

scheduling, the Budget Committee meeting scheduled for Monday, May 24, 1993 will be canceled in favor of the Volunteer Appreciation Dinner also scheduled for that evening. Also attached was an agenda that is proposed to be followed for each meeting.

It was recommended that the Commission appoint the City Manager as Budget Officer for fiscal year 1993-94.

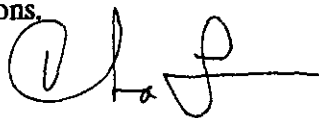
It was moved by Light, second by Ebert, to appoint the City Manager as Budget Officer for fiscal year 1993-94.

Roll call: Powell, Aye; VanOrman, Aye; Ebert, Aye; Light, Aye; Fowler, Aye.

Light requested that a resolution expressing City Commission opposition to the Jennings Lodge/Candy Lane withdrawal from the Oregon City School District be presented on a future agenda. Presentation approved by Commission consensus.

Fowler requested an Attorney General's opinion regarding the OCA ballot measure and to what extent the City Commission authority extends regarding this matter.

With no further business, the meeting adjourned with the Commission meeting in Executive Session pursuant to ORS 192.660 (1)(e) Real Property Transactions.



CHARLES LEESON, Recording Secretary

REGULAR MEETING

Oregon City, Oregon, May 19, 1993

A regular meeting of the City Commission was held in the Commission Chambers of City Hall on the above date at 8:00 p.m.

Roll call showed the following present:

Mayor Daniel W. Fowler
Commissioner Suzanne VanOrman
Commissioner Robert M. Light
Commissioner James R. Ebert

Charles Leeson, City Manager
Edward J. Sullivan, City Attorney

The flag salute was lead by Mayor Fowler, after which he called for approval of the minutes. It was moved by VanOrman, second by Ebert, to approve the Special Meeting minutes of March 31, 1993. Approved unanimously.

On the call for citizen presentations and future agenda items, Bill Green, addressed the Commission regarding the proposed street of dreams in Newell Creek Canyon. He distributed a handout for Commission review. He advised the Commission on the cost of copies of City Codes and Comprehensive Plans in the following cities: Hillsboro, Comprehensive Plan is free and the

Municipal Code is \$8.00; Wilsonville, \$7.50 each for a total of \$15.00; Milwaukie, \$11.00, City Code \$5.00 (with a cover add \$4.00 more); Lake Oswego, both for \$25.00; Beaverton, \$10.00 and \$15.00; Tualatin, both for \$50.00; West Linn, \$25.00 and \$30.00 or free specific pages if requested); Forest Grove, \$95.00 and \$11.00; Clackamas County, \$45.00 for the Comprehensive Plan, \$80.00 for Code; and, Oregon City, Comprehensive Plan is being revised and not available for another 6 months, City Code, \$150.00 and photocopying is \$.50 per page. Oregon City has copies of the City Code at the Library. He then asked why the high cost.

VanOrman noted that the \$.50 per page photocopying has been in effect for years, and the Comprehensive Plan is in short supply. This was referred to staff for response.

An unidentified male addressed the Commission for the purpose of apologizing for prior testimony in which he came across as being sarcastic.

Denyse McGriff, Principal Planner, addressed the Commission on behalf of a citizen who was not able to be here. She was representing Darlene Trevino, one of the owners of The Heritage Coffee Shop, 212 7th Street, who was requesting to have two tables outside the restaurant, on public right-of-way on 7th Street.

The City Attorney advised that if the Commission were to allow right-of-way to be used, which right-of-way must be specified. Fowler noted assuming it to be directly in front of the business. He also noted this may not be the last request from the businesses and maybe the Commission should look at criteria that would allow staff approval. VanOrman then questioned why matters such as this and service of alcoholic beverages in City parks is brought before the Commission. The Attorney responded that the ordinance requires Commission approval. Fowler suggested setting criteria for the park issue and the use of public sidewalk right-of-way be brought back for Commission approval.

Commission Report No. 93-109, Authorization to Publish Notice of Intent to Issue Sewer Revenue Bonds - Resolution No. 93-34, was presented by the Manager. The report noted that added to the May 19, 1993 agenda was proposed Resolution No. 93-34 which requests authorization to publish Notice of Intent to Issue Sewer Revenue Bonds. There is need to publish this notice at the earliest possible time to meet an August 1 sale date.

