CITY OF OREGON CITY
CITY COMMISSION REGULAR MEETING
MINUTES

Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Wednesday, July 6, 2022 at 7:00 PM

REGULAR MEETING OF THE CITY COMMISSION

1. CONVENE MEETING AND ROLL CALL

Commission President McGriff called the meeting to order at 7:02 PM.

PRESENT: 4 - Commissioner Frank O'Donnell, Commission President Denyse McGriff, Commissioner Rocky Smith, Commissioner Adam Marl

STAFFERS: 10 - City Manager Tony Konkol, City Recorder Jakob Wiley, Community Development Director Aquilla Hurd-Ravich, Parks and Recreation Director Kendall Reid, Economic Development Director James Graham, Executive Assistant to the City Manager Lisa Oreskovich, Chief of Police James Band, Finance Director Matt Zook, Library Director Greg Williams, Public Works Director John Lewis, Human Resources Director Patrick Foiles, Economic Development Coordinator Ann Griffin, Administrative Support Specialist Patty Stewart

2. FLAG SALUTE

3. CEREMONIES AND PROCLAMATIONS

3a. Disability Pride Month Proclamation

Commissioner O'Donnell read the proclamation declaring July 2022 as Disability Pride Month.

4. CITIZEN COMMENTS

Paul Edgar, resident of Oregon City, discussed a petition for sending tolling to a vote.

Kathryn Pieselwicz, resident of Oregon City, discussed trees that had been removed at Stafford Park without a permit.

Dorothy Dahlsrud, resident of Oregon City, discussed a tree that had been removed on the Abernethy Natural Resources Overlay District (NROD) property. They needed a City Forester position on staff. She also discussed how the sign code was not being enforced.

Karla Laws, resident of Oregon City, spoke about the trees removed at Stafford Park and showed pictures.

Emily Lisborg, resident of Oregon City, was concerned about the removal of trees at Stafford Park.

Mike Mitchell, resident of Oregon City, discussed changes to the budget process.

5. PRESENTATIONS

5a. Downtown Oregon City Association Presentation

Kelli Upkes, Downtown Oregon City Association Board President, and Liz Hannum, Executive Director, shared information about the association including their four point approach, 2021/22 accomplishments, return on investment from FY 2022, and work in 2022/23.

There was discussion regarding the relationship between economic development and tourism.

6. ADOPTION OF THE AGENDA

The agenda was adopted as presented.

7. CONSENT AGENDA

Motion made by Commissioner Marl, seconded by Commissioner Smith, to approve the consent agenda. The motion carried by the following vote:

Voting Yea: Commissioner Marl, Commissioner McGriff, Commissioner O'Donnell, and Commissioner Smith

7a. Resolution No. 22-22, Authorizing the Nomination of the Holcomb Boulevard Sidewalk and Protected Crossing Project for the 2022 Safe Routes to School Infrastructure Grant Program

7b. Resolution No. 22-25, Vacating a Section of Public Utility Easement at 11798 Skellenger Way

7c. Resolution 22-28, Certifying the Results of the May 17, 2022 Election

7d. Mid-Biennium Addition of 1.0 FTE in Community Development

7e. Management, Supervisory and Confidential Employee Salary Cost of Living Adjustment (COLA) FY 2022-23

7f. Metro Community Enhancement Grant Agreements for 2022-23 and Metro Community Enhancement Extension Requests for 2021-22

7g. Public Improvement Contract with McDonald Excavating, Inc. for the Trillium Park Drive Roadway Abandonment Project (CI 21-003)

7h. Personal Services Agreement with Brown and Caldwell Inc. for the NPDES MS4 and TMDL Support (PS 22-014)

7i. Personal Services Agreement with 3J Consulting, Inc. for the Beemer Way Stormwater Outfall Improvements Project (CI 22-007)

7j. Temporary Construction Easement at Sportcraft Landing

7k. Concrete Path Replacement-River Access Trail

7l. Approval of Annual Mimecast Support Contract

7m. Tyrone S. Woods Memorial Park – Dog Park Improvements

7n. Minutes of the April 6, 2022 City Commission Regular Meeting

8. PUBLIC HEARINGS

9. GENERAL BUSINESS

9a. Residency Confirmation for Leslie Wright Jr.

Commissioner McGriff recused herself from the discussion and left the room.

The Commission took a break to read a written comment that was just submitted.

Commissioner O'Donnell asked if staff had made every effort to contact Mr. Wright regarding his attendance tonight.

Tony Konkol, City Manager, said yes, they did. He explained the notices and contacts that had been made. However, Mr. Wright was not in attendance.

Bill Kabeiseman, City Attorney, said there was a recent court case regarding the misspelling of "mayor" as "mirror" on Mr. Wright's application. It was a challenge by Oregon City residents alleging Mr. Wright had not properly filed for the position of Mayor. The court denied that challenge. There were also allegations made about Mr. Wright's residency and the City Commission was the body to make that determination. He gave a legal background on the qualifications for elective office and determination of residency. He then summarized the evidence and options for Commission action.

