



CITY OF OREGON CITY

CITY COMMISSION REGULAR MEETING - REVISED MINUTES

Virtual Meeting

Wednesday, February 17, 2021 at 7:00 PM

6:15 PM - CITY COMMISSION VIRTUAL EXECUTIVE SESSION:

The City Commission Executive Session will be held virtually via Zoom beginning at 6:30 PM. Please contact the City Recorder's Office recorderteam@orc.org.

- a. *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 – CITY COMMISSION REGULAR MEETING

1. CONVENE MEETING AND ROLL CALL

Commission President Rocky Smith called the meeting to order at 7:08 PM.

PRESENT: 3 - Commissioner Denyse McGriff, Commissioner Rachel Lyles Smith, and Commissioner Rocky Smith, Jr.

ABSENT: 1 - Commissioner Frank O'Donnell

STAFFERS: 13 - City Manager Tony Konkol, Asst. City Attorney Carrie Richter, City Recorder Kattie Riggs, Community Development Director Laura Terway, Public Works Director John Lewis, Police Chief Jim Band, Finance Director Matt Zook, Library Director Greg Williams, Parks & Rec. Director Kendall Reid, Sr. Planner Christina Robertson-Gardiner, Asst. City Recorder Jakob Wiley, Human Resources Director Patrick Foiles, Economic Development Manager James Graham

2. FLAG SALUTE

3. CEREMONIES AND PROCLAMATIONS

4. CITIZEN COMMENTS

William Gifford, resident of Oregon City, thanked the City staff for all the hard work during the winter storm and Water Environment Services for working to get the sewage treatment issues resolved that resulted from the recent ice storm.

5. PRESENTATIONS

5a. Transportation Advisory Committee Annual Report

John Lewis, Public Works Director, introduced the Transportation Advisory Committee Chair Henry Mackenroth.

Mr. Mackenroth explained how many meetings they held over the last year and some of the discussion topics covered, which included involvement in the National Night Out, the Meyers Road Project and the Molalla Avenue Streetscape.

6. ADOPTION OF THE AGENDA

Commissioners McGriff and Lyles Smith requested that item 7b be pulled from the Consent Agenda and added to General Business as item 9d. Agenda adopted as amended.

7. CONSENT AGENDA

Motion made by Commissioner McGriff, seconded by Commissioner Lyles Smith, to approve the Consent Agenda except for item 7b, which includes items 7a, and 7c - 7i. Motion carried with the following vote:

Yea: 3 - Commissioner McGriff, Commissioner Lyles Smith, and Commissioner Smith, Jr.

- 7a. Resolution No. 21-11, Extending the State of Emergency Declaration in Oregon City due to the COVID-19 Pandemic
- 7c. Deed of Dedication for Mountain View Jara, LLC (Mountain View Apartments) - Molalla Avenue Streetscape Project (CI 18-004)
- 7d. OLCC: Liquor License Application – Full On-Premises and Off-Premises, applying as Not Yours, LLC (dba Trails End Saloon), 1320 Main Street, Oregon City
- 7e. Minutes of the December 2, 2020 Regular Meeting
- 7f. Minutes of the December 8, 2020 Joint Work Session with the Parks and Recreation Advisory Committee
- 7g. Minutes of the December 8, 2020 Special Meeting
- 7h. Minutes of the December 8, 2020 Work Session
- 7i. Minutes of the February 3, 2021 Regular Meeting

8. PUBLIC HEARINGS

- 8a. Request Continuance: Appeal of the Planning Commission's Approval of an Expansion to a 30-Bed Residential Care Facility with Memory Care at 182 Warner Parrott Road (Planning Files GLUA-20-00020, CU-20-00002, SP-20-00043, AP-21-00001)

Laura Terway, Community Development Director, discussed the reasons staff had requested to continue the hearing for this item and not to take any testimony. Due to the widespread loss of electricity caused by the recent storm, staff recommends continuing the hearing until the March 3, 2021 meeting to enable greater public participation.

Motion made by Commissioner McGriff, seconded by Commissioner Lyles Smith, to continue the hearing of Planning Files GLUA-20-00020, CU-20-00002, SP-20-00043, AP-21-00001 until the March 3, 2021 regular meeting. The motion passed by the following vote:

Yea: 3 - Commissioner McGriff, Commissioner Lyles Smith, and Commissioner Smith, Jr.

