



## **CITY COUNCIL MINUTES**

**May 01, 2023 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, May 1, 2023. 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 Linville  
Councilor Berry  
Councilor Dunwell

Staff present included:

Amanda Guile-Hinman, City Attorney  
Beth Wolf, Systems Analyst  
Bill Evans, Communications & Marketing Manager  
Bryan Cosgrove, City Manager  
Dan Pauly, Planning Manager  
Dustin Schull, Parks Supervisor  
Jeanna Troha, Assistant City Manager  
Kimberly Veliz, City Recorder  
Matt Baker, Facilities Supervisor  
Robert Wurpes, Chief of Police  
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 agenda.

Motion made by Councilor Akervall, Seconded by Councilor Linville.

**Voting Yea:**

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Berry, Councilor Dunwell

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

**MAYOR'S BUSINESS**

4. Upcoming Meetings

The Mayor announced a few updates that had occurred since City Council last met:

Meeting with Clackamas County, WCS, and HOC

- On April 20, 2023 the Mayor, Councilor Dunwell, and City staff met with:
  - Clackamas County Health & Human Services Department
  - Wilsonville Community Sharing
  - Heart of the City
- The purpose of the meeting was to discuss various programs Clackamas County has to support efforts to provide affordable housing resources for members of our community.
- During the meeting, information was shared which, would help all be more effective in the goals to achieve functional homelessness in Wilsonville and surrounding areas.

Clackamas County Mayors and Chair Meeting

- On April 20, 2023, the Mayor attended the monthly meeting of the Clackamas County Cities Mayors and Chair of County Board of Commissioners meeting.
- The group talked about tolling and the primary topic of conversation focused on Metro-area and legislative efforts focused on reducing homelessness and increasing affordable housing options.

LOC Spring Conference

- The Mayor and Council President attended the League of Oregon Cities (LOC) Spring Conference.
- This event included educational opportunities for local elected officials from across the state.
- The Mayor and Council President attended a session by the Oregon Housing and Community Services, which is a state agency on affordable housing programs. The Mayor recalled the topic of first-time homebuyers was discussed in that session.
- Other sessions attended by the Mayor included a session on dealing with divisiveness, and a session on ways to build equitable and inclusive cities.

### DEI Observance Month of May

- The Mayor recalled that earlier in the year the Council adopted recognition of certain months on behalf of members of the community, as was recommended to Council by the Diversity, Equity and Inclusion (DEI) Committee.
- For the month of May, the City of Wilsonville celebrates both “Asian American and Pacific Islander Heritage Month,” as well as “Jewish American Heritage Month.”

### DEI Committee Lecture Series

- The Council President and Mayor attended the latest in a series of lectures and presentations arranged by the DEI Committee.
- DEI Committee Chair Imran Haider spoke about his experience growing up Muslim in Oregon City, Clackamas County. He addressed questions, misconceptions and shared how it was, for him to be in his shoes, even though he stated many times this was his experience, and it is different for everyone.
- The next DEI presentation on “The Mainstreaming of Antisemitism in America” was scheduled for May 4, 2023 at the Charbonneau Country Club.
- The Community Opportunity Grant from the Parks and Recreation Department funded the free DEI lecture series.

### 5. I-205 Toll Project EA Comment Letter

### City Comments on I-205 Toll Program Environmental Assessment (EA)

- The Mayor explained the Council packet included the City’s comments to the Oregon Department of Transportation (ODOT) and the federal government about the proposed I-205 Toll Program Environmental Assessment.
- The City’s comments noted a number of issues of concern, including analysis area for tolling impacts, which the Council thinks, are too small to capture accurately the potential traffic impacts of the area.
- The Mayor shared Council was concerned that a projected increase in afternoon traffic congestion could have significant impacts to roadways and intersections south of Mountain Road, specifically the 65th/Stafford/Elligsen roads intersection.
- Noted in the letter was that the Environmental Assessment fails to analyze fully traffic diversion impacts onto I-5 from traffic that seeks to avoid the I-205 tolls; and a lack of detailed study of public-transit alternatives and capital-improvement to support mobility options.
- For example, the Environmental Assessment indicates that after tolling on I-205 is implemented, transit use would increase by barely over 1%. Council felt this is excessively low of a change, suggested ODOT develop more plans, and resources to make transit easier so more people would want to use transit thereby reducing traffic.
- The Mayor noted that Wilsonville Representative Courtney Neron whom represents House District 26 and other legislators had proposed legislation that would provide for a two-year delay in ODOT’s implementation of tolling on I-205 or I-5.

