



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, November 7, 2018

7:00 PM

Commission Chambers

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: 12 - City Manager Tony Konkol, City Attorney William Kabeiseman, City Recorder Kattie Riggs, Assistant to the City Manager Lisa Oreskovich, Police Chief and Public Safety Director James Band, Finance Director Wyatt Parno, Community Services Director Phil Lewis, Human Resources Director Patrick Foiles, Economic Development Manager Eric Underwood, Planner Pete Walter, Library Director Maureen Cole and Public Works Director John Lewis

2. Flag Salute

3. Ceremonies, Proclamations, and Presentations

3a. Proclamation Honoring Oregon City's Fallen Officers Robert Libke and George Hanlon

Mayor Holladay read the proclamation honoring Oregon City's fallen officers Robert Libke and George Hanlon.

3b. Proclamation Declaring November 18 - 24, 2018 as Oregon City Buy Local Week and Saturday, November 24, 2018 as Oregon City Buy Local, Small Business Saturday

Mayor Holladay declared November 18 - 24, 2018 as Oregon City Buy Local Week and Saturday, November 24, 2018 as Oregon City Buy Local, Small Business Saturday.

3c. Historic Review Board Annual Update

Ken Baysinger, Historic Review Board Chair, presented the Historic Review Board annual report.

3d. Tobacco Retail Licensing Presentation by Clackamas County

Laurel Bentley Moses and Jamie Zentner, Clackamas County Public Health, gave a tobacco retail licensing (TRL) presentation. They were looking for support for a County-wide TRL program.

There was discussion regarding the cost of the program and enforcement.

Mayor Holladay expressed why he was not in support of creating this program.

Ms. Moses would forward a proclamation example for the Commission's consideration.

4. Citizen Comments

William Gifford, resident of Oregon City, announced the next Oregon City Business Alliance luncheon.

5. Adoption of the Agenda

Mayor Holladay moved Item 7a to the top of the agenda. The agenda was adopted as amended.

7a. Resolution No. 18-41, Adjusting Solid Waste Collection and Disposal Rates Effective January 1, 2019

Pam Bloom and Alan Bushey, B & B Leasing, discussed the reasons for the garbage rate increase request.

There was discussion regarding the issues with the recycling market, ways people could minimize the cost, why it had been six years since the last rate increase, and possible food scrap program.

A motion was made by Commissioner Shaw, seconded by Commissioner Mengelberg, to approve Resolution No. 18-41, adjusting solid waste collection and disposal rates effective January 1, 2019. 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

6. Public Hearings

6a. First Reading of Ordinance No. 18-1023, Designating Canemah Slope Park as a Park Under Oregon City Charter Chapter X

Phil Lewis, Community Services Director, said the City was in the process of dedicating all of the parks as Charter parks by ordinance. He explained the parks that would be included through tonight's ordinances.

A motion was made by Commissioner Ide, seconded by Commissioner O'Donnell, to approve the first reading of Ordinance No. 18-1023, designating Canemah Slope Park as a park under Oregon City Charter Chapter X. 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

6b. First Reading of Ordinance No. 18-1024, Designating the Straight Pioneer Cemetery as a Park Under Oregon City Charter Chapter X

A motion was made by Commissioner Ide, seconded by Commissioner Mengelberg, to approve the first reading of Ordinance No. 18-1024, designating the Straight Pioneer Cemetery as a park under Oregon City Charter Chapter X. 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

6c. First Reading of Ordinance No. 18-1026, Designating Stafford Park as a Park Under Oregon City Charter Chapter X

A motion was made by Commissioner Ide, seconded by Commissioner Shaw, to approve the first reading of Ordinance No. 18-1026, designating Stafford Park as a park under Oregon City Charter Chapter X. 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

6d. First Reading of Ordinance No. 18-1028, Designating the Pioneer Community Center as a Park Under Oregon City Charter Chapter X

A motion was made by Commissioner Mengelberg, seconded by Commissioner Shaw, to approve the first reading of Ordinance No. 18-1028, designating the Pioneer Community Center as a park under Oregon City Charter Chapter X. 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

6e. Development Code Amendments including Equitable Housing (Discussion and Continuance to December 5th) (File: LEG 18-00001)

Mayor Holladay opened the public hearing.

Pete Walter, Planner, led a discussion on proposed Development Code amendments including equitable housing recommendations. He gave a history of the process and Planning Commission top discussion issues. Staff recommended continuing the hearing to December 5, 2018.

