



City of Oregon City

625 Center Street
Oregon City, OR 97045
503-657-0891

Meeting Minutes - Draft City Commission

Doug Neeley, Mayor
Kathy Roth, Commission President
Betty Mumm, Carol Pauli, Rocky Smith, Jr.

Wednesday, April 3, 2013

7:00 PM

Commission Chambers

1. Convene Regular Meeting and take Roll Call

Mayor Neeley called the meeting to order at 7:02 PM.

Present: 5 - Mayor Doug Neeley, Commissioner Rocky Smith, Commissioner Betty Mumm, Commissioner Carol Pauli and Commissioner Kathy Roth

Staffers: 11 - City Manager David Frasher, City Attorney William Kabeiseman, Police Chief and Public Safety Director Mike Conrad, Aleta Froman-Goodrich, Community Development Director Tony Konkol, Community Services Director Scott Archer, City Recorder Nancy Ide, Human Resources Director Jim Loeffler, Finance Director Wyatt Parno, Library Director Maureen Cole and Economic Development Manager Eric Underwood

2. Flag Salute

3. Ceremonies, Proclamations, Presentations

3a. 13-230 Metro Update - Councilor Carlotta Collette

Tom Geil introduced the new CIC officers: Alice Watts, Chair; Michael Berman, Vice Chair; and Amy Willhite, Secretary. He had followed the suggestions of the Commission and City Attorney for the nominating committee and elections. He discussed all that had been accomplished in the last four months.

Metro Councilor Carlotta Collette gave a few highlights of 2012 and an overview of the natural areas local option levy, recent natural area purchases, Nature in Neighborhoods capital grants, Climate Smart Communities update, regional flexible funds, regional travel options grants, community planning and development grants, and visitor venue updates.

3b. 13-234 Legislative Update from State Representative Brent Barton

State Representative Brent Barton passed out information on budget figures, projects he was working on in the legislature, what the legislature was doing, and his predictions. His two objectives for this legislative session was to create a rainy day fund to stabilize school funding and to bring a five million dollar State funding match to Oregon City. He was positive about being able to accomplish the five million dollar match in the House, but was unsure about approval in the Senate. He also discussed the Columbia River Crossing project.

3c. 13-218 Proclamation for Arbor Day in Oregon City - April 17, 2013

Mayor Neeley read the proclamation declaring April 17, 2013, as Arbor Day in Oregon City.

Mayor Neeley announced a kid's storytime and craft at the Library, free tree giveaway, and tree planting and poetry event on Arbor Day. The annual Oregon City Earth Day would take place on April 20.

4. Citizen Comments

William Becker, resident of Oregon City, thanked the staff of Mountain View Cemetery, the Parks department, and City for the help he received when his mother died. He also thanked David Frasher, City Manager, Tony Konkol, and John Lewis for meeting with him to resolve some issues.

Bob La Salle, resident of Oregon City, spoke about funding for insurance for the neighborhood associations. His research came up with a firm figure of \$750 per year for just the directors and officers of the Park Place Neighborhood Association. Under the direction of the CIC, he looked into liability insurance and the estimate was \$500 per year, but he was continuing to research it. The CIC had been told that State law said volunteers could not be sued so there might not be a need for insurance. Staff was looking into it. He had been told \$5,000 was in the budget to reimburse neighborhood associations for the cost of insurance which would not be enough. He suggested putting in \$12,000 for the two year budget, \$500 per neighborhood association.

Bill Kabeiseman, City Attorney, said there was a question of whether or not neighborhood associations were agencies of the City which in that case they would be covered under the City's insurance but additional requirements would be imposed on them. Currently neighborhood associations were independent bodies the City recognized as having a significant voice but were not part of the City.

William Gifford, resident of Oregon City, reported a representative from Metro gave a presentation to the Hillendale Neighborhood Association regarding Newell Creek.

James Nicita, resident of Oregon City, commented on the recent report by the Local Government Personnel Institute. In the report there was an instance where past email records of city employees were deleted. He thought it undermined open and transparent local government. He encouraged the Commission to discuss in a Work Session systems that could be put in place to prevent this from taking place in Oregon City.

David Frasher, City Manager, stated when the City upgraded its software system, all documents were archived and could not be deleted. There was a City policy that required training on the difference between what was a public record and what was not a public record. There was no proof that former employees deleted any public records. The penalty for knowingly destroying a public record would be a referral to the District Attorney.

Commissioner Mumm suggested having a Work Session on the insurance issue. Nancy Ide, City Recorder, said it was planned to be on a future Work Session agenda.

5. Adoption of the Agenda

The agenda was adopted as presented.