The report continued by noting that the purpose for issuance of the sewer bonds is to finance the cost of reconstruction for sewer separation mandated by the Environmental Protection Agency as a condition of the grant used to build the Tri-City Sewer Plant. The current interest rate on financing through Tri-City Service District is 6.9 percent. The bond issue would be at approximately 5 percent interest which computes to a savings of about \$90,000 in the first year.

Based upon the information above, it was recommended that Resolution No. 93-34 be adopted. Following adoption, the resolution will be published pursuant to ORS Chapter 288.

Scott Harper, Finance Officer, reiterated the information in the Commission Report.

It was moved by Ebert, second by Light, to adopt Resolution No. 93-34.

Roll call: VanOrman, Aye; Light, Aye; Ebert, Aye; Fowler, Aye.

RESOLUTION NO. 93-34

A RESOLUTION AUTHORIZING THE ISSUANCE OF SEWER REVENUE BONDS AND DIRECTING THE PUBLISHING OF A NOTICE OF INTENT TO ISSUE REVENUE BONDS.

WHEREAS, the City of Oregon City, Oregon (the "Issuer") plans to construct certain additions and improvements to the Issuer's sewer system (the "Facilities"); and

WHEREAS, the additions and improvements to the Facilities will cost an estimated \$6,000,000 and the Issuer intends to issue bonds to finance the cost of the additions and improvements to the Facilities; and

WHEREAS, the Issuer finds it desirable to issue sewer revenue bonds (the "Bonds") in an amount not to exceed \$6,000,000 to finance the cost of the additions and improvements to the Facilities pursuant to Oregon Revised Statutes 288.805 to 288.945, inclusive (the "Uniform Revenue Bond Act"), and to pledge for payment of the Bonds the unobligated net revenues of the Issuer's sewer system, being a revenue producing facility providing services related to the services to be financed by the Bonds.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Oregon City, Oregon:

Section 1. The Issuer hereby authorizes the issuance of the Bonds in a principal amount not to exceed \$6,000,000 for the purpose of financing the cost of construction of the additions and improvements to the Facilities and paying for engineering fees, attorney fees and other related costs.

Section 2. The Bonds shall not be general obligations of the Issuer or a charge upon the tax revenues of the Issuer. The unobligated net revenues of the Issuer's sewer system are hereby pledged to the payment of the principal of and interest on Bonds, after payment of the ordinary operation and maintenance expenses of the sewer system from the gross revenues thereof. So long as the Bonds are outstanding, the Issuer shall fix rates and collect charges for sewer services adequate to provide sufficient revenues to pay, in addition to all other expenses and obligated indebtedness, principal of and interest on the Bonds.

Section 3. The Issuer hereby designates the Bonds for purposes of paragraph (3) of Section 265(b) of the Internal Revenue Code of 1986, as amended, (the "Code") as "qualified tax-exempt obligations" and covenants that the Bonds do not constitute private activity bonds as defined in Section 141 of the Code, and that not more than \$10,000,000 aggregate principal amount of obligations, the interest on which is excludable under Section 103(a) of the Code from gross income for federal income for tax purposes (excluding, however, private activity bonds other than qualified 501(c)(3) bonds) including the Bonds, have been or shall be issued by the Issuer, including all subordinate entities of the Issuer, if any, during the calendar year 1993.

Section 4. The Finance Officer is authorized and directed to publish a Notice of Intent to Issue Bonds describing the purposes for which the Bonds are to be sold, in the form attached hereto as Exhibit A, in one issue of THE REVIEW, a newspaper of general circulation within the geographical boundaries of the Issuer. In addition, the Finance Officer shall cause the Notice of Intent to Issue Bonds to be given in the same manner as are other public notices of the Issuer. The Bonds may not be sold at public competitive bid, nor shall a purchase agreement be executed for a private negotiated sale, for at least 60 days following publication of the Notice of Intent to Issue Bonds.

Section 5. Voters residing within the geographical boundaries of the Issuer may file a petition with the Issuer asking to have the question of whether to issue the Bonds referred to a vote. If the Issuer receives petitions containing valid signatures of the Issuer's electors totaling not less than five percent (5%) of the Issuer's electors, the question of issuing the Bonds shall be placed on the ballot at the next legally available election date. In the event the Issuer receives such a petition within 60 days from publication of the Notice of Intent to Issue Bonds, the Bonds shall not be sold until this Resolution is approved by a majority of the electors of the Issuer voting on this Resolution.

