



City of Oregon City

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

Meeting Minutes - Final

City Commission

Wednesday, July 3, 2019

7:00 PM

Commission Chambers

1. Convene Regular Meeting and Roll Call

Mayor Holladay called the meeting to order at 7:11 PM.

Present: 5 - Mayor Dan Holladay, Commissioner Frank O'Donnell, Commissioner Rachel Lyles Smith, Commissioner Rocky Smith Jr. and Commissioner Denyse McGriff

Staffers: 8 - City Manager Tony Konkol, City Attorney William Kabeiseman, Assistant City Recorder Claudia Cisneros, Police Chief and Public Safety Director James Band, Community Development Director Laura Terway, Human Resources Director Patrick Foiles, Public Works Director John Lewis and Library Director Maureen Cole

2. Flag Salute

3. Ceremonies, Proclamations

4. Citizen Comments

William Gifford, resident of Oregon City, gave kudos to Jim Band, Police Chief, for coming to the Hillendale/Tower Vista Neighborhood Association meeting and Laura Terway, Community Development Director, who answered his land use questions.

5. Adoption of the Agenda

Items 8b and 8d were pulled from the Consent Agenda. The agenda was adopted as amended.

6. Public Hearings

6a. Second Reading of Ordinance No.18-1009, Development Code Amendments Including Equitable Housing (Planning File LEG 18-00001)

Mayor Holladay opened the public hearing.

There was no public testimony.

Mayor Holladay closed the public hearing.

Commissioner McGriff had received a couple of concerns from neighborhood residents regarding notifications, if a project was beyond a single family dwelling under the new code.

Ms. Terway explained the new notification process.

A motion was made by Commissioner Lyles Smith, seconded by Commissioner Smith, to approve the second reading and final adoption of Ordinance No.18-1009, Development Code amendments including equitable housing (Planning File LEG 18-00001). The motion carried by the following vote:

Aye: 5 - Mayor Dan Holladay, Commissioner Frank O'Donnell, Commissioner Rachel Lyles Smith, Commissioner Rocky Smith Jr. and Commissioner Denyse McGriff

7. General Business

7a. Appraisal and Sale of 320 Warner Milne Rd., Occupied by the Police Department, Code Enforcement, and Municipal Court

Chief Band stated staff would like to sell the property at 320 Warner Milne on their own without a real estate broker.

There was consensus for staff to sell the property through an RFP (Request for Proposal) or RFQ (Request for Quote) type process.

Commissioner McGriff wanted to make sure the wetland area behind the property was preserved.

7b. Resolution No. 19-18, Revocable Permanent Obstruction in the Right-of-Way at 413 4th Avenue

John Lewis, Public Works Director, said this item was pulled from the Consent Agenda at the last meeting for additional information. This was a revocable permit obstruction in the right-of-way for a retaining wall, stairs, and walkways associated with a single family home in the Canemah neighborhood.

There was discussion regarding the retaining wall and picket fence height and if there was another option to not have these items in the right-of-way.

Dave Green, applicant, discussed the research he had done on the feasibility to build on this lot and the procedures he had gone through with the City. He explained why the retaining wall, stairs, and walkways needed to be in the right-of-way to access the house and the kind of fill that would be used to reduce disturbance on the hillside.

Dan Simmons, Civil Engineer, discussed the geologic hazard review and additional requirements. They had looked at other alternatives, but they were more intrusive. The picket fence on the retaining wall was a pedestrian guardrail.

There was discussion regarding which took precedence, the Building Code or Historic Review Board (HRB) policy, in regard to the retaining wall with fence on top and who was liable if the ground shifted and the house became uninhabitable.

Mayor Holladay said staff had reviewed this and the right-of-way was not needed in the foreseeable future.

A motion was made by Commissioner Lyles Smith, seconded by Commissioner Smith, to approve Resolution No. 19-18, Revocable Permanent Obstruction in the Right-of-Way at 413 4th Avenue. The motion passed by the following vote:

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

Nay: 1 - Commissioner Frank O'Donnell

Abstain: 1 - Commissioner Denyse McGriff

8. Consent Agenda

A motion was made by Commissioner McGriff, seconded by Commissioner Smith, to approve the consent agenda except for 8b and 8d. The motion carried by the following vote:

Aye: 5 - Mayor Dan Holladay, Commissioner Frank O'Donnell, Commissioner Rachel Lyles Smith, Commissioner Rocky Smith Jr. and Commissioner Denyse McGriff

8a. Immediate Opportunity Fund Agreement with the Oregon Department of Transportation for the Meyers Road Extension Project

8b. Resolution No. 19-17, Updating the Policy for Cross Street Banners and Banners on Light Poles

Mr. Lewis summarized the differences between the existing policy and proposed policy for banners on street light poles.

There was discussion regarding designating spaces for year-long banners and other spaces for short-term banners.

There was consensus to schedule this as a future work session item.

8c. National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Contract with Brown and Caldwell for 2019-20

8d. Resolution No. 19-28, Replacing Resolution No. 19-07 Adjusting Alarm System User Permit Fees to Become More Consistent within the Region.

Staff would bring back the corrections to this resolution to the next meeting.

8e. Management, Supervisory and Confidential Employee Salary Cost of Living Adjustment (COLA) Increase FY 2019-20

8d. Minutes of the April 9, 2019 Work Session

9. Communications

a. City Manager

Tony Konkol, City Manager, reported on a meeting with Water Environmental

Services(WES) regarding their proposed System Development Charges (SDC) increase effective August 1, 2019.

There was discussion regarding how Oregon City did not have a voice on the WES Board and the need to change that.

Mr. Konkol gave an update on the progress of implementing the Commission's goals.

b. Commission

Commissioner McGriff reported on the meetings she had attended.

Commissioner Lyles Smith reported on the C4 (Clackamas County Coordinating Committee) Retreat.

c. Mayor

Mayor Holladay attended the new police station open house and US Conference of Mayors Annual Conference.

10. Adjournment

Mayor Holladay adjourned the meeting at 8:25 PM.

Respectfully submitted,

Kattie Riggs, City Recorder