

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 Thursday, February 18, 2021. Mayor Fitzgerald called the meeting to order at 7:00 p.m., followed by roll call and the Pledge of Allegiance.

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
Beth Wolf, Systems Analyst
Zoe Monahan, Assistant to the City Manager
Andy Stone, IT Director
Zach Weigel, Capital Projects Engineering Manager
Dwight Brashear, Transit Director
Eric Loomis, Transit Operations Manager
Rob Wurpes, Chief of Police
Martin Montalvo, Public Works Ops. Manager
Dan Carlson, Building Official
Miranda Bateschell, Planning Director
Delora Kerber, Public Works Director

Motion to approve the order of the agenda.

Motion: Councilor West moved to approve the order of the agenda as amended. Councilor Linville 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

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MAYOR’S BUSINESS

A. Upcoming Meetings

Upcoming meetings were announced by the Mayor as well as the regional meetings she attended on behalf of the City.

B. City Council Representation Assignments to Tourism and Wilsonville – Metro Community Enhancement Committee

Mayor Fitzgerald recommended the appointment of Councilor Lehan to the Tourism Promotion Committee. In addition, the Mayor recommended the appointment of Councilors Linville and West to the Wilsonville-Metro Community Enhancement Committee.

Tourism Promotion Committee

Motion: Councilor Linville moved that Councilor Lehan serve as the representative from the City Council on the Tourism Committee. 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

Wilsonville – Metro Community Enhancement Committee

Motion: Councilor Lehan moved to appoint Councilor Linville and Councilor West to the Metro Enhancement Committee. 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

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C. VRF Letter to Clackamas County Board of Commissioners

Mayor Fitzgerald reported the City learned that the Clackamas County Board of County Commissioners is considering reversing an earlier decision from 2019 to develop a desperately needed way to fund local road maintenance in Clackamas County and the City of Wilsonville, which is a \$30 Vehicle Registration Fee (VRF) that is used now.

She explained the modest fee was arrived at after considerable public input, discussions with businesses and working with cities and community planning organizations on an appropriate amount.

Moreover, Clackamas County recognized a need for additional, regular source of funds to maintain over 1,400 miles of county roads, about 40 miles of which are within Clackamas County Cities. The County had an estimated \$17 million annual shortfall for road maintenance, and was considering turning back to gravel some paved roads.

Mayor Fitzgerald detailed that this situation has arisen over the past 20-plus years, as cars have become more efficient and less gas, tax is generated that supports road construction and maintenance. Additionally, the federal government no longer provides the same level of financial support to state and local governments for public infrastructure as occurred from the 1950s to the '80s.

Prior to 2019, unlike Multnomah and Washington Counties, Clackamas County only had one source of road funding, that being state-shared gas-tax revenue for road construction and maintenance. These other counties have other road funding sources, including a county vehicle registration fee, special property-tax assessment, and a local gas tax.

County Commissioners and the Clackamas County Coordinating Committee spent 10 years seeking funding solutions for road maintenance until a consensus was achieved finally in 2019 to advance a locally controlled County VRF.

Cities of Clackamas County benefit from this road funding resource, which per state law receive 40% of the revenues. Of that 40% going to cities, Wilsonville receives about 10%. Those funds are crucial to maintain Wilsonville's 78 miles of paved roads, and to support high-priority transportation improvements such as the "Boeckman Dip" Bridge, Boeckman Road, and Brown Road urban upgrades, and make safety, ADA and sidewalk infill improvements.

Additionally, the Clackamas County Board of County Commissioners created a Strategic Investment Fund for multi-jurisdictional transportation projects in the increasingly congested urban-rural interface roadways. A local example that would qualify for county strategic funding includes the 65th Avenue/Elligsen/Stafford roads intersection just east of Wilsonville in unincorporated Clackamas County.

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Council was reminded that roads do not fix themselves, and road maintenance is never free. If the funding source is removed, the Mayor believes the City would be signing up for even higher costs when poorly maintained roads require emergency repair or even complete rebuilds due to years of insufficient care.

It was also noted that VRF funds are by state law required to be spent on road-related projects that can include pedestrian safety and ADA requirements in conjunction with roadwork.

The draft letter of Support for Value of County Vehicle Registration Fee along with attachments was displayed on the screen. The draft letter and attachments have been made part of the record.

Motion: Councilor Lehan moved to send a letter expressing the Council’s support for the road utility fee. Councilor Akervall seconded the motion.

Council discussed the potential of a draft letter to be sent to the Clackamas County Board of Commissioners encouraging them to not eliminate the Countywide Vehicle Registration Fee.

Vote: Motion carried 4-1.

SUMMARY OF VOTES

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

COMMUNICATIONS

A. Clackamas County Sheriff’s Department

Clackamas County Sheriff Angela Brandenburg gave an update on what has been occurring at the Sherriff’s Department since she took over the position as Sherriff in January 2021.

Rob Wurpes, Chief of Police, joined Sherriff Brandenburg during her presentation.

B. ODOT I-5/Boone Bridge & Seismic Improvement Project "Feasibility Study" Presentation

Oregon Department of Transportation staff members Scott Turnoy, Project Manager; Matt Freitag, Region One Area Manager; and Della Mosier, P.E., Deputy Director, Urban Mobility Office provided the I-5 Boone Bridge and Seismic Improvement Project summary report. The PowerPoint was added to the record.

Representative Neron was publicly thanked for getting the initial funding for this design.

