



# City of Oregon City

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

## Meeting Minutes - Final City Commission

*Dan Holladay, Mayor*  
*Carol Pauli, Commission President*  
*Brian Shaw and Rocky Smith, Jr.*

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Wednesday, May 6, 2015

7:00 PM

Commission Chambers

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### REVISED

#### 1. Convene Regular Meeting and Roll Call

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

**Present:** 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli and Mayor Dan Holladay

**Staffers:** 14 - City Manager David Frasher, City Attorney William Kabeiseman, 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 Kattie Riggs, Human Resources Director Jim Loeffler, Library Director Maureen Cole, Operations Manager Martin Montalvo, Captain Greg Fryett, Planner Christina Robertson-Gardiner, Assistant City Recorder Jaime Reed and Economic Development Manager Eric Underwood

#### 2. Flag Salute

#### 3. Ceremonies, Proclamations, Presentations

##### 3a. [15-263](#) Proclamation and Presentation for National Preservation Month

**Attachments:**     [Staff Report](#)  
                              [Proclamation](#)  
                              [Preservation Month 2015 Activities](#)  
                              [2015 Preservation Month Photo Contest Poster](#)  
                              [2015 Photo Contest Website](#)

*Christina Robertson-Gardiner, Planner, said May was Preservation Month around the nation and explained the 4th Annual Preservation Month Photo Contest. Karin Morey of the Clackamas County Historical Society said photos could be posted on Instagram. She thanked the City and Citizens Bank for co sponsoring the contest with the Historical Society. Ms. Robertson-Gardiner announced the other preservation events happening in the City.*

#### 4. Citizen Comments

*Anne Meader, representing the Clackamas County Aging Services Advisory Council, discussed the Age Friendly Communities project. The aging population was growing and she would like to partner with the City so it could become more age friendly.*

*Jerry Herrmann, resident of Oregon City, announced the river tours that were funded through the Civic Improvement Trust Grant would start the third week of June and run through September. Ships like the Portland Spirit could get through the Locks, but the channels were the problem. There was an effort called Channels to Commerce to preserve the channels that had been deteriorating due to infill. There would also be jet boat tours and a Tom McCall Legacy Cruise. He was hoping there would be more river tourism events in the future.*

*Eric Olson, resident of Mulino, was also representing the Clackamas County Aging Services Advisory Council. He had packets of information regarding the opportunities and obstacles for aging in place. He encouraged the Commission to come to an Age Friendly Communities subcommittee meeting or he could meet with Commissioners individually.*

#### 5. Adoption of the Agenda

*The agenda was adopted as presented.*

#### 6. Public Hearings

##### 6a. [15-261](#) Ordinance for Introduction, No.15-1003, Creating the Downtown Economic Improvement District

**Attachments:**     [Staff Report](#)  
                              [Ordinance No. 15-1003](#)  
                              [Exhibit A - Downtown Economic Improvement District Map](#)

*Mayor Holladay opened the public hearing.*

*Eric Underwood, Economic Development Manager, said the Commission adopted a resolution in April calling for a public hearing to establish a new Economic Improvement District. There was an effort to renew the existing EID, which failed earlier that year. He explained the new EID boundaries. If the Commission approved the first reading of the Ordinance, notice would be sent to the property owners with the assessment for each property and they would have a chance to remonstrate before the second reading.*

*Jonathan Stone, Executive Director of the Downtown Oregon City Association, submitted a letter into the record that the Commission received by email from Roger Nickerson.*

*Mayor Holladay closed the public hearing.*

**A motion was made by Commissioner Shaw, seconded by Commissioner Smith, to approve the first reading of Ordinance No.15-1003, creating the Downtown Economic Improvement District. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli and Mayor Dan Holladay

**6b.** [PC 15-174](#)

First Reading of Ordinance No. 14-1013, Approving the Linn Avenue / Leland Road / Meyers Road Corridor Plan (Planning File LE 14-04)

**Attachments:**     [Staff Report](#)  
                              [Ordinance No. 14-1013](#)  
                              [2015 Linn Avenue Corridor Plan](#)

*Mayor Holladay opened the public hearing.*

*John Lewis, Public Works Director, said this Corridor Plan had been before the Commission many times. The plan included an assessment of the existing conditions of the corridor and the projects to address the needs for the corridor over a period of several years. The Planning Commission approved the plan and the City Commission had explored the design of the roundabout and other options for the intersection. The conclusion was the roundabout was still the best long term solution.*

