

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 Monday December 3, 2012. Mayor Knapp called the meeting to order at 7:02 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp
Council President Núñez
Councilor Goddard
Councilor Starr
Councilor Fitzgerald

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Mike Kohlhoff, City Attorney
Kristin Retherford, URA Manager
Blaise Edmonds, Manager of Current Planning
Dan Pauly, City Planner
Steve Adams, Interim City Engineer
Eric Mende, Deputy City Engineer
Sandra King, City Recorder
Mark Ottenad, Public Affairs Director
Dan Knoll, Public Affairs Coordinator
Delora Kerber, Public Works Director
Sadie Wallenberg, Community Services Information & Referral Services
Angela Handan, Executive Secretary
Joanne Ossanna, Finance Director
Chris Neamtzu, Planning Director

Motion: Councilor Núñez moved to approve the order of the amended agenda. Councilor Starr seconded the motion.

Vote: Motion carried 5-0.

MAYOR'S BUSINESS

Upcoming meetings were announced by the Mayor. The Mayor noted he had attended the annual summit of the Oregon Business Plan where Governor Kitzhaber presented the keynote address on the proposed state budget, and attended the latest meeting of the Economic Development Task Force.

He announced the next Planning Commission meeting date along with the start date for the online open house for the TSP update.

COMMUNICATIONS

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Allied Waste Fall Leaf Day Collection Report.

Carol Dion, General Manager of Allied Waste Services of Wilsonville talked about the successful fall leaf collection day resulting in the collection of 6.8 tons of leaves. The leaves will be included in their local compost production facility. Ms. Dion submitted her comments in a letter which has been made a part of the record.

Mr. Cosgrove thanked Carol and Ray Phelps for their cooperation and planning of the event.

WWTP Update, Eric Mende, Deputy City Engineer

SAIC, LLC (formerly R. W. Beck, Inc.) and Brown and Caldwell are currently providing Owner's Representative services to the City on the Design-Build-Operate (DBO) contract for the Wastewater Treatment Plant (WWTP) Improvements. One of the tasks under the Owner's Representative Agreement with SAIC is a Quarterly Report to City Council pertaining to the performance of the DBO Company – CH2M HILL. Tonight is the fourth of these quarterly reports.

CH2M HILL is generally on schedule for the contractually required March 2014 Acceptance Date. The Owner's Representative will continue to conduct detailed monthly reviews of the updated Design-Build Work schedule compared to the baseline schedule in order to alert the City to any schedule issues that may affect CH2M HILL's ability to meet the Acceptance Date.

As of November 16, 2012, CH2M HILL has been paid \$14,632,972.71, representing 40.8% of the current \$35,871,460.98 Design-Build contract value. A summary of the current and original Design Build price is shown below:

Table 1 - Summary of Design-Build Price

Original Design-Build Price	\$35,707,414.00
Change Order Amount (total to date)	\$164,046.98 (0.46%)
Current Design-Build Price	\$35,871,460.98

No Change Orders were executed during this quarter.

Three Contract Administration Memoranda (CAMs) were executed this quarter, two of which provided City approval of subcontractors who will provide Contract Services to CH2M HILL valued in excess of \$50,000. The third CAM provided temporary easements for CH2M HILL to access the project site from SW Fir Avenue and from SW Magnolia Avenue for specific construction activities.

There are two pending CAMs at the time this report was written. One CAM addresses CH2M HILL's plan to transport sludge during construction to the Salem Water Pollution Control Facility for processing to Class B standards. This plan will reduce onsite odors and provide additional space onsite for construction activities. There will be no cost to the City for this change. The second CAM allows CH2M HILL to delay installation of three WWTP effluent cooling towers while the Oregon Department of Environmental Quality (DEQ) resolves a current

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lawsuit and reconsiders the temperature limit for the Wilsonville WWTP. CH2M HILL maintains responsibility to meet the current temperature limit at no additional cost to the City.

CH2M HILL continues to refine the design through the process of procuring major equipment and systems.

