



CITY COUNCIL MEETING

Monday, April 15, 2024 at 6:00 PM
Sandy City Hall and via Zoom

MINUTES

WORK SESSION – 6:00 PM

1. Deer Pointe Park: Preferred Concept Review

The Parks and Recreation Director summarized the staff report, which was included in the agenda packet. Kurt Lango and Brian Martin with Lango Hansen Landscape Architects were present to deliver the presentation; slides were also included in the agenda packet.

Council discussion ensued on the following topics:

- Details on the survey methodology and response rate
- Suggestion that staff should use geofencing in future advertisements
- Support from local neighbors for basketball at the new park; emphasis on the importance of responding to the preferences of nearby residents
- Specific discussion on options for covered basketball at the new park included the following:
 - The consultants received a recent quote for a covered court, which came in between \$500,000 and \$750,000
 - The large size of the required cover is a significant cost driver, especially considering the span needed
 - Suggestion that covering the court is more important than meticulous compliance with Sandy Style
 - Initial internet searches suggest that lower cost covering options may be available; perhaps lower cost building materials can be used
 - Discussion on other basketball courts in Sandy
 - Discussion on what would be necessary to accommodate a full court at the park; possible retaining wall needs; other potential location possibilities
- Discussion of the project budget; note that the project crosses two biennia; recognition of the possibility of additional SDC revenue
- Recognition that this project is much different than the Cedar Park project
- Remarks on project coordination with the developer of the adjacent property to the east
- Recognition that this park is relatively far from other parks in the city, so concern about duplication of features is limited
- Discussion on the meaning of 'inclusive play,' which is a principle that can be applied to all features in the park
- Expression of preferences to include climbing structures and modern durable features
- Discussion on the importance of safety and limiting liability
- Details on the advantages of maintaining real wood picnic tables

- Overview of the project schedule; concerns about opening the park in October

Overall, the consensus of the Council was that staff should pursue opportunities to incorporate a covered basketball court, full court if possible, in a financially feasible manner. Adhering to the City's design standards is important, but ultimately local youth should be provided the recreational opportunities they need.

REGULAR MEETING – 7:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Mayor Stan Pulliam
Council President Laurie Smallwood
Councilor Chris Mayton
Councilor Rich Sheldon
Councilor Kathleen Walker
Councilor Carl Exner
Councilor Don Hokanson

CHANGES TO THE AGENDA

(none)

PUBLIC COMMENT (3-minute limit)

Holly Manes: is opposed to the upcoming donkey basketball fundraiser event being held at Sandy High School. Stated that she owns two rescue donkeys and supports the Future Farmers of America, but feels this event is animal abuse. Stated that the donkeys will be scared on the slippery surface, which is not safe for them. Stated that the event is barbaric and should not be allowed. Suggested that if the event must proceed, proper veterinary professionals should be present. Noted that similar events have been cancelled elsewhere. Shared photos of her donkeys (the photos were not submitted for the record). Stated she plans to attend an upcoming School Board meeting and will deliver the same message.

RESPONSE TO PREVIOUS COMMENT

(none)

CONSENT AGENDA

2. City Council Minutes: April 1, 2024
3. Contract Approval: Revised Wholesale Water Agreement with City of Portland
4. Contract Approval: Transit Technology Implementation Project

In response to a Council question, staff provided information and clarification on the rising cost estimates of Portland's filtration plant project and projected wholesale water rate increases. It was stated that the timing of the rate increases is directly tied to completion of elements of the construction project. The Council thanked staff for their efforts in negotiating the successful wholesale agreement.

MOTION: Adopt the consent agenda

Motion made by Councilor Hokanson, Seconded by Councilor Mayton.

Voting Yea: Mayor Pulliam, Council President Smallwood, Councilor Mayton, Councilor Sheldon, Councilor Walker, Councilor Exner, Councilor Hokanson

MOTION CARRIED: 7-0

RESOLUTIONS

5. PUBLIC HEARING (CONTINUED) – Resolution 2024-08: Adoption of Advance Financing Reimbursement District for 362nd and Bell Extension

Abstentions

(none)

Conflicts of Interest

(none)

Staff Report

The Public Works Director summarized the staff report, which was included in the agenda packet along with presentation slides from the March 18th meeting. She clarified that under the language included in the resolution, repair of a barn building would not trigger AFRD payment, and that no payments would be due until development of the properties occurs.

