



**MINUTES**  
**City Council Meeting**  
**Monday, July 6, 2020 6:00 PM**

**COUNCIL PRESENT:** Stan Pulliam: Mayor, Jeremy Pietzold: Council President, John Hamblin: Councilor, Laurie Smallwood: Councilor, Jan Lee: Councilor, Carl Exner: Councilor, and Bethany Shultz: Councilor

**COUNCIL ABSENT:**

**STAFF PRESENT:** Jordan Wheeler: City Manager, Kelly O'Neill: Planning Director to Development Services Director, Tyler Deems: Finance Director, Ernie Roberts: Police Chief, David Snider: Economic Development Manager, Emily Meharg: Senior Planner, Andi Howell: Transit Director, Greg Brewster: IT/SandyNet Director, Mike Walker: Public Works Director, Tanya Richardson: Community Services Director, Pamela Smithsted: Commissioner, Becky Hawley: Commissioner, David Doughman: City Attorney, and Jeff Aprati: City Recorder

**MEDIA PRESENT:** Sandy Post

**1. MEETING FORMAT NOTE**

The Council conducted this meeting electronically using the Zoom video conference platform. A video recording of the meeting is available on the City's YouTube channel: [https://www.youtube.com/channel/UCbYEclgC6VW\\_mV2UJGyvYfg](https://www.youtube.com/channel/UCbYEclgC6VW_mV2UJGyvYfg)

**2. SANDY URBAN RENEWAL BOARD MEETING - 6:00 PM**

2.1. "Growing Together" Mural - Updated SURA Funding Request

Staff Report - 0288

**Note: Chief Phil Schneider** was present for the SURA Board meeting; **Executive Director Khrys Jones** was absent.

It was reported that fundraising efforts for the Growing Together mural have collected more than \$6,000 in cash donations. A further \$3,000 worth of in-kind installation labor was secured. Accordingly, the urban renewal funding request has been lowered from \$20,000 to \$11,000.

**Mayor Pulliam** stated his support for the project, and acknowledged the success of the fundraising efforts in the difficult public health environment.

**Councilor Exner** stated his support, as did **Councilor Shultz**.

**Chief Schneider** asked for clarification regarding the light fixtures. **Becky Hawley** stated that the existing fixtures will remain, and that the Grow Together sign will include down lights for that section of the building.

**Ms. Hawley** thanked the Board for their funding approval and stated the project should be completed by the fall.

**Moved by Carl Exner, seconded by Laurie Smallwood**

*Approve the requested \$11,000 in funding for the Growing Together mural.*

*Ayes: Stan Pulliam, Jeremy Pietzold, John Hamblin, Laurie Smallwood, Jan Lee, Carl Exner, Bethany Shultz, and Chief Phil Schneider*

**CARRIED. 8-0**

### **3. CITY COUNCIL WORK SESSION - 6:30 PM**

#### **3.1. Social Services Project and Proposal Presentation**

Staff Report - 0291

Maggie Holm and Kali Levy, graduate students at Portland State University, presented their report on a proposed social services strategic plan for Sandy. Their report and presentation materials were included in the meeting agenda packet.

**Mayor Pulliam** thanked Ms. Holm and Ms. Levy for their work.

**Councilor Lee** asked whether their work had been shared with the Sandy Connect group. Ms. Holm stated they would be meeting soon, and hoped to gain possible participants for the task force.

**Councilor Exner** stated he is impressed by the improvements seen in communities that have taken on such efforts, particularly regarding challenges like homelessness and elder care. He expressed support for taking on this initiative.

**Councilor Shultz** stressed the importance of childcare and the community

benefits of investing in social services for young people, which leads to better outcomes later in life.

**Councilor Smallwood** praised the efforts regarding mental health, and the work regarding fostering coping mechanisms and skill sets for young people that they can use to become productive adults.

**Councilor Lee** asked what the next steps for implementing this initiative should be. The **City Manager** stated he would facilitate the formation of a task force, the formal establishment of which will occur at a later date.

