



City of Oregon City

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

Meeting Minutes City Commission

Wednesday, July 1, 2020

7:00 PM

Commission Chambers

5:30 PM - EXECUTIVE SESSION OF THE CITY COMMISSION

Executive Session will be held in the Commission Chambers at City Hall beginning at 5:30 PM.

- i. Pursuant to ORS 192.660(2)(a): To consider the employment of a public officer, employee, staff member or individual agent.*
- ii. 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 Regular Meeting and Roll Call

Mayor Holladay called the meeting to order at 7:14 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 James Band, Community Development Director Laura Terway, Senior Planner Christina Robertson-Gardiner, City Recorder Kattie Riggs, Assistant City Recorder Charlie Killian, Assistant to the City Manager Lisa Oreskovich, Economic Development Director James Graham, Finance Director Wyatt Parno, Library Director Greg Williams and Human Resources Director Patrick Foiles

2. Flag Salute

3. Ceremonies, Proclamations

4. Citizen Comments

Zach Stokes, resident of Oregon City and chair of the Downtown Oregon City Association, expressed support for Oregon City's resolution on racism, inclusion and social injustice and has concerns that recent events with the Mayor will have long lasting negative impacts on the community and current situation has resulted in unfilled business vacancies in downtown.

Victoria Meinig, resident of Oregon City and Executive Director of the Oregon City Chamber of Commerce, expressed concerns over the Mayor's recent actions which affects the Chamber's ability to promote a vibrant local economy. The Chamber supports the Commission's censure of the Mayor and advocate for changing the City Charter to include penalties for negative actions by the mayor.

Derek Metson, resident of Oregon City, expressed support for the Mayor's comments and advocates for active community dialogue regarding racism and biases.

Bob LaSalle, resident of Oregon City, expressed concerns regarding the Mayor's recent actions and asked that the Mayor consider resigning immediately.

Adam Marl, campaign manager for the recall effort of Mayor Holladay provided an update on an upcoming signature gathering event.

5. Adoption of the Agenda

Commission President Rachel Lyle Smith requested the addition of the reading of the Commission Censure Letter of the Mayor and update on the investigation of the Mayor.

Commissioner Lyle Smith read the censure letter for the record and indicated the City has hired an outside investigator to conduct the investigation.

Commissioner O'Donnell complemented the former mayors, organizations and individuals that have expressed concern over the Mayor's actions and requested commission discussion regarding holding a no-confidence vote of the Mayor. Commissioner Lyle Smith expressed she appreciated the comments by Derek Metson and agreed there does need to be additional conversations regarding race. Commissioner McGriff expressed that there are conversations happening with smaller groups such as the Downtown association and the Chamber of Commerce. Commission Smith expressed that a no-confidence vote be included with any press release regarding this matter.

A motion was made by Commissioner O'Donnell, seconded by Commissioner McGriff, for a vote of no-confidence of Mayor Holladay. The motion was passed by the following vote:

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

Abstain:1 - Mayor Dan Holladay

6. Public Hearings

7. General Business

7a.

First Reading of Ordinance No. 20-1008, Amending Chapter 2.30 of the Oregon City Municipal Code (Citizen Involvement Committee)

Community Development Director, Laura Terway indicated these are amendments to the City Code done by the Citizen Involvement Committee (CIC).

William Gifford, resident of Oregon City, expressed disagreement with some of the changes, including the number of votes per neighborhood and neighborhood boundaries.

Bob LaSalle, resident of Oregon City and Chair of the CIC, commented that the voting process of two votes per neighborhood had been previously approved by all the neighborhood associations.

A motion was made by Commissioner Lyle Smith, seconded by Commissioner McGriff, to approve the first reading of Ordinance No. 20-1008, Amending Chapter 2.30 of the Oregon City Municipal Code (Citizen Involvement Committee). The motion was passed 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

Commissioner McGriff suggested that Community Development see if any of the neighborhoods are split on streets or geographic boundaries.

7b.

Willamette Falls Legacy Project and Willamette Falls Trust Grant Agreement

Ms. Terway reviewed with the Commission that the agreement between the Willamette Falls Legacy Project and Willamette Falls Trust lapsed and a formalized agreement is needed to support the work the Trust has been performing at the request of the Partners. The agreement was identified as one of the next steps at the May 12, 2020 City Commission Work Session. The agreement is valid until June 30, 2022.

Commissioners Smith and O'Donnell expressed concerns of approving the agreement and feel there are too many elements and that funding towards programming is premature.

