



City of Oregon City

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

Meeting Minutes - Final

City Commission

Wednesday, November 20, 2019

7:00 PM

Commission Chambers

3. Convene Regular Meeting and Roll Call

Mayor Holladay called the meeting to order at 7:02 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, City Attorney William Kabeiseman, 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, Sr. Planner Pete Walter, Public Works Development Projects Manager Josh Wheeler, Interim Community Services Director Don Robertson, Library Director Maureen Cole and Tourism Specialist Matthew Weintraub

2. Flag Salute

3. Ceremonies, Proclamations, and Presentations

- 3a. Proclamation Declaring November 24 - 30, 2019 as Oregon City Buy Local Week and Saturday, November 30, 2019 as Oregon City Buy Local, Small Business Saturday

Mayor Holladay declared November 24-30, 2019 as Oregon City Buy Local Week and Saturday and November 30, 2019 as Oregon City Buy Local, Small Business Saturday.

- 3b. Natural Resources Committee Annual Update

Trent Warness, Chair of the Natural Resources Committee, presented the Natural Resources Committee Annual Report.

4. Citizen Comments

William Gifford, resident of Oregon City, announced the Oregon City Business Alliance Luncheon next Tuesday and the guest speaker was Greater Portland, Inc.

Paul Edgar, resident of Oregon City, had brought in a map showing the unimproved City rights-of-way. He discussed a neighbor dispute and how he thought it should be investigated.

Tony Konkol, City Manager, explained the situation and what the different parties had agreed to do.

Jim Band, Police Chief, suggested the parties use County mediation services.

Liz Hannum, Director of Downtown Oregon City Association, announced that Oregon City was a top ten finalist for the Small Business Revolution tv show and some filming would be done next month. If they made it to the top five, the decision would be made by a public vote.

Bob Mahoney, resident of Oregon City, discussed due process and how he did not think it was considered with Mr. Edgar's comments. They needed to start thinking outside the box for land use planning. He thought Beavercreek Road should be five lanes to accommodate growth.

There was discussion regarding the process for complaints about the performance of City staff.

Mike Michell, resident of Oregon City, complimented the last issue of the Trail News. He suggested instead of quarterly, that only two editions come out per year and an additional four updates without the fancy cover where more current information was provided.

5. Adoption of the Agenda

The agenda was adopted as presented.

6. Public Hearings

6a. 1st Reading of Ordinance No. 19-1018, Annexation, Zone Change, 7-Lot Subdivision and Minor Variance Request for 14576 S. Maplelane Road (GLUA 19-00021)

Pete Walter, Senior Planner, presented the request for annexation of one acre plus adjoining right-of-way, zone change to R-3.5 dwelling district, 7-lot subdivision, and minor variance request for lot depth for 14576 S. Maple Lane Road. He discussed the transportation analysis and how transportation system requirements could be met as conditioned including a proportional share for improvements to the Beavercreek/213 intersection. The property was part of the 1979 Urban Growth Boundary and all street, sidewalks, sewer, water, stormwater, and public utility improvements could be extended as conditioned. He reviewed the subdivision layout as well as the annexation district/boundary changes and comments received. He then discussed the approval criteria. The application met all of the standards through the conditions of approval recommended by staff. The Planning Commission had recommended approval of the application.

Mayor Holladay thought the compromise could be to not consider any new annexation applications until the Court of Appeals decided the matter.

Commissioner Smith asked if they wanted to delay all applications, or differentiate between small and large annexations and still process small applications.

Mayor Holladay did not want this to be arbitrary. To be fair, he thought they should make a decision on the application tonight as it had already gone through the process.

Commissioner Lyles Smith would prefer not to put any applications on hold.

Commissioner McGriff thought unless there was a health hazard, they should not consider anymore annexations.

Commissioner O'Donnell agreed that they should not consider anymore applications.

There was discussion regarding the risk associated with these options.

Mayor Holladay opened the public hearing.

Desiree Rowland, applicant, said the application had been submitted in July. They had been actively working on it for some time and were hoping for a decision so they could move forward.

Mayor Holladay closed the public hearing.

Commissioner O'Donnell said the applicants had incurred significant dollars to get to this point and the project was small. He thought this was the only one that should be approved.

Commissioner Lyles Smith thought this was in a great location and would fill in some holes in current development that was already medium density. The applicant would be doing all of the required infrastructure improvements and this was a good project for development.

Commissioner McGriff thought the Charter superseded the Senate Bill, and she would be voting no because she thought voter annexation needed to happen.

A motion was made by Commissioner Lyles Smith, seconded by Commissioner McGriff, to approve the first reading of Ordinance No. 19-1018, Annexation, Zone Change, 7-Lot Subdivision and Minor Variance Request for 14576 S. Mapelane Road (GLUA 19-00021). The motion passed by the following vote:

Aye: 3 - Mayor Dan Holladay, Commissioner Frank O'Donnell and Commissioner Rachel Lyles Smith

Nay: 1 - Commissioner Denyse McGriff

Abstain: 1 - Commissioner Rocky Smith Jr.

