CITY OF OREGON CITY
CITY COMMISSION REGULAR MEETING
MINUTES

Commission Chambers, 625 Center Street, Oregon City
Wednesday, November 04, 2020 at 7:00 PM

CITY COMMISSION EXECUTIVE SESSION

To be held in the Commission Chambers after the regular meeting of the City Commission.

i. *Pursuant to ORS 192.660(2)(e): To conduct deliberations with persons designated by the governing body to negotiate real property transactions.*

7:00 PM - REGULAR MEETING OF THE CITY COMMISSION

1. Convene Meeting and Roll Call

Commission President Rachel Lyles Smith called the meeting to order at 7:14 PM.

Present: 4 - *Commissioner Denyse McGriff, Commissioner Frank O'Donnell, Commissioner Rachel Lyles Smith and Commissioner Rocky Smith, Jr.*

Absent: 1 - *Mayor Dan Holladay*

Staffers: 12 - *City Manager Tony Konkol, City Attorney Bill Kabeiseman, City Recorder Kattie Riggs, Community Development Director Laura Terway, Public Works Director John Lewis, Parks & Recreation Director Kendall Reid, Interim Finance Director Ryan Bredehoeft, Human Resource Director Patrick Foiles, Police Chief Jim Band, Library Director Greg Williams, Assistant to the City Manager Lisa Oreskovich and Economic Development Manager James Graham.*

2. Flag Salute

3. Ceremonies, Proclamations, And Presentations

3a. Proclaiming the Month of November as "Shop Oregon City"

Commissioner Lyles Smith read the proclamation. Victoria Meinig, Director of the Chamber of Commerce, expressed her appreciation for the City supporting local businesses.

3b. Proclaiming November 1, 2020 Extra Mile Day

3c. FEMA Community Rating System 2020 Annual Report

John Lewis, Public Works Director, provided a presentation of the report. To reduce the potential for personal and property losses in the City's floodplain, the City has participated in the Federal Emergency Management Agency (FEMA) Community Rating System (CRS) program since 2005. The CRS program requires that the City document its floodplain code, flood prevention and forecasting efforts, and other facets of flood management. The CRS annual report summarizes the City's current efforts, how these achieved past goals and sets future goals. The program requires that the annual report be heard by the

City's governing body. Participation provides flood insurance discounts for residents and businesses. The program requires public outreach/education and continued emergency preparedness.

Commission Lyles Smith asked whether there are additional insurance discounts with a better rating, and Mr. Lewis indicated there were.

4. Citizen Comments

Patti Webb, resident of Canemah, expressed her appreciation of the Commissioners for not directing city businesses to reopen earlier in the year and not holding a fireworks event on July 4th. Ms. Webb felt there would have been serious community health repercussions otherwise.

Dorothy Dahlsrud, resident of Oregon City, recommended the Commission consider rolling over Heritage Tree Program award funds year over year, in the event funds are not used in a given year.

Adam Marl, resident of Oregon City, provided an update on the Mayor Holladay recall and also requested the Commission refer the investigative report of the Mayor to the Department of Justice for their review. Commissioner O'Donnell commented that voters should be informed on the issues leading to the recall prior to voting. The Commission discussed adding an additional agenda item under General Business to discuss the investigation report.

5. Adoption of the Agenda

Item 7d was added: the investigation report of Mayor Holladay. Item 8b was removed from the consent agenda. The revised agenda was adopted.

6. Public Hearings

There were no public hearings.

7. General Business

7a. First Reading of Ordinance No. 20-1010, Designating Property Adjacent to Waterboard Park as Part of Waterboard Park and Designating the Area as a Park Under Oregon City Charter Chapter X

Tony Konkol, City Manager, provided an outline of the Ordinance. The Commission directed staff to prepare an ordinance designating the Public Works Upper Yard as a Charter Park and to proceed with the removal of the two outbuildings on the property. The proposed area of the park includes the property that has historically been identified as the Armory property, which reverted back to City ownership once the demolition of the Armory building was completed by the State. Included in the ordinance is the legal descriptions of Tract 2 (upper yard and Armory site) which is to become the park, the easement language for the existing utilities and access along the bluff edge and identification of the two outbuildings that are to be removed from the property. The Ordinance will take effect 30 days after the 2nd reading of the proposed Ordinance or upon the removal of the two outbuildings.

Cameron McCredie, Chair of the McLoughlin Neighborhood Association, expressed support and appreciation for the City's efforts to make the area a City park.

Jesse Buss, resident of Oregon City, expressed appreciation for the City's efforts to make the area a City park, despite the many years of inaction.