*There was no public testimony.*

*Mayor Holladay closed the public hearing.*

*Commissioner Shaw and Pauli were in favor of the plan. Mayor Holladay reiterated that he did not want to take any property owned by Ms. Savage and thought they should take some of the City owned property if needed.*

**A motion was made by Commissioner Pauli, seconded by Commissioner Smith, to approve the first reading of Ordinance No. 14-1013, approving the Linn Avenue / Leland Road / Meyers Road Corridor Plan (Planning File LE 14-04). The motion carried by the following vote:**

**Aye:** 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli and Mayor Dan Holladay

**7. General Business**

7a. [15-255](#)

Introduction of Ordinance No. 15-1005, An Ordinance Amending the Oregon City Municipal Code to Include Chapter 13.36-Community Safety Advancement Fee

**Attachments:** [Staff Report](#)

[Ordinance No. 15-1005](#)

[Exhibit A - Chapter 13.36 - Community Safety Advancement Fee](#)

[Exhibit - Oregon City Business Alliance Support Letter](#)

*Jim Band, Police Chief and Public Safety Director, gave a presentation on the Community Safety Advancement Fee. He discussed the need for a new Police Station and the Mt. Pleasant school property that had been purchased. A needs assessment and site plan was done, and he explained the two phases of the project. The purpose that night was to approve the utility fee that would be \$6.50 per month. He gave reasons for the fee and how it would include the untaxed properties in Oregon City. He then described the community engagement that had been done. The feedback was overwhelmingly positive. The biggest request was that the fee would sunset once the construction cost was paid. He reviewed the positive and negative feedback received and discussed future considerations. There was a short term renter for the property until the project could be done, options would be explored in a few years about the possibility of a bond, and there was a possibility of not collecting the fee until January.*

*Representative Brent Barton, resident of Oregon City, spoke in support of the fee. The public process had been impeccable, the fee was narrowly tailored to an essential government service, and building a state of the art public safety center named after fallen Officer Libke meant a lot to the community. He urged support of the fee.*

*John Behan, Oregon City Police Officer and Oregon City Police Employees Association President, agreed there was a need for a new Police Station due to all of the deficiencies in the current building. His father and grandfather had helped move the department into its current location in 1980, which was supposed to be a temporary site. There had been talk of getting a new police station for many years, but no plan had been put into motion until now. They needed the funds for the project, and this was an equitable solution.*

*Mark Fleming, resident of Oregon City, thought this was a good decision to give the City a better police department. He liked how the fee was structured, and thought it was an equitable way to collect the funds. He liked the idea of a sunset in 15 years.*

*William Gifford, resident of Oregon City, was in support of the fee. He asked if home based businesses would be charged twice. He suggested it be better clarified in the ordinance. He hoped that if they waited until January that they use the time wisely and inform the citizens of what was coming. He thought there should be communication with the County to make sure there would not be push back.*

*Chief Band clarified home based businesses would not be charged twice. David Frasher, City Manager, explained the conversations that he had with the County. Bill Kabeiseman, City Attorney, pointed out where the home based business issue was covered in the ordinance.*

*Dan Fowler, resident of Oregon City, said citizens asked government to be fair, creative, business like, communicate clearly, and be transparent. He thought that*

*had all been done and the public would support this. He also supported it as a business owner. He thought everyone should pay as everyone used the police department.*

*Mr. Frasher thanked staff, the former City Manager of Medford who came up with the idea for this fee years ago, and former Commissioner Betty Mumm who clarified that the police department and city hall could go on this property.*

**A motion was made by Commissioner Pauli, seconded by Commissioner Smith, to approve the first reading of Ordinance No. 15-1005, amending the Oregon City Municipal Code to include Chapter 13.36-Community Safety Advancement Fee. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli and Mayor Dan Holladay

**7b. [15-233](#)**

First Reading of Ordinance No. 15-1004, An Ordinance Amending Title 9.12 - Offenses Against Public Peace and Decency; Repealing Chapter 9.12.010 - Disturbing the Peace, Enacting with Chapter 9.12.020 - Disturbing the Peace

