



## CITY COUNCIL MINUTES

October 07, 2024, at 7:00 PM

Wilsonville City Hall & Remote Video Conferencing

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### CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, October 7, 2024. The Mayor called the meeting to order at 7:05 p.m., followed by roll call and the Pledge of Allegiance.

### PRESENT

Mayor Fitzgerald  
Council President Akervall  
Councilor Linville  
Councilor Berry - Excused  
Councilor Dunwell

### STAFF PRESENT

Amanda Guile-Hinman, City Attorney  
Bryan Cosgrove, City Manager  
Cindy Luxhoj, Associate Planner  
Dan Pauly, Planning Manager  
Jeanna Troha, Assistant City Manager  
Jim Cartan, Environmental Specialist  
Katherine Smith, Assistant Finance Director  
Keith Katko, Finance Director  
Kerry Rappold, Natural Resources Manager  
Kimberly Veliz, City Recorder  
Zach Weigel, Capital Projects Engineering Manager  
Zoe Mombert, Assistant to the City Manager

3. MOTION to approve the following order of the agenda.

**Motion:** Moved to approve the following order of the agenda.

Motion made by Akervall, Seconded by Linville.

**Voting Yea:**

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Dunwell

**Vote:** Motion carried 4-0.

**MAYOR'S BUSINESS**

4. Upcoming Meetings

The Mayor reported on the following events and meetings.

LUBA Ruling on Land-Use Appeal

- City Attorney would present on the recent Oregon Land Use Board of Appeals ruling in favor of the City of Wilsonville during Legal Business

Representative Neron's Town Hall

- The Mayor attended a Town Hall at Wilsonville Library held by Representative Courtney Neron on October 5, 2024.
- The Representative presented on the 2024 legislative session.

Joint Committee on Transportation Roadshow

- On September 16, 2024, the Mayor had the opportunity to participate along with SMART Transit Director Dwight Brashear in the Oregon legislature's Joint Committee on Transportation Statewide Roadshow event.
- Members of the Joint Committee on Transportation, which included Wilsonville State Senator Aaron Woods, had been touring the state the summer of 2024 to hear about transportation issues in various communities. This statewide roadshow included visits to a dozen cities around the state.
- The Mayor thought the Roadshow was in response to the many discussions about tolling. Therefore, the committee was touring the state to hear what people wanted and to figure out how the state was going to pay for the road systems.
- In late September the Joint Committee on Transportation held a tour, roundtable discussion, and a public hearing in the Clackamas County City of Happy Valley.
- The Mayor and SMART Transit Director were invited to participate in the Roundtable discussion with a total of about forty elected officials, business leaders, transit agencies and nonprofit organizations.

- The SMART Transit Director, as an expert in public transit policy, was also invited to participate in the Washington County Joint Committee Roundtable held in Hillsboro on September 27, 2024.
- The Roundtable event provided an excellent opportunity discuss a range of transportation-funding solutions, including indexing Oregon Department of Transportation (ODOT) taxes and fees to inflation and moving from a declining gas-tax source of revenue to a Vehicles Miles Traveled or VMT tax.
- After the Roundtable, the Mayor testified along with leaders of the Charbonneau neighborhood, where the Mayor stated that the State should leverage federal funds to advance I-5 Boone Bridge Project and WES Wilsonville-to-Salem extension study for a high-capacity transit alternative to driving I-5.

#### Oregon Vascular Open House

- On October 11, 2024, the Mayor attended the Oregon Vascular open house.
- The Mayor explained that the new Wilsonville business provides medical care for wounds, vein treatments, and vascular ultrasounds. Some of which procedures are done as day treatments and surgeries done in bigger hospital chains.
- Wilsonville is the company's first office in the Portland area.

#### Oregon Tech Recognition

- The Mayor recognized Oregon Tech, the state's polytechnic university, as it again had been named one of the best colleges in the U.S. News and World Report review.
- Oregon Tech was recognized as the second-best public college in the West, the fourth best among Western regional colleges, and recognized for its outstanding undergraduate engineering program.
- The Mayor was proud to host the Portland metro campus of Oregon Tech in Wilsonville.

