



City of Oregon City

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

Meeting Minutes - Final

City Commission

Dan Holladay, Mayor
Rocky Smith, Jr., Commission President
Brian Shaw and Renate Mengelberg

Wednesday, July 6, 2016

7:00 PM

Commission Chambers

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, Mayor Dan Holladay and Commissioner Renate Mengelberg

Staffers: 10 - City Attorney William Kabeiseman, City Manager Tony Konkol, Public Works Director John Lewis, Police Chief and Public Safety Director James Band, Human Resources Director Jim Loeffler, City Recorder Kattie Riggs, Economic Development Manager Eric Underwood, Interim Community Services Director Denise Conrad, Library Director Maureen Cole and Community Development Director Laura Terway

2. Flag Salute

3. Ceremonies, Proclamations

Mayor Holladay read a plaque in appreciation of Carol Pauli's service and dedication as a City Commissioner and presented it to Ms. Pauli.

4. Citizen Comments

Paul Edgar, resident of Oregon City, discussed problems in Canemah Childrens Park. The park was invaded on July 4, 2016 as fireworks almost started the park on fire. A person was recently mugged and there was drug activity in the park. Canemah wanted to be known for something positive, not negative, and he wanted to reclaim the park.

5. Adoption of the Agenda

A restrictive covenant and non-remonstrance agreement with Icon Construction for the Douglas Grove subdivision was added under the Consent Agenda. The agenda was adopted as amended.

6. Public Hearings

7. General Business

7a. Request to Continue Annexation File AN-16-0001 for the Property

Located at 19358 S. Columbine Court to July 20, 2016

Laura Terway, Community Development Director, said this annexation was going to go before the Planning Commission on Monday and the City Commission was being asked to continue the hearing until July 20, 2016.

A motion was made by Commissioner Smith, seconded by Commissioner Shaw, to continue annexation file AN-16-0001 for the property located at 19358 S. Columbine Court to July 20, 2016. The motion carried by the following vote:

Aye: 3 - Commissioner Brian Shaw, Commissioner Rocky Smith and Mayor Dan Holladay

7b.

Resolution No. 16-18: Voter Referral to Adopt a Three Percent Tax on Recreational Marijuana Sales

Ms. Terway said in 2014 the City adopted a 5% tax on medical marijuana and a 10% tax on recreational marijuana. Since then the legislature had made changes, and one was that a local tax was 3% on recreational if it went before the voters and there was no tax on medical marijuana. This issue was going to the voters in November. The tax would go into the General Fund. A separate measure was on the November ballot asking if marijuana should be allowed in the City and time, place, and manner regulations were currently being worked on.

William Gifford, resident of Oregon City, asked if there were restrictions for how the tax revenue could be spent. Mayor Holladay said no, it would be going into the General Fund.

A motion was made by Commissioner Smith, seconded by Commissioner Shaw, to approve Resolution No. 16-18: voter referral to adopt a three percent tax on recreational marijuana sales. The motion carried by the following vote:

Aye: 3 - Commissioner Brian Shaw, Commissioner Rocky Smith and Mayor Dan Holladay

7c.

Economic Development Incentive Program (EDIP) Award to Orchid Orthopedic Solutions Oregon, Inc.

Eric Underwood, Economic Development Manager, said there was an incentive program geared to the traded sector that were hiring new employees and expanding or building new construction. The applicant, Orchid Orthopedic Solutions, applied for a \$75,000 grant award for an expansion project that would bring 20 plus jobs to the City. Staff's recommendation was to grant the full amount.

Kent Hempel, applicant, explained how his company was growing rapidly, what his company did, and the wages of his employees. He was looking to double his capacity and add employees.

A motion was made by Commissioner Shaw, seconded by Commissioner Smith, to approve the Economic Development Incentive Program (EDIP) Award to Orchid Orthopedic Solutions Oregon, Inc. The motion carried by the following vote:

Aye: 3 - Commissioner Brian Shaw, Commissioner Rocky Smith and Mayor Dan Holladay

7d.

Election Results for the May 17, 2016 Election as Certified by Clackamas County Clerk for Ballot Measure No. 3-479, Status Changes of Wesley Lynn Park; Allows Easement and Public Road

Mayor Holladay said this ballot measure failed by three votes and the City would have to do a better job of explaining why this was a good thing for the vote in November.

A motion was made by Commissioner Smith, seconded by Commissioner Shaw, to certify the election results for the May 17, 2016, election as certified by the Clackamas County Clerk for Ballot Measure No. 3-479. The motion carried by the following vote:

Aye: 3 - Commissioner Brian Shaw, Commissioner Rocky Smith and Mayor Dan Holladay

8. Consent Agenda

Mayor Holladay held a discussion regarding concerns over a proposed whitewater park project for the Willamette Falls Legacy site. The concerns included whether or not it met the four goals of the Willamette Falls Legacy Project, permitting and water issues, and lack of a financing plan.

Commissioner Mengelberg arrived at 7:31 PM.

