



# City of Oregon City

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

## Meeting Minutes - Final

### City Commission

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Wednesday, December 4, 2019

7:00 PM

Commission Chambers

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#### REVISED

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

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

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

**Absent:** 1 - Commissioner Rachel Lyles Smith

**Staffers:** 15 - City Manager Tony Konkol, City Attorney William Kabeiseman, 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, Sr. Planner Pete Walter, Business Analyst Ryan Bredehoeft, Interim Community Services Director Don Robertson, Library Director Maureen Cole, Sr. Planner Christina Robertson-Gardiner, Captain Shaun Davis and Assistant to the City Manager Lisa Oreskovich

#### 2. Flag Salute

#### 3. Ceremonies, Proclamations

#### 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. 19-1019, Emergency Annexation of 0.299 Acres at 19420 S Pease Road, File No. GLUA-19-00012: AN-19-00001

*Christina Robertson-Gardiner, Senior Planner, presented the staff report. This was an emergency sewer annexation on Pease Road. The property was within 300 feet of City sanitary sewer and they could connect. The property would retain the existing FU-10 zoning and no development of the property could be done until the zoning was*

*changed.*

*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 O'Donnell, to approve the first reading of Ordinance No. 19-1019, emergency annexation of 0.299 acres at 19420 S Pease Road, File No. GLUA-19-00012: AN-19-00001. The motion carried by the following vote:**

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

**6b.**

First Reading of Ordinance No. 19-1008 (Planning File LEG 18-0001), Development Code Amendments for Clarification, Correction of Errors, or Improvements

*Laura Terway, Community Development Director, said this was a clean up of the code amendments that were done six months ago. The Commission had given staff direction on all of these items except one, duplex uses in the MUC zone. She entered email correspondence from Mr. Nicita and staff into the record. Mr. Nicita had argued that duplexes should be allowed in the MUC zone and there were proposed amendments allowing internal conversions for designated structures in the McLoughlin Conservation District and allowing duplexes within structures that were a minimum of 20 years old in the McLoughlin Conservation District.*

*Pete Walter, Senior Planner, had contacted the McLoughlin Neighborhood Association Chair about this issue and he was generally supportive but thought it was last minute and the Association had not had time to discuss it.*

*After some discussion, there was consensus not to consider the new information and not to make this change at this time.*

*Mayor Holladay opened the public hearing.*

*Esther Barstad, resident of Oregon City, managed the Mt. Pleasant Mobile Home Park. She discussed how the current development requirements for manufactured home parks did not meet the purpose of providing local affordable housing options. She was in favor of the code revisions and requested that they be adopted without further delay.*

*Bob Mahoney, resident of Oregon City, was in support of the Commission not considering the new information about duplexes. This issue should be considered in the upcoming Comprehensive Plan update.*

*Mayor Holladay closed the public hearing.*

**A motion was made by Commissioner McGriff, seconded by Commissioner O'Donnell, to approve the first reading of Ordinance No. 19-1008 (Planning File LEG 18-0001), Development Code Amendments for Clarification, Correction of Errors, or Improvements. The motion carried by the following vote:**

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

**6c.** First Reading of Ordinance No. 19-1017, Amending Development Agreement to Extend Pass-Through Reimbursements for Constructed Stormwater Facility

*Ryan Bredehoeft, Business Analyst, gave a background on the agreement which was done in 2008. The agreement would soon expire and there were still parcels that had not been developed that would contribute to the reimbursement for the stormwater facility that John Jones Construction built. In order to facilitate a longer reimbursement period, a new agreement could be executed. Along with the extension of the reimbursement period, the City would like to discuss potential transportation improvements in the area with Jones. The ordinance would extend the term of the existing reimbursement period to December 31, 2020, and allow the City and Jones adequate time to negotiate an extended agreement.*

*Mayor Holladay opened the public hearing.*

*There was no public testimony.*

*Mayor Holladay closed the public hearing.*

**A motion was made by Commissioner McGriff, seconded by Commissioner Smith, to approve the first reading of Ordinance No. 19-1017, amending the Development Agreement to extend pass-through reimbursements for constructed stormwater facility. The motion carried by the following vote:**

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

**7. General Business**

**7a.** Discussion and Deliberations for Appointment of the Urban Renewal Commission Positions

*The Commission discussed the policy for citizens to be on more than one City committee at a time. There was consensus to take it on a case by case basis.*

*There was discussion regarding the candidates for the two Urban Renewal Commission seats.*

**A motion was made by Commissioner McGriff, seconded by Commissioner Smith, to appoint Shawn Cross to the four year term. Motion passed by the following vote:**

**Aye:** 3 - Commissioner Frank O'Donnell, Commissioner Rocky Smith Jr. and Commissioner Denyse McGriff

**Nay:** 1 - Mayor Dan Holladay

**A motion was made by Commissioner McGriff, seconded by Commissioner O'Donnell, to appoint Steve VanHaverbeke to the Urban Renewal Commission for a two year term. The motion failed by the following vote:**