#### Senator Wyden's 2024 Clackamas Town Hall

- On Tuesday, October 8, 2024, Senator Ron Wyden is hosting a Clackamas Town Hall event at Camp Withycombe in Happy Valley.
- The Mayor noted that would be Senator Wyden's 1,100th town hall since he took office in 1996.

#### Consul General of Japan Visit

- On Wednesday, October 9, 2024, the City and members of our Kitakata Sister Committee will host Consul General Yuzo Yoshioka of Japan for a visit to Wilsonville.
- City Councilors Berry and Linville planned to join as the tour of City Hall, and then the Wilsonville campus of Clackamas Community College (CCC), where State Senator Aaron Woods who was also a CCC board member will join the group.
- The next visit on the tour would be Wilsonville High School to visit the Japanese Language Class, where Representative Courtney Neron would join the group.
- The day would end with a traditional gift exchange, a Japanese custom.

### Cambria Ribbon-Cutting Event

- On Thursday, October 10, 2024, the Mayor would be participating with other members of the City Council for the ribbon cutting event for a family-owned company called Cambria, which made quartz countertops.
- The Mayor stated this was another great opportunity to celebrate a business opening and expansion in the City of Wilsonville. The Wilsonville location on Commerce Circle would be a showroom of many styles of quartz countertops.

### Gyu-Kaku Restaurant

- The Mayor announced Gyu-Kaku, a Japanese barbecue chain, was coming to Wilsonville.

### Community Planning Month Proclamation

- Noted that in the City Council meeting packet was Proclamation recognizing October as Community Planning Month.
- The Mayor recalled that the City of Wilsonville had a deep history with community planning and planning practices that had shaped the City and residents' daily lives.
- The Mayor appreciated the Planning staff for all their efforts.

### City Council Meeting

- The next City Council meeting was scheduled for Monday, October 21, 2024.

## **COMMUNICATIONS**

### 5. Boeckman Creek Primary Community Enhancement Program (CEP) Project Update

Kerry Rappold, Natural Resources Manager shared insights into the Community Enhancement Program funded project initiated at Boeckman Creek Primary school. The project encompassed watershed management learning activities and impactful student projects. A highlight of the presentation was the creation of a 3D topographic model painted by high students depicting local water features and elevation changes. The student's art pieces were showcased emphasizing the watershed's ecology and preservation. The art was exhibited at the Wilsonville Library, reflecting substantial educational engagement and stewardship.

The PowerPoint displayed was added to the record.

## **CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS**

This is an opportunity for visitors to address the City Council on any matter concerning the City's Business or any matter over which the Council has control. It is also the time to address 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 citizen input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

The following Wilsonville residents provided public comment:

- Elizabeth Peters
- Doris Wehler
- Glenn Lancaster
- Anne Shevlin

Following the citizen input, the Mayor addressed several points raised by the speakers:

- The Mayor acknowledged remarks about the challenges faced by local businesses, emphasizing the importance of engaging dialogue between the City and business community. The Mayor mentioned ongoing efforts and collaborations with the Economic Development Manager to conduct business roundtables and explore solutions to streamline processes.
- In response to comments on street naming related to Town Center development, the Mayor clarified that the Town Center plan had been previously adopted and emphasized the procedural aspect of the street naming. The Mayor also referenced past planning efforts that outlined the strategy for infrastructure and development in the area.
- On request for financial assistance programs for seniors, the Mayor indicated existing resources, such as programs facilitated through Wilsonville Community Sharing, and offered to share more detailed information via email.
- The Mayor acknowledged the speaker's appreciation of pathway maintenance efforts, recognized the unique challenges of older infrastructure and continued cooperation for improved pedestrian pathways in Charbonneau. The Mayor highlighted the City's commitment to ongoing improvement discussions and budget allocations for further pathway studies.

The Mayor requested that some documents be added to the City Council packet. In response the staff added *Year 2000 Plan History*, *Year 2000 Plan Information Sheet*, *Westside Plan Information Sheet*, *Urban Renewal Strategic Plan*, and the *Wilsonville Town Center Urban Renewal Feasibility Study*.