Public Testimony

Linda Malone: expressed appreciation for completing the new road which benefits the community; stated it is only fair to recoup part of the cost of the project through an AFRD; suggested that a valuation of 20% of the project cost should be the minimum; suggested that interest accrual should not begin immediately.

Eric Lundeen: suggested parts of the road project were poorly managed and that excess engineering costs were incurred; suggested more effective project management should have been employed; stated that the cost allocation method used is inequitable; stated that the district would have a large financial impact on the affected property owners; stated that the property owners do not have the resources to secure grants that the City has; stated that his property is his family's heritage; suggested that there must be another way to replenish the Street Fund; noted that eminent domain was used to acquire the right-of-way.

Doug Castle: questioned whether other AFRDs have included both residential and commercially-zoned properties; stated that the district does not account for differences in value between residential and commercially-zoned properties; questioned the accuracy of calculations of wetland areas on his property, particularly given previous documentation from the City on the matter; stated that he has seen detrimental effects from the road project including noise, loss of privacy, and harmful weeds affecting his animals.

Staff Recap and Recommendation

Staff stated that the new road increases the value of the subject properties, that the value of the district does not include the considerable cost of staff time spent on the project, that the Street Fund needs supplementation, and that the value of the district is significantly less than the cost of the project.

MOTION: Close the public hearing

Motion made by Councilor Hokanson, Seconded by Councilor Exner.

Voting Yea: Mayor Pulliam, Council President Smallwood, Councilor Mayton, Councilor Sheldon, Councilor Walker, Councilor Exner, Councilor Hokanson

MOTION CARRIED: 7-0

Council Discussion

- Discussion of the analysis performed to calculate wetlands on the subject properties; expression of the importance of ensuring calculations were performed correctly; clarification that staff relied on the data contained in the applicable GUS layer
- Clarification from staff that past AFRDs did not account for differences in zoning and thus neither did this one
- Discussion concerning interest:
 - Concern that interest could create a barrier to development of the properties
 - Suggestion to delay interest while the development moratorium remains in effect for the subject properties, in the interest of fairness
 - Statement that commercial development on the properties is the ultimate goal
- Clarification on bonding of VRF revenue for the project; note that no grant funds were secured for the project
- Note that once development occurs on the site, interest accrual is moot
- Emphasis on the need to carefully define when the moratorium would no longer affect the properties in question
- Statement that the travel lanes on Bell St are not wide enough to allow emergency vehicles to pass other traffic; suggestion that widening could be required during the land use approval process
- Concern that the AFRD could effectively price development out of the market

- Questions as to whether the right-of-way acquired could accommodate further street widening
- Concern about code requirements, especially related to center medians
- Recognition that construction of the road was a long-standing goal of the City
- Concern that establishment of an AFRD was never previously communicated by the City
- Concern about the depleted Street Operations Fund
- Note that increased gas taxes are the only alternative funding source to replenish the fund
- Recognition that the project received General Fund revenue as well
- Suggestion that it would not be fair for all project costs to be borne by the citizens at large
- Clarification from staff on the amount of revenue that could be realized through higher gas taxes
- Details on income and expenses in the Street Fund
- Note that if the City had not constructed the road, the cost would have been borne entirely by developers, thus decreasing the sales price of the properties
- Suggestion that residents want development to pay for itself
- Statement that proposed establishment of an AFRD was indeed previously communicated by the City
- Statement that previous delay of addressing these funding shortcomings is now coming due, and the City needs to act
- Discussion of compounding of higher costs and prices, affecting development prospects
- Praise for AFRDs in principle
- Suggestion to modify the AFRD proposal to 10% of the project cost, with no interest

MOTION: Adopt Resolution 2024-08, with the amendment that interest shall not begin accruing until development of the subject properties is possible.*

Motion made by Councilor Walker, Seconded by Councilor Hokanson.

