Seniors Liaison*) announced the water features in Murase Plaza and Town Center Park will close September 14th. She noted an Open House for the new Parks and Recreation Department offices will be held on September 11th with a ribbon cutting at 12:30 p.m.

The Wilsonville Seniors met and adopted their annual budget. They are hosting two fundraisers for the Senior Nutrition Program; Spa Saturday set for October 4th and on October 11th the community may come to have their antiques professionally appraised.

Councilor Stevens noted the Planning Commission meeting for September has been cancelled. An open house for the Frog Pond Area development will take place October 16th at City Hall from 5-8 p.m.

CONSENT AGENDA

Mr. Kohlhoff read the titles of the Consent Agenda items into the record.

- A. **Resolution No. 2488**
 A Resolution in Support of Clackamas Community College Bond Measure 3-447.

- B. **Resolution No. 2483**
 A Resolution Of The City Council Of The City Of Wilsonville Acting As The Local Contract Review Board, Authorizing The South Metro Area Regional Transit Department (SMART) To Purchase Two Compressed Natural Gas Powered Cutaway Vans Through A Section 5308 Federal Clean Fuels Grant.

- C. **Resolution No. 2487**
 A Resolution Of The City Of Wilsonville Authorizing The I-5 Sound Wall Landscape Screening Project.

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D. Minutes of the August 4, 2014 Council Meeting.

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

Vote: Motion carried 4-0.

NEW BUSINESS

Mr. Kohlhoff read the title of Resolution No. 2486 for the record.

A. **Resolution No.2486**

A Resolution Of The City Of Wilsonville Approving Addendum No. 5 To The Development Agreement Between The City Of Wilsonville, The Urban Renewal Agency Of The City Of Wilsonville, Villebois LLC, And State Of Oregon Department Of Administrative Services Relating To The Addition Of Polygon Northwest Company, L.L.C. As A Party To The Development Agreement And Authorizing Certain Changes Relating To Development Of Property Known As Tonquin Woods 4-7, Located Within The Villebois Village Development.

The staff report was prepared and presented by Mr. Kohlhoff. The report is included for clarity. Addendum No. 5 sets out the respective responsibilities for designing, constructing, and financing infrastructure for the development of Tonquin Woods 4 through 7 and Regional Park 4 (RP-4), and to plan for Regional Park 5 (RP-5), within the Villebois Village Master Plan Area. It has been vetted through the respective engineering, planning, parks, and legal representatives of the parties. Polygon NW has purchased the property and has filed for development approval of a 73 lot subdivision known as Tonquin Woods 4 & 5, and an additional 42 lot subdivision known as Tonquin Woods 6 & 7. The development approval has received the Design Review Board's (DRB) recommendation for Council approval for Tonquin Woods 4 & 5, and staff is recommending approval of Tonquin Woods 6 & 7 to the DRB. The matter of the Council's authorization of Addendum 5 is scheduled for Resolution adoption on September 4, 2014. The URA meeting for Board action to authorize the URA into entering into Addendum No. 5 is scheduled to follow the Council meeting.

There are four key issues Addendum No. 5 addresses: (1) it amends Addendum 4 to avoid double charging for the earlier collected Supplemental Street SDCs and the Master Planner's portion of the Master Plan Fee; (2) it recognizes that developer financing responsibility for infrastructure costs have been transferred due to several land transfers; (3) it recognizes the ability to shift UR financing among certain parks under a previous Development Agreement amendment in 2006; and (4) it provides for shifting of UR funding to RP-4, subject to further agreement by the new property owner in SAP-Central, RCS Villebois Development, LLC. The funding is being shifted from Montague Park, whose amphitheater facility is being reduced due to lack of parking. The reason that RP-5 needs additional time to negotiate is the site involves three separate ownerships: the URA, Polygon, and the Chang family, with the latter needing more time to communicate given some family members are located in mainland China.

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Development of quality infrastructure for the subdivision and for the City, which, in turn promotes the economic development goals of the City, the URA, and the property owner/developer.

Portions of the infrastructure will be completed within the 2014-15 time period, with the remainder in 2015-16.

Motion: Councilor Stevens moved to approve Resolution No. 2486. Councilor Fitzgerald seconded the motion.

Vote: Motion carried 4-0.

CONTINUING BUSINESS

Mr. Kohlhoff read Ordinance No. 745 and Ordinance No. 746 into the record by title only on second reading. He noted the vote on the ordinances should be taken individually.

