



# 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, Nancy Ide, Renate Mengelberg*

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Wednesday, December 7, 2016

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:** 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay, Commissioner Renate Mengelberg and Commissioner Nancy Ide

**Staffers:** 10 - Tony Konkol, City Attorney William Kabeiseman, City Recorder Kattie Riggs, Police Chief and Public Safety Director James Band, Public Works Director John Lewis, Human Resources Director Jim Loeffler, Community Development Director Laura Terway, Economic Development Manager Eric Underwood, Finance Director Wyatt Parno and Community Services Director Phil Lewis

#### 2. Flag Salute

#### 3. Ceremonies, Proclamations and Presentations

##### 3a. Recognition of Commissioner Rocky Smith, Jr. for his Years of Public Service on the City Commission

*Mayor Holladay presented Commissioner Smith with a plaque in recognition of his eight years on the City Commission.*

*The Mayor and Commission thanked Commissioner Smith for his service. Commissioner Ide gave him a Generational Award for his passionate roots and Convictions Award for his steadfastness. Mr. Konkol thanked him on behalf of staff. Mr. Kabeiseman, Chief Band, Mr. Lewis, Ms. Riggs, Ms. Terway, and Mr. Parno expressed their appreciation as well.*

*William Gifford, resident of Oregon City, stated Commissioner Smith's love for the City was profound and the City appreciated him. He knew it would not be the end of his service to the City.*

*Carol Pauli, former City Commissioner, thought Commissioner Smith was a role model of what a good City Commissioner was. She thanked him for what he had given to the community.*

*Doug Neeley, former Mayor, said he appreciated Commissioner Smith and how he would reevaluate his opinions after public testimony and discussion.*

*Thelma Haggenmiller, resident of Oregon City, said Commissioner Smith and others in the tourism industry had only just begun.*

*Bob Mahoney, resident of Oregon City, said Commissioner Smith had the soul of an artist and he cared. He had words from the Marine Corps that he would mail to Commissioner Smith.*

*Commissioner Mengelberg arrived at 7:38 PM.*

*Commissioner Smith thanked everyone who spoke and discussed his memories over the last eight years. He thanked the Mayor, each Commissioner, and staff for their work.*

**3b. Citizen Involvement Committee Annual Update to the City Commission**

*Amy Wilhite, Chair, presented the annual CIC report. During the CIC's monthly meetings, they had a time for citizen comments and had a round table where everyone shared what was going on in the different neighborhoods. There had been many presentations by staff, Metro, and Girl Scouts at their meetings. The CIC had been working on a Public Involvement Plan. Each of the members went to one other neighborhood meeting throughout the year. They had a booth at National Night Out and at the Safety Fair and had assisted at the Marijuana Regulations Open House and Willamette Falls Legacy Project tours. She encouraged additional funding to the neighborhoods in the next budget for public involvement.*

**3c. Natural Resources Committee (NRC) Annual Update**

*Doug Neeley, Chair, presented the NRC annual report. The NRC had been given information on the development at the Environmental Learning Center at Clackamas Community College, received an overview of the Natural Resource Overlay District, Geologic Overlay District, and tree regulations, took a tour with John Runyon at the Cove, heard presentations on the Canemah Trail project, Public Works site, grant for improvements to Water Board Park, Willamette Falls Legacy Project, and discussed wetland regulatory concerns in Canemah. He then discussed the activities the NRC was proposing for next year including updating the City's water resources overlay districts, education on habitat improvement on Metro Title 3 lands, assisting in developing connectivity, increasing communications and involvement with the neighborhoods and business community, increasing participation in Arbor Day events, increasing participation with the Greater Oregon City Watershed Council and Friends of Trees, and preparing materials about street trees and heritage trees. An item that would require some funding was signage for creeks that ran under major roads. He also suggested the Parks and Recreation Advisory Committee, Natural Resources Committee, and City Commission take a tour of Clackamette Park to look at boat ramp options.*

**3d. Planning Commission Annual Update**

*Charles Kidwell, Chair, and Denyse McGriff, Vice Chair, presented the Planning Commission annual report. Mr. Kidwell discussed some of the projects the Commission worked on, such as the Willamette Falls Legacy Project, concept plans, and master plans. Some of the issues the Commission heard were concerns about traffic and transportation especially pass through traffic and pinch points, infrastructure, geotechnical considerations especially landslide and wetland issues, and the City's tree canopy and clearcutting. Ms. McGriff said the City needed to*