9. GENERAL BUSINESS

- 9a. Second Reading of Ordinance No. 20-1005, Emergency Annexation of 0.9 Acres at 19242 Beaver Creek Road (File No. GLUA-20-00017: AN-20-00001)

Ms. Terway introduced the second reading of the Ordinance.

Motion made by Commissioner Lyles Smith, seconded by Commissioner McGriff, to approve the second reading and final adoption of Ordinance No. 20-1005, Emergency Annexation of 0.9 Acres at 19242 Beaver Creek Road (File No. GLUA-20-00017: AN-20-00001). The motion passed with the following vote:

Yea: 3 - Commissioner McGriff, Commissioner Lyles Smith, and Commissioner Smith, Jr.

- 9b. Resolution No. 21-10, Initiating the Process to Vacate a Section of Public Right-of-Way Adjacent to 1625 Washington Street

Mr. Lewis explained an application was received by the property owner to vacate this section of an alley as a public right-of-way. The alley is encumbered by an existing building, a large elevation drop on one end, and Abernethy Creek on the other end. The vacation is in the public's best interest due to the limitation of the alley for present or future access or utilities. Staff recommended approval of this resolution, requesting initiation of proceedings for the vacation.

Commissioner McGriff asked a clarifying question on the application process. Mr. Lewis provided explanation.

Motion made by Commissioner McGriff, seconded by Commissioner Lyles Smith, to approve Resolution No. 21-10, Initiating the Process to Vacate a Section of Public Right-of-Way Adjacent to 1625 Washington Street. The motion passed by the following vote:

Yea: 3 - Commissioner McGriff, Commissioner Lyles Smith, and Commissioner Smith, Jr.

- 9c. Clackamas County Vehicle Registration Fee

At the Clackamas County Board of Commissions Policy Session on February 9, 2021 a Commissioner requested that the Board reconsider their previous decision to enact a Vehicle Registration Fee. The Board of County Commissioners will be discussing this topic at their February 23, 2021 Policy Session. A letter was composed which detailed the projects that Oregon City has completed to date, what projects are under construction, which are currently in design and will be moving into construction this summer. Additionally, the list included projects that are proposed to get underway in the next biennial budget. The projects that Oregon City had used the Vehicle Registration Fee (VRF) to fund are projects that have high neighborhood and community support and include neighborhood transportation projects that address longstanding community bicycle and pedestrian safety concerns. Future projects would also address neighborhood transportation projects and I also include congestion management projects.

Tony Konkol, City Manager, provided the staff report that explained Clackamas County had implemented a vehicle registration fee and are now re-evaluating that implementation. The letter before the Commission would explain to the Clackamas County Board of County Commissioners how Oregon City had planned to use the fees to improve the City in various projects. Staff asked for the City Commission

to approve and authorize Commission President Rocky Smith sign the letter to be submitted to Clackamas County for their February 23, 2021 meeting.

Mr. Lewis provided some context as to how this topic had come up very quickly before the City Commission.

Commissioner McGriff asked clarification on the fee amount and the portion allotted to cities. Mr. Konkol reviewed for the Commission the fee amounts and percentages the cities received.

Commissioner Lyles Smith commented that she hopes the sidewalk infill projects will be completed and questioned why they were called out as separate projects. Mr. Lewis explained that previously, different funding sources had been utilized. Commissioner Lyles Smith commented the fee had been a very contentious topic on the C4 (Clackamas County Coordinating Committee) Committee and she would support whatever policy decision the Commission arrived at.

The Commission took a short break from 7:40 to 7:46 PM.

Commission President Smith commented that the letter spoke to the benefits that the City received from the funds and did not address the policy aspects and perhaps the letter should mention that.

The Commission discussed if they wanted to take a policy stand on supporting or not supporting the County's vehicle registration fee.

Mr. Lewis provided additional comments on how the City was approached by County staff on how Oregon City has used the funds and that was how the letter was composed and did not address policy, as that was not what had been requested. Mr. Lewis suggested the letter be sent with the City Manager's signature, rather than the Commission President and the policy discussion would come up in further discussion with the County.

Commissioner McGriff supported the letter as it was composed.

