



# City of Oregon City

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

## Meeting Agenda City Commission

*Dan Holladay, Mayor  
Commissioners Brian Shaw,  
Rocky Smith, Jr., Carol Pauli,  
and Daphne Wuest*

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Wednesday, January 7, 2015

7:00 PM

Commission Chambers

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### EXECUTIVE SESSION OF THE CITY COMMISSION

*Executive Session to immediately follow the regular meeting of the City Commission.  
Pursuant to ORS 192.660(2):*

*(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.*

*(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.*

- 1. Convene Regular Meeting and take Roll Call**
- 2. Presentation of the Colors - Junior Reserve Officer Training Corps. (JROTC)**
- 3. Ceremonies, Proclamations**
  - 3a.** [15-016](#) National Anthem - Josh Santos, Apparatus Operator with Clackamas County Fire District #1
  - 3b.** [15-012](#) Oath of Office - The Honorable Laraine McNiece Officiating  
  
Mayor: Daniel Holladay  
Commission Position No. 1: Brian Shaw  
Commission Position No. 4: Daphne Wuest
  - 3c.** [15-013](#) Election of Commission President for 2015
  - 3d.** [15-014](#) Oath of Office for 2015 Commission President - The Honorable Laraine McNiece Officiating
  - 3e.** [15-015](#) Commission Appointments for 2015  
*Attachments:* [Commission Appointments for 2015](#)
  - 3f.** [15-019](#) Mayoral Appointments to City Boards and Commissions  
*Attachments:* [Mayoral Appointments](#)

**4. Citizen Comments**

*Citizens are allowed up to 3 minutes to present information relevant to the City but not listed as an item on the agenda. Prior to speaking, citizens shall complete a comment form and deliver it to the City Recorder. The City Commission does not generally engage in dialog with those making comments, but may refer the issue to the City Manager. Complaints shall first be addressed at the department level prior to addressing the City Commission.*

**5. Adoption of the Agenda****6. General Business****7. Consent Agenda**

*This section allows the City Commission to consider routine items that require no discussion and can be approved in one comprehensive motion. An item may only be discussed if it is pulled from the consent agenda.*

**7a. [15-017](#) Minutes of the December 3, 2014 Regular Meeting**

**Sponsors:** City Recorder Nancy Ide

**Attachments:** [Minutes of 12-03-2014](#)

**7b. [15-018](#) Minutes of the December 9, 2014 Work Session**

**Sponsors:** City Recorder Nancy Ide

**Attachments:** [Minutes of 12-09-14](#)

**7c. [15-020](#) Minutes of the December 17, 2014 Regular Meeting**

**Sponsors:** City Recorder Nancy Ide

**Attachments:** [Minutes of 12-17-2014](#)

**8. Communications****a. City Manager****b. Mayor****c. Commission****9. Adjournment**

*Citizen Comments: The following guidelines are given for citizens presenting information or raising issues relevant to the City but not listed on the agenda.*

*\*Complete a Comment Card prior to the meeting and submit it to the City Recorder.*

*\*When the Mayor calls your name, proceed to the speaker table and state your name and city of residence into the microphone.*

*\*Each speaker is given 3 minutes to speak. To assist in tracking your speaking time, refer to the timer on the table.*

*\*As a general practice, the City Commission does not engage in discussion with those making comments.*

*\*Electronic presentations are permitted, but shall be delivered to the City Recorder 48 hours in advance*

*of the meeting.*

*Agenda Posted at City Hall, Pioneer Community Center, Library, City Web site.*

*Video Streaming & Broadcasts: The meeting is streamed live on Internet on the Oregon City's Web site at [www.orcity.org](http://www.orcity.org) and available on demand following the meeting. The meeting can be viewed live on Willamette Falls Television on channels 23 and 28 for Oregon City area residents. The meetings are also rebroadcast on WFMC. Please contact WFMC at 503-650-0275 for a programming schedule.*

*City Hall is wheelchair accessible with entry ramps and handicapped parking located on the east side of the building. Hearing devices may be requested from the City Recorder prior to the meeting. Disabled individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-657-0891.*



# City of Oregon City

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## Staff Report

File Number: 15-016

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**Agenda Date:** 1/7/2015

**Status:** Agenda Ready

**To:** City Commission

**Agenda #:** 3a.

**From:**

**File Type:** Presentation

**SUBJECT:**

National Anthem - Josh Santos, Apparatus Operator with Clackamas County Fire District #1



# City of Oregon City

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## Staff Report

File Number: 15-012

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**Agenda Date:** 1/7/2015

**Status:** Agenda Ready

**To:** City Commission

**Agenda #:** 3b.

**From:**

**File Type:** Presentation

**SUBJECT:**

Oath of Office - The Honorable Laraine McNiece Officiating

Mayor: Daniel Holladay

Commission Position No. 1: Brian Shaw

Commission Position No. 4: Daphne Wuest



# City of Oregon City

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## Staff Report

File Number: 15-013

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**Agenda Date:** 1/7/2015

**Status:** Agenda Ready

**To:** City Commission

**Agenda #:** 3c.

**From:**

**File Type:** Presentation

**SUBJECT:**

Election of Commission President for 2015



# City of Oregon City

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503-657-0891

## Staff Report

File Number: 15-014

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**Agenda Date:** 1/7/2015

**Status:** Agenda Ready

**To:** City Commission

**Agenda #:** 3d.

**From:**

**File Type:** Presentation

**SUBJECT:**

Oath of Office for 2015 Commission President - The Honorable Laraine McNiece Officiating



# City of Oregon City

625 Center Street  
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503-657-0891

## Staff Report

File Number: 15-015

**Agenda Date:** 1/7/2015

**Status:** Agenda Ready

**To:** City Commission

**Agenda #:** 3e.

**From:**

**File Type:** Presentation

### **SUBJECT:**

Commission Appointments for 2015

1. Metro Policy Advisory Committee (MPAC)  
Mayor Dan Holladay; Alternate: Commissioner Carol Pauli
2. South Fork Water Board  
Mayor Dan Holladay; Commissioner Brian Shaw; Commissioner Rocky Smith, Jr.
3. Clackamas County Coordinating Committee (C4)  
Mayor Dan Holladay; Alternate: Commissioner Daphne Wuest
4. Regional Wastewater Advisory Committee  
Mayor Dan Holladay
5. Downtown Oregon City Board  
Commissioner Carol Pauli
6. Willamette Falls Heritage Coalition  
Representative and Alternate: Commissioner Daphne Wuest
7. Willamette Falls Legacy Project Liaison  
Mayor Dan Holladay and Commissioner Carol Pauli
8. Clackamas Heritage Partners  
Commissioner Daphne Wuest
9. Oregon City Tourism Council  
To Be Announced





