



City of Oregon City

625 Center Street
Oregon City, OR 97045
503-657-0891

Meeting Minutes - Final

City Commission

Dan Holladay, Mayor
Brian Shaw, Commission President
Nancy Ide, Frank O'Donnell, Renate Mengelberg

Wednesday, December 20, 2017

7:00 PM

Commission Chambers

1. Convene Regular Meeting and Roll Call

Mayor Holladay called the meeting to order at 7:00 PM.

Present: 5 - Commissioner Brian Shaw, Mayor Dan Holladay, Commissioner Nancy Ide, Commissioner Renate Mengelberg and Commissioner Frank O'Donnell

Staffers: 11 - City Manager Tony Konkol, Assistant City Attorney Carrie Richter, City Recorder Kattie Riggs, James Band, Community Services Director Phil Lewis, Community Development Director Laura Terway, Christina Robertson-Gardiner, Economic Development Manager Eric Underwood, Library Director Maureen Cole, Public Works Director John Lewis and Human Resources Director Jim Loeffler

2. Flag Salute

3. Ceremonies, Proclamations and Presentations

3a. Oregon City School District Presentation

This presentation was rescheduled.

3b. Historic Review Board (HRB) Annual Update

Laura Terway, Community Development Director, introduced Ken Baysinger, Historic Review Board Chair.

Mr. Baysinger gave the HRB annual update including preservation grant awards, application reviews, design advice, and historic property owner brochures.

4. Citizen Comments

Ron Saunders, Clackamas County resident, discussed how his property could be an alternative site for the new Public Works Operations facility.

Discussion ensued regarding this property being planned for future employment land and that the property would need extensive infrastructure.

Mr. Saunders thought his property could be an alternative site if for some reason the new facility could not be built on the proposed site.

William Gifford, Oregon City resident, discussed the Oregon City Parks Foundation projects and fundraising. They would be holding an auction on January 20, 2018.

5. Adoption of the Agenda

The agenda was adopted as presented.

6. Public Hearings

6a. First Reading of Ordinance No. 18-1001, Creating the Downtown Economic Improvement District

Mayor Holladay opened the public hearing.

Eric Underwood, Economic Development Manager, explained the benefits of the Economic Improvement District (EID) and the future plans if the EID was renewed. He made a correction to the staff report, striking the narrative that indicated this was a second attempt to establish the EID. That was language from 2015. The first reading of the Ordinance would launch the 30-day period for public comment and right for remonstrance. If successful, the EID assessment period would be from July 17, 2018 to July 16, 2022. He entered a letter of support from Dan Fowler, a letter of support from Comstructure Consulting LLC, and a letter of inquiry and request for delay from Busch and Busch Development LLC into to the record.

Mayor Holladay said given the amount of last minute information, he preferred to continue the hearing to January 2018.

Andy Busch, downtown business owner, had questions concerning the new EID assessments and zones. He requested more time for public comment.

Jonathan Stone and Carol Pauli, Downtown Oregon City Association, discussed the community engagement that had been done regarding the EID and did not have a problem with continuing the process. They discussed the accomplishments of Main Street and the work yet to be done. The EID was a consistent funding source for these projects. They had proposed expanding the boundaries of the EID. They then addressed the questions in the Busch family's letter. They also discussed projected revenues and expenditures.

There was discussion regarding the timelines and effects of continuing the hearing.

Larry Morton, downtown business owner, was against the EID because he had not seen a benefit to his business.

Commissioner Ide disclosed she was a member of the Downtown Association, as the Commission appointed representative.

There was discussion surrounding whether or not to continue the hearing or to approve the first reading of the Ordinance, the EID assessments, and how remonstrances worked.

Don Slack, Oregon City resident, explained the possible leases for property owners and whether or not increases could be passed onto their tenants.

A motion was made by Commissioner Mengelberg, seconded by Commissioner

O'Donnell, to continue the hearing for the first reading of Ordinance No. 18-1001, creating the downtown Economic Improvement District to January 17, 2018. The motion carried by the following vote:

Aye: 5 - Commissioner Brian Shaw, Mayor Dan Holladay, Commissioner Nancy Ide, Commissioner Renate Mengelberg and Commissioner Frank O'Donnell

6b.