Commissioner O'Donnell discussed the legitimacy of the election process. He noted every city commissioner had endorsed Commissioner McGriff for Mayor.

The Commission agreed that they would be objective in evaluating the information presented and supported the US and Oregon constitutions and Oregon City's charter and code despite their support for a different candidate.

Commissioner O'Donnell reviewed the process for the proceeding tonight and the evidence that had been submitted. Woyvnee Gray, after having made the initial question of the candidate's suitability, also submitted a sworn statement tonight. He asked if the Commission had any questions for Ms. Gray.

Commissioner Marl asked about Ms. Gray's conversations with Mr. Wright regarding renting an apartment and running his business out of it so people thought he lived in Oregon City. He also asked how their business relationship ended. Ms. Gray confirmed the comments about Mr. Wright renting an apartment and that she was not a disgruntled employee but had stopped working for Mr. Wright when her car was totaled and she could not drive to work anymore.

Commissioner Smith questioned what warranted enough proof that someone lived somewhere. He did not think what they had received was enough. Commissioner Marl said the biggest issue for him was the Washington driver's license issue. Commissioner O'Donnell agreed Mr. Wright did not meet the criteria.

Motion made by Commissioner Smith, seconded by Commissioner Marl, to disqualify Leslie Wright, Jr.'s candidacy for the August 23, 2022 election finding that he did not meet the residency requirements under the City Charter. The motion carried by the following vote:

Voting Yea: Commissioner Marl, Commissioner O'Donnell, and Commissioner Smith

Mr. Kabeiseman noted that Mr. Wright's name might still be on the ballot due to timing with the elections office. The Oregon Secretary of State and Clackamas County Elections indicated that a name cannot be "decertified" after the candidate certification date, so his name will appear on the ballot.

9b. House Bill 2006 Shelter Siting Application Form Approval

Aquilla Hurd-Ravich, Community Development Director, discussed previous reviews of the shelter siting application form, background of HB 2006, draft application criteria, and Commission action.

There was consensus to strongly encourage applicants to submit Good Neighbor Agreements with their applications.

Motion made by Commissioner O'Donnell, seconded by Commissioner Smith, to approve the shelter siting application form as amended. The motion carried by the following vote:

Voting Yea: Commissioner Marl, Commissioner McGriff, Commissioner O'Donnell, and Commissioner Smith

Paul Edgar, resident of Oregon City, was in favor of creating opportunities to shelter people in a formal and controlled manner.

9c. First Reading of Ordinance 22-1003, Exempting Special Event Vendors from the Requirement to Obtain a Business License

James Graham, Economic Development Manager, said this would streamline the process for special event vendors. He explained what the requirements were currently, recommended changes, and reasons for the changes.

There was discussion regarding exempting non-profits from the fee and definition of the term "special public event."

Kendall Reid, Parks and Recreation Director, explained how they came up with the term and what it meant.

Staff would bring this ordinance back with a clearer definition.

9d. Oregon City Economic Development Strategic Plan

Mr. Graham said this was a request to affirm the goals in the Economic Development Strategic Plan. He then reviewed the goals.

There was discussion regarding successes vs. expenses, revisiting the plan, use of ARPA funds, collaborating with the Chamber, and need for concierge training.

Commissioner Smith was not in support of the plan.

Motion made by Commissioner Marl, seconded by Commissioner O'Donnell, to approve the 2022-2027 Oregon City Economic Development Strategic Plan goals. The motion failed by the following vote:

Voting Yea: Commissioner Marl and Commissioner McGriff
Voting Nay: Commissioner O'Donnell and Commissioner Smith

Commissioner Smith suggested holding a meeting to discuss the Strategic Plan mid-budget cycle and including the tourism stakeholders group.

Motion made by Commissioner O'Donnell, seconded by Commissioner Marl, to hold a meeting with the Economic Development Department and Commissioners O'Donnell and Smith. The motion carried by the following vote:

Voting Yea: Commissioner Marl, Commissioner McGriff, Commissioner O'Donnell, and Commissioner Smith

10. COMMUNICATIONS

11. City Manager

There was consensus to continue the meeting past 10:00 p.m.

12. Commissioners

Commissioner Marl asked about safety during the Fourth of July. Police Captain Bill Kler said they responded to 13 calls and gave verbal warnings. They also responded to small fires. He thought it was safe and successful.

Commissioner McGriff wanted follow-up on SB 111 and the County's Law Enforcement Intentional Use of Deadly Physical Force Response Plan.

Commissioner Smith confirmed he attended meetings staff asked him to attend. He addressed sidebar meetings and how he did not think they should be done.

Commissioner McGriff asked for follow-up on code compliance for signs and trees at Stafford Park. She showed the new logo for the bridge. She thanked staff for the Juneteenth event.

13. Mayor

14. ADJOURNMENT

Commission President McGriff adjourned the meeting at 10:15 PM.

Respectfully submitted,

Jakob S. Wiley

Jakob S. Wiley, City Recorder