Six permits were issued by the City during the quarter. These included building, mechanical, and plumbing permits for the Dewatering and Drying Building, a plan revision to the Public Works permit, and a plumbing permit as well as a building permit revision for the Headworks. The Secondary Clarifier building permit was submitted this quarter.

Construction activities this quarter included:

- Installation of the influent sewer and manholes
- Installation of electrical and mechanical equipment
- Demolition of the north Primary Clarifier/Digester
- Leak testing and startup of Aeration Basin #3
- Excavation and installation of concrete foundation slabs and walls for Headworks and Dewatering and Drying Buildings
- Grading
- Yard piping changes
- Electrical feed modifications
- Erosion and sediment control measures
- Completed stabilization basin structure slab and walls
- Procured major equipment, smaller subcontractors, and yard piping
- Responded to Requests for Information and processed submittals.

CH2M HILL, the City and the Owner's Representative continue to meet at the monthly construction meetings to discuss CH2M HILL's progress and any outstanding issues. Weekly construction check-in meetings with the City and CH2M HILL and the Owner's Representative are held as needed. The Owner's Representative maintains a full time on-site inspector and an independent testing service to monitor and track construction progress and compliance with the contract requirements. In general, CH2M HILL and their subcontractors are doing an excellent job.

Odors have been noticed on multiple occasions by company staff, City staff, the Owner's Representative and the public during the months of September through November. CH2M HILL gave a brief report and answered questions at the City Council work session on September 17, 2012. City Council requested that CH2M HILL prepare a letter to the local residents explaining what is happening on the site related to odor causes and odor control and what actions are being taken to mitigate the odor problems. This letter was distributed in early October.

CH2M HILL has stated that they will store additional odor scrubber media on site so that it can be readily replaced when the media in the temporary odor control system becomes ineffective. The media was replaced on September 26, and November 1, 2012. Typically the media is

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expected to remain effective for six to eight weeks. CH2M HILL plans to increase the frequency of the testing on the carbon to better predict when it will become ineffective.

CH2M HILL has proposed a plan for processing sludge offsite (to meet Class “B” standards) in order to help reduce odors during construction. This plan may also allow certain construction activities to occur earlier than currently planned. The plan includes CH2M HILL transporting sludge to the Salem Water Pollution Control Facility. This requires an Intergovernmental Agreement (IGA) between the City of Wilsonville and the City of Salem. Assuming a timely approval of the IGA, it is anticipated that CH2M HILL will begin transporting sludge to Salem by December 5, 2012.

The City received a warning letter from DEQ on September 20, 2012 as a result of reported violations in August that resulted from construction-related issues and from operator error. No penalties were assessed or enforcement actions taken.

The City is currently working with Department of Environmental Quality (DEQ) to develop a Mutual Agreement and Order (MAO) to temporarily modify the temperature Total Maximum Daily Load (TMDL) and give the City an opportunity to evaluate alternative means of achieving TMDL compliance.

ANTICIPATED ACTIVITIES FOR NEXT QUARTER

- HSSE Safety Training for anyone who plans to be on the WWTP site during construction
- Additional permitting activities
- Development of draft Acceptance Test Plan and Hydraulic Test Plan
- Development of additional COs and CAMs that arise
- Further refinements to CH2M HILL’s construction schedule and sequencing including incorporation of changes resulting from the proposal to haul sludge to Salem (if approved by both City Councils)
- Updates to CH2M HILL’s Construction Plan, including Odor Control Plan update
- Procure long lead time equipment and electrical gear and process submittals for equipment
- Negotiate and execute subcontracts
- Completion of structural demolition, new yard piping, and slope stabilization
- Concrete placements, equipment installation, electrical work and yard piping installation
- Completion of major earthwork by excavation for Secondary Clarifier #3
- Erosion control and slope stabilization maintenance
- Monthly Construction Meetings.

ONGOING PROJECT SUCCESS

- Design completed on schedule and budget
- Construction is on schedule
- Minimal change orders through design
- Strong partnering relationships among team members
- No lost time accidents or injuries

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Community Services Information & Referral Services

Sadie Wallenberg, Community Services Information and Referral Services coordinator spoke about the services offered through the Community Services department to aid seniors and needy families in the community as well as guiding them to federal, state and local programs and services.

