

SPECIAL MEETING OF THE COUNCIL
CITY OF AMITY, OR

Minutes

A Special Meeting of the City of Amity City Council was held at 7:00 p.m. on Wednesday, March 21, 2018 in the Community Center, City Hall, 109 Maddox, Amity, Oregon.

Councilors Present

Councilor William Daley, Councilor Dawn King, Councilor Caralyn Miller, Councilor Joshua Simonson, Councilor Rudy van Soolen, Councilor Max Walker, and Mayor Michael Cape.

Councilors Absent

Staff Present

City Administrator Justin Hogue, City Treasurer/Recorder Jackie Loos, Public Works Superintendent Gary Mathis

OLD BUSINESS:

- a. Public Hearing for Comprehensive Plan Map Designation Change: Zone Change, Planning File 1710-01. Mayor Cape explained the process for the public hearing. He spoke about land use law established by the state, the application process, and criteria. He briefly went over the criteria for Comprehensive Plan Map changes, which are listed on pages 8-10 of the Staff Report.

Mayor Cape opened the public hearing. Cape read the Public Hearing Procedures. Mayor Cape asked if there were any declarations of conflict, bias, or ex-parte contact by any members of the Council. Each Council member stated that they had seen the site. There were no ex-parte contacts by the Council. Mayor Cape addressed the testimony time limit of 4 minutes. Interim City Planner Jim Jacks stated that the applicant was going to request a continuance; therefore, he did not present the staff report. He asked if there were any questions from the Council. There were none.

Brad Krem with Embree Group (applicant) stated that the City received a letter late in the day from the Fair Housing Council of Oregon, which addressed changing the zone from residential to commercial and reducing residential growth. The applicant would like to take some more time to address the issues raised and feels confident that they can address all the items in the submitted letter from the Fair Housing Council. Mayor Cape asked if there were any questions for the applicant. There were none.

Mayor Cape asked if there were any proponents. There were none.

Mayor Cape asked if there were any opponents. The following people spoke in opposition of the application. Dave Beck, SE Amity Road, Amity; Rob Kistler, Millies Lane, Amity; Barbara Bond, Millies Lane, Amity; Mel Bradley, Oak Ave, Amity; Gabrielle Keeler, SE Rice Lane, Amity; Ed Farrar, SE Three Trees Lane, Amity; Eve Silverman, SE Rice Lane, Amity; Susan Karp, SE Three Trees Lane, Amity; Shannon Trunde, W. 2nd Street, Amity; Kris Bledsoe, SE Upper Island Rd., Dayton; Melissa Steele, S. Trade St., Amity;

A citizen, hard at hearing, had missed the opportunity to speak as a proponent; therefore the Council agreed to allow him to testify. Bob Mapes, Woodson Ave, Amity, spoke in favor of the application.

The public hearing continued with testimony in opposition. Chris Weeks, SE Walnut Hill Rd., Amity; Beth Yockey Jones, 418 S. Trade St, Amity; Rob Kistler spoke for a second time; and Jaime O'Malley, SE Walnut Hill Rd, Amity. There were no more opponents.

Mayor Cape asked if there was any testimony from neutral parties, including governmental agencies. There was none.

Mayor Cape asked if there were any rebuttals based on testimony from opponents. Brad Krem with Embree Group addressed some of the items mentioned by opponents. Mr. Krem stated that the issues raised by Mr. Kistler such as the delivery truck traffic issue were discussed during the Planning Commission meeting and were resolved. Mr. Krem stated that delivery trucks would not be delivering goods on the roadway. He also stated that they had meetings with ODOT and City Engineer and the driveways meet the required design standards. He also stated, in regards to Ordinance 648, Mr. Kistler's arguments are based on the "findings" in the beginning of the ordinance and not the actual "conclusion", where it describes what the City has as far as commercial and residential properties and that the argument is not relevant. There were no questions from the Council.

Mayor Cape asked the Council when they would like to continue the meeting to. Councilor Simonson asked if the Council would have an opportunity to make a motion on the subject. Mayor Cape stated that the applicant would like a continuance. City Planner Jim Jacks informed the Council that there were options listed in the staff report for the Council. Jacks also stated to the Council that there is a letter in their packet from the Fair Housing Council that was submitted to the Planning Commission on December 18, 2017. That letter indicates that there are certain things the City needs to show in order to change residential land to commercial land, based on the housing needs analysis and buildable land inventory.

Simonson moved to deny the request to change the Comprehensive Plan Map designation of parcels 00201 also known as the corner of 1st and Trade and also known as assessor's map T5S R4W, Section 20CD, lot 201 from residential to commercial and change the zone from R-3 back to general commercial. Councilor van Soolen seconded the motion. Mayor Cape asked for any discussion. Councilor van Soolen encouraged the Council to also vote "No". Councilor Daley stated that he had an extensive conversation with the City Administrator in regards to the balance between residential and commercial property and that the City needs to keep as much residential land as possible.

Mayor Cape closed the public hearing and asked if there was any further discussion. There was none. Motion passed 6-0.

NEW BUSINESS:

- a. Trade Street Water Line Project- City Administrator Hogue explained to the Council that the City needs to install an insert a valve on Rice Lane. He stated that the existing valve will not fully shut down the portion of mainline being replaced along Trade St. and that it is needed to tie in the new section of waterline. Hogue stated that it would cost the City approximately \$15,000 to install the valve, increasing the total project cost above the original estimate of \$19,976 to \$34,976. Hogue, staff, and the Council discussed why the change order is necessary. Councilor Walker moved to

approve Change Order #2 in the amount of \$15,000 to Haworth, Inc. Councilor Daley seconded the motion. With no further discussion, the motion passed 6-0.

Meeting adjourned at 8:40 p.m.

Approved by City Council April 4, 2018

Michael Cape, Mayor

Attest:

Jackie Loos, City Recorder