Section 6. The Bonds may be sold at a private negotiated sale in accordance with the Uniform Revenue Bond Act and Seattle-Northwest Securities Corporation is hereby designated to serve as underwriter in connection with the issuance of the Bonds.

Section 7. Rankin Mersereau & Shannon is hereby designated to serve as bond counsel in connection with the issuance of the Bonds.

Adopted, signed and approved this 19th day of May, 1993.

/s/Daniel W. Fowler
Mayor

/w/James R. Ebert
Commissioner

/s/Suzanne VanOrman
Commissioner

Commissioner

/s/Robert M. Light
Commissioner

Comprising the City Commission
of Oregon City, Oregon

Request for continuance of Ordinance No. 93-1007, An Ordinance Amending the Natural Resources Element of the Comprehensive Plan to Add a New Section on Water Resources; and, request for continuance of Ordinance No. 93-1008, An Ordinance Amending Title 17: Zoning, Chapter 17.06.020 Classification of Zoning Districts, and Adding a New Chapter 49, of the Oregon City Municipal Code, 1991, was presented. At the March 31, 1993 meeting, the City Commission reviewed two proposals to adopt planning and zoning regulations for Water Resources. The Commission continued the request to allow for additional information to be obtained relating to the quality and quantity of the Water Resources. The City has entered into a contract with a consulting firm to assist in completing the work. A continuance for a period of 45 days to allow for staff and consultant to complete the work is requested.

It was moved by Ebert, second by Light, to continue this to the June 30, 1993, Special Meeting.

Roll call: VanOrman, Aye; Light, Aye; Ebert, Aye; Fowler, Aye.

Commission Report No. 93-96, Proposed Ordinance No. 93-1010, An Ordinance Deleting Title 13: Public Services, Chapter 12: Storm Drainage System, of the Oregon City Municipal Code, 1991, and Declaring an Emergency, was presented by the Manager. The report noted that at its July 17, 1991 meeting, the City Commission adopted Ordinance No. 91-1021 which added Chapter 13.20 and replaced a number of Municipal Code chapters that established a system development charge for individual public facilities. Ordinance No. 91-1021 did not specifically delete Chapter 13.12.

The report continued that on the May 19, 1993 agenda was proposed Ordinance No. 93-1010 which would delete Chapter 13.12 of the Municipal Code. This was presented as part of the continuing "housekeeping" of the Code.

Notice of proposed Ordinance No. 93-1010 was posted at City Hall, Courthouse and Senior Center by direction of the City Recorder. An emergency clause was included with the ordinance because Chapter 13.12 creates a conflict with Chapter 13.20; therefore, it was recommended that first and second readings be approved unanimously for enactment of the ordinance to become effective immediately.

It was moved by VanOrman, second by Ebert, to approve first reading of proposed Ordinance No. 93-1010.

Roll call: Light, Aye; Ebert, Aye; VanOrman, Aye; Fowler, Aye.

Second reading was called after which it was moved by VanOrman, second by Ebert, to approve second reading for final enactment to become effective immediately.

Roll call: Light, Aye; Ebert, Aye; VanOrman, Aye; Fowler, Aye.

Commission Report No. 93-101, Mausoleum Design Services Contract, was presented by the Manager. The report noted that at its April 21, 1993 meeting, the City Commission approved the recommendation for the City Manager to negotiate the terms of the contract with Milne Registered Engineers and to re-submit the signed agreement for the Commission to review and give final approval.

The report continued that the contract was attached and provided the City design services for the construction of the new Mausoleum structures. A lump sum amount of \$25,500 was negotiated to perform those services identified in the contract to construct a structure totalling approximately \$500,000. Based upon the information presented, it was recommended that the City Manager be authorized to sign the agreement.

VanOrman asked if the City Attorney was comfortable with the contract. He responded affirmatively.

It was moved by Light, second by VanOrman, to approve the agreement and authorize the City Manager to execute.

Roll call: Ebert, Aye; VanOrman, Aye; Light, Aye; Fowler, Aye.

