



City of Oregon City

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

Meeting Minutes - Final

City Commission

Dan Holladay, Mayor
Renate Mengelberg, Commission President
Brian Shaw, Nancy Ide, Frank O'Donnell

Wednesday, March 21, 2018

7:00 PM

Commission Chambers

REVISED

1. Convene Regular Meeting and Roll Call

Mayor Holladay called the meeting to order at 7:08 PM.

Present: 5 - Commissioner Brian Shaw, Mayor Dan Holladay, Commissioner Nancy Ide, Commissioner Renate Mengelberg and Commissioner Frank O'Donnell

Staffers: 10 - City Manager Tony Konkol, City Attorney William Kabeiseman, City Recorder Kattie Riggs, James Band, Community Services Director Phil Lewis, Economic Development Manager Eric Underwood, Library Director Maureen Cole, Finance Director Wyatt Parno, Public Works Director John Lewis and Community Communications Coordinator Kristin Brown

2. Flag Salute

3. Ceremonies, Proclamations

3a. Mayoral Appointments to City Boards and Commissions

The Mayor appointed Ray Stobie to the Historic Review Board and Vance Tong to the Transportation Advisory Committee both with a term expiring December 31, 2020.

4. Citizen Comments

Karla Laws, Oregon City resident, spoke regarding issues on Roosevelt Street.

Jennifer Lantz, Oregon City resident, spoke about her concerns regarding the house on Roosevelt Street.

William Gifford, Oregon City resident, announced the upcoming Oregon City Business Alliance meeting. He also shared an article from the Economist Magazine about ride sharing and autonomous cars.

5. Adoption of the Agenda

The agenda was adopted as presented.

6. Public Hearings

6a. Ordinance No.18-1001, Creating the Downtown Economic Improvement District

Mayor Holladay opened the public hearing.

Eric Underwood, Economic Development Manager, said at the last meeting staff requested the hearing to be continued to review the objections to the EID that were submitted directly prior to the meeting. After doing the calculations, staff found that the objections totaled 41%, which was well over the 33% threshold. Staff recommended not pursuing the EID at this time.

Jonathan Stone, Executive Director of the Downtown Oregon City Association, stated because of the objections, the Association Board had chosen to pursue a voluntary model of fundraising. He was positive they could move the organization forward in a way the Commission expected.

Commissioner O'Donnell suggested holding a Work Session with the Board regarding their roles in the City's vitality and economic development efforts.

Mayor Holladay closed the public hearing.

A motion was made by Commissioner Mengelberg, seconded by Commissioner Ide, to not enact an ordinance to assess property within the Economic Improvement District as per ORS 223.117. The motion passed by the following vote:

Aye: 5 - Commissioner Brian Shaw, Mayor Dan Holladay, Commissioner Nancy Ide, Commissioner Renate Mengelberg and Commissioner Frank O'Donnell

6b. First Reading of Ordinance No. 18-1003, LE 17-02 Legislative Amendment to Adopt the McLoughlin-Canemah Trail Plan, Amending the Transportation System Plan, Trails Master Plan, and Parks Master Plan

Mayor Holladay opened the public hearing.

Bill Kabeiseman, City Attorney, explained the legislative hearing process. He asked if any Commissioner had conflicts of interest to declare. There were none.

Laura Terway, Community Development Director, delivered the staff report on the McLoughlin-Canemah Trail Plan. This proposal would adopt the Plan as an ancillary document to the Transportation System Plan and Parks and Trails Master Plans and would amend the associated project lists. She discussed the interim alignment and permanent trail alignment options.

Dr. Michael Secor, property owner in Oregon City, was in favor of the alternate permanent trail alignment on McLoughlin due to safety, aesthetic, and private property issues. This alignment would also allow him to develop his property as he intended.

Andrea Bullock, property owner in Oregon City, appreciated the alignment being removed from her property. She was in favor of the alignment on McLoughlin, however she would prefer it be on the other side of the street and not in front of her property as huge trucks pulled in and out of the property. She was told this was a plan for future redevelopment, but she thought it would have an effect on any future use of the property.

Tiffany Carlson, property owner in Oregon City, was in favor of the alignment on McLoughlin as proposed.

Mayor Holladay closed the public hearing.

There was discussion regarding the alignment, expense and safety issues, and how this was a starting point and there would be opportunity for more public input in the future.

