



CITY OF OREGON CITY

CITY COMMISSION WORK SESSION

AGENDA

Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Tuesday, May 09, 2023 at 6:00 PM

Typically there are no public comments at work sessions, but written comments are accepted by:

- *Email recorderteam@orc.org (deadline to submit written testimony via email is 3:00 PM on the day of the meeting)*
- *Mail to City of Oregon City, Attn: City Recorder, P.O. Box 3040, Oregon City, OR 97045*

CONVENE WORK SESSION AND ROLL CALL

FUTURE AGENDA ITEMS

The Commission's adopted goals and available staff resources shall be considered when recommending future agenda items. The Commission may add an item to a future agenda with consensus of the Commission.

[List](#) of Future Work Session Agenda Items

DISCUSSION ITEMS

- [1.](#) Discussion of a Potential Ordinance to Exempt Vendors at Public Events from the Requirement to Obtain a Business License
- [2.](#) Update on City Projects

CITY MANAGER'S REPORT

COMMISSION COMMITTEE REPORTS

A. Commissioner O'Donnell

- South Fork Water Board

B. Commissioner Smith

- Clackamas Heritage Partners
- Oregon City Tourism Stakeholder's Group
- South Fork Water Board

C. Commissioner Marl

- Citizen Involvement Committee Liaison
- Clackamas County Coordinating Committee (C4)
- Clackamas County I-205 Tolling Diversion Committee
- Youth Advisory Committee Liaison

D. Commissioner Mitchell

- Clackamas County Coordinating Committee (C4) – Metro Subcommittee
- Clackamas County I-205 Tolling Diversion Committee (alternate)
- Metro Policy Advisory Committee (MPAC) (alternate)

E. Mayor McGriff

- Clackamas Water Environment Services Policy Committee
- Clackamas Heritage Partners (alternate)
- Downtown Oregon City Association Board
- Metro Policy Advisory Committee (MPAC)
- Oregon City Tourism Stakeholder's Group
- South Fork Water Board
- Willamette Falls and Landings Heritage Area
- Willamette Falls Legacy Project Liaisons
- Youth Advisory Committee Liaison

ADJOURNMENT

PUBLIC COMMENT GUIDELINES

Complete a Comment Card prior to the meeting and submit it to the City Recorder. When the Mayor/Chair calls your name, proceed to the speaker table, and state your name and city of residence into the microphone. Each speaker is given three (3) minutes to speak. To assist in tracking your speaking time, refer to the timer on the table.

As a general practice, the City Commission does not engage in discussion with those making comments.

Electronic presentations are permitted but shall be delivered to the City Recorder 48 hours in advance of the meeting.

ADA NOTICE

The location is ADA accessible. Hearing devices may be requested from the City Recorder prior to the meeting. Individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-657-0891.

Agenda Posted at City Hall, Pioneer Community Center, Library, City Website.

Video Streaming & Broadcasts: The meeting is streamed live on the Oregon City's website at www.orcity.org and available on demand following the meeting. The meeting can be viewed on

Willamette Falls Television channel 28 for Oregon City area residents as a rebroadcast. Please contact WFMC at 503-650-0275 for a programming schedule.



CITY OF OREGON CITY

Staff Report

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

To: City Commission
From: City Manager Tony Konkol

Agenda Date: 05/09/23

SUBJECT:

List of Future Work Session Agenda Items

BACKGROUND:

June 13, 2023
2021-2023 Commission Goals Update

Loder Road Discussion

July 11, 2023
WES State of the District Presentation

August 8, 2023
TBD

Additional Upcoming Items (These items are in no particular order)

Adding Native Land Acknowledgement to Agenda/Revised Rules of Procedure

Beavercreek Road Concept Plan (Thimble Creek) Funding Discussion

Boards and Committee's Orientation Manual Review and Discussion

Canemah Area – Encroachments in the Right-of-Way Policy Discussion

City Seal Revision

Clackamas County Water Environmental Services (WES) Rate Differential

Climate Action Plan Presentation (City of Milwaukie)

Commission Policies and Rules of Procedure Review

Compatible Change Update

Construction Excise Tax

Ethics Training

Metro Food Waste Program Requirements – Annual Review

South Fork Water Board – Mountain Line Easements Vacation

Water System Risk and Resiliency Review

Willamette Falls Legacy Project Operations and Maintenance Discussion



CITY OF OREGON CITY

Staff Report

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

To: City Commission
From: Tony Konkol, III, City Manager

Agenda Date: 5/9/2023

SUBJECT:

Discussion of an Potential Ordinance to Exempt Vendors at Public Events from the Requirement to Obtain a Business License

STAFF RECOMMENDATION:

Oregon City's Economic Development Department seeks the City Commission's comments related to the proposed ordinance.