- A. **Ordinance No. 745** – 2nd reading
An Ordinance Terminating The 9805 SW Boeckman Road Urban Renewal Plan Adopted By Ordinance 726, And The 29899 SW Boones Ferry Road Urban Renewal Plan Adopted By Ordinance 729, And Amending The Urban Renewal Legal Descriptions And Boundary Maps For The 26755 SW 95th Avenue Urban Renewal Plan Adopted By Ordinance 725, The 27255 SW 95th Avenue Urban Renewal Plan Adopted By Ordinance 728, And The Building 83 – 26440 SW Parkway Avenue Urban Renewal Plan Adopted By Ordinance 730.

Mayor Knapp commented these TIF zones were part of the City's economic development incentive program put into place during the economic downturn to encourage businesses and manufacturing to locate in Wilsonville. Since that time three of the large buildings have been occupied by owner/users or long term lessors and there is little merit in continuing those incentive plans on the occupied properties. The incentive program will remain on the three unoccupied buildings.

Councilor Stevens expressed her appreciation for the Mayor's message in the Boones Ferry Messenger explaining the TIF program, and the reasons for rolling back three of the zones.

Councilor Starr agreed with the previous comments. The TIF Zones served the need for the City to extend a welcome to the business community. Another reason to close the TIF zones is to save the expense of keeping the properties in the TIF zones.

Mayor Knapp was of the same opinion. He thought citizens expected the Council to be proactive and responsive as economic conditions change and to provide an environment amenable to the private sector business.

Motion: Councilor Starr moved to approve Ordinance No. 745 on second reading. Councilor Fitzgerald seconded the motion.

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Vote: Motion carried 4-0.
Council President Starr - Yes
Councilor Goddard - Absent
Councilor Fitzgerald - Yes
Councilor Stevens - Yes
Mayor Knapp - Yes

- B. **Ordinance No. 746** – 2nd reading
An Ordinance Terminating The 25600 SW Parkway Center Drive Urban Renewal Plan
Adopted By Ordinance 727.

Motion: Councilor Starr moved to approve Ordinance No. 746 on second reading.
Councilor Fitzgerald seconded the motion.

Vote: Motion carried 4-0.
Council President Starr - Yes
Councilor Goddard - Absent
Councilor Fitzgerald - Yes
Councilor Stevens - Yes
Mayor Knapp - Yes

PUBLIC HEARING

- A. **Resolution No. 2484**
A Resolution Authorizing A Transfer Of Budget Appropriations Within Certain Funds
For Fiscal Year 2014-15.

Mr. Kohlhoff read the titles of Resolution No. 2484 and 2485 into the record for public hearing. He noted the public hearing on the two resolutions may be held concurrently, however, the votes on the resolutions must be taken separately.

Mayor Knapp opened the public hearing on Resolution No. 2484 and Resolution No. 2485 at 8:06 p.m. and read the hearing format.

Ms. Rodocker, Assistant Finance Director, prepared and 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.

At its June 2, 2014 City Council meeting, the Council adopted the Fiscal Year 2014-15 budget. The resolutions being presented with this staff report, a budget transfer and a budget adjustment

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will provide the required budget authority for capital projects that were either not completed at the end of fiscal year 2014 or that have been added to the CIP Program since July 1, 2014.

Transfer Resolution – Resolution No. 2484

It is important to note that the Transfer Resolution recognizes only the funding side of the projects, which is recorded as an expense, “Transfers to other funds”, and an offsetting reduction to contingency.

Projects that were not completed by June 30, 2014 and require budget authority for FY15 include:

- Water Project: West Side Level B Reservoir
- Sewer Projects: Flow Monitoring Stations and final payouts for the Wastewater Treatment Plant Rehabilitation
- Road Projects: ADA Compliance and Villebois SDC Street Reimbursements
- Stormwater Projects: Stormwater Rate and SDC Study, Storm System Improvements of Grahams Ferry Rd.
- Parks Project: Recreation/Aquatic Center Update

New projects included in the transfer resolution include:

- Road Projects: I-5 Sound Wall Landscaping and Wilsonville Road Median Improvements – Landover
- Park Project: Villebois Regional Park #4 Reimbursement

Adjustment Resolution – Resolution No. 2485

The adjustment resolution recognizes the actual estimated costs of the projects in the appropriate CIP funds as well as the revenues, “Interfund transfers in”, from the various funding sources. In addition to the projects noted above, the resolution also includes projects that were not completed by June 30, 2014 and require budget authority for FY15 that are funded by the General Fund and the Street Light Operating Fund:

- | | |
|---|-----------------------------------|
| • City Wide Public Facility Master Plan | • Parks & Rec Tenant Improvements |
| • Fall Arrest System | • Forest Shelter Roof Replacement |
| • HVAC Replacement: Library | • Street Light Infill Project |
| • Fiber Connectivity Project | |

The City is following Oregon Local Budget Law and its Fiscal Management Policies in amending the annual budget. As required by Local Budget Law, a notice for the public hearing was published in the *Wilsonville Spokesman* on Wednesday, August 27, 2014. Adoption of the Supplemental Budget Adjustments and Budget Transfers are required prior to the end of the fiscal year, June 30, 2015.