A motion was made by Commissioner Shaw, seconded by Commissioner Ide, to approve the first reading of Ordinance No. 18-1003 and LE 17-02 Legislative Amendment to adopt the McLoughlin-Canemah Trail Plan, amending the Transportation System Plan, Trails Master Plan, and Parks Master Plan with the McLoughlin alignment as the preferred permanent alignment. The motion carried by the following vote:

Aye: 5 - Commissioner Brian Shaw, Mayor Dan Holladay, Commissioner Nancy Ide, Commissioner Renate Mengelberg and Commissioner Frank O'Donnell

7. General Business

7a. Adoption of Findings, AP-17-0006, Denying the Appeal of the Planning Commission Approval of Planning Files CP-17-0002, DP-17-0003, and NR-17-0004 Including a Request to Waive or Otherwise not Impose the Appeal Fee

Mr. Kabeiseman said the City received a letter this afternoon from James Nicita alleging personal bias and ex parte contact with Mayor Holladay. He asked Mayor Holladay if he could make a determination based solely on the evidence in the record and criteria that applied, putting aside any concerns he might have for the reasons for the objection.

Mayor Holladay replied yes.

Mr. Kabeiseman said Mr. Nicita submitted a photo he took on February 16, 2018, showing Mayor Holladay with Mr. Fowler. He asked Mayor Holladay if he had any contacts with the applicant regarding the land use application.

Mayor Holladay replied no.

Mayor Holladay said he and Mr. Fowler were friends and he communicated with him on a variety of different interests in the City. There was no discussion of this application at that meeting.

Ms. Terway said the Commission had made a tentative decision to deny a fee waiver request and to deny the appeal of AP 17-0006 and staff had drafted the findings to reflect that decision. One error was identified in the findings, which was an incorrect date.

A motion was made by Commissioner Mengelberg, seconded by Commissioner Shaw, to adopt the final findings as amended denying the appeal of AP 17-0006 and upholding the Planning Commission's decision to approve Planning Files CP 17-0002, DP 17-0003, and NR 17-0004 with conditions. The motion carried by the following vote:

Aye: 5 - Commissioner Brian Shaw, Mayor Dan Holladay, Commissioner Nancy Ide, Commissioner Renate Mengelberg and Commissioner Frank O'Donnell

Bob Mahoney, Oregon City resident, took exception that a photograph was taken when the parties involved did not know it was being taken and that photo was being introduced as part of an appeal with some questionable intent as to the integrity of the mayor and an applicant. He wanted to go on record that it did not set well with him.

A motion was made by Commissioner Mengelberg, seconded by Commissioner Ide, to adopt the final findings denying the request for the appeal fee waiver for AP 17-0006. The motion carried by the following vote:

Aye: 5 - Commissioner Brian Shaw, Mayor Dan Holladay, Commissioner Nancy Ide, Commissioner Renate Mengelberg and Commissioner Frank O'Donnell

- 7b.** Resolution No.18-09, Declaring an Emergency and Exempting a Temporary Warming Shelter at The Father's Heart Street Ministry from Planning Code Requirements until April 14, 2018

Ms. Terway said the Commission approved a resolution allowing a temporary warming shelter at the Father's Heart Street Ministry. Father's Heart had served 337 individuals over 53 nights. They requested an extension for another 30 days to April 14, 2018.

Commissioner Ide hoped that code revisions would come forward to eliminate the need for the Commission to enact these emergency resolutions every year.

A motion was made by Commissioner Shaw, seconded by Commissioner Ide, to approve Resolution No.18-09, declaring an emergency and exempting a temporary warming shelter at The Father's Heart Street Ministry from Planning Code requirements until April 14, 2018. The motion carried by the following vote:

8. Consent Agenda

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

Aye: 5 - Commissioner Brian Shaw, Mayor Dan Holladay, Commissioner Nancy Ide, Commissioner Renate Mengelberg and Commissioner Frank O'Donnell

- 8a.** Resolution No. 18-10, Supporting Oregon City's Local Government Grant Application for Development of Filbert Run Park
- 8b.** OLCC: Liquor License Application- On-Premises Sales, Applying as a Limited Liability Company, Thirsty Duck Bar & Grill, 505 Main Street
- 8c.** Minutes of the February 7, 2018 Regular Meeting
- 8d.** Minutes of the March 7, 2018 Regular Meeting

9. Communications

a. City Manager

John Lewis, Public Works Director, informed the Commission that the 2018 Regional Transportation Plan was being updated and Oregon City staff were participating.

Phil Lewis, Community Services Director, informed the Commission that the Pioneer Community Center would be closed March 26 - 30, 2018 for annual cleaning and maintenance.

Tony Konkol, City Manager, informed the Commission he would be out of the office March 26 - 30, 2018 and Wyatt Parno would be the Acting City Manager.

b. Commission

Commissioners Shaw, Mengelberg, Ide, and O'Donnell provided an update on various community events attended since the last Commission meeting.

Commissioner Ide complimented the Mayor and Kristin Brown for the State of the City Address and video.

c. Mayor

Mayor Holladay provided an update on the Willamette Falls Legacy Project.

10. Adjournment

Mayor Holladay adjourned the meeting at 8:06 PM.

Respectfully submitted,

Kattie Riggs

Kattie Riggs, City Recorder