# City of Oregon City

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

## Staff Report

File Number: 15-015

**Agenda Date:** 1/7/2015

**Status:** Draft

**To:** City Commission

**Agenda #:** 3e.

**From:**

**File Type:** Presentation

### **SUBJECT:**

Commission Appointments for 2015

1. Metro Policy Advisory Committee (MPAC)  
Mayor Dan Holladay; Alternate: Commissioner Carol Pauli
2. South Fork Water Board  
Mayor Dan Holladay; Commissioner Brian Shaw; Commissioner Rocky Smith, Jr.
3. Clackamas County Coordinating Committee (C4)  
Mayor Dan Holladay; Alternate: Commissioner Daphne Wuest
4. Regional Wastewater Advisory Committee  
Mayor Dan Holladay
5. Downtown Oregon City Board  
Commissioner Carol Pauli
6. Willamette Falls Heritage Coalition  
Economic Development Manager Eric Underwood; Alternate: Commissioner Daphne Wuest
7. Willamette Falls Legacy Project Liaison  
Mayor Dan Holladay and Commissioner Carol Pauli
8. Clackamas Heritage Partners  
Commissioner Daphne Wuest
9. Oregon City Tourism Council  
To Be Announced



# City of Oregon City

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## Staff Report

File Number: 15-019

**Agenda Date:** 1/7/2015

**Status:** Agenda Ready

**To:** City Commission

**Agenda #:** 3f.

**From:**

**File Type:** Appointment

### **SUBJECT:**

Mayoral Appointments to City Boards and Commissions

1. Appointment of Joanne McCall to the Budget Committee for a 4-year term of January 1, 2015 to December 31, 2018, and Barb Streeter for a 2-year term of January 1, 2015 to December 31, 2016.
2. Appointment of Bob Mahoney to the Urban Renewal Budget Committee for a 4-year term of January 1, 2015 to December 31, 2018.
3. Reappointment of Don Wright and appointment of Janet Wallinder to the Library Board for a 4-year term of January 1, 2015 to December 31, 2018.
4. Reappointment of Joyce Gifford and appointment of Blane Meier and Doug Neeley to the Parks & Recreation Advisory Committee for a 3-year term of January 1, 2015 to December 31, 2017.
5. Reappointment of Paul Espe, Zach Henkin, Denyse McGriff, and Damon Mabee to the Planning Commission for a 4-year term of January 1, 2015 to December 31, 2018.
6. Reappointment of John Anderson and appointment of Gary Johnson for the at-large position and Thomas Batty for the Oregon City Chamber of Commerce representative, to the Transportation Advisory Committee for a 3-year term of January 1, 2015 to December 31, 2017.



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## Staff Report

File Number: 15-019

**Agenda Date:** 1/7/2015

**Status:** Agenda Ready

**To:** City Commission

**Agenda #:**

**From:**

**File Type:** Appointment

### **SUBJECT:**

Mayoral Appointments to City Boards and Commissions

1. Appointment of Joanne McCall to the Budget Committee for a 4-year term of January 1, 2015 to December 31, 2018, and Barb Streeter for a 2-year term of January 1, 2015 to December 31, 2016.
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3. Reappointment of Don Wright and appointment of Janet Wallinder to the Library Board for a 4-year term of January 1, 2015 to December 31, 2018.
4. Reappointment of Joyce Gifford and appointment of Blane Meier and Doug Neeley to the Parks & Recreation Advisory Committee for a 3-year term of January 1, 2015 to December 31, 2017.
5. Reappointment of Paul Espe, Zach Henkin, Denyse McGriff, and Damon Mabee to the Planning Commission for a 4-year term of January 1, 2015 to December 31, 2018.
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# City of Oregon City

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## Staff Report

File Number: 15-017

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**Agenda Date:** 1/7/2015

**Status:** Consent Agenda

**To:** City Commission

**Agenda #:** 7a.

**From:** City Recorder Nancy Ide

**File Type:** Minutes

Minutes of the December 3, 2014 Regular Meeting



# City of Oregon City

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

## Meeting Minutes City Commission

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

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Wednesday, December 3, 2014

7:00 PM

Commission Chambers

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

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

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

**Staffers:** 13 - City Manager David Frasher, City Attorney Ed Sullivan, City Attorney William Kabeiseman, Police Chief and Public Safety Director James Band, Public Works Director John Lewis, 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, Economic Development Manager Eric Underwood and Administrative Assistant Kattie Riggs

### 2. Flag Salute

### 3. Ceremonies, Proclamations

#### 3a. Clackamas Heritage Partners' Annual Report

*Gail Yazzolino and Dan Fowler presented the annual report for Clackamas Heritage Partners (CHP) and the End of the Oregon Trail Interpretive Center. They discussed the improvements made to the Center, funds that had been raised, partnerships, events held at the site, educational activities, and how they were preparing for future tourism in Oregon City.*

*Commissioner Smith hoped the next Commission would continue to discuss future tourism and how it tied in to economic growth. He was impressed with what had been happening at the Center and the partnership with CHP.*

#### 3b. Recognition of Edward J. Sullivan's 26 Years as City Attorney

*David Frasher, City Manager, discussed the career of Ed Sullivan, City Attorney, who had served Oregon City for 26 years. He presented Mr. Sullivan with a plaque and gifts.*

*Mr. Sullivan thanked the Commission and staff. He gave recognition to his wife who was in the audience that night.*

*The Commission and staff thanked Mr. Sullivan for his humor, wisdom, and guidance and wished him well in his retirement.*

*Dan Holladay, resident of Oregon City, discussed his experiences working with Mr.*

