



CITY OF OREGON CITY

CITY COMMISSION REGULAR MEETING

REVISED

MINUTES

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

REGULAR MEETING OF THE CITY COMMISSION

1. CONVENE MEETING AND ROLL CALL

Mayor Lyles Smith convened the meeting at 7:04 PM.

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

STAFFERS: 10 - City Manager Tony Konkol, City Recorder Jakob Wiley, Community Development Director Aquilla Hurd-Ravich, Asst. to the City Manager Lisa Oreskovich, Police Chief Jim Band, Finance Director Matt Zook, Library Director Greg Williams, Parks and Recreation Director Kendall Reid, and Public Works Director John Lewis

2. FLAG SALUTE

3. CEREMONIES AND PROCLAMATIONS

3a. Arbor Month Proclamation

Mayor Lyles Smith read the proclamation declaring April 2022 as Arbor Month.

Aquilla Hurd-Ravich, Community Development Director, reported on the Arbor Day event on April 2, 2022. There were upcoming Heritage Tree applications that would come to Council in June 2022.

3b. Parkinson's Awareness Month Proclamation

Mayor Lyles Smith read the proclamation declaring April 2022 as Parkinson's Awareness Month.

4. CITIZEN COMMENTS

Tom Geil, resident of Oregon City, discussed conflicts between the sidewalk and street tree program and the code as well as the excessive paperwork required.

Ron Standish, resident of Oregon City, also discussed difficulties with the paperwork for the sidewalk and street tree program and difficulties with the requirements for replacement trees.

Jan Brady, resident of Oregon City, thought there needed to be better communication in this program. It needed to be easier for citizens to apply for the reimbursement.

There was discussion regarding the requirements and how the Commission meant for the process to be simple. There was consensus to bring this back to a Work Session.

5. PRESENTATIONS

5a. Willamette Falls & Landings Heritage Area Presentation

Britta Mansfield, Executive Director, gave a presentation on the Willamette Falls and Landings Heritage Area Coalition. She explained who they were, their mission and vision, the heritage area, continued initiatives, newer projects, virtual tours, and how to stay involved.

There was discussion regarding sharing the virtual tour program.

6. ADOPTION OF THE AGENDA

The order of General Business items was rearranged. The agenda was adopted as amended.

7. CONSENT AGENDA

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

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

7a. Oregon City Parks Master Plan Contract

7b. Temporarily Exempting Construction Activities from the Prohibition Against Unlawful Noises for the OC Brewing Patio Development Project and Declaring an Emergency

7c. Personal Services Agreement with Fehr & Peers for the Oregon City Loop Trail Plan (PS 22-002)

7d. OLCC: Liquor License Application – Off-Premises, Quick Stop Market, 13987 Holcomb Blvd., Oregon City

7e. OLCC: Liquor License Application – Full On-Premises, Commercial, Canard OC LLC, 1500 Washington Street, Oregon City

7f. Minutes of the January 5, 2022 Regular Meeting

8. PUBLIC HEARINGS

9. GENERAL BUSINESS

9c. Change Order No. 001 and Resolution No. 22-15, A Resolution to Adopt a Budget Adjustment for the 2021-23 Biennium for the Emerick Construction Company Contract to Include Funding for Additional Costs that Have Increased the Original Agreed GMP Amount for the Oregon City Operations Center

John Lewis, Public Works Director, said this was a change order and budget amendment for the Operations Center project.

Gerard Mulrooney, Project Manager with Plan B Consultancy, gave a project overview, progress update, budget review, and proposed budget amendment.

There was discussion regarding the confusing staff report and budget request, what was covered by contingency and how much above contingency was being asked for, costs that had already been incurred, and future costs.

Matt Zook, Finance Director, explained how the project had been accounted for in the Facilities Fund which was the most transparent way.