EXECUTIVE SUMMARY:

Staff recommends that only primary public event organizers that produce public events that promote tourism and involve participating vendors, be the only entities required to pay for and acquire business licenses. The vendors associated with the public event will be exempt from the requirement to obtain a city business license. Such public events must take place within the legal boundaries of Oregon City, use the City's public rights-of-ways and/or publicly owned facilities, and such public events are open and accessible to the general public without discrimination. Staff has prepared draft Ordinance No. 23-1005 to implement the proposed change.

BACKGROUND:

The Oregon City Economic Development Department seeks to encourage the production of public events in Oregon City in a manner that supports the community's efforts to encourage tourism. Tourism-related public events take place within the legal boundaries of Oregon City, use its public rights-of-ways and/or public-owned facilities, and are open and accessible to the general public without discrimination with regard to race, color, sex, age, religion, national origin, political affiliation, marital status, sexual orientation, gender identity, and/or physical or mental disability.

Currently, Oregon City Municipal Code requires any person that engages in any business, profession, trade, or call to obtain a business license. It also prohibits the sale of goods

on any streets, alleys, or sidewalks of the city, from any booth, wagon, truck or other vehicle or otherwise within the city without first obtaining a business license.

The cost of the annual business license is dependent on the number of employees and whether the business is operating from a fixed place of business within the city. The number of employees within a business is determined by including all persons involved in the business including owners, officers, employees and others operating within the City of Oregon City.

Fees and charges associated with obtaining a business license are shown below:

NUMBER OF EMPLOYEES	<u>FIXED PLACE OF BUSINESS WITHIN CITY</u>	<u>NO FIXED PLACE OF BUSINESS WITHIN CITY</u>
1 – 25	\$ 178	\$ 228
26 – 50	\$ 286	\$ 390
51 – 100	\$ 394	\$ 552
101 or more	\$ 498	\$ 708

At present, the existing ordinance requires a business license for a public event organizer as well as for all other vendors participating under the primary public event organizer.

Staff recognizes that imposing the current fee structure to require a business license for a vendor participating in a temporary tourism-related public event, makes it difficult for the vendor to justify participating in such an activity, therefore, contributing to a perception of an unfriendly business environment.

Staff recommends that primary public event organizers that produce public events that promote tourism and involve participating vendors be the only entities required to pay for and acquire business licenses. Such public events must take place within the legal boundaries of Oregon City, use the City's public rights-of-ways and/or publicly owned facilities, and such public events are open and accessible to the general public without discrimination.

OPTIONS:

1. Provide staff direction on the proposed ordinance

ORDINANCE NO. 23-1005

AN ORDINANCE OF THE CITY OF OREGON CITY EXEMPTING PARTICIPATING VENDORS OPERATING AT A TOURISM RELATED PUBLIC EVENT FROM BEING REQUIRED TO OBTAIN A BUSINESS LICENSE PROVIDED THE PUBLIC EVENT ORGANIZER HAS OBTAINED A CITY BUSINESS LICENSE

WHEREAS, Oregon City Municipal Code (OCMC) Section 5.04.060 requires any person that engages in “any business, profession, trade or calling for which a license is required” to obtain a business license; and

WHEREAS, OCMC 5.04.030 exempts “[a]ny person whose income is based solely on an hourly, daily, weekly, monthly or annual wage” and “[a]ny person conducting a garage sale or other isolated sale not on a continuing basis where the merchandise is composed of the real or personal property of the seller not acquired for the purpose of resale” from the requirement to obtain a license; and

WHEREAS, OCMC 5.04.170 prohibits sales of goods on any “streets, alleys or sidewalks of the city, from any booth, wagon, truck or other vehicle or otherwise within the city” without first obtaining a business license; and

WHEREAS, The City desires to encourage tourism within the community by supporting public events that are tourism-related activities that take place within the legal boundaries of Oregon City, use its public rights-of-ways and/or publicly-owned facilities, and are open and accessible to the general public without discrimination with regard to race, color, sex, age, religion, national origin, political affiliation, marital status, sexual orientation, gender identity, and/or physical or mental disability; and

WHEREAS, the City seeks to make it less cost prohibitive for vendors operating under the auspices of an event organizer, who either holds a business license or is otherwise exempt, to participate in a public event related to tourism.

