



CITY OF OREGON CITY

CITY COMMISSION REGULAR MEETING - REVISED MINUTES

Commission Chambers, City Hall, 625 Center Street
Wednesday, January 06, 2021 at 7:00 PM

1. CONVENE MEETING AND ROLL CALL

Commission President Rachel Lyles Smith called the meeting to order at 7:01 PM.

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

Staffers: 14 - 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, City Engineer Dayna Webb, Asst. City Engineer Josh Wheeler, Patrick Foiles, Human Resources Director and Asst. City Recorder Jakob Wiley

2. FLAG SALUTE

3. CEREMONIES, PROCLAMATIONS, AND PRESENTATIONS

3a. Oath of Office - The Honorable Laraine McNiece Officiating

*Commission Position No. 2: Denyse McGriff
Commission Position No. 3: Frank O'Donnell*

The Honorable Laraine McNiece officiated the Oath of Office for the newly elected Commissioners Denyse McGriff and Frank O'Donnell.

3b. Mayoral Appointments to City Boards and Commissions

Commission President Lyles Smith announced the appointments for 2021 City boards and commissions and provided a statement on how she made the selections as there had been complaints from the public on the process in light of the recent recall of Mayor Holladay.

*Natural Resources Committee: Nancy Broshot, Brian Kyisler, Samantha Wolf and Carrie Young.
Parks and Recreation Advisory Committee: Troy Bolinger, Karin Morey and Tim Wuest.
Transportation Advisory Committee: Ben Simmons and Tim Morgan.
Planning Commission: Lisa Novak and Daphne Wuest.
Historic Review Board: Carrie Crook, Paul Edgar, Sabrina Ferry and Ray Stobie*

Item 7a. from General Business was moved up to coincide with 3c.

7a. Election of Commission President for 2021

Motion made by Commissioner McGriff, Seconded by Commissioner O'Donnell nominating Rocky Smith Jr. as the Commission President for 2021.

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

3c. Oath of Office for the 2021 Commission President - The Honorable Laraine McNiece Officiating

The Honorable Laraine McNiece officiated the Oath of Office for the newly elected Commission President Rocky Smith Jr.

Commission President Rocky Smith Jr. led the meeting from this point.

3d. Library Board Annual Update

Greg Williams, Library Director, introduced the Library Board Chair Scott Edwards to provide the update.

Scott Edwards, Library Board Chair, provided the annual Library Board update. Mr. Edwards commented the Library Board updated the Library Patron Behavior Policy and Library Board bylaws and Municipal Code on the board officer election practices, welcomed a new board member and new Library Director Greg Williams. They reviewed the data supplied to the library district advisory committee and participated in the county district task force when they resumed meetings in June and worked on COVID related issues/health practices and operational services and service resumption. The library staff have continued as much liaison activity and outreach as possible, given the COVID situation.

Commissioner McGriff asked about issues in outlying areas and an issue that the City of Canby had with the library district boundary. Mr. Williams indicated that the library district advisory board had not been able to meet until recently and they will be working to address these and other issues facing the district.

3e. Presentation on Oregon City/West Linn Pedestrian and Bicycle Bridge Concept Plan

John Lewis, Public Works Director, introduced the item and the Oregon Department of Transportation staff that would be providing the presentation.

Sandra Hikari, Planner for Oregon Department of Transportation, explained the project was to provide a bridge connecting the City of West Linn and the City of Oregon City for pedestrians and bike traffic only. Besides Oregon City and West Linn, project partners also include Clackamas County, Metro and Oregon Department of Transportation (ODOT). Ms. Hikari provided an overview of the purpose of the project and need for the project. She also provided the background and study area, which is close to the current Arch Bridge. The alignment options are north of the arch bridge, south of the arch bridge and two other options. There have been no environment studies and ODOT would like to hear from the Commission before doing further research and studies.

The concept plan is part of ongoing coordination with the I-205 improvement project and the I-5/I-205 Tolling Project.