Commission Report No. 93-102, City Commission Policy 1-16 - Development Reimbursement Agreements, was presented by the Manager. The report noted that during the 1993-94 budget preparation, it came to the attention of the Manager that the City needed a uniform policy to guide development construction cost-sharing because such a policy was occasionally desirable/necessary, and was a budgetable item. An established policy would provide assurance that developers were treated fairly and uniformly and would maintain the interests of the City in the areas of public safety, fiscal responsibility and consistency with long-term planning.

Attached was proposed Policy 1-16 for Commission review. It was recommended that Policy 1-16 be accepted and authorize inclusion in the City Policy Manual.

The Manager presented the report and explained that in dealing with persons who do business in Oregon City there is the position of negotiating things the City will and will not do. This is an attempt to specifically identify how the City can do certain things. This is not the answer to everything that can be done but this is the first step. It shows participation and partnership on the part of the City. This will be monitored with changes made as necessary.

It was moved by Ebert, second by VanOrman, to adopt Commission Policy 1-16 to be included in the City Policy Manual.

Roll call: Light, Aye; VanOrman, Aye; Ebert, Aye; Fowler, Aye.

Commission Report No. 93-105, Recommendation from Metro Enhancement Committee, was presented by the Manager. The report noted that on the May 19, 1993 agenda were two recommendations from the Oregon City Metro Enhancement Committee.

The report continued that at the May 6, 1993 meeting, the Metro Enhancement Committee reviewed two requests for funds, i.e. Straight Cemetery Restoration and Kelly Field/EOT Site Improvements.

The first request was for restoration of Straight Pioneer Cemetery monuments in the amount of \$3,345. Kathy Wheeler and Lori Garcia, Park Place residents, were the project sponsors. The project would involve the placement of markers and monuments on graves at the cemetery. The Enhancement Committee voted to allocate \$3,345 for the restoration project.

The second request was for the End of the Trail/Abernethy Green site improvements. This project was sponsored by the End of the Trail Foundation. The purpose of the project was to clean up the Preview Center project site prior to spring/summer activities. The Committee voted to allocate \$12,000 for this project.

In addition, the Committee discussed the re-allocation of \$30,000 given to the End of the Trail Foundation. The Foundation had requested and received approval of funding to purchase artifacts for the Preview Center. The Foundation asked the Committee to allow for the money to be used for staffing (\$10,000). The remaining funds of \$20,000 would be used for the purchase of artifacts. After a great deal of discussion, the Committee decided to allow for the one time only allocation of the \$10,000 for staff to implement the projects. The Committee asked for Commission concurrence.

The report concluded that based upon the above information, it was recommended that the Commission approve the recommendation of the Oregon City Enhancement Committee for the Straight Cemetery Restoration in the amount of \$3,345 and \$12,000 for the Abernethy Green Site Improvements.

Light noted that one item in the application included a \$4,500 hydro-seed application to the Abernethy Green site. He understood that this may be donated. Fowler responded that this is a donated project. The Committee, at the time noted that some of the items that were donated, they would allow the funds to be used so long as they were still used for the site.

VanOrman understood that the Enhancement Committee was recommending that the Commission approve the amounts of \$3,345 and \$12,000 for two different projects. This was affirmative.

It was moved by VanOrman, second by Ebert, to approve the two recommendations of the Enhancement Committee.

Roll call: Light, Aye; Ebert, Aye; VanOrman, Aye; Fowler, Abstain.

Fowler added that in the past weeks, the Foundation has received donations of approximately \$50,000, in terms of trees, grading and hydroseeding and fencing, etc.

CONSENT AGENDA

The following items were routine and could be approved in one motion. On the call for discussion of a particular item, no discussion was requested.

With reference to Commission Report No. 93-98, 1993 Slurry Seal on Various Streets - Bid Award and Commission Report No. 93-99, 1993 Asphalt Overlay on Various Streets - Bid Award, VanOrman asked how the streets were selected for which process.

Rick McClung, Public Works Director, explained that the street are viewed to determine the condition of individual streets with that determining the process to be used. He advised that the department was going to try to do chip seal in addition to the other two process. with chip seal and slurry seal, the cost is less than overlay. Fowler asked if the department was moving toward a Pavement Management System. McClung responded affirmatively and when that is in place the computer will produce documentation on each street regarding traffic volume, when last upgrade was completed, etc.

It was moved by Light, second by Ebert, to approve the items on the Consent Agenda as recommended in the reports.

