

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 January 4, 2021

The following City Council members were present:

Mayor Fitzgerald
Council President Akervall
Councilor Lehan
Councilor West
Councilor Linville

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Barbara Jacobson, City Attorney
Kimberly Veliz, City Recorder
Mark Ottenad, Public/Government Affairs Director
Beth Wolf, Systems Analyst
Zoe Monahan, Assistant to the City Manager
Andy Stone, IT Director
Matt Palmer, Associate Engineer
Khoi Le, Development Engineering Manager
Kerry Rappold, Natural Resources Manager
Fred Weinhouse, Municipal Court Judge

SWEARING IN CEREMONY

City Manager Cosgrove introduced Judge Fred Weinhouse.

Judge Weinhouse administered the oaths of office to Mayor-Elect Julie Fitzgerald followed by Councilor-Elects Kristin Akervall and Joann Linville.

Mayor Fitzgerald called the meeting to order at 7:07 p.m.

After the opening of the meeting newly, elected officials Fitzgerald, Akervall, and Linville provided comments on their elections.

Roll call and the Pledge of Allegiance followed.

Motion to approve the order of the agenda.

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

Vote: Motion carried 5-0.

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SUMMARY OF VOTES

Mayor Fitzgerald	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

MAYOR’S BUSINESS

A. Elect City Council President

Mayor Fitzgerald announced per City Charter Council is required to elect a member of the Council to serve as Council President at the first meeting of each odd numbered year. The Council President presides over Council meetings in the Mayor's absence. Additionally, the Council President performs the duties of Mayor if the Council determines that the Mayor is unable to perform their duties.

Motion: Councilor Lehan moved to nominate Councilor Akervall. Councilor West seconded the motion.

Motion: Councilor Linville moved to close nominations. Councilor West seconded the motion.

Mayor Fitzgerald then called for the vote for Councilor Kristin Akervall to serve as Council President for the term of January 2021 through December 2022.

Vote: Motion carried 4-0-1.

SUMMARY OF VOTES

Mayor Fitzgerald	Yes
Council President Akervall	Abstain
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

Council then provided comments of support for Kristin Akervall to serve another term as Council President.

Ms. Akervall thanked Council for their trust, encouragement, and confidence in her continuing in the position as Council President.

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B. Upcoming Meetings

The announcement was made that the second meeting in January would normally fall on the third Monday. However, in observance of the Martin Luther King Jr. holiday the meeting would convene on Thursday, January 21, 2021. Work Session would begin at 5:00 p.m. followed by the City Council meeting at 7:00 p.m.

Mayor Fitzgerald reminded additional meeting dates are listed on the website and in the Boones Ferry Messenger.

COMMUNICATIONS

A. None.

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.

Resident Wayne Richards expressed his opinion that the voters would like to keep the City's triple A bond rating and continue to remain in the top 10 out of 500 communities across America in the National Citizen Survey (NCS).

Resident Bob Harland said he is commenting to reinforce the decision made by voters in the November Election, that the City has been moving in the right direction and should continue to move in that direction.

Resident Jami Arbon explained that she is responding to the comments made about her at the December 21, 2020 City Council meeting by Councilor Ben West.

Aurora resident Douglas Landpheare spoke in support of the appointment of Jami Arbon to the Development Review Board. Additionally, Mr. Landpheare wrote a letter which was added to the record.

Maplewood, New Jersey resident KC (Karin) Dickerson provided a statement in support of Jami Arbon.

Staff acknowledged that any correspondence written letters and/or emails received have been entered into the record.

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COUNCILOR COMMENTS

A. Council President Akervall

Councilor Akervall wished everyone a happy New Year.

Ms. Akervall announced there is a virtual tour available to the public thru YouTube of the Willamette Intake Facility. The virtual tour shows some of the stabilization work that is being done at the raw water treatment plant. Ms. Akervall noted that community members might have noticed the work because it is quite a big change, at the wall of the raw water treatment plant. Moreover, the stabilization modifications, or changes are so the intake facility would be helped in withstanding a Cascadia Subduction Zone earthquake.

City Manager Cosgrove informed he would direct staff to push out the virtual tour link on the City's website, Facebook page and other social media platforms.

B. Councilor Lehan

Councilor Lehan wished everyone a happy New Year. She then welcomed the newly elected Mayor and Councilors. Ms. Lehan shared over the past 25 or 30 years she has served on Council off and on, she has never served with Councilors who came better prepared and more engaged than these three members.

C. Councilor West

Councilor West hoped everybody had a great Christmas and New Year.

Mr. West stated some students go back to school tomorrow with many already starting today.

Mr. West shared he looks forward to working with other Councilor in spring, to set the Council goals for the next two years moving forward.

Mr. West revealed that Council has many things coming down the line such as continuing to help small businesses and being responsive to citizens. Moreover, Council is trying to do the best they can to meet basic and practical needs for those in the service industry that are not receiving paychecks.

D. Councilor Linville

Councilor Linville added New Year's best wishes to Council, staff, and Wilsonville citizens.

