



# City of Oregon City

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

## Meeting Minutes - Final

### City Commission

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Wednesday, February 20, 2019

7:00 PM

Commission Chambers

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#### 1. Convene Regular Meeting and Roll Call

*Mayor Holladay called the meeting to order at 7:01 PM.*

**Present:** 3 - Mayor Dan Holladay, Commissioner Rachel Lyles Smith and Commissioner Rocky Smith Jr.

**Absent:** 1 - Commissioner Frank O'Donnell

**Staffers:** 12 - City Manager Tony Konkol, City Attorney William Kabeiseman, City Recorder Kattie Riggs, Police Chief and Public Safety Director James Band, Public Works Director John Lewis, Community Development Director Laura Terway, Human Resources Director Patrick Foiles, Community Services Director Phil Lewis, Library Director Maureen Cole, Finance Director Wyatt Parno, ROW Manager Dante Posadas and Assistant City Recorder Claudia Cisneros

#### 2. Flag Salute

#### 3. Ceremonies, Proclamations, and Presentations

#### 4. Citizen Comments

*There were no citizen comments.*

#### 5. Adoption of the Agenda

*The agenda was adopted as presented.*

#### 6. Public Hearings

##### 6a. First Reading of Ordinance No. 19-1003, Designating Mountain View Cemetery as a Park Under Oregon City Charter Chapter X

*Mayor Holladay opened the public hearing.*

*Phil Lewis, Community Services Director, presented the request to designate Mountain View Cemetery as a Charter Park.*

*There was discussion regarding waiting until the issues about this designation were resolved. It was clarified that this was designation of one piece of the cemetery that had recently been purchased.*

*Dorothy Dahlsrud, resident of Oregon City, wanted to do an inventory of the stand of trees in the cemetery with the intention of designating them as a heritage grove.*

*Mayor Holladay closed the public hearing.*

**A motion was made by Commissioner Smith, seconded by Commissioner Lyles Smith, to approve the first reading of Ordinance No. 19-1003, designating Mountain View Cemetery as a park Under Oregon City Charter Chapter X. The motion carried by the following vote:**

**Aye:** 3 - Mayor Dan Holladay, Commissioner Rachel Lyles Smith and Commissioner Rocky Smith Jr.

**6b.** First Reading of Ordinance No. 19-1005, Designating Oak Tree Park as a Park Under Oregon City Charter Chapter X

*Mayor Holladay opened the public hearing.*

*There was no public testimony.*

*Mayor Holladay closed the public hearing.*

**A motion was made by Commissioner Smith, seconded by Commissioner Lyles Smith, to approve the first reading of Ordinance No. 19-1005, designating Oak Tree Park as a park Under Oregon City Charter Chapter X. The motion carried by the following vote:**

**Aye:** 3 - Mayor Dan Holladay, Commissioner Rachel Lyles Smith and Commissioner Rocky Smith Jr.

**6c.** First Reading of Ordinance No. 19-1006, Designating Singer Creek Park as a Park Under Oregon City Charter Chapter X

*Mayor Holladay opened the public hearing.*

*There was no public testimony.*

*Mayor Holladay closed the public hearing.*

**A motion was made by Commissioner Smith, seconded by Commissioner Lyles Smith, to approve the first reading of Ordinance No. 19-1006, designating Singer Creek Park as a park Under Oregon City Charter Chapter X. The motion carried by the following vote:**

**Aye:** 3 - Mayor Dan Holladay, Commissioner Rachel Lyles Smith and Commissioner Rocky Smith Jr.

**6d.** First Reading of Ordinance No. 19-1007, Designating Barclay Hills Park as a Park Under Oregon City Charter Chapter X

*Mayor Holladay opened the public hearing.*

*There was no public testimony.*

*Mayor Holladay closed the public hearing.*

**A motion was made by Commissioner Smith, seconded by Commissioner Lyles**

**Smith, to approve the first reading of Ordinance No. 19-1007, designating Barclay Hills Park as a park Under Oregon City Charter Chapter X. The motion carried by the following vote:**

**Aye:** 3 - Mayor Dan Holladay, Commissioner Rachel Lyles Smith and Commissioner Rocky Smith Jr.

## **7. General Business**

### **7a. First Reading of Ordinance No. 19-1002, False Alarm Reduction and Permit Program**

*This agenda item was postponed.*

### **7b. Resolution No. 19-03, Establishing Management and Deployment Standards for Small Cell Facilities Within the City of Oregon City Rights-of-Way**

