

**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, June 16, 2014. Mayor Knapp called the meeting to order at 7:01 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  
Councilor Fitzgerald  
Councilor Stevens

Staff present included:

Bryan Cosgrove, City Manager  
Jeanna Troha, Assistant City Manager  
Mike Kohlhoff, City Attorney  
Sandra King, City Recorder  
Cathy Rodocker, Assistant Finance Director  
Jon Gail, Community Relations Coordinator  
Nancy Kraushaar, Community Development Director  
Dan Pauly, Associate Planner  
Chris Neamtzu, Planning Director  
Stephan Lashbrook, SMART Director  
Mike Ward, Associate Engineer

Motion to approve the order of the agenda.

**Motion:** Councilor Starr moved to approve the amended order of the agenda noting Mayor's Business Item A would be continued to the next meeting. Councilor Stevens seconded the motion.

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

**MAYOR'S BUSINESS**

**A. City Manager Evaluation and Contract Renewal**

This item was continued to July 7, 2014 Council meeting to allow Councilors time to review the survey results.

**B. Library Board Reappointments**

The Library Board appointments were held over to July 7, 2014 to allow applicant interviews.

**C.** Upcoming meetings were announced by the Mayor. He mentioned the meetings he attended on behalf of the City.

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**COMMUNICATIONS**

A. Clackamas County Areas of Outreach Initiative - Commissioner Martha Schrader

Martha Schrader, Clackamas County Commissioner invited Councilors and the public to attend the State of the County address June 19<sup>th</sup>. At the event the Commissioners will respond to questions from the public. The Commissioner briefly recapped the successes achieved at the County during the past year. In response to a question from Councilors regarding road maintenance fees Commissioner Schrader indicated the County was looking at joint ventures with cities and at the possibility of implementing a vehicle registration fee to go towards road maintenance.

**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.

Jan Johnson, 6591 Landover Drive, expressed her concerns with the amount of truck traffic on Wilsonville Road and the possibility of injury to children. She requested more traffic patrols and suggested erecting "No thru traffic" or "No truck traffic" signs.

Dorothy VonEggers, 6567 SW Stratford Court, president of Landover Home Owner Association and a member of the Frog Pond Task Force. She indicated she has raised her concerns about traffic at the Frog Pond Task Force meetings, and requested prohibiting semi-trucks and big box trucks from using Wilsonville Rd. as a shortcut to the freeway. Ms. VonEggers requested the speed study be repeated to capture the north bound traffic.

Staff will follow up with both of the speakers.

**COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS**

Council President Starr – (*Park & Recreation Advisory Board Liaison*) reported on the activities of the Parks and Recreation Board, and announced upcoming community events including the commemoration of the start of the Korean War in 1950; youth summer camps in Memorial Park; Relay For Life, the Boy Scout plant auction and the Wilsonville Farmers market as well as the date for the next Community Center Task Force meeting.

Councilor Goddard – (*Library Board Liaison*) reported on the upcoming activities at the Library and the summer reading programs. Two Library board terms will conclude at the end of June, and appointments will be made following interviews with all applicants.

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Councilor Fitzgerald – (*Development Review Panels A & B Liaison*) relayed the actions taken by DRB Panel A at their last meeting, in addition to the next meeting date for DRB Panel B.

Councilor Stevens – (*Planning Commission; CCI; Wilsonville Seniors Liaison*) announced the next meeting date of the Planning Commission and reminded the public of the meeting on the Basalt Creek Concept Plan set for Tuesday the 17<sup>th</sup>. She reported on the undertakings of the Wilsonville Seniors and on the work done by the Frog Pond Task Force. Councilor Stevens mentioned she had received the letter from Ms. VonEggers at the last Frog Pond area meeting which was submitted to staff to be made a part of that record. Councilor Stevens announced new artwork in the Villebois piazza.

**CONSENT AGENDA**

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

A. **Resolution No. 2479**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With North Santiam Paving Co. for The 2014 Annual Street Maintenance Project (Capital Improvement Project 4014).