First Reading of Ordinance No. 18-1002 and Planning files AN 17-01, ZC 17-03, and TP 17-07 for Annexation, Zone Change, and a Subdivision Leland Road

Mayor Holladay opened the public hearing.

Carrie Richter, City Attorney, read the hearing statement. She asked if any Commissioner had any conflicts of interest, ex parte contacts, bias, or any other statements to declare. There were none. Commissioners Ide and Shaw had visited the site.

Christina Robertson Gardiner, Senior Planner, presented the staff report. The Planning Commission had recommended approval of this application. She gave a background on the combined annexation, zone change, and subdivision request. She discussed the subject site, existing zoning, vicinity and connectivity analysis, public comments received, additional Condition #29 regarding stormwater runoff, and approval criteria.

Chris Goodell, AKS Engineering, was representing the applicant. He requested approval of the application with conditions, including the additional Condition #29.

There was discussion regarding the lot sizes, for which the applicant had used lot averaging due to the power line corridor.

William Gifford, Oregon City resident, asked what neighborhood association this property was in. He had hoped access to Wesley Lynn Park would have been included in the application. Ms. Terway said the application was within the Hillendale Neighborhood Association.

Mr. Goodell gave a rebuttal. He confirmed the applicant had attended the June Hillendale Neighborhood Association meeting.

Mayor Holladay closed the public hearing.

A motion was made by Commissioner Ide, seconded by Commissioner Mengelberg, to approve the first reading of Ordinance No. 18-1002 and Planning files AN 17-03, ZC 17-03, and TP 17-07 for Annexation, Zone Change, and a Subdivision on Leland Road with the conditions as amended. The motion carried by the following vote:

Aye: 5 - Commissioner Brian Shaw, Mayor Dan Holladay, Commissioner Nancy Ide, Commissioner Renate Mengelberg and Commissioner Frank O'Donnell

7. General Business

7a.

Request for Financial Support for the Willamette Falls Locks Repair and Re-opening Efforts

Russ Axelrod, Mayor of West Linn, gave a background on the effort to re-open the

Willamette Falls Locks. He presented a funding request for \$14,000 over two years for Oregon City's share of the Willamette Falls Locks Commission's work on the transfer of the governance of the Locks. Five other cities had already committed funding.

There was discussion regarding the budget and the process with the Army Corps of Engineers.

Tony Konkol, City Manager, thought the City could accommodate the request.

A motion was made by Commissioner Shaw, seconded by Commissioner Ide, to authorize the City Manager to move forward with the proposed financial support for the Willamette Falls Locks efforts. The motion carried by the following vote:

Aye: 5 - Commissioner Brian Shaw, Mayor Dan Holladay, Commissioner Nancy Ide, Commissioner Renate Mengelberg and Commissioner Frank O'Donnell

7b.

Second Reading of Ordinance No. 17-1011 and AP 17-05: Appeal of the Planning Commission's Denial of TP 17-03 and ZC 17-02; Zone Change from "R-10" Single-Family Dwelling District to "R-8" Single-Family Dwelling District and a Subdivision of 77 lots (Wheeler Farm) Located near White Lane and Orchard Grove Drive

Ms. Richter said although the record was closed, she had to ask the Commission if they had any ex parte contacts, conflicts of interest, bias, or any other statements to declare since the last hearing on this matter. There was none.

Ms. Richter acknowledged at the City Commission Work Session on December 12, 2017 the Mayor expressed concerns about how the Planning Commission resolved this case. None of those comments related to the substance of the application nor did they reflect any prejudgment of the application. The minutes of that Work Session would not be included in the record unless the City Commission re-opened the record to allow them to be included.

A motion was made by Commissioner Mengelberg, seconded by Commissioner Ide, to approve the second reading and final adoption of Ordinance No. 17-1011 and AP 17-05: appeal of the Planning Commission's denial of TP 17-03 and ZC 17-02; Zone Change from "R-10" Single-Family Dwelling District to "R-8" Single-Family Dwelling District and a Subdivision of 77 lots (Wheeler Farm) located near White Lane and Orchard Grove Drive. The motion carried by the following vote:

Aye: 4 - Commissioner Brian Shaw, Mayor Dan Holladay, Commissioner Nancy Ide and Commissioner Renate Mengelberg

Nay: 1 - Commissioner Frank O'Donnell

7c.

