



# City of Oregon City

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

## Meeting Minutes - Final

### City Commission

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Wednesday, November 6, 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 7:08 PM.*

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

**Staffers:** 12 - City Manager Tony Konkol, Assistant City Attorney Carrie Richter, City Recorder Kattie Riggs, Police Chief and Public Safety Director James Band, Community Development Director Laura Terway, Public Works Director John Lewis, Human Resources Director Patrick Foiles, Finance Director Wyatt Parno, Project Engineer Bob Balgos, ROW Manager Dante Posadas, Sr. Planner Christina Robertson-Gardiner and Tourism Specialist Matthew Weintraub

#### 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. Oath of Office, Oregon City Police Department, for Sergeant Joseph Pagano

*Jim Band, Police Chief, gave a background on Sergeant Joseph Pagano.*

*Mayor Holladay administered the Oath of Office to Sergeant Pagano.*

##### 3c. Bronze His Boots Presentation by the Canemah Neighborhood Association

*Chief Band said Officer Libke's boots would be bronzed and put outside the new police facility.*

*Ken Baysinger, Canemah Neighborhood Association Chair, explained the Bronze His Boots fundraiser. He presented a check for \$2,323.13 to Chief Band.*

*Dennis Anderson presented a painting he had made of the boots for the new police facility.*

**3d. Metro Update by Councilor Christine Lewis**

*Christine Lewis, Metro Councilor, reported on the parks and nature bond, extending MAX along the southwest corridor, affordable housing projects, Get Moving 2020 campaign, Oregon Zoo, visitor venues, and garbage and recycling.*

**3e. Historic Review Board Annual Update**

*Ken Baysinger, Historic Review Board Chair, presented the Historic Review Board Annual Report.*

**4. Citizen Comments**

*Paul Diaz, resident of Oregon City, requested that the City utilize apprentice iron workers in upcoming projects.*

*William Gifford, resident of Oregon City, discussed the need for better communication with the public on the Molalla Streetscape project.*

*Paul Edgar, resident of Oregon City, requested getting maps out to neighborhoods with riparian corridors and landslide areas so people would be better informed.*

*Patti Webb, resident of Oregon City, discussed the issues she had with a fence that had gone up between her and her neighbor. She thought part of the fence should be removed, Coffee Creek made visible again, her property returned, and her driveway returned to natural grade.*

**5. Adoption of the Agenda**

*The agenda was adopted as presented.*

**6. Public Hearings****6a. First Reading of Ordinance No. 19-1014, Adopting the Stormwater Master Plan as an Ancillary to the Comprehensive Plan (GLUA 19-00002: LEG 19-00001)**

*Christina Robertson-Gardiner, Senior Planner, gave a presentation on the updates to the stormwater and grading design standards and the Stormwater Master Plan. The Planning Commission had recommended approval.*

*Kattie Riggs, City Recorder, read the public comments that had been submitted today which were added to the public record.*

*Alissa Maxwell, Brown and Caldwell, gave an overview of the work that was done and reviewed the Stormwater Master Plan recommendations, proposed capital projects, and updates to the design standards.*

*There was discussion regarding how these changes met Statewide Planning Goal 6.*

*Mayor Holladay opened the public hearing.*

*Paul Edgar, resident of Oregon City, discussed a wetland in Canemah that needed to be addressed.*

*James Nicita, resident of Oregon City, had submitted written testimony regarding Statewide Planning Goals 2 and 5. He would like some projects included that used stormwater as an amenity.*

*Mayor Holladay closed the public hearing.*

*There was discussion regarding using stormwater as an amenity and stormwater standards.*

*Laura Terway, Community Development Director, said based on the information submitted tonight and the need for additional findings for Goal 6, staff was requesting to continue the hearing to December 18, 2019.*

**A motion was made by Commissioner McGriff, seconded by Commissioner Smith, to continue the first reading of Ordinance No. 19-1014, adopting the Stormwater Master Plan as an ancillary to the Comprehensive Plan (GLUA 19-00002: LEG 19-00001) to December 18, 2019. 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

**6b.**

First Reading of Ordinance No. 19-1015, Adopting Public Works Stormwater and Grading Design Standards (GLUA 19-00002: LEG 19-00005)

*Ms. Terway explained this item was related to the last item which had been continued. Staff was requesting to continue this item as well.*

*Mayor Holladay opened the public hearing.*

*James Nicita, resident of Oregon City, said his comments on the last item also applied to this item.*

*Mayor Holladay closed the public hearing.*

*Mayor Holladay asked staff to reach out to Mr. Buss and Mr. Nicita regarding their objections prior to the next hearing.*

**A motion was made by Commissioner McGriff, seconded by Commissioner Smith, to continue the first reading of Ordinance No. 19-1015, adopting Public Works Stormwater and Grading Design Standards (GLUA 19-00002: LEG 19-00005) to December 18, 2019. 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.**

First Reading of Ordinance No. 19-1011, Adding Chapter 8.26 Business

### Food Waste Requirements to the Oregon City Municipal Code

*John Lewis, Public Works Director, gave a presentation on the food waste program as well as cost estimates, collection rate estimates, and franchise hauler clarifications.*

*Commissioner Smith did not appreciate the threatening letter they had received from Metro.*

*Commissioner O'Donnell questioned the estimated costs going forward.*

*Mayor Holladay agreed the letter from Metro was unnecessary. He thought Metro was taking over more programs than they were entitled to in their original charter.*

*Commissioner Lyles Smith thought they were blowing the letter out of proportion.*

**A motion was made by Commissioner McGriff, seconded by Commissioner Lyles Smith, to approve the first reading of Ordinance No. 19-1011, adding Chapter 8.26 Business Food Waste Requirements to the Oregon City Municipal Code. The motion passed by the following vote:**

