



City of Oregon City

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Meeting Minutes - Draft

City Commission

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

Tuesday, August 30, 2016

7:00 PM

Commission Chambers

REVISED - SPECIAL MEETING

1. Convene Special Meeting and Roll Call

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

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

Staffers: 4 - Tony Konkol, City Recorder Kattie Riggs, Finance Director Wyatt Parno and City Attorney William Kabeiseman

2. General Business

2a. Explanatory Statement for Inclusion in the Clackamas County Voters Pamphlet for the November 8, 2016 General Election Relating to the Ballot Measure Restricting Urban Renewal Activities

Tony Konkol, City Manager, said tonight the Commission would review the explanatory statement for the ballot measure that would restrict urban renewal activities that would be on the November ballot. Commissioner Mengelberg had requested additional language in the introductory paragraph and that change was before the Commission tonight as well. The proposed explanatory statement had been sent to Mr. Williams, and he requested they not submit the explanatory statement as written as he had some concerns regarding the language.

Bill Kabeiseman, City Attorney, said the petitioners requested a temporary restraining order to prevent the City from filing the explanatory statement. The City went to Circuit Court and the request for the temporary restraining order was denied and a hearing on the injunction was set for next Wednesday, September 7, 2016. He recommended the Commission adopt the explanatory statement and staff would not file it with the County until after the court hearing. He discussed the explanatory statement that he thought was factual and impartial. Comments received from Jesse Buss earlier that day had questioned whether the City had the authority to file an explanatory statement. Mr. Kabeiseman thought submission of a statement was required per Code. He drafted a resolution which clarified the interpretation of the Code that it was a requirement to submit an explanatory statement. Mr. Buss also questioned the second paragraph of the statement stating it was not impartial, but speculative and confusing. The explanatory statement was supposed to explain the measure and its effects and if the City believed urban renewal could not be controlled through the City Charter, it was an effect the City had to identify.

Mayor Holladay confirmed that legal opinion had been received agreeing with the City on this matter and Mr. Williams had received that response.

Mike Mitchell, resident of Oregon City, was concerned about the wording in the first bullet point that said this measure would prohibit the Commission from financing an Urban Renewal Plan or a project with tax increment financing. He thought it should say "financing any urban renewal plans or projects with tax increment financing."

Jesse Buss, resident of Oregon City, was representing John Williams on this matter. The comments he submitted earlier still applied to the revised explanatory statement. The resolution proposed by staff was not included on the agenda and there was no notice of the resolution. They objected to the lack of notice to the public.

There was consensus to make the change proposed by Mr. Mitchell and accept the changes proposed by Commissioner Mengelberg.

John Williams clarified there was a 500 word limit for the explanatory statement.

Mayor Holladay suggested adding how urban renewal was designed to alleviate blight. He suggested four sentences down in the first paragraph saying "stimulating private development, reducing or eliminating blight, and fulfilling Metro region 2040 growth concepts."

Staff confirmed the debt issued, assessed value, and estimated value numbers were accurate.

John Williams thought the number for the assessed value at the formation of the Urban Renewal District was incorrect. Wyatt Parno, Finance Director, would double check the numbers from the assessor's report.

Commissioner Smith wanted the Secretary of State's office to review the statement for impartiality. Mr. Kabeiseman would bring the statement back to the Commission if it needed to be revised.

A motion was made by Commissioner Mengelberg, seconded by Commissioner Shaw, to approve the explanatory statement with the amendments suggested, directing the Finance Director to confirm or revise the valuation at the formation of the Urban Renewal District, and to adopt Resolution 16-28. The motion carried by the following vote:

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

3. Adjournment

Mayor Holladay announced the names of the City Commission candidates who had filed for the November 8, 2016 election.

Mr. Konkol discussed the letter from County Commission Chair John Ludlow that Chair Ludlow would read into the record at the next Gladstone City Council meeting.

Mayor Holladay adjourned the meeting at 7:34 PM.

Respectfully submitted,

Kattie Riggs, City Recorder