*(*motion amended before vote, as detailed below)*

The City Attorney expressed concern that the definition of when development of the properties is possible is prohibitively unclear. He also noted that under the Municipal Code, there is no mechanism to modify the AFRD once it is established.

AMENDED MOTION: Adopt Resolution 2024-08, with the amendment that interest shall not begin accruing until five years after the adoption of the resolution.

Motion made by Councilor Hokanson, Seconded by Councilor Walker.

Voting Yea: Councilor Sheldon, Councilor Walker, Councilor Exner, Councilor Hokanson

Voting Nay: Mayor Pulliam, Council President Smallwood, Councilor Mayton

MOTION CARRIED: 4-3

MOTION: Adopt Resolution 2024-08, with the amendment that the valuation of the district shall be decreased from 20% to 10% of the project cost, and interest shall not begin accruing until the subject properties are developed or sold.*

Motion made by Councilor Mayton, Seconded by Council President Smallwood.

*(*motion not voted on because the above motion was carried first)*

REPORT FROM THE CITY MANAGER

- The City of Molalla CCA dinner has been canceled
- Statements of Economic Interest are due today
- Parks maintenance staffing:
 - A seasonal position will be transferring to full time; recognition that this is still insufficient over the long term
 - Discussion regarding maintenance of medians, which is handled differently in different cases; note that these responsibilities need to be reallocated; discussion of modifying the City's landscape maintenance contract as part of the solution
- The Tickle Creek Trail is much closer to reopening; large hazard trees still need to be addressed

COMMITTEE / COUNCIL REPORTS

Councilor Hokanson

- Suggestion to use urban renewal funds to incentivize development along 362nd and Bell
- Concern about the new parking lot
 - Need to ensure it is not used for camping
 - Suggestion to lock the lot at night
 - Suggestion to monetize parking at the lot during special events

Councilor Exner

- Praise for staff's efforts in negotiation the wholesale water agreement
- Questions regarding whether it is necessary to raise the transit tax; staff clarification that obligations can be met with available grant funding
- Concern about the condition of medians along Jewelberry

Councilor Walker

- Praise for staff's efforts in negotiation the wholesale water agreement
- Praise for the new Cedar Creek Trail

- Concern about vouchers providing shelter for homeless individuals at the Best Western; suggestion to communicate that the City is not involved; suggestion to invite applicable Clackamas County staff to a future work session
- Note that the Mayor will attend the upcoming Library Advisory Board meeting

Councilor Sheldon

- Agreement on the need to hold a meeting with County staff on homelessness
- Discussion about road congestion related to school dropoff and pickup:
 - Additional context from the City Manager and Interim Police Chief regarding emergency access
 - Note that blocking traffic is unlawful
 - Suggestion for the School District to better use existing parking lots
 - Note that bus ridership has dropped post-COVID
 - Note that widespread issuance of citations is unworkable
 - Suggestion to work with the School District proactively with deliberate purpose to remedy the problem

Council President Smallwood

- Praise for the Cedar Creek Trail opening event
- Concern regarding the harmful weeds mentioned by Mr. Castle during his testimony

Councilor Mayton

- Appreciation for the constructive AFRD debate
- Appreciation for staff's efforts in negotiations with the EPA
- Hope that the Tickle Creek Trail will open soon
- Reminder on upcoming events: Arbor Day; Earth Day; the Sportsman's Breakfast

Mayor Pulliam

- Recognition of the upcoming Community Center 50th anniversary
- Appreciation for the constructive AFRD debate
- Praise for the Cedar Creek Trail opening event
- Concern regarding medians and emergency vehicle access; suggestion to debate and reexamine the issue
- Summary of recent Christine Drazan campaign event
- Note that next legislative session is likely to focus on transportation, and the City should consider potential project funding opportunities
- Suggestion that the City may be able to secure a portion of recalled/vetoed infrastructure funding from the last legislative session

STAFF UPDATES

Monthly Reports: <https://reports.cityofsandy.com/>

ADJOURN



Stan Pulliam, Mayor



Jeffrey Aprati, City Recorder