Second Reading of Ordinance No. 17-1013, Amending the Oregon City Municipal Code Title 13, Public Services, Section 13.20 System Development Charge for Capital Improvements

A motion was made by Commissioner Shaw, seconded by Commissioner Mengelberg, to approve the second reading and final adoption of Ordinance No. 17-1013, amending the Oregon City Municipal Code Title 13, Public Services, Section 13.20 System Development Charge for Capital Improvements. The motion carried by the following vote:

Aye: 5 - Commissioner Brian Shaw, Mayor Dan Holladay, Commissioner Nancy Ide, Commissioner Renate Mengelberg and Commissioner Frank O'Donnell

7d. Resolution No. 17-32 Declaring an Emergency and Exempting Won by One from Planning Code Requirements on a Temporary Basis

Ms. Terway said the City had received a request from Won by One to open a temporary warming shelter for up to 34 individuals. The shelter would be open until March 15, 2018.

A motion was made by Commissioner Ide, seconded by Commissioner Mengelberg, to approve Resolution No. 17-32 declaring an emergency and exempting Won by One from Planning Code requirements on a temporary basis. The motion carried by the following vote:

Aye: 5 - Commissioner Brian Shaw, Mayor Dan Holladay, Commissioner Nancy Ide, Commissioner Renate Mengelberg and Commissioner Frank O'Donnell

8. Consent Agenda

A motion was made by Commissioner Shaw, seconded by Commissioner Ide, to approve the consent agenda. The motion carried by the following vote:

Aye: 5 - Commissioner Brian Shaw, Mayor Dan Holladay, Commissioner Nancy Ide, Commissioner Renate Mengelberg and Commissioner Frank O'Donnell

8a. Purchase and Sale Agreement for 1220 Main Street (Municipal Parking Lot) Second Due Diligence Extension Request

8b. Reimbursement for Qualified Public Improvements in Main Street Constructed by the Cove Phase I Garden Apartments Developer

8c. Personal Services Agreement with RH2 Engineering for the Trillium Park Drive Landslide Mitigation Alternatives Analysis

8d. Personal Services Agreement with Murraysmith for the Engineering Services for the High Street Waterline Replacement Project

8e. Award of Public Improvement Contract for the Construction of the 12th & Washington Traffic Signal Installation Project (CI 16-014)

8f. Personal Services Agreement Amendment No. 3 with DECA Architecture, Inc. for the 2016 Public Works Operations Master Plan Update (CI 16-015)

8g. Restrictive Covenant Non-Remonstrance Agreement for the Hunter Hills Subdivision Project - Planning File No. TP 15-06

8h. Public Improvement Contract with Andy Medcalf Construction for Tenant Improvements to the Mt. Pleasant Annex

8i. OLCC: Liquor License Application- On-Premises Sales, New Outlet,

Applying as a Limited Liability Company, White Rabbit Gifts LLC, 503 Main Street, Oregon City, OR 97045

8j. Minutes of the November 7, 2017 Work Session

9. Communications

a. City Manager

Phil Lewis, Community Services Director, announced the Pool Open House on January 5, 2018.

Mr. Underwood gave an update on the number of new businesses in Oregon City this year.

Mr. Konkol discussed upcoming digital story telling workshops by Clackamas Community College, Willamette Falls Legacy Project and Rediscover the Falls, LLC about the Willamette Falls.

b. Commission

Commissioner Mengelberg was the Co-Chair of the Blue Ribbon Task Force for the Beavercreek employment area.

Commissioner Shaw took a tour of Father's Heart. He asked staff to look into tracking how many businesses left the City and the reasons. Mayor Holladay asked for information on how business license renewals were tracked.

c. Mayor

Mayor Holladay wished everyone a happy holiday season.

There was discussion regarding the lack of efficiencies in the C-4 Committee.

10. Adjournment

Mayor Holladay adjourned the meeting at 9:06 PM.

Respectfully submitted,

Kattie Riggs

Kattie Riggs, City Recorder