### 3.2. Hoodview Disposal Rate Increase Request

Staff Report - 0290

Steve Donovan and Andy Kahut with Hoodview Disposal briefed the Council on their upcoming request for a phased disposal rate increase. They stated that the cost of processing recycling material has increased dramatically and exceeds revenue, though the state requires recycling services to be provided. Their presentation materials were included in the meeting agenda packet.

Mr. Donovan and Mr. Kahut also discussed options for a clean up day, including a personalized program where customers can call during the year to arrange a time for bulk waste to be picked up free of charge. **Councilor Pietzold** expressed his preference for the traditional clean up day model, while **Councilors Exner and Lee** expressed support for the personalized approach.

Hoodview is requesting a 25.15% general rate increase to overcome their losses related to recycling, to be phased in two increments through March 2021.

Mr. Donovan and Mr. Kahut also discussed the fact that a formal rate review under the existing franchise agreement requires the previous year's data to be available. Other communities employ a prospective, forward looking rate review model. The consensus of the Council was that moving to a prospective model is worth consideration.

A formal Council decision on the proposed rate increase will occur at a future business meeting.

## 4. CITY COUNCIL REGULAR MEETING - 7:30 PM

## 5. Pledge of Allegiance

6. **Roll Call**

7. **Changes to the Agenda**

8. **Public Comment**

Kathleen Walker, 15920 SE Bluff Rd: expressed concern with the number of Arts Commissioners who do not live within the city limits making decisions that may affect city taxpayers.

David Breems, 18390 Meinig Ave: suggested the city should find a way to continue holding movies in the park despite the COVID-19 restrictions.

9. **Consent Agenda**

The Council discussed the concept of Arts Commissioners residing outside city limits; currently only three members of the commission live within the city.

**Councilor Lee** asked why this commission does not require a certain number of members to live within the city. **Councilor Pietzold** also raised this question. Staff stated that while the code originally required city residency for members, it was amended in 2018 to encompass the school district or library district.

**Mayor Pulliam** stated that residents of the city should constitute a majority of the commission. Staff noted that three commission seat terms will expire at the end of this calendar year, including the seat to which Mr. Bosserman was proposed to be appointed. Thus, there will be an opportunity to consider the residency balance of the commission in December.

**Councilor Exner** stated that it has been difficult to fill all the seats on the Arts Commission. **Councilor Smallwood** stated a 3 to 4 split is acceptable for the time being.

**Councilor Pietzold** suggested that the size of the commission could be reduced if filling all the seats remains difficult. He noted that because it has the powers of a commission, the importance of city residency is heightened.

**Councilor Lee** suggested Mr. Bosserman should be appointed, but the residency balance of the commission should be considered at the end of this calendar year when seats come open.

**Councilor Smallwood** suggested that commission sizes should not be reduced. **Councilor Exner** agreed due to the expectation that Arts Commissioners volunteer for

projects in a hands-on manner.

9.1. City Council Minutes

9.2. Sandy Arts Commissioner Appointment

Staff Report - 0283

9.3. Oregon Public Works Emergency Response Cooperative Agreement

Staff Report - 0287

**Moved by Jeremy Pietzold, seconded by Jan Lee**

Staff Report - 0287

***Adopt the consent agenda.***

**CARRIED. 6-0**

Ayes: Stan Pulliam, Jeremy Pietzold, Laurie Smallwood, Jan Lee, Carl Exner, and Bethany Shultz

Abstained: John Hamblin

## 10. Ordinances

### 10.1. **Ordinance 2020-13**

13 - 16

Land Use File 20-010 DCA: Chapter 17.78 Annexation Code Modifications

Staff Report - 0286

Abstentions: none

Conflicts of Interest: none

#### Staff Report

The **Senior Planner** delivered the staff report; the presentation slides are attached to these minutes. The proposed code changes were modified relative to the June 15, 2020 draft, to address concerns raised regarding process flexibility, flood and slope hazard overlay requirements, and tree removal. The **Development Services Director** stated that staff met with **Councilors Pietzold and Exner** to accommodate their concerns with the previous draft, and the **City Attorney's Office** signed off on the changes.

**Councilor Lee** asked for an example of when a transportation plan rule (TPR) would not be required to be met. Staff responded that if the property was

already within the UGB before it was expanded in 2017, it typically would not have to undergo a TPR process.