**Attachments:**    [Staff Report](#)  
                              [Ordinance No. 15-1004](#)

*Greg Fryett, Police Captain, reviewed the changes that had been made to the noise ordinance.*

*Chief Band said this would be a tool that the Police Department never had before to help neighbors come up with solutions among themselves. If it was not working, they would come back and adjust it.*

*There was discussion regarding a letter received by Mr. Jesse Buss regarding enforcing noise on private outdoor property.*

*Kattie Riggs, City Recorder, noted a scrivener's error in the ordinance which would be corrected for the second reading.*

**A motion was made by Commissioner Shaw, seconded by Commissioner Smith, to approve the first reading of Ordinance No. 15-1004, amending Title 9.12 - Offenses Against Public Peace and Decency; Repealing Chapter 9.12.010 - Disturbing the Peace, Enacting with Chapter 9.12.020 - Disturbing the Peace as corrected. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli and Mayor Dan Holladay

**7c.    [15-260](#)**

First and Second Reading of Ordinance No. 14-1003, Amending Title 15: Buildings and Construction, Chapter 15.28 Signs of the Oregon City Municipal Code (Sign Code Update - Legislative Planning File: L 14-01)

**Attachments:**

[Staff Report](#)

[Ordinance No. 14-1003](#)

[Exhibit 1 – Chapter 15.28 of the Oregon City Municipal Code](#)

[Exhibit 2 - Staff Report and findings for Legislative File L 14-01](#)

[Staff Report Exhibit 1: 2013-2015 Goals and Priorities of the City Commission](#)

[Staff Report Exhibit 2: Ordinance 14-1003](#)

[Staff Report Exhibit 3A: May, 2015 Draft Sign Code](#)

[Staff Report Exhibit 3A: May, 2015 Draft Sign Code \(Redlined from Version 5\)](#)

[Staff Report Exhibit 3B: Existing Mural List](#)

[Staff Report Exhibit 4: Public Comments Recieved](#)

[Staff Report Exhibit 5: Report from the Community Advisory Team \(CAT\)](#)

[Staff Report Exhibit 5: Appdendix A \(1 of 2\)](#)

[Staff Report Exhibit 5: Appdendix A \(2 of 2\)](#)

[Staff Report Exhibit 5: Appdendix B \(1 of 2\)](#)

[Staff Report Exhibit 5: Appdendix B \(2 of 2\)](#)

[Staff Report Exhibit 6: Applicant's Submittal](#)

[Staff Report Exhibit 7: Existing Chapter 15.28 of the Oregon City Municipal Code](#)

[Public Engagement Plan](#)

[Enforcement Plan](#)

[Exhibit - Portland Metropolitan Association of Realtors Support Letter](#)

*The Commission voted to continue the item to the next meeting.*

**A motion was made by Commissioner Shaw, seconded by Commissioner Smith, to continue the first and second reading of Ordinance No. 14-1003, amending Title 15: Buildings and Construction, Chapter 15.28 Signs of the Oregon City Municipal Code and the corresponding resolutions (Resolution No. 15-08 and Resolutuion No. 15-09). The motion carried by the following vote:**

**Aye:** 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli and Mayor Dan Holladay

- 7d. [15-187](#) Resolution No. 15-08, Modifying the Planning Fee Schedule to Include Additional Fees and Amending Resolution No. 13-29 (Resolution to Adopt New Fees Associated with the Sign Code Update)

**Attachments:** [Staff Report](#)  
[Resolution No. 15-08](#)  
[Exhibit 1 Fee Explanation](#)

*The Commission voted to continue the item to the next meeting.*

**This Resolution was continue**

- 7e. [15-188](#) Resolution No.15-09, to Adopt the Policy for Cross Street Banners and Banners on Street Light Poles (Associated with the Sign Code Update)

**Attachments:** [Staff Report](#)  
[Resolution No. 15-09](#)  
[Exhibit 1 Policy for Cross Street Banners and Banners on Street Light Poles](#)

*The Commission voted to continue the item to the next meeting.*

**This Resolution was continue**

- 7f. [15-264](#) Introduction of Ordinance No. 15-1006, Adopting Amendments to Oregon City Municipal Code Chapter 13.12, Stormwater Management

**Attachments:** [Staff Report](#)  
[Ordinance No. 15-1006](#)  
[Exhibit A - Chapter 13.12 Amended](#)  
[Redlined Version of the Revised OCMC Chapter 13.12](#)

