



**MINUTES**  
**City Council Meeting**  
**Tuesday, June 20, 2023 6:00 PM**

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

**COUNCIL ABSENT:** (none)

**STAFF PRESENT:** Jeff Aprati, Interim Deputy City Manager; Tyler Deems, Interim City Manager; Kelly O'Neill Jr., Development Services Director; Josh Soper, City Attorney; Greg Brewster, IT/SandyNet Director; Rochelle Anderholm-Parsch, Parks and Recreation Director; Jenny Coker, Public Works Director; and Angie Welty, Human Resources Director

**MEDIA PRESENT:** Sandy Post

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

**1.1. Clear and Objective Code Audit Project**

Staff Report - 0721

City contractors Kate Rogers and Cathy Corliss with MIG APG delivered a presentation; slides were included in the agenda packet with the staff report. The Council discussed each of the eight topics outlined in the consultant memorandum, along with the recommended policy options.

Council discussion points and policy preferences on each topic are detailed below:

**Topic 1: Standalone Multi-Family Housing in the C-1 and C-3 Zones**

- Discussion of two track option for development applications, and trade-offs between certainty and flexibility for developers
- Note that some clear and objective edits necessitate policy choices, though the large majority of the work is designed to be policy neutral
- Note that state law requires that if an area allows any type of housing, it cannot be as a conditional use; it must be permitted outright or removed from the code
- Discussion regarding standalone multifamily housing in C-1 zones

- Discussion regarding processes for existing non-conforming uses
- Explanation of horizontal mixed use
- Discussion of the likelihood of mixed use development in commercial areas; concerns regarding parking

The consensus of the Council was to support the policy approach recommended by the consultant.

#### Topic 2: Mixed-Use Residential in the C-1 and C-3 Zones

- Discussion regarding applying Sandy Style to commercial ground floor development
- Discussion regarding non-conforming uses
- Discussion regarding whether rooftop food establishments could be possible

The consensus of the Council was to support the policy approach recommended by the consultant.

#### Topic 3: Zero Lot Line Dwellings in the SFR Zone

- Distinctions between duplexes and townhomes
- Discussions on the applicability of new state middle housing regulations and requirements with respect to this policy topic

The consensus of the Council was to support the policy approach recommended by the consultant.

#### Topic 4: Transit Street Building Orientation

- Clarification on the applicability of this issue with respect to flag lots

The consensus of the Council was to support the policy approach recommended by the consultant.

#### Topic 5: Changes to Comply with HB 2583

- Concern that the definitions included in the provided text are circular
- Concerns regarding the conversion of residential housing to congregant housing and/or shelters

The consensus of the Council was to support the policy approach recommended by the consultant.

#### Topic 6: Type I Adjustments

- Note that the change would provide additional notice to property owners, enabling comment and appeal

The consensus of the Council was to support the policy approach recommended by the consultant.

#### Topic 7: Affordable Housing Under Senate Bill 8

- Concerns regarding affordable housing in SFR areas.
- Note that adding language in the municipal code would implement a Sandy version of this state requirement, rather than State language that has no limits on density or height.

The consensus of the Council was to support the policy approach recommended by the consultant.

#### Topic 8: Tree Removal for Parks Maintenance

- Clarification on applicability to existing trails versus all trails
- Concern regarding the appearance of double standards
- Discussion on applicability to Jonsrud Viewpoint maintenance

The consensus of the Council was to support the policy approach recommended by the consultant.

## **2. CITY COUNCIL REGULAR MEETING - 7:00 PM**

### **3. Pledge of Allegiance**

### **4. Roll Call**

### **5. Changes to the Agenda** (none)

### **6. Public Comment**

Michael Jenkins: former marine who is now homeless in this town; has had serious medical challenges; has received housing assistance but it is insufficient; needs more assistance; previously ran for mayor; is concerned with drugs coming into town; wants to speak with the Police Chief; has been told he is not allowed to sleep in bus shelters; threats have been made against his dog; AntFarm did provide him some assistance; wants to talk with the Mayor; intends to run for mayor.