Mayor Knapp indicated he had asked a question earlier about Regional Park Four, and he understood staff had not anticipated that park would be completed this budget year; however, it looks like it will be. Therefore, the City is reimbursing the developer for work he has done and was not obligated to do. This Regional Park will provide additional park capacity since it will be

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serving those outside of the subdivision the developer is building.

Mayor Knapp called for public testimony on the two resolutions, hearing nothing; he closed the public hearing at 8:12 p.m.

Motion: Councilor Fitzgerald moved to approve Resolution No. 2484. Councilor Stevens seconded the motion

Vote: Motion carried 4-0

B. Resolution No. 2485

A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2014-15.

Motion: Councilor Stevens moved to approve Resolution No. 2485. Councilor Starr seconded the motion

Vote: Motion carried 4-0

C. Ordinance No. 747 – 1st reading

An Ordinance Of The City Of Wilsonville Adopting The City Of Wilsonville Public Works Standards – 2014 To Update And Replace Public Work Standards- 2006 And Repealing That Portion Ordinance 610 Adopting Prior Public Works Standards -2006.

Ordinance No. 747 was read by title only for the record by the City Attorney.

Mayor Knapp opened the public hearing at 8:14 p.m. and read the hearing procedure.

The Staff report was presented by Kerry Rappold, Natural Resources Manager; Zach Weigel and Steve Adams, City Engineers.

The City of Wilsonville Public Works Standards (Standards) provide design requirements, material specifications, construction procedures, testing standards, and acceptance and maintenance requirements for construction of public infrastructure, including roadways, pathways, and stormwater, sanitary, and water systems. The Standards are a technical civil engineering document used to convey the City's required design and construction information to developers, design engineers, and contractors.

These Standards ensure that the publicly maintained infrastructure is designed and constructed to current industry practices necessary to provide robust and reliable service to Wilsonville residents, protecting the general health, welfare, and safety of the public while minimizing maintenance costs and legal liability.

The current adopted Standards were last updated in 2006. Periodic updates to the Standards are needed to reflect changes in industry practice, regulatory requirements, Federal and State laws, technological advances, and City Master Plans and Policy amendments. Over the last year, staff has been working to update and revise the Standards to reflect such changes since the last update.

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The resulting document is comprised of six sections:

Section 1 – General Construction Requirements and Administrative Provisions

Section 2 – Transportation Design and Construction Standards

Section 3 – Stormwater and Surface Water Design and Construction Standards with Appendices A and B (Section 3 to be bound separately)

Section 4 – Sanitary Sewer Design and Construction Standards

Section 5 – Water System Design and Construction Standards

The proposed amendments to the Transportation Design and Construction Standards reflect recent policy changes associated with the City's adopted 2013 Transportation System Plan. Transportation facilities, including roadways, sidewalks, and pathways, design and construction standards have been updated to provide more emphasis on bike and pedestrian facilities. Also, roadway and pathway design standards have been amended to reflect recent changes in Americans with Disability Act requirements.

Mr. Weigel pointed out:

- New road and pathway lighting standards were added to insure the lighting provided meets a nationally recognized standard.
- In addition to the asphalt and concrete allowed standards, segmental concrete pavers design and construction standards were added.
- Key changes to sewer system standards include clarification to existing standards for engineers and contractors.
- Pump station design standards were expanded to make sure they were designed and operated in a consistent manner.
- Standards have been added to properly abandon sewer systems once they have been replaced, including pipes that are 48 inches below ground surface.
- Changes to the water system standards are similar to the changes to the sewer system changes; consisting of clarifications, abandonment standards, and the removal of pipes twenty-four inches below ground.
- Water valves must now meet AWWAC515 standards.

Minor changes to both Sanitary Sewer and Water Design and Construction Standards are proposed. The majority of these amendments are to help clarify and provide additional detail to engineers and contractors to address common misunderstanding or misinterpretations of the Standards since the last update.

Mr. Rappold addressed the amendments made to the stormwater standards.