*update the water resources overlay districts, geotechnical information, livability and pedestrian friendly amenities, and Parks Mater Plan. Mr. Kidwell asked that the City Commission help clarify policy so the Planning Commission had clear direction on difficult issues and dedicate some funding to help alleviate the issues.*

#### **4. Citizen Comments**

*William Gifford, resident of Oregon City, said on November 22 the Oregon City Business Alliance had a presentation on the Willamette Falls Legacy project and the Riverwalk. Some of the reasons he heard as to why the police bond measure failed to pass were because people did not think they should use Mt. Pleasant School because the School District needed it, the wording on the ballot did not specify it was for the police department, issues regarding property taxes, and that there should have been a vote on the C-SAF fee.*

*Bob Mahoney, resident of Oregon City, discussed public safety. He encouraged the City to make sure public safety laws, building codes, and zoning codes were enforced and inspections were done properly.*

#### **5. Adoption of the Agenda**

*Item 7c was added to the agenda. The agenda was adopted as amended.*

#### **6. Public Hearings**

##### **6a. Request for Continuance of AN-16-0004: Annexation of 35.65 Acres North of Holcomb Boulevard and West of Winston Drive**

*Laura Terway, Community Development Director, said staff was requesting a continuance of this hearing to February 1, 2017.*

*Mayor Holladay opened the public hearing.*

*There was no public testimony.*

**A motion was made by Commissioner Shaw, seconded by Commissioner Ide, to continue AN-16-0004: annexation of 35.65 acres north of Holcomb Boulevard and west of Winston Drive to February 1, 2017. The motion carried by the following vote:**

**Aye:** 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay, Commissioner Renate Mengelberg and Commissioner Nancy Ide

#### **7. General Business**

##### **7a. Tri-City / Water Environmental Services Digester Project Recommendation**

*Tony Konkol, City Manager, attended a Work Session where the revised digester project at the Tri-City plant was discussed. The proposal was to reduce it from two digesters to one. The Clackamas County Commission recently created a Water Environmental Services Partnership consolidating the assets, operations, and maintenance of the Tri-City District and County District #1. The proposal to construct one digester and site improvements would cost \$38 million of which half would be*

equity contributions from the two service districts. The estimated monthly rate increase for Tri-City would be \$1.05 per dwelling unit. The County was asking the cities to weigh in on the issue.

Commissioner Shaw thought this put the City in an awkward position, but he was in favor as he thought there was a capacity issue.

Commissioner Smith said this issue started in 2008 and nothing had changed except there was progress with the cities working together. It didn't matter what they said about the project.

Mayor Holladay agreed it had been an exercise in futility since the beginning. It was a done deal at this point. The intent of the new County Commission was to allow the cities to have a seat on the new Water Environmental Services group. He thought the City Commission should support this proposal based on the fact that the new County Commission's intent was to have representation of the cities on the governing board.

Commissioner Mengelberg said \$1.05 was not a large increase. She suggested setting up a hardship fund for those that it might be a problem for.

**A motion was made by Commissioner Ide, seconded by Commissioner Mengelberg, to support the proposed Tri-City / Water Environmental Services digester project recommendation of a 64% from Clackamas County District #1 and 36% from Tri-City split for the construction of one digester and related infrastructure with the expectation that the County would follow through on its governance changes. The motion carried by the following vote:**

**Aye:** 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay, Commissioner Renate Mengelberg and Commissioner Nancy Ide

## 7b.

### Personal Services Agreement with Downtown Oregon City Association to Staff the Municipal Elevator

John Lewis, Public Works Director, said the City solicited proposals for elevator operator services and one proposal was received. Five Star had been operating the elevator for the past 25 years and they notified the City that they did not want to continue. The proposal submitted was from the Downtown Oregon City Association. He thought it was a good proposal and discussed how it was similar to how the elevator had been operating in the past with some suggestions for improvements. The agreement was for three years.

Commissioner Smith disclosed a potential conflict of interest as his partner served on the Downtown Oregon City Association Board. He thought this was a great opportunity. He hoped the Commission in the future addressed additional hours for the elevator. He thought it should be open until 10 p.m. every day.

Commissioner Shaw agreed the hours should be extended.