B. Minutes of the May 19, 2014 Council Meeting

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

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

**PUBLIC HEARING**

A. **Resolution No. 2477**

A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2013-14.

B. **Resolution No. 2478**

A Resolution Authorizing A Transfer Of Budget Appropriations Within Certain Funds For Fiscal Year 2013-14.

Mr. Kohlhoff read the title of Resolution Nos. 2477 and 2478 into the record and mentioned Resolution No. 2477 had been amended since the Council packet had been prepared. Copies of the revised resolution had been distributed to Council. The public hearing for both resolutions can be held concurrently.

Mayor Knapp read the public hearing format into the record and opened the public hearing for Resolution No. 2477 and Resolution No. 2478 at 7:50 p.m.

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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. The supplemental budget primarily amends the current budget for numerous capital improvement projects and expenditures.

At its June 3, 2013 City Council meeting, the Council adopted the Fiscal Year 2013-14 budget. Since that time, several unanticipated projects and expenses have come to staff's attention that will require additional budget authorization. There are two resolutions for consideration; a budget transfer and a supplemental budget adjustment. Resolution No. 2477 is a supplemental budget adjustment that will impact the budget by increasing overall revenues and expenditures. Resolution No. 2478 is a transfer resolution that will move expenditures from one category to another with no additional increase to the overall budget. As per Local Budget Law, the supplemental budget adjustment also includes budget transfers that have surpassed 15 percent of the adopted contingency.

**Adjustment – Resolution No. 2477**

Supplemental Budget Adjustments provides a detail listing of the projects and expenditures that are recognizing new funding from either contingency or beginning fund balances. The largest increase in the budget adjustment recognizes the expense of the intra-agency loan between the City and Urban Renewal Districts totaling \$4,500,000. The adjustment also recognizes the repayment of the overnight loan. The second largest adjustment is for the reimbursement to the City of Sherwood and the expense of \$1,400,000 is recorded in the Water CIP Fund. The funding for the Project No. 1055: Segment 3B-48" waterline was paid in full by the City of Sherwood in June 2013. The project is now completed and the City is required to reimburse the City of Sherwood for the appropriate share of the project costs.

The resolution also includes additional appropriations for expenses for additional bus purchases in the amount of \$50,000, \$18,160 for additional costs for Project No. 7012-Rivergreen Drainage and \$35,690 for Project No. 9135-Tonquin Trail South Extension.

**Transfer - Resolution No. 2478**

Supplemental Budget Transfers provides a detail listing of the projects and/or accounts that will be affected by the transfer resolution. The transfers noted are all less than 15 percent of the original adopted contingency in each fund.

Project No. 4712-Bike and Pedestrian Connectivity Action Plan will be funded in the amount of \$26,425 by reducing Project No. 4999-Streets Project Design/Development and Project No. 4995-Early Planning – Future Streets Projects.

Additional interest for both water and sewer bonds, \$500 and \$1,600 respectively, are needed to meet the GASB requirements of accrual based accounting.

An additional \$4,500 will be needed as vehicles purchased this year included additional equipment than had been anticipated during the budget process. This will be funded by the vehicle replacement contingency.

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As required by Local Budget Law, a notice for the public hearing has been published in the Wilsonville Spokesman. The notice was published on Wednesday, June 4, 2014. Adoption of the Supplemental Budget Adjustment and approval of the Supplemental Budget Transfer is required prior to the end of the fiscal year, June 30, 2014.

**CURRENT YEAR BUDGET IMPACTS:**

<b>Resources:</b>		<b>Expenditures:</b>	
Beginning fund balances	\$ 1,400,000	City of Sherwood Reimbursement	\$ 1,400,000
Loan Repayment from URA	4,500,000	Loan to URA	\$ 4,500,000
Interfund transfers	86,200	Vehcile purchases	4,500
		Bus engine replacement	15,000
		Bus Purchases	50,000
		Additional interest expense recorded	2,100
		Proj#7012-Rivergreen Drainage	18,160
		Proj#9135-Tonquin Trail So Extension	35,690
		Transfers to GF and CD for Project Mgmt	32,350
		Contingencies	(71,600)
Total Resources	<u>\$ 5,986,200</u>		<u>\$ 5,986,200</u>

Mayor Knapp invited public comment, hearing nothing he closed the public hearing at 7:55 p.m.

