



CITY OF OREGON CITY

CITY COMMISSION SPECIAL MEETING

MINUTES

Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Wednesday, September 29, 2021 at 7:00 PM

EXECUTIVE SESSION OF THE CITY COMMISSION:

The Executive Session was held immediately following the City Commission Special Meeting.

- a. *PURSUANT TO ORS 192.660(2)(h): To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.*
- b. *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 - SPECIAL MEETING OF THE CITY COMMISSION

1. CONVENE MEETING AND ROLL CALL

Mayor Lyles Smith convened the meeting at 7:02 PM.

PRESENT: 5 - Mayor Rachel Lyles Smith, Commissioner Adam Marl, Commissioner Denyse McGriff, Commissioner Frank O'Donnell, and Commissioner Rocky Smith, Jr.

STAFFERS: 8 - City Manager Tony Konkol, Public Works Director John Lewis, Community Development Director Laura Terway, Assistant City Recorder Jakob Wiley, Parks & Recreation Director Kendall Reid, Human Resources Director Patrick Foiles, City Attorney Bill Kabeiseman, and Assistant to the City Manager Lisa Oreskovich

2. CITIZEN COMMENTS

Karla Laws, representing Barkley Hills Neighborhood Association, provided a public comment regarding frustration with power imbalances between neighborhood associations, the city, the city attorney, and land use applicants.

Mayor Lyles Smith commented that there have been multiple complaints about city staff regarding these appeals and that they will be reviewed and outcomes will be discussed at a future meeting.

3. PUBLIC HEARINGS

- 3a. AP 21-00004 and AP-21-00005, Two appeals of Planning Files GLUA-21-00002: SP-21-00001 / LL-21-00002 for a Lot Line Adjustment and Site Plan and Design Review for a 60-Unit Residential Condominium Project on Holmes Lane - Neighborhood Association Fee Waiver Request Associated with One Appeal

Mayor Lyles Smith noted that the record for the item was closed. Mr Kabeiseman, City Attorney, noted an email sent to the City Commission from Catherine Pieslewicz was an ex parte contact and asked if the City Commissioners had any other ex parte contacts, bias, or conflicts of interest. Commissioner Marl had ran into Mr. Donnelly at the grocery store but only thanked him attending the long meetings. Mr. Kabeiseman noted that common interactions that don't involve the substance of the matter are fine.

Commissioner Marl commented that although he had not been vocal on this topic during the earlier meeting he was engaged and saw both sides of this appeal and thanked the neighborhood association for their involvement in the process.

Commissioner O'Donnell commented that he thoroughly reviewed the documentation regarding the two appeals and that the concerns of the neighborhood were heard.

Mayor Lyles Smith commented that these two appeals have shed light on the difficulties the neighborhood associations experience in the land use planning process and the stringent regulations that citizens have to experience during the hearings and appeals process.

Commissioner McGriff commented on some of the traffic issues associated with the site and that some of the issues can be mitigated.

Ms. Terway provided information on bike parking at the complex.

Also discussed with Ms. Terway was the public notice process, the retention of large trees, and stormwater placement.

Motion was made by Commissioner Marl, seconded by Commissioner McGriff, to deny AP 21-00004 and AP-21-00005 and approve GLUA-21-00002: SP-21-00001 / LL-21-00002 with the conditions as identified in the revised staff report dated September 22, 2021 and to reject the inclusion of a late citizen comment received via email from the record. The motion carried with the following vote:

Yea: 4 - Mayor Lyles Smith, Commissioner Marl, Commissioner O'Donnell, and Commissioner McGriff

Nay: 1 - Commissioner Smith

There was consensus to allow additional discussion of community engagement with neighborhood associations.

Commissioner McGriff commented on the citizen involvement process and the importance of residents to participate and influence land use decisions in their neighborhoods.

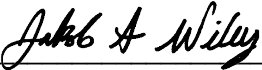
Commissioner O'Donnell commented that he agreed with Commissioner McGriff's comments and he advocates creating or amending an existing Community Development position to provide citizen education regarding the land use process and voice their perspectives.

Commissioner Marl commented that as the liaison to the Citizen Involvement Committee, he was concerned regarding comments from neighborhood association chairs on not being heard or appreciated by the city and there should be continuing conversations with the neighborhood associations on public process. Commissioner Marl also agreed with the comments made by Commissioner McGriff and O'Donnell.

4. ADJOURNMENT

Mayor Lyles Smith adjourned the meeting at 7:41 PM

Respectfully submitted,



Jakob Wiley, Assistant City Recorder