



# City of Oregon City

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

## Meeting Minutes - Final

### City Commission

*Dan Holladay, Mayor*  
*Rocky Smith, Jr., Commission President*  
*Brian Shaw and Renate Mengelberg*

---

Wednesday, August 17, 2016

7:00 PM

Commission Chambers

---

#### 1. Convene Regular Meeting and Roll Call

*Mayor Holladay called the meeting to order at 7:00 PM.*

**Present:** 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay and Commissioner Renate Mengelberg

**Staffers:** 9 - Tony Konkol, Assistant City Attorney Carrie Richter, City Recorder Kattie Riggs, Police Chief and Public Safety Director James Band, Public Works Director John Lewis, Economic Development Manager Eric Underwood, Pete Walter, Community Development Director Laura Terway and Library Director Maureen Cole

#### 2. Flag Salute

#### 3. Ceremonies, Proclamations, and Presentations

##### 3a. Proclamation for the 96th Oregon City / West Linn Rivalry Day

*Mayor Holladay read the proclamation declaring September 2, 2016, as the 96th Oregon City / West Linn Rivalry Day.*

*Commissioner Shaw announced the Optimist Club Breakfast on August 30, 2016.*

##### 3b. Transportation Advisory Committee Annual Report for 2015

*Bob La Salle, Chair of the Transportation Advisory Committee, presented the Transportation Advisory Committee Annual Report for 2015. He discussed the accomplishments of the Committee including the Carnegie Library project and new traffic patterns during construction, Linn Avenue/Leland Road/Meyers Road roundabout, Pavement Maintenance Utility Fee Five Year Plan, tracking system for the condition of City signs, Drive Safe Oregon City Campaign, South End Road and Hazel Grove Drive crosswalk, improved communications with City departments and other organizations, presentations on the Parks Master Plan and parks projects, Hospital Master Plan, and speedbump, crosswalk, and stop sign requests.*

##### 3c. Public Works Stormwater and Grading Design Standards Update

*John Lewis, Public Works Director, said the City had updated the stormwater and grading design standards last year and staff was continuing to monitor the implementation of the standards. As land developed more impervious areas were created and how the City managed stormwater was through low impact development such as rain gardens and rain barrels which encouraged on site storage. The*

*standards helped in the implementation and maintenance of these systems. Most of the current new development had already been approved through the land use process before adoption of the standards. However all new applications would be using them. He did not think it would impact the development community.*

#### 4. Citizen Comments

*Bob Mahoney, resident of Oregon City, discussed the whitewater park and how it had not gone to the Planning Commission as a land use application. These types of proposals needed to follow the process especially if public funds were going to be used. Anyone who appeared before the City Commission with an intent to get an endorsement without public participation and a record being established was not going through the correct process. This was a complicated project and they had to protect the public process.*

#### 5. Adoption of the Agenda

*The agenda was adopted as presented.*

#### 6. Public Hearings

##### 6a. Request to Continue: Annexation Request of Approximately 0.46 Acres of Property Located at 19358 S. Columbine Court into the City (Annexation File AN-16-0001)

*Laura Terway, Community Development Director, said staff was requesting a continuation of this annexation hearing to September 7, 2016.*

*There was no public testimony.*

**A motion was made by Commissioner Smith, seconded by Commissioner Mengelberg, to continue the annexation request of approximately 0.46 acres of property located at 19358 S. Columbine Court into the City (Annexation File AN-16-0001) to September 7, 2016. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay and Commissioner Renate Mengelberg

##### 6b. Time, Place and Manner Regulations for Marijuana Businesses and Personal Cultivation (Planning File LE-16-0001)

*Ms. Terway said there was a measure on the November ballot asking if voters wanted marijuana associated businesses in the City as currently they were not allowed. Staff was proposing time, place, and manner regulations should the measure pass.*