**Aye:** 3 - Commissioner Frank O'Donnell, Commissioner Rachel Lyles Smith and Commissioner Denyse McGriff

**Nay:** 2 - Mayor Dan Holladay and Commissioner Rocky Smith Jr.

**7b.**

### Second Reading of Ordinance No.19-1016, Amending Oregon City Municipal Code Chapter 12.32 - Heritage Trees

**A motion was made by Commissioner Lyles Smith, seconded by Commissioner Smith, to approve the second reading and final adoption of Ordinance No.19-1016, amending Oregon City Municipal Code Chapter 12.32 - Heritage Trees. 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

**7c.**

### Citizen Involvement Committee (CIC) Request to Amend Procedures and Restore Bylaws

*Tony Konkol, City Manager, explained the request from the Citizen Involvement Committee (CIC). If approved, the CIC would prepare recommended changes to the Code and bylaws and present them to the City Commission at a future Work Session.*

*Amy Willhite, CIC Chair, read a statement giving the background on the CIC and steps taken to make these changes to increase citizen involvement.*

*There was support for these changes and encouraging citizen participation.*

**A motion was made by Commissioner McGriff, seconded by Commissioner Smith, to approve the Citizen Involvement Committee's request to recommend amended procedures and restored bylaws to the City Commission for review. 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

**7d. Memorandum of Understanding Between the Downtown Oregon City Association and the City of Oregon City for Monetary Contribution**

*Mr. Konkol explained the Memorandum of Understanding (MOU) between the Downtown Oregon City Association (DOCA) and the City of Oregon City. It included the anticipated scope of work and deliverables from DOCA and the City's provision of \$60,000 annually for two years. DOCA would match the City's contribution 100% with funds not from City sources. The money was already included in the City's budget.*

*Zach Stokes, DOCA Board Chair, and Liz Hannum, DOCA Executive Director, explained the work they had done on the MOU.*

*There was discussion regarding the City providing the funds up front, prorated reimbursement if the MOU was terminated, non-performance penalties and annual review, second year funding contingent on meeting the goals of the first year, need for DOCA to become self-sustaining, and the importance of the DOCA organization.*

*Staff would make the recommended changes and bring the MOU back to the next Commission meeting.*

**7e. Oregon City Elevator Kiosk Staffing Agreement with the Downtown Oregon City Association**

*Mr. Konkol said the Downtown Oregon City Association (DOCA) received a Metro Enhancement Grant for the construction of an elevator kiosk which was soon to be completed. He explained the purpose of the kiosk and the hours of operation which would begin in March 2020. The City would contribute \$20,180 from Transient Lodging Tax for one year and the agreement would expire on December 31, 2020.*

*Trieste Andrews, resident of Oregon City, read a statement for herself, Vickie Yates, and the Midtown Business District. They wanted to make sure midtown businesses were represented in the plans for the kiosk including a brochure that had recently been done and she gave their recommendations.*

*Liz Hannum, DOCA Executive Director, explained how there would be racks for brochures and midtown was on the list. The brochures would be dedicated to tourist experiences.*

*There was discussion regarding the calculations for the kiosk employees and payment terms.*

*Staff would clarify the numbers in the agreement and bring it back to the next Commission meeting.*

**8. Consent Agenda**

**A motion was made by Commissioner McGriff, seconded by Commissioner Smith, to approve the consent agenda. 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. Resolution No. 19-34, Supporting the Federal Emergency Management**

Agency (FEMA) Community Rating System (CRS) 2019 Recertification for Oregon City

**8b.** Amendment No. 1 to Intergovernmental Agreement No. 32587 with the Oregon Department of Transportation

**8c.** Deed of Dedication for the Molalla Avenue Streetscape Project - Crone Property (13890 Lazy Creek Lane)

**8d.** Deed of Dedication for the Molalla Avenue Streetscape Project - Loftlessness Property (19461 Molalla Avenue)

**8e.** Deed of Dedication for the Molalla Avenue Streetscape Project - Holland Property (1900 Molalla Avenue; Burgerville)

**8f.** OLCC: Liquor License Application - Wholesale Malt Beverage & Wine, Applying as a Limited Liability Company, Hillock Brewing Company LLC, 424 Alderwood Place

**8g.** Minutes of the August 7, 2019 Work Session

**8h.** Minutes of the August 13, 2019 Work Session

**8i.** Minutes of the August 21, 2019 Regular Meeting

## **9. Communications**

### **a. City Manager**

*Mr. Lewis gave an update on land movement on South End Road.*

*Ms. Terway announced the City won an award for the Cultural Landscape Report that was done for the Willamette Falls Legacy Project.*

*Mr. Konkol reminded everyone of the Economic Development Manager meet and greet tomorrow. The interim Community Services Director would begin tomorrow, Thursday, November 7, 2019, as well. City Hall was closed on Monday, November 11, 2019 for Veterans Day.*

### **b. Commission**

*Commissioner McGriff discussed a situation in the McLoughlin neighborhood that she would like to be referred to the Historic Review Board (HRB) for a code change.*

*There was consensus for the HRB to review the definition of demolition and to review the triggers for historic district review for non-designated structures.*

*Commissioner Smith asked if the Commission wanted to revisit the annexation policy since there was an annexation application scheduled for the next meeting. Mayor*

*Holladay thought they had to follow SB 1573.*

*There was consensus to have a discussion on annexations separate from the application.*

**c. Mayor**

*There were no Mayor communications.*

**10. Adjournment**

*Mayor Holladay adjourned the meeting at 10:04 PM.*

*Respectfully submitted,*

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*Kattie Riggs, City Recorder*