



**MINUTES**  
**City Council Meeting**  
**Monday, August 3, 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, Shelley Denison, Associate Planner, David Doughman, City Attorney, Thomas Fisher, Engineering Technician, Kelly O'Neill, Development Services Director, Ernie Roberts, Police Chief, Tyler Deems, Finance Director, Emily Meharg, Senior Planner, and Jeff Aprati, City Recorder

**MEDIA PRESENT:**

**1. URBAN RENEWAL BOARD EXECUTIVE SESSION**

Pursuant to ORS 192.660(2)(e), the Sandy Urban Renewal Board met in executive session to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

**2. MEETING FORMAT NOTE**

The City 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)

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

**3.1. League of Oregon Cities 2021 Legislative Priorities Discussion**

Staff Report - 0307

The Council discussed the League of Oregon Cities' (LOC) proposed legislative priorities. Each LOC member city was asked to identify its top 4 priorities. Prior to the meeting, Council members were surveyed on their individual preferences. Based on responses from four Council members, three issues

rose to the top of the list: (1) Infrastructure Financing and Resilience, (2) State Highway Funds Formula, and (3) Water Utility Rate and Fund Assistance.

The consensus of the Council was to formally designate those three issues as priorities, with the addition of COVID-19 Economic Recovery Investments.

3.2. **HWY 211 Jurisdiction Transfer**

Staff Report - 0310

**Councilor Exner** underlined the importance of working constructively with ODOT, but indicated his strong desire for tangible progress to be made on the City's list of needs. He noted that the working relationship with ODOT has been strained in the past.

**Council President Pietzold** noted that the City has been working with ODOT on these issues for a number of years, including inclusion on the Council's list of policy goals. He noted the impact on community livability.

**Mayor Pulliam** pointed to the letter from ODOT included in the Council packet indicating a recognition of the traffic signal concern, and a timeline for addressing it. He stated that the working relationship with ODOT has improved in recent years, despite past challenges. He stressed the importance of moving forward with a positive, constructive approach.

**Council President Pietzold** asked why traffic signal improvements would be limited to the downtown couplet, instead of all the way to Orient Drive. The **City Manager** indicated he would follow up with an answer.

**Councilor Exner** stressed the need for deliberate focus on improving the City's working relationship with ODOT, and stated that the rate of accomplishment has been too slow. He stated that ultimately the City must work with ODOT constructively.

4. **CITY COUNCIL REGULAR MEETING - 7:00 PM**

5. **Pledge of Allegiance**

6. **Roll Call**

7. **Changes to the Agenda**

8. **Public Comment**

Allison Cloo: raised concerns regarding recent social media posts showing the Police Department receiving donations from the Back the Blue community group.

Tracy George: asked how members of the public can track the disposition of funds donated to the City by community groups. Stated that individuals affiliated with the Proud Boys group have been seen in the City recently and stated that their flags are currently being displayed prominently.

Lindsay Polk: experienced technical difficulties during the Zoom meeting and submitted written comments in substitution. Her comments are attached to the minutes.

8.1. [Public Comment - Lindsay Polk](#)

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## 9. Consent Agenda

9.1. City Council Minutes - July 20, 2020

**Moved by John Hamblin, seconded by Carl Exner**

***Adopt the consent agenda.***

**CARRIED. 5-0**

Ayes: Stan Pulliam, Jeremy Pietzold, John Hamblin, Laurie Smallwood, and Carl Exner

Abstained: Bethany Shultz

Absent: Jan Lee

## 10. Old Business

10.1. 5G Code Adoption

Staff Report - 0308

**Public Hearing for Ordinance 2020-22**

Abstentions: none

Conflicts of Interest: none

Staff Report:

The **Associate Planner** summarized the staff report included in the agenda packet.

**Councilor Exner** asked whether it would be possible to require placement of control boxes in less obtrusive areas. The **City Attorney** indicated that the context of this issue is evolving rapidly, and that adopting the base model provided by the League of Oregon Cities would be prudent, with the recognition that it could be updated as necessary in the future. The **Associate Planner** noted that the City is required to allow 5G facilities, as directed by the FCC.

**Councilor Smallwood** asked how long it would take before 5G moves from urban centers to outlying areas like Sandy. Staff responded that the exact timeline is unknowable.

**Council President Pietzold** stated support for approving the proposed language and improving / augmenting it in the future. He noted that 5G will be developed in urban centers first.

Public Testimony:

Testimony in Favor: none

Testimony Opposed: none

Neutral Testimony: none

\*The public hearing for Ordinance 2020-22 was closed at this point. See motion below.\*

\*\*First and second readings of Ordinance 2020-22 were unanimously approved. See motions below.\*\*

**Resolution 2020-20 - Adopting 5G Design Standards**

The **Associate Planner** summarized the design standards explained in the agenda packet. Proposed 5G facilities would be held to these design standards when the City considers approval. The **City Manager** noted that the design standards require compliance with the ADA, ensuring facilities do not block sidewalks. He noted that 5G technology continues to evolve rapidly; recent

developments have resulted in size reductions, leading to the "stealth" moniker. He noted that these design standards are endorsed by the League of Oregon Cities.