*Sullivan as a former City Commissioner.*

*Bob Mahoney, resident of Oregon City, related stories about Mr. Sullivan's influence on land use law in Oregon.*

#### **4. Citizen Comments**

*There were no citizen comments.*

#### **5. Adoption of the Agenda**

*The agenda was adopted as presented.*

#### **6. Public Hearings**

#### **7. General Business**

##### **7a. Second Reading, Ordinance No. 14-1018: Adopting Changes to the Pavement Maintenance Utility Fee of Oregon City Municipal Code Chapter 13.30**

*John Lewis, Public Works Director, gave a brief history of the Pavement Maintenance Utility Fee (PMUF). Recently there had been issues with ambiguity in the Ordinance that created the PMUF. He reviewed the changes that were proposed.*

*Commissioner Mumm disclosed she had a conversation with Mr. Danielson earlier that day.*

*Chip Hudson of Lane Powell was appearing on behalf of Hilltop Mall. He introduced Craig Danielson and Chris Bremmer.*

*Craig Danielson, owner and manager of Hilltop Mall, said his attempts to seek judicial review of staff's determination with respect to his property had undermined what should have been an open public process and made it more difficult to communicate his larger concerns with the way this would impact shopping centers and he elected to dismiss the petition. He supported the PMUF and had served on the stakeholder citizen advisory committee. He explained some of the issues that were discussed by the committee especially in regard to how shopping centers were classified. He discovered the Hilltop Mall was being incorrectly classified and that different businesses in the shopping center were being assigned a different code as well. He did not realize this until December 2013. In the months that followed he worked with City staff to understand how the mall tenants were being billed. Staff thought classifying Hilltop Mall as a shopping center made the fees too low and he did not understand their approach. He thought the combined or internal trip factor was separate and not accounted for by other factors mentioned by staff such as pass by trips. The shopping center classification was the only logical bin for Hilltop based on the description in the Code. He thought any changes to the Ordinance should go through the stakeholder group and that staff should apply the Code as written. The proposed amendments seemed designed to negate the definition of shopping centers as a classification and to avoid uniform standards and leave all of the determination to staff. He thought any revision of the Code should have the primary objective of promoting an assessment system that was objective and easily understood and*

*applied instead of a case by case determination. He thought staff's interpretation contradicted the Code as it determined the mall had stand alone businesses with no internal trips. There needed to be a uniform standard that accounted for internal trips. He thought the issue deserved more discussion and community input and he asked the Commission to defer the second reading to allow for a reasonable legislative process.*

*Chris Bremmer, engineer with Kittelson and Associates, discussed a map he submitted with his written comments that showed how a pass by diverted primary and internal trips. The change proposed for a business by business assessment neglected to account for internal trips in a shopping center. The ordinance did allow for an appeal, which was easier for a stand alone business with one driveway. It was more difficult and expensive with a shopping center that had multiple ways in and out of the site and some people who drove through without stopping to connect to other public streets. He wanted the Commission to be aware of unintended consequences especially for these types of shopping centers and campus settings. He thought internal trips should be accounted for and there was data available to do that.*

*Mr. Hudson said they did not have an issue regarding the change from the 7th to 9th edition of the ITE manual. However there was an issue regarding the definition terms and direction to staff. The current definition of "parcel" was not ambiguous and he did not think there should be replacement of the word "parcel" with "property" as "property" was undefined. It should be an objective process, not on a case by case basis determined by staff. The amendment also created an undefined term "business type" and the concept of internal trips needed to be researched. He thought it was a public benefit to have internal trips and there was a large amount of parking available at the mall. He requested the Commission defer the second reading to allow for a more deliberate process.*

*Sue Stein of Stein Oil asked the Commission to consider the seriousness of the issue and defer the second reading to get more information and clarification. It was imperative to do things with clarity and to follow the process. She thought staff should take this to the Transportation Advisory Committee for more discussion.*

*Graham Peterson, resident of Oregon City, was concerned that internal trips were not credited for a place like Hilltop Mall. Internal trips existed and there needed to be consideration for them.*

*Amber Holveck, Executive Director of the Oregon City Chamber of Commerce, asked if internal trip factors were considered by the original task force. Staff said the changes would have no affect on the existing customer accounts for PMUF, and she wondered if staff had looked at possible impacts to shopping centers.*

*Commissioner Mumm said the original task force did not discuss internal trip factors.*

*William Gifford, resident of Oregon City, thought both sides were right. Because the law suit was dropped, there was no longer an urgency for the second reading. He thought it should be go through more process.*

*Mr. Sullivan said any term would have ambiguity and all required some judgment in their application. This was a short term issue related to an immediate problem that was raised by a law suit that was now dismissed. However the issue might be raised by others. It was up to the Commission to hold the Ordinance over or not. The longer term issues should be addressed by a committee and have a longer range look. Changing the word to "property" would not change the fact staff would have to make judgment calls, but there was an appeals process. If they wanted to look at the*

*whole ordinance, it should be referred to a committee.*

*Mr. Lewis said the internal trip factor was not part of the revisions to the Ordinance. He thought it was worth further discussion and consideration in the future. Staff was not implementing the Ordinance differently than what was discussed with the original task force and Commission. He explained how the Hill Top Mall had been classified at the beginning of the PMUF. When the PMUF was created, they agreed that rather than create a whole new methodology for billing, that it would be through utility accounts. They were still charging the same unit amount and it was classified as a shopping center. They were not proposing to change any of the shopping center classifications or how they were billed. He wanted it to be consistent.*

*Mayor Neeley clarified all this intended to do was make the language more understandable and to be consistent with the current billing process. He thought that internal trips should be revisited by the next Commission.*

*Commissioner Pauli agreed the new language was for clarification of how the Ordinance was already being applied. The second reading had already been held over, and she thought it was important to have a separate discussion to look at the internal and shared trip issue. She thought this would be a great topic for a Developer Workshop and that the bin number should be included on the bills.*

*Commissioner Roth did not think it was necessary to handle these as separate issues. Leaving ambiguous definitions up to staff as judgment calls left the City in a libelous position and decisions could change as staff changed. She did not want to set a precedent that things were changed to avoid law suits or legal actions. She wanted to revise the Ordinance correctly and in clear public view. She thought it should be held over for further review and input.*

