



City of Oregon City

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Meeting Minutes - Final

City Commission

Dan Holladay, Mayor
Rocky Smith, Jr., Commission President
Brian Shaw, Carol Pauli, Renate Mengelberg

Tuesday, January 12, 2016

5:30 PM

Commission Chambers

Work Session

1. Convene Work Session and Roll Call

Mayor Holladay called the meeting to order at 5:31 PM.

Present: 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli, Mayor Dan Holladay and Commissioner Renate Mengelberg

Staffers: 8 - Community Development Director Tony Konkol, Public Works Director John Lewis, Building Official Mike Roberts, Library Director Maureen Cole, Human Resources Director Jim Loeffler, Community Services Director Scott Archer, Planner Christina Robertson-Gardiner and City Recorder Kattie Riggs

2. Future Agenda Items

Mayor Holladay said there would be a future work session on initiative petition 28 and a work session on marijuana regulations.

Commissioner Smith suggested a discussion regarding Ermatinger House programming and getting the house open by the spring or summer.

Scott Archer, Community Services Director, said the work on the Ermatinger House had been completed. He would be meeting with the Friends group soon to discuss the program plan.

3. Discussion Items

3a. Oregon City System Development Charge (SDC) Forum Update and Discussion

John Lewis, Public Works Director, gave an update on the community engagement regarding System Development Charges. Smart growth in the City was important to the continued success of the City. The Commission wanted staff to work with community stakeholders and find responsible solutions for development fees. On September 24, 2015, the City held a Collaborative Forum on SDCs. Libby Barg was the facilitator and would share results from the Forum. John Ghilarducci, FCS Group, would give a financial analysis of SDC rates and charges. The Forum information was on the City's website and staff had created an SDC fact sheet and question and answer sheet. There was also a video of the Forum that had been edited by the Willamette Falls Media Center.

Ms. Barg gave highlights from the Forum which was well attended. Participants were

strongly in support of using SDC revenues to help pay for future infrastructure. The overriding concern was the total burden of SDCs rather than a specific charge. The exception was the SDC calculation for redevelopment which was thought to be unfairly high and a disincentive for business reinvestment. There was generally a low level of understanding of City finances and master planning. She gave an SDC comparison of Oregon City to other cities. Oregon City was high, but not the highest, and for residential the City was in the middle. She then discussed the Forum feedback.

Mr. Ghilarducci discussed the idea of reducing the SDCs for redevelopment and gave alternatives and considerations to achieve that. Some alternatives were eliminating the time limit, granting credit for higher previous use, buying down SDCs using external sources, calculating area specific charges based on location of improvements, and allocating original cost of assets between downtown and the remaining City. Some considerations were the capacity may no longer exist, need to incentivize timely redevelopment, need to keep it simple, data availability, and the results often were counter intuitive due to the location of growth.

Mr. Lewis discussed the situation where the Hilltop Mall was redeveloped and they were given credit for building a smaller footprint. There was a five year time limit placed on the credit, and he would bring it back to the Commission to discuss extending the time limit to ten years. He gave a project list status report including plan adoptions and updates needed.

Mr. Ghilarducci discussed the alternatives and considerations for the feedback that the project list was too big. The alternatives would shorten the planning period, reduce the number of projects on the list, discount the charge, and leave the list intact. Some considerations were denominator changes if the planning period changes, projects must be on the list in order to spend SDCs, and the City may use discretion in establishing a percentage of the cost recovery. He also discussed discounted rates for special districts, which he cautioned doing.

Mr. Lewis discussed the recommendations for potential next steps and items that would be brought back to the Commission.

Commissioner Mengelberg encouraged looking into ways to reduce SDCs to incentivize different types of development and density. She thought staff should take a fresh look at the project list periodically to update the costs.

Commissioner Shaw thought continued education on SDCs was a good idea.

3b.**Draft Inter-Governmental Agreement (IGA) for the Willamette Falls Legacy Project**

Tony Konkol, Interim City Manager, stated before the Commission that night was the draft Intergovernmental Agreement for the Willamette Falls Legacy Project. The IGA laid out the partners' responsibilities and roles and how the funds would be allocated. The IGA would be presented at the next partners meeting and each organization would adopt it during a regular meeting. He then reviewed the IGA document. The document implemented the previous discussions for what they were trying to achieve.

Kathryn Krygier, Metro Project Manager, said in the IGA there was a goal of determining who the owner of the Riverwalk would be, which was set to be done by early summer and would coincide with the concept design work. The budget approach was to first look at the entire project including the Riverwalk and open spaces which was around \$60 million dollars. There was also a budget for the first

initial project which would be around \$25 million to get public access on the river and view of the falls. She then reviewed the two year budget for the Riverwalk which included the concept design and 20% construction documents.

Christina Robertson-Gardiner, Planner, said the City received a Community Planning Development Grant to do a development opportunity study. The study would be done in parallel with the Riverwalk work and would be done with Falls Legacy, LLC. The Riverwalk design team and the Falls Legacy, LLC would be meeting and working together and there would be IGAs and contracts brought forward after that meeting.

