



City of Oregon City

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

Meeting Minutes - Draft

City Commission

Wednesday, May 1, 2019

7:00 PM

Commission Chambers

1. Convene Regular Meeting and Roll Call

Mayor Holladay called the meeting to order at 7:03 PM.

Present: 5 - Mayor Dan Holladay, Commissioner Frank O'Donnell, Commissioner Rachel Lyles Smith, Commissioner Rocky Smith Jr. and Commissioner Denyse McGriff

Staffers: 10 - City Manager Tony Konkol, Assistant City Attorney Carrie Richter, City Recorder Kattie Riggs, Police Chief and Public Safety Director James Band, Community Development Director Laura Terway, Community Services Director Phil Lewis, Finance Director Wyatt Parno, Human Resources Director Patrick Foiles, Public Works Director John Lewis and Library Director Maureen Cole

2. Flag Salute

3. Ceremonies, Proclamations

3a. Proclamation for Historic Preservation Month and Presentation of Award

Mayor Holladay read the proclamation declaring May 2019 as Historic Preservation Month.

Laura Terway, Community Development Director, explained the Historic Preservation Month activities in the City.

Commissioner Smith presented the 2019 Ruth McBride Powers Preservation Award to David and Vikki Gackle for their work on the Mary Harris and George Clark houses on 14th Street.

4. Citizen Comments

Mike Mitchell, resident of Oregon City, expressed concern about the City's priorities, such as when a group asked for a large sum of money from the City for improvements at Latourette Park and it had not been vetted through the Park and Recreation Advisory Committee (PRAC). He thought there needed to be a process for these types of requests.

Bob Mahoney, resident of Oregon City, discussed a pedestrian fatality and the need for improvements, especially when the Riverwalk was built. He suggested developing a brochure to explain how to safely walk around town.

Jim Band, Police Chief, explained the fatality and how City staff had investigated

improvements that might need to be made.

Paul Edgar, resident of Oregon City, discussed a public safety issue of a site-obscuring fence at the intersection of 3rd and Ganong.

Commissioner McGriff agreed that intersection was a problem.

Joe Greenman, resident of West Linn, was there as the representative of the Governor's Commission on Senior Services. He announced the Commission would be holding its next meeting on June 13, 2019 at the West Linn Adult Center.

Christine Kosinski, resident of unincorporated Clackamas County, discussed the Oregon City addendum to the Clackamas County Multi-Jurisdictional Natural Hazard Mitigation Plan and addressing Goal 7. She also discussed landslides and public safety.

5. Adoption of the Agenda

There was consensus to move agenda items 7a and 7b up first and to take public testimony on item 6a, but to continue deliberations to May 15, 2019. The Commission Rules of Procedure was pulled from the Consent Agenda.

Mayor Holladay left the meeting at 7:40 PM due to a medical issue and Commission President O'Donnell ran the remainder of the meeting.

Present: 4 - Commissioner Frank O'Donnell, Commissioner Rachel Lyles Smith, Commissioner Rocky Smith Jr. and Commissioner Denyse McGriff

Absent: 1 - Mayor Dan Holladay

6. Public Hearings

6a. Development Code Amendments Including Equitable Housing (Planning File LEG 18-00001)

Commission President O'Donnell opened the public hearing.

George Thomas, resident of Oregon City, was confused about comments that had been made about the fairness of annexations being approved without a vote of the people especially regarding an annexation that had been defeated three times by voters.

Commissioner O'Donnell suggested he meet with staff to go over the details of the process and resolving the City Charter with SB 1573.

Nick Dierchman, resident of Oregon City, discussed the differences between warming shelters and shelters in general. He was concerned about charging a fee to the warming shelters.

Nancy Ide, resident of Oregon City, read the written comments of Joey Bixler who had to leave the meeting. She was not in favor of a fee for warming shelters. Ms. Ide discussed the definition of warming shelter. She thought a Conditional Use for transitional or day shelters was logical, however warming shelters were a different use and should be separated.

Doug Neeley, resident of Oregon City, spoke in favor of making warming shelters a separate use as they were only open a short time during the year. They should not be required to pay a fee. Regarding Accessory Dwelling Units, if they were being requested on a historic property, they should go through the Historic Review Board process.

Nancy Ide, resident of Oregon City, encouraged the Commission to create a new definition for emergency shelters and add them to permitted uses.

