



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, Rocky Smith, Jr., Renate Mengelberg

Wednesday, October 7, 2015

7:00 PM

Commission Chambers

1. Convene Regular Meeting and Roll Call

Mayor Holladay called the meeting to order at 7:02 PM.

Present: 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli, Mayor Dan Holladay and Commissioner Renate Mengelberg

Staffers: 8 - Community Services Director Scott Archer, City Attorney William Kabeiseman, City Recorder Kattie Riggs, Police Chief and Public Safety Director James Band, Planner Laura Terway, Economic Development Manager Eric Underwood, Public Works Director John Lewis and Human Resources Director Jim Loeffler

2. Flag Salute

3. Ceremonies, Proclamations and Presentations

3a. Proclamation Declaring October 2015 as Teen Safe Driving Month

Mayor Holladay read the proclamation declaring October 2015 as Teen Safe Driving Month.

Daniel Losk, State Farm Public Affairs Specialist, discussed the Celebrate My Drive program. He thanked the Commission for the proclamation.

Commissioner Smith appreciated the students who were in attendance that night. This was an important message and they had the Commission's support.

The Commission thanked the organizers for their commitment to this cause.

Carrie Higgins, resident of West Linn, discussed her own personal tragedy of losing loved ones in car crashes. She thanked the Commission for their help.

3b. Proclamation Declaring October 2015 as Fire Prevention Month

Mayor Holladay read the proclamation declaring October 2015 as Fire Prevention Month.

Mike Bowmann, Deputy Fire Marshall with Clackamas Fire District, said this year's theme was Hear the Beep Where You Sleep. He gave statistics on residential fires. There should be a smoke alarm in each bedroom and on every level of the house. There would be an Open House at Station 17 on South End Road on October 17, 2015.

4. Citizen Comments

Tom Geil, resident of Oregon City, announced the Halloween Hamlet activities that were happening downtown.

5. Adoption of the Agenda

The agenda was adopted as presented.

6. Public Hearings

6a. Continuanance of Ordinance No. 15-1012, the Pavilion Park III Development Application for Zone Change file ZC 15-02 & Subdivision file TP 15-03

Mayor Holladay opened the public hearing.

Laura Terway, Planner for the City, said the Planning Division received an application for a 25-lot subdivision and zone change from R-10 to R-6 located at 19588 McCord Road. This application had taken longer than anticipated at the Planning Commission level and staff was requesting a continuance until October 21, 2015.

There was no public testimony.

A motion was made by Commissioner Shaw, seconded by Commissioner Smith, to continue Ordinance No. 15-1012, the Pavilion Park III development application for zone change file ZC 15-02 & subdivision file TP 15-03 to October 21, 2015. The motion carried by the following vote:

Aye: 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli, Mayor Dan Holladay and Commissioner Renate Mengelberg

6b. Ordinance for Introduction No. 15-1011, Boulder Run Development Application for Zone Change file ZC 15-01, Subdivision file TP 15-02 & Natural Resource Overlay District Verification file NR 15-04

Mayor Holladay opened the public hearing.

Ms. Terway presented the staff report. The City received an application for a zone change from R-10 to R-8, 19-lot subdivision, and Natural Resource Overlay District verification on Pease Road and Hampton Drive. She explained the subject site, existing conditions, Municipal Code criteria, zone change criteria, proposed subdivision, subdivision criteria, and Natural Resource Overlay exemption. The applicant said that when a nearby subdivision was built, the stream was culverted and it no longer existed. The City's consultant concurred with that determination. Staff recommended approval of the application with conditions. The Planning Commission voted 6-1 to recommend approval. This particular subdivision would bring an increase of 18 trips during the afternoon peak hours and it was found to be an acceptable level of traffic at the intersections.

There was no public testimony.

Mayor Holladay closed the public hearing.

Mayor Holladay disclosed that he received a campaign contribution from this developer.

A motion was made by Commissioner Pauli, seconded by Commissioner Smith, to approve the first reading of Ordinance No. 15-1011, Boulder Run development application for zone change file ZC 15-01, subdivision file TP 15-02 & Natural Resource Overlay District verification file NR 15-04. The motion carried by the following vote:

Aye: 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli, Mayor Dan Holladay and Commissioner Renate Mengelberg

7. General Business

7a. Resolution No. 15-31, Modifying the Planning Fee Schedule for A-Frame Signs in the Right-of-Way

Ms. Terway said the City Commission adopted Code to allow signs in the right-of-way effective November 1, 2015 and adopted a resolution for fees. The current fee resolution required a \$172 right-of-way permit as well as a \$172 sign permit for A-frames to be placed in the right-of-way. The new proposed fee resolution would reduce it to a \$50 fee per year for a sign permit and would not require a right-of-way permit.

Commissioner Pauli thanked Planning staff for being responsive to citizens and their concerns. She thought it was a workable solution.

Commissioner Mengelberg thought this was the right amount and that the permits should be renewed every year.

