



MINUTES
City Council Meeting
Monday, November 21, 2022 7:00 PM

COUNCIL PRESENT: Stan Pulliam, Mayor; Jeremy Pietzold, Council President; Laurie Smallwood, Councilor; Richard Sheldon, Councilor; Kathleen Walker, Councilor; Carl Exner, Councilor; and Don Hokanson, Councilor

COUNCIL ABSENT: (none)

STAFF PRESENT: Jordan Wheeler, City Manager; Jeff Aprati, City Recorder; Andi Howell, Transit Director; Tyler Deems, Deputy City Manager; Ernie Roberts, Police Chief; and Kelly O'Neill Jr., Development Services Director

MEDIA PRESENT: (none)

1. CITY COUNCIL EXECUTIVE SESSION - 6:00 PM

The City Council met in executive session pursuant to ORS 192.660(2)(d)

2. CITY COUNCIL REGULAR MEETING - 7:00 PM

3. Pledge of Allegiance

4. Roll Call

5. Changes to the Agenda

(none)

6. Public Comment

(none)

7. Response to Previous Public Comments

(none)

8. Consent Agenda

8.1. City Council Minutes

November 7, 2022

8.2. Sandy Transit Operations Contract

Staff Report - 0630

Moved by Carl Exner, seconded by Jeremy Pietzold

Adopt the Consent Agenda

CARRIED. 7-0

Ayes: Stan Pulliam, Jeremy Pietzold, Laurie Smallwood,
Richard Sheldon, Kathleen Walker, Carl Exner, and Don
Hokanson

9. Ordinances

9.1. **PUBLIC HEARING: "Bull Run Terrace" Reconsideration**

Ordinance 2022-27

Staff Report - 0629

Abstentions

(none)

Conflicts of Interest

Councilor Walker stated that while she does not have a conflict of interest, she provided testimony about this property in 2020 before talking office regarding the number of units and parkland dedication, and that she can and will decide without bias in this current matter. In response to a question from **Mayor Pulliam** about activism, she reiterated that she can and will decide without bias in this current matter. **Councilors Sheldon** and **Hokanson** acknowledged that they also provided testimony regarding this property before talking office, and stated that they can and will decide without bias in this current matter.

Ex Parte Contact

Mayor Pulliam, and **Councilors Sheldon, Hokanson, Pietzold**, and **Exner** stated that they had previously visited the site.

Challenges to the Hearing Body

(none)

Staff Report

The **Development Services Director** summarized the staff report and presented slides. Both items were included in the agenda packet.

Council questions for staff during the staff report addressed the following issues:

- The applicability of the Equivalent Residential Unit (ERU) cap on this development despite it not being subject to the moratorium
- The village commercial portion of the municipal code has not changed since 2019
- Details on tree retention plans for the proposed development
- Substantial plans for stormwater improvements proposed by the applicant
- Clarity on the meaning of 'green streets' in the proposal
- Request for more information and explanation of Exhibit X

Applicant Presentation

Garrett Stephenson

- Thanks for the Council's agreement to reconsider the application
- Recap of the history and context of past development applications for this property
- Desire to be responsive to the concerns the Council has expressed regarding past development applications for this property, resulting in the following aspects of this current application:
 - A cap on the number of units at 200
 - Connection of Dubarko Rd to Hwy 26, which is required because of the type of application
 - Frontage improvements along Hwy 26
 - Contiguous parkland
- Desire to be collaborative with the City and the community

Tracy Brown

- Recap of the history of zoning for the site
- Overview of proposed zoning changes and other proposed improvements; consistency with City plans
- Remarks on the proposed unit cap
- Details on proposals to retain trees
- Details on anticipated access to commercial area

Dave Vandehey

- Thanks for the Council's agreement to reconsider the application
- Desire to be collaborative with the City and the community

Mike Ard

- Details on the rationale and meaning of Exhibit X
- Remarks on possible safety improvements at the intersection of Hwy 211 and Dubarko

- Discussion on whether and when a traffic signal would be required at the intersection of Hwy 26 and Dubarko; plans to make intersection improvements that would facilitate signal installation in the future
- Possibilities for reducing risk for individuals turning left from Dubarko onto Hwy 26, including making two-stage turns
- Discussion on impacts of traffic navigation applications on traffic counts, and the degree to which engineer analyses account for such impacts
 - Discussion on whether the calculated proportional share fees are accurate and appropriate

Public Testimony

- Kendal Pelton: Concerns about safety at the proposed intersection of Hwy 26 and Dubarko; traffic congestion on Hwy 26; removal of existing green space; and whether the City can adequately maintain the proposed parkland. Concern that the Bornstedt neighborhood, for comparison, is not an inviting area; concern about the ability of emergency vehicles to navigate narrow streets; concern that too much density is not in the community's interest; desire for DKS to be present at the meeting.
- Keely Jensen: agrees with the comments of Kendal Pelton.
- Written testimony from Scott Ruehrdanz, included in the record as Exhibit Z, was read aloud by **Councilor Hokanson**