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.

There were none.

COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

Council President Núñez had no liaison report, but announced the events that will be taking place at the Library.

Councilor Goddard – Library, Chamber Board, and Clackamas County Business Alliance liaison. The Councilor noted he also attended the annual summit of the Oregon Business Plan. He announced the Basalt Creek Community Advisory Group meeting and the Holiday Fun Fest at the Community Center.

Councilor Starr –Development Review Boards and Wilsonville Community Seniors Inc. liaison reported the last DRB meeting had been cancelled due to the Thanksgiving Holiday. Councilor Starr noted the Seniors would be meeting next week, the Transportation Systems Plan online open house begins December 3, and the Economic Development Strategy Task Force would meet December 13.

Councilor Fitzgerald announced McMenamins Pub would host a fund raiser for Wilsonville Arts and Culture Counsel titled “Wilsonville Christmas”, as well as the Winter Wonderland Holiday Light Drive.

CONSENT AGENDA

A. **Resolution No. 2384**

A Resolution Adopting The Canvass Of Votes Of The November 6, 2012 General Election.

B. **Resolution No. 2386**

A Resolution Of The City Of Wilsonville Authorizing Acquisition Of Property Interests Related To The Construction Of The Kinsman Transmission Main Segment 3B From Barber Street To Boeckman Road To Provide Water Service To The City Of Sherwood.

Mr. Kohlhoff read the titles of the Consent Agenda items into the record.

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Motion: Councilor Goddard moved to approve the Consent Agenda. Councilor Starr seconded the motion.

Vote: Motion carried 5-0.

NEW BUSINESS

A. **Resolution No. 2387**

A Resolution Approving Development Agreement Between The City Of Wilsonville And REDUS OR LANDS, LLC.

The title of Resolution No. 2387 was read into the record by Mr. Kohlhoff. The agreement covers the costs of recovering the base rock for the roadway which will be repaid by REDUS upon the development of their lots.

Councilor Goddard will interest accrue on any unpaid balance. Mr. Kohlhoff said it would.

Motion: Councilor Fitzgerald moved to approve Resolution no. 2387. Council President Núñez seconded the motion.

Vote: Motion carried 5-0.

PUBLIC HEARING

A. **Ordinance No. 705** –

An Ordinance Of The City Of Wilsonville Approving A Comprehensive Plan Map Amendment From Commercial To Residential – 10-12 DU/AC On 1.14 Acres Comprising Tax Lot 100 Of Section 22AC, T3S, R1W, Clackamas County, Oregon; “Fox Center Townhomes” Seema, LLC, Applicant.

Mr. Kohlhoff read the titles of Ordinance No. 705 and Ordinance No. 706 into the record.

Mayor Knapp opened the public hearing for both Ordinance No. 705 and 706 and stated the hearing format at 7:50 p.m.

Councilor Fitzgerald declared she had ex parte contact since she was in the audience prior to being sworn in as a counselor.

Councilor Starr declared he spoke with neighbors of the project; however that would not color his decision.

Blaise Edmonds, Manager of Current Planning, explained this is a continuation of the meeting from November. At the request of Council the applicant conducted a neighborhood meeting last Thursday and would present the results of that meeting. Copies of the comments made at that neighborhood meeting have been made a part of the record. In addition a letter from Robert Meyer delineating his concerns has been made a part of the record.

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Councilor Starr asked if there were other subdivisions in the City where a home is at right angles to a neighboring home. Mr. Edmonds stated there were no examples and the positioning was a result of the site planning.

Councilor Goddard wanted to know if there were other 55 and older designated projects with two-story units. Mr. Edmonds responded he was not aware of any; however Weideman Park Apartments are two-story buildings, with one level units.

Mr. Kohlhoff stated several of the comments in Mr. Meyer's letter cite DRB issues and Council may want to refer those specifically to the DRB for review.

Mayor Knapp clarified the DRB has authority to review site design and make the final decision on what is appropriate under the City Code. The City Council has the authority to call-up a decision if they have concerns after the DRB has completed their process.

