



# CITY OF OREGON CITY

## CITY COMMISSION WORK SESSION

### MINUTES

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Virtual Meeting  
Tuesday, February 09, 2021 at 6:00 PM

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#### CONVENE WORK SESSION AND ROLL CALL

*Commission President Rocky Smith called the meeting to order at 6:01 PM.*

**PRESENT:** 3 - Commissioner Denyse McGriff, Commissioner Frank O'Donnell, and Commissioner Rocky Smith, Jr.

**ABSENT:** 1 - Commissioner Rachel Lyles Smith

**STAFFERS:** 10 - City Manager Tony Konkol, City Recorder Kattie Riggs, City Attorney Bill Kabeiseman, Public Works Director John Lewis, Community Development Director Laura Terway, Finance Director Matt Zook, Parks and Recreation Director Kendall Reid, Library Director Greg Williams, Police Chief Jim Band and City Engineer Dayna Webb.

#### FUTURE AGENDA ITEMS

##### 1. List of Future Work Session Agenda Items

*Commission President Smith asked for any questions for future agenda items.*

*Commissioner O'Donnell asked when the annexation criteria review would be back before the Commission.*

*Laura Terway, Community Development Director, mentioned that it was in schedule but a few months out.*

*Commissioner McGriff asked about the Mural Code and the abandoned buildings topic. She requested two additional addresses be included in the abandoned buildings discussion. Those addresses were 421 and 212 Molalla Avenue.*

*Tony Konkol, City Manager, indicated the Mural Code would be reviewed by the Historic Review Board towards the end of February and mentioned the list may shuffle in order based on the change in Commission Goals.*

*Commission President Smith asked if the current items would fall off or just be re-prioritized once the new goals are established.*

*Mr. Konkol mentioned they would remain on the list unless the Commission wanted to remove them and would just be re-prioritized.*

#### DISCUSSION ITEMS

##### 2. Refine Commission Direction on Sidewalk Seating, Temporary Parklets in the Right-of-Way, and Temporary Outdoor Dining and Retail on Private Property

*John Lewis, Public Works Director, introduced the topic including the mention that staff was preparing several resolutions regarding sidewalk seating and sidewalk sales. The current sidewalk seating program ends November 2021. It does require a Right-of-Way permit (no cost) and currently there are seventeen permits issued. Downtown businesses have been compliant in not having seating intrude into the pedestrian walk space, but there are concerns that table umbrellas could cause injury in windy conditions.*

*Commissioner O'Donnell also expressed concerns about the liability of umbrellas and tent-like structures in windy conditions and felt the City could potentially be named in claims/lawsuits for injuries.*

*Commissioner McGriff had concerns about impeding pedestrian access downtown with seating in the way and not enforcing compliance with some downtown business owners.*

*Commissioner O'Donnell brought up the lack of code enforcement with violators and whether there should be weekend code enforcement at some point in time and noted City's knowledge of violations without action taken does increase the City's liability.*

*Commissioner Smith commented that if businesses are not charged a fee for outside seating, they should not be charged a fee for outside sidewalk sales.*

*Mr. Konkol asked the Commissioners if there needed to be a discussion on stronger enforcement.*

*There was consensus with the Commission to have a future conversation regarding enforcement with violators.*

*Mr. Lewis presented an update on the Parklets. The current program ends November 2021 and seemed to be going in the right direction. There are currently three permits issued with six businesses expressing interest. They need to be in the Mixed-Use Downtown or 7th Street corridor and they need to have adjacent neighbor approval, right now it's one per business, but the Commission was asked if they would be interested in allowing more than one per business. Liability insurance, an indemnity agreement and site plan are required and compliance with fire code and ADA guidelines are also requirements. Would the Commission be interested in more of a membrane structure or allow alternative materials for structures? Mr. Lewis indicated there was a potential option of placing a sidewalk extension in lieu of the parklets, allowing better pedestrian access.*

