



City of Oregon City

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Oregon City, OR 97045
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Meeting Minutes - Draft

City Commission

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

Wednesday, December 5, 2018

7:00 PM

Commission Chambers

REVISED

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: 13 - City Manager Tony Konkol, Assistant City Attorney Carrie Richter, City Recorder Kattie Riggs, Community Development Director Laura Terway, Police Chief and Public Safety Director James Band, Public Works Director John Lewis, Community Services Director Phil Lewis, Finance Director Wyatt Parno, Human Resources Director Patrick Foiles, Economic Development Manager Eric Underwood, Library Director Maureen Cole, Assistant City Recorder Claudia Cisneros and Planner Pete Walter

2. Flag Salute

3. Ceremonies, Proclamations, and Presentations

3a. Natural Resources Committee Annual Update

Doug Neeley, Natural Resources Committee Chair, provided the Natural Resources Committee (NRC) annual update to the Commission. The NRC was requesting to update the Natural Resource Overlay District (NROD), code changes to allow temporary wetland area overlays, code changes to recommend development applications that involved the NROD to make a presentation to the NRC, and hiring a part-time arborist position. They also wished to work with the Greater Oregon City Watershed Council to establish a procedure for naming streams which included public participation. The NRC would like to see Waterboard Park designated as a Geologically Significant Area. They supported a recommendation by the Planning Commission to develop code amendments dealing with tree removal prior to annexation and development proposals. He then discussed presentations that had been made to the NRC.

3b. Planning Commission Annual Update

Denyse McGriff, Planning Commission Chair, along with Damon Mabee, Planning Commission member, presented the Planning Commission annual update. They explained items the Planning Commission would like to recommend for a future work plan. These included updating the Oregon City Comprehensive Plan, updating the

Urban Growth Management Agreement with Clackamas County, amending the Oregon City Municipal Code to include standards regarding tree removal during the local annexation review process, increasing the fee amount paid for tree mitigation, and encouraging a change for a more streamlined review process for short-term and vacation rental uses such as HomeAway and Air B & B.

4. Citizen Comments

William Gifford, resident of Oregon City, discussed the Neighborhood Traffic Fact Sheet that had been created by the Transportation Advisory Committee.

Damon Mabee, resident of Oregon City, stated he had been blocked from the Mayor's social media content and he would like to be unblocked.

5. Adoption of the Agenda

Mayor Holladay moved items 7a. and 6a. to the top of the agenda. The agenda was adopted as amended.

6. Public Hearings

6a. First Reading of Ordinance No. 18-1009, Development Code Amendments including Equitable Housing, Planning file LEG 18-00001

Pete Walter, Planner, presented the staff report on the proposed housing and other development and zoning code amendments. He explained the Code amendment process and public input opportunities. The three options for the Commission were to continue Planning File LEG 18-00001 and Ordinance No. 18-1009 to the January 8, 2019 City Commission Work Session, continue it until the January 16, 2019 City Commission hearing, or approve it. He presented the citizen comments that had been submitted since the agenda had been posted which included comments from Rick Givens, Craig & Debbie DeRusha, Rosalie Nowalk, and Clackamas Community College.

Mayor Holladay opened the public hearing.

Denyse McGriff, Planning Commission Chair, introduced the other members of the Planning Commission in attendance including Damon Mabee, Bob Mahoney, and Tom Geil. Ms. McGriff walked through several items the Planning Commission would like the City Commission to consider when moving forward with the Code amendments such as supporting affordable housing units, adding funds to the budget to update the Comprehensive Plan, zoning manufactured home parks with their own zoning which only allowed for alternative low cost housing options, updating the Urban Growth Management Agreement with Clackamas County, and short-term vacation rental streamlining code.

Mike Mitchell, resident of Oregon City, thought this was great first step, but was concerned about the addition of tree protections, food carts, and transitional shelters. He didn't think the public knew these topics were being discussed and thought they should be taken out of the process and sent back to the Planning Commission for a full public input process.

Debbie DeRusha, resident of Oregon City, discussed limiting the internal conversion age to twenty years and owner occupancy restrictions for ADUs (accessory dwelling

units). Doing internal conversions on older homes could be expensive, there should be inflation consideration for SDC fee credits, and there should be a disincentive for tearing houses down.

Denyse McGriff, resident of Oregon City, agreed with Mr. Mitchell that the City Commission should break down this Code amendment into smaller parts to discuss and receive more public input.

William Gifford, resident of Oregon City, suggested instead of an internal conversion twenty year limitation, there could be a limitation based on the neighborhood the house was in and allow a percentage of homes in that neighborhood to be converted rather than being based on the age of the building.

Tom Geil, resident of Oregon City, thought there was too much information and it was confusing for the public. He suggested the Commission postpone their decision until after the new year and take it piece by piece.

Rick Givens, planning consultant working in Oregon City, explained his concerns with the requirement that a preliminary subdivision plat had to be prepared by a surveyor and the proposed changes to lot size averaging. He asked that the Commission rethink the current proposal.