Commissioner McGriff wanted to know how the project came about. Mandy Putney, with the Oregon Department of Transportation, indicated ODOT is hosting the efforts and the origins came from local input. Commissioner McGriff questioned the decision-making process and that other viable bridge locations were not being considered, and that the State Historic Preservation Office (SHPO) needed to be included in the stakeholder committee groups along with the Oregon Tribal Historic Preservation Office (THPO).

Commissioner O'Donnell questioned the need and the timing of the project.

Ms. Putney explained that during the conversations and community outreach it may be determined that there is, or is not, a need for a bike/pedestrian bridge.

Commissioner Lyles Smith explained that the C4 (Clackamas County Coordinating Committee) Committee she sits on has had these conversations and the focus has been from a safety perspective and providing better pedestrian/bicycle access to the communities of Gladstone, Oregon City and West Linn.

Ms. Putney indicated ODOT is not providing a replacement vehicular bridge if the Arch Bridge were chosen for this project.

Mr. Konkol provided the background as to why the bike/ped bridge is being discussed at the meeting. He explained the bike/ped portion of the Abernethy Bridge had been eliminated from the project, but the state requires a multi-modal transportation option.

Commissioner Smith commented that he felt ODOT had purposely split apart the three projects that affect the local area and Oregon City and that they should be the same conversation with the community. He does not support closing the Arch Bridge to pedestrian/bike traffic.

4. CITIZEN COMMENTS

Karla Laws, resident of Oregon City, brought up tree-cutting situation at 279 Molalla Avenue, Electric Lettuce. Ms. Laws would like to see the property owner be more protective of their trees.

Dorothy Dahlsrud, resident of Oregon City also commented on the same tree-cutting situation.

5. ADOPTION OF THE AGENDA

7a was moved to coincide with item 3c. The agenda was adopted as amended.

6. PUBLIC HEARINGS

6a. First 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)

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

Christina Robertson-Gardiner, Senior City Planner, provided the background regarding the first reading of Ordinance No. 21-1003. Staff proposed code revisions to the Geologic Hazards Overlay District and other 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 will each be considered independently for adoption through separate ordinances at multiple City Commission meetings. This approach will 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 will be provided in the City Commission-Commission Reports for Legislative File: GLUA 20:00033, LEG 20-00001 to allow the public to fully participate in the hearings process.

Commission President Smith opened the public hearing.

There were no public comments.

Commissioner O'Donnell questioned the language used regarding access to water meters/water shut offs. Josh Wheeler, Asst. City Engineer, explained why the water and sewer verbiage is different in the ordinance. Commissioner Lyles Smith concurred with Commissioner O'Donnell's comments.

The Commissioners discussed verbiage changes to amend the ordinance regarding water, sewer, site plans, as there was consensus more revisions were needed.

Commission President Smith mentioned the public hearing would be continued.

Motion made by Commissioner McGriff, Seconded by Commissioner O'Donnell. The motion passed by the following vote:

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

7. GENERAL BUSINESS

Item 7a. from General Business was moved up to coincide with 3c.

7a. Election of Commission President for 2021

Motion made by Commissioner McGriff, Seconded by Commissioner O'Donnell. The motion passed by the following vote:

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

7b. Second Reading of Ordinance No. 21-1002, Amending the Development Agreement with John Jones Construction, Inc.

Mr. Konkol introduced Matt Zook, the City's new Finance Director. Mr. Zook provided an outline. The City had received a request from a developer to extend the duration of a development agreement. The City entered into a development agreement with John Jones Construction, Inc. ("Jones") in 2008 whereby Jones would construct a stormwater facility to accommodate 442 current and future lots in the area. The cost of construction was to be reimbursed to Jones to the extent these lots were issued a building permit within the life of the agreement. The agreement was subsequently amended on two separate occasions to extend the time period for reimbursement of the cost; first in December of 2009 and again in December of 2019. With the Development Agreement, as previously amended, scheduled to expire on December 31, 2020, and with there still being additional potentially developable lots for which Jones could receive additional reimbursement, the City and Jones desired to amend the Development Agreement, as previously amended, by extending the time period for reimbursement of the cost to March 19, 2023, fifteen (15) years from the date Page 2 of 2 the Development Agreement was originally entered into which, per ORS, is the maximum duration a development agreement may be entered into with a city. The City Commission approved the first reading of this Ordinance at the December 16, 2020 meeting.