*The Commissioners expressed possible interest in the sidewalk extension option but were concerned with fire and safety issues that have been noticed and they were not supportive of alternative materials. There was consensus to allowing additional parklets per business.*

*The private parking lot structures component was presented by Laura Terway, Community Development Director. Presently, fifty percent of parking spaces in a private lot may be used for outdoor dining/retail, with an unlimited number of structures without size limit. Businesses are required to have a substantial barrier and not disrupt landscape. No use of ADA parking and they cannot change the parking lot configuration. Presently, there have been four permits issues and six properties in code enforcement. There are other options for business owners to seek approval. Businesses with no parking lot cannot utilize the program. The recommendation to the Commission is to allow private patio areas and non-parking lot areas on private property.*

*Ms. Terway described local restaurant examples to the Commission, and they were supportive of allowing non-parking lot areas for use.*

*Mr. Lewis indicated more information and resolutions on the topics would be coming back to the Commission.*

### 3. Oregon City/West Linn Pedestrian and Bicycle Bridge Concept Plan Recommended

## Top 5 Alignment Alternatives

*Mr. Lewis introduced Marc Butorac from Kittelson & Associates, who was hired by Oregon Department of Transportation to manage the project.*

*Mr. Butorac, gave a background on where the project currently was and how the alignment development and screening process criteria happened and how the project narrowed the options to the top five locations.*

*Oregon Department of Transportation (ODOT) in partnership with Oregon City, West Linn, Clackamas County, and Metro will identify potential bridge locations and provide opportunities for community and local agency conversations to reimagine a new crossing. A key component is to consider the historical significance of the study area and evaluate crossing options with minimal impacts to natural and cultural resources. The planning effort supports community desires to connect the regional active transportation network in this area. Pedestrians and bicyclists currently use the historic Arch Bridge (OR 43) which is the existing multimodal crossing in this area. Agency partners are interested in identifying a safe and reliable option for a low-stress connection between Oregon City and West Linn.*

*Commissioner Smith asked Mr. Butorac if shutting down the Arch Bridge to vehicular traffic was still a consideration and he responded that it was not.*

*Commissioner McGriff expressed concerns regarding being able to see the Falls from the Arch Bridge if a pedestrian bridge was placed south of the Arch Bridge and if that bridge placement would impede the Tribe's access to fishing at the Falls. Also, if there was height clearance with the Locks if the bridge was placed close to there. Mr. Butorac indicated they would be seeking Tribal input as part of the process. As far as height clearance, Mr. Butorac provided a proposed rendering with a portion of the bridge elevated over the Locks entrance, with the proper Coast Guard required clearance.*

*Commissioner Smith expressed his disappointment with the proposed five locations and the prior work done by ODOT.*

*Commissioner O'Donnell also expressed his concern and disappointment with ODOT's approach and questioned why there were no reports or studies on the need for a pedestrian bridge and the removal of some options, such as extended walkways on Interstate 205.*

*Commissioner McGriff commented on the configuration of the Glen Jackson Bridge with ample pedestrian space.*

*Mr. Butorac indicated there was concern that the public would not want to use a pedestrian bridge farther north if their intent was to visit the Riverwalk site.*

*Commissioner Smith asked staff if the pedestrian bridge had ever been part of the Riverwalk plan. Mr. Konkol commented there had been a bridge rendering earlier with a bridge from the mill site to West Linn, when West Linn was considering redevelopment on that side of the river. Commissioner Smith questioned the importance of a pedestrian bridge near the Riverwalk if the Tribes and local municipalities had not considered it important early on.*

*Commissioner O'Donnell questioned the logic of the proposed landing sites.*

*Mr. Lewis provided some pictures of the Arch Bridge and proposed some ideas on attaching a pedestrian extension to the undersides so as to not interfere with the public view.*

*Commissioner McGriff commented she does not support a shadow bridge that mimics the Arch Bridge.*

*Mr. Butorac indicated ODOT would continue to look at options that don't interfere with the viewpoints of the Falls and the Arch Bridge.*

