



MINUTES

Monday, March 11, 2019

Work Session

Municipal Courtroom, City Hall

Approved: April 10, 2019

CALL TO ORDER

Mayor Sharon Konopa called the meeting to order at 4:00 p.m.

ROLL CALL

Councilors present: Mayor Sharon Konopa and Councilors Rich Kellum, Bessie Johnson, Alex Johnson II, Dick Olsen, and Mike Sykes

Councilors absent: Bill Coburn (excused)

BUSINESS FROM THE PUBLIC

None.

LANDMARKS ADVISORY COMMISSION REVIEW

4:01 p.m.

Planner II Laura LaRoque and Planning Manager David Martineau shared a PowerPoint presentation (see agenda file). LaRoque explained that the presentation was intended to clarify the role of the Landmarks Advisory Commission and their appointment process. LaRoque shared information about the commission from the staff report and explained the outcomes of changing the commission's decision-making authority.

Councilor Alex Johnson asked whether changing the decision-making process would affect state funding. LaRoque explained that the commission could be advisory or a decision-making body, but it must include members with qualifying expertise to meet the Certified Local Government (CLG) program criteria for funding. A. Johnson asked if the commission would make a recommendation to council to make a decision. LaRoque answered that is one scenario, the commission can either be advisory or a decision-making body.

Mayor Sharon Konopa commented that council would need to add an extra meeting each month to evaluate landmarks applications if the commission was to transition to a more advisory role. Public Works Engineering and Community Development Director Jeff Blaine explained that removing the commission's decision-making authority would lengthen the process for land use applicants and would create an additional set of presentations and hearings that staff would have to facilitate.

Councilor Rich Kellum stated that there could be an exchange of applications electronically that may not be much more time consuming. The commission has no responsibility back to the voters. LaRoque explained that on some recent applications the commission has struggled with the ambiguity of the development code. Martineau noted that staff is working updating the code, but it is a long process.

Councilor Bessie Johnson asked if the Landmarks Advisory Commission was granted more decision-making authority during the recession. LaRoque distributed a handout (see agenda file). The commission was granted decision-making authority in 1985 for review of alterations to historic structures. The City Council still has the final decision-making authority over an appeal.

Councilor Mike Sykes said the conversation about the commission started because of the appointment process. Each councilor should make an appointment. LaRoque said the appointment process is most likely tied to when the City became a certified local government community. To participate in the CLG program, the leading decision maker appoints commissioners. The City can have a local regulation that has a different appointment process. Sykes said the Mayor is not the leading decision maker.

B. Johnson commented that she would like the City to have access to the grant and knowledge from the State through the CLG program. She asked if the commission was supposed to be reporting regularly to the council. Discussion followed about decision-making authority.

Sykes asked if the commission members have to file a Statement of Economic Interest (SEI). City Manager Peter Troedsson answered that it is not their current practice but that should be corrected. Sykes said they are out of compliance because in order to make quasi-judicial decisions they must file an SEI. Konopa said that is not the commission's fault; that should have been handled at the staff level. Sykes noted again that the conversation began due to the appointment process. Troedsson explained that the SEI issue should be resolved. Regarding accountability, there is a process for removing members of advisory groups.

Councilor Dick Olsen commented that council needs help with historic preservation decisions from people with the time and relevant knowledge. Kellum said they would still need an advisory group of experts if the decision-making authority was transferred to council. Olsen said that would not expedite the process.

B. Johnson asked about the qualifications of the commission member, and Konopa noted that the applicant's qualifications are in the applications ratified by the council. Blaine said staff can summarize their qualifications and bring them to council on Wednesday. He reiterated that if the appointment process were to be changed, we need to ensure that applicants have the necessary expertise to comply with the CLG grant program. If council is not satisfied with decisions from the commission, changes will need to be made to adopted policies and review criteria. Staff will continue to bring forward recommendations consistent with adopted standards. If landmarks applicants do not submit enough information to demonstrate that they have met the review criteria, their application will be rejected by staff. Finally, if council is the final decision-making body, appeals would have to go the Land Use Board of Appeals (LUBA). Allowing another body to make decisions keeps appeals in-house. LaRoque said it is the intent of state law to exhaust all local decision-making options before going to the state level. There is some advantage to having two local bodies reviewing land use applications. Discussion followed about appointment processes.

BUSINESS FROM THE COUNCIL

4:43 p.m.

B. Johnson shared her vacation dates. She said she would be present for upcoming budget meetings. Kellum asked about the progress of a Linn county proposal regarding an appeal to LUBA. Blaine said he would share an update with council. Konopa shared a thank you she received for the Capitol Christmas tree.

CITY MANAGER REPORT

4:45 p.m.

Troedsson reminded council there will be snacks available before the next meeting.

ADJOURNMENT

There being no other business, the meeting was adjourned at 4:48 p.m.

Respectfully submitted,

Reviewed by,

Allison Grove
Administrative Assistant I (Confidential)

Peter Troedsson
City Manager

Note: Staff handouts referred to in the minutes as (see agenda file) are available on the website in the "Staff Handouts" column.