



City of Oregon City

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

Meeting Minutes City Commission

Doug Neeley, Mayor
Betty Mumm, Commission President
Kathy Roth, Carol Pauli, Rocky Smith, Jr.

Wednesday, April 16, 2014

7:00 PM

Commission Chambers

1. Convene Regular Meeting and take Roll Call

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

Present: 5 - Mayor Doug Neeley, Commissioner Rocky Smith, Commissioner Betty Mumm, Commissioner Carol Pauli and Commissioner Kathy Roth

Staffers: 10 - City Manager David Frasher, City Attorney Ed Sullivan, Police Chief and Public Safety Director James Band, Public Works Director John Lewis, Community Development Director Tony Konkol, Community Services Director Scott Archer, City Recorder Nancy Ide, Human Resources Director Jim Loeffler, Finance Director Wyatt Parno and Planner Christina Robertson-Gardiner

2. Flag Salute

3. Ceremonies, Proclamations, Presentations

- 3a. [14-241](#) Presentation by Rep. Brent Barton - Question/Answer Session on How Legislation is Affecting Oregon City

Representative Brent Barton gave a presentation on medical marijuana legislation, Cover Oregon, Willamette Falls Legacy Project funding, shortcomings of the last legislative session, and how he planned to propose a constitutional amendment in 2015 or rule change in 2016 for a super majority requirement in the short session.

There was discussion regarding medical marijuana and Sasha the Gladstone Lynx.

- 3b. [14-237](#) Proclamation Declaring April 2014 as Grange Month

Mayor Neeley read the proclamation declaring April 2014 as Grange Month.

Dick Wanker, representing Redland Grange #796, gave a history of the Redland Grange and granges in Clackamas County and how they benefited the community.

- 3c. [14-231](#) Proclamation Declaring April 26, 2014 as Arbor Day in Oregon City

Mayor Neeley read the proclamation declaring April 26, 2014, as Arbor Day in Oregon City. Arbor Day coincided with the First City Clean Up Day at Clackamette Park.

Tony Konkol, Community Development Director, said the City partnered with the Rotary Club to do clean up and tree planting at McLoughlin Elementary School.

Scott Archer, Community Services Director, said the Parks department had planted 30 new trees over the last few weeks.

Mayor Neeley said the City had also instituted a Heritage Tree designation.

3d. [14-240](#) 2014 Preservation Month Photo Contest

Christina Robertson-Gardiner, Planner, and Karin Morey, Clackamas County Historical Society, announced the 2014 Preservation Month Photo Contest which would run May 1 to June 15. The theme this year was New Age of Preservation: Embark, Inspire, Engage. Ms. Morey thanked the sponsors of the contest. The winners would be announced in July.

4. Citizen Comments

Christine Kosinski, resident of unincorporated Clackamas County, discussed the traffic on Maple Lane between Holly and Beavercreek. There were more people walking and biking on Maple Lane due to recent new development and it was an unsafe situation as cars were speeding in the area.

5. Adoption of the Agenda

The agenda was adopted as presented.

6. Public Hearings

6a. [14-229](#) Continuation of ZC 13-02: Zone Change from R-10 Single-Family Dwelling District to R-8 Single-Family Dwelling District for multiple properties located on Woodlawn Avenue.

Mr. Konkol requested a continuance for this zone change application to May 7, 2014.

Mayor Neeley opened the public hearing.

There was no public testimony.

Mayor Neeley closed the public hearing.

A motion was made by Commissioner Roth, seconded by Commissioner Smith, to continue ZC 13-02: Zone Change from R-10 single-family dwelling district to R-8 single-family dwelling district for multiple properties located on Woodlawn Avenue to May 7, 2014. The motion carried by the following vote:

Aye: 5 - Mayor Doug Neeley, Commissioner Rocky Smith, Commissioner Betty Mumm, Commissioner Carol Pauli and Commissioner Kathy Roth

7. General Business

7a. [14-239](#) Second Reading, Ordinance No. 13-1016: South End Concept Plan, Amending the Oregon City Comprehensive Plan.

Paul Edgar, resident of Oregon City, discussed a zone change in Park Place for a 29 house development going from R-10 to R-8 on the fringe. There were a lot of options there, but on South End it was one road in, one road out and 54% of the property

would be R-2 and R-3. There were many other places in the City that could be used for high density where there were transportation options and it made common sense.

Christine Kosinski, resident of unincorporated Clackamas County, was concerned that the current steep slope and landslide regulations for the City were not as comprehensive as they should be. City staff stated the low, moderate and high risk areas were monitored; however, it was not written in the regulations. The landslide regulations that were promised in 2008 were never written and she wondered if the steep slope regulations were used. She asked what was more important, the collection of SDCs and property taxes or the safety of citizens. Stage 2 of the steep slope landslide regulations needed to be written and applied to both the South End Concept Plan and all future development within the City's boundaries.

Commissioner Mumm would vote no to be consistent with her previous vote on the Plan.

Commissioner Pauli asked about the status of the Stage 2 regulations. John Lewis, Public Works Director, said the City was adopting the new DOGAMI maps but were not proposing any changes to the steep slopes code.

Commissioner Mumm thought it should be brought back to a work session. David Frasher, City Manager, would look into it and report back to the Commission.