### **7. Response to Previous Public Comments**

With regard to previous comments by Bill Leslie: staff is working on implementing a new process to accommodate check payments; staff has confirmed that fees for rental businesses are typical compared to other cities that charge for this, and that the increase in rental business fees was outlined in the previous staff report. Staff agreed to follow up with additional information regarding what rental businesses receive through the program.

## **8. Consent Agenda**

### **8.1. City Council Minutes**

June 5, 2023

### **8.2. Adoption of Financial Sustainability Plan for Parks and Recreation**

Resolution 2023-26

Staff Report - 0724

### **8.3. SandyNet Advisory Board Appointments**

Staff Report - 0731

### **8.4. Requests for Street Closures and Exclusive Use of Meinig Park: 2023 Mountain Festival**

Staff Report - 0726

### **8.5. Loan Authorization: Drinking Water Transmission Line Design**

Resolution 2023-23

Staff Report - 0717

### **8.6. Contract Amendment: Leeway Engineering Solutions, Owner's Representative Services**

Staff Report - 0723

### **8.7. Adoption of City Manager Recruitment Position Profile and Hiring Procedures**

Staff Report - 0732

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

***Adopt the Consent Agenda***

**CARRIED. 7-0**

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

## 9. New Business

### 9.1. PUBLIC HEARING: 2023-24 Master Fees and Charges

Resolution 2023-28

Staff Report - 0728

#### Staff Report

The **Interim City Manager** summarized the staff report, which was included in the agenda packet. Council questions for staff were related to implementation of the customer assistance program, history and context of the water rate for Skyview Acres, discussion on wholesale rates generally, overdue fines for cultural passes, and the importance of advertising changes in parks and recreation fees.

#### Public Testimony

Nancy Becker: concern about the high percentage increase for stormwater fees; they do not have a stormwater drain at their property; seniors on fixed income cannot absorb the increase; families are having to live together to get by; Social Security is not keeping up with increases; the City also collects franchise fees; fee increases are too high generally.

Michael Jenkins: two seniors living with him had heart attacks recently; a tree fell on his van during a storm, which the City said was an act of God; concern about trees in the park generally; power outages meant he could not use his breathing equipment - the City needs electricity redundancy; Rose City Lab can perform water testing services; concern regarding flooding of his neighbor's residence.

Greg Becker: note that 36% water rate increases were proposed through the budget process for this year and the following year as well.

#### Staff Recap

The fee increases were discussed as part of the budget process earlier in the year; franchise fees are all separate agreements - opportunities may exist for higher fees when the agreements are renegotiated. It was also notes that the infrastructure needs being addressed with the increased fees were long

deferred are critically necessary. Every effort is being made to secure grants and low interest financing.

Council Discussion

- Acknowledgement that community assets are paid for by everyone
- References to the customer assistance program
- Acknowledgement that these system improvements are the result of past decisions to defer reinvestment

**Moved by Kathleen Walker, seconded by Carl Exner**

***Close the public hearing***

**CARRIED. 7-0**

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

**Moved by Carl Exner, seconded by Don Hokanson**

***Adopt Resolution 2023-28***

**CARRIED. 7-0**

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

9.2. **PUBLIC HEARING: Revised Moratorium Raising Limit on New Wastewater Connections**

Resolution 2023-27

Staff Report - 0729

Abstentions

(none)

Conflicts of Interest

(none)

Staff Report

The **City Attorney** summarized the staff report, which was included in the agenda packet.

Council Discussion

- Clarification on the timing of middle housing land divisions under the terms of the moratorium
- Clarification that annexations do not create vested rights; rather, they allow property owners to take initial steps toward possible development applications in the future
- Clarification that septic tanks do not affect the wastewater system
- Clarification that the replacement moratorium takes immediate effect

Public Testimony

Greg Becker: asked whether increasing the ERU allowance will result in more revenue for the City. Staff noted that it likely would, but the effect would be substantially delayed.

Michael Jenkins: remarks regarding housing vouchers; suggestions to examine options for water testing

Staff Recap and Recommendation:

Adopt the resolution as recommended

**Moved by Richard Sheldon, seconded by Chris Mayton**

***Close the public hearing***

**CARRIED. 7-0**

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

**Moved by Laurie Smallwood, seconded by Kathleen Walker**

***Adopt Resolution 2023-27***

**CARRIED. 7-0**

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

9.3. **PUBLIC HEARING: Transportation System Plan (TSP) Adoption**  
Ordinance 2023-24

Staff Report - 0722

Abstentions

(none)

Conflicts of Interest

(none)

Staff Report

The **Development Services Director** and the City's consultant Reah Flisakowski with DKS Associates summarized the staff report, which was included in the agenda packet.