The Mayor announced the proceeding proclamations were included in the City Council packet:

#### Oregon Institute of Technology (Oregon Tech) Proclamation

- Included in the Council packet was a proclamation celebrating the 75<sup>th</sup> Anniversary of Oregon Tech.
- The Mayor shared it was most appropriate that the Council announce this proclamation as later in the meeting the President of Oregon Tech, Dr. Nagi Naganathan, would present an update on Oregon Tech.
- Oregon Tech was founded in Klamath Falls after World War II in 1948 to provide veterans returning home needed access to educational opportunity and vocational rehabilitation.
- Oregon Tech recognizes emerging workforce needs and collaborates with business and industry to train the next generation of leaders in a wide variety of technical fields, including health care, computer science, renewable energy, and other disciplines.
- Recently, members of Council toured the Wilsonville Oregon Tech campus.
- Oregon Tech collaborates with a dozen area high schools for the South Metro-Salem STEM partnership, and with Clackamas Community College for transfer students.
- The City worked to recruit Oregon Tech to Wilsonville in 2012 as OIT sought to consolidate four separate Portland-area schools into one primary college campus.
- The City viewed having Oregon Tech in Wilsonville as a win-win for members of both the residential community and business community. Providing an opportunity to learn in-demand skills benefits both the workers and the businesses that need skilled workers.

#### Building Safety Month Proclamation

- The theme for Building Safety Month was “It Starts with You,” and encourages community members to raise awareness of the importance of building and maintaining safe structures, fire prevention, disaster mitigation, water conservation, ADA accessibility, energy efficiency, alternative energy, and new technologies in the construction industry.
- Building Safety Month reminded all that the effective administration of building safety codes directly affects the community and gives confidence that structures are safe and sound.

### **COMMUNICATIONS**

#### **6. Metro Report**

Metro Councilor Gerritt Rosenthal joined by Eduardo Ramos, Metro Policy Advisor presented a PowerPoint, which had been added to the record. During the presentation, the Metro Councilor provided an update on the priorities being pursued by the Portland-metro area’s regional government agency.

The Mayor thanked Metro Councilor Rosenthal for his presentation.

Inclosing, audience was told they could find additional information about the various grants offered by Metro at [www.OregonMetro.Gov](http://www.OregonMetro.Gov).

Oregon Institute of Technology (OIT) President Dr. Nagi Naganathan announced the school was celebrating 75 years of applied learning. The school started in Klamath Falls, Oregon in 1947 and consolidated activities in the City of Wilsonville about 10 years ago. Dr. Naganathan proceeded to share a PowerPoint, which had been added to the record. The presentation detailed OIT's programs. It also highlighted some of the student's accomplishments and the school's strong national rankings.

Following the presentation Dr. Naganathan was asked a couple of questions and thanked for the visit.

Lastly, the Mayor presented Dr. Naganathan a proclamation commemorating OIT's 75<sup>th</sup> Anniversary.

## **CITIZEN INPUT AND 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 citizen input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.*

Joseph Schaefer of Aurora spoke to Council as an individual and not on behalf of the City of Aurora. He updated Council on the aviation development of the former church camp next to the Aurora State Airport.

Council comments ensued.

Maripat Hensel of Wilsonville informed Council about National Gun Violence Awareness Day. The event happens annually on the first Friday of June and marks the beginning of Wear Orange Week. Besides the verbal testimony, written testimony was submitted for the record and each of the Councilors received a small orange rock to remind them of lives lost to gun violence.

Melissa Miracle of Wilsonville, Licensed Professional Counselor, and member of Moms Demand Action echoed the comments of Maripat Hensel. She too spoke about National Gun Violence Awareness Day and the Wear Orange Week. Melissa submitted written comment, which had been added to the record.

Following the testimony the Mayor shared that her and Councilor Berry would be meeting with mayors and councilors from other jurisdiction on June 2, 2023 and they could wear orange to these meetings to bring awareness to National Gun Violence week.

Stephanie Tharp of Wilsonville provided Council with an update on communications about the Boeckman Creek Trail between the City and the neighborhood. She described her disappointment that agreed upon documents had not been delivered to the neighborhood.