Motion made by Commissioner McGriff, seconded by Commissioner Marl, to approve Change Order No. 001 and Resolution No. 22-15, A Resolution to Adopt a Budget Adjustment for the 2021-23 Biennium for the Emerick Construction Company Contract to Include Funding for Additional Costs that Have Increased the Original Agreed GMP Amount for the Oregon City Operations Center. The motion carried by the following vote:

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

Abstaining: Commissioner O'Donnell

9a. Resolution No. 22-16, Revisions to Extend the Parklet & Private Property Restaurant/Retail Program from May 31, 2022 to November 30, 2022

Ms. Hurd-Ravich said this was originally adopted with Covid regulations in July of 2020. It had been extended several times and was set to expire May 31, 2022. She asked if the Commission wanted to extend it again to allow businesses to continue using rights-of-way, sidewalks, and private property in their parking lots for dining. It would also waive the fees for renewable right-of-way permits and the parklet applications would remain at \$25.

There was discussion regarding lost parking meter revenue, making parklets permanent or removing the parklets, extending it through summer to promote tourism, forgoing customers who could not find parking, how sidewalk dining could still continue even if the parklets were not extended, how parklets in private parking lots would have to go through a land use process to make them permanent, parklets as site obstructions, bringing current parklets into compliance, and approving the extension and in the meantime work on a permanent program.

Motion made by Commissioner Marl, seconded by Commissioner McGriff, to approve Resolution No. 22-16, Revisions to Extend the Parklet & Private Property Restaurant/Retail Program from May 31, 2022 to November 30, 2022 and to direct staff to bring back a proposal for a permanent program. The motion passed by the following vote:

Yea: Commissioner Marl, Commissioner McGriff, and Commissioner Smith

Nay: Mayor Lyles Smith

Abstaining: Commissioner O'Donnell

9b. Personal Services Agreement with Wallis Engineering for the Inflow/Infiltration Program Management (CI 21-015)

Mr. Lewis said this was a \$1.4 million contract for the Inflow/Infiltration program management. He shared the reasons for program management, request for proposals, consultant selection process, program management team selection, implementation timeline, and annual reporting to the Commission.

There was discussion regarding the proposals received, what was included in the contract, amount of the contract, and sub-consultant work.

Motion made by Commissioner McGriff, seconded by Commissioner O'Donnell, to approve the Personal Services Agreement with Wallis Engineering for the Inflow/Infiltration Program Management (CI 21-015). The motion failed by the following vote:

Yea: Commissioner Marl and Commissioner McGriff

Nay: Mayor Lyles Smith, Commissioner O'Donnell, and Commissioner Smith

Staff would bring back more information on the costs.

9d. First Reading of Ordinance No. 22-1002, Adoption of the Parks and Recreation Advisory Committee (PRAC) into the City Code

Mayor Lyles Smith suggesting changes to the ordinance. She thought wording should be changed regarding how members of the Committee would be appointed and the composition of members should be added into the code instead of only in the bylaws.

There was consensus for staff to make the changes and bring the ordinance back to the next meeting.

10. COMMUNICATIONS

11. City Manager

Mayoral Vacancy Process

Tony Konkol, City Manager, discussed the mayoral vacancy process in the Charter. The vacancy would begin on April 22, 2022 and would require a special election on August 23, 2022.

There was discussion regarding how the May election with Charter amendments on term limits might affect the eligibility of who could run for mayor.

Bill Kabeiseman, City Attorney, explained the intent of the term limits as well as what would happen if a current Commissioner won the election and how that Commission vacancy would be filled.

12. Commissioners

Commissioner McGriff discussed the loss of tree canopy and need for more education and code changes to make tree removal the last option.

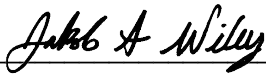
13. Mayor

Mayor Lyles Smith thought there should be a communication summarizing why the Parks Department was using chemical spraying.

14. ADJOURNMENT

Mayor Lyles Smith adjourned the meeting at 9:41 PM.

Respectfully submitted,



Jakob S. Wiley, City Recorder