**Aye:** 2 - Commissioner Frank O'Donnell and Commissioner Denyse McGriff

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

*There was consensus to bring this item back to the next Commission meeting.*

**7b.**

**First Reading of Ordinance No. 19-1020, Amending Title 12 Section 12.16.040, Camping Prohibited Section of the Oregon City Municipal Code**

*Shaun Davis, Police Captain, and Mike Day, Police Officer, recommended revising the current language in the prohibitive camping ordinance to help with issues surrounding homelessness and unauthorized camping. They explained how the Police Department had worked to address homelessness and the difficulties the Ninth Circuit Court ruling created for the Department's enforcement actions. They then explained the proposed changes to the code to address the issues.*

*Dale O'Neil, resident of Gladstone, discussed the homeless camp at the Cove and the issues it had caused.*

*Angela Hult, resident of Gladstone, thought the issues at the Cove were public safety issues. She supported the actions that were being taken tonight.*

*William Gifford, resident of Oregon City, was also concerned about the Cove and did not think the fence that was put up was taking care of the issue. He made a distinction between sleeping and camping.*

*Jim Band, Police Chief, explained they were doing things in the most humane way they could and tried to treat people fairly. They were trying to make a distinction for people to have a place to sleep for the night if there were no other options, but not allowing encampments where people were creating messes.*

*Robin Winston, owner of C&R Reforestation, said his company was currently ODOT's homeless camp and debris removal contractor. They worked with the homeless that were on the properties as well as picked up the trash. He thought the City was on the right track to redefine the ordinance and establish legal guidelines. He distributed information about his contract with ODOT.*

*Commissioner Smith had an issue with the definitions and written permission to camp being tied to residential use.*

**A motion was made by Commissioner O'Donnell, seconded by Commissioner McGriff, to approve the first reading of Ordinance No. 19-1020, amending Title 12 Section 12.16.040, Camping Prohibited Section of the Oregon City Municipal Code. The motion passed by the following vote:**

**Aye:** 3 - Mayor Dan Holladay, Commissioner Frank O'Donnell and Commissioner Denyse McGriff

**Nay:** 1 - Commissioner Rocky Smith Jr.

**7c.**

**2nd Reading of Ordinance No. 19-1018, Annexation, Zone Change, 7-Lot Subdivision and Minor Variance Request for 14576 S. Mapelane Road (GLUA 19-00021)**

**A motion was made by Commissioner O'Donnell, seconded by Commissioner Smith, to approve the second reading and final adoption of Ordinance No.**

**19-1018, Annexation, Zone Change, 7-Lot Subdivision and Minor Variance Request for 14576 S. Maplelane Road (GLUA 19-00021). The motion carried by the following vote:**

**Aye:** 3 - Mayor Dan Holladay, Commissioner Frank O'Donnell and Commissioner Rocky Smith Jr.

## **8. Consent Agenda**

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

**Aye:** 3 - Mayor Dan Holladay, Commissioner Frank O'Donnell and Commissioner Rocky Smith Jr.

- 8a.** Resolution No. 19-38, Amending the City's Transportation System Development Charge Discount Zone
- 8b.** Deed of Dedication for the Molalla Avenue Streetscape Project - SOJ 19195 LLC Property (19193 Molalla Avenue)
- 8c.** Acceptance of Settlement Agreement for the Berge/Emmert Property for the Meyers Road Extension Project (CI 17-001)
- 8d.** OLCC: Liquor License Application - Winery 1st Location, Applying as a Company, Brickwall Cider Co., 402 Beavercreek Rd., Ste. 113, Oregon City
- 8e.** Minutes of the September 18, 2019 Regular Meeting
- 8f.** Minutes of the September 18, 2019 Work Session
- 8g.** Minutes of the September 10, 2019 Work Session

## **9. Communications**

### **a. City Manager**

*Mayor Holladay left the meeting at 8:28 PM.*

*Ms. Terway gave an update on the Friends of Trees event that was held on November 23, 2019 and grants received for the Comprehensive Plan update.*

*John Lewis, Public Works Director, gave an update on the removal of a tree in the pedestrian crossing median at Tachos.*

*Tony Konkol, City Manager, announced the Tree Lighting and Heritage Holidays events on December 7, 2019, Library Director Meet and Greet on December 5, 2019, and retirement celebration for Maureen Cole on December 13, 2019. The Finance Department was recently awarded a Certificate of Achievement for Excellence in*

*Financial Reporting for 2018.*

**b. Commission**

*Commissioner Smith announced the many events on December 7. He thanked the Police Department for dealing with a situation at the High School.*

*Commissioner McGriff reported on the Small Business Revolutions visit.*

**c. Mayor**

**10. Adjournment**

*Commission President O'Donnell adjourned the meeting at 8:39 PM.*

*Respectfully submitted,*

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*Kattie Riggs, City Recorder*