Mr. Kohlhoff said that was correct. Should someone want to appeal the DRB decision they would appeal to the City Council, and the Council has the option to call-up a DRB decision.

Mayor Knapp invited the applicant to come forward.

Lee Leighton, West Lake Consultants, 15115 SW Sequoia Parkway, Suite 150, Tigard, OR, stated the notice for the second neighborhood meeting used a 750-foot circle to insure everyone that might be impacted by the development was aware of the neighborhood meeting. Seven neighbors attended the meeting. A good discussion occurred at this meeting, the developer spoke with the Thompsons about the relationship of the buildings adjacent to their property, and their preference for an evergreen columnar tree to be planted along the fence.

There was general agreement overall the developer did well in explaining the process, listening to and responding to suggestions and making changes reflecting those suggestions, responding to questions and concerns, and whether the proposed development was preferable to the commercial zoning and commercial development of the site.

Mr. Leighton summarized the handwritten comments on the survey; all seven preferred an age 55+ restriction to be applied to all of the units on the property; five said this age restriction should be done through a deed restriction. Concerns listed included: traffic and pedestrian safety on Willamette Way East, and parking on Willamette Way East. Two people commented on the site design and roofline design, as well as housing density and housing type. One person was concerned about parking on Chantilly. Updated design boards were shown to those attending the meeting, as were plan and elevation drawings, which helped to visualize the project and bring it into relation to the home next door.

Mr. Leighton pointed out the ten-foot wide sidewalk was incorporated into the design boards as part of the safe routes to school, and incorporated the notion of the curb bulb out, however, it may be relocated to the south side of the intersection. There were discussions about the visual orientation and the way it is possible to walk completely around the site with the front doors of

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each unit facing the walk way to keep the areas active and integrated into the overall design. Once the trees planted on the site are grown they will block views from the townhome windows to the neighborhood.

Councilor Goddard referred to the orientation of the buildings, and asked if consideration was given to rotating the structures 90 degrees to create a north south orientation rather than an east west orientation.

Mr. Leighton responded because of the generally longer north south orientation of the property, it is hard to turn the buildings the other way; there is not enough room to get the unit count to have a feasible project. It worked better to have the units be side by side in a north south configuration and to concentrate the parking and auto circulation inside the site. The suggestion in Mr. Meyer's letter of reorienting the buildings would force the removal of the garden space and pave all of the area resulting in cars, parking and circulation facing the neighbors next door and no room for the 17-foot side yard. The design team has worked hard with the neighbors to test out the site plan options.

Councilor Starr thought the buildings could be reoriented by reducing the number of units in the northwest group leaving 14 units.

Mr. Kohlhoff stated the original request was for two additional units because of the senior units allowing a bonus of two. The developer reworked the plan and is asking for a total of 15 units based on it being senior housing. Comments from testimony and the neighborhood preferred that all of the units be conditioned for 55+ residents to support that bonus.

Mr. Kohlhoff recalled in trying to develop this site that the commercial zoning was not compatible with the neighborhood. In order to make it work from a financial perspective the developers indicated they would need a minimum of 15 units. And the senior housing would be less of an impact on the neighborhood.

Councilor Starr asked if 14 units made the project unviable.

Greg Close suggested there was symmetry and efficiency of scale with four 4-unit buildings, however, the design team would be willing to sharpen the pencil. The economics of the property between 15 and 14 units are pretty simple; however, apartments on this scale are not very profitable. If the project got too small, the property owner would sell the property to a commercial developer.

Mr. Kohlhoff asked if there was a problem with having the 55+ age residency is mandated by a deed restriction. Mr. Close responded there was none.

Mayor Knapp stated the question before Council was one of zoning and not of site design which should be left to the Development Review Board. He commented changing the locations of the buildings would reduce the amount of green space and reduce the ambiance of the gardens; how will that impact the project.

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Mr. Leighton thought the design team did a good job of framing the vistas of the view and managing perceptions of people who live inside the development and of those driving by the development. There would be unique and distinct front doors with small gardens, the landscaping on Chantilly has gardens which curve around the property, and the driveway is completed with a green space as one drives into the project.

Mayor Knapp invited public testimony.