Mike Mitchell, resident of Oregon City, expressed his support and urged the Commission to approve the first reading of the Ordinance.

Doug Neeley, resident of Oregon City, expressed his support and provided some background on the involvement of the Parks and Recreation Advisory Committee (PRAC) and the Commission and some lack of communication regarding the area.

Commissioner Smith recognized the volunteer efforts over many years to make this addition to the park happen.

Commissioner Lyles Smith also supported all of the efforts made and hoped that PRAC will be more in the loop, should there be a similar topic.

Commissioner McGriff also concurred and thanked the members of PRAC on their work the park designation.

Motion made by Commissioner Denyse McGriff, seconded by Commissioner Rocky Smith, to approve the First Reading of Ordinance No. 20-1010, Designating Property Adjacent to Waterboard Park as Part of Waterboard Park and Designating the Area as a Park Under Oregon City Charter Chapter X. The motion passed by the following vote:

Aye: 4- Commissioner Denyse McGriff, Commissioner Frank O'Donnell, Commissioner Rachel Lyle Smith, Commissioner Rocky Smith

7b. Resolution No. 20-34, Declaring an Emergency and Exempting a Temporary Warming Shelter at The Father's Heart Street Ministry from Planning Code Requirements (November 5, 2019 until March 31, 2020)

Laura Terway, Community Development Director, introduced the resolution. My Father's Heart Street Ministry would like to house up to 49 individuals from 6 p.m. to 7 a.m. each day the outside temperature is 33 degrees or below, including wind chill from November 1, 2020 until March 31, 2021. The number of beds is likely to be reduced due to separation requirements of COVID-19. The City of Oregon City Building Official and Clackamas Fire District #1 have yet to approve the request for conformance with the Temporary Emergency Policy prior to use of the facility.

Commissioner Lyles Smith asked about the fees for the pre-application conference and the timeline for the conditional use land use approval. Ms. Terway outlined the fee.

Commissioner McGriff was concerned about exempting any city policy and that outreach to neighbors had not occurred.

Commissioner O'Donnell expressed frustration that the Ministry had not been timely applying for the process and that it has been a recurring issue every year at this time.

Robin Keating, Executive Director of the Ministry, commented they have been taking precautions because of COVID and initiating additional spacing as well.

Commissioner O'Donnell asked about whether the spacing for individuals staying overnight. Jennifer Morris, the night shelter manager, indicated they will be issuing hotel vouchers to the most vulnerable to reduce the need as well as working with several Clackamas County departments advising on necessary changes to the facility. All staying at the facility will be required to follow all requirements. The number of individuals that will be allowed to stay at the facility will be determined by the building inspection to be conducted on the afternoon of November 5th. It is not anticipated to be a need to continue past March 31, 2021.

Commissioner McGriff asked about outreach to the neighborhood and Robin indicated they have had conversations with some neighbors, but not all. Commissioner McGriff indicated other neighbors had *concerns. The Ministry staff indicated they are willing to have additional conversations to try to resolve any issues.*

Ms. Terway indicated there is still considerable time before the planning process is completed.

The Commissioners had further discussion regarding the number of individuals to be allowed in the facility and arrived at changing the resolution wording to reflect whatever number is determined by the County Health Department through inspection.

Motion made by Commissioner McGriff, seconded by Commissioner Smith, to approve the Resolution No. 20-34 as amended, Declaring an Emergency and Exempting a Temporary Warming Shelter at The Father's Heart Street Ministry from Planning Code Requirement (November 5, 2020 until January 31, 2021). The motion passed by the following vote:

Aye: 4- Commissioner McGriff, Commissioner O'Donnell, Commissioner Lyle Smith, Commissioner Smith, Jr.

7c. Expanding the Existing Tourism Infrastructure Support Initiative to Include a Debt Relief Initiative Option

James Graham, Economic Development Director, provided an outline. The Economic Development Department requested that a debt relief alternative be included in the Tourism Infrastructure Support Initiative that was approved by the Commission in September 2020. The debt relief program will utilize the existing funds that have been allocated for the Re-Imagine Opportunity Fund and work the same as the previous debit relief program earlier in the year. This will help eligible applicants to remain financially solvent through the winter months until more favorable weather conditions return to engage their customers in outdoor dining again.

Commissioner McGriff asked Mr. Graham what is the maximum amount that applicants can receive and are they able to apply now if they received funds from the previous debt program and is there a concern all the funds will be spent on debt relief and not the re-imagining program. Mr. Graham indicated they can apply again and the maximum amount is four thousand dollars. Mr. Graham is not concerned about the funds being spent on just the debt relief.

