

**MINUTES**  
**City Council Meeting**  
**Monday, December 16, 2019 City Hall- Council Chambers, 39250**  
**Pioneer Blvd., Sandy, Oregon 97055 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:** Karey Milne, Recorder Clerk and Jordan Wheeler, City Manager

**MEDIA PRESENT:**

**1. WORK SESSION - 6:00 PM**

1.1. Roll Call

1.2. Council Rules & Boards, Commissions, and Committees Policy

Staff Report - 0200

**Jordan Wheeler, City Manager**, provided Council with background on the Boards, Commissions, and Committees Policy. Council asked clarifying questions, and discussion related to term limits and appointment process occurred. Council directed staff to draft term dates for members that do not currently have them. Additionally, Council would like to see another work session to discuss the Council Rules.

**2. REGULAR MEETING - 7:00 PM**

**3. Pledge of Allegiance**

**4. Roll Call**

**5. Changes to the Agenda**  
None.

**6. Public Comment**

None.

## 7. Presentation

### 7.1. Sandy Watershed Council Annual Report

**Steve Wise, Executive Director of the Sandy Watershed Council**, provided Council with the Watershed Council's annual report. The Watershed Council has completed another year of meaningful work within the watershed. Council provided feedback and "thanks" to Director Wise.

### 7.2. Clackamas County Soil and Water Conservation District Presentation

**Tom Salzer, Executive Director of Clackamas County Soil and Water Conservation District**, provided Council with a detailed presentation related to the organization's mission and year in review.

## 8. Consent Agenda

### 8.1. City Council Minutes

Moved by Bethany Shultz, seconded by Jan Lee

*Motion to approve the consent agenda as written.*

CARRIED.

## 9. Ordinances

### 9.1. 19-032 ZC Sandy Health Clinic Rezone

8 - 10

Staff Report - 0209

**Mayor Pulliam** read the quasi-judicial script prior to opening the public hearing.

Public Hearing opened at 7:47 pm.

No abstentions from the hearing body.

No conflicts of interest from the hearing body.

No ex-parte contact from the hearing body.

No challenges of any individual members of the hearing body.

**Kelly O'Neill, Jr., Development Services Director**, addressed Council with a brief staff report of the proposed re-zoning.

**Steve Kelly, Clackamas County Community Development**, provided the applicant's testimony for the project. A long term lease of 17 spaces has been agreed upon with the nearby Emmanuel Church, to provide parking for the employees of the clinic.

No opponent testimony.

No rebuttal was provided.

*Motion to close the public hearing moved by Councilor Smallwood, seconded by Councilor Pietzold.*

Public Hearing was closed at 7:58 pm.

Council discussed the proposed re-zone of the building.

Councilor Hamblin called for the first reading of Ordinance 2019-24 by title only.

*Motion to approve the first reading of Ordinance 2019-24 moved by Councilor Lee, seconded by Councilor Smallwood.*

Councilor Hamblin called for the second reading of Ordinance 2019-24 by title only.

Moved by John Hamblin, seconded by Jeremy Pietzold

Staff Report - 0209

*Motion to adopt Ordinance 2019-24.*

CARRIED.

Submission from Kevin Cashatt

## 10. New Business

### 10.1. Sandy Operations Bus Barn Construction Contract

Staff Report - 0211

**Andi Howell, Transit Director**, provided Council with information related to

the upcoming bus barn construction. This project has been in the works since 2014. Eight bids were received to complete the construction project, and the lowest bid received came from Columbia Cascade Construction, Inc. The total project cost is estimated to be just over \$827,000.

Moved by Jeremy Pietzold, seconded by Jan Lee

*Motion to authorize the City Manager to negotiation and sign a construction contract with Columbia Cascade Construction Company.*

CARRIED.

10.2. 19-001 Picking Sign Variance

Staff Report - 0208

**Kelly O'Neill, Jr., Community Development Director**, addressed Council regarding a sign variance request that was received from Mr. Brad Picking. Additionally requested was for Council to discuss the prohibition of back-lit signs in the C-1 zoning district.

**Councilor Hamblin** asked questions related to the the "dark sky" ordinance and how that this factors into this discussion.

**Councilor Pietzold** would like to see the Sign Committee make a recommendation on the back-lit signs in the C-1 zoning district. Other Councilors weighed in with the same feedback as Councilor Pietzold.

Moved by John Hamblin, seconded by Bethany Shultz

Staff Report - 0208

*Motion to approve the requested sign variance for the back-lit sign.*

CARRIED.