*Pete Walter, Planner, said this application would amend the existing zoning code to allow these businesses. All of the previous items had been entered into the record except the survey results which he then entered into the record. He explained the public process that was done and discussed zoning that showed where the marijuana businesses could be located. No marijuana businesses were allowed in residential, retail businesses would be allowed in mixed use and commercial, and most uses were allowed in industrial and employment. Grow sites had to be indoors. This did not apply to personal cultivation, where people could grow up to four plants for personal use. The Planning Commission recommended approval of the application with a few questions for the City Commission to decide. The first was should there be a 1,000*

foot separation from Clackamas Community College for marijuana retailers? This would have a large effect on where retailers could be located in the City and Mr. Walter showed maps of the different buffer scenarios and possible locations for retailers. The next question was should the City require a 250 foot separation from public parks, licensed childcare and daycare facilities, and public transit centers for marijuana retailers? Mr. Walter gave examples of the effect on the amount of retail that would be allowed in those scenarios. The next question was should there be a 1,000 foot separation between marijuana retailers? This was not a requirement for any other type of retail use and with this separation there would be 25 possible retail sites available in the City. Another question was should marijuana retailers be prohibited in the Canemah Historic District? Since it was a mixed use zone, staff recommended that retailers be allowed. Regarding outdoor business use, it was not allowed except for temporary ingress and egress of vehicles, persons, and materials associated with the permitted use. The last question was should personal outdoor cultivation be permitted? There were concerns about theft and trespassing and smell and odor complaints. He was asking for Commission guidance on these items. The president of Clackamas Community College submitted a letter in favor of the 1,000 foot buffer around the college.

Mayor Holladay opened the public hearing.

Mike Albin, resident of Oregon City, urged the City Commission to follow the Planning Commission's recommendations regarding the buffers around Clackamas Community College and daycare centers. The churches were not on the maps, and he thought having a buffer around churches would be a good idea.

Doug Neeley, resident of Oregon City, was representing Oregon City Together who educated youth about substance abuse. He thought if there was a buffer from schools there should be a buffer from parks. The reasons for the 1,000 foot buffer around Clackamas Community College were there were a lot of people under 21 who were attending the college, high school students were attending classes at the college, and the more marijuana businesses that were in the City the more it was likely that marijuana would be sold to youth. He had a child who became a heroin addict and had started using it in high school and her gateway drug was marijuana. He also had a grandson who became a heroin addict and his gateway drug was also marijuana. They were no longer addicts but their experiences as addicts would be with them for the rest of their lives.

Paige Hirt, program director for Oregon City Together, said she was a parent with a recent graduate of Oregon City High School and had two younger boys. She was concerned about marijuana use increasing as the perception of harm was decreasing. The perception of harm would begin to change when it was normalized in the community and culture. Youth needed to understand use of these substances were not good for developing brains and seeing signage and advertisements for marijuana or availability of marijuana where kids frequent normalized it and reduced the perception of harm. She was in favor of the buffers recommended by the Planning Commission as they put youth and the health of the community first.

Christopher Lane, resident of Milwaukie, was attending Gardiner Middle School. He thought there should be bigger buffer zones around daycares, schools, parks, and between dispensaries. The more dispensaries there were, more youth would use marijuana as they would think it was normal and they could become addicts or suffer brain damage. They needed to worry less about profit and more about the City. Kids needed to be exposed less to marijuana.

Mayor Holladay closed the public hearing.

*Mayor Holladay said there was a vote coming up in November regarding marijuana retail sales being allowed in the City. If the citizens said they wanted marijuana retailers, they had to view this fairly as other businesses. Marijuana already had a lot more regulations than other retail businesses and the Code discussion had to be separate from whether or not marijuana should be allowed. He wanted the fairest application of the Code to the business community as a whole.*

*There was discussion regarding the 1,000 foot buffer around Clackamas Community College.*

*Commissioner Mengelberg had originally questioned whether the buffer was too much and based on the letter from the college and public testimony received, she was now convinced that a 1,000 foot buffer around the college was the right decision.*

*Commissioner Shaw agreed that the recommendation should be upheld as there would only be more youth attending classes at the college. Marijuana was still illegal federally and different from other businesses. He thought the east buffer should end at Beavercreek Road and not cross over the road.*

*Commissioner Smith did not think there could be an exception for Beavercreek Road. He thought the buffer should remain at 1,000 feet as all other schools. There were many students that went back and forth between the high school and college campuses and it made sense that all the schools were consistent.*

*Mayor Holladay thought a lot was being read into a storefront sign. He had visited marijuana retail stores to see how they operated and he thought several security measures were in place. He did not see a reason to go beyond what was required by the State legislature.*

*Commissioner Mengelberg thought it was easier to be restrictive first and loosen some of the requirements as needed.*