Council Discussion

- Clarification on the calculation of available capital project funding (\$10.8 million), which is separate from road maintenance funds and bond payment funds for the 362nd / Bell project
- Discussion on cost sharing with ODOT for certain projects
- Discussion on the Safe Routes to School grant program, and pending conversations with the school district
- Discussion on Project C7, which could include lane narrowing to accommodate bike lanes
- Discussion on Hwy 211 and Gunderson intersection improvement options and cost projections
- Discussion on the funding of Project D20, which is expected to be borne by development
- Discussion on statutory speed zone options and processes
  - Suggestion that Street Fund dollars should be used to accomplish high priority area speed studies, with ODOT performing lower priority studies using their process
  - Note that City-run speed studies will require staff training

Public Testimony

Michael Jenkins: concerns regarding pedestrian safety on Meinig Avenue; concerns regarding trash cans blocking sidewalk access; concerns regarding pedestrian crossing on Hwy 26 near Bi-Mart, and the travel distance required to reach the signal; concern regarding ADA ramps being too steep; wants to personally show Council Members these issues

Staff Recap and Recommendation

Some sidewalks in the city do need repair, which the new code enforcement position can help address; development of The Pad Townhomes will help



address sidewalk concerns on Meinig Avenue; acknowledgement of the pedestrian crossing concerns on Hwy 26; note that the Walkability Study, which addresses some of these issues, is recommended to be adopted as part of the TSP update.

**Moved by Richard Sheldon, seconded by Don Hokanson**

***Close the public hearing***

**CARRIED. 7-0**

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

**Moved by Laurie Smallwood, seconded by Stan Pulliam**

***Approve the first reading of Ordinance 2023-24***

**CARRIED. 7-0**

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

**Moved by Kathleen Walker, seconded by Carl Exner**

***Approve the second reading of Ordinance 2023-24***

**CARRIED. 7-0**

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

**10. Report from the City Manager**

- Longest Day Parkway will take place on 6/22 at Bornstedt Park
- The 7/3 City Council meeting has been cancelled
- Council Members are encouraged to take part in the Mountain Festival parade
- Staff is addressing homelessness issues near the library and making timing changes to the free WiFi network
- The annual report for the SSCP program will be delivered soon; the **Mayor** designated a review panel of himself, **Councilor Walker**, and **Councilor Exner** for the next biennium

**11. Committee /Council Reports**

Councilor Hokanson

- Suggestion to remove board appointments from future consent agendas so appointees can be recognized
- Acknowledgement of the importance of transportation system input from users with disabilities

Councilor Exner

- Note on the importance of communication from contractors performing street and sidewalk improvements
- Note of the need to address weeds in medians
- Note of the need to maintain building exteriors at the library and police station

Councilor Walker

- Concerns regarding state preemption of land use, and the need for consultant advice on how the City can pursue its interest within changing legal bounds

Councilor Sheldon

- Agreement with the suggestion to keep board appointments off of the consent agenda
- Concerns regarding tall grass and pedestrian safety

Council President Smallwood

- Naming task force process has begun for the Community Campus Park
- Work on the Sandy River Trail is continuing

Councilor Mayton

- The EDAB provided project prioritization input regarding the EDSP
- Discussion regarding budget bills at the end of the legislative session

Mayor Pulliam

- Council Rules update will be on an agenda in the near future
- Legal staff recently delivered a memo to the Council on housing policy options
- The City's funding request for drinking water improvements is not looking good; likely because of repercussions related to the walkout in the Senate
  - The Council agreed that there are continuing opportunities to engage with the government relations consultant on regional matters, for example regarding the Action Center's difficulty securing food deliveries because of questionable allegations of policy violations
- Reminder regarding Longest Day Parkway

**12. Staff updates**

12.1. [Monthly Reports](#)

**13. Adjourn**

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Mayor, Stan Pulliam

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City Recorder, Jeff Aprati

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