Commissioner Smith did not want to exclude any ideas for the site. He thought it should go to the Design Committee to decide and that there should be an open design process for all ideas that came forward.

Commissioner Shaw thought this took away from the falls and did not complement what they were trying to do. He did not think this was the right spot and parking would be an issue.

Commissioner Mengelberg said it sounded like they wanted citizens to pay for the project, which was a private venture. The City wanted to create an authentic site and whitewater was not it.

This idea would be brought back to the next Commission meeting.

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

Aye: 3 - Commissioner Brian Shaw, Commissioner Rocky Smith and Mayor Dan Holladay

- 8a.** Resolution No. 16-15, Declaring the Necessity and Intent to Appropriate Real Property and Authorizing Institution of Condemnation Proceedings if Necessary for Meyers Road
- 8b.** Resolution No. 16-16, Declaring the Necessity and Intent to Appropriate Real Property and Authorizing Institution of Condemnation Proceedings if Necessary for Railroad Avenue
- 8c.** Public Improvement Contract with Timbercreek 1 LLC for the Oregon City Swimming Pool Front Office Remodel
- 8d.** Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Contract with Brown and

Caldwell, Inc.

- 8e. Oregon State Marine Board Facility Grant Agreement No. 1563 - Clackamette Park Boat Ramp Repair Project
- 8f. Contract Award for the Clackamette Park Boat Ramp Repair Project
- 8g. Authorization to Transfer Metro Local Share Funds to the Willamette Falls Legacy Project Riverwalk Design Process
- 8h. Personal Services Agreement with Granicus, Inc. for Government Transparency, Boards and Commissions Monitoring, and Agenda Workflow Solutions for a 2-year Term
- 8i. OLCC: Liquor License Application- Limited On-Premises Sales, Additional Privelege: Applying as a Corporation, Fred Meyer #242,1839 Molalla Avenue
- 8j. OLCC: Liquor License Application- Full On-Premises Sales, Commercial Establishment, New Outlet: Applying as a Limited Liability Company, GoDog! LLC 709B Main Street
- 8k. Minutes of the June 1, 2016 Regular Meeting

Restrictive Covenant and Non-Remonstrance Agreement with Icon Construction for the Douglas Grove Subdivision

9. Communications

a. City Manager

Tony Konkol, City Manager, announced a Marijuana Regulations Open House on July 11, 2016. Commissioner Mengelberg would be going to the meetings of the Willamette Falls Legacy project partners group. He then discussed the six month Commission Goals progress update.

Maureen Cole, Library Director, said staff would be moving into the new library addition starting tomorrow. The library would open again on July 21, 2016. She thought the new library would meet the needs of the community for a long time to come.

Mr. Konkol would be out of the office next week. On July 25, 2016 there would be a joint Planning Commission and City Commission meeting on the Riverwalk project.

b. Commission

Commissioner Smith discussed his visit to Victoria B.C. and their alleyways and historic houses and how those ideas could be used in the City.

Commissioner Shaw attended the ribbon cutting for the Curves outlet and End of the

Oregon Trail presentation on the oldest businesses in the City. He also participated in the Community Development Director meet and greet, attended the Oregon City Business Alliance Forum on the Clackamas Community College bond, OC Together meeting, and Regional Wastewater Capacity Advisory Committee.

Commissioner Mengelberg attended the End of the Oregon Trail presentation, Oregon City Business Alliance (OCBA) Forum, Community Development Director meet and greet, Downtown Oregon City discussion with business owners regarding events, C4 Retreat, Parks Foundation 501(c)(3) celebration, Metro Enhancement Committee meeting, and Hillendale Neighborhood Association picnic.

c. Mayor

Rita Mills, resident of Oregon City, complemented Ms. Cole on the new library addition. She thought it tied in well to the original building.

Mayor Holladay reported on the Regional Wastewater Capacity Advisory Committee meeting where the omni-processor proposal was withdrawn and how the alternative digesters project would be a large rate increase for the Tri-City District. He thought there had been political maneuvering on this issue and would not be attending anymore of those meetings but would continue to attend the Tri-City Advisory Committee meetings. He then reported on the US Conference of Mayors. At the conference, he had discussed with Amtrak about getting stops in Oregon City and talked to Air B&B representatives regarding their transient room taxes. He then discussed some of the speakers at the conference, a tour to the City of Carmel's replica of a French concert house, and trip to the Indy Race Track. He said the City gave out over \$206,000 in Metro Enhancement Grants for different projects throughout the community. Abby's Pizza was back in Oregon City. This was the first week of the Concerts in the Park. He suggested discussing signs prohibiting transferring items from a pedestrians to a vehicles and vice versa as a future agenda item. This was to discourage panhandling at intersections.

Commissioner Shaw thought they needed to continue to participate on the Regional Wastewater Capacity Advisory Committee to have input in these issues. There was consensus that it would be a topic at a future Work Session.

10. Adjournment

Mayor Holladay adjourned the meeting at 8:30 PM.

Respectfully submitted,

Kattie Riggs, City Recorder