



City of Oregon City

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

Meeting Minutes - Draft

City Commission

Dan Holladay, Mayor
Rocky Smith, Jr., Commission President
Brian Shaw, Carol Pauli, Renate Mengelberg

Wednesday, April 6, 2016

7:00 PM

Commission Chambers

REVISED

1. Convene Regular Meeting and Roll Call

Mayor Holladay called the meeting to order at 7:01 PM.

Present: 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay and Commissioner Renate Mengelberg

Absent: 1 - Commissioner Carol Pauli

Staffers: 9 - City Manager Tony Konkol, City Attorney William Kabeiseman, John Lewis, Police Chief and Public Safety Director James Band, Human Resources Director Jim Loeffler, City Recorder Kattie Riggs, Finance Director Wyatt Parno, Eric Underwood and Community Services Director Scott Archer

2. Flag Salute

3. Ceremonies, Proclamations

3a. Proclamation Declaring May 1-7, 2016 as Construction Industry Safety Week

Mayor Holladay declared May 1-7, 2016, as Construction Industry Safety Week.

3b. Proclamation Declaring April 9, 2016 as Arbor Day in Oregon City

Mayor Holladay declared April 9, 2016, as Arbor Day in Oregon City.

4. Citizen Comments

There were no citizen comments.

5. Adoption of the Agenda

The agenda was adopted as presented.

6. Public Hearings

7. General Business

7a. Second Reading of Ordinance 16-1003 for Historic Properties LLC Planning Files ZC 15-03: Zone Change and PZ 15-01: Comprehensive Plan Amendment for Property Located Near Beaver Creek Road, Highway 213 and Maple Lane Road

Tony Konkol, City Manager, said staff recommended approval of the second reading of this ordinance. The City received an email that afternoon regarding the bias allegation.

Bill Kabeiseman, City Attorney, said information could be submitted on the bias allegation up until the final decision. The additional information was an affidavit from Richard Wilhelmi stating at the March 2, 2016, hearing the video cut off some of Mr. Nicita's bias allegation testimony which showed an additional evidence of bias and he requested the Commission recuse itself and appoint an independent hearings official to consider this matter. This material was also submitted to the applicant, and the applicant had no objection to the material. Mr. Kabeiseman advised that was alleged did not consist of bias. The materials would be included in the record.

James Nicita, resident of Oregon City, said at the last hearing the Commission voted on whether or not to accept the additional written material. That was not done tonight, and he wondered what the difference was.

Mr. Kabeiseman responded the difference was the uncertainty of the zoning code provision about whether this information could come in this late in the process. Since the Commission voted to allow the last material on the idea that these procedural objections could be made up until the time of the decision, this would follow the same idea.

A motion was made by Commissioner Mengelberg, seconded by Commissioner Smith, to approve the second reading and final adoption of Ordinance 16-1003 for Historic Properties LLC Planning Files ZC 15-03: Zone Change and PZ 15-01: Comprehensive Plan Amendment for Property Located Near Beaver Creek Road, Highway 213 and Maple Lane Road. The motion carried by the following vote:

Aye: 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay and Commissioner Renate Mengelberg

7b. Second Reading of Ordinance 16-1004 for Providence Willamette Falls Medical Center Planning Files ZC 15-04: Zone Change, PZ 15-02: Amendment to the Comprehensive Plan and CP 15-02: Master Plan Amendment

Mr. Konkol reviewed the request for a zone change, Comprehensive Plan amendment, and master plan amendment. He recommended approval of the second reading of the ordinance.

A motion was made by Commissioner Smith, seconded by Commissioner Mengelberg, to approve the second reading and final adoption of Ordinance 16-1004 for Providence Willamette Falls Medical Center Planning Files ZC 15-04: Zone Change, PZ 15-02: Amendment to the Comprehensive Plan and CP 15-02: Master Plan Amendment. The motion carried by the following vote:

Aye: 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay and Commissioner Renate Mengelberg

7c. Second Reading of Ordinance No. 15-1016, Re-adoption of the Beaver Creek Concept Plan

Mr. Konkol said the Commission approved the first reading of the ordinance at the last meeting, and staff was recommending approval of the second reading.

A motion was made by Commissioner Shaw, seconded by Commissioner Smith, to approve the second reading and final adoption of Ordinance No. 15-1016, re-adoption of the Beaver Creek Concept Plan. The motion carried by the following vote:

Aye: 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay and Commissioner Renate Mengelberg

8. Consent Agenda

Commissioner Mengelberg said the grant request for the Glen Oak Park Master Plan looked like a great project that would hit all of the high points that Metro was looking for. She wished the City success in the effort.

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

Aye: 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay and Commissioner Renate Mengelberg

8a. Resolution 16-08 Authorizing Application for a Local Government Grant from the Oregon Parks and Recreation Department for Development of Glen Oak Park

8b. Restrictive Covenant Non-Remonstrance Agreement for the Highland Park Subdivision Project - Planning File No. TP15-01

8c. Personal Services Agreement for the 99E Bluff Waterline Replacement Project

8d. Minutes of the March 2, 2016 Regular Meeting

8e. Minutes of the March 8, 2016 Work Session

9. Communications

a. City Manager

John Lewis, Public Works Director, gave a report on the Fast Act Fastlane grant program, which was an ODOT grant to fund critical freight and highway projects. A \$50 million grant was being requested for the I-205 and McLoughlin Boulevard and Willamette Drive corridor. He explained the project further. Regarding the Dutch Bros. on 10th and Main and traffic back-ups, Dutch Bros. was opening up a new location

and they thought the location would help alleviate the problem. There was a development application for 10th and Main and when that building went in a center median would be installed and a right in, right out only of the property. That should also fix the traffic backing up.

Mr. Konkol said at the May Work Session there would be a discussion regarding affordable housing. Staff was also looking at potential projects for a Metro grant for affordable housing. He then reported on the Riverwalk Open House.

b. Commission

Commissioner Shaw asked if a housing inventory had ever been done. Mr. Konkol said staff was looking at the information already in the Comprehensive Plan. He attended the McLoughlin Neighborhood Association meeting, CIC meeting, and Riverwalk Open House.

Commissioner Smith also attended the Riverwalk Open House.

Commissioner Mengelberg attended the Metro Council meeting, McLoughlin Neighborhood Association meeting, Willamette Legacy Non-Profit Board selection meeting, and Oregon City Economic Main Street Restructuring meeting. She thanked Mr. Lewis for paving done on Division Street.

c. Mayor

Mayor Holladay attended the Willamette Falls Legacy Project partners meeting, Metro Council meeting, C4, and Regional Wastewater Treatment Capacity meeting.

10. Adjournment

Mayor Holladay adjourned the meeting at 7:38 PM.

Respectfully submitted,

Kattie Riggs, City Recorder