6. General Business

- 6a. 13-237** Resolution No. 13-10: A Resolution Supporting the Metro Community Planning and Development Grant Application for the Willamette Falls Visioning, Master Planning and Rezoning Process
- Mr. Konkol explained the resolution supported the Community Planning and Development Grant application the City submitted to Metro. It was a \$400,000 grant request with a \$50,000 match by the bankruptcy trustee, \$100,000 from Clackamas County, and \$100,000 from Oregon City.*
- A motion was made by Commissioner Smith, seconded by Commissioner Pauli, to approve Resolution 13-10. The motion carried by the following vote:**
- Aye:** 5 - Mayor Doug Neeley, Commissioner Rocky Smith, Commissioner Betty Mumm, Commissioner Carol Pauli and Commissioner Kathy Roth
- 6b. 13-235** Intergovernmental Agreement between Oregon City and Clackamas County for the Master Planning of the Blue Heron Site
- Commissioner Roth clarified this agreement was between Clackamas County and Oregon City. She asked about an agreement with all four collaborators.*
- Mr. Konkol stated Oregon City was the main body and responsible for the master planning process and the other collaborators were coming into partnership with the City through separate agreements. There would not be one large governance document.*
- Mr. Frasher explained the difference between an Intergovernmental Agreement and Memorandum of Understanding. There was no governance document yet because there were no governance issues yet.*
- Mr. Konkol explained what was included in the agreement.*
- A motion was made by Commissioner Pauli, seconded by Commissioner Mumm, to approve the Intergovernmental Agreement between Oregon City and Clackamas County for the Master Planning of the Blue Heron Site. The motion carried by the following vote:**
- Aye:** 5 - Mayor Doug Neeley, Commissioner Rocky Smith, Commissioner Betty Mumm, Commissioner Carol Pauli and Commissioner Kathy Roth
- 6c. 13-231** Second Reading, Ordinance No. 13-1006, Adding Chapter 12.24 to the Oregon City Municipal Code Relating to Creating a Film and Media Production Permit System for the Use of Public Property
- A motion was made by Commissioner Mumm, seconded by Commissioner Smith, to approve the second reading and final adoption of Ordinance 13-1006. The motion carried by the following vote:**
- Aye:** 5 - Mayor Doug Neeley, Commissioner Rocky Smith, Commissioner Betty Mumm, Commissioner Carol Pauli and Commissioner Kathy Roth

7. Consent Agenda

A motion was made by Commissioner Roth, seconded by Commissioner

Mumm, to approve the consent agenda. The motion carried by the following vote:

Aye: 5 - Mayor Doug Neeley, Commissioner Rocky Smith, Commissioner Betty Mumm, Commissioner Carol Pauli and Commissioner Kathy Roth

- 7a. 13-228** Minutes of the January 11-12, 2013 Retreat
- 7b. 13-236** Minutes of the February 20, 2013 Regular Meeting
- 7c. 13-199** Minutes of the March 6, 2013 Regular Meeting
- 7d. 13-233** Minutes of the March 12, 2013 Work Session
- 7e. 13-238** Minutes of the March 20, 2013 Regular Meeting
- 7f. 13-227** Resolution No. 13-09, Clackamette R.V. Park Fee Waiver for Disabled U.S. Military Veterans
- 7g. 13-221** Landscape Maintenance Services Personal Services Contract (PSA) with Earthworks Landscape Services, Inc.
- 7h. 13-224** Landscape Maintenance Services Personal Services Contract (PSA) with C & R Reforestation
- 7i. 13-229** Amendment 2 to Personal Services Agreement (PSA) with Murray, Smith & Associates, Inc. related to the Barclay Hills Pump Station
- 7j. 13-226** Amendment Number 01, Termination of Cooperative Improvement Agreement No. 11119, Pacific Highway East (OR99E) and SE Dunes Drive, Oregon City
- 7k. 13-220** Landscape Maintenance Services Personal Services Contract (PSA) with DeSantis Landscapes
- 7l. 13-219** OLCC: Liquor License Application - Off-Premises Sales, Applying as a Limited Liability Company, Albertson's, LLC, DBA Albertson's #571, Located at 19007 S. Beaver Creek Road, Oregon City, OR 97045
- 7m. 13-240** Resolution No. 13-11 Authorizing Issuance of Oregon City Right-of-Way (ROW) Permits for Permanent Obstructions (in ROW) for Properties of Barclay Hills No. 2 and Barclay Hills No. 3 Subdivisions

8. Communications

a. City Manager

Mr. Frasher reported that the TV show Rivermonsters was coming to Oregon City

and discussed PGE's LED lighting program.

Mr. Konkol announced the Community Advisory Team for the South End Concept Plan would meet on April 12 and an Open House would be held on April 13 to discuss three design concepts.

Mr. Frasher thanked Mr. Konkol, Mr. Archer, and Mr. Lewis for the planting of hundreds of trees as part of achieving the Tree City USA award.

Ms. Ide gave an update on allegations concerning the recall election for a member of the Clackamas River Water Board. There was controversy regarding the election district boundaries, recall petition, and elections results. The City would investigate the allegations.

Ms. Ide asked whether the Commission wanted to cancel the July 3 meeting. The consensus was to cancel the meeting unless an emergency arose.

Mr. Frasher announced Mike Conrad, Police Chief, had announced his retirement effective May 31, 2013. Lieutenant Jim Band would take his place. Also a draft letter of support for funding for the Blue Heron site was available on the City's website.

Mr. Konkol suggested including a letter signed by the Mayor stating Oregon City and West Linn would work together and submit an application for the Construction Excise Tax Grant for the 43 Bridge.

b. Mayor

Mayor Neeley thanked Chief Conrad for his service to Oregon City for the last 30 years. The review and selection of grants submitted to the Oregon City Civic Improvement Trust would be made on April 4.

c. Commission

Commissioner Roth reported on her trip to Washington, D.C. where she and Mr. Konkol made presentations regarding the Blue Heron site. She received a request from the Northwest Labor Coalition to give a presentation on the water rate rollback.

9. Adjournment

Mayor Neeley adjourned the meeting at 8:58 PM.

Respectfully submitted,

Nancy Ide, City Recorder