**Resolution 2020-21 - Establishing 5G Right-of-Way Fees**

The **Associate Planner** explained that the application fee for siting 5G facilities on existing infrastructure will be \$500 for up to 5 sites and \$100 for each additional site. The fee to install 5G on new infrastructure to be constructed in the right-of-way will be \$1,000. The annual usage fee will be \$270.

**Moved by Bethany Shultz, seconded by Laurie Smallwood**

Staff Report - 0308

***Close the public hearing for Ordinance 2020-22***

**CARRIED. 6-0**

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

Absent: Jan Lee

**Moved by Carl Exner, seconded by John Hamblin**

***Approve the first reading of Ordinance 2020-22.***

**CARRIED. 6-0**

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

Absent: Jan Lee

**Moved by John Hamblin, seconded by Carl Exner**

***Approve the second reading of Ordinance 2020-22.***

**CARRIED. 6-0**

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

Absent: Jan Lee

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

***Adopt Resolution 2020-20.***

**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**

***Adopt Resolution 2020-21***

**CARRIED. 7-0**

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

10.2. **Noise Variance Request**

NW Natural, Highway 26

Staff Report - 0309

The **City Manager** summarized the noise variance request from NW Natural for their gas line improvement project. The Council discussed the matter during the meeting on July 20. Work is proposed to be performed at night to minimize traffic impacts.

**Council President Pietzold** asked why the noise variance should not apply to the entirety of the work being performed in Sandy, and not just the area surrounding University Ave. Ms. Kuhnel from NW Natural responded that the Public Works Department defined the area where the variance was required based on proximity to residential areas. Staff confirmed the accuracy of her statement. **Council President Pietzold** expressed concern that residents outside of the immediate area would be able to hear the noise. He also noted that the zoning code was amended to allow residential within commercial areas. Ms. Kuhnel stated that NW Natural provided notices to residents along the project route.

**Councilor Lee** asked whether any residents have expressed noise concerns. It was stated that no complaints have been heard thus far. The **City Recorder** noted that the project was highlighted in a recent city newsletter.

Ms Kuhnel asked whether crews would be allowed to work on Sunday nights. Staff indicated they would follow up with clarification on that question.

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

*Direct staff to approve the noise variance request.*

**CARRIED. 7-0**

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

**11. New Business**

**11.1. Land Use Application Extension Request**

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Eagle Park Improvements (Land Use File #20-029 EXT)

Staff Report - 0306

**Abstentions**

None

**Conflicts of Interest**

None

**Ex Parte Contact**

None

**Challenges to Hearing Body Members**

None

**Staff Report**

The **Senior Planner** summarized the staff report and extension request. Her presentation slides are attached to these minutes. The approved building modifications would incorporate SandyStyle design elements, and would allow for higher and more diverse uses with the eventual zone amendment to Industrial Park (I-1).

**Applicant Presentation**

The applicant summarized the progress of his project thus far, including the unexpected encumbrances such as COVID-19. He asked for the Council's approval of the extension request.

**Public Testimony**

Testimony in Favor

None

Testimony Opposed

None

Neutral Testimony

None

**Staff Recap**

The **Senior Planner** suggested the Council seek clarification from the applicant on how long of an extension he is requesting, noting that his letter mentioned a figure of five years. The **Development Services Director** suggested the Council grant at least a two year extension, and request the Council authorize him to approve further extensions if necessary.

**Applicant Rebuttal**

The Applicant did not wish to rebut anything said, but noted that some project progress has already been made, and expressed optimism that future stages of the projects would move more quickly. He stated that a multiple year extension would be desirable.

**Council Discussion**

**Council President Pietzold** suggested that the Council grant a five year extension.

**Councilor Lee** suggested the **Development Services Director** provide the Council with regular updates to ensure the project keeps moving forward.

**Councilor Exner** agreed with a five year extension if regular updates are provided.

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

***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 Jeremy Pietzold, seconded by Laurie Smallwood**

***Extend the approval through July 29, 2025, with annual progress updates from the Development Services Director.***



**CARRIED. 7-0**

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

[Eagle Park Improvements Extension - PPT Slides](#)

**12. Report from the City Manager**

The **City Manager** noted the two upcoming Arts Commission listening sessions to gather public input on the proposed mural. He noted that the filing deadline for City Council candidates is August 17. He asked whether the council would like to take its usual summer break in August; the Council expressed support for skipping the August 17 meeting. He noted that the Community Services Department has been exploring the idea of holding movies in the park events with needed physical distancing measures. The idea of additional vehicle parades similar to the previous birthday parades was also discussed. The Council expressed support for such activities that could bring the community together in a responsible manner.

**13. Committee /Council Reports**

**Councilor Shultz:** noted that other library systems are making content on race issues available for everyone; asked whether this would be possible in Sandy.

**Councilor Exner:** asked whether a reading list on race issues would be provided as was suggested during the July listening session. Praised the upcoming Arts Commission listening sessions; stated that engaging the public and gathering input is always desirable. Asked for specific 'suggested motion' language in staff reports.