*Mr. Lewis said the Commission reviewed the stormwater design standards in a Work Session in April. This ordinance would implement changes to some of the policies and requirements for managing new development and stormwater runoff. The goal was to reduce run off, erosion, and pollution.*

**A motion was made by Commissioner Shaw, seconded by Commissioner Smith, to approve the first reading of Ordinance No. 15-1006, adopting amendments to Oregon City Municipal Code Chapter 13.12, Stormwater Management. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli and Mayor Dan Holladay

- 7g. [15-256](#) Local Agency Agreement No. 30259 Between the Oregon Department of Transportation (ODOT) and the City of Oregon City

**Attachments:** [Staff Report](#)  
[ODOT Local Agency Agreement No. 30259](#)  
[ODOT Local Agency Agreement No. 28220](#)  
[ODOT Local Agency Agreement No. 11119](#)

*Mr. Lewis explained this was an adjustment to an agreement the City already had in place. It disconnected the Urban Renewal Commission from the maintenance obligations that went along with the Highway 99E project. He explained the maintenance requirements in the agreement.*

**A motion was made by Commissioner Smith, seconded by Commissioner Pauli, to approve the Local Agency Agreement No. 30259 between the Oregon Department of Transportation (ODOT) and the City of Oregon City. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli and Mayor Dan Holladay

## 8. Consent Agenda

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

**Aye:** 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli and Mayor Dan Holladay

- 8a. [15-250](#) OLCC: Liquor License Application- Off Premises and Limited On-Premises Sales, New Outlet: Applying as a Corporation, Historic Oregon City, Clackamas Heritage Partners, 1726 Washington Street, Oregon City, OR 97045.

**Attachments:** [Staff Report](#)  
[OLCC Liquor License-Historic Oregon City](#)

- 8b. [15-251](#) OLCC: Liquor License Application: Off-Premises Sales, Change Ownership: Applying as a Corporation, WB Market, Macdamy K Inc., 222 Molalla Ave, Oregon City, OR 97045.

**Attachments:** [Staff Report](#)  
[OLCC Liquor License- WB Market](#)

- 8c. [15-327](#) Minutes of the May 6, 2015 Regular Meeting

**Attachments:** [Minutes of 05/06/2015](#)



**9. Communications****a. City Manager**

*Mr. Frasher thanked Ms. McGriff and Mr. Buss for their work on the noise ordinance.*

*Maureen Cole, Library Director, said the library addition project was on target, time, and budget. They were in the construction documents phase. The guaranteed maximum price would come back to the Commission in August. The diseased Elm trees had been looked at, and she found that the wood could be used.*

**b. Commission**

*Commissioner Shaw attended the Library Building Committee meeting, South Fork Water Board Budget meeting, CIC meeting, City Clean Up, and had been working with Jerry Herrmann regarding travel along the Clackamas and Willamette Rivers.*

*Commissioner Pauli reported on the Oregon City Business Alliance meeting where Wyatt Parno, Finance Director, gave a presentation.*

**c. Mayor**

*Mayor Holladay had been working with staff on a change in governance of the Tri City Sewer District. He asked who would like to be the representative to the Willamette Falls Locks working group.*

*Mr. Underwood was selected to be the representative.*

*Mayor Holladay invited an Eagle Scout to the next Commission meeting and where he would present him with a certificate.*

**[15-266](#)**

**Mayoral Announcement of Appointments to the Natural Resources Committee:**

- a. Reappointment of Richard Craven and Bryon Boyce for the term January 1, 2015 - December 31, 2017.**
- b. Appointment of Bill Clark for the term January 1, 2015 - December 31, 2017.**

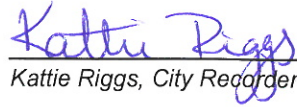
*Mayor Holladay announced the reappointment of Richard Craven and Bryon Boyce to the Natural Resources Committee for the term January 1, 2015 December 31, 2017 and appointment of Bill Clark to the Natural Resources Committee for the term January 1, 2015 December 31, 2017.*

*CORRECTION: Bill Clark's appointment to the Natural Resource Committee is for the term ending December 31, 2015.*

## 10. Adjournment

*Mayor Holladay adjourned the meeting at 8:52 PM.*

*Respectfully submitted,*

  
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Kattie Riggs, City Recorder