Commissioner Smith asked why there hadn't been significant responses from business owners to the re-imagine program Mr. Graham indicated business owners are struggling with re-thinking how to do their businesses differently and are more concerned about the day-to-day solvency.

Commissioner McGriff expressed feedback she had received from business owners that they liked the idea of the re-imagine program, but lack the time and resources to commit time to the process.

Commissioner Smith expressed concerns regarding providing funding to businesses that may not truly need the funds and also businesses that may close despite receiving the assistance. Mr. Graham indicated that businesses that have received the funding have used them correctly.

Commissioner O'Donnell expressed frustration that business owners have not participated in the re-imagine program and felt the Downtown Oregon City Association could have done more to promote the program and assist business owners. Commissioner O'Donnell doesn't feel the debt relief funding will be enough to sustain local businesses through the winter months.

The Commissioners, Mr. Konkol and Mr. Graham has further discussion on allotting much of the funding for immediate business debt relief and retaining some portion for the re-imagine program. Because the funding is through the CARES Act, it must be spent before the end of December, 2020. There was consensus by the Commission for the debt relief funding to initiate, with $100,000 retained for the re-imagine portion. If no additional re-imagine applications are received by November 30th, the re-imagine funds will be released fully to the debt relief effort.

7d. Investigation Report Regarding Mayor Dan Holladay

Commissioner O'Donnell supported the release of the report to the State Government Ethics Commission.

Commissioner Lyle Smith asked Ms. Riggs as to the certification date of the recall vote. Ms. Riggs indicated the deadline to receive from the County is November 30, 2020.

Commissioner O'Donnell asked as to processes after the recall results are certified. Ms. Riggs and Mr. Kabeiseman provided the details and timeline to the Commission.

Motion made by Commissioner Frank O'Donnell, seconded by Commissioner Rocky Smith, to forward the investigation report regarding Mayor Dan Holladay to the State Government Ethics Commission. The motion passed by the following vote:

Aye: 4- Commissioner Denyse McGriff, Commissioner Frank O'Donnell, Commissioner Rachel Lyle Smith, Commissioner Rocky Smith.

8. Consent Agenda

This section allows the City Commission to consider routine items that require no discussion and can be approved in one comprehensive motion. An item may only be discussed if it is pulled from the consent agenda. The Commissioners and Ms. Terway requested separated discussion regarding item 8b and removed it from the consent agenda.

Motion made by Commissioner Smith, seconded by Commissioner McGriff, to approve the Consent Agenda minus item 8b. The motion passed by the following vote:

Aye: 4- Commissioner McGriff, Commissioner O'Donnell, Commissioner Lyle Smith, Commissioner Smith, Jr.

8a. Resolution No. 20-33, Adopting a Policy for Additional Permitting, Notification, and Other Requirements for Removal of Significant City Trees

8b. Request to Delegate Authority to Take all Necessary and Reasonable Actions to Implement HB 4006 Including Holding a Public Meeting to the Community Development Department

The Commissioners and Ms. Terway discussed item 8b.

Motion made by Commissioner Rocky Smith, seconded by Commissioner Denyse McGriff, to approve item 8b, Request to Delegate Authority to Take all Necessary and Reasonable Actions to Implement HB 4006 Including Holding a Public Meeting to the Community Development Department. The Motion passed by the following vote:

Aye: 4- Commissioner Denyse McGriff, Commissioner Frank O'Donnell, Commissioner Rachel Lyle Smith, Commissioner Rocky Smith.

8c. Deed of Dedication for the Molalla Avenue Streetscape Project (CI 18-004) – Wiesberg Family Properties, LLC (Southridge Center)

8d. Change Order No. 3 for Tyrone S. Woods Memorial Park

8e. Public Works Storm Division Replacement Vehicle

8f. Public Works Water Division Replacement Vehicle

8g. Minutes of the July 15, 2020 Work Session

8h. Minutes of the July 15, 2020 Regular Meeting

8i. Minutes of the August 5, 2020 Work Session

8j. Minutes of the August 5, 2020 Regular Meeting

9. Communications

City Manager

There were no City Manager reports.

Commissioners

Commissioner Lyles Smith congratulated Commissioners O'Donnell and McGriff on their election wins.

Commissioner McGriff expressed that going forward, if the Commissioners have personal comments that is unrelated to City business, that they should do so from the public comment table and not from the dais. The other Commissioners concurred. Commissioner McGriff commented on her ongoing diversity and inclusion work.

10. Adjournment

Commission President Lyles Smith adjourned the meeting at 9:14 pm.

Respectfully submitted,

Kattie Riggs

Kattie Riggs, City Recorder