The majority of the proposed amendments occur as part of the Stormwater and Surface Water Design and Construction Standards. These amendments reflect the policies adopted with the 2012 Stormwater Master Plan and permit requirements associated with the City's 2012 National Pollutant Discharge Elimination System (NPDES) discharge permit. Low impact development (LID) – an approach to stormwater management that mimics or preserves natural drainage processes – provides the basis for most of the amendments. LID emphasizes on-site infiltration of stormwater through the use of vegetated stormwater facilities, such as rain gardens, planter

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boxes, and green roofs. Many of these types of facilities have been installed, or have been specified with City street improvement projects, including Boones Ferry Road by Fred Meyer, Boeckman/Tooze Roads between Boberg and Grahams Ferry Road, Barber Street by the WES station, and Canyon Creek Road.

Mr. Rappold provided photos of low impact development found in Wilsonville, including: porous pavement, green roofs, stormwater planters, rain gardens, vegetated swales, and vegetated filter strips. He spoke about the site assessment process and source control assessment which charge the applicant with looking at these requisites from the beginning of the design process. The site assessment is submitted with the development permit application and contains a checklist of design objectives such as: storm water management strategy, facility selection and sizing, or limiting site conditions. The Impervious Area Threshold Determination form allows the subtraction of the number of square feet of porous pavement, number of trees that are planted, green roofs etc. from the impervious area calculation.

The Public Works Standards update was primarily performed in-house by City staff. Costs associated with this effort were limited to staff time. In addition, staff contracted with Brown & Caldwell (\$11,400 from the adopted 2013-14 Community Development budget) for technical assistance to complete the update to the stormwater standards. The consultant completed a review of standards developed by Water Environment Services of Clackamas County, and provided a revised version of these standards that has been incorporated into the proposed amendments.

Staff contacted several engineering consultants and developers who often work in Wilsonville to request their interest in reviewing and commenting on the draft standards. These companies included Polygon Northwest, Legend Homes, Lennar Homes, Renaissance Homes, Pacific Community Design, SFA Design, Westlake Consultants, GHD Consultants, Group Mackenzie, Otak, and OBEC. Three consultants and one developer requested copies of the standards for their review.

Adoption of the updated Public Works Standards will ensure that the City's public infrastructure is designed and constructed in accordance with current industry practice, regulatory requirements, State and Federal laws, and City policies. These Standards are necessary to provide robust and reliable service to Wilsonville residents and businesses and to protect the general health, welfare, and safety of the public while minimizing maintenance costs and legal liability.

Mr. Cosgrove asked if the Stormwater Standards had been vetted by public works staff in terms of maintenance issues.

Mr. Adams responded the public works staff has reviewed the proposed stormwater and surface runoff standards.

Councilor Fitzgerald asked if periodic updates would be done to the plan as standards change and technology methods improve over time. She also wanted to know what would be done should a contractor want to work above the Standards in the plan.

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Regarding periodic updates, Mr. Adams explained the detailed drawings take precedence over the standards and the detailed drawings may be changed with the approval of the Community Development Director or himself. This allows the City to keep up with technology standards and changes in patterns by changing the detailed drawings. When major changes occur the Standards will be brought back to Council for updates. A contractor is allowed to go over and above the Public Works Standards; the Standards are a minimum level the City will accept.

Councilor Starr referred to the Impervious Area Threshold Determination Form, and wanted to know if additional methods can be added to the allowed list.

Mr. Adams suggested making the form a detailed drawing to allow additional methods and changes.

Mayor Knapp invited public input, hearing nothing he closed the hearing at 8:41 p.m.

Motion: Councilor Fitzgerald moved to adopt Ordinance No. 747 on first reading.
Councilor Stevens seconded the motion

Mr. Kohlhoff suggested adding to the motion, “together with the change to the Shared-Use Path Lighting; and the direction regarding Table 3.2 Impervious Area Threshold Determination Form”, and staff can come back on the second reading with those changes in the document.

Amended Motion: Councilor Fitzgerald amended her motion to include the suggestion made by the City Attorney. Councilor Stevens accepted the amendment.

Vote: Motion carried 4-0.

CITY MANAGER’S BUSINESS

Mr. Cosgrove reported the City solicited requests for proposals in conjunction with the Council Goal for Branding and Marketing and received three good responses. Interviews were held with each of the three firms and one firm was selected. A contract with the selected firm is in the process of being negotiated. The City received a very positive letter from Standard & Poor on the City’s credit worthiness rating of AA+. This information will be made part of the budget message next year to help respond to questions about the amount of reserves the City has in place. The Urban Renewal Task Force will be meeting September 23rd to receive additional feedback prior to adoption of the UR Strategic Plan.

LEGAL BUSINESS

There was no report.

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ADJOURN

Mayor Knapp adjourned the Council meeting at 8:47 p.m.

Respectfully submitted,

Sandra C. King, MMC, City Recorder

ATTEST:

Tim Knapp, Mayor