



CITY OF OREGON CITY CITY COMMISSION REGULAR MEETING MEETING MINUTES

Hanlon Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Wednesday, September 17, 2025 at 7:00 PM

REGULAR MEETING OF THE CITY COMMISSION

1. CONVENE MEETING AND ROLL CALL

Mayor McGriff convened the meeting at 7:14 P.M.

PRESENT: 4 - Commissioner Adam Marl, Commissioner Wilson, Commissioner Mike Mitchell, Mayor Denyse McGriff

EXCUSED: 1 - Commissioner Rocky Smith

STAFFERS: 9 - City Manager Tony Konkol, Assistant City Manager Alex Rains, City Recorder Jakob Wiley, Police Chief Shaun Davis, Public Works Director Dayna Webb, Senior Planner Christina Robertson-Gardiner

2. FLAG SALUTE

3. CEREMONIES AND PROCLAMATIONS

a. Hispanic Heritage Month Proclamation

Mayor McGriff read the proclamation declaring September 15 - October 15, 2025, as Hispanic Heritage Month.

4. PUBLIC COMMENTS

Catherine McMullen, Clackamas County Clerk, recognized National Voter Registration Day and Constitution and Citizenship Day. She encouraged everyone to check their voter registration status, sign up for ballot tracking, and plan to vote.

5. PRESENTATIONS

6. ADOPTION OF THE AGENDA

The agenda was adopted as presented.

7. CONSENT AGENDA

Motion by Commissioner Mitchell, seconded by Commissioner Wilson, to approve the consent agenda. The motion carried by the following vote:

YES: Mayor McGriff, Commissioner Mitchell, Commissioner Marl, and Commissioner Wilson

NO: None

a. Resolution No. 25-27, A Resolution Declaring an Emergency and Temporarily Exempting Pole Replacement Construction Activities adjacent to 1145 Molalla Avenue from the Prohibition Against Unlawful Noises

b. OLCC: Liquor License Application–Retail On-Premises Sales and Consumption;

Pure Spicy Chinese Restaurant LLC dba Ginza Sushi & Asian Fusion, 818 Main Street, Oregon City

- c. Change Order No. 2 for the Molalla Avenue Transmission Main WIFIA 3-1 Project (CI 22-014)

8. PUBLIC HEARINGS

- a. Second Reading of Ordinance No. 25-1010, an Ordinance Adopting Amendments to Oregon City Municipal Code Title 12: Streets, Sidewalks and Public Places

Mayor McGriff opened the public hearing.

There was no public testimony.

Mayor McGriff closed the public hearing.

Motion by Commissioner Marl, seconded by Commissioner Wilson, to approve the second reading and final adoption of Ordinance No. 25-1010, an ordinance adopting amendments to Oregon City Municipal Code Title 12: Streets, Sidewalks and Public Places. The motion carried by the following vote:

YES: Mayor McGriff, Commissioner Mitchell, Commissioner Marl, and Commissioner Wilson

NO: None

Commissioner Mitchell suggested making the waiver retroactive to the time some of the neighbors paid the permit fee. There was consensus for this to be brought back at the next meeting.

- b. Zone Change at 19763 Parish Road (GLUA-25-031 / ZC-25-01)

Mayor McGriff opened the public hearing and read the hearing statement. She asked if any Commissioner had any conflicts of interest or ex-parte contacts to declare. There were none.

Christina Robertson-Gardiner, Senior Planner, presented the staff report. This was a request for a zone change from FU-10 to R-10 for property on Parish Road. She discussed the criteria for approval, how the Planning Commission recommended approval, emergency annexation in 2016, and how rezoning the site would allow the new property owner to move forward with a planned building addition. She explained the surrounding zoning. As a condition of approval, the property owner would be required to be annexed into the Tri-City Sewer District before any building permits would be issued for the property. The Transportation Analysis Letter indicated the zone change would not significantly affect the transportation system serving the project site.

Staff recommended approval with conditions. Staff also suggested a future code change to allow these smaller emergency annexations to annex and concurrently be rezoned to the lowest zoning designation.

Mayor McGriff, who was participating virtually, lost internet connection and could no longer run the meeting. The Commission President was not in attendance.