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C. Response and Recovery – Winter Event 2021

Martin Montalvo, Public Works Ops. Manager; Miranda Bateschell, Planning Director and Dan Carlson, Building Official provided details of the City’s response to the recent ice storm, which included debris removal from City arterials and temporary road closures. Staff also provided details about the City’s response in expediting work to aid those who suffered damage to trees and/or structures.

Motion: Councilor Akervall moved that Council ratify the emergency declaration put into effect by the City Manager on February 13, 2021. Councilor West 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

Staff quickly briefed Council on local vaccination efforts.

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.

Derek Bliss, Wilsonville resident requested that the debris drop-off site be extended past February 25, 2021 to give residents additional time for cleanup.

Mr. Bliss also publicly thanked staff members Chuck Halberstadt and Bryan Cosgrove for their customer service.

COUNCILOR COMMENTS

A. Council President Akervall

Reported on the following events she attended or plans to attend:

- Regional Water Consortium meeting on February 3, 2021
- DEI Implicit Bias training on February 5, 2021
- Washington County Coordinating Committee meeting on February 8, 2021

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- Wilsonville Alliance for Inclusive Communities (WAIC), in partnership with the West Linn-Wilsonville School District (WLWV), showing and panel discussion of the film *Intelligent Lives* on February 25, 2021

B. Councilor Lehan

Requested that staff look at the R.V. Short Douglas Fir Heritage Tree because it has a few dangerous hangers and should be taped off.

Ms. Lehan shared her interest in a follow up meeting with key staff and other agencies such as PGE, fire and police to debrief on the ice storm. Ms. Lehan would like Council to have the option of attending the debriefing.

C. Councilor West

Reported he attended the DEI Implicit Bias training on February 9, 2021.

Mr. West gave a shout out to all his neighbors that assisted other neighbors after the ice storm with removal of trees and other debris. Mr. West described the ice storm's damage he had witnessed. He then appreciated staff for their response to the storm's aftermath.

Reminded those that are 80 years older or older that they now qualify to receive the COVID vaccination. Mr. West urged those that qualify for the vaccine to contact their medical provider.

D. Councilor Linville

Thanked the City Manager, Councilor Lehan, Rachel and Greg Leo, City staff and volunteers who assisted residents effected by the ice storm.

Ms. Linville announced the below events, she attended or plans to attend:

- Clackamas County Coordinating Committee (C4) on February 4, 2021
- Town Center Streetscape presentation
- DEI Implicit Bias training
- *Intelligent Lives* film on February 25, 2021
- Rotary Heart of Gold fundraiser on February 25, 2021

CONSENT AGENDA

Ms. Jacobson read the titles of the consent agenda items into the record.

A. **Resolution No. 2860**

A Resolution Of The City Of Wilsonville Authorizing South Metro Area Regional Transit (SMART) To Purchase An Intelligent Transportation System.

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B. Resolution No. 2879

A Resolution Of The City Of Wilsonville Authorizing The Purchase Of A Closed Circuit TV (CCTV) Inspection Equipment And Vehicle.

C. Resolution No. 2880

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A First Amendment To The Agreement For Provision Of Preliminary Engineering Services In Connection With Grade Crossing Improvements With Portland & Western Railroad For Phase II – Preliminary Engineering And Construction Engineering Inspection Services For The 5th Street Railroad Crossing Work Associated With The 5th Street / Kinsman Road Extension Project.

D. Minutes of the January 14, 2021; January 21, 2021 and February 1, 2021 City Council Meetings.

Motion: Councilor Lehan moved to approve the consent agenda. Councilor Linville 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.

CONTINUING BUSINESS

A. None.

PUBLIC HEARING

A. None.

CITY MANAGER’S BUSINESS

Confirmed staff, outside agencies, along with others in the community would hold a hotwash on the ice storm.

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Mr. Cosgrove reported that tomorrow an arborist would check on the R.V. Short Douglas Fir Heritage Tree and staff would tape it off.

Mr. Cosgrove thanked Council, City staff and community members for their response to the ice storm.

LEGAL BUSINESS

A. Department of Environmental Quality (DEQ) Class 1 Violation

City Attorney Jacobson along with Delora Kerber, Public Works Director announced the City received a notice of civil penalty and an enforcement order. It was explained that the City was doing some work to improve its Wastewater Treatment Plant systems. Because of the work during the months of May, June and July the plant had some over the limits discharges of various compounds into the Willamette River. The City then received an enforcement notice and a \$6,600 fine.

Staff reminded the City's Wastewater Treatment Plant is actually ran by contractor Jacobs. Which has acknowledged that this violation in fact did happen when they were trying to improve the system. Jacobs agreed that the fine is reasonable.

Staff disclosed the City does have the option to appeal the fine but it is the recommendation of the contractor and the Public Works Director that the fine is paid and an explanation letter submitted to DEQ.

Motion: Councilor West moved to confirm with the City Attorney that Council would like to pay the fine and make a report accordingly that the City pay the fine assessed to the City and then communicate with the agency the City's intentions and why the incident occurred and how the City will do better in the future. Councilor Akervall seconded the motion.

Vote: Motion carried 5-0.

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ADJOURN

Mayor Fitzgerald adjourned the meeting at 9:43 p.m.

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Respectfully submitted,

DocuSigned by:
Kimberly Veliz
E781DE10276B498...

Kimberly Veliz, City Recorder

ATTEST:

DocuSigned by:
Julie Fitzgerald
8A974AF3ADE042E...

Julie Fitzgerald, Mayor