

**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, March 4, 2013. Councilor Goddard 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 Knapp - excused  
Council President Starr - excused  
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  
Eric Mende, Deputy Engineer  
Angela Handran, Executive Assistant  
Nancy Kraushaar, Community Development Director

**Motion:** Councilor Stevens moved to approve the order of the agenda. Councilor Fitzgerald seconded the motion.

**Vote:** Motion carried 3-0.

### **MAYOR'S BUSINESS**

Councilor Goddard announced the dates of the upcoming City Council, DRB Panel A, and Planning Commission meetings.

### **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.

Wendy Hoovie and Theonie Gilmore, Wilsonville Arts and Council and Regional Arts Council, thanked Richard Goddard and Wendy Buck of PGE for participating in the Work for Art Program. Ms. Hoovie explained 100 percent of the funds donated by employees and matched by the Work for Art Program go to arts and culture organizations based in Clackamas, Multnomah and Washington counties. The Work for Art Program raised \$4.5 million partnering with 80 companies through payroll deductions. Employees who pledge \$60 or more get an Arts Card which allows admission to many different opportunities.

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Ken Whitaker, 29001 Grahams Ferry Rd, Wilsonville, was concerned with the type of lighting on Grahams Ferry Road in his neighborhood since they were not consistent with the style of street lighting used in Villebois. He felt the height and type of the street lights were out of scale for the neighborhood and that the lights did not direct light to the sidewalks but rather to the fields across the street. City staff has proposed a compromise of replacing the current cobra headed lights with black poles which were five feet shorter.

Mr. Cosgrove indicated staff had met with Mr. Whitaker where it was explained the lighting needs to meet current traffic lighting standards for a minor-arterial collector road. Making changes to these standards should be done after careful consideration for future growth, traffic and costs, and changes could have unintended consequences. Administratively changing the pole and shortening the height was the recommendation from staff; Mr. Cosgrove did not recommend further modification.

Councilor Fitzgerald wanted to further investigate the standards and asked that the matter be brought back for additional discussion. Mr. Cosgrove would distribute information confirming the design was consistent and met the lighting standards.

Shawn Mason, 11343 SW Churchill, Wilsonville, stated he was speaking on behalf of six separate households about a neighbor whose dog consistently barked when it was left outside. Although he and his neighbors had complained to the dog owner via notes, and they had made calls to City Code Enforcement, and the County, the situation has not improved. Mr. Cosgrove requested Mr. Mason's phone number and would contact him.

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

Councilor Goddard – Library Board, Chamber Board, and Clackamas County Business Alliance liaison. Councilor Goddard understood the City had testified recently during legislative hearings in Salem and asked to see the testimony. He announced the meetings he attended on behalf of the City and invited the public to attend the Parks and Natural Area Breakfast Forum, as well as the next Economic Development Task Force meeting.

Councilor Fitzgerald – Planning Commission; Committee for Citizen Involvement; and Library Board liaison reported the Planning Commission would be meeting to discuss the update to the TSP. The Library was beginning its strategic planning and announced the use of e-books and digital materials was increasing. Upcoming youth events included a Library Far East night March 15 and Game night April 12. The Councilor advised Community Garden plots can be reserved beginning March 21, 2013.

Councilor Stevens – Development Review Panels A and B; Wilsonville Seniors liaison announced the next meeting dates of the DRB Panels, the upcoming Wilsonville Egg Hunt in Memorial Park, and the activities of the Wilsonville Walkers, and Wheelers.

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**CONSENT AGENDA**

Mr. Kohlhoff read the title of Resolution No. 2403 into the record.

A. **Resolution No. 2403**

A Resolution Of The City Of Wilsonville Approving Agreement Regarding SDC Credits For Costa Circle Extension And Roundabout Between The City Of Wilsonville And Polygon At Villebois III, L.L.C. (staff – Kohlhoff)

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

**Vote:** Motion carried 3-0.

**NEW BUSINESS**

Mr. Kohlhoff read Resolution No. 2402 into the record by title only.

A. **Resolution No. 2402**

A Resolution Of The City Of Wilsonville Authorizing An Intergovernmental Agreement Between The Cities Of Sherwood And Wilsonville Regarding Transmission Segment 3B: Construction, Ownership And Operation Thereof; And Regarding Payment Terms And Schedules For Deposits By Sherwood To Wilsonville For Advance Funding Of Construction Costs; And Regarding An Agreed Methodology To Determine Final Project Costs Attributable To Each Party; And Regarding Reimbursement By Wilsonville To Sherwood For Wilsonville's Share Of Project Costs.

