



CITY OF OREGON CITY

CITY COMMISSION REGULAR MEETING - REVISED MINUTES

Virtual Meeting

Wednesday, February 03, 2021 at 7:00 PM

EXECUTIVE SESSION OF THE CITY COMMISSION

An Executive Session of the City Commission will be held virtually, immediately following the regular meeting.

- a. *PURSUANT TO ORS 192.660(2)(h): To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.*

7:00 PM MEETING OF THE CITY COMMISSION

1. CONVENE MEETING AND ROLL CALL

Commission President Rocky Smith called the meeting to order at 7:02 PM.

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

Staffers: 11 - City Manager Tony Konkol, City Attorney Bill Kabeiseman, 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, and Project Engineer Patty Nelson.

2. FLAG SALUTE

3. CEREMONIES, PROCLAMATIONS, AND PRESENTATIONS

Commission President Smith commented there had been prior discussion on moving the consent agenda to the front of the meeting but was unclear as to what was decided. Commissioner McGriff indicated from her notes that the Commission had discussed but no decision had been reached.

3a. New Historic Review Board and Planning Commission Members Oath of Office

Commission President Smith conducted the oath of office to the two new Planning Commission members Daphne Wuest and Lisa Novak and the three new Historic Review Board members Carrie Crook, Paul Edgar and Sabrina Ferry.

3b. Mayoral Appointments to City Boards and Commissions

Commission President Smith announced the appointment of Elizabeth Zinter to the Library Board and Delta Anderson to the OC2040 Plan Advisory Team (PAT). The process for appointments to the outstanding openings on various boards and committees was discussed. There was consensus to conduct interviews with the Commission and provide review/input on those interviews for appointment

prior to the new Mayor taking office in April. Commission President Smith reviewed the current vacancies on boards and committees.

3c. Historic Review Board Annual Update

Laura Terway, Community Development Director, introduced the 2021 Chair of the Historic Review Board, Grant Blythe, to provide the annual update.

Grant Blythe, Chair of the Historic Review Board (HRB), provided an update to the Commission regarding the work of the Board over the last year which included five land use reviews for construction, two applications for alterations to historic properties and two public projects. There was one demolition application in Canemah, provided design advise for two potential projects and there were no appeals. There were three grant preservation awards and they reviewed HRB polices for murals on historic buildings.

Commissioner McGriff asked what the Historic Review Board might need from the City Commission or staff over the coming year. Mr. Blythe commented they would like to revisit the design guidelines and development practices. They would also like Commissioner support and input on use of updated materials on renovations. Commissioner Lyles Smith commented she would like to see the Commission be more supportive on discretionary issues and the decision-making process.

4. CITIZEN COMMENTS

Pavel Probasco, resident of Oregon City, commented on two residents of his condominium complex that have a high number of cats that are creating a health issue for residents. Mr. Probasco had contacted City Code Enforcement, but the issue was not resolved. He feels there needs to be a City Ordinance that would address an issue such as this.

Mike Mitchell, resident of Oregon City, commented on a recent neighborhood appeal of a Planning Commission decision due to participants not being aware of the fee. Mr. Mitchell suggested language be added to the public hearing script that includes the appeal fee information. Mr. Mitchell asked an open-ended question to the Commission; can the Citizen Involvement Committee (CIC) or neighborhood association make a no-cost appeal.

Dorothy Dahlsrud, resident of Oregon City, commented on some local rare tree stands that she felt should receive heritage tree designation.

William Gifford, resident of Oregon City, commented on the upcoming May 2021 election and brought attention to several positions that are open on the Oregon City School District's Board and the Clackamas Fire District's Board, which does not have Oregon City representation.

5. ADOPTION OF THE AGENDA

The Commission agreed to move item 4. Citizen Comments up after item 3b. on the agenda. They also moved the Consent Agenda up to before item 3c. The agenda was adopted as amended.

6. PUBLIC HEARINGS

6a. First Reading of Ordinance No. 21-1005, An Emergency Annexation of 0.9 Acres at 19242 Beaver Creek Road, File No. GLUA-20-00017; AN-20-00001

Laura Terway, Community Development Director, introduced Christina Robertson-Gardiner to present the item.

Christina Robertson-Gardiner, Senior Planner, provided the overview regarding the emergency annexation. Planning GLUA-20-00017: AN-20-00001 involved a request for an emergency annexation of a 0.9 -acre property into the City limits of Oregon City in order to receive City services. The property is required to annex as a result of a septic system failure and has already connected to the City sewer system. No re-zoning of the property is proposed at this time.

Commissioner McGriff asked Ms. Robertson-Gardiner clarification as to what the applicant was presently doing regarding the situation and she indicated that they have already connected to the City sewer. Commissioner O'Donnell asked about connection costs if the applicant is located over 300 feet from the City sewer and Ms. Robertson-Gardiner indicated the applicant would bear the connection costs.

Motion made by Commissioner McGriff, seconded by Commissioner Lyles Smith, approving the first reading of Ordinance No. 21-1005, An Emergency Annexation of 0.9 Acres at 19242 Beaver Creek Road, File No. GLUA-20-00017; AN-20-00001. The motion carried with the following vote:

Yea: 4 – Commissioner Denyse McGriff, Commissioner Frank O'Donnell, Commissioner Rachel Lyles Smith, Commissioner Rocky Smith.