Staff Recap

- A testimony submission deadline will be established for future applications
- Existing area zoning already allows multifamily development
- The area as a whole is undeveloped privately-owned land, not 'green space.' However, parkland is proposed under the application.
- Input from DKS is included in the staff report
- A traffic signal at the intersection of HWY 26 and Dubarko may be warranted sooner than the applicant seems to suggest
- Possible safety measures for HWY 26 are being studied as part of the Transportation System Plan update project
- The impact to the community's transportation system as a whole would be positive with this development

Council questions for staff during the staff recap addressed the following issues:

- Whether the City has sufficient funds to develop the parkland. Staff responded that the recent system development charge increases will be helpful.
- How the proposed streets compare to those in Bornstedt Village. Staff responded that they would be the same width, though Dubarko would be wider.
- Whether the timeline for dedication of parkland within 180 days is appropriate. Staff responded that once the ordinance is enacted, the land will be zoned as parkland anyway, so the required timeline is appropriate.
- The rationale for changing zoning if more units can be constructed under existing zoning. Staff responded that it is unclear how many units would be realistically feasible under current zoning, and that parking needs would serve as a limiting factor regardless. The Council also discussed impacts related to HB 2001.

Applicant Rebuttal

- This proposal would place multifamily housing and commercial elements in beneficial locations on the site.
- The existing zoning of the site reflects a past development project that was never brought to fruition.

****The public hearing was closed at this point.****

Council Discussion

Council discussion addressed the following issues:

- Recognition of the compromise involved in this proposal and the anticipated benefits for the community, including parkland, funds toward improvements at the Hwy 211/Dubarko intersection, a unit cap, Hwy 26 frontage improvements, and connection of Dubarko to Hwy 26.
- Appreciation that the developer appears to have listened to past City concerns.
- Appreciation for the following elements of the proposal: placement of the proposed housing elements; parkland dedication; prudent zone changes; stormwater improvements; orientation of Dubarko relative to Hwy 26
- Satisfaction with the proportional share funds for the intersection of Dubarko and Hwy 211, and with the extent to which this development would help implement the Transportation System Plan

- Discussion of the importance of proper lighting along Hwy 26, and on ensuring lighting, mechanical equipment, and trash does not adversely affect neighbors
- Concerns regarding changing low density land to high density; importance of maintaining a balance of housing options

Moved by Carl Exner, seconded by Richard Sheldon

Close the public hearing.

CARRIED. 7-0

Ayes: Stan Pulliam, Jeremy Pietzold, Laurie Smallwood,
Richard Sheldon, Kathleen Walker, Carl Exner, and Don
Hokanson

Moved by Jeremy Pietzold, seconded by Carl Exner

Approve the first reading of Ordinance 2022-27

CARRIED. 6-1

Ayes: Stan Pulliam, Jeremy Pietzold, Laurie Smallwood,
Richard Sheldon, Carl Exner, and Don Hokanson

Nays: Kathleen Walker

10. Report from the City Manager

- Police are proceeding with software updates for body worn cameras
- Three new police vehicles have arrived
- Council Members are invited to take part in training opportunities
- A joint work session with the Parks and Trails Advisory Board is planned for December 14th. The Council discussed virtual vs. hybrid meeting options
- Employee holiday lunch is planned for December 15th
- Meinig Park holiday lights preview for Council on December 1st
- Council goal setting scheduling poll will be sent soon

11. Committee /Council Reports

Councilor Hokanson

- Suggestion that the Community Campus Subcommittee should participate in the park development proposal review process
- Praise for the Leadership Bootcamp program
- Praise for the upcoming Meinig Park holiday lights events

Councilor Exner

- Concern regarding dangerous tree limbs on Langensand
- Encouragement for ODOT to continue removing sidewalk barricades

Councilor Walker

- Congratulations to those who won their elections
- Support for staff inflation mitigation
- Kiwanis support for community holiday programs

Councilor Sheldon

- Appreciation for staff efforts responding to a recent crosswalk issue
- Recommendation to expand public comment speaking time from three to five minutes each

Councilor Smallwood

- Praise for the upcoming Meinig Park holiday lights events
- Praise for the parks and recreation cost recovery presentation

Council President Pietzold

- Suggestions on streets that need additional sweeping
- Praise for the recent chipper assistance event
- Reminder on the Tickle Trot event

Mayor Pulliam

- Praise for the Meinig Park holiday lights events
- Importance of communicating community benefits of the Bull Run Terrace development
- Recognition of Lila Leathers
- Opportunities for Congressional direct appropriations in the next session
- Reminder on the City Manager's performance review
- Committee assignments are upcoming
- The Public Art Advisory Board will restart soon
- Opportunities for ODOT funding for communities with state highways

12. Staff updates

12.1. [Monthly Reports](#)

13. Adjourn



City Council
November 21, 2022

Mayor, Stan Pulliam

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

City Recorder, Jeff Aprati