

Oregon City, Oregon, September 5, 1973

REGULAR MEETING

A regular meeting of the City Commission was held on the above date in the Commission Chambers at 8:00 P.M.

Roll call showed the following present:

Howard Klemsen, Mayor	Alfred Simonson, Manager
Glenn D. Parrott, Commissioner	John A. Buol, Recorder
Dean Nichols, Commissioner	John C. Anicker, Jr., Attorney

The minutes of the previous meeting, copies of which had been mailed to each member of the Commission, were approved.

The Commission was presented with proposed Ordinance No. 1785 rezoning for medical clinic at 15th and Division Streets. It was moved by Parrott, seconded by Nichols, that proposed Ordinance No. 1785 be read the first time and ordered published.

Ayes: Nichols, Parrott, Klemsen. Nays: None.

ORDINANCE NO. 1785

An Ordinance amending Title XI, Chapter 2, Section 2, of the 1963 City Code, ZONING DISTRICTS: MAPS, of Oregon City, by changing certain districts.

OREGON CITY DOES ORDAIN AS FOLLOWS:

Whereas, public necessity and the general welfare of Oregon City require changes in certain districts, which changes have been referred to the City Planning Commission and approved by them after public notice and hearing as required by Title XI, Chapter 17, Section 2, of the 1963 City Code, and the Commission finding that the following described real property can most suitably be utilized for a medical clinic type occupation, for which there is a need in this area, in that it is adjacent to community hospital services, that such zoning is compatible with the neighborhood development, and that no opposition has appeared, the following described property in Oregon City, Clackamas County, Oregon, to-wit:

PARCEL I:

Part of the OREGON CITY CLAIM in Section 32 in T.2S., R.2E., of the W.M. in Clackamas County, Oregon, described as:

Beginning at the Northeast corner of Block 173 in Oregon City, Clackamas County, Oregon; thence Easterly along the Southerly line of 16th Street 1220 feet; thence at right angles Southerly 200 feet; thence Easterly at right angles 175.00 feet for the true point of beginning; from said true point of beginning thence continuing on the last mentioned course 45.00 feet, more or less, to Division Street; thence following the Westerly side of Division Street, 125 feet, more or less, to the intersection of the Northerly side of 15th Street with the Westerly side of Division Street; thence tracing the Northerly side of 15th Street 110 feet, more or less, to a point from which a line drawn will run at right angles to the last course and intersects with the true point of beginning; thence at right angles Northerly 100.00 feet to the place of beginning.

SUBJECT TO the rights of the public in and to that portion of the above property lying within the limits of roads and highways.

PARCEL II:

That portion of the Northwest quarter of the Northeast quarter of Section 32, T.2S., R.2E., of the W.M., Clackamas County, Oregon, described as follows:

Beginning at the Northeast corner of Block 173, OREGON CITY; thence Southeasterly along the Southerly line of Sixteenth Street 1220 feet; thence at right angles Southwesterly 200 feet; thence Southeasterly at right angles 100 feet to the true point of beginning; thence continuing Southeasterly 75 feet; thence at right angles Southwesterly 100 feet to Northerly side of Fifteenth Street; thence Northwesterly at right angles along Northerly side of Fifteenth Street 75 feet; thence Northeasterly at right angles 100 feet to the true point of beginning.

PARCEL III:

That portion of the Northwest quarter of the Northeast quarter of Section 32, T.2S., R.2E., of the W.M., in the County of Clackamas and the State of Oregon, described as follows:

Beginning at a point which is 150 feet Southerly at right angles from a point

on the Southerly line of Sixteenth Street, which is 1220 feet Easterly from the Northeast corner of Block 173 in Oregon City; thence running Southerly on the said Southerly right angle line 50 feet; thence Easterly at right angles 215 feet, more or less, to Division Street; thence North on the West line of Division Street 60 feet, more or less to a point opposite and at right angles to the place of beginning; thence Westerly 185 feet, more or less, to the place of beginning.

EXCEPTING THEREFROM the westerly 50 feet as conveyed to Harold G. Koenig, et ux, by Deed Recorded in Book 418, Page 707.