Bob Mahoney, resident of Oregon City, felt Oregon City needed to keep things simpler and accessible for the public.

Mayor Holladay suggested continuing the hearing to January 16, 2019 when the Commission would take a section at a time to discuss.

Commissioner Mengelberg proposed the following: to address the comments from Rick Givens regarding subdivision plats by adding language to section 16.08.025 as A1, for section 16.08.065 lot size reduction, staying with the 20 percent previously agreed upon for maximum flexibility, support for section 17.12.025 live/work dwellings, under section 17.20.010 eliminate the property owner requirement for Accessory Dwelling Units, under section 17.20.030 eliminating the 20 year limit for internal conversions, under section 17.34.060 the mixed-use downtown dimensional standards for maximum building height should be 75 feet, and under section 17.62.065 - outdoor lighting, she would like to encourage the use of energy efficient lighting such as LED or solar to reduce ongoing electrical demand and operating costs.

Commissioner Shaw would like to see as much density as possible so the Urban Growth Boundary didn't need to be moved until absolutely necessary. He would like to see the lot averaging remain the same, allowing for varied lot sizes.

A motion was made by Commissioner Ide, seconded by Commissioner Shaw, to continue Planning File LEG-18-00001 and Ordinance No. 18-1009 to the January 16, 2019 City Commission meeting. 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. 18-1031, Approving an Annexation, Zone Change (Clackamas County FU-10 to Oregon City R-6), and a 3-Lot Minor Partition for a 0.76 acre property located at 14530 S Maplelane Rd (GLUA-18-00020, AN-18-00002, ZC-18-00001, and MP-18-00004)

It was noted that Commissioner O'Donnell left the meeting at 7:45 PM and Commissioner Ide left the meeting at 8:17 PM.

Mr. Walter presented the staff report. This was a request for annexation of .76 acres, zone change from FU-10 to R-6, and a three lot minor partition. The Planning Commission and staff recommended approval of the application. He discussed the subject site, partition layout, approval criteria, and district/boundary changes.

Carrie Richter, City Attorney, asked if anyone on the Commission had ex parte contacts, conflicts of interest, bias, or any other statements to declare.

Commissioner Shaw had visited the site.

Mayor Holladay opened the public hearing.

There was no public testimony.

Mayor Holladay closed the public hearing.

A motion was made by Commissioner Shaw, seconded by Commissioner Mengelberg, to approve the first reading of Ordinance No. 18-1031 and an Annexation, Zone Change, and a 3-lot Minor Partition for a 0.76 acre property located at 14530 S. Maplelane Rd. The motion carried by the following vote:

Aye: 3 - Commissioner Brian Shaw, Mayor Dan Holladay and Commissioner Renate Mengelberg

6c.

First Reading of Ordinance No. 18-1027, Designating Old Canemah Park as a Park Under Oregon City Charter Chapter X

Phil Lewis, Community Services Director, said the City was in the process of dedicating all of the parks as Charter parks by ordinance. He explained the sections of the park that would be included through tonight's ordinance.

A motion was made by Commissioner Mengelberg, seconded by Commissioner Shaw, to approve the first reading of Ordinance No. 18-1027, designating Old Canemah Park as a park under Oregon City Charter Chapter X. The motion carried by the following vote:

Aye: 3 - Commissioner Brian Shaw, Mayor Dan Holladay and Commissioner Renate Mengelberg

7. General Business

7a.

Resolution No. 18-45, Naming Tyrone S. Woods Memorial Park

Phil Lewis, Community Services Director, presented the staff report recommending the park formerly known as Glen Oak Park be permanently re-named Tyrone S. Woods Memorial Park. Mr. Lewis walked through the process that had been used to re-name this park and explained the significance of Tyrone S. Woods, an Oregon City resident who gave his life in service to our country.

Kattie Riggs, City Recorder, submitted a citizen comment from Shawn Datchler into the record and noted a scrivener's error on the fifth Whereas in the Resolution, the date should have read October 25, 2018.

The Mayor invited the family and friends of Tyron S. Woods to speak.

Cheryl Croft-Bennett, resident of Oregon City and mother of Tyrone S. Woods, was honored by this gesture, thanked the Commission, and introduced the group with her.

A motion was made by Commissioner Shaw, seconded by Commissioner Mengelberg, to approve Resolution No. 18-45, naming Tyrone S. Woods Memorial Park. 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. Resolution No. 18-34, Supporting the National Flood Insurance Program's Community Rating System 2018 Recertification for Oregon City

John Lewis, Public Works Director, explained this resolution validated the flood insurance program that the City already had. He explained the areas that were covered under this insurance.

A motion was made by Commissioner Shaw, seconded by Commissioner Mengelberg, to approve Resolution No. 18-34, supporting the National Flood Insurance Program's Community Rating System 2018 Recertification for Oregon City. The motion carried by the following vote:

Aye: 3 - Commissioner Brian Shaw, Mayor Dan Holladay and Commissioner Renate Mengelberg

7c. Second Reading of Ordinance No. 18-1023, Designating Canemah Slope Park as a Park Under Oregon City Charter Chapter X

Mr. Phil Lewis explained this was the second reading to dedicate additional parks as Charter parks by ordinance and he would answer any questions.