**Councilor Pietzold** thanked staff for their efforts to find language that would be acceptable to all Councilors. **Councilor Exner** offered his thanks as well, and noted that under this system the difficulties experienced during the Bailey Meadows process would not have occurred. **Mayor Pulliam** thanked the Council for their openness to finding common ground.

Public Testimony In Favor: none

Public Testimony In Opposition: none

Neutral Testimony:

Kathleen Walker, 15920 SE Bluff Rd: expressed appreciation for the changes to the tree removal requirements. Asked what leverage would exist for the City in the case of island annexations. Stressed that annexation agreements should be detailed enough to ensure that properties will meet all code obligations with regard to infrastructure and parks.

Staff Recap

The **City Attorney** made several clarifications with regard to island annexations. He noted that annexation agreements are an optional tool the City may elect to use. Though they could provide added flexibility, the decision of whether to adopt any agreement would be a matter for the Council. The **Development Services Director** stated that unlike the TSP, TPR deals mainly with the rules concerning connection of local streets to state highways. The City does not currently collect fees to fund state highway projects.

\*\*The Public Hearing was closed at this point - motion below

Council Discussion

**Councilor Pietzold** thanked staff for their work on this issue, and indicated his support for approval.

**Councilor Exner** also thanked staff and indicated his support for approval. He appreciated that balance between regulation of larger properties and flexibility for smaller properties.

Ordinance Readings

The first and second readings of Ordinance 2020-13 were performed by the **City Recorder** (motions below).

**Moved by John Hamblin, seconded by Jeremy Pietzold**

***Close the public hearing.***

**CARRIED. 7-0**

Ayes: Stan Pulliam, Jeremy Pietzold, John Hamblin, Laurie Smallwood, Jan Lee, Carl Exner, and Bethany Shultz

**Moved by Carl Exner, seconded by Laurie Smallwood**

***Approve the first reading of Ordinance 2020-13.***

**CARRIED. 7-0**

Ayes: Stan Pulliam, Jeremy Pietzold, John Hamblin, Laurie Smallwood, Jan Lee, Carl Exner, and Bethany Shultz

**Moved by John Hamblin, seconded by Bethany Shultz**

***Approve the second reading of Ordinance 2020-13.***

**CARRIED. 7-0**

Ayes: Stan Pulliam, Jeremy Pietzold, John Hamblin, Laurie Smallwood, Jan Lee, Carl Exner, and Bethany Shultz

[2020-13 Presentation Slides for July 6, 2020](#)

**11. Resolutions**

**11.1. Resolution 2020-16**

Vista Loop - Ten Eyck Pedestrian Project

Staff Report - 0285

The **Public Works Director** indicated that the preliminary design for the US 26 Ten Eyck - Vista Loop Pedestrian Improvements Project is far enough along to identify the temporary and permanent easements that will be necessary to construct the improvements. The agreement between ODOT and the City requires the local agency (Sandy) to be the legal entity that acquires the right-of-way. Before the right-of-way consultant can appraise the properties or make an offer, a Resolution of Public Necessity must be adopted by the City.

**Moved by Jeremy Pietzold, seconded by Carl Exner**

***Adopt Resolution 2020-16.***

**CARRIED. 7-0**

Ayes: Stan Pulliam, Jeremy Pietzold, John Hamblin, Laurie Smallwood, Jan Lee, Carl Exner, and Bethany Shultz

**12. Old Business**

**12.1. Childcare Incentive Program**

Staff Report - 0289

The **Economic Development Manager** presented a proposed childcare business incentive grant in response to an identified lack of childcare businesses in our region. This proposal adds childcare to the types of businesses covered by the Tenant Improvement Program, covers SandyNet fiber installation, and incorporates feedback given during the May 18, 2020 Council meeting.

**Councilor Pietzold** expressed support for the proposal, and specifically the addition of SandyNet installation.

**Councilor Shultz** expressed support for the proposal.

The **City Attorney** noted that the spending of Urban Renewal dollars would require approval of the Urban Renewal Board. Staff suggested that the City Council could provide City approval, followed by reconvening and approval from the Urban Renewal Board.