**Councilor Lee:** the state library system has content and resources available that the City may be able to take advantage of. It was suggested that the Action Center could potentially host a shower that could be available for homeless individuals. She attended a regional childcare meeting at which she reported on the City's recent efforts; other area cities are taking creative action to encourage childcare including cutting SDCs for new childcare facilities.

**Councilor Hamblin:** OTSD appears to be making progress on developing a working relationship with Sandy Stand Up and SAFE. Thanked everyone for participating in the recent review process for the City Manager.

**Councilor Smallwood:** none

**Council President Peitzold:** noted the upcoming Economic Development Committee meeting which will cover urban renewal issues.

**Mayor Pulliam:** the restored Cooke mural will be unveiled on Saturday at 10:00 a.m. Thanked **Councilor Hamblin** for his leadership of the City Manger review process.

**14. Adjourn**

**15. CITY COUNCIL EXECUTIVE SESSION**

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

**16. City Council Regular Meeting - Reconvened**

**16.1. City Manager Contract Amendment**

The **Finance Director** provided a summary of the staff report. He noted that a market survey was performed for the city manager position; it was found that the current city manager compensation structure is significantly under market. The recommendation is to increase the City Manager's salary by 14.74% and adjust the vehicle allowance to \$5,400 and the phone allowance to \$720. Cost savings exist in the Administration budget to help offset the impact of the proposed raise.

**Mayor Pulliam** thanked the **Finance Director** and **Councilor Hamblin** for their work. He stated his strong support for bringing the City Manager's compensation into alignment with comparable municipalities, noting the variety of functions Sandy's city manager performs that other do not.

**Council President Pietzold** thanked **Councilor Hamblin** and the **Finance Director** for their work. He stated that this change has been needed for many years.

The **City Manager** expressed his appreciation and thanked the Council for their support.

The **City Attorney** asked whether the Council would support the **Mayor** signing the amended contract without the need to bring the draft back at a future meeting; the Council expressed support for this plan.

**Councilor Hamblin** thanked the Council for trusting him to manage the review, thanked the Finance Director for his work, and thanked the City Manager for engaging in the process.

**Councilor Smallwood** stated that protesters from Portland have been invited to an upcoming protest march; she expressed concern that conflict could

occur. She stated that some of their recent comments regarding Sandy Police have become increasingly critical. **Councilor Lee** expressed concern about a possible confrontation between this group and the Proud Boys. **Mayor Pulliam** asked the **City Manager** to monitor the situation and help avoid any possible conflict.

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

***Increase the City Manager's compensation as recommended in the staff report, retroactively effective on July 1, 2020.***

**CARRIED. 7-0**

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



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Mayor, Stan Pulliam



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City Recorder, Jeff Aprati



Jeff Aprati <japrati@ci.sandy.or.us>

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## Public Comments

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**Lindsay Polk** <lindsaypolk80@gmail.com>  
To: Jeff Aprati <japrati@ci.sandy.or.us>

Mon, Aug 3, 2020 at 7:38 PM

Hi Jeff,

I'm headed home from vacation and my phone mic would connect. My address is 17227 Hoffman Ave. Two questions. 1. What is the ethics behind the large amount of gifts, especially gift cards that the Sandy Police have received from Sandy Back the Blue. They specifically called for donations and gifts. This is especially concerning since Officer Lundry also spoke at the event. 2. With the presence of the Proud Boys, how is the city/police going to handle it if they choose to incite violence at the Sandy Stand Up Movement event on Aug 9?

Thanks,

Lindsay

[Quoted text hidden]

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# **Eagle Park Improvements Extension**

**Council Meeting 8/3/20**



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# Background

- A zone change from I-2, Light Industrial, to I-1, Industrial Park, was approved by the City Council on June 15, 2015 contingent on the applicant completing Sandy Style upgrades by June 1, 2018. [File No. 14-028 ZC]
- On May 25, 2018 the Development Services Director granted the applicant an extension until July 29, 2019.
- On March 20, 2019, the applicant applied for a design review modification, which was approved on June 19, 2019. The approval included a condition that prior to July 29, 2019, the applicant shall apply for another extension by submitting a letter request and paying the fee.
- On July 9, 2019 the Development Services Director granted the applicant a second extension until July 29, 2020.
- Following the two extensions the applicant was advised by the Director to ask the City Council to grant an extension for one additional year to July 29, 2021 or another date as approved by the City Council.

# Review

- The approved building modifications would incorporate SandyStyle design elements into the facades of these highly visible buildings (visible on Highway 26, 362nd Drive, and Industrial Way).
- In addition, the building modifications would allow for higher and more diverse uses with the eventual zone amendment to Industrial Park (I-1).



# Recommendation

Staff supports granting an extension to the applicant. Staff recommends the City Council hear the extension request through a quasi-judicial hearing procedure including hearing from the applicant and the public. After the public hearing the City Council should make a decision on granting an extension.

If City Council grants an extension it shall be to July 29, 2021 or another date as approved by the Council.