10.3. 19-048 AP Pleasant Street Duplex Appeal

Staff Report - 0213

**Mayor Pulliam** read the quasi-judicial script prior to opening the public hearing.

Public Hearing opened at 8:18 pm.

No abstentions from the hearing body.  
No conflicts of interest from the hearing body.  
No ex-parte contact from the hearing body.  
No challenges of any individual members of the hearing body.

**Kelly O'Neill, Jr., Community Development Director**, addressed Council regarding the difference between duplexes and multi-family. Director O'Neill, Jr. also provided detailed information related to parking, lot sizes, pre-app notes, and other information that was provided to the Planning Commission at an earlier date.

**Tracy Brown, 17075 Fir Drive, Sandy, OR**, provided Council with a site plan and applicant's testimony. Included in this was a detailed look at the proposed development. **Kevin Cashatt, property owner**, provided Council with his view of the process and interactions with staff. Mr. Brown addressed Council again, speaking specifically to the characteristics of the proposed development. Ultimately, the applicant is asking that Council approve the request as written. Mayor Pulliam asked the applicant clarifying questions.

**Director O'Neill, Jr.** provided additional information to the Council related to this specific property. Council asked clarifying questions, which staff answered.

**Mr. Brown** and **Mr. Cashatt** provided a rebuttal related to staff's comments. The applicants referred to the pre-app notes again and questioned the process that was used. Mr. Cashatt believes his lost \$10,000 related to this project to date.

*Motion to close the public hearing moved by Councilor Exner, second by Councilor Shultz.*

Public Hearing closed at 8:58 pm.

**Councilor Pietzold** discussed the C-1 zone and the possible development options. He would not be in favor of reducing commercial property in the C-1 zone. **Mayor Pulliam** asked that Council think about the long term implications of the residential properties in the C-1 zone. **Councilor Exner** would like to see a strategy developed to make this piece of property work. **Councilor Lee** asked questions related tot commercial use below and residential above, if this would be a viable property. Discussion related to off street parking requirements occurred. **Councilor Smallwood** is not currently in favor of rezoning the property from C-1.

Moved by Carl Exner, seconded by Jeremy Pietzold

Staff Report - 0213

*Motion to deny the appeal request.*

CARRIED.

**11. Report from the City Manager**

**Jordan Wheeler, City Manager**, notified Council that we will look at rescheduling the Council Retreat to January 11, 2020. The retreat had previously been scheduled for January 18, 2020. Results of the Community Campus Survey will be delivered to Council on January 6, 2020. Lastly, enjoy the holiday season!

**12. Committee /Council Reports**

**Councilor Shultz** thanked everyone who helped with the Tree Lighting ceremony and Breakfast with Santa. She recently received an email from Representative Williams related to the the childcare crisis in Sandy.

**Councilor Exner** recently suffered a heart attack and thanked everyone for their well wishes. Questions related the Arts Commission opening were asked.

**Councilor Lee** was recently appointed to the Policy Committee with the League of Oregon Cities. Also noted was the recent "From Sewers to Suds" where wastewater is cleaned and recycled to make beer.

**Councilor Hamblin** notified the Council of the upcoming Oregon Trail School District Board Meeting. Transit staff were thanked for their hard work in getting the trolley coordinated after the Tree Lighting Ceremony. Next week Santa will be visiting the Hamblin home doing photos and hot chocolate.

**Councilor Pietzold** provided an update on the Economic Development ad hoc Committee. Also noted were the recent upgrades to the McDonald's and Best Western. The Oregon Broadband Advisory Council recently met, and discussion related to telecommunications in rural communities was discussed.

**Mayor Pulliam** provided a recap of the recent C-4 meeting related to recent housing studies. Also discussed was Metro's transportation bond, the upcoming results of the Community Campus Community Survey. Staff was thanked for their work during the holiday season and throughout the entire year.