*Commissioner Mumm said the internal trips issue was not discussed when PMUF was created, and it should be reviewed by the new Commission.*

**A motion was made by Commissioner Smith, seconded by Mayor Neeley, to approve the second reading and final adoption of Ordinance No. 14-1018: adopting changes to the Pavement Maintenance Utility Fee of Oregon City Municipal Code Chapter 13.30. The motion carried by the following vote:**

**Aye:** 4 - Mayor Doug Neeley, Commissioner Rocky Smith, Commissioner Betty Mumm and Commissioner Carol Pauli

**Nay:** 1 - Commissioner Kathy Roth

## **8. Consent Agenda**

**A motion was made by Commissioner Mumm, seconded by Commissioner Pauli, 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

**8a.** Resolution No. 14-32, Establishing Annual Inflationary Adjustments for Water Rates

**8b.** Election Results for the November 4, 2014 General Election as Certified by Clackamas County Clerk for Mayor, City Commissioner Positions No. 1 and 4, and Ballot Measure 3-463.



8c. Minutes of the November 5, 2014 Regular Meeting

9. Communications

a. City Manager

*Tony Konkol, Community Development Director, gave an update on the Willamette Falls Legacy Project. Staff was working on items required to receive the five million dollar appropriation from the Governor's budget. He thought they would be able to meet the deadlines for the funding.*

b. Mayor

*There was no Mayor's report.*

c. Commission

*Commissioner Pauli said the tree lighting ceremony downtown would be held on December 6. The Snowflake Raffle was still continuing and she encouraged everyone to buy local. The Friends of the Oregon City Library Luncheon would be held on December 4.*

*Commissioner Mumm said the next C-4 meeting would be held on December 4.*

*Commissioner Smith reported on the Ermatinger House renovation. The High School play, A Christmas Carol, would be running December 10-13. One of the High School choirs would be performing downtown on December 13 as well.*

10. Adjournment

*Mayor Neeley adjourned the meeting at 8:55 PM.*

*Respectfully submitted,*

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*Nancy Ide, City Recorder*



# City of Oregon City

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

## Staff Report

File Number: 15-018

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**Agenda Date:** 1/7/2015

**Status:** Consent Agenda

**To:** City Commission

**Agenda #:** 7b.

**From:** City Recorder Nancy Ide

**File Type:** Minutes

Minutes of the December 9, 2014 Work Session



# City of Oregon City

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

## Meeting Minutes City Commission

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

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Tuesday, December 9, 2014

5:30 PM

Commission Chambers

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### Work Session

#### 1. Convene Work Session and Roll Call

*Mayor Neeley called the meeting to order at 5:30 PM.*

**Present:** 4 - Mayor Doug Neeley, Commissioner Rocky Smith, Commissioner Betty Mumm and Commissioner Carol Pauli

**Absent:** 1 - Commissioner Kathy Roth

**Staffers:** 10 - City Manager David Frasher, Police Chief and Public Safety Director James Band, Public Works Director John Lewis, Community Development Director Tony Konkol, Library Director Maureen Cole, Economic Development Manager Eric Underwood, Human Resources Director Jim Loeffler, Community Services Director Scott Archer, Finance Director Wyatt Parno and Administrative Assistant Kattie Riggs

#### 2. Future Agenda Items

*No future agenda items were suggested.*

#### 3. Discussion Items:

##### 3a. Library Addition Design Update

*Maureen Cole, Library Director, introduced Joan Jasper and Sid Scott, architects for the Library addition project.*

*Ms. Jasper and Mr. Scott gave an update on the project. The Commission gave direction for a two story addition and to keep as much of the park as possible. They then presented Option 1, the atrium option. The goal was to keep as much of the tree canopy and play amenities as possible, enhancing the spray park and creating a civic plaza, creating an entry off of 6th, creating an atrium, and relocating the slide and swing.*

*Commissioner Pauli arrived at 5:35 PM.*

*Scott Archer, Community Services Director, said the Parks and Recreation Advisory Committee approved both options as long as they equaled or exceeded the current play capacity.*

*Ms. Jasper and Mr. Scott presented Option 2, the overlook option. It was a symmetrical option with a two story glass space and balcony overlooking the lower*

space, park, and Carnegie. They explained the differences and similarities between the two options.

Ms. Cole said she was concerned about the possible noise in Option 2 as it overlooked the children's area. She thought from the inside the entire back of the Carnegie wall needed to be exposed.

Commissioner Smith liked elements from both options. He wanted to make sure the main door to the Carnegie could still be used. He thought there should be access for a community room without the whole building being open, and thought rebuilding a restroom for the park would be a good option.

Commissioner Mumm liked both options. Commissioner Pauli favored the Option 1 layout.

Mayor Neeley liked the entrance in Option 1 and plaza. He wanted to make sure any new playground equipment looked like it fit in with what was there. He also discussed internet stations being sprinkled throughout the library and seismic challenges with all of the proposed glass.

There was discussion regarding the costs being about the same for both options.

There was consensus that there was a strong preference for Option 1. The architects would come back to the Commission in January. If the Historic Review Board or Library Board preferred Option 2, the Commission wanted to hear the reasons for their choice.

Commissioner Smith thought the inside should be more open than Option 1 presented, more like Option 2.

#### **4. City Manager's Report**

David Frasher, City Manager, said there would be an open house for those leaving the Commission on December 17. He had received a call from Greg Geist, new interim Director for Tri-City Service District, and he discussed a possible Tri-City rate increase. He would bring back more information about the increase.

#### **5. Adjournment**

Mayor Neeley adjourned the meeting at 6:58 PM.