The City Manager shared it had been unfortunate that the surveyors got ahead of themselves as surveying for the trail was not supposed to occur until the design for the street was halfway done. Therefore, he felt neighbors were rightly concerned because they did not know what was happening., The City Manager felt communication had been good with Zach Weigel, City Engineer and Andrew Barrett, Capital Projects Engineering Manager both of whom had met with Stephanie Tharp. The City Manager reminded he had committed to staff meeting with Stephanie and her neighbors.

Zach Weigel, City Engineer recalled that he and staff met with Stephanie Tharp and a neighbor. During that meeting a list of action items were developed. The City Engineer explained it was taking a longer than staff anticipated to prepare the documents discussed in the meeting. The Engineering Division hoped the documents would be ready later in the week. It was noted that the public engagement team, was still working on the creation of email updates, and a fact sheet.

The City Manager reiterated the City's commitment to conversations with neighbors impacted by the trail. He also recalled that there are trails in many of the City's neighborhoods. Moreover, this trail would be used to service the sewer and stormwater facilities. Therefore, it must be paved. The City Manager understood the concerns heard thus far and restated the City was committed to keeping the communication going. He understood that the City did not get off on the right foot and he apologized for the work being done without the City's knowledge. It was mentioned that it has been made clear to the contractors that they were not supposed to start that work. He also reminded Stephanie Tharp that she had his number and the City Engineer's number and could call at any time with concerns.

Erin Yatabe of Wilsonville concurred with the statements made by Stephanie Tharp regarding the lack of communication between the City and neighbors. She requested the City send a jumpstart letter regarding the Boeckman Trail project stating what was happening, and who to contact with concerns.

Further discussion ensued about the communication and the process moving forward.

It was decided that staff would work with GIS to gather addresses of those near the Boeckman Trail project area and send them a brief letter apologizing for the miscommunication and explaining additional information on the project would follow. In addition, staff was asked to reconnect with the speakers to confirm next steps.

In closing, the speakers were apologized to for the disturbance and any inconvenience and/or confusion that were brought about by the mistake of surveying to early.

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

### **8. Council President Akervall**

The Council President reported on the following events she attended since the Council last met:

- Oregon Tech Town Hall on April 22, 2023
- Willamette Intake Facilities on April 24, 2023
- League of Oregon Cities conference on April 25, 2023
- Rain Garden Apartment Complex Tour on April 28, 2023

Lastly, the Council President reminded the audience that W.E.R.K. Day was on May 6, 2023.

## 9. Councilor Linville

Councilor Linville provided details on the following events she attended since the Council last met:

- Oregon Tech Town Hall on April 22, 2023
- Volunteer Appreciation Event on April 25, 2023
- Greater Portland Inc. (GPI) Small Cities Consortium on April 27, 2023
- Rain Garden Apartment Complex Tour on April 28, 2023

In closing, Councilor Linville recalled she had been appointed by the Governor to the Opioid Settlement Prevention, Treatment and Recovery Board (OSPTR Board). She detailed the work of the board and shared she would attend her first meeting in June 2023. Councilor Linville also shared she had spoken with the City Manager about discussing possible uses of the opioid settlement funds at a future Work Session.

## 10. Councilor Berry

Councilor Berry shared she had been out ill with a virus and was not able to attend too many meetings.

She then announced the following upcoming events:

- Bulky Waste Day on May 6, 2023
- Library Foundation Party on the Patio Event on May 18, 2023

## 11. Councilor Dunwell

Councilor Dunwell shared details on the following events she attended since the Council last met:

- French Prairie Forum on April 19, 2023
- Volunteer Appreciation Event on April 25, 2023
- City, County, Wilsonville Community Sharing , and Heart of the City meeting on April 20, 2023
- Rain Garden Apartment Complex Tour on April 28, 2023

## CONSENT AGENDA

The City Attorney read the Consent Agenda into the record.

### 12. **Resolution No. 3032**

A Resolution to Allocate Community Cultural Events and Programs Grant Funds for Fiscal Year 2022/2023.

### 13. **Resolution No. 3056**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Enter Into And Execute The Intergovernmental Agreement With Clackamas County For Jurisdiction Transfer Of A Portion Of SW Frog Pond Lane And SW Stafford Road.

The Mayor then requested a motion on the Consent Agenda.

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

Motion made by Councilor Akervall, Seconded by Councilor Dunwell.

**Voting Yea:**

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Berry, Councilor Dunwell

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

## **NEW BUSINESS**

There was none.

## **CONTINUING BUSINESS**

### **14. Ordinance No. 877**

An Ordinance Of The City Of Wilsonville Adopting Transportation System Plan Amendments To Integrate Transportation Projects From The Frog Pond East And South Master Plan.