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

Section 1. OCMC 5.04.020 is amended to include the following additional definition:

"Tourism-related public event" means one-time or repeated events that take place within the legal boundaries of Oregon City, use its public rights-of-ways and/or public owned facilities, and are open and accessible to the general public without discrimination with regard to race, color, sex, age, religion, national origin, political affiliation, marital status, sexual orientation, gender identity, and/or physical or mental disability.

Section 2. A new section, OCMC 5.04.035, is hereby added to the code, to provide as follows:

5.04.035 – Tourism Related Public Events.

A. Any person who conducts a tourism-related public event is required to obtain a business license, except as set forth in this section.

B. A person conducting a tourism-related public event does not need to obtain a second business license if the person already has a business license.

C. If a tourism-related public event is conducted by a governmental entity, the governmental entity does not need a business license.

D. Any vendor participating in a tourism related public event, at the direction of the person conducting the tourism-related public event, need not obtain a business license, if the person conducting the tourism related public event has a business license or is otherwise exempt.

Read for the first time at a regular meeting of the City Commission held on the ____ day of _____ and the City Commission finally enacted the foregoing ordinance this ____ day of ____.

Mayor

Attested to this 1st day of June 2022,

Approved as to legal sufficiency:

Jakob Wiley, City Recorder

City Attorney



CITY OF OREGON CITY

Staff Report

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

To: City Commission
From: City Manager Tony Konkol

Agenda Date: 05/03/2023

SUBJECT:

Update on City Projects

BACKGROUND:

The City Commission has requested that an update on the status of the following projects be provided at a work session on a monthly basis.

1. Charter Parks

The three remaining parks to process and designate as charter parks are Dement Park, Ermatinger House, and the McLoughlin Promenade.

The Dement Park charter park designation is being prepared and is anticipated to be brought before the Commission for consideration in the next 60 days. Parks staff are working to confirm the property description to accurately reflect the property boundaries of the property which will be included as part of the Charter designation.

The Ermatinger House property will involve a lot line adjustment with the adjoining city owned parcel that the Fire Station is located on to separate the Ermatinger property from the existing Fire Station and public parking lot. Parks staff are working with the Community Development Department and the City Attorney to confirm the property description to accurately reflect the new property boundaries of the property and to process a lot line adjustment.

The McLoughlin Promenade survey has been completed. The survey identified several potential existing encroachments into the Promenade property. Once the Dement Park and Ermatinger House properties have been completed, staff will begin the process of discussing how to move forward with the City Commission at a future work session.

2. Cayuse 5 Memorial

City staff continues to work with The Confederated Tribes of the Umatilla Indian Reservation (CTUIR) in the design, location, and interpretation of the Cayuse 5

memorial, which is an existing City Commission goal for 2021-2023. Staff have met regularly with representatives from both the CTUIR and the Confederated Tribes of Grand Ronde to discuss and review the proposed project.

The Cultural Resources Committee (CRC) and the Board of Trustees have approved the CTUIR staff to move forward with a preferred design and site plan for the project and the CRC will be reviewing draft interpretive language at an upcoming CRC meeting in June.

3. Courthouse

City staff worked to support efforts by the Downtown Oregon City Association to apply for a Main Street grant to focus on the Courthouse located in downtown Oregon City. The grant required the property owner, which is Clackamas County, to sign the grant application, which unfortunately they did not agree to do. At this time there is no specific work being performed related to the future of the existing courthouse.

4. Tumwata Village

Staff have been meeting monthly with representatives from the Confederated Tribes of Grand Ronde (CTGR) to discuss on-going site work as well as future land use and development plans for the Tumwata Village Plan. CTGR staff has been working with the CTGR Tribal Council and Tribal members to finalize the Tumwata Village Plan. Once approved, the Tumwata Village Plan will be presented to the city and the public. CTGR has requested a site visit with the City Manager and staff from the Community Development and Public Works Departments to walk the property and discuss the project. The site visit is scheduled for the end of May.

5. Canemah ROW issues

The Canemah ROW issues will be brought before the City Commission at a future work session to discuss how to move forward with this project.