Roll call: VanOrman, Aye; Ebert, Aye; Light, Aye; Fowler, Aye.

Commission Report No. 93-100, Brendon Estates Subdivision - Construction Compliance Agreement II, was presented. The report noted that on the May 19, 1993 agenda was a Construction Compliance Agreement with the Brendon Estates Limited Partnership for Commission approval. The Compliance agreement required the Brendon Estates development to do certain on and off-site improvements and provided for City participation in the off-site improvements that benefit other property. The City storm participation would come from system development charges and reimbursement from the Glen Oak Advance Finance District.

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Commission Report No. 93-94, Service of Alcoholic Beverages in City Parks, was presented. The report noted that at its November 21, 1990 meeting, the City Commission adopted Ordinance No. 90-1060 which states in part, the following: "...DRINKING IN PUBLIC PLACES...the City Commission may permit the service and consumption of alcoholic liquors within designated Municipal buildings and Municipal parks on such terms and conditions as the Commission provide."

On the May 19, 1993 agenda was the following request for Commission approval for the service of alcoholic liquors in Municipal parks for specific occasions: Mary Smith for Buena Vista Club House for August 20, 1993

A reservation has been submitted for the park of interest and the rental fee has been paid and a signed Indemnity Agreement submitted. It was recommended that the Commission approve the service of beer and wine and that the beverages be served in non-breakable containers only.

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Commission Report No. 93-98, 1993 Slurry Seal on Various Streets - Bid Award, was presented. The report noted that Contained within the 1993 budget was funding for slurry seal of various streets within the City. Those streets proposed for this maintenance were depicted on a map attached for Commission review.

The report continued that on May 7, 1993, the City received and opened sealed bids for the slurry seal project. A Tabulation of the bids received was attached. Review of the bids showed that Asphalt Maintenance Associates, Inc. submitted the low bid in the amount of \$32,994.81 with the bid being responsive and meeting the bid specifications. It was recommended that the low bid submitted by Asphalt Maintenance Associates, Inc. in the amount of \$32,994.81 be accepted.

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Commission Report No. 93-99, 1993 Asphalt Overlay on Various Streets - Bid Award, was presented. The report noted that contained within the 1993 budget was funding for the asphalt overlay of various streets within the City. Those streets proposed for maintenance were depicted on an attached map.

The report continued that on May 7, 1993, the City received and opened sealed bids for the asphalt overlay project. Attached was the Tabulation of the bids received. A review of the bids showed that Parker Northwest Paving Company submitted the low bid in the amount of \$183,504.90 and the bid was responsive to and met the bid specifications. It was recommended that the low bid submitted by Parker Northwest Paving Company in the amount of \$183,504.90 be accepted.

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Commission Report No. 93-97, Dissolution of Funds - Resolution No. 93-31, was presented. The report noted that ORS 294.475 entitled "Elimination of unnecessary fund; disposition of balance" states as follows: "Subject to the provisions contained in the charter of any city or county or in any law relating to municipal corporations, when the necessity for maintaining any fund of the municipal corporation has ceased to exist and a balance remains in the fund, the governing body shall so declare by ordinance or other order and upon such declaration such balance shall forthwith be transferred to the general fund of the municipal corporation unless other provisions have been made in the original creation of the fund."

The report continued that on the May 19, 1993 agenda was proposed Resolution No. 93-31 which would dissolve the Brush Pickup Fund and transfer any fund balance to the General Fund with identification consistent with the purpose.

The Brush Pickup Fund was created to record tax receipts and payment of contract costs for yard debris pickup. The final payment on the contract was made in the year ended June 30, 1992.

In consultation with the Oregon Department of Revenue, three alternatives were discussed: 1) close the fund to the General Fund and budget the surplus for current usage; 2) return the excess to the

County and have them complete an offset for 1992-93; or, 3) close the fund to the General Fund and reserve the excess as a reduction of taxes to be levied in 1993-94.

The levying of Brush Pickup Funds was not capable of precise budgeting. To return the funds to the County would involve a complicated reapportionment. The balance of funds is low compared to any other use to which it could be applied. This type of incident is uncommon and both City and County costs for affecting a redistribution would be high. Therefore, closing the fund to the General Fund and budgeting the surplus for current usage is the most reasonable answer to closing the fund. The total resources of the fund in this fiscal year is expected to be \$4,100. The monies will be received in the General Fund as a resource to add to the beginning fund balance for fiscal year 1993-94. It was recommended that Resolution No. 93-31 be adopted.