*Mr. Lewis asked the Commission if there was any information or meeting that could be done in order to maintain the relationship with ODOT and Commissioner Smith indicated that since ODOT had not participated in the meeting, that it was up to ODOT to approach the Commission. The Commission does not presently support the pedestrian bridge project.*

## **CITY MANAGER'S REPORT**

*Mr. Konkol would be out of town and Laura Terway would be acting City Manager in the interim.*

## **COMMISSION COMMITTEE REPORTS**

**A. Beaver Creek Employment Area Blue Ribbon Committee** - Commissioner Frank O'Donnell- No update.

**B. Brownfield Grant Committee** - Commissioner Frank O'Donnell- No update.

**C. Citizen Involvement Committee Liaison** - Commissioner Denyse McGriff

*Commissioner McGriff provided an update on the last Citizen Involvement Committee and the re-activation of Tower Vista and Hillendale Neighborhood Associations.*

**D. Clackamas County Coordinating Committee (C4)** - Commissioner Rachel Lyles Smith

**E. Clackamas County I-205 Tolling Diversion Committee** - Appointed: Commissioner Rachel Lyles Smith      Alternate: Commissioner Frank O'Donnell

**F. Clackamas Heritage Partners** - Commissioner Rocky Smith, Jr. -No update.

**G. Clackamas Water Environment Services Policy Committee** -  
Appointed: Commissioner Rocky Smith, Jr.      Alternate: Commissioner Denyse McGriff

*Commission President Smith mentioned the presentation Clackamas Water Environmental Services (WES) would be presenting on March 9, 2021 to the City Commission. Commissioner McGriff asked where WES was on the Outfall Project. Commissioner Smith indicated there had not been a recent update.*

**H. Downtown Oregon City Association Board** - Commissioner Denyse McGriff

*Commissioner McGriff mentioned that each of the Board members was assigned a block in Downtown to interact with the business owners in their block. Also mentioned the elevator operators would have new jackets. They received an assessment on how to re-focus when opening-up after COVID-19.*

**I. Metro Policy Advisory Committee (MPAC)** - Appointed: Commissioner Rachel Lyles Smith      Alternate: Commissioner Denyse McGriff

**J. OC 2040 Project Advisory Team** - Appointed: Commissioners Denyse McGriff and Rocky Smith, Jr.

*Commissioner McGriff attended her first meeting on the OC 2040 Project Advisory Team (PAT).*

**K. Oregon Governor's Willamette Falls Locks Commission** - *Vacant until State Appoints Commissioner Rachel Lyles Smith*

**L. Oregon City Tourism Stakeholder's Group** - *Appointed: Commissioners Denyse McGriff and Rocky Smith, Jr.*

*Commissioner McGriff would like an update on the Community Showcase, the concierge, the videos, the murals, etc.*

**M. Oregon City/West Linn Pedestrian and Bicycle Bridge Concept Plan Project Advisory Committee** - *Appointed: Commissioner Denyse McGriff*

*Commissioner McGriff and West Linn City Counselor Mary Baumgardner have been meeting.*

**N. South Fork Water Board (SFWB)** - *Commissioners Rachel Lyles Smith, Frank O'Donnell, and Rocky Smith, Jr.*

*Commissioner Smith mentioned an email sent by South Fork, that the water facilities don't allow remote staff access to systems, eliminating sabotage. This came up due to an attempt at a Florida facility.*

**O. Willamette Falls and Landings Heritage Area** - *Commissioner Denyse McGriff*

*Commissioner McGriff mentioned the next meeting would be February 15, 2021.*

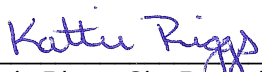
**P. Willamette Falls Legacy Project Liaisons** - *Commissioners Frank O'Donnell and Rachel Lyles Smith*

*Commissioner O'Donnell said that there had been significant progress in gaining access to the site and what the timeline might look like.*

## ADJOURNMENT

*Commission President Smith adjourned the meeting at 8:46 PM.*

Respectfully submitted,

  
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Kattie Riggs, City Recorder