Tom Geil, resident of Oregon City, clarified the annexation of an area in Park Place that had been defeated by voter annexation three times, but had been allowed to come in through SB 1573. Citizens had voted no due to lack of infrastructure.

There was discussion regarding the definitions for shelter.

A motion was made by Commissioner McGriff, seconded by Commissioner Smith, to continue the hearing for the Development Code amendments including equitable housing (Planning File LEG 18-00001) to May 15, 2019. The motion carried by the following vote:

Aye: 4 - Commissioner Frank O'Donnell, Commissioner Rachel Lyles Smith, Commissioner Rocky Smith Jr. and Commissioner Denyse McGriff

7. General Business

7a. Resolution No. 19-07, Adjusting Alarm System User Permit Fees to Become More Consistent within the Region

Chief Band stated the alarm system user permit fees had been adjusted as the Commission suggested and he explained the changes including a definition for low income.

Kattie Riggs, City Recorder, pointed out a scrivener's error on the effective date. The date would be changed to July 1, 2019.

A motion was made by Commissioner Smith, seconded by Commissioner McGriff, to approve Resolution No. 19-07, adjusting alarm system user permit fees to become more consistent within the region as amended. The motion carried by the following vote:

Aye: 4 - Commissioner Frank O'Donnell, Commissioner Rachel Lyles Smith, Commissioner Rocky Smith Jr. and Commissioner Denyse McGriff

7b. Buena Vista Club House

Commissioner McGriff declared she was a member of the McLoughlin Neighborhood Association and Friends of the Buena Vista Club House.

Phil Lewis, Community Services Director, asked for direction on the request to reconnect power to the house. The cost would be \$5,000 to reconnect, which would be provided by the Friends group. There would be no additional costs to the City for insurance, however there would be an ongoing monthly payment for the electric bill of \$500-\$600 per year. The Friends group also provided a work plan for the property.

Damon Mabee, resident of Oregon City and Chair of the Friends group, said they were trying to preserve a historic building. They wanted to supplement the work the City

should be doing. It was not their intent to take over the building. He thought the electric bill was a minimum expense to the City and the Friends would like a key to the house so they could access it after business hours.

Commissioner Smith suggested the City pay the \$5,000 to connect the electricity and to pay the ongoing electric bill.

Roger Fowler-Thias, resident of Oregon City and president of the Oregon City Parks Foundation, said he picked up the key to the Pioneer Center for meetings and returned it the next day. He thought that arrangement could be done for the Friends group.

Mr. Mabee clarified the Friends group had raised the \$5,000 for the specific purpose of reconnecting the power to the house.

A motion was made by Commissioner Smith, seconded by Commissioner McGriff, to approve the Friends group payment of \$5,000 for the connection of the electricity and the ongoing expenditure of the electric bill would be paid by the City. The motion passed by the following vote:

Aye: 3 - Commissioner Rachel Lyles Smith, Commissioner Rocky Smith Jr. and Commissioner Denyse McGriff

Nay: 1 - Commissioner Frank O'Donnell

Commissioner Smith wanted to make sure the City was taking responsibility for the building and thought they should match the \$5,000 of the Friends group.

Commissioner O'Donnell thought they should get estimates first of what it would cost to save the building before allocating money to it. He thought they should work with the Friends group to decide what standard they wanted to bring the house up to and get estimates and then make a decision.

Commissioner Lyles Smith agreed with Commissioner O'Donnell. The park budget and deferred maintenance was high on the Commission's priority list and she did not think this topic would fall off of the radar.

Commissioner McGriff said the Friends group was approaching this in a phased manner and planned to work with the City.

Mr. Mabee said the Friends group was currently working on the basics to get the building safe and usable and then would work with the City on a long-term solution.

Mr. Lewis said staff planned to work with the Friends group to decide what the phased approach should be. The Building Official had specified the requirements to reopen the house as a meeting space. They could identify the scope of work using that as a template and present it to the Commission.

Commissioner O'Donnell thought the first step should be getting the costs associated with the requirements to remove the red tag on the building as well as the costs associated with the long-term solution by July 30, 2019.