7. GENERAL BUSINESS

7a. Second Reading of Ordinance No. 21-1001, Amendments to the Water Master Plan (GLUA 20-00033; LEG-19-00002)

The City would like to amend its Water Master Plan to reflect revised modeling and system analysis, which would result in an updated list of capital projects. The current Water Master Plan was adopted in 2012, providing a 20-year plan to expand and upgrade the water system as necessary to accommodate planned growth. On January 21, 2021, the City Commission voted to approve the first reading of Ordinance No. 21-1001. Approving the Amendment to the Water Master Plan will increase the Capital Improvement Plan (CIP) list. Updates to the Water Rates or System Development Charges will occur at the City Commission's direction through a separate process; however, both are contingent on the adoption of a new Capital Improvement list.

Motion made by Commissioner Lyles Smith, seconded by Commissioner McGriff, approving the second reading and final adoption of Ordinance No. 21-1001, Amendments to the Water Master Plan (GLUA 20-00033; LEG-19-00002). The motion carried with the following vote:

Yea: 4 – Commissioner Denyse McGriff, Commissioner Frank O'Donnell, Commissioner Rachel Lyles Smith, Commissioner Rocky Smith.

7b. Second Reading of Ordinance No. 21-1003, Amending the Oregon City Municipal Code; Title 12: Streets, Sidewalks, and Public Places, Title 13: Public Services, and Title 17: Zoning (GLUA 20-33, LEG 20-01, Public Works Code Amendments Package #1)

Staff has proposed Code revisions to Public Works related development code & standards such as refinements to Public Utility Easements (PUE), requirements for undergrounding utilities, sanitary sewer standards, and the adoption of policies relating to sidewalk obstructions and undergrounding of utilities. As there are multiple chapters proposed for revision, the larger package of amendments will be divided into a series of smaller amendments, which would each be considered independently for adoption through separate Ordinances at multiple City Commission meetings. This would allow the City Commission and the public the ability to review each package closely while moving efficiently through the review process. Hearing dates and future Ordinance topics for the project are provided in the staff report for Legislative File: GLUA 20:00033, LEG 20-00001 allowing the public to fully participate in the hearings process. At the January 6, 2021 City Commission Hearing, the City Commission requested additional edits to the proposed redlines and requested staff to return with a first reading of the Ordinance and

amended packet on January 20, 2021. At the January 20, 2021 City Commission Hearing, the City Commission voted to approve the first reading of the Ordinance with an additional redline change to 13.08.159 - Reduced rates and financial assistance to reference "residential customer" rather and owner-occupied.

Motion made by Commissioner McGriff, seconded by Commissioner Lyles Smith, approving the second reading and final adoption of Ordinance No. 21-1003, Amending the Oregon City Municipal Code; Titles 12, 13, and 17 and files GLUA 20-33, LEG 20-01 Public Works Code Amendments Package No. 1 and continuing the public hearing to a date certain of April 7, 2021. The motion carried with the following vote:

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

7c. Resolution No. 21-09, Adoption of the Fifth Amendment to the City Commission Rules of Procedure

Kattie Riggs, City Recorder, introduced the topic. The City Charter Chapter IV, Section 14 provides that the City Commission adopt rules of the governing of its members and proceedings. The Commission established Rules of Procedure in 2011 and each year reviews them along with Commission Policies to see if any edits are needed. The City Commission discussed the Rules of Procedure and made edits at the January 12, 2021 Work Session. There were several minor edits being proposed including changing the specified facility location and address of meetings to a more generic location of Commission Chambers or where designated on the posted agenda. The Commission agreed to re-order the agenda so that presentations was a stand-alone section on the agenda after Citizen Comments and the Consent Agenda would be reviewed and voted on at the beginning of meetings instead of the end. There were deletion of words and clarification of sections.

The Commissioners and Mr. Konkol had clarifying discussion on moving the Consent Agenda to the front of Commission Meeting Agenda and whether the Boards and Commissions Orientation Manual was applicable to the City Commission. Also discussed were verbiage changes. There was agreement to bring the Boards and Commission Orientation Manual back to the Commission for review and approval.

Motion made by Commissioner O'Donnell, seconded by Commissioner Lyles Smith, to approve Resolution No. 21-09, Adopting the fifth amendment to the City Commission Rules of Procedure. The motion carried with the following vote:

Yea: 3 - Commissioner Frank O'Donnell, Commissioner Rachel Lyles Smith, Commissioner Rocky Smith.

Abstaining: 1 - Commissioner Denyse McGriff

8. CONSENT AGENDA

Motion made by Commissioner McGriff, seconded by Commissioner Lyles Smith, to approve the Consent Agenda including items 8a - 8e. The motion carried with the following vote:

Yea: 4 – Commissioner Denyse McGriff, Commissioner Frank O'Donnell, Commissioner Lyles Smith, Commissioner Rocky Smith.

- 8a. Amended Minutes of the September 9, 2020 City Commission Special Meeting
- 8b. Minutes of the November 10, 2020 Work Session
- 8c. Minutes of the November 18, 2020 Regular Meeting

8d. Minutes of the November 18, 2020 Work Session

8e. Minutes of the December 16, 2020 Regular Meeting

9. COMMUNICATIONS

City Manager

There was no City Manager's report.

Commissioners

Commissioner McGriff provided an update on the Oregon City - West Linn Pedestrian Bridge Concept Project. Thanked staff and the Commission for their work at the City Commission Retreat.

Commissioner Lyles Smith provide an update on Clackamas County Coordinating Committee (C4) including that they received a presentation on the Oregon City - West Linn Pedestrian Bridge Concept. Also, the Holcomb Boulevard Speed Study and subsequently ODOT lowering the speed limit.

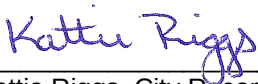
Mayor

There was no Mayor's report.

10. ADJOURNMENT

Commission President Smith adjourned the meeting at 8:27 PM.

Respectfully submitted,



Kattie Riggs, City Recorder