A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday February 4, 2013. Mayor Knapp called the meeting to order at 7:25 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp

Council President Starr

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

Mark Ottenad, Public Affairs Director

Dan Knoll, Public Affairs Coordinator

Jen Massa-Smith, SMART

Kerry Rappold, Natural Resources Director

Nancy Kraushaar, Community Development Director

Chris Neamtzu, Planning Director

Motion: Councilor Stevens moved to approve the order of the agenda. Councilor Starr

seconded the motion.

Vote: Motion carried 5-0.

MAYOR'S BUSINESS

A. Council Liaison Assignments

Council President Starr made the following recommendations for Councilor liaisons:

- Councilor Stevens: Development Review Board Panels A and B; and Wilsonville Seniors
- Councilor Fitzgerald: Planning Commission, Committee for Citizen Input; and Library Board (shared with Councilor Goddard)
- Councilor Goddard: Library Board (shared with Councilor Fitzgerald), Chamber Board; and Clackamas County Business Alliance
- Council President Starr: Park and Recreation Advisory Board; Chamber/City Leadership Board; and Economic Development Task Force

Motion: Councilor Fitzgerald moved confirm the appointments. Councilor Stevens

seconded the motion.

<u>Vote:</u> Motion carried 5-0. CITY COUNCIL MEETING MINUTES FEBRUARY 4, 2013

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B. Letters of Support for CET Grant Applications

Chris Neamtzu, Planning Director, presented the staff report. Metro has opened the third cycle of community development and planning grants which are awarded to local governments and pay for planning projects in specific target areas that will support development of future jobs and housing. An estimated \$3.7 million in highly competitive grant funds are available this cycle. Staff has prepared two draft letters of support for the Council's consideration.

Planning staff has been working to prepare grant application for the concept planning of the Frog Pond urban growth boundary area and the Advance Road urban reserve area.

The second grant application opportunity came up two weeks ago when the City was approached by the Port of Portland. During 2011-12, Metro, the Port of Portland, Business Oregon and other parties sponsored a Regional Industrial Site Readiness Project. The region-wide effort sought to identify potential large-lot (over 25 acres in size) industrial sites and key barriers to potential development of the sites. The Regional Industrial Site Readiness Project identified 31 total sites across the region as "Tier Three" sites, indicating that those sites needed significant planning activities prior to development. Wilsonville has five of these "Tier 3" industrial sites: #33 Coffee Creek 1; #34 Vans Investment; #59 Coffee Creek 2; #60 Coffee Creek 3; and #61 Coffee Creek 4.

Letters of Interest are due February 15, 2013 and the full applications are due April 15, 2013. Council received materials providing the history of the Advance Road Urban Reserve Area and the Coffee Creek Industrial Area Concept Plan to explain rational for the request.

Regarding the large lot industrial lands study, Mr. Neamtzu stated one of the Goals Metro has articulated is the creation of jobs and it was an opportunity to build upon the prior work. The City received a grant from the State for the infrastructure analysis, and has partnered with the Port and Group Mackenzie to study a number of sites in the community. There are five specific aggregated sites in the Coffee Creek area and the intent is to look at how to get those sites development ready, do additional work on behalf of the private sector to advance those by studying wetlands, flood plains, look at constraints on those properties and prepare reports that could be used to advance those sites by the private sector.

Mayor Knapp indicated this Council has had discussions about the merit of and the importance of Basalt Creek and Coffee Creek Industrial Areas being one of the largest yet to be developed acreages within the tri-county UGB. If this gave the ability to make the next steps possible it would be an advantage for the City.

Council President Starr observed this was a great opportunity to work with the Port of Portland them and become better known to them.

<u>Motion</u>: Councilor Fitzgerald moved that Council support the staff sending the letters of interest. Councilor Stevens seconded.

<u>Vote</u>: Motion carried 5-0.

C. Upcoming Meetings were announced by the Mayor in particular the joint meeting between the West Linn Wilsonville School District, City of West Linn, and City of Wilsonville to find ways to further joint interests. Mayor Knapp noted he had attended a town hall meeting hosted by Congressman Schrader along with other elected officials from surrounding communities to talk about issues occurring in their communities.