Mike Thompson stated he was the adjacent property owner of the site. He indicated the neighborhood consensus was to have the project a 55 or older with a deed restriction.

Councilor Starr asked if Mr. Thompson was comfortable with the planting of the trees on the west line, and the fence, with the front doors facing his side property.

Mr. Thompson noted the developer was amenable to changes, to use cedar trees, and to push the building back so it was even with his home and to install a gate to his backyard. The Thompsons were aware of the commercial zoning of the property and they tried to minimize the impacts.

Councilor Starr referenced the letter from Mr. Meyers regarding the parking on the west side of Willamette Way East, and asked Mr. Thompson his opinion.

Mr. Thompson thought there should be no parking on Willamette Way East due to blind spots. He preferred the senior townhomes rather than a commercial building.

Bennie Bitz, 11315 SW Chantilly, agreed with the comments in Mike Meyers letter and that the property should be deed restricted to 55 and older.

John Biedl, 31056 Willamette Way East, spoke about the bus stop and parking on Willamette Way East, and the students that use the road to travel to and from school. Having the bus stop reduced visibility. He was concerned the over 55 residents would not be able to maintain the property or landscaping and questioned the age restriction with the nearby schools and activity in the neighborhood. He thought the saw tooth roof design was unique and would be a big change in the neighborhood.

Mayor Knapp invited the applicant to comment.

Lee Leighton thanked Mr. Thompson for his comments and support of the project. Mr. Leighton was convinced the project would be satisfactorily designed through the design review process. He had no concerns with the 55+ age restriction by deed, and felt there was enough parking on the interior of the site so that street parking would not be an issue. The driveway to the project was intentionally situated directly across the street from the church parking lot.

Mr. Close added the property would be professional managed with the grounds professionally maintained.

Mayor Knapp asked for a motion to close or continue the public hearing.

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Motion: Councilor Nunez moved to close the hearing. The motion was seconded by Councilor Fitzgerald

Vote: Motion carried 5-0.

Mayor Knapp declared the hearing closed at 8:59 p.m.

Motion: Councilor Nunez moved to adopt Ordinance No. 705 on first reading. Councilor Fitzgerald seconded the motion.

Councilor Starr strongly supported the 55 and older deed restriction. He wanted to refer the project back to the DRB to address the façade design and the parking on the west side of Willamette Way East.

Mr. Kohlhoff made the following suggestions. First address the Comprehensive Plan amendment and vote on it as you will. He recommended Council make the zone change, conditioned upon the additional requisite there be a deed restriction placed upon the property for renting to 55 and older.

Secondly, on the zone change that Council recommend the Design Review Board take into consideration the following:

- An alternative design more in line with a suburban residential neighborhood,
- Relook at whether or not the bulb out on the north is appropriate, and whether or not there should be a recommendation to restrict parking on Willamette Way and whether or not there should be any parking limits on Chantilly.

Mayor Knapp clarified the motion on the table is for Ordinance No. 705 that deals with the Comprehensive Plan and which would change the zoning from commercial zoning to a residential zoning category. The motion as it currently exists would accomplish that without other specifics attached to this particular ordinance.

Mayor Knapp asked if there was other discussion regarding the Comprehensive Plan, there was none. He called for the vote on Ordinance No. 705 on first reading.

Vote: Motion carried 5-0.

Mayor Knapp asked for a motion on Ordinance No. 706.

B. Ordinance No. 706

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Planned Development Commercial (PDC) Zone To The Planned Development Residential – 5 PDR-5) Zone On 1.14 Acres Comprising Tax Lot 100 Of Section 22AC, T3S, R1W, Clackamas County, Oregon; “Fox Center Townhomes” Seema, LLC, Applicant.

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Motion: Councilor Nunez moved to approve Ordinance No. 706 on first reading. Together with the additional conditions as stated by the City Attorney. Councilor Starr seconded the motion.

Vote: Motion carried 5-0.

The following is an excerpt from Ordinance No. 706 which contains the formalized “additional conditions as stated by the City Attorney”.