**Mayor Pulliam and Councilor Pietzold** stated they do not support the marketing component that was part of the original proposal on May 18, 2020.

**Moved by Bethany Shultz, seconded by Jan Lee**

***Provide City Council approval for the proposed amendments of the Tenant Improvement Program.***

**CARRIED. 7-0**

Ayes: Stan Pulliam, Jeremy Pietzold, John Hamblin, Laurie Smallwood, Jan Lee, Carl Exner, and Bethany Shultz



**Moved by John Hamblin, seconded by Laurie Smallwood**

***Reconvene the Sandy Urban Renewal Board.***

**CARRIED. 7-0**

Ayes: John Hamblin, Laurie Smallwood, Stan Pulliam, Jeremy Pietzold, Jan Lee, Carl Exner, and Bethany Shultz

**Moved by Jeremy Pietzold, seconded by John Hamblin**

***Provide Urban Renewal Board approval for the proposed amendments of the Tenant Improvement Program.***

***Ayes: Stan Pulliam, Jeremy Pietzold, John Hamblin, Laurie Smallwood, Jan Lee, Carl Exner, Bethany Shultz, and Chief Phil Schneider***

**CARRIED. 8-0**

**13. Report from the City Manager**

The **City Manager** updated the Council on plans to reopen City facilities. This is anticipated to coincide with the County's entrance into Phase 2 of the Governor's reopening framework. He mentioned the difficulties surrounding holding events like Movies in the Park given COVID-19 concerns and restrictions. He recommended that the Council continue to hold meetings via Zoom for the time being.

**Councilor Exner** expressed disappointment with the cancelled Independence Day fireworks show. He expressed a desire to find creative ways to hold community events in a safe manner.

**Councilor Smallwood** stated she would have liked to see the City find a way to hold the fireworks show in a manner that allayed the County's concerns. She wants the City to proactively find ways to continue holding community activities while remaining compliant with the requirements.

**Mayor Pulliam** stated that he would have liked to see staff find a way to overcome the County's concerns regarding the fireworks show, given that the Council had voted to hold the event. He mentioned that other communities had found ways to do so, including drive-in options.

**Councilor Pietzold** stated that we need to be able to bring our community together. He stated that communities in Central Oregon were able to do so successfully. He

stated that Council meetings should remain on Zoom until it is possible to bring all Council members together in one room in-person.

**Councilor Lee** agreed regarding meetings, and noted the advantages for participation.

**Mayor Pulliam** agreed.

The **City Manager** stated that a draft Code of Conduct for Boards and Commissions was sent to the Council, and that their feedback would be helpful. He mentioned that the website project is proceeding on schedule. He noted that the filing deadline for City Council elected positions is August 17. Staff met with permitting agencies recently on the wastewater project; the presentation of possible discharge options was well received. Over \$400,000 has been invested in treatment plant repairs over the past year.

#### 14. **Committee /Council Reports**

**Councilor Shultz:** recently attended a webinar with Greater Portland, Inc. regarding childcare, and noted that investment in children at an early age leads to lower demand for social services in adulthood. She asked about the lack of port-a-potties in local parks. Staff indicated they would follow up on this need. She asked about the status of playgrounds; staff indicated playground reopening is tied to Phase 2.

**Councilor Exner:** expressed frustration with the continuing limits on gatherings and recreation activities. He thanked staff for recent communications improvements, and encouraged content about the new wastewater projects. He stated a desire for staff reports to be completed on a more timely basis. **Councilor Hamblin** suggested that quarterly reports could be an option. **Councilor Exner** emphasized the need to proactively publicize seat vacancies.

**Councilor Lee:** praised the new e-newsletter and suggested it could be a forum to explain the proposed solid waste rate adjustment. The funding for the Resiliency Committee's project has encountered some difficulties, but a new funding option may be forthcoming. An infrastructure bill currently in Congress could benefit the City's wastewater financing if enacted. The Transit Committee met recently; hybrid buses could be an option in the future.

