

**CITY OF OREGON CITY
CITY COMMISSION
MEETING MINUTES**

August 1, 2012

1. Convene Regular Meeting of August 1, 2012, and Roll Call

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

Roll Call: Doug Neeley; Rocky Smith, Jr.; Betty Mumm; Carol Pauli; and Kathy Roth.

Staff Present: David Frasher, City Manager; Ed Sullivan, City Attorney; Mike Conrad, Police Chief & Public Safety Director; Scott Archer, Community Services Director; Tony Konkol, Community Development Director; Maureen Cole, Library Director; Eric Underwood, Economic Development Manager; Wyatt Parno, Finance Director; John Lewis, Interim Public Works Director; Pete Walter, Associate Planner; Kelly Burgoyne, Asst. City Recorder; and Kattie Riggs, Asst. to the City Manager.

2. Flag Salute

3. Ceremonies, Proclamations, Presentations

a. Proclamation Proclaiming August 10th and 11th, 2012 as Clackamas County Fire District # 1 Fill the Boot Days

Mayor Neeley read the proclamation declaring August 10 and 11, 2012 as Clackamas County Fire District #1 Fill the Boot Days to benefit the Muscular Dystrophy Association.

b. Metro Update -Councilor Carlotta Collette

Metro Councilor Carlotta Collette announced sing-along campfires and nature storytelling at Oxbow Park and three new Metro Councilors had been elected. LCDC had approved the expanded Urban Growth Boundary, the Construction Excise Tax was approved and would not be further appealed, and the Portland to Milwaukie light rail project would be 50% funded through a federal grant. She then discussed Willamette Falls activities, tour of Minneapolis's Mill Ruins Park, Centennial Mills Tour, East Metro connections, Southwest Corridor Plan, Climate Smart Communities, Get Street Smart program, Nature in Neighborhood grants, natural areas update, The Conversation Project, regional natural areas levy, visitor venues update, and public engagement review.

4. Citizen Comments

Mayor Neeley announced the Concert in the Park on August 2, Movie in the Park on August 3, and National Night Out on August 7.

Linda VanHaverbeke, resident of Oregon City, said the Park Place neighborhood was having monthly clean ups. She was disappointed that the City was not further along the process of finding a new library site.

Tom Geil, resident of Oregon City, was the Chair of the Citizens Involvement Council. He reported the CIC's Bylaws Committee had reviewed and updated the neighborhood association bylaws template. He presented the new template for review and adoption by the Commission. This would standardize the boundaries for membership and would give guidance in the areas where there had been none before.

Bill Daniels, resident of Oregon City, was representing the McLoughlin Neighborhood Association. He discussed crosswalks that would soon be installed on Center and Washington Streets for a pedestrian traffic corridor. He requested direction to the Public Works department to install two stop signs at the intersection of John Adams and 6th Street to make it a four way stop.

John Lewis, Interim Public Works Director, would be looking at the engineering analysis to determine if stop signs could be placed there and report back at the next meeting. The crosswalks along 6th Street between High Street and John Adams were scheduled to be paved next summer.

William Gifford, resident of Oregon City, commended the CIC Bylaws Committee on their work and reported on a discussion he had with Commissioner Roth regarding her response to the annexation votes at the last Commission meeting.

Commissioner Roth stated she was concerned about the parcels creating islands; however the owners would be paying sewer fees. She was representing the citizens who had turned down annexations in that area.

5. [Adoption of the Agenda](#)

The agenda was adopted as presented.

6. [Public Hearings](#)

a. [AN 12-03: Proposed Annexation of 11.93 Acres into the City of Oregon City](#)

Ed Sullivan, City Attorney, asked if the Commission had any ex parte contacts or conflicts of interest to declare.

Commissioner Smith worked across the street from the location.

Mr. Sullivan explained the quasi-judicial land use hearing process and criteria for approval.

Mayor Neeley opened the public hearing.