Respectfully submitted,

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Nancy Ide, City Recorder



# City of Oregon City

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

## Staff Report

File Number: 15-020

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**Agenda Date:** 1/7/2015

**Status:** Consent Agenda

**To:** City Commission

**Agenda #:** 7c.

**From:** City Recorder Nancy Ide

**File Type:** Minutes

Minutes of the December 17, 2014 Regular Meeting



# City of Oregon City

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

## Meeting Minutes - Draft City Commission

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

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Wednesday, December 17, 2014

7:00 PM

Commission Chambers

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### REVISED AGENDA

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

*Mayor Neeley called the meeting to order at 7:01 PM.*

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

**Staffers:** 12 - City Manager David Frasher, City Attorney William Kabeiseman, Police Chief and Public Safety Director James Band, Public Works Director John Lewis, 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, Economic Development Manager Eric Underwood and Administrative Assistant Kattie Riggs

#### 2. Flag Salute

#### 3. Ceremonies, Proclamations

##### 3a. The Gavel

*Mayor Neeley gave a history of the gavel he was using that night which was fashioned after noted pieces of wood offered by the curator of the Historical Society and commemorated the day the Arch Bridge was christened. He explained where each piece of wood came from that was in the gavel and gave a history of the Arch Bridge.*

##### 3b. Recognition of Mayor Doug Neeley, Commissioner Betty Mumm, and Commissioner Kathy Roth for their Years of Public Service on the City Commission

*Mayor Neeley said it had been a pleasure to serve on the City Commission and listed the many accomplishments of the Commission in the last four years. He thanked each Commissioner for their service and gave them a 2015 calendar. He also thanked the staff for their work.*

*David Frasher, City Manager, discussed the top seven accomplishments of the Commission. He was proud of their leadership and teamwork. He presented plaques to Mayor Neeley and Commissioners Mumm and Roth in honor of their service to the City.*

*Police Chief Band thanked the Commission for their support when Officer Libke was*

*killed. Wyatt Parno, Finance Director, also thanked the Commission for their service.*

*Tom Geil, resident of Oregon City, appreciated how the Commission listened to and encouraged communication with citizens.*

*Commissioner Pauli thanked the Mayor for his guidance and building teamwork. She would miss those leaving the Commission.*

*Commissioner Roth discussed some of the things she learned while on the Commission. She thanked the staff and citizens.*

*Commissioner Mumm discussed staff changes, challenges, and accomplishments over the past four years and the issues that still needed to be addressed.*

*Commissioner Smith said this had been a strong and close-knit Commission. He shared memories he had of the Mayor and fellow Commissioners and how he appreciated all of the decisions they had made for the future of the City.*

#### **4. Citizen Comments**

*Jonathan Stone, Executive Director of the Downtown Oregon City Association, announced a public visioning meeting on January 14.*

*Amber Holveck, Executive Director of the Oregon City Chamber of Commerce, thanked the Commission for their strong connection to the Chamber. She listed the Chamber awards available each year, and she encouraged everyone to make nominations. The Awards Dinner would be held on February 7.*

#### **5. Adoption of the Agenda**

*The agenda was adopted as presented.*

#### **6. Public Hearings**

##### **6a. Second Reading, Ordinance No. 14-1017, Extending the Downtown Economic Improvement District**

*Eric Underwood, Economic Development Manager, said the first reading of the ordinance was approved and notices were sent out to property owners with their EID assessments for the coming year. The estimated generated revenue was \$118,000 to fund efforts managed by downtown Oregon City. However, the City received objections and remonstrances that totaled over 42% of the assessed value which prevented the Commission from holding the second hearing and passing the ordinance. The process would have to be done again if the Commission decided to do so.*

*Bill Kabeiseman, City Attorney, discussed the options the Commission had. The EID expired in April, and it was up to the Commission how to move forward.*

*Mr. Underwood said the majority of the objections were regarding the way the EID was structured. The other objections were the Downtown Oregon City Association Board makeup, maximum assessment amounts, EID boundaries, City of Oregon City General Fund contribution, and spending priorities.*

*Mayor Neeley thought this was something the next Commission should decide.*

*Commissioner Smith thought they needed to find out what the issues were. They could not stop the momentum that had been started. He was committed to resolving the issues and moving forward.*

*Mr. Frasher suggested that Mr. Kabeiseman and Mr. Underwood meet with the Downtown Board to examine the issues and deal with the objections.*

*Jonathan Stone, Executive Director of the Downtown Oregon City Association, thought the objections were symptomatic of a program in transition that had not articulated its future value. He asked the Commission to continue to listen to the property owners and to support the Board as they moved through the process.*

*David Nash, President of the Downtown Oregon City Association, thought there needed to be better communication regarding the value of the EID. It needed to be a collaboration among the business owners, property owners, citizens, and the City. In talking with people, the common theme was not against Main Street but there were changes that people would like to see be made. The Board wanted to represent the community well and listen to the community. He thought they could work out a compromise.*

*Robb Crocker owned seven properties on Main Street and was in favor of the EID. However, he did not like the way the EID was structured. He thought the property owners that were not in the boundary but were benefiting from the EID should be included and pay their fair share. He also thought they should look at alternative funding.*

*Amber Holveck, Oregon City Chamber of Commerce, shared support for the Commission in how they had taken downtown on as a core project for the City. The property owners needed to be heard and she thought everyone would be at the table to develop the needed changes to the EID.*

*Tara Vincente, downtown business owner, was in support of the EID. She thanked Mr. Stone and the Downtown Oregon City Association for all their work. She encouraged them not to let this slow them down and to keep moving forward.*

*William Gifford, resident of Oregon City, said there had been tremendous improvements downtown. He thought most of the property owners were in favor of the EID, but wanted it tweaked, which would take some extra time. The EID needed to be continued. He suggested expanding the boundary of the EID to include the north end of Main Street. With more people contributing, it could reduce individual costs. He was concerned about loss of momentum and did not want to start over again.*

*Alex Janson, downtown property and business owner, supported the EID and the Downtown Oregon City Association. Turning back or losing momentum was not an option. He asked the Commission to consider alternate sources of funding and expanding the EID to include the Willamette Falls project.*

*Tom Geil, resident of Oregon City, expressed appreciation for the EID as one of the newest downtown business owners. He thought the cost was already being passed on to the property owners' tenants, but he was willing to pay it because the Main Street organization was doing a good job. He thought they needed to work together with the property owners to find solutions as they needed to make downtown viable before the Willamette Falls site was developed.*