Parth Sodha, resident of Portland, talked about his idea for a foodcart experience zone in Oregon City.

Raleigh Lau, resident of Happy Valley, explained they were asking for exceptions to the current requirements in order to create the zone.

Mayor Holladay thought due to the two new Commissioners who would come on in January 2019 and the extensive changes, this should be continued to January. Commissioner O'Donnell agreed.

Commissioner Ide thought it was something that should be done by the current Commission. Commissioner Mengelberg agreed.

A motion was made by Commissioner O'Donnell to continue the hearing to January. The motion died for lack of a second.

A motion was made by Commissioner Mengelberg, seconded by Commissioner Ide, to continue the hearing for Development Code amendments to December 5, 2018 (File: LEG 18-00001). 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

7b. Contract for Construction Manager/General Contractor for the Police and Municipal Courts Building

Jim Band, Police Chief, explained the design process for the new Police and Municipal Courts building. He asked for approval of the Construction Manager/General Contractor contract to continue the process.

A motion was made by Commissioner Mengelberg, seconded by Commissioner Shaw, to approve the contract for Construction Manager/General Contractor for the Police and Municipal Courts Building. 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

8. Consent Agenda

Commissioner O'Donnell asked if there was a way they would not have to approve the waivers for warming shelters every year.

Commissioner Ide clarified the amendments to the code would permit shelters in certain zones.

A motion was made by Commissioner Mengelberg, seconded by Commissioner Ide, 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. 2017 Oregon City Roadway Reconstruction Projects Contract Change Orders 7 and 8 with S-2 Contractors, Inc.

8b. 2018 Oregon City Roadway Reconstruction Projects Contract (CI 18-001); Amendment No. 1

8c. Right-of-Way Dedication at 17474 Georgia Avenue

8d. Resolution No. 18-31, Budget Adjustments for the 2017-19 Biennium

8e. Resolution No. 18-32, Wholesale Wheeling Rates for Clackamas River Water

8f. Resolution No. 18-35, A Revocable Long-Term Obstruction in the Public Right-of-Way at 716 4th Avenue

- 8g. Resolution No. 18-40, Revocable Long-Term Obstruction in the Public Right-of-Way at Tax Lots 3S-1E-01AA-02200, -03600, and -03700
- 8h. Resolution No.18-39, Declaring an Emergency and Exempting a Temporary Warming Shelter at Won by One from Planning Code Requirements
- 8i. Resolution No.18-37, Declaring an Emergency and Exempting the South Fork Water Board and the Oregon City Department of Public Works from Prohibition against Unlawful Noises on a Temporary Basis
- 8j. Resolution 18-36 Modifying the City's Capital Facilities Improvement Plan by Adding an Additional Water Infrastructure Project on Molalla Avenue between Beavercreek Road and Highway 213
- 8k. Resolution No. 18-38, Authorizing Acquisition of Property and Property Interests Through Eminent Domain Related to the Construction of the Meyers Road Extension Project
- 8l. Resolution No.18-42, Declaring an Emergency and Exempting a Temporary Warming Shelter at The Father's Heart Street Ministry from Planning Code Requirements
- 8m. OLCC: Liquor License Application - Full On-Premises, Commercial and Off-Premises Sales, Applying as a Corporation, 702 Investment Holdings, Inc. (dba Maddy's), 1678 S. Beavercreek Rd., Ste. A
- 8n. Minutes of the September 5, 2018 Work Session
- 8o. Minutes of the September 5, 2018 Regular Meeting
- 8p. Personal Services Agreement with OBEC Consulting Engineers for the Molalla Avenue Phase 3: Beavercreek Road to OR 213 Project

9. Communications

a. City Manager

Mr. Phil Lewis announced the City received the 2018 Demuro Award for the rehabilitation of the Ermatinger House.

John Lewis, Public Works Director, announced the closure of 99E this weekend due to rockfalls. He then explained the South Fork Water Board project on Cleveland Avenue.

Tony Konkol, City Manager, announced City Hall would be closed on November 12, 2018 for Veterans Day and the City Commission meeting on November 21, 2018 was cancelled. He discussed the annual clean-up of the Officer Libke memorial sign.

b. Commission

*Commissioner Shaw announced a veterans program at the Oregon City High School.
Commissioner O'Donnell congratulated the new Commission members.*


c. Mayor

Mayor Holladay reported on the Mayor awards.

10. Adjournment

Mayor Holladay adjourned the meeting at 8:45 PM.

Respectfully submitted,



Katie Riggs, City Recorder