RESOLUTION NO. 93-31

WHEREAS, a fund known as the Brush Pickup Fund has been maintained to make payments for yard debris removal; and

WHEREAS, after the service was placed within the garbage service, a need no longer exists for the maintenance of said fund; and

WHEREAS, a surplus balance of \$4,100 exists in said fund.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Oregon City that pursuant to ORS 294.475 said Brush Pickup Fund is dissolved and the proceeds thereof in the amount of \$4,100 are hereby transferred to the General Fund.

Adopted, signed and approved this 19th day of May, 1993.

/s/ Daniel W. Fowler
Mayor

/s/James R. Ebert
Commissioner

/s/Suzanne VanOrman
Commissioner

Commissioner

/s/Robert M. Light
Commissioner

Comprising the City Commission
of Oregon City, Oregon

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Commission Report No. 93-95, Utility Easement for Sanitary and Storm Drainage - Glen Oak Sanitary Sewer Project, was presented. The report noted that on the May 19, 1993 agenda was a Utility Easement for sanitary and storm drainage for the Glen Oak Sanitary Sewer Project. It was recommended that the easement be accepted and the Mayor and City Recorder be authorized to execute.

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Commission Report No. 93-104, Request for Purchase of Installation and Staff Training of Metropolitan Transportation (MTC) Pavement Management System Software - Street Division - Bid Award, was presented. The report noted that contained within the 1993 Street Division of the Public

Works Department budget was funding for the installation and staff training of the Pavement Management System (PMS).

The report continued that the City received six requests for the Request for Proposal, however, only two proposals were returned to the City. The proposals were received and opened on March 26, 1993 with the following results:

Austin Research Engineering, Inc.	Option 1	\$39,087
	Option 2	\$33,030
Bowman & Williams		\$36,530

Option 2 from Austin Research Engineering, Inc. (ARE) was the low bid but was not compatible with our previously purchased Pavement Management software.

Both AREs Option 1 and Bowman & Williams bids were responsive to and met the bid specifications. It was recommended that the bid submitted by Bowman & Williams in the amount of \$36,530 be accepted.

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Commission Report No. 93-103, Bikeway Agreement - Linn Avenue Bikeway Project, was presented. The report noted that in August 1992, application was made to the Oregon Department of Transportation, through its Bikeway Program, for grant funds to construct bikelanes on Linn Avenue, from Warner Parrott Road, north to Jackson Street. The grant for \$50,000 was approved in December 1992, and required Commission approval of an intergovernmental agreement. The Commission held a work session on May 12 to discuss issues related to the project and directed staff to proceed with design.

The report continued that during grant review, State Bikeway Program personnel toured the route of the proposed bikelane project and agreed that the project would be beneficial to bicyclists and should be undertaken. The Transportation Master Plan identified Linn Avenue as a collector street which should have bike lanes. This project was not an attempt to bring Linn Avenue up to a full urban collector standard, but was intended to increase safety and capacity for bicyclists and pedestrians at a reasonable cost. The project also presents an opportunity to maximize City funds through partial State Bikeway funding.

The project would construct bikelanes (and possibly a shared roadway) on Linn Avenue. The "shared roadway" is sometimes the best solution when there is inadequate width to provide full bike lanes; it is basically a wide travel lane (typically 14 feet) which allows a motor vehicle and a bicycle to operate side-by-side. The project would need to be designed before any final decisions were made regarding bikelane versus shared roadway. When design work begins, a neighborhood meeting for properties along Linn Avenue would be held. Comments from Mt. Pleasant Elementary School (administration and PTA) were requested prior to the work session.

The project is estimated to cost \$150,000 and is listed in the 5-Year Capital Improvement Program. Eighty-percent of the project cost (not to exceed \$50,000) would be from the bikeway grant; the City's share would come from system development charges. Adequate funds are available for the project.

The report concluded by noting that the Bikeway Project Agreement was attached and specified State and City obligations under the approved grant. It was recommended that the Commission approve the agreement so design of the project could begin.

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At this time, the Manager advised of two additions to the agenda. He requested discussion and action regarding the improvement of Highway 213/Beavercreek Intersection from Beavercreek Road up to and including intersection with Molalla Avenue and the Red Soils extension. The participation of financing of the project is confusing. He has identified the roles of responsibility and funding and expressed concern regarding what the City committed to do.