**A motion was made by Commissioner Smith, seconded by Commissioner Shaw, to support a 1,000 foot buffer around Clackamas Community College. The motion carried by the following vote:**

**Aye:** 3 - Commissioner Brian Shaw, Commissioner Rocky Smith and Commissioner Renate Mengelberg

**Nay:** 1 - Mayor Dan Holladay

*There was discussion regarding 250 foot separation from public parks, licensed childcare and daycare facilities, and public transit centers for marijuana retailers.*

*Commissioner Shaw, Smith, and Mengelberg agreed with the Planning Commission's recommendation for these buffers.*

**A motion was made by Commissioner Smith, seconded by Commissioner Mengelberg, to support a 250 foot separation from public parks, licensed childcare and daycare facilities, and public transit centers for marijuana retailers. The motion carried by the following vote:**

**Aye:** 3 - Commissioner Brian Shaw, Commissioner Rocky Smith and Commissioner Renate Mengelberg

**Nay:** 1 - Mayor Dan Holladay

*There was discussion regarding a 1,000 foot separation between marijuana retailers.*

*Commissioner Shaw was in agreement as there were 25 sites available for retailers even with this buffer.*

*Mayor Holladay did not think there would be 25 marijuana retailers in the City. He did not have an issue with this buffer.*

**A motion was made by Commissioner Shaw, seconded by Commissioner Smith, to support a 1,000 foot separation between marijuana retailers. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay and Commissioner Renate Mengelberg

*There was discussion regarding prohibiting marijuana retailers in the Canemah Historic District.*

*Commissioner Mengelberg did not think Canemah should be singled out for separate treatment than anywhere else in the City. She was not in favor of imposing this restriction.*

*Commissioner Smith discussed the results of the online survey regarding retail locations. Where these facilities were located was important, especially as tourists and residents were driving to certain destinations. He thought due to the buffers around parks, it took out locations like the McLoughlin neighborhood and downtown. The most important assets were the historic neighborhoods and he was in favor of the restriction on the Canemah District due to the historic value of the neighborhood.*

*Commissioner Shaw said Canemah was a historically designated area and it was the south entry to the City. He did not think they wanted a marijuana retailer at the entry to the City and agreed with the restriction.*

*Mayor Holladay agreed with Commissioner Mengelberg and thought the historic designation was not about exterior appearance. He wanted to keep the playing field as level as possible for all businesses. The Canemah business district was not currently attractive, but he supported all of those businesses existing. He did not see a connection between the historic district and this piece of the Code.*

*Commissioner Mengelberg said from a commerce standpoint the Canemah District was separate because of topography and was on a State highway without schools or parks nearby and she thought it was a good spot to put in a retail store.*

*Commissioner Smith said in 20 years Canemah would be the center of the most important development in the State.*

*Mayor Holladay said these regulations could be changed if needed. He did not want to set a precedent of giving the historic district more restrictions.*

**A motion was made by Commissioner Mengelberg, seconded by Mayor Holladay, to allow retail sales in the Canemah Historic District. The motion failed by the following vote:**

**Aye:** 2 - Mayor Dan Holladay and Commissioner Renate Mengelberg

**Nay:** 2 - Commissioner Brian Shaw and Commissioner Rocky Smith

**A motion was made by Commissioner Mengelberg, seconded by Commissioner Shaw, to support the change to the language that no portion of a marijuana business could be conducted outside except for temporary**

**ingress and egress of vehicles, persons, and materials associated with the permitted use. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay and Commissioner Renate Mengelberg

*There was discussion regarding whether or not to allow outdoor personal cultivation of marijuana.*

*Commissioner Mengelberg was in favor of property rights, but this could be a potentially dangerous attractive nuisance for children. She thought it should only be grown indoors.*

*Mayor Holladay said the people in Oregon voted in favor of marijuana and there were some who wanted to grow it outside naturally without using any electricity or other resources to produce marijuana for themselves. It could be a financial burden to grow it indoors.*

*Commissioner Shaw had seen mature plants and they could get big. He thought it was up to the homeowner whether to grow outside or inside. If they grew outside, it would be their choice to deal with it if it became an attractive nuisance that they created.*

*Tony Konkol, City Manager, discussed how one person's property rights might impact the property rights of those around them. He was worried about the attractive nuisance component.*