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. <u>Please limit your comments to</u> three minutes.

Jake Schwein, 30510 SW Ruth Street, Wilsonville, announced the 2013 Community Rummage Sale hosted by Grace Chapel Church and set for March 8 and 9, 2013. All proceeds from the sale go back to the community of Wilsonville. Additional information is available at wilsonvillerummagesale.com.

Theonie Gilmore announced June 1 and 2 as the dates of the annual Wilsonville Festival of the Arts in Town Center Park. Artists who want to be part of the festival can submit applications via the web site wilsonvillearts.org. The Wilsonville Theater Company is holding auditions for roles in their upcoming production of *James and the Giant Peach*.

COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

Council President Starr – reported on the activities of DRB-Panel B and announced the Daddy Daughter Luau Dance.

Councilor Goddard – invited the public to attend the grand opening of the newly renovated Community Center on February 1, 2013.

Councilor Fitzgerald – announced the date of the public dedication and open house of the newly constructed SMART Fleet and Operations Center.

Councilor Stevens – mentioned the next meeting dates of the DRB panels A and B. She noted DRB Panel-A elected Andrew Karr as chair and Cheryl Dorman as vice chair at their first meeting. The Councilor attended the Arts and Technology open house, and participated in the Friends of Trees planting event in Tranquil Park.

NEW BUSINESS

A. Resolution No. 2395

A Resolution Of The Wilsonville City Council Acting As The Local Contract Review Board, Authorizing South Metro Area Regional Transit (SMART) To Contract With Nelson/Nygaard For Consulting Services For The Transit Integration Project.

Mr. Kohlhoff read the title of Resolution No. 2395 into the record.

The Staff report was prepared by Jen Massa-Smith. Resolution No. 2395 will enable SMART to use an already approved State and Federal grant to implement the Transit Integration Project which is designed to find efficiencies in transit service provided within the I-5 corridor between Wilsonville and Portland.

SMART selected Nelson/Nygaard a qualified consulting firm in accordance with all City, State, and Federal procurement requirements that guarantee open and fair competition. The award was based on a weighted scoring of several factors, including price, experience and expertise.

The grant originated from the State of Oregon's Flexible Funds Program and was transferred to the Federal Transit Administration (FTA) for project oversight. The grant will pay for 80 percent of the total cost of the contract (\$106,080 of the \$132,600 total price) with the City's matching contribution budgeted for in the FY 2012/13 and FY 2013/14 budget.

Motion: Councilor Stevens moved to approve Resolution No. 2395. Councilor Goddard

seconded the motion.

<u>Vote:</u> Motion carried 5-0.

B. Resolution No. 2396

A Resolution Of The City Of Wilsonville Acting In Its Capacity As The Local Contract Review Board Authorizing The Execution Of A Professional Services Agreement With Wallis Engineering To Provide Professional Services For The Memorial Park Parking Lot Repair Project.

Mr. Kohlhoff read the title of Resolution No. 2396 for the record.

Kerry Rappold presented the staff report. The Memorial Park parking lot is in need of repair due to asphalt failure and inadequate stormwater infrastructure. The existing orientation and configuration of the parking lot creates inefficient use of the available space, and creates confusion on the part of motorists using the parking lot.

Situated at the base of a steep slope, the parking lot is partially within the 100-year floodplain of a tributary to Boeckman Creek. It is also located partially within the Significant Resource Overlay Zone for the creek. Groundwater and stormwater have significantly impacted the parking lot, and appear to be the primary cause for much of the asphalt failure.

The 2012 Stormwater Master Plan identified a Low Impact Development project for the parking lot. In conjunction with reconfiguring the parking lot, vegetated swales were proposed to be included for stormwater treatment.

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An information kiosk and a corresponding trail connection adjacent to the parking lot were included in the 2004 Memorial Park Trails Plan. The trail will provide access to a bus turnout, and a connection to the Day Dream Ranch neighborhood. SMART buses occasionally access the parking lot, and the turnout will provide a safe place for buses to park.

The preliminary design for the project will be reviewed by the Parks and Recreation Advisory Board and Development Review Board in spring 2013. The construction documents for the project will be completed by early summer, and the construction of the improvements will occur after Labor Day to avoid undue disruptions to park users.