*Jill Smart, downtown business owner, said her landlord told her about the EID and she was in favor of it even though some of the cost was passed on to her through rent. Assessing the EID to both property and business owners would double the cost to business owners. Retail was just getting going and more businesses were moving to Oregon City. The next step was targeting certain businesses to come to the City. All of this would not be happening without the EID and it would be a tragedy to lose it.*

*Randy Hoftijzer, downtown business owner, discussed the changes to the City since she moved here 11 years ago. It had not been easy opening her business in Oregon City, but it was getting better. The EID was helping to bring people to the City. Downtown had to remain the backbone for the upcoming Willamette Falls project, not the other way around.*

*Commissioner Pauli explained how the Downtown Board was trying to listen and answer concerns and get people involved. She thought it had more to do with the bottom line as the economy had been tough and costs were going up. She thought they needed to look at how to make it more economical for people. There were five openings on the Board and ways for people to get more involved.*

*Mayor Neeley said if there was success on Main Street, it would trigger economic development along 7th Street and the Molalla corridor.*

*Mr. Frasher received phone calls from other jurisdictions about the success of the Main Street program. The City put in \$50,000 a year from the General Fund as a match and he thought it should continue. He thought this was the beginning of a conversation with the people who objected and he thought staff could have those conversations and come up with solutions and compromises to continue the EID.*

*There was consensus for staff to have those conversations and move forward as suggested.*

**6b.**

**Resolution No. 14-15, Adopting a Supplemental Budget to the 2013-2015 Biennial Budget and Authorizing a \$500,000 Interfund Loan from the Public Works Building Fund to the Police Building Fund and Authorizing the City Manager to Enter into a Real Property Sales Agreement**

*Mr. Frasher said the City had received assurances from the environmental consultant that there were no environmental concerns for the purchase of the school property.*

*Mr. Parno said the Commission had prioritized pursuing development of a new Police Station and the opportunity had arisen to purchase the Mt. Pleasant School property. This opportunity did not happen during the budget process, and it required a public hearing and approval of a Supplemental Budget.*

*Commissioner Smith would be abstaining from the vote as he was an employee of the Oregon City School District.*

*There was discussion regarding how the interfund loan would be repaid.*

*Mayor Neeley opened the public hearing.*

*William Gifford, resident of Oregon City, encouraged the Commission to approve the Supplemental Budget and get the project done. It was the right thing to do for the good of the City.*

*Mayor Neeley closed the public hearing.*

*Mayor Neeley clarified the interfund loan was from the Public Works budget, not Wastewater services.*

**A motion was made by Commissioner Mumm, seconded by Commissioner Roth, to approve Resolution No. 14-15, adopting a Supplemental Budget to the 2013-2015 Biennial Budget and authorizing a \$500,000 Interfund Loan from the Public Works Building Fund to the Police Building Fund and authorizing the City Manager to enter into a Real Property Sales Agreement. The motion carried by the following vote:**

**Aye:** 4 - Mayor Doug Neeley, Commissioner Betty Mumm, Commissioner Carol Pauli and Commissioner Kathy Roth

**Abstain:** 1 - Commissioner Rocky Smith

## **7. General Business**

## **8. Consent Agenda**

**A motion was made by Commissioner Smith, seconded by Commissioner Roth, 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

**8a.** Minutes of the November 19, 2014 Regular Meeting

**8b.** Minutes of the November 19, 2014 Work Session

**8c.** Resolution No. 14-34 Rescinding Resolution No. 01-27 and Acknowledging Oregon City - Tateshina Cultural Exchange Committee, Inc. (DBA: Oregon City - Tateshina Sister City Committee) as the Entity Charged, on Behalf of the City, with Promoting and Maintaining the Sister City Relationship Between Oregon City and Tateshina, Japan

## **9. Communications**

### **a. City Manager**

*Mr. Frasher signed the purchase and sales agreement for the Mt. Pleasant property. He discussed the progress report of the Commission goals.*

*Mr. Underwood announced the City's Enterprise Zone application had been approved and would be effective January 1, 2015 and would end in December 2025. There were two companies who were already interested in expanding and taking advantage of the Zone.*

*Mr. Frasher said there had been a DEQ fine regarding a sewer system spill which had been lowered through mitigation efforts. However, there had been another*

*incident when repairing another sewer line.*

*Mr. Lewis explained how the small spill occurred and the process the City had to take after a spill. He did not know how much of a fine it would be. Given the rate increases the Commission approved for replacement of these older lines, it would make it less likely to have future spills.*

**b. Mayor**

*Mayor Neeley said the Climate Smart Community vote was taken during the last Metro Policy Advisory Committee meeting. He was not able to attend the meeting, but it was approved.*

**c. Commission**

*Commissioner Smith reported on the Clackamas Heritage Partners and Oregon City Tourism meetings.*

*Commissioner Pauli had enjoyed serving with Mayor Neeley and Commissioners Mumm and Roth and would miss them. She reported on the success of the Snowflake Raffle.*

*Commissioner Roth said area churches had been discussing opening up a place for the homeless to stay overnight during the cold weather.*

**10. Adjournment**

*Mayor Neeley adjourned the meeting at 9:42 PM.*

*Respectfully submitted,*

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*Nancy Ide, City Recorder*



## Commission Appointments for 2015

1. Metro Policy Advisory Committee (MPAC)

Mayor Dan Holladay; Alternate: Commissioner Carol Pauli

2. South Fork Water Board

Mayor Dan Holladay; Commissioner Brian Shaw; and  
Commissioner Rocky Smith, Jr.

3. Clackamas County Coordinating Committee (C4)

Mayor Dan Holladay; Alternate: Commissioner Daphne Wuest

4. Regional Wastewater Advisory Committee

Mayor Dan Holladay

5. Downtown Oregon City Board

Commissioner Carol Pauli

6. Willamette Falls Heritage Coalition

Representative and Alternate: Commissioner Daphne Wuest

7. Willamette Falls Legacy Project Liaison

Mayor Dan Holladay and Commissioner Carol Pauli

8. Clackamas Heritage Partners

Commissioner Rocky Smith, Jr.

9. Oregon City Tourism Council

Commissioner Rocky Smith, Jr.