“WHEREAS, on November 5, 2012, and December 3, 2012 the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board, including the staff report, which record was incorporated into the City Council public hearing record; took public testimony, received exhibits; and, upon deliberation, recommended approval of the zone change with the additional conditions:

(1) Record a deed restriction to run with the land that each unit would be rented to occupants at least one of whom would be 55 years of age. Based on the recording of the deed restriction to ensure the provision of senior housing, the total unit count of 15 is authorized.

(2) That Council further recommends the Design Review Board review for consideration the following:

(a) Review applicant’s alternative building roof design and whether or not the alternative building roof design is more in line with the surrounding suburban residential neighborhood and if so, whether or not such design outweighs the features the applicant’s current roof design provides;

(b) Review whether or not the location of the street bulb out on the north is appropriately located;

(c) Review whether or not parking should be restricted on Willamette Way north of the driveway on Willamette Way prior to Chantilly, noting the need for parking to access the mailboxes on the east side of Willamette Way;

(d) Review whether or not there should be any parking restriction from the above driveway south on Willamette Way prior to Chantilly; and

(e) Review whether or not there should be any parking limits on the section of Chantilly the development borders.

The Council received a variety of information on these matters which was not before it for decision and desires the Design Review Board provide due consideration of them.”

Mayor Knapp declared a recess at 9:07 p.m. and reconvened the meeting at 9:14 p.m.

C. Ordinance No. 709 – First Reading

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Residential Agriculture – Holding (RA-H) Zone, The Public Facility (Pf) Zone, And The Exclusive Farm Use (EFU) Zone To The Village (V) Zone On Approximately 73.27 - Acres Comprising Tax Lots 100, 180, 103, 192, 181, 102, 101, 200, Portions Of Tax Lot 2916, Portions Of Tax Lot 2919 Of Section 15, And Tax Lots 1401 Of Section 10, T3S, R1W, Clackamas County, Oregon, Polygon Northwest Company, City Of Wilsonville, Urban Renewal Agency City Of Wilsonville, And Metro Applicants.

Ordinance No. 709 and Ordinance No. 710 were read into the record by title only on first reading.

Mayor Knapp opened the public hearing on Ordinances No. 709 and 710 at 9:16 p.m. and read the hearing format for the record.

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Dan Pauley, Associate Planner presented the staff report for Ord. 709. This request is for Phase 3 East of Villebois. The main request is for Bischof Lund property where the residential development would occur, the surrounding properties will be developed as parks. The entire area is shown as Residential-Village in the Comprehensive Plan and the only option for the designation is the Village Zone. Mr. Pauley displayed the Lund Property site plan. The DRB approved the variety of housing types, 163 single family homes and 42 row homes. All of the homes are alley loaded with the front facing tree-lined streets, parks and open space. To the north and east are the regional parks which will be built and maintained for a period of time but eventually will be maintained by the City. This development constructs Villebois Drive North which replaces 110th. Overall the DRB approved a mix of four different housing types and density that substantially matches the Master Plan. The unanticipated wetland on the northeast resulted in the shifting of housing and streets on the site.

Mr. Pauley displayed the housing design types that included English style row homes, American Classic small homes, a medium English home, and a French cottage home. The amount of green space was shown. The regional parks have not yet been approved due to additional work needed with Metro and the Parks & Recreation board on the final design.

Mr. Pauley mentioned the pattern books that address the character, and architecture of the buildings, as well as size and orientation of the lots. Each of the pattern books has been approved for each specific area plan in Villebois. In this case, Polygon has been building homes in SAP-South in compliance with the South Architectural Pattern Book was developed by Arbor Homes. The DRB approved modifications to the current pattern book and adopted it as the pattern book for these two phases of SAP-E. A couple of those changes dealt with housing product, the lot requirement for row homes was changed to match the Polygon design rather than the Arbor design. A page was added to address the cottage lot type which replaces the "single family attached product" type originally planned by Matrix. The main difference being is that the cottage homes are not attached to each other at the garage.

Mr. Pauley gave the staff report on Ordinance No. 710, Phase 4E. This site is north and east of the Lowrie Primary School and it is currently zoned EFU but going to the Village Zone. It will have 93 small and medium sized homes. The proposal matches the master plan in terms of density and placement of the homes. The development will have a substantial amount of parks with landscaping and furnishings to match the pattern books.