The public will be informed through an online open house which would begin in March, sport leagues have been receiving information, as well as the residents of the Day Dream Ranch area, and articles have been included in the Boones Ferry Messenger.

Councilor Starr asked if the Council would approve the design prior to the construction. Mr. Cosgrove stated the Council is authorizing staff to move forward with the analysis and design; and suggest that when the design is at thirty percent, staff will bring the work product back to Council for review.

<u>Motion:</u> Councilor Goddard moved to approve Resolution No. 2396. Councilor Starr seconded the motion.

Councilor Goddard asked that the Park and Recreation Board be engaged during the design phase and insure the approach road is reviewed.

Vote: Motion carried 5-0.

C. Approval of 2013 State Legislative Agenda

Mark Ottenad prepared the staff report. At the January 24 City Council work session, the Council reviewed a draft 2013 legislative agenda and made an amendment, and requested that the final agenda be brought back at February 4 for adoption. Previously, at the January 7, City Council work session, Mayor Knapp requested that staff bring to the Council as a starting point for the 2013 legislative session the draft 2011 legislative agenda, which was modified to account for new legislative issues of concern.

One of the questions for Council and staff to consider is to what degree does the City's legislative agenda correspond with that of other organizations, especially those of which the City is a member of. Oregon's premier municipal lobbying association, the League of Oregon Cities (LOC), has adopted a 2013 legislative agenda and City staff has recommended adopting some elements of the LOC agenda that are clearly aligned with City priorities; however, a lack of information on how other components of the LOC agenda might impact the City results in a "wait-and-see" approach. For instance, a lack of data for how "Reset at Sale" would impact Wilsonville and state operations has staff inclined to not actively endorse that particular plank.

In a similar fashion, a number of organizations have endorsed changes to PERS public retirement system and advancing the Columbia River Crossing (CRC) project; however, as was discussed by Council on January 24, the City has little or no specific policy guidance on those issues and therefore the Council suggested that the City monitor discussions on those matters. One set of the City's legislative priorities pertaining to State assistance for development or redevelopment of industrial lands, which is supported by a number of organizations, government agencies and legislators, was not included in the Governor's proposed budget.

During the course of the anticipated five-month-long 2013 legislative session, a total of 3,500 to 4,000 bills are expected to be considered by members of the assembly. Over 1,200 pieces of presession legislation were filed by Oregon state representatives and senators that staff along with the City's public affairs consultant, Greg Leo of The Leo Co., are now reviewing.

Some proposed legislation may harm City interests, some may be beneficial and most may have no direct effect. The 2013 Legislative Agenda is designed to help guide how the City reacts to proposed legislation in terms of supporting, opposing or remaining neutral in our position on any given bill. When time allows on questionable matters or uncertainty arises on a given bill, staff check with the City Manager, and if feasible, with the Council to seek advice.

As the legislative session progresses past the final May revenue forecast, the legislative tempo dramatically increases. Important policies contained in budgets and bills can be transformed, amended in significant and in ways completely different than the original bills. Bill hearings before committees are called on a 'one-hour' basis. In this fluid legislative environment, having a legislative agenda based on direction by the City Council can give the City an ability to act with certainty and timeliness and increases our chances of obtaining for Wilsonville the best possible outcome. The legislative agenda is an effective tool for the City to be well-positioned to safeguard municipal interests by being able to respond in a way both timely and consistent with City Council policy.

As amended by Council, the Legislative Agenda is divided into four sections:

- 1. Governance
 - Local Autonomy
 - State Shared Revenues / Unfunded Mandates
- 2. Transportation & Transit Infrastructure
 - Transportation
 - Transit
- 3. Economic & Community Development
 - Land Use and Development
 - Workforce Development
- 4. Environmental Impact

In developing the City's 2013 Legislative Agenda, staff reviewed existing and prior City policies and practices, examined the legislative agendas and priorities of other jurisdictions and affiliated organizations, and gathered information from lobbyists and other public-affairs professionals about primary issues of concern in the 2013 legislative session. A general theme that emerged is that the 2013 session will be oriented towards "defensive positions" as the legislature grapples with how to fund current service levels in the 2013-15 biennium with major budget-busting issues and while the state and nation remained mired in "The Great Recession."