A motion was made by Commissioner Shaw, seconded by Commissioner Mengelberg, to approve the second reading and final adoption of Ordinance No. 18-1023, designating Canemah Slope Park as a park under Oregon City Charter Chapter X. The motion carried by the following vote:

Aye: 3 - Commissioner Brian Shaw, Mayor Dan Holladay and Commissioner Renate Mengelberg

7d. Second Reading of Ordinance No. 18-1024, Designating the Straight Pioneer Cemetery as a Park Under Oregon City Charter Chapter X

A motion was made by Commissioner Shaw, seconded by Commissioner Mengelberg, to approve the second reading and final adoption of Ordinance No. 18-1024, designating Straight Pioneer Cemetery as a park under Oregon City Charter Chapter X. The motion carried by the following vote:

Aye: 3 - Commissioner Brian Shaw, Mayor Dan Holladay and Commissioner Renate Mengelberg

7e. Second Reading of Ordinance No. 18-1026, Designating Stafford Park as a Park Under Oregon City Charter Chapter X

A motion was made by Commissioner Mengelberg, seconded by Commissioner Shaw, to approve the second reading and final adoption of Ordinance No. 18-1026, designating Stafford Park as a park under Oregon City Charter Chapter X. The motion carried by the following vote:

Aye: 3 - Commissioner Brian Shaw, Mayor Dan Holladay and Commissioner Renate Mengelberg

7f. Second Reading of Ordinance No. 18-1028, Designating the Pioneer Community Center as a Park Under Oregon City Charter Chapter X

A motion was made by Commissioner Shaw, seconded by Commissioner Mengelberg, to approve the second reading and final adoption of Ordinance No. 18-1028, designating Pioneer Community Center as a park under Oregon City Charter Chapter X. The motion carried by the following vote:

Aye: 3 - Commissioner Brian Shaw, Mayor Dan Holladay and Commissioner Renate Mengelberg

8. Consent Agenda

Mayor Holladay pulled item 8b. from the Consent Agenda to discuss.

A motion was made by Commissioner Mengelberg, seconded by Commissioner Shaw, to approve the consent agenda except for item 8b. The motion carried by the following vote:

Aye: 3 - Commissioner Brian Shaw, Mayor Dan Holladay and Commissioner Renate Mengelberg

8a. Resolution No. 18-29, Vacating a Section of Public Right-of-Way Adjacent to 16433 Front Avenue

8b. Resolution No. 18-43, Supporting the Clackamas County-wide Tobacco Retail License

Tony Konkol, City Manager, said Clackamas County gave a presentation to the Commission on implementing a tobacco retail license. They had requested a resolution in support of the program.

Mayor Holladay was not in favor of placing another tax on small businesses, especially since he thought it would not change behaviors.

Commissioner Shaw thought it would help provide protection to minors.

A motion was made by Commissioner Mengelberg, seconded by Commissioner Shaw, to approve Resolution No. 18-43, supporting the Clackamas County-wide Tobacco Retail License. The motion carried by the following vote:

Aye: 2 - Commissioner Brian Shaw and Commissioner Renate Mengelberg

Nay: 1 - Mayor Dan Holladay

8c. Resolution No. 18-44, Certifying the Election Results for the November 6, 2018 General Election

- 8d. Transparency and Open Government: 2019-2023 Strategic Plan for Records and Information Management
- 8e. Minutes of the October 9, 2018 Work Session
- 8f. Minutes of the September 19, 2018 Regular Meeting
- 8g. Minutes of the September 19, 2018 Work Session
- 8h. Minutes of the September 19, 2018 Joint Work Session with Parks and Recreation Advisory Committee

9. Communications

a. City Manager

Mr. Underwood announced that Business Oregon would be having their Commission meeting, highlighting the Beavercreek Employment Area, at the Industrial Technical Center at Clackamas Community College, 11 AM - 1 PM on Friday, December 7, 2018.

Mr. John Lewis announced the Oregon Transportation Commission approved the alternate mobility targets. The Public Works department conducted an online survey to solicit feedback regarding a speed zone change on Central Point Road and the State would be reducing the speed to 35 mph from the City limits until the intersection.

Mr. Konkol announced the City Commission Work Session on December 11, 2018 would be cancelled and there would be an open house farewell celebration for Commissioners Shaw and Mengelberg prior to the December 19, 2018 City Commission Meeting.

b. Commission

Commissioner Shaw presented the City with the Silver Safety Award from the Citycounty Insurance Conference during the summer. He also congratulated Wyatt Parno for his communication during with the former water leak work.

c. Mayor

Mayor Holladay announced that Wyatt Parno, Finance Director, was the interim General Manager of South Fork Water Board while the current General Manager, John Collins, was out on medical leave.

10. Adjournment

Mayor Holladay adjourned the meeting at 8:44 PM.

Respectfully submitted,

Kattie Riggs, City Recorder