**Councilor Hamblin:** none

**Councilor Smallwood:** Don Robertson is the new chair of the Parks and Trails Advisory Board.

**Councilor Pietzold:** asked about the large storage pile of dirt next to the veterinary

clinic. He was advised by staff that a permit had been secured; he suggested that the Council may want to consider changing the permit requirements to provide some parameters. He mentioned that several broadband, WiFi, and transportation-related grants may be available in the near future. The City has a number of completed plans that could support successful grant applications. **Mayor Pulliam** suggested meeting with Congressional delegation staff to discuss grant opportunities. **Councilor Pietzold** noted that NW Natural will be performing work in Sandy in the near future. He asked staff to find more information on their project and brief the Council and help communicate with the public.

**Mayor Pulliam:** asked whether there would be a specific WIFIA loan category for smaller communities. **Councilor Lee** stated there is nothing in the bill to that effect. **The Mayor** mentioned that the Mayor of West Linn has been active trying to secure support for I-205 widening and expansion, and asked for the Council to agree to provide Sandy's endorsement of these efforts. The Council was supportive of the request. **The Mayor** reminded the Council of the upcoming listening session on race, and said he was looking forward to a constructive discussion. **Councilor Lee** stated we are fortunate to have such an excellent police force. **Mayor Pulliam** agreed. **The Mayor** noted the upcoming Back the Blue rally. **Councilor Exner** asked how the City reconciles allowing protests but not official City gatherings. It was noted that protests are not City hosted or sanctioned events; they are thrust upon the City by outside groups exercising their Constitutionally-protected rights. **The Mayor** stated his concerns with the impact that the Governor's COVID-19 regulations may be having on the community, and stated that the Council may need to consider whether to take an official position on the matter. **Councilor Smallwood** added that many people have not received unemployment assistance yet. **The Mayor** mentioned that the new Dutch Bros location has opened. He also stated that Fire Chief Schneider offered use of the fire radio signal for movies in the park audio.

**15. Staff updates**

15.1. [Monthly Reports](#)

**16. Adjourn**

**17. CITY COUNCIL EXECUTIVE SESSION**

Pursuant to ORS 192.660(2)(i), the Sandy City Council conducted an executive session to review and evaluate the job performance of a chief executive officer.



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Mayor, Stan Pulliam

A handwritten signature in black ink, appearing to read "Jeff Aprati". The signature is written in a cursive, flowing style.

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City Recorder, Jeff Aprati

# **Chapter 17.78 Annexation Code Modifications**

**City Council Meeting 7/06/2020**

# Chapter 17.78 Annexation – Modifications Since June Hearing

- Changed annexation waiting period for significant tree removal back to staff recommendation of 10 years.
- Added flexibility to Transportation Planning Rule criteria and submittal requirement.
  - Section 17.78.50(A.3): “The application demonstrates that the annexation and proposed zoning is consistent with the Transportation Planning Rule (TPR) or explains that the TPR analysis is not required.”
  - Section 17.78.60(H): “Transportation Planning Rule findings, if applicable.”

# Chapter 17.78 Annexation – Modifications Since June Hearing

- Additional language to clearly exempt additional annexation analysis for annexations that have an annexation agreement (demonstration of public services provision and mitigation).
  - Section 17.78.50(B.3): “An annexation for which the City has executed an annexation agreement and the agreement allows for A.1 and A.2 to be deferred until development is proposed.”
- Added flexibility to submittal criteria related to adherence to City plans.
  - Section 17.78.60(G.3): “Ability to adhere to adopted City plans including, but not limited to, the Transportation System Plan, Parks and Trails Master Plan, Comprehensive Plan, and Specific Area Plans; (this analysis may be deferred if the applicant enters into an annexation agreement as provided in Section 17.78.50(B)).”

# Chapter 17.78 Annexation – Modifications Since June Hearing

- Added flexibility to FSH analysis submission requirement.
  - Section 17.78.60(F.3): “Approximate or surveyed location of areas subject to regulation under Chapter 17.60, Flood and Slope Hazard (FSH) Overlay District, including, but not limited to, wetland boundaries, streams, top of bank, buffers, areas of 25 percent or greater slope, restricted development areas, and the FSH analysis area. If the applicant wants to avoid an additional zone map modification request at time of development, then these areas will need to be surveyed at the time of annexation application submittal.”