10. Citizen Involvement Council Liaison

Commissioner Brian Shaw

11. Natural Resources Committee Liaison

Mayor Dan Holladay



# City of Oregon City

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

## Staff Report

File Number: 15-019

**Agenda Date:** 1/7/2015

**Status:** Agenda Ready

**To:** City Commission

**Agenda #:** 3f.

**From:**

**File Type:** Appointment

### SUBJECT:

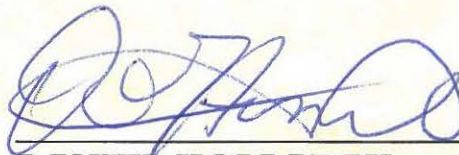
Mayoral Appointments to City Boards and Commissions

1. Appointment of Joanne McCall to the Budget Committee for a 4-year term of January 1, 2015 to December 31, 2018, and Barb Streeter for a 2-year term of January 1, 2015 to December 31, 2016.
2. Appointment of Bob Mahoney to the Urban Renewal Budget Committee for a 4-year term of January 1, 2015 to December 31, 2018.
3. Reappointment of Don Wright and appointment of Janet Wallinder to the Library Board for a 4-year term of January 1, 2015 to December 31, 2018.
4. Reappointment of Joyce Gifford and appointment of Blane Meier and Doug Neeley to the Parks & Recreation Advisory Committee for a 3-year term of January 1, 2015 to December 31, 2017.
5. Reappointment of Paul Espe, Zach Henkin, Denyse McGriff, and Damon Mabee to the Planning Commission for a 4-year term of January 1, 2015 to December 31, 2018.
6. Reappointment of John Anderson and appointment of Gary Johnson for the at-large position and Thomas Batty for the Oregon City Chamber of Commerce representative, to the Transportation Advisory Committee for a 3-year term of January 1, 2015 to December 31, 2017.

7. Appointment of Doug Neeley to the Natural Resources Committee for a 3-year term of January 1, 2015 to December 31, 2017.

## OATH OF OFFICE

I, **DANIEL HOLLADAY**, do solemnly swear that I will support the  
Constitution of the United States and of the State of Oregon, and  
that I will to the best of my ability, faithfully perform the duties of  
Mayor of Oregon City during my incumbency thereof.



**DANIEL HOLLADAY**  
Mayor



**LARAIN McNIECE**, Municipal Court Judge

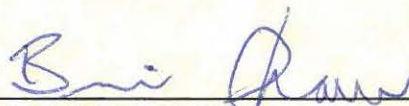
Date: January 7, 2015





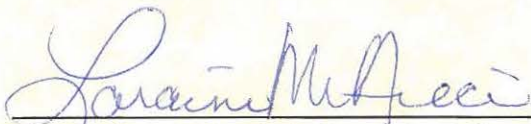
## OATH OF OFFICE

I, **BRIAN SHAW**, do solemnly swear that I will support the  
Constitution of the United States and of the State of Oregon, and  
that I will to the best of my ability, faithfully perform the duties of  
City Commissioner of Oregon City during my incumbency thereof.



**BRIAN SHAW**

City Commissioner – Position 1



**LARAIN McNIECE**, Municipal Court Judge

Date: January 7, 2015



## OATH OF OFFICE

I, **DAPHNE WUEST**, do solemnly swear that I will support the  
Constitution of the United States and of the State of Oregon, and  
that I will to the best of my ability, faithfully perform the duties of  
City Commissioner of Oregon City during my incumbency thereof.

*Daphne Wuest*

**DAPHNE WUEST**

City Commissioner – Position 4

*Laraine McNiece*

**LARAIN McNIECE**, Municipal Court Judge

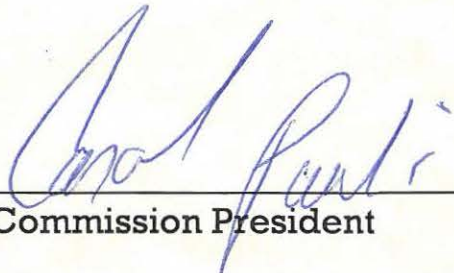
Date: January 7, 2015

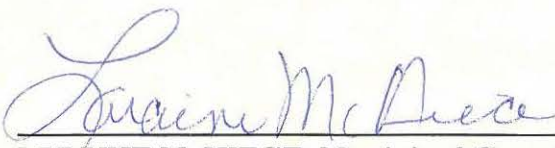




## OATH OF OFFICE

I, CAROL PAULY, do solemnly swear that I will support the Constitution of the United States and of the State of Oregon, and that I will to the best of my ability, faithfully perform the duties of Commission President of Oregon City during my incumbency thereof.

  
Commission President

  
LARAIN McNIECE, Municipal Court Judge

Date: January 7, 2015





## MEMORANDUM

ENTERED INTO THE RECORD

DATE RECEIVED: 1/7/15

SUBMITTED BY: David W. Frasher

SUBJECT: Item 8a

To: City Commission  
From: David W. Frasher, City Manager  
Re: City Commission Retreat  
Date: January 7, 2015

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The following is a list of the Commission's 2013-2015 Goals. In preparation for the 2015 Retreat, the Executive Team proposes to discuss the topics below associated with the current goals. We believe these to be attainable for the next two years. These items have been identified through your interactions with Retreat Facilitator, Joe Hertzberg, with City Manager, David Frasher, or through internal discussion among the Executive Team.