**Motion:** Councilor Starr moved to approve Resolution No. 2477. Councilor Goddard seconded the motion.

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

**B. Resolution No. 2478**

A Resolution Authorizing A Transfer Of Budget Appropriations Within Certain Funds For Fiscal Year 2013-14.

**Motion:** Councilor Stevens moved to approve Resolution No. 2478. Councilor Fitzgerald seconded the motion.

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

**CONTINUING BUSINESS**

**A. Resolution No. 2473**

A Resolution Of The City Of Wilsonville Authorizing Support Grant Agreement With Wilsonville Community Sharing

Mr. Kohlhoff read Resolution No. 2473 into the record by title and pointed out Mr. Truitt of Wilsonville Community Sharing is available to answer Council questions.

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Ms. Rodocker presented the staff report. The City has provided financial assistance to Wilsonville Community Sharing for more than 15 years. Resolution No. 2473 authorizes the continuation of the assistance for FY 2014-15. Terms of the agreement are very similar to existing terms. These terms include:

1. \$30,677 for general use by Wilsonville Community Sharing in support of all their programs including administrative costs but excludes use on capital construction or renovation. Wilsonville Community Sharing provides diverse assistance including food, utility assistance, prescription help, housing support and referral to other agencies for service beyond those that they provide.
2. \$16,000 dedicated to renters utility assistance which includes city water and sewer, natural gas and electricity. Historic demand indicates that assistance for electric bills is of the greatest need. Administrative costs are to be paid from the general portion noted in paragraph 1 above.
3. The renter's utility assistance portion, which was added in 2010 in response to the recession's impact, is scheduled to terminate after the Portland area unemployment rate falls below 7% as measured at the end of each calendar year. The annual average has been trending downward from a high of 10.8% in 2009 to 7.3% in 2013.
4. Term of the Agreement and Grant is for just FY 2014-15.
5. Wilsonville Community Sharing shall provide quarterly reports on the use of renter's utility assistance portion of the Grant and annual financial statements on the full organization.

The City of Wilsonville Finance Department will administer and oversee the grant, which will include reviewing the quarterly and annual financial reports provided by Wilsonville Community Sharing to ensure the grant funds are properly spent based on the grant document.

Additional reports were provided in the packets and the report on the renters program, as well as the 2011 and 2012 federal filings.

Councilor Goddard asked if Ms. Rodocker had any concerns on the uses of the funds from an accounting point of view.

Ms. Rodocker responded from an accounting point of view no, and noted their accounting has been consistent.

Mr. Truitt thanked Council for the past support, and asked that the support continue so those in need in the community can be helped. Although the economy is in recovery demand for assistance is still high. In addition to the funds the City provided for utility program, WCS supplemented those funds to provide additional utility relief. The community is learning WCS can help with the payment of utility bills and demand for that type of assistance is increasing.

Mr. Truitt said WCS is looking to improve policies and procedures in addition to revisiting and strengthening governance practices. Four new active members have been added to the Board providing diversity.

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Councilor Starr shared that underemployment continues to be a problem, and that Council will need to have an open mind going into next year if the unemployment number is below 7 percent.

Mayor Knapp thought detailed reporting from WCS on a regular basis was necessary so Council understood what was occurring. He encouraged WCS to leverage more resources and contributions from the business community. The Mayor asked for clarification on the increase in payroll.

Mr. Truitt responded the prior Board did not have fundraising or marketing experience; however, new members did have and they expected to garner more resources from the business community in the coming year. He pointed out staff had not received a salary increase since 2010, and payroll reflected an increase in salaries. Mr. Truitt stated their strategy to grow the resources for the long term will be outreach to churches, the business community and individuals.

Councilor Fitzgerald suggested when WCS leadership changed to challenge each president to reach out to their network of business contacts to bring in more involvement.