PARCEL IV:

That portion of the Northwest quarter of the Northeast quarter of Section 32, T.2S., R.2E., of the W.M., lying within the Ezra Fisher D.L.C. No. 44, in Clackamas County, Oregon, described as follows:

Beginning South  $1^{\circ}05'$  West 30 chains from the Northwest corner of the Ezra Fisher D.L.C. in Section 32, T.2S., R.2E., of the W.M., in Clackamas County, Oregon; thence South  $85^{\circ}57'$  East 124.5 feet; thence North  $1^{\circ}05'$  East 112 feet; thence North  $85^{\circ}57'$  West 124.5 feet to the D.L.C. line; thence South  $1^{\circ}05'$  West 112 feet to the place of beginning.

be and the same is hereby changed from "R-1" One-Family Dwelling District and "R-2" One-Family Dwelling District, to Conditional "C-1" Commercial District, subject to the following conditional use restriction:

The permitted use shall be limited to development of a medical clinic.

and subject to the written acceptance of these conditions by the record owners at the time of the acceptance and the recording of the acceptance and this ordinance in the Deed Records of Clackamas County, Oregon.

Read first time and ordered published at a regular meeting of the Commission held on the 5th day of September, 1973, and to come up for second reading and final passage at a regular meeting of the Commission to be held on the 3rd day of October, 1973, at the hour of 8:00 p.m.

JOHN A. BUOL  
City Recorder

This was the time scheduled for the public hearing on the vacation of a portion of Edison and Thompson Avenues as requested by BCK Company. Mr. Raymond R. Bagley, Jr., Attorney for BCK Company, was present. There being no oral or written protests the City Commission requested that the Attorney prepare the necessary ordinance for the vacation of these two streets for the September 13 Commission meeting.

This was the time scheduled for the remonstrances on the proposed Telford Road improvement, known as Local Improvement District No. 35. The City Recorder read a letter from Sam Newton, 159 Telford Road, favoring the proposed improvement. The Recorder read letters of protest from the following:

Mr. & Mrs. Wm. H. Elston, 120 Telford Road  
Mrs. Raymond Rogers, 243 Telford Road  
Mr. Arthur J. Lanskey, 230 Vine Street

The City Manager reviewed the past history of the proposed improvements to Telford Road and the filing of the petitions of the residents in August, 1972 requesting curbs and storm sewers. The Manager also presented a review of the proposed improvements and stated that the estimated cost is \$78,600. The Commission requested comments from the citizens in attendance.

Mr. T. D. Vandershile, 466 Barker Road, inquired about the storm sewers and suggested that possibly the cost should be spread to other areas other than Telford Road because of the heavy traffic and suggested possibly having a traffic count on Telford Road.

Mrs. Gordon Riseling, 439 Park Drive, inquired why they are being assessed for the blacktop and stated that originally when she carried the petitions last year the estimated cost was only \$3.00 per front foot instead of the proposed \$5.95 per front foot. Milton and Lyle Wiese of Telford Road inquired why the County isn't paying for the entire improvement as on Warner-Milne Road. Dick Rose of Telford Road inquired about the street standards for the proposed improvement. Mr. Lyle Reese of Telford Road stated that this improvement was different that the County's improvement of Warner-Milne Road since the County owns most of the property on Warner-Milne Road. Mrs. Raymond Rogers, 243 Telford Road, inquired about the present storm sewers that are in Telford Road.

The City Manager, the City Engineer and the City Commission answered questions of the property owners. The Mayor requested a vote of those property owners present not in favor of the proposed improvement by the City and the County. Thirteen were opposed to the improvement as presented. The Mayor also took a vote on those favoring the proposal and there no votes in favor of the proposal. The Commission requested a vote if they would like a new proposal and twenty-five residents present voted for a new proposal. The City Engineer informed the Commission that a new proposal cannot be prepared this year.

After considerable discussion, this was continued to the September 13 meeting to allow the Commission and the Manager time for more study and to contact Clackamas County.