*Mayor Holladay thought if it became a problem, this could be changed.*

*Jim Band, Police Chief, was worried about putting it on the homeowner to be responsible for making sure kids didn't steal the outdoor plants. There was also potential for robberies and he did not think the cost to grow marijuana inside would be prohibitive. There was a strong potential for neighbors not to feel safe because it was being grown in their neighbor's yard.*

*Mayor Holladay said it was supposed to be out of public view.*

*Mr. Konkol said this would come back to the Commission on September 7, 2016.*

**A motion was made by Commissioner Mengelberg, seconded by Commissioner Smith, to prohibit outdoor personal cultivation on private property and make it indoor only. The motion carried by the following vote:**

**Aye:** 3 - Commissioner Brian Shaw, Commissioner Rocky Smith and Commissioner Renate Mengelberg

**Nay:** 1 - Mayor Dan Holladay

## 7. General Business

- 7f. Resolution No. 16-13, Authorizing Issuance of a Permanent but Revocable Obstruction Permit for Existing and Replacement Fencing within the McKinley Avenue and Promontory Avenue Rights-of-way (ROW)

*Mr. Lewis said the Commission asked staff to bring this back as a property vacation, however staff suggested doing a permanent but revocable obstruction permit for the*

fence area which was on the City's right-of-way. The property alignment had been in existence for over 40 years and parts of the fence were in need of replacement. The fence served as a landscape boundary and a protective barrier from a drop into Water Board Park. The property owners' use of the right-of-way was consistent with good stewardship of the land that would otherwise be difficult for the City to maintain. It was not on a pathway plan currently, but it could be added in the future. Many neighboring properties were encroaching into the right-of-way. This property had always encroached on the right-of-way as far back as the records went. The County Tax Assessor said taxes were based on the square footage of the lot and they were not currently paying taxes on the right-of-way portion. The value of an encroachment or unimproved right-of-way was a gray area and it was common practice that it happened. The obstruction permit would be revocable and there would be no costs associated with accessing the property in the future and removing the landscaping if needed. Staff recommended adoption of the resolution which would allow the residents to put the fence back in and continue the use of the property. He showed pictures of how other properties in the neighborhood were also encroaching into the right-of-way.

Virginia Harper, property owner, said they bought the house in 2009. After looking up the history, the house was built in 1968 and that was when the fences went in. As far as any neighbor remembered the fences had always been exactly as they were now. There was an area on the other side of the fence before the cliff that they were maintaining. The fence fell down because the wood was too old and it needed to be replaced. They were about 80% finished with the fence before the City came with a stop work order. They were never told that it was right-of-way. There was access on the other side of the fence for fire trucks or other large equipment and they were maintaining that area. They were trying to do the right thing.

Dorothy Dahlsrud, resident of Oregon City, walked Water Board Park on a regular basis and the walking pathway could be accessed on Promontory Avenue and there was a beautiful view from McKinley Avenue. She hoped to see the area of McKinley as part of a trail system. She recently walked by this fence and it did not look like an easement area, but that it was part of people's property. She did not think they should give away property as it was hard to get the property back even though it was a revocable permit.

Denyse McGriff, resident of Oregon City, was a regular user of Water Board Park. The unbuilt public rights-of-way in McKinley and Promontory Avenue belonged to the public even though people were using it. She thought this should be reviewed by the Parks and Recreation Advisory Committee before a decision was made since it was directly adjacent to Water Board Park. They should not vacate this property as a path might be built there one day.

Mr. Lewis thought a revocable permit could be acted upon without issue. It could be taken to PRAC, but it was not currently on the trail plan. He thought it would be good for the property owners to have a decision made that night.

Bill Daniels, resident of Oregon City, said if the Commission allowed this to happen it would set a bad precedent.

Wesley Harper, property owner, said there was access to Water Board Park on McKinley and the fence would not limit that access. They only wanted to replace what was there before and they took the revocable permit seriously that if in the future the property was needed, they would take out the fence.