He requested that the Commission reconsider their February approval of an agreement between the State, the County and the City to participate in the eventual correction of the intersection of Highway 213 and Beavercreek Road. The City's participation in the agreement was that the City would restrict future land uses of some areas within the City's control. At the February meeting, the City Attorney advised that the Commission should be careful of restricting property because it amounted to the taking of property. After discussion at the February meeting, the Commission executed the agreement with it forwarded to the County and State.

He advised that the County has not yet executed the agreement and he has taken the opportunity to review the agreement and feels the City cannot afford to do what was stated. He was now asking the Commission to rescind the agreement and direct staff to re-negotiate the entire partnership and arrangement.

He noted that there was discussion at the February meeting regarding participation of Federal funds on the Abernethy realignment if the City did not sign the agreement. That should not be a factor in this decision.

The original decision was a bad decision that was recommended to the Commission and now there must be recognition of that fact and now recommends rescinding the decision.

It was moved by Light, second by Ebert, to rescind approval of the agreement and authorize staff to re-negotiate the City's partnership in the project.

Roll call: VanOrman, Aye; Light, Aye; Ebert, Aye; Fowler, Aye.

Fowler expressed hoping the City does not get involved in the right-of-way acquisition portion of the agreement because it is a County road and State highway.

At this time, Fowler advised of talking with the City Attorney regarding process procedure for the evaluation of the City Manager. The City Attorney noted that a two-step process was being considered. The forms for evaluation would be forwarded in the next packet and be discussed at the next regularly scheduled Commission meeting. Prior reviews and commitments made at that time would be reviewed. There would be need for an Executive Session to review the completed forms and to evaluate the Manager based on the same criteria that was used the last time. If the criteria were to be changed a public hearing would have to be held.

The Commission expressed comfortability with the criteria and did not feel a need for change. VanOrman asked if the last process was ever completed. The City Attorney felt that an

announcement had not been made after the process was complete. He suggested the evaluation be held at the second meeting after the Commission has a chance to review.

Fowler reiterated that the information would be in the packets with the Commission having an opportunity to review it, hold a meeting to discuss the information then fill out the forms and have a second review then announce the results at a third meeting, perhaps at the Special Meeting on June 30. This process was approved by consensus.

VanOrman announced a Trust meeting at 6:30 p.m. on June 9, 1993.

Light reminded of his earlier request for staff to review the necessity of newspaper recycling boxes in neighborhoods.

At this time, Mayor Fowler announced the appointment of Terri Powers to the Metro Enhancement Committee to represent the Planning Commission with term expiring June 30, 1994; and, appoint Thor Wegner to a vacant position on the Budget Committee through 1994.

Jack Lynch, Fire Chief, spoke calling attention to the project that is progressing in the Hillendale Park. This was the turning of an "eyesore" to an opportunity for the children in Oregon City to experience fishing blue gill and bass.

At this time, the Manager presented a videotape which outlined signage throughout the City. The project was researched and staffed by Denyse McGriff and Kate Daschel. McGriff explained that she and other employees took a tour of the City and examined where the signing is currently located and the size of the signs as they relate to the direction for tourists to see the sights in Oregon City. She presented the plan for a sign of up to 30 inches for the Main section which listed a number of places for tourists to visit. She noted feeling that the signage used by the City of Salem was clear and understandable.

Rick McClung, Public Works Director, spoke noting that two sign designs were being planned, one with the McLoughlin House and one with a covered wagon. VanOrman asked why the current pioneer sign could not be used. McGriff explained that sign was too detailed with the need for simplicity.

The video was viewed at this time.

After viewing and discussing the video, McGriff displayed samples of signs. VanOrman felt that the silhouette of the pioneers could be used as a silhouette only without the detail of the wagon. Commission consensus related to portions of samples that were viewed.

McClung then showed a portion of the video as it related to five trees that blew down at Clackamette Park this evening. He noted that they were Cottonwood trees that showed advanced heart rot. When the storm hit, the Park was packed with people who scrambled for safety. The only damaged vehicle belonged to Dave's Tree Service who was working in the Park.

With no further business, the meeting adjourned at 9:30 p.m.



CHARLES LEESON, Recording Secretary