Councilor Goddard was confident the City's contributions were being put to good use, WCS is a strong community partner; working toward a common goal and the City and Wilsonville Community Sharing will continue to work together.

**Motion:** Councilor Fitzgerald moved to approve Resolution No. 2473. Councilor Starr seconded the motion.

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

**B. Ordinance No. 743 – 2<sup>nd</sup> reading**

An Ordinance Of The City Of Wilsonville Annexing Approximately 15.16 Acres Of Land Located Southeast Of The Intersection Of SW Grahams Ferry Road And SW Tooze Road Into The City Limits Of The City Of Wilsonville, Oregon; The Land Is More Particularly Described As Tax Lots 1200, 1202, And 1205 Of Section 15 T3S-R1W, Clackamas County, Oregon, Polygon Northwest Company, Applicant.

Mr. Kohlhoff read the title of Ordinance No. 743 into the record for the second reading.

**Motion:** Councilor Fitzgerald moved to approve Ordinance No. 743 on second reading. Councilor Starr seconded the motion.

**Vote:** Motion carried 5-0.  
Councilor Starr - Yes  
Councilor Goddard - Yes  
Councilor Fitzgerald - Yes  
Councilor Stevens - Yes  
Mayor Knapp - Yes

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C. **Ordinance No. 744** – 2<sup>nd</sup> Reading

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Clackamas County Rural Residential Farm Forest 5 (RRFF5) Zone To The Village (V) Zone On Approximately 15.16 - Acres Comprising Tax Lots 1200, 1202, And 1205 Of Section 15, T3S, R1W, Clackamas County, Oregon, Polygon Northwest Company, Applicant.

Mr. Kohlhoff read the title of Ordinance No. 744 into the record for the second reading. The public hearing for Ordinance No. 744 had been left open from the June 2<sup>nd</sup> Council meeting to take additional testimony from the applicant regarding potential solutions to save a large Sequoia tree.

Dan Pauly stated an alternative street design had been developed to allow the preservation of a giant sequoia tree through the creation of an island at the center of a street.

The consulting Arborist Morgan Holen & Associates prepared a report discussing the health and viability of the tree and recommendations for tree protection and preservation. The arborist provided renderings of the tree and its canopy overhang at its current age and size, and what the tree would look like when it reached 100 years old. The tree is rated in good health, structure and vigor, is free standing, and has a high level of visual interest. However, this tree is not a native to the Pacific Northwest, and was planted as a landscape tree. The tree is not historically significant and is still young considering the species of the tree.

The Council discussed the significance of the tree, and potential for future root damage to pavement and utilities as the tree grew. The arborist stated if the suggested techniques in the report were used they would provide adequate root protection for the tree and that Polygon has an excellent track record protecting trees during construction. The potential for sidewalk and house foundation harm is low due to the size of the island which provided enough growing space for the tree to expand.

Council also considered whether they were creating a larger problem for homeowners down the road in keeping the tree as well as who would have responsibility for maintenance of the tree, the home owner association or the City. It was proposed to categorize the tree as a “street tree” which made maintenance the responsibility of the City. It was also suggested to remove the tree and plant another elsewhere where there was sufficient space; however, the Mayor strongly felt the tree should be saved since it provided a significant focal element to the community.

Mayor Knapp closed hearing at 9:10 p.m.

**Motion:** Councilor Knapp moved to approve Ordinance No. 744 on second reading, with the condition to preserve the Sequoia tree, and for the City to assume responsibility in the long run for the tree. Councilor Fitzgerald seconded the motion.



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Councilor Goddard thought retaining the tree created a safety issue by splitting the roadway around the tree.

Councilor Starr commented it was important to save trees where they can be saved but he was concerned about creating future problems in the neighborhood.

Councilor Fitzgerald thought it would be beneficial to keep the tree since it brought value and character to the neighborhood.

Councilor Stevens shared she works in an area of the City that was overplanted, and homeowners are asking for trees to be removed because they were planted too close to homes and foundations or too close together. The Sequoia will be a challenge for the homeowners 30 years from now. She did not want to create a problem for the future.