## **COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS**

### 6. Council President Akervall

The Council President provided a detailed report of the following items:

- Regional Solutions Advisory Committee meeting
- DEI Cultural Calendar Events for October:
  - Hispanic Heritage Month
  - Disability Heritage Month
  - Rosh Hashanah
  - Yom Kippur
  - World Mental Health Day
  - National Coming Out Day
  - Indigenous Peoples Day
- Fall Harvest Fest on October 19, 2024

7. Councilor Linville

Clarified that her and Council President Akervall decisions not to run had nothing to do with term limits. As they both qualify for reelection, however, decided not to run. Therefore, two of the three vacancies had nothing to do with term limits.

Councilor Linville provided a detailed report on the following:

- Oregon Department of Transportation Boone Bridge Open House on September 16, 2024
- Boones Ferry Playground Grand Opening on September 28, 2024
- Wilsonville-Metro Community Enhancement Committee meeting on September 30, 2024
- Bulky Waste Day on October 6, 2024
- Shred Day on October 6, 2024
- Consul General Yoshioka Visit on October 9, 2024
- Charbonneau Festival of the Arts on October 11, 2024
- Aurora Airport Planning Advisory Committee (PAC) meeting on October 15, 2024
- Charbonneau Festival of the Arts October 11 - 13, 2024
- Aurora State Airport Planning Advisory Committee (PAC) meeting on October 15, 2024

8. Councilor Berry – Excused

9. Councilor Dunwell

Councilor Dunwell provided a detailed report on the following:

- Oregon Department of Transportation Boone Bridge Open House on September 16, 2024
- French Prairie Forum
- Tualatin Valley Fire and Rescue (TVF&R) Training for Public Officials
  - Photos shown of the training have been added to the record.

**CONSENT AGENDA**

The City Attorney read the titles of the Consent Agenda items into the record.

10. **Resolution No. 3166**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Goods and Services Contract With Andersen Pacific Inc., For Replacement And Maintenance Of City Water Features.

11. **Resolution No. 3170**

A Resolution Of The City Of Wilsonville Acting In Its Capacity As The Local Contract Review Board Authorizing The City Manager To Execute A Contract With Tyler Technologies For Converting To A Cloud Based Install Of The City's Enterprise Resource Planning (ERP) Software.

**12. Resolution No. 3171**

A Resolution Of The City Of Wilsonville Amending Resolution No. 1924 And Adopting A Street Naming Policy For Wilsonville Town Center.

13. Minutes of the August 5, 2024, City Council Meeting.

**Motion:** Moved to approve the Consent Agenda as read.

Motion made by Councilor Akervall, Seconded by Councilor Linville.

**Voting Yea:**

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Dunwell

**Vote:** Motion carried 4-0.

**NEW BUSINESS**

There was none.

**CONTINUING BUSINESS**

There was none.

**PUBLIC HEARING**

**14. Resolution No. 3172 (*Legislative Hearing*)**

A Resolution Of The City Of Wilsonville Authorizing A Supplemental Budget Adjustment For Fiscal Year 2024-25.

The City Attorney read the title of Resolution No. 3172 into the record.

The Mayor provided the public hearing format and opened the public hearing at 8:22 p.m.

Katherine Smith, Assistant Finance Director summarized the staff report.

The Council asked clarifying questions.

Zach Weigel, City Engineer provided a description of the rollover projects.

The Mayor invited public testimony, seeing none the Mayor closed the public hearing on Resolution No. 3172 at 8:33 p.m.

The Mayor then requested a motion on Resolution No. 3172.

**Motion:** Moved to adopt Resolution No. 3172.

Motion made by Linville, Seconded by Dunwell.

**Voting Yea:**

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Dunwell

**Vote:** Motion carried 4-0.

Next, the City Attorney read the title of Ordinance Nos. 894 and 895 into the record on first reading.

The Mayor provided the public hearing format and opened the public hearing at 8:36 p.m.