Commissioner Mengelberg was not in favor of people encroaching into the

*right-of-way and thought it made sense to take this issue to PRAC.*

*Commissioner Smith did not have an issue with the permit as the fence could come down at any time. He thought at the time a trail was planned it could be taken to PRAC. He did not think they should make the property owners wait for an answer.*

*Commissioner Shaw said the fence had been in place for a long time and the permit was revocable if they needed the property for a trail. He was open to having PRAC look at it as well.*

*Mayor Holladay discussed how he found himself in a similar situation with a home he had. This was not the only place this was occurring. He thought it was a safety hazard to have people walking there with the cliff and no railing. While this was an issue, this particular situation did not call for not allowing a fence there. He thought the other neighbors who were also encroaching in the right-of-way should have a revocable permit as well.*

**A motion was made by Commissioner Shaw, seconded by Commissioner Smith, to approve Resolution No. 16-13, authorizing issuance of a permanent but revocable Obstruction Permit for existing and replacement fencing within the McKinley Avenue and Promontory Avenue rights-of-way (ROW). The motion carried by the following vote:**

**Aye:** 3 - Commissioner Brian Shaw, Commissioner Rocky Smith and Mayor Dan Holladay

**Nay:** 1 - Commissioner Renate Mengelberg

**7a.**

Second Reading of Ordinance No. 16-1006, Adopting a Public Facilities Strategy for the Linn Avenue and Hazelwood Drive Sewer Systems

*Mr. Lewis said this ordinance would address the sanitary sewer moratorium that had been ongoing for a couple of years. The Public Facilities Strategy would continue projects that would correct the capacity issues.*

**A motion was made by Commissioner Mengelberg, seconded by Commissioner Shaw, to approve the second reading and final adoption of Ordinance No. 16-1006, adopting a Public Facilities Strategy for the Linn Avenue and Hazelwood Drive Sewer Systems. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay and Commissioner Renate Mengelberg

**7b.**

Second Reading of Ordinance No. 16-1007, Adopting Amendments to the Oregon City Municipal Code Chapter 17.62, Site Plan and Design Review, and Chapter 17.50, Administration and Procedures

*Ms. Terway said staff was proposing adoption of a streamlined process for minor exterior alterations for commercial, industrial, institutional, and multi-family buildings. No criteria or standards would be changed, but the timeline and cost would be reduced.*

**A motion was made by Commissioner Mengelberg, seconded by Commissioner Smith, to approve the second reading and final adoption of Ordinance No. 16-1007, adopting amendments to the Oregon City Municipal Code Chapter 17.62, Site Plan and Design Review, and Chapter 17.50,**

**Administration and Procedures. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay and Commissioner Renate Mengelberg

7c.

**Resolution No. 16-23, Amending the Planning Division Fee Schedule to Add Fees for the Newly Created Type I Site Plan and Design Review**

*Ms. Terway said the Commission had created a Type 1 process for a streamlined review for minor exterior alterations, and there should be a reduced fee. Staff proposed creating two fees depending on the amount of criteria an application had to meet. One fee would be for over the counter reviews and the other fee would be for those requiring more staff time.*

**A motion was made by Commissioner Shaw, seconded by Commissioner Smith, to approve Resolution No. 16-23, amending the Planning Division Fee Schedule to add fees for the newly created Type I Site Plan and Design Review. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay and Commissioner Renate Mengelberg

7d.

**Resolution No. 16-22, Supporting an Application for the Metro Equitable Housing Planning and Development Grant**

*Mr. Walter explained the Equitable Housing Grant requirements. The grant money would be used to look at the City's Code for barriers to and incentives for equitable housing, creating a series of maps for housing opportunities, creating educational materials, and developing model housing plans for accessory dwelling units. The grant application was turned in on Friday and other partners had given support. The grant would be awarded in November 2016 and he anticipated the work would take a year to complete.*

*Commissioner Mengelberg said affordable housing in Oregon City was getting to be a problem and she encouraged implementing some of the early findings or low hanging fruit sooner rather than later. She asked if there was consideration for tiny houses.*

*Mr. Walter said all options were being looked at.*

**A motion was made by Commissioner Mengelberg, seconded by Commissioner Smith, to approve Resolution No. 16-22, supporting an application for the Metro Equitable Housing Planning and Development Grant. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay and Commissioner Renate Mengelberg

7e.