**Vote:**            Motion fails 2-3  
                 Councilor Starr - No  
                 Councilor Goddard - No  
                 Councilor Fitzgerald - Yes  
                 Councilor Stevens - No  
                 Mayor Knapp - Yes

**Motion:**        Councilor Stevens moved to adopt Ordinance 744 on second reading. Councilor Starr seconded the motion.

Councilor Goddard asked if there is an opportunity to place additional conditions on the applicant and require them to plant sequoia trees in Graham Oaks or some other location.

Mr. Kohlhoff reminded Council the issue before them for consideration was the zone change, and whether the development code provisions were fully met.

Councilor Fitzgerald did not favor planting non-native trees that grow faster than the natives preferring the planting of a native tree species.

Mayor Knapp declared a recess at 9:29 p.m. and reconvened the meeting at 9:35 p.m.

Mr. Kohlhoff said the applicant has regional parks property where there is the opportunity to plant another tree to replace the Oregon White Oak that died, and the Sequoia. Council did not need to take formal action; staff would work with the applicant.

**Vote:**            Motion carried 4-1  
                 Councilor Starr - Yes  
                 Councilor Goddard - Yes  
                 Councilor Fitzgerald - Yes  
                 Councilor Stevens - Yes  
                 Mayor Knapp - No

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**NEW BUSINESS**

**A.     Resolution No. 2480**

A Resolution Of The City Of Wilsonville Approving Addendum No. 4 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 Villebois Calais, Located Within The Villebois Village Development.

Mr. Kohlhoff read the title of Resolution No. 2480 into the record, and presented the staff report. Addendum No. 4 sets out the respective responsibilities for designing, constructing, and financing infrastructure for the development of the Calais subdivision located at the corner of Tooze Road and Grahams Ferry Road within the Villebois Village Master Plan Area. It has been vetted through the respective engineering, planning, and legal representatives of the parties. Polygon NW has entered into a purchase and sale agreement to purchase the property and with written consent of the property owners has filed an annexation petition to bring the land within the City and an application for development approval of an 84 lot subdivision known as Village Calais. Both the annexation and the development approval have received the Design Review Board's recommendation that the Council approve these matters. On June 2, 2014, the Council approved on first reading the Ordinance authorizing the annexation and on first reading the authorizing Ordinance approving the necessary Zone Change and Order, but left the public hearing open to take additional testimony from the applicant regarding potential solutions to save a large Sequoia Tree. Both Ordinances and the public hearing are scheduled for second reading and determination by the Council for approval at its June 16, 2014 meeting. The matter of the Council's authorization of Addendum 4 is also scheduled for Resolution adoption June 16, 2014, but after the Ordinances as any authorization of entering into the Addendum 4 is subject to approval of the two ordinances. The URA meeting for Board action to authorize the URA into entering into Addendum 4 is scheduled to follow the Council meeting.

Development of quality infrastructure for the subdivision and for the City, promotes the economic development goals of both the City and the URA. Portions of the infrastructure will be completed within the 2014-15 time period with the remainder in 2015-16. The impacts for 2014-15 have been appropriately budgeted in the 2014-15 budget.

The development agreement in the packet was revised after the packets were delivered, and the changes were approved by Polygon's representatives.

Councilor Goddard wanted to know if there was a way to reclaim some of the wood from the Sequoia tree to create elements such as benches or to repurpose the tree to the benefit of the neighborhood. Mr. Adams would follow up with the applicant.

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**Motion:** Councilor Starr moved to approve Resolution No. 2480 with the revised version of Addendum #4. Councilor Goddard seconded the motion.

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

**Motion:** Councilor Starr moved to correct the month in Addendum #4 from May to June. Councilor Goddard seconded the motion.

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

**CITY MANAGER'S BUSINESS**

Mr. Cosgrove reminded Council of the dates of his vacation.

**LEGAL BUSINESS** – There was no report.

**ADJOURN**

The Mayor adjourned the meeting at 9:45 p.m.

Respectfully submitted,

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Sandra C. King, MMC, City Recorder

ATTEST:

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Tim Knapp, Mayor