Commissioner McGriff agreed that there should be a discussion regarding the programming but it should not hold up approval of the agreement.

Andrew Mason, of Willamette Falls Trust, expressed that due to the ongoing pandemic, the Trust's ability to conduct fundraising has been limited, as potential donors want to see a vision of the Falls site (through programming).

Commissioner Lyle Smith expressed that she feels Oregon City should honor the work that the Willamette Falls Trust has done and approve the agreement.

Mayor Holladay expressed support for renewing the agreement.

A motion was made by Commissioner McGriff, seconded by Commissioner Lyle Smith, to approve the Willamette Falls Legacy Project and Willamette Falls

Trust Grant Agreement. The motion was passed by the following vote:

Aye: 3 - Mayor Dan Holladay, Commissioner Rachel Lyles Smith and Commissioner Denyse McGriff

Nay: 2 - Commissioner Frank O'Donnell and Commissioner Rocky Smith Jr.

7c.

Resolution No. 20-05, Modification of Planning Division Fee Schedule

Christina Robertson-Gardiner, Senior Planner, reviewed that the Planning Division has proposed amendments to the associated Fee Schedule to include a new fee for the Thimble Creek Concept Plan. As part of the Beavercreek Road/Thimble Creek Concept Plan hearings process. The Planning Commission and the Parks and Recreation Advisory Committee (PRAC) had indicated that even though no parks space is identified within the Concept Plan employment zoning districts, nonresidential development should also contribute to the acquisition and interim development of parks spaces above and beyond the required Parks SCDs.

Bill Kabeiseman, City Attorney, indicated his memorandum was in response to a Citizen comment regarding the fee.

Commissioner O'Donnell asked if Economic Development Manager James Graham could speak to how implementing the fee may hinder the ability to attract commercial businesses to this development.

James Graham, Economic Development Manager, did agree enacting the fee will make it difficult to attract new business to this area.

Commissioner Lyle Smith expressed concern that businesses in this area are being asked to pay the additional fee.

Wyatt Parno, Finance Director, indicated the System Development Charge (SDC) fund is not abundant at this point.

Commissioner O'Donnell again expressed concern about attracting businesses and the resulting jobs and feels there should be further discussion.

Commissioner McGriff would like to see that SDC fees collected in this area stay specifically, in that area for parks.

Ms. Robertson-Gardiner indicated there could be missed grant opportunities by collecting fee that can't be spent on other areas.

Commissioner Lyle Smith is not in support of collecting the fee.

Mayor Holladay suggested tabling the discussion until January, 2021.

Commissioner McGriff made a motion to table the resolution, which failed for the lack of second.

A motion was made by Commissioner O'Donnell, seconded by Commissioner Lyle Smith, to deny Resolution No. 20-05, Modification of Planning Division Fee Schedule. The motion was passed by the following vote:

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

Nay: 1 - Commissioner Denyse McGriff

Meeting went into Recess at 8:54 PM.

Meeting Reconvened at 9:02 PM.

The Commission moved to Agenda Item 7g.

7d. Resolution No. 20-22, To Allow Temporary Parklets in the Right-of-Way and Temporary Outdoor Dining and Retail in Private Parking Lots

Commissioner Lyle Smith asked about the timing of the parklet implementation and eliminating parking.

Mr. Konkol indicated the Commission will have an opportunity to review the parklet program after the summer season and reevaluate.

Commissioner O'Donnell expressed concerns regarding safety issues and the potential for the appearance of regulating private property.

A motion was made by Commissioner Smith, seconded by Commissioner McGriff To Allow Temporary Parklets in the Right-of-Way and Temporary Outdoor Dining and Retail in Private Parking Lots. The motion was not passed by the following vote:

Aye: 2 - Commissioner Rocky Smith Jr. and Commissioner Denyse McGriff

Nay: 2 - Commissioner Frank O'Donnell and Commissioner Rachel Lyles Smith

City Manager Konkol indicated this agenda item will be re-presented at the July 15, 2020 Meeting.

7e. Second Reading of Ordinance No. 20-1006, Thimble Creek Concept Plan/Beavercreek Road Concept Plan- Code and Zoning Amendments (LEG 19-00003)

Commissioner O'Donnell opted to not request the open the record to add his additional comments and the Commission proceeded to the second reading.

A motion was made by Commission McGriff, seconded by Commissioner O'Donnell, to approve the second reading of Ordinance No. 20-1006, Thimble Creek Concept Plan/Beavercreek Road Concept Plan- Code and Zoning Amendments (LEG 19-00003). The motion was not passed by the following vote:

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

7f. City Commissioners Appointed to the OC 2040 Project Advisory Team

This agenda item will be moved to the July 15, 2020 meeting.