No Councilor declared a conflict of interest, bias, or conclusion from information gained outside the hearing. No member of the audience challenged any of the Councilor's participation.

The Mayor stated she had driven past the site however, had no conversation regarding it.

Cindy Luxhoj, Associate Planner provided the staff report and PowerPoint, which has been made a part of the record.

Council asked clarifying questions.

The City Attorney stated there was no legal comment.

Sid Hariharan Godt, Land Use Planner for Mackenzie Architecture shared the intent of the application was in anticipation of future development. However, none was scheduled at this time.

Councilors then asked clarifying questions of the applicant's representative.

The Mayor invited public testimony, seeing none the Mayor closed the public hearing on Ordinance Nos. 894 and 895 at 8:50 p.m.

The Mayor then requested a motion on Ordinance No. 894.

**15. Ordinance No. 894 - 1<sup>st</sup> Reading (Quasi-Judicial Land Use Hearing)**

An Ordinance Of The City Of Wilsonville Declaring And Authorizing The Vacation Of Approximately 0.35 Acre (15,275 Square Feet) Of Public Right-Of-Way That Is No Longer Needed For Westward Extension of SW Bailey Street from Old Town Wilsonville To SW Kinsman Road In The Central Part Of The OrePac Property.

**Motion:** Moved to adopt Ordinance No. 894 on first reading.



The Mayor acknowledged the work done to bring the property to compliance, supporting OrePac in considering its future growth opportunities.

**Voting Yea:**

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Dunwell

**Vote:** Motion carried 4-0.

**16. Ordinance No. 895 - 1<sup>st</sup> Reading (Quasi-Judicial Land Use Hearing)**

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The City Of Wilsonville Future Development Agricultural-Holding (FDA-H) Zone To The Planned Development Industrial (PDI) Zone On Approximately 8.66 Acres At The OrePac Properties Located At 9655 SW 5th Street.

**Motion:** Moved to adopt Ordinance No. 895 on first reading.

Motion made by Dunwell, Seconded by Akervall.

Councilor Dunwell remarked on OrePac's long-standing presence and continued interest in expanding within Wilsonville. This assurance of expansion capability demonstrated businesses' confidence in Wilsonville's environment and infrastructure.

**Voting Yea:**

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Dunwell

**Vote:** Motion carried 4-0.

**CITY MANAGER'S BUSINESS**

The City Manager announced he would be attending the League of Oregon Cities conference the following week.

**LEGAL BUSINESS**

The City Attorney updated that on October 1, 2024, the Land Use Board of Appeals (LUBA) issued its opinion and order in the appeal filed by the Home Depot against the City of Wilsonville. The Home Depot filed 2 applications with the City seeking confirmation of the existing non forming use, occurring at 29400 Southwest Town Center Loop, and one seeking a determination that Home Depot's proposed use is a continuation of the existing non-conforming use. Home Depot appealed to LUBA both Council's determination of the existing non-conforming use occurring at the location as of June 2019, and the Council's determination that Home Depot's proposed use was not a continuation of the existing non-conforming use. The Land Use Board of Appeals affirmed both City Council's decisions and denied each of the Home Depot's two assignments of error.

It was noted that Home Depot had not filed a development application with the City that would allow the City to consider any merits as to Home Depot's presence on the site. The City was limited to considering the applications that were filed.

Lastly, the City Attorney informed Council about her recent involvement in a panel discussion at the International Municipal Lawyers Association (IMLA) annual conference, where she was unexpectedly called to participate in discussions surrounding legal frameworks and ramifications of camping ordinances. Additionally, she mentioned her upcoming participation in the Oregon City Attorneys Association Annual Conference in Newport, where she would be presenting about the benefits and implications of integrating law student programs into municipal legal practices.

**ADJOURN**

The Mayor adjourned the meeting at 8:58 p.m.

Respectfully submitted,

DocuSigned by:  
*Kimberly Veliz*  
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Kimberly Veliz, City Recorder

ATTEST:

Signed by:  
*Julie Fitzgerald*  
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Julie Fitzgerald, Mayor