**13. Staff updates**

13.1. Monthly Reports

**14. Adjourn**



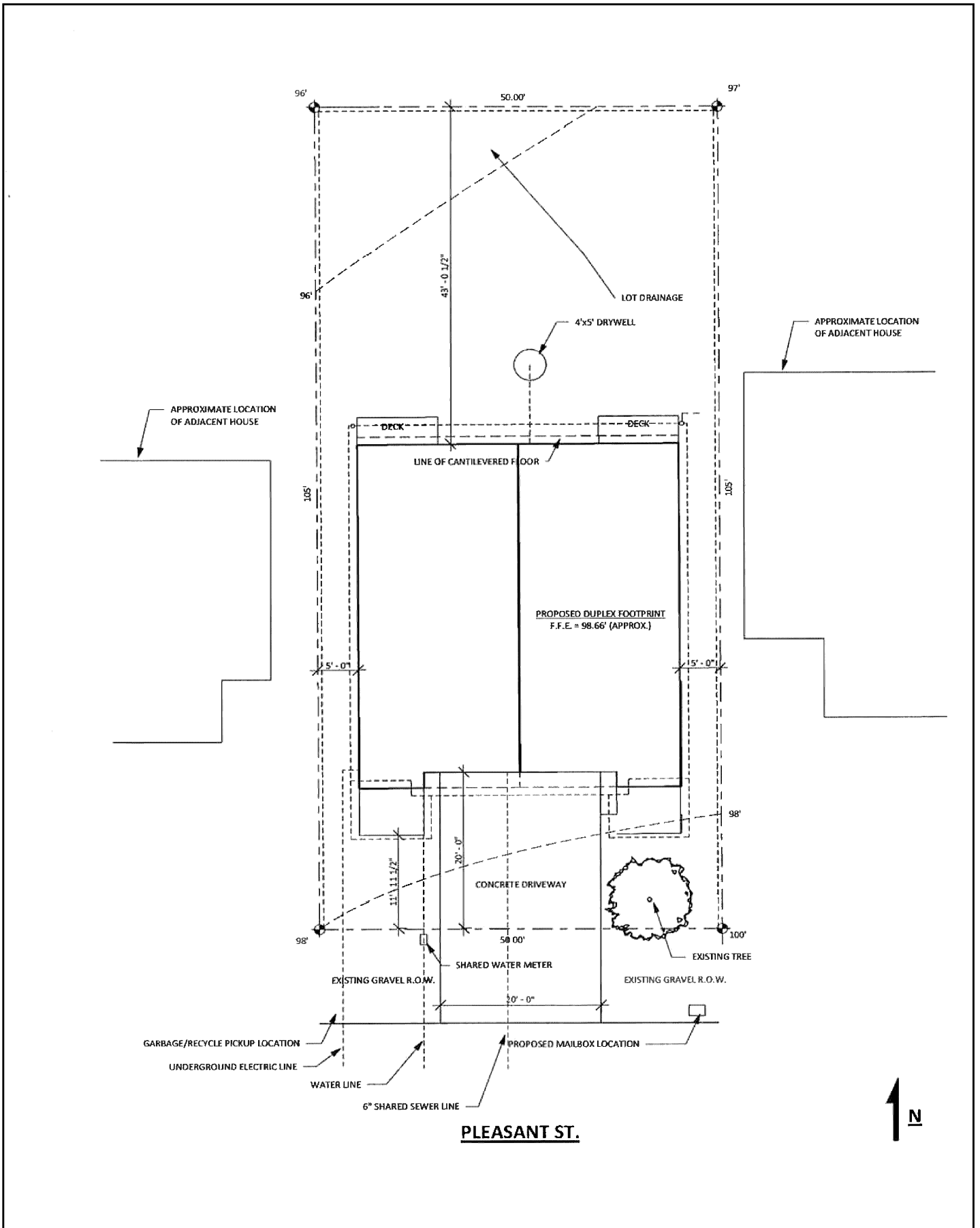
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Mayor, Stan Pulliam