Mr. McKay Rich, Acting Director of the Columbia Region Association of Governments was present to explain the history of CRAG and their functions and the future of CRAG. The Commission asked Mr. Rich questions regarding the CRAG organization.

Mr. Pete King and Mr. Ralph Kincaid, President of Hilltop Boosters, were present requesting the City to support their application for a Sister City Program. Mr. King explained the program and stated that the city that has been suggested for Oregon City as a Sister City is the City of Tetashina, Japan, a city of 8,000 people. After discussion it was moved by Nichols, seconded by Parrott, to continue with the plan of Hilltop Boosters and authorize them to apply for membership in the Sister City Program International.

Ayes: Nichols, Parrott, Klemsen. Nays: None.

Continued discussion was held on the second reading of proposed Ordinance No. 1784, adopting the 1973 Fire Prevention Code. The City Manager and the Fire Chief reported that the 1973 Fire Prevention Code has not been published as of this date and that the City has been misinformed regarding its publication. The City Attorney recommended this be continued to the October meeting. It was moved by Nichols, seconded by Parrott, to continue the second reading of proposed Ordinance No. 1784 to the October 3 meeting.

Ayes: Nichols, Parrott, Klemsen. Nays: None.

The City Commission was presented with the following bids for Bancroft Bonds in the amount of \$64,302.44:

C O P Y

C O P Y

CHAS. N. TRIPP, INC.  
Investment Securities  
American Bank Building  
Portland, Oregon

September 4, 1973

Honorable Mayor  
c/o City Hall  
Oregon City, Oregon

Gentlemen:

For all or none of the City of Oregon City, Clackamas County, State of Oregon, General Obligation Bonds, in the amount of Sixty Four Thousand, Three Hundred Two and Forty-Four Hundredths Dollars, (\$64,302.44), par value, to be dated September 1, 1973, as described in your official notice of bond sale which is hereby made a part of this bid, the undersigned will pay \$100.00 for each \$100.00 par value thereof, plus accrued interest from the date of bonds to the date of delivery to us for bonds maturing in your notice of sale and bearing interest as follows:

all bonds maturing September 1, 1974 to September 1, 1979, inclusive, at the rate of 6.00%.

all bonds maturing September 1, 1980 to September 1, 1983, inclusive, at the rate of 5.30%.

On the basis of this bid, the interest cost and effective rate are as follows:

Total Interest Cost	\$22,423.15
Effective Interest Rate	5.4783%

Both principal and semi-annual interest will be payable at the office of the Treasurer of Oregon City, Oregon.

It is understood and agreed that prior to our taking up and paying for these bonds, we are to be furnished with the unqualified legal opinion of Messrs. Rankin, Walsh, Ragen and Roberts, Attorneys, Portland, Oregon.

C O P Y

C O P Y

As evidence of our good faith in making this bid and as required, we are attaching herewith our cashier's check in the amount of \$1,286.05, to be held by you pending delivery of the bonds to us or returned immediately in the event we are not awarded this issue of bonds.

This bid is made for prompt acceptance and delivery within a reasonable time.

Respectfully submitted,

CHAS. N. TRIPP, INC.

THOMAS G. TRIPP (S)  
Assistant Vice President

C O P Y

C O P Y

UNITED STATES NATIONAL BANK OF OREGON  
309 S. W. Sixth Avenue  
Portland, Oregon 97208

August 30, 1973

Mr. John A. Buol, City Recorder  
City of Oregon City  
Oregon City, Oregon

Dear Sir:

For \$64,302.44 (Sixty Four Thousand Three Hundred Two and 44/100 Dollars) City of Oregon City Improvement Bonds, to be dated September 1, 1973, Bond No. 1 to be for \$4,302.44, and Bonds No. 2 to 13, incl. to be in \$5,000.00 denomination, bearing interest payable semi-annually and to mature serially in numerical order as follows:

\$4,302.44 due Sept. 1, 1974 @ 6.75%	\$5,000.00 due Sept. 1, 1979 @ 5.25%
\$5,000.00 due Sept. 1, 1975 @ 6.75%	\$5,000.00 due Sept. 1, 1980 @ 5.25%
\$5,000.00 due Sept. 1, 1976 @ 6.75%	\$10,000.00 due Sept. 1, 1981 @ 5.25%
\$5,000.00 due Sept. 1, 1977 @ 6.75%	\$10,000.00 due Sept. 1, 1982 @ 5.25%
\$5,000.00 due Sept. 1, 1978 @ 6.75%	\$10,000.00 due Sept. 1, 1983 @ 5.25%

providing the bonds maturing on or after September 1, 1976 shall be subject to redemption in numerical order at par and accrued interest on September 1, 1976 or on any interest paying date thereafter.