A motion was made by Commissioner Smith, seconded by Commissioner Mengelberg, to approve Resolution No. 15-31, modifying the Planning Fee Schedule for A-frame signs in the right-of-way. The motion carried by the following vote:

Aye: 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli, Mayor Dan Holladay and Commissioner Renate Mengelberg

7b. Second Reading of Ordinance No. 15-1014, Amending Oregon City Municipal Code Chapter 3.04 - Transient Room Tax

Eric Underwood, Economic Development Manager, said staff did an analysis of transient room tax programs across the State and found that Oregon City had been charging a lower rate than other cities within the region. This ordinance would make two revisions to the Code, one to increase the tax from 4% to 6% and the other to recognize transient lodging tax intermediaries such as Priceline and Bed and Breakfasts.

A motion was made by Commissioner Smith, seconded by Commissioner Pauli, to approve the second reading and final adoption of Ordinance No. 15-1014, amending Oregon City Municipal Code Chapter 3.04 - Transient Room Tax. The motion carried by the following vote:

Aye: 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli, Mayor Dan Holladay and Commissioner Renate Mengelberg

7c. Second Reading of Ordinance No. 15-1013, An Ordinance Adopting the Meyers Road Extension Corridor Plan, An Amendment to the

Oregon City Transportation System Plan and Comprehensive Plan
(Planning File: L 15-04)

Ms. Terway said the Planning Division recommended approval of the corridor plan. The plan provided an approximate location and design for Meyers Road south of the high school extending to Highway 213.

A motion was made by Commissioner Shaw, seconded by Commissioner Pauli, to approve the second reading and final adoption of Ordinance No. 15-1013, an ordinance adopting the Meyers Road Extension Corridor Plan, an amendment to the Oregon City Transportation System Plan and Comprehensive Plan (Planning File: L 15-04). The motion carried by the following vote:

Aye: 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli, Mayor Dan Holladay and Commissioner Renate Mengelberg

7d. Continuance of Resolution No. 15-29, a Resolution Interpreting the Term "Designated as a Park" as Set Forth in Chapter X, Section 43 of the City of Oregon City Charter

John Lewis, Public Works Director, said staff was requesting to continue this item to October 21, 2015. Staff had looked at the information that was submitted by citizens and was working on a response.

Commissioner Smith wanted a good variety of maps brought back that showed both sides of the issue.

Mayor Holladay thought this was clearly an industrial site and did not look like a park. If they took the historical use of the property, it was hard to call it a park.

Mr. Lewis said staff would bring back a comprehensive review of all the documentation.

8. Consent Agenda

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

Aye: 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli, Mayor Dan Holladay and Commissioner Renate Mengelberg

8a. Restrictive Covenant Non-Remonstrance Agreement for New Oregon City School District No. 62 (OCSD #62) Transportation Maintenance Facility

8b. Public Utility Easement for the Development of a new Segment of Meyers Road Located Adjacent to the Glen Oak Park Properties

8c. Public Storm Drainage Utility Easement Serving the Surface Water Drainage Needs of the New Segment of Meyers Road (Adjacent to the Glen Oak Park and Oregon City School District Transportation Facility)

8d. Meyers Road Extension Deed of Dedication

- 8e. Fleet Purchase Authorization - Groundmaster 4000-d Toro Mower
- 8f. OLCC: Liquor License Application- On-Premises Sales, New Location: Applying as a Limited Liability Company, RK Galvan LLC DBA Mesa Fresca at 724 Main Street, Oregon City, OR 97045
- 8g. Minutes of the September 8, 2015 Work Session
- 8h. Minutes of the September 16, 2015 Regular Meeting

9. Communications

a. City Manager

Scott Archer, Community Services Director, said the Libraries in Clackamas County (LINCC) was conducting an all-network staff training on October 12, 2015 and the Oregon City Library would be closed on that day. The Commission Work Session for October 13, 2015 was cancelled.

Mr. Underwood said the Willamette Falls Heritage Area Coalition would like an elected official on the Board as opposed to a staff person. The Commission would discuss who could take on that role.

Mr. Archer announced SAFE, the City's Worker's Comp policy holder, notified the City that they would receive a dividend of \$40,000 for the policy that was ending this year. It was a 20% premium reduction for the City.

b. Commission

Commissioner Mengelberg attended the C4 Metro subcommittee meeting, volunteered to be part of the economic restructuring subcommittee for Main Street, attended First Friday, and congratulated the Main Street program who won the Oregon Main Street Award for their Snowflake Raffle event.

Commissioner Shaw attended a conference on leadership by Lewis and Clark Bank, Developers Forum on SDCs, Planning Commission Work Session on the Beavercreek Concept Plan, South Fork Water Board meeting, CIC meeting, and discussed the Library construction schedule. He also reported on the Wastewater Conference.

Mayor Holladay suggested doing a time capsule to place at the Library site.

Commissioner Pauli urged all businesses to participate in the Snowflake Raffle. She attended the League of Oregon Cities Conference.

Commissioner Smith reminded everyone that tomorrow was Homecoming.

c. Mayor

Mayor Holladay reported on the League of Oregon Cities Conference. The Commission was working to resolve the City Manager situation in a way that would

not damage the City.

10. Adjournment

Mayor Holladay adjourned the meeting at 8:07 PM.

Respectfully submitted,

Kattie Riggs, City Recorder