We appreciate your input and if we have missed something you would like to see brought forth at the Retreat please let us know. **Any additional prioritized suggestions for discussion, along with a potential funding source, may be added on the document attached. Please note that this is not intended as an exhaustive list of all the City does. These activities are simply a statement of priorities over and above all of the ordinary, day to day, services the City delivers as a full service municipality.**

**Please return your suggestions to the City Manager's Office no later than Monday, January 12, 2015.**

**City of Oregon City, Oregon**  
**City Commission Retreat**

***FRIDAY & SATURDAY, JANUARY 23-24, 2015***

## TOPICS FOR DISCUSSION:

### 1. Goal #1: Implement Economic Development Strategy and Maintain an Environment for Success

- a. Continue to Advance Development Opportunities for the Cove and Landfill Sites

*Eric Underwood, Economic Development Manager*

- b. Continue to Advance the Willamette Falls Legacy Project

*Tony Konkol, Community Development Director*

- c. Pursue Railroad Quiet Zone (Budget Contingency)

*Eric Underwood and John Lewis*

- d. Create Utility Ready Industrial Sites in Beaver Creek Area

*Eric Underwood, Economic Development Manager*

- e. Develop Enhanced Economic Development Incentive Programs

*Eric Underwood, Economic Development Manager*

- f. Support Opportunities to Enhance Tourism (Modification to Oregon City Lodging Tax)

*Wyatt Parno, Finance Director*

### 2. Goal #2: Address Critical Facility Needs

- a. Initiate and Complete Construction of Carnegie Library Addition

*Maureen Cole, Library Director*

- b. Implement Strategy for Police Station Project

*Jim Band, Police Chief and Public Safety Director*

- c. Pursue a Consolidated Location for City Hall and Community Development Services

*David Frasher, City Manager*

- d. Determine Location and Plan Construction for Public Works Operations Center

*John Lewis, Public Works Director*

- e. Address Deferred Maintenance Issues for City Facilities in the Community Services Department

*Scott Archer, Community Services Director*

3. Goal #3: Enhance the Livability of the Community

- a. Consider Strategic Approach to the Governance of the Tri-City Service District  
*David Frasher, City Manager*
- b. Pursue Working with Tri-Met to Restore/Enhance Transit Service in OC  
*David Frasher, City Manager*
- c. Pursue a “Percent for the Arts” Program Ordinance Including a Set Aside Fund Collected as a Percentage of the Construction Cost of All City Public Facility Building Projects  
*John Lewis, Public Works Director*
- d. Begin Construction on Sewer Moratorium Projects  
*John Lewis, Public Works Director*
- e. Create a New Stormwater Master Plan as Required by State and Federal Regulations  
*John Lewis, Public Works Director*
- f. Re-adopt the Beavercreek Road Concept Plan  
*Tony Konkol, Community Development Director*

4. Goal #4: Seek Opportunities to Maintain Communications with Citizens and Facilitate Citizen Participation

- a. Encourage Volunteer Operations Plan for the Ermatinger House and Potential Transfer to the US National Parks Service  
*Scott Archer, Community Services Director*
- b. Continue to Enhance Streamlined Development Processes and Economic Development Forums  
*Eric Underwood, Economic Development Manager*
- c. Implementation of an Electronic Records Management System (HP TRIM)  
*Nancy Ide/Kattie Riggs, City Recorder*
- d. Clarify and Provide Direction on the Scope of the Citizen Involvement Council  
*David Frasher, City Manager*

5. Goal #5: Maintain Fiscal Health and Long Term Stability

- a. Implement IT Service Upgrades and Permitting System  
*Tony Konkol, Community Development Director*

- b. Consider Annexation Strategy and Policy  
*Tony Konkol, Community Development Director*
- c. Discuss Operational Staffing/Service Needs for 2015/17 Budget
  - Building Inspector, *Tony Konkol*
  - Development Review, *John Lewis*
  - Risk Manager, *Jim Loeffler*

**Prioritized Commissioner Suggestions for Discussion:**

It is important that you complete your top three suggestions by Monday, January 12, 2015.

<b>Commissioner Name:</b>		
	<b>Item</b>	<b>Potential Funding Source</b>
1.		
2.		
3.		





# COMMENT FORM



\*\*\*PLEASE PRINT CLEARLY\*\*\*

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND RESIDING CITY
- Limit Comments to 3 MINUTES.
- Give to the Clerk in Chambers prior to the meeting.

Date of Meeting 7 JAN 2015

Item Number From Agenda NOT ON AGENDA  
CITIZEN BUSINESS <sup>4.</sup>

NAME: JOEY HERMANN (Jerry Herrman)

ADDRESS: Street: 19475 MAIN ST.

City, State, Zip: OC.

PHONE NUMBER:

E-MAIL ADDRESS:

SIGNATURE:

# COMMENT FORM



\*\*\*PLEASE PRINT CLEARLY\*\*\*

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND RESIDING CITY
- Limit Comments to 3 MINUTES.
- Give to the Clerk in Chambers prior to the meeting.

Date of Meeting January 7, 2015

Item Number From Agenda 4

NAME: Mike Jarrett

ADDRESS: Street: 415 Jefferson St.

City, State, Zip: Oregon City, 97045

PHONE NUMBER: 503-657-8095

E-MAIL ADDRESS:

SIGNATURE:

Michael Jarrett



# COMMENT FORM



## \*\*\*PLEASE PRINT CLEARLY\*\*\*

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND RESIDING CITY
- Limit Comments to 3 MINUTES.
- Give to the Clerk in Chambers prior to the meeting.

Date of Meeting 07 JAN 15

Item Number From Agenda — CITIZEN comment

NAME: William Gifford

ADDRESS: Street: 1324 Beaver Ln

City, State, Zip: OC OR 97045

PHONE NUMBER: 503 723 3456

E-MAIL ADDRESS: William@smallflags.com

SIGNATURE: [Signature]

# COMMENT FORM



## \*\*\*PLEASE PRINT CLEARLY\*\*\*

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND RESIDING CITY
- Limit Comments to 3 MINUTES.
- Give to the Clerk in Chambers prior to the meeting.

Date of Meeting 1/7/15

Item Number From Agenda 4

NAME: Doug Neeley

ADDRESS: Street: #1614 Parrish Road

City, State, Zip: Oregon City, Oregon 97045

PHONE NUMBER: 503-650-5039

E-MAIL ADDRESS: intststs@global.net

SIGNATURE: [Signature]

# COMMENT FORM



## \*\*\*PLEASE PRINT CLEARLY\*\*\*

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND RESIDING CITY
- Limit Comments to **3 MINUTES**.
- Give to the Clerk in Chambers **prior** to the meeting.

Date of Meeting

1-7-15

Item Number From Agenda

4

NAME:

Bob Mahoney

ADDRESS:

Street:

City, State, Zip:

PHONE NUMBER:

E-MAIL ADDRESS:

SIGNATURE:

Economic  
Development  
of  
Soal