Motion by Commissioner Wilson, seconded by Commissioner Mitchell, to select Commissioner Marl to be the pro tem chair. The motion carried by the following vote:

YES: Commissioner Mitchell, Commissioner Marl, and Commissioner Wilson

NO: None

Brandi Henry, applicant, said they were not told when they purchased the house that it had not been rezoned. She agreed with the information in the staff report.

Mayor McGriff returned to the meeting.

There was no public testimony.

Mayor McGriff closed the public hearing.

Motion by Commissioner Mitchell, seconded by Commissioner Wilson, to approve the zone change at 19763 Parish Road (GLUA-25-031 / ZC-25-01) with the zoning designation of R-10. The motion carried by the following vote:

YES: Mayor McGriff, Commissioner Mitchell, Commissioner Marl, and Commissioner Wilson

NO: None

There was consensus for staff to come back with changes for smaller emergency annexations to annex and co-currently rezone to the lowest zoning designation. There was discussion regarding the annexation process for Tri-City Service District.

9. GENERAL BUSINESS

a. Monthly Stormwater Fee Exemption Request for The Blue at Abernethy Creek

Dayna Webb, Public Works Director, gave a background on the exemption request and discussed the code for exemptions, reductions, and appeal which did not address the issue. The stormwater generated on this site went straight into Abernethy Creek and did not go to a City facility.

Tony Konkol, City Manager, said that in 2021, the City Commission had granted a 30-month reimbursement for a different property based on the density of development on the property and how much of its surface was impervious. For this application, staff agreed to go back to the date it was brought to their attention. Mr. Konkol asked that the amount of time the City would be willing to go back should be codified so there would be no questions in future cases.

There was discussion regarding looking back six months as a common practice in utility billing in the event of a water leak. This was not codified.

Mrs. Webb read the transportation fee language in the code as sample language for this discussion. This fee did not offer a lookback provision and placed the onus on the property owner to prove that a service charge adjustment was justified.

John Miller, applicant, thought this was similar to the request to look back at overbilling from 2021. In the 2021 case, a property owner discovered they were being slightly overbilled. In this case, Mr. Miller had discovered he was being wholly overbilled. He felt the City should bear the burden for ensuring it is charging the correct fees.

The Commission did agree it was an overbilling and expressed concerns with setting a precedent that there was no limit to a look back. There was further discussion regarding what happened when someone was underbilled, the City's legal obligations in this case, and how far back the City should be willing to reimburse in cases like this.

The Commission wanted to know why a 30-month reimbursement had been given in 2021, and how frequently the City used a 6-month lookback

Motion by Commissioner Mitchell, seconded by Mayor McGriff, moved to table the reimbursement discussion pending additional information. The motion carried by the following vote:

YES: Mayor McGriff, Commissioner Mitchell, Commissioner Marl, and Commissioner Wilson

NO: None

Tony Konkol, City Manager, noted the City was responsible, under state and federal law, for the stormwater going into Abernethy Creek. He did not agree with the idea that just because a property inside of City limits was piping all of their stormwater into the creek that they owed nothing and had no impact on the stormwater system. He thought the Commission should discuss this further.

Commissioner Mitchell asked if a new development proposal would be allowed to dump its untreated stormwater directly into Abernethy Creek, as is happening in this case. Mr. Konkol said that could be allowed if the development complied with existing design standards for stormwater management and received any necessary discharge permits from the State.

10. COMMUNICATIONS

Commissioner Wilson spoke about supporting the Caring Place. He noted that the Caring Place was addressing a City goal but was not receiving support from the City. There was consensus to add this as a future work session agenda item.

Commissioner Marl gave an update on the legislature's transportation bill. Commissioner Marl also noted that the Caring Place had not made any formal requests of the City. He was open to seeing how the City could support this project, but he had a hard time with the Caring Place asking to collaborate with the City now, past the point where meaningful changes could be made, when their attitude to this point had been to move ahead without involving the City simply because they felt they did not need to involve the City.

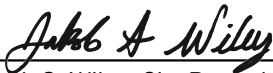
Commissioner Mitchell said the C4 Metro Subcommittee discussed substantial service cuts for Tri-Met.

Mayor McGriff asked for an update on the Clackamas Fire District bond at a future meeting.

11. ADJOURNMENT

Mayor McGriff adjourned the meeting at 8:23 P.M.

Respectfully submitted,



Jakob S. Wiley, City Recorder

Date Approved: May 20, 2026