The Commission discussed the policy they wanted to set for any future annexation applications.

A motion was made by Commissioner Smith, seconded by Commissioner O'Donnell, to direct staff that the annexation policy would now be not to approve any annexation applications that did not require a vote of the people until the Court of Appeals rendered a decision. The motion passed by the following vote:

Aye: 4 - Mayor Dan Holladay, Commissioner Frank O'Donnell, Commissioner Rocky Smith Jr. and Commissioner Denyse McGriff

Nay: 1 - Commissioner Rachel Lyles Smith

7. General Business

7a. Second Reading of Ordinance No. 19-1011, Adding Chapter 8.26

Business Food Waste Requirements to the Oregon City Municipal Code

A motion was made by Commissioner McGriff, seconded by Commissioner Lyles Smith, to approve the second reading and final adoption 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: 4 - Mayor Dan Holladay, Commissioner Frank O'Donnell, Commissioner Rachel Lyles Smith and Commissioner Denyse McGriff

Nay: 1 - Commissioner Rocky Smith Jr.

7b.**Request to Change the System Development Charge (SDC) Discount Area Boundary**

John Lewis, Public Works Director, discussed the request to change the System Development Charge (SDC) Discount Area Boundary. This would add three properties from City Hall to the Singer Hill bluff into the district.

Ben James, applicant, was requesting that the properties be added to the discount boundary. The boundary was there to encourage economic development and to give property owners the opportunity to do things like change of use without incurring substantial SDC charges. He had a 1,200 square foot empty space in his building and would like to put a tap house there. Since it was not in the discount zone, it would be about \$125,000 to change the use which was a substantial cost to him. He gave a history of the building, vote of people for this to be a brewery, coffee house, or restaurant, letters of support, and reasons and benefits for making this change.

Mr. Lewis explained the purpose and methodology of the boundary as well as the trip generation for the different uses and corresponding SDC charges. If the Commission supported this change, staff would bring it back for a decision.

Commissioner Lyles Smith wanted to make sure that whatever change they made had defensible reasons for why this property aligned with the corridor and not other properties in this area. She was also concerned about not collecting the needed SDCs for future projects.

Commissioner Smith thought it was clear that these properties had been inadvertently left out.

Commissioner O'Donnell thought it was an extension of the downtown area.

Commissioner McGriff agreed there needed to be clear criteria so they did not set a precedent. This needed to be a policy decision and not about a specific request.

There was consensus for staff to bring this back to the Commission.

8. Consent Agenda

A motion was made by Commissioner McGriff, seconded by Commissioner O'Donnell, 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. Memorandum of Understanding Between the Downtown Oregon City Association and the City of Oregon City for Monetary Contribution
- 8b. Personal Services Agreement with the Downtown Oregon City Association for Oregon City Elevator Kiosk Staffing
- 8c. Appointment of Representatives to Library District Task Force Series of Meetings
- 8d. Contract with Workplace Resource of Oregon for Furniture Purchase for the Police and Municipal Courts Building
- 8e. Resolution No. 19-36, Accepting Public Right-of-Way Dedication at 14285 Holcomb Blvd and 14273 Holcomb Blvd
- 8f. OLCC: Liquor License Application - Off-Premises with Fuel Pumps, Applying as a Corporation, SB Oil Corp. (dba Holcomb Market), 13927 S. Holcomb Blvd
- 8g. Minutes of the September 4, 2019 Joint Work Session with the Parks and Recreation Advisory Committee
- 8h. Minutes of the September 4, 2019 Regular Meeting

9. Communications

a. City Manager

Ms. Terway announced the Neighborhood Tree Planting event on Saturday and Open House on the environmental assessment of the Willamette Falls Legacy Project on November 26.

Mr. Konkol gave an update on the Willamette Falls Locks project investment. He announced Claudia Cisneros would be leaving the City to be City Recorder for McMinnville.

Chief Band gave an update on the construction of the new police facility. Mayor Holladay said they would be paying a fee in lieu instead of undergrounding the utilities and therefore were saving the two Oak trees on the property. He discussed the issue of homeless along the river. There would be a presentation given to the Commission on possible programs and policy changes.

b. Commission

Commissioner McGriff asked everyone to support local small businesses this holiday season.

Commissioner Smith asked for information on how many written complaints against City staff the City had received regarding the neighbor dispute discussed earlier and

what the response was.

c. Mayor

Mayor Holladay reported on meetings regarding Water Environment Services and Tri-Cities issues. A tentative compromise had been reached where each City was able to choose a representative to serve on the advisory committee. There would also be another committee formed to weigh in on big decisions like large capital improvement projects, rates, and SDCs.

10. Adjournment

Mayor Holladay adjourned the meeting at 8:47 PM.

Respectfully submitted,

Kattie Riggs, City Recorder