Mayor Knapp invited the applicant to come forward.

Fred Gast, Polygon NW, 109 East 13th Vancouver, WA. Mr. Gast thanked Council and staff for adding value every step of the way over the past two years. He spoke about how the values of the Polygon NW organization and the city were always considered when choosing a location to make an investment. They looked for a community with strong citizen support. Polygon has been involved in developing planned communities in both Seattle and Portland. Mr. Gast talked about the path leading them to where they are today in Villebois. Their first 81-home investment in Villebois was successfully completed. The second community of 165 homes included a role in the swim center, more housing types, elevations, and floor plans to allow different products and innovative home styles. Polygon believed in investing in the amenities first.

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Councilor Fitzgerald, a Villebois resident, indicated her appreciation with the different home styles which helped retain the community feel.

Mayor Knapp recalled he was member of the DRB when Villebois first came forward with the concept of diversity in housing styles, looks and characteristics. This needs to be a neighborhood with diversity of housing types, styles and choices.

Councilor Starr asked what attracted Mr. Gast and Polygon to invest in Wilsonville prior to working with staff.

Mr. Gast responded it was for all the reasons Council choose to live in Wilsonville, the look of the community, nearness to the I-5 corridor, the neighborhoods, good schools, services, nearness to medical facilities, and a solid economic background.

Mayor Knapp called for public testimony, hearing none, he asked for a motion to close the public hearing.

Motion: Councilor Fitzgerald moved to close the public hearing on Ordinances No. 709 and No. 710. Councilor Nunez seconded the motion.

Vote: Motion carried 5-0.

The Mayor closed the public hearing at 9:39 p.m.

Motion: Councilor Fitzgerald moved to approve Ordinance No. 709 on first reading. Councilor Núñez seconded the motion.

Vote: Motion carried 5-0.

D. Ordinance No.710 – First Reading

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Exclusive Farm Use (EFU) Zone To The Village (V) Zone On Approximately 12.96 - Acres Comprising Tax Lot 301 Of Section 15 And Tax Lots 16400 And 16500 Of Section 15DA, T3S, R1W, Clackamas County, Oregon, Polygon Northwest Company, Applicant.

Motion: Councilor Fitzgerald moved to approve Ordinance No. 710 on first reading. Councilor Núñez seconded the motion.

Vote: Motion carried 5-0.

E. Ordinance No. 711 First and Second Reading

An Ordinance Of The City Of Wilsonville Establishing A Permanent 20 Mph Speed Limit On Residential Streets Adjacent To Lowrie Primary School.

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Ordinance No. 711 was read into the record by title only on first reading.

Mayor Knapp opened the public hearing at 9:41 p.m. and read the hearing format.

Steve Adams, Interim City Engineer presented the staff report. City staff worked with DKS Associates, and West Linn / Wilsonville School District staff to establish a school zone and Safe Routes to School program for the new Lowrie Primary School, which included the 20 MPH speed limits on the residential streets adjacent to or connecting to the new school. A temporary 20 MPH speed limit was authorized on August 22 as allowed by ORS 180.180(9), but could remain in place for no more than 120 days. Approval of Ordinance No. 711 allows establishing a permanent 20 MPH speed limit on residential streets adjacent to Lowrie Primary School.

The draft school zone and Safe Routes to School program was shared with Legend Homes in June and adjusted based on their feedback. A citizens open house was held on July 25th at Lowrie Primary School; all households within the Lowrie Primary School district received mailers for the event; approximately 25 to 30 citizens attended. City staff also attended a School District event held at Lowrie Primary School on August 24th, where again this information was available; this event was attended by perhaps 120 to 150 citizens.

This ordinance provides a safer environment for pedestrians and cyclists to use streets adjacent to Lowrie Primary School. Legend Homes was the only business immediately affected and they supported the school zone and 20 MPH speed limit. The West Linn / Wilsonville School District also provided their support and approval. ORS 180.180(10) allows the local road authority to establish a designated speed for a roadway under the jurisdiction of the road authority that is five miles per hour lower than the statutory speed. Public safety is better served by slower vehicle speeds around the new Lowrie Primary School.