*John Lewis, Public Works Director, introduced the agenda item and discussed reasons for adoption of the proposed standards and fees for small cell facilities.*

*Dante Posadas, Right of Way and Construction Manager, and Spencer Parsons, attorney, discussed the timeline for rights-of-way management, telecommunication industry changes and 5G capabilities and needs, governing bodies and legislation, impacts on Oregon City, and planned action. The three resolutions on the agenda would create standards for management and deployment of small cells in the rights-of-way, annual rights-of-way usage fees, and engineering permit fees.*

*There was discussion regarding how the small cells worked, public facilities that would be available for the small cell facilities, requiring undergrounding for new developments, and justification for the fees.*

*Steve Coon, Verizon Wireless, explained why these small cell facilities were required to meet the demand for more capacity and speed. He then discussed his concerns regarding the one antenna limit, height restriction, allowance for replacement poles, 90 day shot clock, and the usage fee. He asked that approval of the resolutions be delayed.*

*Karen Manske, AT&T, expressed concerns about the design standards and fees. She asked for more time to work with staff to come up with something that met the FCC order and federal rules and regulations.*

*Eric Underwood, PGE, pointed out an inconsistency with the application process.*

*There was discussion regarding who staff had talked to in the industry in preparing these standards and fees, 15% administration fee, fee analysis, and FCC compliance.*

*There was consensus that what had been proposed was reasonable.*

*There was further discussion regarding the application process for PGE approval. Staff would work with PGE and if something needed to be changed, it would come back to the Commission.*

**A motion was made by Commissioner Smith, seconded by Commissioner Lyles**

**Smith, to approve Resolution No. 19-03, establishing management and deployment standards for small cell facilities within the City of Oregon City rights-of-way. The motion carried by the following vote:**

**Aye:** 3 - Mayor Dan Holladay, Commissioner Rachel Lyles Smith and Commissioner Rocky Smith Jr.

**7c.** Resolution No.19-02, Amending the Rights-of-Way Fee Schedule to Include Small Cell

**A motion was made by Commissioner Smith, seconded by Commissioner Lyles Smith, to approve Resolution No.19-02, amending the rights-of-way fee schedule to include small cell. The motion carried by the following vote:**

**Aye:** 3 - Mayor Dan Holladay, Commissioner Rachel Lyles Smith and Commissioner Rocky Smith Jr.

**7d.** Resolution No. 19-05, Modifying Public Works Engineering Fees Schedule and Amending Resolution No. 18-16

**A motion was made by Commissioner Smith, seconded by Commissioner Lyles Smith, to approve Resolution No. 19-05, modifying public works engineering fees schedule and amending Resolution No. 18-16. The motion carried by the following vote:**

**Aye:** 3 - Mayor Dan Holladay, Commissioner Rachel Lyles Smith and Commissioner Rocky Smith Jr.

**8. Consent Agenda**

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

**Aye:** 3 - Mayor Dan Holladay, Commissioner Rachel Lyles Smith and Commissioner Rocky Smith Jr.

**8a.** Change Order #4 for the 2018 Water System Improvements Project

**8b.** Intergovernmental Agreement with the Oregon Department of Transportation for the Meyers Road Extension Project

*Dorothy Dahlsrud, resident of Oregon City, said this road extension would go through a small grove of White Oaks and the Natural Resources Committee had made a suggestion that any trees that were removed would be replaced with White Oak in a different location.*

**8c.** OLCC: Liquor License Application - Limited On-Premises, Applying as a Limited Liability Company, MOD Super Fast Pizza, LLC, 19550 Molalla Ave, #145

**8d.** Minutes of the January 8, 2019 Work Session

**9. Communications**

**a. City Manager**

*There was no City Manager report.*

**b. Commission**

*Commissioner Smith reported on the last Clackamas Heritage Partners meeting.*

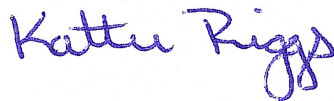
**c. Mayor**

*There was no Mayor report.*

**10. Adjournment**

*Mayor Holladay adjourned the meeting at 8:22 PM.*

*Respectfully submitted,*



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*Katie Riggs, City Recorder*