3c.

Proposed Resolution No 16-01, Modifying the Building Division Fee Schedule to Provide a Complete List of Division Fees

Mike Roberts, Building Official, had been working on modifying the Building Division fees which had not been updated since 2000. There were some services being provided that did not have a fee. Every four years the Building Department was required to apply with the State to continue the program. One requirement was to update the operating plan to be current with Oregon Administrative Rules and Revised Statutes. Other requirements were submitting a staff certification roster and a list of fees. He explained the process for updating the list of fees and how the fees had changed. The fees had been reviewed by a stakeholder group. The fees were not raised to hire new staff, but to maintain the status quo. He was required to send the list of fees to the State for approval and there would be a public hearing in February.

There was discussion regarding the fee changes and new fees.

Commissioner Mengelberg expressed concern regarding raising these fees as well as SDCs and impacting development. Mr. Roberts said staff worked in partnership with developers to get the projects done.

3d.

Wesley Lynn Park Ballot Measure Discussion

Mr. Archer explained the property the City owned near Wesley Lynn Park and how an adjacent property was privately owned, but was being used as a walking path to the park. The owner of the property wanted to put in a nine lot subdivision, and it would require the developer to build a full width local street on park property which was located where the path was now. The road would be advantageous to the City to have a road that would lead to a future parking lot for the park. The developer would also have to install an underground stormwater conveyance across the park and would require a 15 foot stormwater easement. The City and developer had come to an agreement that would allow the developer to put in the road and stormwater easement, but with substantial improvements that would benefit the City and park by putting in wider walkways on the park side of the street and continuing the path into the park where the road ended. Because of the new road construction over park property and because of the storm easement, it would need to go a vote of the people in May.

There was discussion regarding the plans for the park property and parking issues.

There was consensus for staff to move forward as suggested.

3e.

Buena Vista House Structural Issues

Mr. Archer said the Commission discussed this issue in September where he presented information on the significant structural issues at the Buena Vista House.

At that meeting the Commission wanted additional research to review the potential issues and look at the historical relevance of the building. The house was not on the local register or national historic register. An historical survey had never been done on the house, and he recommended performing a State Historic Preservation Office (SHPO) survey to know whether the house was eligible for the register. The building would remain closed to public use and the timeline for the survey work would be a few months. Some of the neighbors would like to be involved in the process and have input opportunities. Todd Iselin of Iselin Architects was going to help the City with the architectural review for the survey.

Ms. Robertson-Gardiner thought it was important to do the SHPO survey, especially since it was a structure over 50 years old. It would be helpful information in making a decision on what to do with the house. It would be five hours' worth of work for staff to do and there was no application fee.

Mr. Archer said the building was as secure as they could make it and it was checked regularly by Parks staff.

Commissioner Pauli was in favor of doing a survey of the building.

Commissioner Smith had done some research on the building, which was actually two buildings that had been combined that were built in the early 1900s and moved to the site in the 1930s. The building was probably not the most important in the City, but its significance was in the identity of the neighborhood. When they started taking away buildings that were marked specifically for those neighborhoods, it was taking away the identity of the neighborhoods. His goal was to understand the history and if they did tear down the building, that they understood what they were tearing down and that the identity of the neighborhood did not disappear since it was now part of the McLoughlin Neighborhood Association.

Commissioner Shaw thought they should encourage the McLoughlin Neighborhood Association to partner with the City on this. He asked Mr. Archer if there was a need for this meeting space. Mr. Archer said the use of the space had declined over time and staff would have to look into the need for the space.

Commissioner Smith thought the City needed to use and market these types of buildings in a way that they did not become unusable. He read from documents from 1987 which stated the Buena Vista House was in good condition at that time.

3f.

Draft Commission Policy 1-21: Charter Employee Complaint Reporting Procedure

Jim Loeffler, Human Resources Director, discussed the draft Charter Employee Complaint Reporting Procedure. He reviewed Commissioner Mengelberg's suggestions. The suggestions were to add "malfeasance and violation of fiduciary responsibilities" under the list of possible offenses and add "include any available documentation or evidence to support the complaint, if any" regarding complaints. Disciplinary complaints would be handled as confidentially as possible within the limits of the City.

Commissioner Mengelberg wanted employees to feel free to raise a concern with reasonable expectation that it would not become common knowledge until the right point in the process.

Commissioner Pauli said the Commission had asked for an avenue for complaints to be filed against the Judge or City Manager and the Human Resources Director would make sure they were handled properly.

Mr. Loeffler would bring the policy back to the next Commission meeting.

4. City Manager's Report

Mayor Holladay reported on the initial meeting of the Governor's Task Force on the Willamette Falls Locks. There was agreement that the locks should be re-opened.

5. Adjournment

Mayor Holladay adjourned the meeting at 7:41 PM.

Respectfully submitted,

Kattie Riggs, City Recorder