A motion was made by Commissioner Smith, seconded by Commissioner McGriff, to set aside \$5,000 in the upcoming City's biennial budget to the Buena Vista Club House. The motion failed by the following vote:

Aye: 2 - Commissioner Rocky Smith Jr. and Commissioner Denyse McGriff

Nay: 2 - Commissioner Frank O'Donnell and Commissioner Rachel Lyles Smith

Commissioner McGriff said there was an opportunity to move forward with the local designation of this building and she asked for permission for an application to be filed.

There was consensus for staff to bring back the implications of that decision for further discussion.

Mr. Lewis would work with the Friends group regarding access to the house.

A motion was made by Commissioner McGriff, seconded by Commissioner O'Donnell, to direct staff to bring back estimates for the Buena Vista Club House by July 30, 2019. The motion carried by the following vote:

Aye: 4 - Commissioner Frank O'Donnell, Commissioner Rachel Lyles Smith, Commissioner Rocky Smith Jr. and Commissioner Denyse McGriff

8. Consent Agenda

A motion was made by Commissioner McGriff, seconded by Commissioner Smith, to approve the consent agenda except item 8a. The motion carried by the following vote:

Aye: 4 - Commissioner Frank O'Donnell, Commissioner Rachel Lyles Smith, Commissioner Rocky Smith Jr. and Commissioner Denyse McGriff

8a. Resolution No. 19-11, Approving the Fourth Amendment to the City Commission Rules of Procedure

Commissioner Smith discussed Section 3A where it stated all regular meetings would be adjourned no later than 10 PM unless there was unanimous approval to extend it to no later than 11 PM. He recommended changing the wording to a majority approval to extend a meeting to no later than 11 PM.

Commissioner McGriff suggested on Section 3C regarding work sessions to delete the wording about allowing public testimony if agreed upon by the majority. She thought the Commission wanted to allow public testimony at all work sessions, not piecemeal.

Amy Willhite, resident of Oregon City, discussed the public testimony allowed at the Citizen Involvement Committee (CIC) meetings. She thought they should leave out the word majority.

Commissioner Lyles Smith asked for an update on the start times for City committee meetings. Tony Konkol, City Manager, clarified all the regular meetings for the City Commission, Planning Commission, and Historic Review Board begin at 7 PM with work sessions at 6 PM.

A motion was made by Commissioner McGriff, seconded by Commissioner Lyles Smith, to approve Resolution No. 19-11, approving the fourth amendment to the City Commission Rules of Procedure with the two changes that had been discussed. The motion carried by the following vote:

Aye: 4 - Commissioner Frank O'Donnell, Commissioner Rachel Lyles Smith, Commissioner Rocky Smith Jr. and Commissioner Denyse McGriff

8b. Resolution No. 19-10, Adopting Updated Public Works Water

Distribution System Design Standards

- 8c. Personal Services Agreement Amendment No. 2 with C&R Reforestation for the Landscape Maintenance Services for the Stormwater Division of Public Works
- 8d. Personal Services Agreement Amendment No. 2 with DeSantis Landscapes, Inc. for the Landscape Maintenance Services for the Street Division of Public Works
- 8e. Personal Services Agreement Amendment No.2 with DeSantis Landscapes, Inc. for the Landscape Maintenance Services for the Water Division of Public Works
- 8f. Personal Services Agreement Amendment No.2 with DeSantis Landscapes, Inc. for the Landscape Maintenance Services of Urban Renewal Properties
- 8g. Minutes of the March 6, 2019 Regular Meeting

9. Communications**a. City Manager**

John Lewis, Public Works Director, gave an update on the rocks that fell on the stairway and path descending the bluff and some recommended solutions.

Chief Band gave an update on the new Police building design and how they would incorporate some of the architectural details of the old school building. The application would go to the Planning Commission and there would be a special open house at the school, both in June.

Commissioner McGriff wanted to salvage as much of the building materials as possible and repurpose them rather than putting it all in the landfill.

Commissioner Smith said there needed to be lighting on the window archway in the plaza. He also thought a plan needed to be in place for people who wanted to observe the building coming down.

b. Commission

Commissioner McGriff attended the Willamette Falls Heritage Area Coalition meeting and met with Downtown Oregon City Association staff.

Commissioner Smith asked for an update on the other cities who were fighting against SB 1573.

c. Mayor

10. Adjournment

Commission President O'Donnell adjourned the meeting at 9:58 PM.

Respectfully submitted,

Kattie Riggs, City Recorder