Pete Walter, Associate Planner, presented the staff report. This was a proposed annexation of 11.93 acres located at 19314 S Beaver Creek Road. The area was part of the Beaver Creek Road Concept Plan, but the Plan had not yet been adopted and did not affect the rezoning of the property. A transportation impact analysis was done as well as analysis for compliance with the Oregon Transportation Planning Rule. He explained the application details. Should this be annexed, it would be rezoned Campus Industrial. The Transportation Planning Rule had been amended that properties with a Comprehensive Plan designation and those adopted in the Transportation System Plan would be in compliance, and this property was in compliance. Further traffic analysis would be done upon a

development proposal. He then reviewed the approval criteria. The Planning Commission recommended approval to send this application to the voters. If the Commission approved the application, a resolution would be brought back to the August 15 Commission meeting to forward it to the November 6 election.

Robert Price, consultant representing the applicant, explained how the Beavercreek Concept Plan was addressed in the application just as if it had already been adopted. This property could be an important part of the north employment campus area. They had no problem with Campus Industrial zoning. Due to the shape of the property, a large BPA easement, and woodland in the corner, only six acres would be developable. The property had direct access to Beavercreek Road and had water and sewer nearby and was an excellent parcel for future industrial development. All of the criteria had been addressed and the application reviewed and approved by staff and the Planning Commission. He requested approval.

There was no further testimony.

Mayor Neeley closed the public hearing.

Commissioner Pauli stated the neighborhood association supported the application. She thought it was positive to add more industrial land and job growth.

Mayor Neeley was also in support of the application as it was an important piece to the college and high school and potential job creation. He would be actively supporting it as an individual.

Commissioner Mumm thought this should be forwarded to the voters. She was concerned about the number of annexations on the ballot and would also be actively supporting it as an individual.

Motion by Betty Mumm, second by Carol Pauli to approve AN 12-03: proposed annexation of 11.93 acres into the City of Oregon City.

A roll call was taken and the motion passed with Doug Neeley, Rocky Smith, Jr., Betty Mumm, Carol Pauli, and Kathy Roth voting aye. [5:0:0]

7. **General Business**

a. **[Resolution No. 12-23: A Resolution Regarding Annexation Proposal No. AN 12-01 and Referring to the Legal Voters of Oregon City the Question of Approving Annexation Proposal AN 12-01](#)**

Tony Konkol, Community Development Director, stated AN 12-01 and AN 12-02 were approved at the July 18 Commission meeting. The resolutions set the ballot date of November 6, 2012.

Motion by Carol Pauli, second by Rocky Smith, Jr. to adopt Resolution No. 12-23: a resolution regarding annexation proposal no. AN 12-01 and referring to the legal voters of Oregon City the question of approving Annexation Proposal AN 12-01.

A roll call was taken and the motion passed with Doug Neeley, Rocky Smith, Jr., Betty Mumm, and Carol Pauli voting aye and Kathy Roth abstained. [4:0:1]

- b. [Resolution No. 12-24: a resolution regarding annexation proposal no. AN 12-02 and referring to the legal voters of Oregon City the question of Approving Annexation Proposal AN 12-02.](#)

Motion by Betty Mumm, second by Rocky Smith, Jr. to adopt Resolution No. 12-24: A Resolution Regarding Annexation Proposal No. AN 12-02 and Referring to the Legal Voters of Oregon City the Question of Approving Annexation Proposal AN 12-02.

A roll call was taken and the motion passed with Doug Neeley, Rocky Smith, Jr., Betty Mumm, and Carol Pauli voting aye and Kathy Roth abstained. [4:0:1]

- c. [Resolution No. 12-27, Submitting a Proposed Initiative Charter Amendment to the Electors of Oregon City](#)

Mayor Neeley explained this would require voter approval for future Urban Renewal bond issuances. This was an initiative submitted by the voters.

Kelly Burgoyne, Assistant City Recorder, stated the signatures were submitted to the County on July 23 and the County returned verification to the City on July 27 stating 2,703 genuine signatures had been obtained. They needed 2,510 and this was a procedural adoption.