Motion made by Commissioner McGriff, Seconded by Commissioner Smith, Amending the Development Agreement with John Jones Construction, Inc. The motion passed by the following vote:

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

7c. Resolution No. 20-37, Update to the Guidelines for Transportation Impact Analyses

Ms. Terway provided a brief presentation regarding the changes to the Guidelines for Transportation Impact Analyses. The Guidelines for Traffic Impact Analysis (TIA's) consist of Technical Engineering Study, Analyses traffic impact of development, but does not include criteria for development review. The Guidelines are used by consultants to assemble the components of a proper traffic study to address transportation impacts created by new development. The Guidelines identify the items which transportation engineers need to analyze to demonstrate that development will minimize traffic impacts. The results of the analysis demonstrate how much impact a development will have on the transportation system which are reviewed against the criteria in the Oregon City Municipal Code in order to determine if any capacity or safety improvements such as a turn lane or traffic signal are needed due to the increase in traffic. The Guidelines for Transportation Impact Analyses were last updated in 2005 and the proposed minor changes bring the Guidelines in line with current codes, standards, and practices. The City Commission preliminary reviewed the changes on December 2, 2020 and asked staff to review the policy for the following: 1. Require the City's review be completed by a Professional Engineer licensed in Oregon. Section 2.4 has been modified to implement this request. 2. The language in section 1.1 be reworded for clarity in plain language. The goals of the current TSP in section 1.1 have been reworded and summarized for clarity. 3. The off-site impacts are properly analyzed in section 2.2. Staff did not identify any off-site calculation or analysis which should be included and thus no additional changes were made related to this request. Page 2 of 8 4. Accessory dwelling units are subject to review. Staff believes that requiring a ADU to conduct a transportation study is not allowed by law and it would not provide a benefit substantial due to the relatively minor transportation impact.

Commissioner O'Donnell expressed some concerns with system development charges (SDC's) in relation to the guidelines. Ms. Terway, Mr. Lewis and Commissioner O'Donnell had further discussion. Mr. Lewis indicated a bond measure is sometimes needed to resolve funding gaps.

Mr. Konkol suggested this may be a topic for the Commission Retreat at the end of the month.

There was consensus by the majority of the Commission to proceed with the remainder of the meeting past 10:00 PM.

Motion made by Commissioner Lyles Smith, Seconded by Commissioner McGriff to approve Resolution No. 20-37, Update to the Guidelines for Transportation Impact Analyses. The motion failed by the following vote:

Voting Yea: Commissioner Denyse McGriff, Commissioner Rachel Lyles Smith

Voting Nay: Commissioner Frank O'Donnell, Commissioner Rocky Smith.

8. CONSENT AGENDA

Motion made by Commissioner McGriff, Seconded by Commissioner Lyles Smith approving the Consent Agenda. The motion passed by the following vote:

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

- 8a. Amendment No. 1 to the Personal Services Agreement with RH2 Engineering for the Trillium Park Drive Sanitary Sewer Relocation Project (CI 20-003)
- 8b. Minutes of the October 21, 2020 Regular Meeting
- 8c. Minutes of the October 13, 2020 Work Session
- 8d. Minutes of the November 4, 2020 Regular Meeting

9. COMMUNICATIONS

City Manager

Mr. Konkol suggested to the Commission that they move to virtual meeting format going forward.

Commissioners

Commissioner Lyles Smith provided information about conversations she had with business owners in the downtown area and that they are struggling with the current COVID restrictions. They are also having difficulties with the parklets.

Commission President Smith thanked everyone for the community service time provided as volunteers on the City Commission.

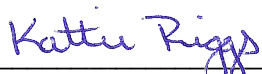
Commissioner McGriff also mentioned concerns for the businesses struggling.

Mayor

10. ADJOURNMENT

Commission President Rocky Smith adjourned the meeting at 10:21 PM.

Respectfully submitted,



Kattie Riggs, City Recorder