**Resolution No. 16-25 Submitting a Proposed Initiative Charter Amendment to the Electors of Oregon City**

*Kattie Riggs, City Recorder, said there was a citizen initiative that was submitted to the City in April 2015 and since then the number of required signatures had been gathered to put it on the November ballot.*

*Commissioner Mengelberg wanted to make sure the measure was not retroactive and any money that was spent by the Economic Development Department between now and the election would not be a problem.*

*Ms. Richter clarified this ballot measure could not take effect until it was voted on and the election results were registered with the Secretary of State. It could not be retroactive.*

*Mayor Holladay said they were required by law to pass this resolution.*

**A motion was made by Commissioner Smith, seconded by Commissioner Shaw, to approve Resolution No. 16-25 submitting a proposed initiative Charter amendment to the electors of Oregon City. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay and Commissioner Renate Mengelberg

**7g. Resolution No. 16-26, Supporting the Clackamas County Seven-year Motor Vehicle Fuel Tax**

*Tony Konkol, City Manager, said the County had removed the requirement for cities to pass a resolution and IGA in support of the motor vehicle fuel tax on the November ballot. Staff proposed adopting a new resolution to indicate support of the \$.06 tax for a seven year limited term with 40% of the revenue going to all cities divided by population.*

*Mayor Holladay said since the County decided not to make this mandatory, the cities who were previously opposed agreed to give some support to the County for this measure.*

**A motion was made by Commissioner Mengelberg, seconded by Commissioner Smith, to approve Resolution No. 16-26, supporting the Clackamas County seven-year Motor Vehicle Fuel Tax. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay and Commissioner Renate Mengelberg

**8. Consent Agenda**

**A motion was made by Commissioner Shaw, seconded by Commissioner Smith, to approve the consent agenda. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Brian Shaw, Commissioner Rocky Smith, Mayor Dan Holladay and Commissioner Renate Mengelberg

- 8a.** Personal Services Agreement (PSA) with Tetra Tech to Provide Engineering Services for the Beavercreek Road Sanitary Sewer Improvements Project
- 8b.** Management, Supervisory and Confidential Employee Salary Cost of Living Allowance (COLA) Increase FY 2016-17
- 8c.** Restrictive Covenant Non-Remonstrance Agreement for the Bepaly Building Project (Planning File No. SP14-04)
- 8d.** Memorandum of Agreement with Clackamas County and Metro for

Managing the Environmental Protection Agency (EPA) Coalition Assessment Grant

8e. Resolution No. 16-24, Amending ByLaws for the Transportation Advisory Committee

8f. Minutes of the July 6, 2016 Regular Meeting

## 9. Communications

### a. City Manager

*Ms. Richter explained the Land Use Board of Appeals affirmed the City of Oregon City's decision in the Providence Willamette Falls Medical Center case. The argument was a number of the Comprehensive Plan policies related to needed housing were not satisfied as the zoning was changed to accommodate the hospital. LUBA thought all of the approval criteria had been met in the findings and the stormwater issues were to be addressed at the development stage, not the land use review stage. There was also a challenge in regard to the Commission and Mayor bias, but LUBA thought the comments were not raised to the level of bias. There were two other outstanding LUBA appeals, one for the Beavercreek Concept Plan and the other for the Historic Properties case.*

*Mr. Lewis gave an update on the Cove development. They were moving dirt on the site and were implementing erosion control.*

*Mr. Konkol said a meet and greet at Happy Valley City Hall would be held on September 12, 2016 to discuss important issues in preparation of the legislative session. The Volunteer Recognition event would be held tomorrow. The Willamette Falls vision document won an award from the Waterfront Center.*

*Maureen Cole, Library Director, discussed and showed pictures of the construction happening at the Carnegie Library building and outdoor landscaping.*

### b. Commission

*Commissioner Shaw visited the Cove construction site, attended the Arts Festival, and invited everyone to the Oregon City/West Linn Breakfast on August 30, 2016 and Concert in the Park tomorrow night. The Clackamas County Fair had started.*

*Commissioner Mengelberg attended the Wesley Lynn Park event and Arts Festival.*

*Commissioner Smith attended the celebration of Barclay Hills Park and Oregon Trail Game Race. He announced the Oregon City/West Linn game on September 2, 2016, Pete's Cruise In on September 3, 2016, and the Antique Fair on August 28, 2016.*

### c. Mayor

*Mayor Holladay attended the Barclay Hills Neighborhood Association Picnic and Arts Festival. He had been working behind the scenes with the Oregon City Business Alliance and Chamber.*

## 10. Adjournment

*Mayor Holladay adjourned the meeting at 9:50 PM.*

*Respectfully submitted,*

---

*Kattie Riggs, City Recorder*