Commissioner Ide disclosed a potential conflict of interest as she served on the Downtown Oregon City Association Board.

Thelma Haggemiller, resident of Oregon City, said this had been discussed at the tourism level. It was a tourism niche that the City needed to take advantage of. Originally the elevator operators greeted everyone and passed out brochures and promoted things that people could do in the City. She hoped it would be that way again in the future.

**A motion was made by Commissioner Mengelberg, seconded by Commissioner Smith, to approve the Personal Services Agreement with the Downtown Oregon City Association to staff the Municipal Elevator. The motion carried by the following vote:**

**Aye:** 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay, Commissioner Renate Mengelberg and Commissioner Nancy Ide

**7c. Change Order No. 3 for the 15th Street Waterline Replacement Construction Project (CI 15-011)**

*Mr. Lewis requested allocation of a little over \$72,000 for Change Order No. 3 for the 15th Street waterline replacement project. There had been additional trench patching beyond what the City anticipated. The project was still under the engineer's estimate and they were still on budget.*

**A motion was made by Commissioner Shaw, seconded by Commissioner Smith, to approve Change Order No. 3 for the 15th Street Waterline Replacement Construction Project (CI 15-011). The motion carried by the following vote:**

**Aye:** 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay, Commissioner Renate Mengelberg and Commissioner Nancy Ide

**8. Consent Agenda**

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

**Aye:** 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay, Commissioner Renate Mengelberg and Commissioner Nancy Ide

**8a. Election Results for the November 8, 2016 General Election as Certified by Clackamas County Clerk for City Commissioner Positions No. 2, 3, and 4 and Ballot Measures 3-497, 3-498, 3-507, 3-508, and 3-514**

**8b. Minutes of the October 11, 2016 Work Session**

**8c. Minutes of the October 19, 2016 Regular Meeting**

**8d. Minutes of the November 2, 2016 Special Work Session**

**8e. Minutes of the November 02, 2016 Regular Meeting**

**9. Communications**

**a. City Manager**

*Mr. Lewis gave an update on the alternate mobility target study. This study was done to find transportation solutions for Beavercreek Road at Highway 213. He discussed the project purpose, key project stakeholders, project schedule, and community advisory group membership needs. He asked for a City Commissioner to sit on the community advisory group. Commissioner Mengelberg volunteered.*

*Ms. Terway gave an update on the decision from the Land Use Board of Appeals on the Beavercreek Road Concept Plan. LUBA supported the City Commission's approval of the plan. The City was awarded \$100,000 from the Metro Equitable Housing Grant. There was a Friends of Trees planting event on Saturday.*

*Mr. Konkol said the City had a Salvation Army angel tree at Public Works. He congratulated the End of the Oregon Trail Interpretive Center for being one of Oregon Business Magazine's 100 best fan favorite destinations. He presented the six month goals progress update to the Commission.*

## **b. Commission**

*Commissioner Ide attended the Oregon City Downtown Association's Clean Up Day and took a tour of the old paper mill.*

*Commissioner Shaw discussed preserving some rose bushes that had to be removed for a Public Works project. He attended the last Chamber meeting, Riverwalk design meeting, Ben James Corporation ribbon cutting, and OCBA legacy project update. The South Fork Water Board approved the Water Master Plan last week. He also attended the CIC and OC Together meetings. He thanked Mr. Konkol for putting together the regional wastewater committee work session.*

*Commissioner Mengelberg attended the final transportation forum put on by Metro.*

*Commissioner Smith thanked Mr. Underwood, Ms. Cole, Ms. Conrad, Mr. Archer, Mr. Potter, and Ms. Robertson-Gardiner for their work. The play Miracle on 34th Street had opened at the High School. He thanked everyone from South Fork Water, West Linn Councilors, and John Collins.*

## **c. Mayor**

*Mayor Holladay discussed how his insurance agent's car was towed when he went out to eat in downtown because he had parked in a private parking lot and had not seen the no parking signs. He suggested a signage height requirement for private lots that towed vehicles as a future agenda item. There were sunken manhole covers on Molalla Avenue which happened during the reconstruction project and staff had to order reconstruction rings. They should be installed in the next few weeks. He had participated in the annual Tree Lighting celebration.*

## **10. Adjournment**

*Mayor Holladay adjourned the meeting at 9:39 PM.*

*Respectfully submitted,*

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*Kattie Riggs, City Recorder*