A motion was made by Mayor Neeley, seconded by Commissioner Smith, to approve the second reading and final adoption of Ordinance No. 13-1016: South End Concept Plan, amending the Oregon City Comprehensive Plan. The motion carried by the following vote:

Aye: 3 - Mayor Doug Neeley, Commissioner Rocky Smith and Commissioner Carol Pauli

Nay: 2 - Commissioner Betty Mumm and Commissioner Kathy Roth

7b. [14-238](#)

Second Reading, Ordinance No.13-1017: Adoption of the South End Concept Plan, Implementing Zoning Code.

Commissioner Mumm would be voting yes to be consistent with past votes. She thought the zoning codes could be amended over time.

Christine Kosinski, resident of unincorporated Clackamas County, clarified her previous testimony regarding the previous City Engineer's instructions for Stage 2 landslide regulations. She thought if the regulations were not written, they would not be done.

Mr. Konkol said the City not only regulated based on slope, but also created buffers around those slopes and incorporated historic landslide areas.

There was discussion regarding the past and current regulations. Staff thought the current requirements were quite robust and stringent.

Paul Edgar, resident of Oregon City, said as the land use chair for the Canemah Neighborhood Association, he had been tracking houses that had been built in the Canemah area. Two houses had been built on steep slopes and were in violation of City Code. Metal roofs were not allowed in the historic district, but the HRB passed it through. The Code was not being watched over and followed like it should.

Mayor Neeley said Neighborhood Associations could appeal decisions to the City Commission. Mr. Edgar replied sometimes it was impossible to schedule a meeting

of the neighborhood association to get concurrence in time for an appeal and there were times the Commission approved things even after the neighborhood appealed it.

William Gifford, resident of Oregon City, discussed the process for how things were handled in a neighborhood association. One of the things in the Hillendale Neighborhood Association bylaws was for time sensitive decisions, allowing the executive committee the authority to act on behalf of the association provided they tried to contact the general membership by email or phone to get consensus.

Mayor Neeley said there were instances where things were built after the Code was changed because it was approved prior to the adoption of those changes. Mr. Konkol said in areas like Canemah they needed to allow the owner to build something somewhere on the lot or it was a taking.

A motion was made by Commissioner Mumm, seconded by Commissioner Smith, to approve the second reading and final adoption of Ordinance No.13-1017: Adoption of the South End Concept Plan, implementing Zoning Code. The motion carried by the following vote:

Aye: 4 - Mayor Doug Neeley, Commissioner Rocky Smith, Commissioner Betty Mumm and Commissioner Carol Pauli

Nay: 1 - Commissioner Kathy Roth

8. Consent Agenda

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

Aye: 5 - Mayor Doug Neeley, Commissioner Rocky Smith, Commissioner Betty Mumm, Commissioner Carol Pauli and Commissioner Kathy Roth

- 8a. [14-236](#) Public Improvement Contract to Bateson Enterprises, LLC for the Barclay Hills Sewage Pump Station Improvements Project
- 8b. [14-245](#) Minutes of the April 2, 2014 Regular Meeting
- 8c. [14-233](#) City Manager Merit Pay for Performance - Merit Payment
- 8d. [14-230](#) OLCC: Liquor License Application: Off-Premise Sales, Applying as a Corporation, Happy Family, Inc., Quick Stop Market, 13987 S. Holcomb Blvd., Oregon City, OR 97045

9. Communications

9a. City Manager

Nancy Ide, City Recorder, announced a correction to Resolution 14-05 which was approved at the last meeting. There were two resolutions with that number, and the resolution establishing eligibility to receive State shared revenues was changed to 14-07.

Mr. Frasher said Arbor Day and the City Clean Up Day would be held on April 26.

Mr. Lewis discussed the water quality education program. The City was required to provide water quality education. The Water Quality Report would be available online this year. Information could also be found in articles in Trail News, utility bill inserts, Farmer's Market, and City Commission meetings. He listed the partners working to help improve water quality and in doing a macroinvertebrate assessment. The City's creeks were very healthy.

9b. Mayor

Mayor Neeley reported on the regional Mayors meeting, Small Cities Consortium, and Metro stakeholders meeting on Climate Smart Communities. He spoke to the Crew Group, a group of real estate agents, about what was happening in the City in regard to economic development.

9c. Commission

Commissioner Pauli reported on the library tour. On April 30 there would be a library expansion open house, on April 29 there was an Envision Newell Creek meeting, and on April 21 there was a Willamette Falls Legacy Project open house. Main Street was looking at participating in the RARE program for some Main Street projects.

Commissioner Roth reported on the McLoughlin Neighborhood Association clean up of Mt. Pleasant School, Village Building Convergence Fair, and the first charrette for revisioning Highway 43 between Bolton School and the Oregon City Bridge.

Commissioner Smith reported on the Oregon Ghost Conference and announced the Pioneer Family Festival and Teddy Bear Parade on May 2-4.

Jim Band, Police Chief and Public Safety Director, discussed Officer Yates who had a kidney transplant and was doing well.

10. Adjournment

Mayor Neeley adjourned the meeting at 8:48 PM.

Respectfully submitted,

Nancy Ide, City Recorder