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The "Citations to Authorities in Support of City of Wilsonville 2013 Legislative Agenda" provides references to various sources, such as the City Charter and Comprehensive Plan, and the legislative agendas of affiliate organizations, in support of the 2013 Legislative Agenda. Councilor Fitzgerald noted on January 24 that the tenants of the proposed legislative agenda echoed residents' interests as expressed in the National Citizen Survey of the community conducted in 2012.

Mr. Ottenad stated a legislative agenda was important since it provided staff with a general guidance policy to use when reviewing specific proposed legislation to see if that proposed legislation conforms to Council priorities. Particularly towards the end of the session when bills may be introduced or modified at the last minute.

Council President Starr suggested the following changes to the proposal:

- Amend Section 2.1 to insert the word 'prioritized' in the first sentence, so it would say, "the City of Wilsonville supports prioritized multimodal transportation options." He wanted to prioritize spending to address roads first when funding is tight.
- Section 2.4. Councilor Starr did not agree with extending WES service on Saturday due to the high cost per rider.
- Remove references to 'smart-growth' since it was not a Council Goal.
- Section 3.2, the Councilor wanted to know how the entire Council felt on that issue.
- Section 3.6, clarify the type of education support.
- Add a section on enterprise zones to allow Wilsonville to compete for jobs state-wide.
- Create an economic development partnership model for regional and national scope job opportunities.

Mr. Cosgrove suggested taking each of Councilor Starr's recommendations and vote on each separately.

Mayor Knapp asked for other comments.

Councilor Goddard requested the references to material be the most recently developed documents, and references to outdated materials be removed. In particular, the references to Council Goals and the Economic Opportunities Analysis. The Councilor asked that staff leverage cooperation with the League of Oregon Cities and other organizations dedicated to lobbying the State Legislature to minimize the use and cost of staff resources.

References to documents tied to the City's legislative agenda should be referenced in a way that reflects the most current edition of those policy documents. Staff would insure references to the citations were consistent with the most current version and recent citation without losing the track record and history lineage that led to the position.

Mayor Knapp addressed the first of Councilor Starr's recommendations, Transportation and transit infrastructure, 2.1, to reword the sentence to read" The city of Wilsonville supports *prioritized* multi-modal transportation options..."

Councilor Starr agreed his recommendation was to insert "prioritize" or "prioritize with an emphasis on commerce."

Mayor Knapp asked for clarification on what the Councilor was prioritizing.

Councilor Starr wanted transportation spending prioritized beginning with roadways, then transit services, then bike-ped alternatives.

Mayor Knapp observed some bills that come forward deal with one of those items and not with the others. How does staff know whether to support an item or not that is a second or third tier priority in the wording just suggested.

Councilor Fitzgerald offered another argument could be if we have an opportunity while we're building a road to add pedestrian option alongside the road that can support our tourism, our recreation, make it a walkable community, sometimes your money is much more effectively spent at the time you are building a road. I would hate to tie our hands and wait to a future point.

Councilor Stevens agreed with Councilor Fitzgerald's point adding you talked about job growth, companies come here because of the soft incentives and quality of life we have here. A lot of that has to do with recreation and bike paths, all those things that are part of the soft incentives and quality of life, even transit services so workers have an another way to get to work.

Motion:

Councilor Starr moved that when transportation funding comes up all things being equal, if commerce, I would like to have us focus on commerce as a prioritization for funding in transportation bills. Mayor Knapp seconded the motion.

Councilor Fitzgerald offered Councilor Starr's motion sounded like a second sentence that could be added to 2.1 and asked the councilor to restate his sentence. Mr. Cosgrove restated Councilor Starr's statement as, "all things being equal, that he would prefer that we focus on commerce in terms of funding priorities." Councilor Fitzgerald thought that item would fit better in 2.2.

After a discussion on the best location for the additional sentence, Councilor Starr withdrew his motion to amend 2.1. The seconder agreed.