Commissioner Lyles Smith mentioned an email she received from a County Government Affairs staff member, that the topic was coming up with the County Commissioners. Mr. Lewis and Commissioner Lyles Smith discussed the recent history of this topic and that the City had not discussed from a policy perspective.

Motion made by Commissioner McGriff, seconded by Commissioner Lyles Smith, to direct the City Manager to send the letter under his name. The motion passed by the following vote:

Yea: 3 - Commissioner McGriff, Commissioner Lyles Smith, and Commissioner Smith, Jr.

- 9d. Personal Services Agreement with Bureau Veritas Technical Assessments LLC for Parks Deferred Maintenance Assessment & Capital Improvement Plan (moved from the Consent Agenda section)

The City of Oregon City Parks & Recreation Department received approval to move forward in the process of hiring a consultant to do a deferred maintenance assessment and Capital Improvement Plan (CIP) for Oregon City Parks and facilities. A Request for Proposals (RFP) was issued on January 8th for firms to submit proposals and the submitted proposal was received on January 29, 2021. The Parks & Recreation Department selected Bureau Veritas Technical Assessments LLC to help develop a plan to address the need for immediate repairs, preventative maintenance, deferred project backlog, and capital replacement. This plan will allow the City to be proactive regarding facility maintenance, significantly reduce the need for reactive repairs, avoid deferred repairs, and provide a roadmap for corrective recommendations to help reduce the maintenance backlog.

Commissioner Lyles Smith asked about the CIP and wondered if it was including all City facilities or just Parks and Recreation facilities and if this was strictly from a maintenance perspective.

Kendall Reid, Parks and Recreation Director, explained this assessment was for twelve City facilities/properties and thirty City Parks. This is an overall approach and will establish a priorities list.

Mr. Konkol provided further explanation for Commissioner Lyles Smith that the assessment will not identify properties that the City may or may not want to retain. That will be a separate process.

Commissioner McGriff was excited that this would provide a baseline and a start towards developing a City-wide facilities plan.

Motion made by Commissioner McGriff, seconded by Commissioner Lyles Smith, to approve the Personal Services Agreement with Bureau Veritas Technical Assessments, LLC for Parks Deferred Maintenance Assessment & Capital Improvement Plan. The motion passed by the following vote:

Yea: 3 - Commissioner McGriff, Commissioner Lyles Smith, and Commissioner Smith, Jr.

10. COMMUNICATIONS

City Manager

Mr. Konkol let the Commission know that ballots had been mailed out for the March 9, 2021 Mayoral election. He also thanked the Commission, the community, and City staff for all the work during the winter storm.

Additional contractors have been used to assist with clean-up in the City rights-of-way. Clackamas Community College provided space for debris drop-off and also an additional drop-off site would be located at the Clackamette Cove. Mr. Konkol does not anticipate the cost of debris mitigation would be reimbursable. Work was done around the library to ensure the library is accessible and operational. The water systems have greatly improved and all the hard work by South Fork Water is appreciated.

Commissioner McGriff commented that she hoped all the chipped wood would be used on park trails and that residents are careful cutting down street trees. Mr. Konkol indicated there would need to be an in-depth conversation about the storm debris with the Commission. Mr. Lewis commented on the debris clean-up and encouraged residents help one another with the clean-up efforts. Commissioner McGriff encourages residents to be careful when hiring contractors.

Commissioners

Commissioner Lyles Smith discussed the winter storm and what the County is doing about the affordable housing properties they own within the City. The County was taking care of those properties and have resources for those areas. Commissioner Lyles Smith complimented Ms. Terway for excellent work leading the City while filling in for Mr. Konkol during the storm.

Commissioner McGriff complimented staff for their efforts during the storm.

Commission President Smith thanked staff and encouraged residents to help one another while the power is still out.

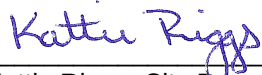
Chief Band encouraged residents to be careful regarding carbon monoxide poisoning when using alternate heating sources. The Oregon City High School has resources available for residents in need that are still without power and recovering from the storm.

Mayor

11. ADJOURNMENT

Commission President Smith adjourned the meeting at 8:39 PM.

Respectfully submitted,



Kattie Riggs, City Recorder