Ms. Linville shared concerns that the state legislature did not extend the moratorium on foreclosures. However, the legislature did extend the rental eviction deadline past the end of the month.

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Councilor Linville plans to attend the following:

- Clackamas County Business Alliance (CCBA) Annual Legislative Submit; and
- League of Oregon Cities weekly conference call on January 8, 2021; and
- Councilor Lehan’s presentation to the Charbonneau Women's Association on myths and milestones in Wilsonville on January 11, 2021.

CONSENT AGENDA

Ms. Jacobson read the titles of the Consent Agenda items into the record.

A. Resolution No. 2848

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement With Brown And Caldwell To Provide Engineering Consulting Services For The Stormwater Master Plan Update Project (Capital Improvement Project #7064).

B. Resolution No. 2862

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement With Keller Associates, Inc. To Provide Engineering Consulting Services For The Elligsen Well Facility Rehab And Upgrades Project (Capital Improvement Project #1083).

C. Resolution No. 2870

A Resolution And Order Amending Resolution No. 2864 To Further Extend The Local State Of Emergency And Emergency Measures, As Authorized By Resolution No. 2803.

D. Minutes of the December 7, 2020 City Council Meeting.

Motion: Councilor Lehan moved to approve the Consent Agenda as read. Councilor Akervall seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Fitzgerald	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

NEW BUSINESS

A. None.

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CONTINUING BUSINESS

A. Boards & Commissions Appointment

Mayor Fitzgerald stated continuing business for the meeting is regarding the appointment of Jami Arbon to the Development Review Board. The Mayor explained she read all of the materials and interviewed Jami. Arbon. Mayor Fitzgerald said that after reviewing all materials and listening to public input, she sees nothing in the record that would preclude Jami Arbon from being a contributing member of the Development Review Board. The Mayor then stated she would entertain a motion to approve the appointment of Jami Arbon to the Development Review Board for a term beginning on January 5, 2021 extending through December 31, 2022.

Motion: Councilor Linville moved to ratify to the appointment of Jami Arbon to the Development Review Board for a term beginning 1/5/2021 through 12/31/2022. Councilor Lehan seconded the motion.

Vote: Motion carried 4-1.

SUMMARY OF VOTES

Mayor Fitzgerald	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	No
Councilor Linville	Yes

PUBLIC HEARING

A. None.

CITY MANAGER’S BUSINESS

City Manager Cosgrove wish Council a happy New Year.

He congratulated Mayor Fitzgerald, Council President Akervall, and Councilor Linville for being elected.

Mr. Cosgrove added he looks forward to working with the entire Council. He also, looks forward to getting Council back in Council Chambers and having the community back into City facilities.

Encouraged everyone to get a vaccination when they have the opportunity, as vaccinations are the surest route to getting back on track.

Mr. Cosgrove reminded Council their presentations to Citizens Academy are coming up.

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LEGAL BUSINESS

City Attorney Jacobson recalled Council compensation is highly scrutinized under Oregon ethics laws. No person who will benefit from Council compensation directly or who will benefit from it during his or her current term can vote on it. Only those not benefiting during a current term can vote.

Ms. Jacobson shared three Councilors who could not; benefit at the time had earlier expressed strong support for Council compensation at a prior Work Session. Ms. Jacobson took this information to the Oregon Government Ethics Commission (OGEC) to confirm if Council could hold a vote and enact Council compensation for the new Councilors and Mayor. She then clarified that new Councilors means those re-elected.

She further explained per her conversation with OGEC legal counsel as long as there was a quorum present Council could move forward with the vote on Council compensation. Ms. Jacobson described she had not discussed the possibility of a less than unanimous vote with the legal counsel and therefore circled back to discuss the vote after the December 21, 2020 City Council meeting.

Ms. Jacobson described the City Charter expressly provides in Chapter 4, Section 15 that a majority of the incumbent members of City Council shall constitute a quorum for its business. Ms. Jacobson said Section 19 of the Charter goes on to state except as this chapter otherwise provides the concurrence of a majority of the members of the Council voting when a quorum of the Council is present shall decide any question before it. Ms. Jacobson shared Council had a two to one vote thus when reviewing the language with OGEC legal counsel following the two to one vote she was advised and agreed that there is nothing in ethics regulations or their interpretations of them that would override the City Charter on the vote. Even though a unanimous vote would have been preferred, the two to one vote did pass the compensation measure as presented per Wilsonville City Charter.

Ms. Jacobson reiterated the two to one vote at the last meeting although not unanimous was sufficient to pass the resolution on Council compensation. Therefore, if Councilors elect to accept the compensation it would begin July 1, 2021.

Council was reminded they can opt into or out of the benefit at any time. In addition, Councilors should contact their financial advisor or accountant to see how the compensation could affect them.

ADJOURN

Mayor Fitzgerald adjourned the meeting at 8:07 p.m.

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Respectfully submitted,

DocuSigned by:
Kimberly Veliz
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Kimberly Veliz, City Recorder

ATTEST:

DocuSigned by:
Julie Fitzgerald
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Julie Fitzgerald, Mayor