Motion:

Councilor Starr moved to amend 2.2 to read: "2.2 The City of Wilsonville supports strategies and plans that maintain or increase the traffic handling capacity of I-5 **and local streets** for the movement of freight and conduct of commerce." Councilor Fitzgerald seconded.

Vote: Motion carried 5-0.

Mayor Knapp asked for a motion on item 2.4. "The City of Wilsonville supports expanded Westside Express Service (WES) commuter rail transit service for full-day and Saturday service and extension of service to Salem", which Councilor Starr disagreed with.

<u>Motion:</u> Councilor Starr moved to strike 2.4 from the recommended state legislative agenda. Councilor Goddard seconded the motion.

Councilor Stevens was hesitant to remove this section because she felt the way to grow transit and increase ridership is by funding the service. Expanding the service to include Saturday service would increase ridership. She did not think funding the extension of the WES line from Wilsonville to Salem would happen any time soon. The Councilor was convinced the more people using trains and buses, resulted in fewer cars on the road.

Councilor Fitzgerald thought Saturday service for WES would make it more usable resulting in more people using the commuter rail system. She agreed it took years to build ridership, but the benefit is to freight movement and keeping expansion of I-5 at bay.

Councilor Starr was concerned about the cost of WES particularly with expanding the service to Salem, and the length of time it would take to pay off those expenses.

Mayor Knapp commented the section about WES was a long range vision and would not be addressed in the near future. He thought as long as the discussion was occurring about a high speed commuter rail line in the Valley, the City should be aware of it and pay attention to it. The Mayor pointed out many of the City's large employers have an increasing number of employees who use WES and transit to and from work. The Mayor thought the two sections worked together in that commuters that are not in their cars supported 2.2 about keeping freight capacity available on surface streets and freeways.

Councilor Goddard felt the Council needed to pick its battles and that the financial situation with WES put extending service to Salem too far out into the future. He did not believe this should be a priority for the City's 2013 legislative agenda.

Vote: Motion failed 2-3

Councilors Starr and Goddard voting "Aye"

Councilors Fitzgerald, Stevens and Knapp voting "No"

Mayor Knapp asked for discussion on the next item, 3.1 "The City of Wilsonville supports sustainable, "smart-growth" concepts that include objectives such as compact urban development, the conservation of valuable resource lands and the protection of prime agricultural soils outside the urban growth boundary".

Councilor Starr disagreed with the references to "smart-growth" concepts and did not believe the term "compact urban development" in this objective was in line with Council Goals. He felt Wilsonville was a rural community with larger sized residential lots, and the city-wide survey indicated residents did not want to look like downtown Portland.

Motion: Councilor Scott moved to strike 3.1 from the land use development

recommendations. Councilor Goddard seconded the motion.

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Councilor Fitzgerald did not read the statement as a mandate for exclusive compact urban development.

Councilor Stevens thought the City already employed sustainable smart-growth concepts in the way that Villebois, Main Street, and the Fred Meyer project were all planned and constructed. Villebois has a variety of housing options from small to large lots; and mixed use developments that cater to a variety of housing needs. It was important to take into consideration building concurrent infrastructure and utilities during the master planning phases, and to have the capability to expand using sustainable practices; these concepts are supported in the City's governing documents like the Comprehensive Plan. Using smart-growth concepts was one of the reasons the quality of life in Wilsonville was ranked so high.

Councilor Goddard noted the reference to smart-growth had been removed from the Council Goals in 2011-12, and the older 2009-10 Goals were referenced in the draft legislative agenda. He preferred not to see a carryover of the 2009-10 language the Councilors consciously removed. The Councilor thought the section on land use and development was an example of Council needing to pick its battles. Councilor Goddard questioned whether Wilsonville had any brownfields for development, and why this was a priority. If the League of Oregon City and Metro both were watching this item, why would Wilsonville want to weigh in? He suggested focusing on issues dealing with development of Coffee Creek and Basalt Creek.

Mr. Ottenad said there were some brownfields identified in Wilsonville. He noted part of adopting the legislative agenda is to show support for Business Oregon and the value of jobs creation. And so as other bodies go for legislative initiatives if the City can be supportive of their efforts the City, in turn, can cultivate favor for our initiatives.