Mr. Mende presented the staff report. Resolution No. 2402 will approve an IGA with the City of Sherwood for construction and financing of the last segment (Segment 3B) of the 48-inch Water Transmission Pipeline to Sherwood.

The Willamette River Water Treatment Plant was constructed by Tualatin Valley Water District (TVWD) and the City of Wilsonville (Wilsonville) to initially serve the City of Wilsonville with up to a 10 million gallons per day (mgd) supply of municipal water and TVWD, or a water consortium to be formed by TVWD and nearby cities, with up to a 5 mgd supply, with future expansion of another 10 mgd for Wilsonville and another 45 mgd for TVWD (or a Water Consortium). With Wilsonville's permission, Sherwood, as an intended city in the water consortium, acquired from TVWD its interest in its original 5 mgd of supply. To transmit Sherwood its supply and to accommodate Wilsonville's transmission and long term distribution needs, Wilsonville and Sherwood have entered into agreements on a segment-by-segment basis that address construction capacity ownership for Segments 2, 3A, 4, 5A, and 5B of the transmission line, plus the revenue vault (meter) located at Tooze/Westfall Roads.

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This IGA addresses the last remaining 2400 feet of 48-inch diameter transmission line, known as Segment 3B, thereby completing the pipeline and allowing Sherwood to receive their full 5mgd of supply. This IGA allocates ownership capacity and costs for the construction of Segment 3B and details the financing commitments of the parties. Ownership of the pipeline is evenly split at 50 percent for each party. Total Project Costs are currently allocated at 48.2 percent Sherwood and 51.8 percent Wilsonville, and are subject to a “true up” provision contained in the IGA. The reason the cost allocation and ownership percentages are different is due to the inclusion of a large pressure reducing station in the project which will serve only Wilsonville, and for which only Wilsonville is financially responsible. Final cost allocation percentages (“true up”) will be determined based on actual construction costs, determined at the end of the project, plus agreed upon markups for Wilsonville project management and administrative costs. The current estimated construction cost is \$3,497,000. With estimated engineering, permitting, acquisition, and project management costs, the estimated Total Project Cost is \$4,511,000.

Sherwood has previously advanced monies for design, permitting, and easement acquisition for the project, as detailed in Resolution 2242 and the associated IGA (January 19, 2012). In this IGA, Sherwood is agreeing to advance payment of the full construction costs for the project, with Wilsonville reimbursing Sherwood for Wilsonville’s allocated portion of total costs within 180 days of project completion. Advance payment from Sherwood must be received before the Construction Contract is brought to City Council for approval (tentatively, June 03, 2013).

This project will complete the last segment of 48-inch diameter water transmission pipeline needed for Sherwood to receive their full 5 mgd water right. The project will also improve fire flow and pressure in the north half of Wilsonville’s distribution system, and accommodate future growth in the Coffee Creek and Frog Pond areas.

Approval of this IGA is a necessary pre-cursor to Sherwood’s advance payment funding the construction, and Sherwood’s advance payment is a necessary pre-cursor for Council approval of a Construction Contract.

Permitting is complete. Easement acquisition is in progress with appraisals completed and offers/negotiations with three property owners pending. Final design is in progress and is at approximately 75 percent. Bids are scheduled for May. Construction is scheduled for June through November 2013.

The project has received media attention numerous times over the years, and has also been before Council for approval of previous IGA’s and contracts. The pipeline concept was also part of the open house presentations in 2011 for the Barber Street and Kinsman Road project(s). There have been no documented objections to the project or various IGA’s.

Construction will be in an undeveloped area and there will be no road closures or detours required, therefore, construction impacts on the community will be minimal. Long term, businesses and residents will benefit from the larger pipeline via improved fire flow and pressure, and accommodation of future growth in the Coffee Creek and Frog Pond areas.

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**Motion:** Councilor Stevens moved to approve Resolution No. 2402. Councilor Fitzgerald seconded the motion.

**Vote:** Motion carried 3-0.

**CITY MANAGER'S BUSINESS**

Mr. Cosgrove stated the West Linn Wilsonville School District was applying for a 40-acre UGB expansion in the Advance Road area and the City was in support of the expansion.

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

**ADJOURN**

**Motion:** Councilor Fitzgerald moved to adjourn. Councilor Stevens seconded the motion.

**Vote:** Motion carried 3-0.

The Council meeting adjourned at 7:31 p.m.

Respectfully submitted,

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Sandra C. King, MMC, City Recorder

ATTEST:

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Richard Goddard, Presiding Officer/Acting Mayor