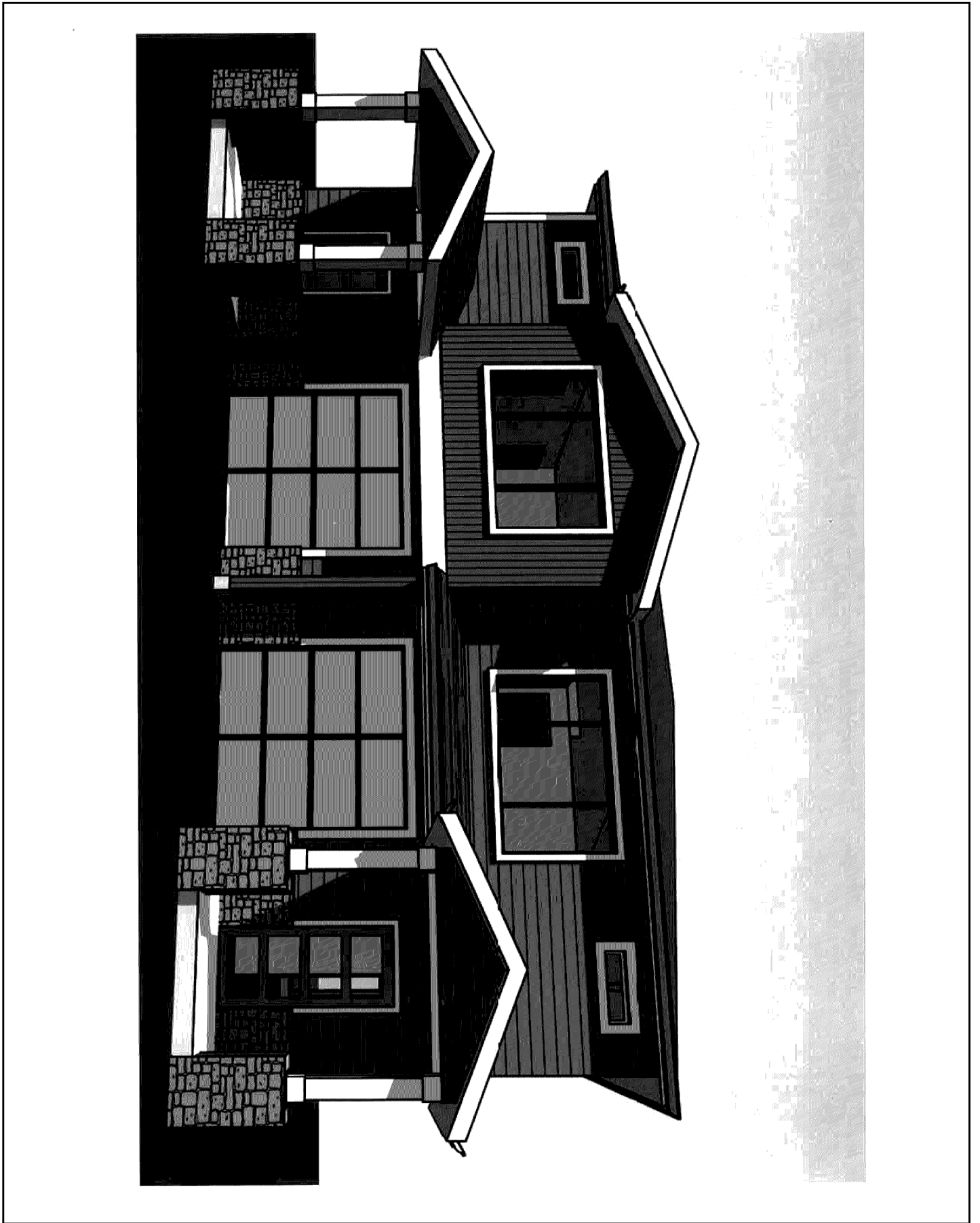


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City Recorder, Karey Milne







**From:** "Kelly O'Neill Jr." <[koneill@ci.sandy.or.us](mailto:koneill@ci.sandy.or.us)>  
**Date:** November 12, 2019 at 8:39:03 AM PST  
**To:** Kevin Cashatt <[kevincashatt@gmail.com](mailto:kevincashatt@gmail.com)>  
**Cc:** Emily Meharg <[emeharg@ci.sandy.or.us](mailto:emeharg@ci.sandy.or.us)>  
**Subject:** Fwd: Vacant lot on Pleasant

Kevin,

Again, here is an email I sent you on August 15, 2018 (10 months before the pre-app). I stated right in this email that multi-family is defined as 3 or more units. Nowhere in this email did I say a duplex would be approved. I was simply giving you options.

-Kelly

----- Forwarded message -----

**From:** Kelly O'Neill Jr. <[koneill@ci.sandy.or.us](mailto:koneill@ci.sandy.or.us)>  
**Date:** Wed, Aug 15, 2018 at 5:52 PM  
**Subject:** Vacant lot on Pleasant  
**To:** K Cashatt <[cashattoffice@gmail.com](mailto:cashattoffice@gmail.com)>  
**Cc:** Emily Meharg <[emeharg@ci.sandy.or.us](mailto:emeharg@ci.sandy.or.us)>

Kevin,

This email is in regards to development of a vacant lot in the C-1 zoning district that you were asking me about today. Based on the size of the property (0.12 acres) you could construct 2 dwelling units based on the density standards. A multi-family dwelling not contained within a commercial building is a conditional use per Section 17.42.20. Because multi-family dwellings are defined as three or more units, a 2-unit duplex wouldn't qualify as a conditional use under Section 17.42.20(B)(5). One option would be to propose a duplex, which could be processed as an "other use similar in nature" under Section 17.42.20(B)(7). A second option would be to request an adjustment to the maximum density to allow 3 units. An adjustment can be used to change a quantifiable provision of the code (in this case, density) by up to 20 percent. Anyways if you want to discuss further you should submit for a pre-application meeting and submit plans for the site.

I hope this helps.

-Kelly