Councilors were concerned with motorists knowing when the 20 MPH would begin and end, and the effects on drivers during the summer months when school was not in session. However, Councilors Goddard and Fitzgerald supported the ordinance based on an overriding interest to preserve the safety for children, there was no opposition to the permanent speed limit, and due to the fact the street layout surrounding the primary school presented challenges.

Mayor Knapp called for public testimony, there was none and the public hearing was closed at 9:55 p.m.

Motion: Councilor Goddard moved to approve Ordinance No. 711 on first reading.
Councilor Fitzgerald seconded the motion.

Vote: Motion carried 4-1. Council President Nunez voted “No”.

Mayor Knapp agreed with the comments of Councilors Goddard and Fitzgerald. The 20 MPH has been in force since school started, and those purchasing the new homes would be aware of and understand the situation.

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Councilor Núñez indicated she would vote “No” because the Boeckman Road extension was closed and there would not be children in the area on weekends.

Councilor Starr was unsure of his vote on the second reading. He wanted to see a wider map of the area and how this speed adjustment would impact development to the north and west. The Councilor wanted to insure Barber Road was not negatively affected.

Mr. Adams pointed out all the detours in place due to the closure of Boeckman Road were streets with 25 MPH speeds.

Motion: Councilor Fitzgerald moved to approve Ordinance No. 711 on second reading. Councilor Goddard seconded the motion.

Vote: Motion carried 3-2
Mayor Knapp - Yes
Council President Núñez -No
Councilor Goddard - Yes
Councilor Starr - No
Councilor Fitzgerald - Yes

CONTINUING BUSINESS

- A. **Ordinance No.708** – second reading
An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Public Facility (PF) Zone To The Village (V) Zone On .89 - Acres Comprising The Southerly Portion Tax Lot 100 Of Section 15AD, T3S, R1W, Clackamas County, Oregon. Villebois Village Center LLC, Applicant.

Mr. Kohlhoff read the title of Ordinance No. 708 into the record on second reading. No additional comment or testimony had been received on this Ordinance since first reading.

Motion: Councilor Starr moved to approve Ordinance No. 708 on second reading. Councilor Fitzgerald seconded the motion.

Vote: Motion carried 5-0.
Mayor Knapp - Yes
Council President Núñez - Yes
Councilor Goddard - Yes
Councilor Starr - Yes
Councilor Fitzgerald - Yes

- B. **Resolution No. 2385**
A Resolution Of The City Of Wilsonville Approving Addendum No. 4 To The Development Agreement Of June 14, 2004 By And Between The City Of Wilsonville (City) And The Urban Renewal Agency Of The City Of Wilsonville (URA) And Matrix Development Corporation (Developer) And Property Owners Donald E. Bischof / Sharon

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L. Lund, Arthur C. / Dee W. Piculell, The Dearmond Family LLC / Louis J. / Margaret P. Fasano (Owners) And Valerie And Matthew Kirkendall (Kirkendall) And Repealing Resolution No. 2377.

Resolution No. 2385 was read into the record by Mr. Kohlhoff. Mr. Kohlhoff recommended continuing the matter to the December 17, 2012 Council meeting to allow the documents to be updated to reflect the new exhibits and size of water lines, and to schedule the Urban Renewal Agency meeting for the same matter.

Motion: Councilor Fitzgerald moved to continue Resolution No. 2385 to the date certain of December 17, 2012 City Council Meeting. Councilor Starr seconded the motion.

Vote: Motion carried 5-0.

CITY MANAGER'S BUSINESS

Due to lateness of the hour, the City Manager waived his meeting recap.

LEGAL BUSINESS

Mr. Kohlhoff stated he had enjoyed working with Councilor Núñez the past six years, and wished her well.

ADJOURN

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

Vote: Motion carried 5-0.

The Council meeting adjourned at 10:00 p.m.

Respectfully submitted,

Sandra C. King, MMC, City Recorder

ATTEST:

TIM KNAPP, MAYOR