The City Attorney read the title of Ordinance No. 877 into the record on second reading.

The Mayor read the second reading script.

The Mayor then requested a motion on Ordinance No. 877 on second reading.

**Motion:** Moved to adopt Ordinance No. 877 on second reading.

Motion made by Councilor Dunwell, Seconded by Councilor Berry.

**Voting Yea:**

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Berry, Councilor Dunwell

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

### **15. Ordinance No. 878**

An Ordinance Of The City Of Wilsonville Approving A Street Name Change Of SW Columbine Avenue To SW Ponderosa Avenue In The Frog Pond Ridge Subdivision.

The City Attorney read the title of Ordinance No. 878 into the record on second reading.

The Mayor read the second reading script.



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.

There was no further input from staff.

The Mayor then requested a motion on Ordinance No. 878 on second reading.

**Motion:** Moved to adopt Ordinance No. 878 on second reading.

Motion made by Councilor Linville, Seconded by Councilor Berry.

**Voting Yea:**

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Berry, Councilor Dunwell

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

The Mayor read the appeal rights statement for Ordinance No. 878. The Mayor stated those that desired to appeal the decisions to the Oregon Land Use Board of Appeals, must file a notice of intent to appeal, stating the grounds of the appeal, in the form and within the time prescribed by State law.

**PUBLIC HEARING**

**16. Ordinance No. 879**

An Ordinance of the City of Wilsonville Regarding Regulation of Camping on Public Property by Adding Sections 10.700 through 10.780 to the Wilsonville Code; Amending Wilsonville Code Sections 3.000, 5.200, 5.210, and 10.540; and Repealing Wilsonville Code Sections 6.400 and 10.425.

The City Attorney read the title of Ordinance No. 879 into the record on first reading.

The Mayor read the public hearing script and opened the public hearing at 9:02 p.m.

The City Attorney then presented the PowerPoint, which had been made part of the record.

Robert Wurpes, Chief of Police presented his philosophy on houselessness/homelessness and provided examples of these philosophies in action.

Council questions and comments followed staff's presentation.

Steve Benson, Wilsonville community member, shared his concerns and asked questions regarding the camping zone.

The Mayor responded the City wanted the rules for prohibited camping to be clear and manageable. Therefore, a specific range of time was chosen to designate camping, as it would be difficult to manage if it were just to say sunset. She further added the City would do its best to connect campers with caseworkers.

The City Attorney explained state law mandated the 72-hour time notice requirement. If a person is in a place where camping is not allowed at all, such as a city street, the City can immediately cite and notice them. However, the notice has to exist for 72-hours. The difference in a designated campsite, if somebody is there in the allotted time they cannot be noticed. However, if they are there after the allotted time, they can be noticed. There are certain exceptions to this rule such as significant health and safety issue. If there is an emergency, you do not have to do the 72-hour notice. However, if campers were in an area that was not designated, the City would still have to give the 72-hour notice. Part of the requirement of state law says when you do a 72 -hour notice the City may make contact to get service providers out there. The Council has made a change to the ordinance saying the City would get service providers out there to make that connection/outreach, and educate people about where they can camp and explain the regulations. The City Attorney shared there had been discussions about creating a trifold pamphlet with needed important information for campers.

The Mayor told the Mr. Benson she would email him information on the Clackamas County Built for Zero program.

Garett Prior, Wilsonville community member, submitted written testimony, and spoke in support of Ordinance No. 879.

The Mayor announced the following individuals' submitted letters of support for Ordinance No. 879:

- Garrett Rupp
- Lyn Whelchel
- Kate Greenfield
- Danielle Vincent

The Mayor closed the public hearing at 9:55 p.m.

The Mayor then requested a motion on Ordinance No. 879.

**Motion:** Moved to adopt Ordinance No. 879 with the amendments in the City Attorney's May 1, 2023 memo, on first reading, those amendments were referred to in staff's presentation.

Motion made by Councilor Akervall, Seconded by Councilor Linville.

**Voting Yea:**

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Berry, Councilor Dunwell

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

## **CITY MANAGER'S BUSINESS**

There was none.

## **LEGAL BUSINESS**

There was none.

## **ADJOURN**

The Mayor adjourned the meeting at 9:56 p.m.

Respectfully submitted,

DocuSigned by:  
  
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Kimberly Veliz, City Recorder

ATTEST:

DocuSigned by:  
  
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Kristin Akervall, Council President