Mayor Knapp noted the discussion on brownfields was off the topic before the Council. The Mayor personally supported smart-growth as an alternative to anything less than smart-growth concepts. He believed it was one of the concepts that made sense for efficient use of public dollars and provide those services efficiently for an appropriate number of people. Smart-growth describes a range of different choices that encompass many ideas. To suggest that it denotes just one particular outlook is not accurate or appropriate. The Mayor thought the conservation of resource lands and the protection of prime agriculture soils outside of the UGB was entirely appropriate and entirely in line with what Wilsonville has done for many years.

Councilor Starr disagreed stating his customers were looking for homes on larger lots and that smart-growth increased the cost per square foot. He wanted to allow larger sized lots in Wilsonville as well.

Vote: Motion failed 2-3.

Councilors Starr and Goddard voting "Aye"

Councilors Fitzgerald, Stevens and Knapp voting "No"

Mayor Knapp was not clear on the issue with 3.2 "The City of Wilsonville supports Oregon land-use law that calls for economic-development activities to occur in cities—areas with

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municipal governance and supporting infrastructure—and opposes efforts to encourage activities outside of cities that result in urban-level development."

Motion: Councilor Starr moved to insert the word "urban" in place of "economic".

Councilor Fitzgerald seconded the motion.

Councilors agreed this change clarified the statement.

3.2 "The City of Wilsonville supports Oregon land-use law that calls for <u>urban</u> <u>economic</u> development activities to occur in cities—areas with municipal governance and supporting infrastructure—and opposes efforts to encourage activities outside of cities that result in urban-level development."

Vote: Motion carried 5-0.

Councilor Starr indicated no discussion was necessary on 3.6 "The City of Wilsonville supports efforts to improve the overall quality of K-12 education, and in particular to strengthen Science-Technology-Engineering-Math (STEM) education, as well as post-secondary education that prepare tomorrow's workforce."

Councilor Starr wanted to include a tool that addressed the use of enterprise zones for the City of Wilsonville.

Motion: Mayor Knapp moved to support any actions that would make enterprise zones

available to more jurisdictions such as Wilsonville and support creation of any

additional economic development tools that appear to hold merit.

Councilor Starr seconded the motion.

Vote: Motion carried 5-0.

New 3.4 "The City of Wilsonville supports any actions that would make enterprise zones available to more jurisdictions such as Wilsonville and support creation of any additional economic development tools that appear to hold merit."

Councilors added this new section as number 3.4, and renumbered the remaining paragraphs.

Councilor Goddard expressed his support for STEM education and Wilsonville's local partners who are furthering science, technology, engineering, and math education in Oregon.

Motion: Councilor Starr moved to approve the amended 2013 State Legislative Agenda.

Councilor Fitzgerald seconded the motion.

<u>Vote:</u> Motion carried 5-0.

CONTINUING BUSINESS

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A. Ordinance No. 713 – second reading

An Ordinance Of The City Of Wilsonville Amending Wilsonville Code Chapter 5, Section 5.210, Prohibited Parking Or Standing.

Mr. Kohlhoff read the title of Ordinance No. 713 into the record on second reading.

Motion: Councilor Goddard moved to approve Ordinance No. 713 on second reading.

Councilor Stevens seconded the motion.

Councilor Goddard thanked the Legal department for addressing the concern he introduced in work session.

Vote: Motion carried 5-0.

Mayor Knapp - Yes

Council President Starr - Yes Councilor Goddard - Yes Councilor Fitzgerald - Yes Councilor Stevens - Yes

CITY MANAGER'S BUSINESS

A. Reminders:

- Joint meeting with West Linn/Wilsonville School District Board, City of West Linn Councilors on **February 20**, 2013 6 p.m. at Wilsonville City Hall
- Special Council meeting Thursday, February 21

LEGAL BUSINESS – No report.

ADJOURN

ATTEST:

Motion: Councilor Goddard moved to adjourn. Councilor Starr seconded the motion.

Vote: Motion carried 5-0.

The Council meeting adjourned at 9:09 p.m.

Respectfully submitted,

Sandra C. King, MMC, City Recorder

TIM KNAPP, MAYOR

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