7g.

Public Works Upper Yard Charter Park Discussion

Mr. Konkol reviewed that the Commission requested staff prepare the estimated value of the Upper Yard, tax lot 1700 and the Armory Building, which is estimated at \$2,450,000. A potential boundary of a Charter Park has been included which includes the property lines for the Armory Building, tax lot 1700 and the Upper Yard (tax lot 500). The boundary of the Upper Yard would be approximately 1-2 feet behind the cliff edge at the top of the bluff. To bring forward an Ordinance designating the Upper Yard area as a Charter Park staff has proposed hiring a consultant to complete a lot line adjustment or minor partition of tax lot 500. Staff has requested direction on the disposition of tax lot 1700 and the timing of adopting the Armory Building tax lot as a Charter Park.

Mr. Konkol read former Mayor Doug Neeley's letter to the Commission for the record, in support of establishing the Upper Yard Charter Park.

Jesse Buss, resident of Oregon City, provided comment in support of the Upper Yard Charter Park.

Cameron McCredie, resident of Oregon City, presented a video on behalf of the McLoughlin Neighborhood Association in support of the Charter Park.

Betty Mumm, resident of Oregon City, provided comment that she feels the Upper Yard Charter Park should be a vote by residents of Oregon City.

Commissioner O'Donnell commented that with some caveats, he supports establishing the Upper Yard as part of Waterboard Park.

Commissioner Smith expressed concerns over some adjacent property owned by the City that should be included in the potential park boundary.

City Manager Konkol explained there may need to be a lot line adjustment for the tax lot 1700.

Commissioner Lyle Smith asked City Manager Konkol about how much utility funds would need to be reimbursed and the fund source.

City Manager Konkol indicated the general fund would be the funding source.

Commissioner Lyle Smith indicated she feels there should be a lot line adjustment and that she strongly supports the Upper Yard area being used for potential Parks Department equipment storage.

Commissioner O'Donnell asked if a lot line adjustment will be needed for the road access next to the tax lot 500 property.

Commissioner McGriff does not recommend a lot line adjustment due to the width of the road.

Commissioners Smith and McGriff asked and commented on the demolition of the Adair building and if other interested parties can take pieces of the building.

Mayor Holladay commented he supports private parties take building pieces at their own expense.

Commissioner Smith asked what the timeline would be for the lot line adjustment as

he does not want to see the park designation delayed.

Mr. Konkol explained the lot line adjustment process could take five to six months to complete because of variables.

Commissioner Smith expressed concerns the park designation will be again delayed and wants reassurance the intention of the park designation is acted on.

Commissioner O'Donnell suggested the park designation occur once all the existing buildings and legalities are taken care of.

Commissioner McGriff feels there should not be a public vote on the park designation and that the Parks & Recreation Advisory Committee should be responsible for the park programming.

Mayor Holladay requested a letter from Karla Laws from the Barclay Hills neighborhood in support of the park designation and community discussion regarding the designation, be read into the record. City Recorder Riggs then did so. Mayor Holladay felt the park designation should be put to a public vote.

Commissioner Smith expressed concerns that the Mayor is trying to delay the park designation.

The Commissioners had further discussion on the motion, as to whether public opinion should be required.

A motion was made by Commissioner Smith, seconded by Commissioner McGriff, to approve the Public Works Upper Yard as a Charter Park. The motion was not passed 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

*Mayor Holladay left the meeting at 10:20pm.
The Commission then proceeded to Agenda Item 7d.*

8. Consent Agenda

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8a. Minutes of the April 15, 2020 Regular Meeting

A motion was made by Commissioner McGriff, seconded by Commissioner O'Donnell, to approve the minutes of the April 15, 2020 Regular Meeting. The motion was not passed by the following vote:

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

9. Communications

a. City Manager

Mr. Konkol updated the Commission on upcoming bias and diversity training for senior staff.

Mr. Graham updated the Commission on the second round of economic debt relief grant funds for for-profit and non-profit businesses beginning July 15th.

b. Commission

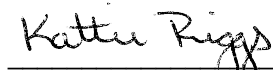
Commission O'Donnell wishes to bring back the topic of the Park Place crosswalk safety program for a future meeting. The other Commissioners agreed.

c. Mayor

10. Adjournment

Commission President Lyles Smith adjourned the meeting at 10:35 PM.

Respectfully submitted,



Kattie Riggs, City Recorder