



City of Oregon City

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

Meeting Minutes - Draft

City Commission

Wednesday, October 2, 2019

7:00 PM

Commission Chambers

REVISED

1. Convene Regular Meeting and Roll Call

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

Present: 4 - Mayor Dan Holladay, Commissioner Frank O'Donnell, Commissioner Rachel Lyles Smith and Commissioner Rocky Smith Jr.

Absent: 1 - Commissioner Denyse McGriff

Staffers: 11 - City Manager Tony Konkol, City Attorney William Kabeiseman, City Recorder Kattie Riggs, Police Chief and Public Safety Director James Band, Community Development Director Laura Terway, Public Works Director John Lewis, Community Services Director Phil Lewis, Finance Director Wyatt Parno, Human Resources Director Patrick Foiles, Planner Kelly Reid and Sr. Planner Pete Walter

2. Flag Salute

3. Ceremonies, Proclamations

3a. Proclamation Celebrating Dr. John McLoughlin's 235th Birthday

Mayor Holladay read the proclamation and invited Former Mayor Doug Neeley and John Salisbury to speak. They announced the celebration of Dr. John McLoughlin's 235th Birthday on Saturday, October 19, 2019, 11 a.m. to 3 p.m., at the McLoughlin House National Park.

4. Citizen Comments

Jeff Jones, resident of Oregon City, thanked the City Commission, City staff, and specifically the Public Works and Police Departments for the changes made to the Creed Street viewpoint.

Roger Fowler-Thias, resident of Oregon City, on behalf of the Oregon City Parks Foundation there will be an ivy pull event in Waterboard Park, Saturday, October 26, 2019, 9 a.m. - 12 p.m.

Andrew Worthington, resident of Oregon City, shared an idea and concerns regarding affordable housing in Oregon City.

5. Adoption of the Agenda

Agenda was adopted as presented.

6. Public Hearings

6a. First Reading of Ordinance No. 19-1009, Amending the Oregon City Municipal Code Chapter 17.40 Historic Overlay District

Laura Terway, Community Development Director, presented the staff report which explained the changes that included clarifying competing requirements regarding administrative review, amending the definition of new construction as it applies to Historic Review Board, adding that any changes to the Historic Review Board Policies will come before the City Commission.

Mayor Holladay opened the public hearing.

James Nicita, resident of Oregon City, submitted a document for the record and voiced his concerns regarding the deletion of subsection K, construction of fences on historic sites, in the policy. He was concerned about the timing of these changes and would affect an already discussed issues at 302 3rd Avenue in Canemah, that he thought the Commission had asked to return for further discussion. Mr. Nicita provided the Commission with his amendment to subsection K. He asked the Commission to table this item until after finalizing the 302 3rd Avenue discussion.

Mayor Holladay closed the public hearing.

Commissioner Rachel Lyles Smith asked the City Attorney to separate-out, very simply, regarding Mr. Nicita's concerns with the Code of 1985, 1986, the recommended amendments, and the 302 3rd Avenue property.

Bill Kabeiseman, City Attorney, explained it wouldn't be easy to separate-out the concerns of Mr. Nicita but continued by stating that his understanding of Mr. Nicita's main issue was that somehow the changes in the Code would mean that the fence that was built sometime in the mid-1980s would not be subject to review in some way. Mr. Kabeiseman stated that the proposed Code amendments doesn't change the criteria that would have to be applied to the 302 3rd Avenue fence or any other fence. It just makes the Code work a little bit better because the process that is set out in subsection K, doesn't fit with the rest of the City's process. It would apply to new development and they would need to abide by the policies or go to the Historic Review Board.

Mayor Holladay responded to Mr. Nicita's comments that City staff was keeping something from the Commission and said that was not happening. He said the last time the 302 3rd Avenue property was discussed the Commission had asked staff to look at all the encroachments in the right-of-way as a holistic approach. He didn't feel passing the proposed Code changes had any effect on that holistic approach discussion.

Tony Konkol, City Manager, explained the items City staff was preparing to bring back to the Commission, including the Addleman property (302 3rd Avenue).

There was discussion regarding the necessity of bringing the Addleman property (302 3rd Avenue) back to the Commission and there was consensus from the Commission that City staff did not need to bring that item back for discussion.

A motion was made by Commissioner Lyles Smith, seconded by Commissioner Smith, to approve the first reading of Ordinance No. 19-1009, Amending the Oregon City Municipal Code Chapter 17.40 Historic Overlay District. The motion carried by the following vote:

Aye: 4 - Mayor Dan Holladay, Commissioner Frank O'Donnell, Commissioner Rachel Lyles Smith and Commissioner Rocky Smith Jr.

7. General Business

There were no general business items.

8. Consent Agenda

A motion was made by Commissioner Smith, seconded by Commissioner Lyles Smith, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 4 - Mayor Dan Holladay, Commissioner Frank O'Donnell, Commissioner Rachel Lyles Smith and Commissioner Rocky Smith Jr.

- 8a.** Resolution No. 19-33, Supporting 2022-2024 Regional Flexible Funds for the Highway 99E Biking and Walking Project (McLoughlin Boulevard Phase 3)

- 8b.** Personal Service Agreement with Friends of Trees for Neighborhood Tree Planting and Pruning

Commissioner Rachel Lyles Smith asked to discuss agenda item number 8b. Personal Services Agreement with Friends of Trees.

Ms. Terway provided a staff report explaining the request for the contract.

Commissioner Lyles Smith requested clarification on the scope of work where it stated plantings would be in select neighborhoods and she wanted to know how select neighborhoods were chosen. She hoped this was more of an equitable offering to every neighborhood in Oregon City, not just select neighborhoods.

Ms. Terway explained that when the program originally began it was a small program starting with just one area and expanding over time. It was started with small areas at first, so that the City could delineate between public right of way and planter strips before proceeding to extend the program out to larger areas. The program also required resources to go door-to-door and there was a lack of capacity to begin the program City-wide. There are options to do special projects and plantings in any area as long as there are the resources.

Commissioner Lyles Smith doesn't want to support a program that only services three or four neighborhoods out of twelve neighborhoods, she wants to ensure there are ways to include all neighborhoods even if it moves around from year to year. She also requests that for the next contract, the City goes out for bid to provide opportunities about every five years.

- 8c.** Intergovernmental Agreement with Clackamas County for Building Division Assistance

- 8d. Contract for Spacesaver Specialists, Inc. for a High-Density Mobile Storage System for the Police and Municipal Courts Building
- 8e. Minutes of the July 9, 2019 Work Session
- 8f. Minutes of the July 17, 2019 Regular Meeting

9. Adjournment

Mayor Holladay adjourned the meeting at 7:40 PM.

Respectfully submitted,

Kattie Riggs, City Recorder