Mr. Sullivan explained the controversy in 2011 over allowing indebtedness of the Urban Renewal Commission to go to the voters. There was no way to amend the Charter to make that happen. If it passed, the City could not sign off on any Urban Renewal plan unless the economic element was approved by the voters.

Barbara Renken, resident of Oregon City, thanked the voters who supported the petition. They were not opposed to Urban Renewal and responsible development. The purpose of the petition was to give the voters the right to vote on all bond debt.

Kevin Hunt, resident of Oregon City, clarified some of the language in the proposal. It was not meant to be retroactive. They were trying to close what they thought was a loophole in the City Charter. He compared the Magna Carta and Oregon City Charter. Citizens wanted the right to vote.

William Gifford, resident of Oregon City, said the signatures were verified and it should be placed on the ballot. He did not support the initiative, but supported it being on the ballot. He thought tax increment financing was a significantly different tool than other bonded indebtedness and deserved special consideration. This measure would stop Urban Renewal.

Commissioner Pauli was concerned about the implications of this measure and how it would affect the Economic Development department.

Mayor Neeley thought developers would not invest if they had to wait until their project was approved by the voters.

Motion by Rocky Smith, Jr., second by Kathy Roth to adopt Resolution No. 12-27, submitting a measure that would amend the City Charter to require voter approval for future Urban Renewal bond issuances to the legal voters of Oregon City and setting an election date of November 6, 2012.

A roll call was taken and the motion passed with Rocky Smith, Jr., Carol Pauli, and Kathy Roth voting aye and Betty Mumm voting no and Doug Neeley abstained. [3:1:1]

Tom Geil, resident of Oregon City, suggested organizing a forum to have an open debate on this issue.

8. [Consent Agenda](#)
 - a. **Minutes of the July 10, 2012 Work Session**
 - b. **Restrictive Covenant Non-Remonstrance Agreement for the "Harvey Commercial Properties LLC" Commercial Offices Project (331 Warner Milne) - City Planning File No. SP11-16**

Motion by Betty Mumm, second by Kathy Roth to approve the consent agenda.

A roll call was taken and the motion passed with Doug Neeley, Rocky Smith, Jr., Betty Mumm, Carol Pauli, and Kathy Roth voting aye. [5:0:0]

9. **Communications**
 - a. [City Manager](#)

David Frasher, City Manager, reported on the first City Celebration which was well attended.

Scott Archer, Community Services Director, stated Clackamas Heritage Partners received an additional grant of \$20,000 to use towards a restoration project at the End of the Oregon Trail site. CHP proposed using it for painting the hoops.

Mr. Frasher stated a thank you letter had been received from Jane Jarrett, Executive Director of the Architecture Foundation of Oregon for hosting the Foundation and giving them a tour. The slurry seal job on 8th Street had some overspray on the curbs and it would be cleaned up. There was continued discussion with the Oregon City School District regarding potential library sites. Mr. Frasher discussed a letter to the County offering up to \$300,000 of assistance from the City to help with the downtown parking problem. The August 7 Commission Work Session had been canceled. A tour of the McLoughlin House was being organized for the Commission and staff. He would be going on vacation August 2-13.

- b. [Mayor](#)

Mayor Neeley received parking ticket complaints for the City Celebration and he suggested changes for next year. The City of Portland would not be able to help fund the restoration of the Ermatinger House. They were continuing to search for funding.

Mr. Archer said the City had collected \$415,000 and the goal was \$750,000.

- c. [Commissioners](#)

Commissioner Roth reported on a Union Pacific tour to Woodburn, tour of Filbert Run Park, Conversation with the Commissioners, and need for repair of the water fountain in the Plaza.

10. [Adjournment](#)

Mayor Neeley adjourned the meeting at 9:26 pm.

Respectfully submitted,

Nancy Ide, City Recorder