Both the principal and interest are payable at the office of the Treasurer of Oregon City, Oregon, all in accordance with your published notice of sale, and we will pay you at the rate of \$100.00 for each \$100.00 face value, together with accrued interest to date of delivery to us in Oregon City, Oregon.

On the basis of the above bid, the interest cost to the city is as follows:

Coupon Interest Cost	\$22,602.91
Less Premium Bid	None
Net Interest Cost	\$22,602.91
Effective Interest Rate	5.5223

This bid is made for prompt acceptance only and for as prompt delivery of the bonds as they can be conveniently prepared and executed, but not later than October 16, 1973, unless further extended by mutual agreement.

This bid is also made with the understanding that prior to our taking up and paying for the bonds, you will provide, without cost to us, the opinion of Messrs. Rankin, Walsh, Ragen and Roberts of Portland, Oregon, approving the legality of said bonds and the sale thereof.

As evidence of good faith, we attach hereto our Cashier's Check #534196 dated August 30, 1973 for \$1,300.00 in favor of City of Oregon City with the understanding that if said bonds are awarded and delivered to us in accordance with this bid, said check may be applied as part payment; otherwise, same is to be promptly returned to us, or to our representative at the sale.

Respectfully submitted,

UNITED STATES NATIONAL BANK OF OREGON

By  
BRUCE M. CULLISON (S)  
Manager, Oregon City Branch

C O P Y

C O P Y

THE OREGON BANK  
319 Washington Street, S.W.  
Portland, Oregon 97208

September 4, 1973

Mr. John A. Buol, City Recorder  
City of Oregon City  
City Hall  
Oregon City, Oregon 97045

Gentlemen:

For your \$64,302.44 par amount of City of Oregon City Bancroft Improvement Issue 1973 Bonds, dated September 1, 1973 and maturing September 1, 1974 through 1983 inclusive, all as more fully described in your Official Notice of Sale, which is hereby made a part of this bid, we will pay 100% of the par value thereof for bonds to bear the following interest rate or rates:

For bonds maturing 1974 to 1976 inclusive at 6.50%  
For bonds maturing 1977 to 1978 inclusive at 6.00%  
For bonds maturing 1979 to 1980 inclusive at 5.20%  
For bonds maturing 1981 to 1983 inclusive at 5.25%

The following is for information only:

Gross interest cost	\$22,159.66
Less premium	None
Plus discount	None
Net Interest cost	\$22,159.66
Average Rate	5.414

This bid is made subject to our receiving prior to the delivery of the bonds the unqualified legal opinion of Messrs. Rankin, Walsh, Ragen & Roberts, Attorneys, Portland, Oregon.

Enclosed is our cashier's check in the amount of \$1,286.05 which is to be returned to us if this bid is not accepted; otherwise, it shall be held as advanced part payment; therefore; or, if we fail to pick up and pay for the bonds under the terms of this bid, it shall be forfeited to the City as and for all liquidated damages.

Respectfully submitted this 4th day of September, 1973.

THE OREGON BANK

By RONALD E. CORDON (S)  
Vice President & Manager  
The Oregon Bank, Oregon City, Oregon

The Manager stated that the Oregon Bank was low bidder at an average rate of 5.414%. It was moved by Parrott, seconded by Nichols, to award the bid for the \$64,302.44 worth of Bancroft Bonds to the Oregon Bank at an effective rate of 5.414% and to authorize the City Recorder to have the bonds printed and to authorize the Mayor and the City Recorder to sign the bonds.

Ayes: Nichols, Parrott, Klemsen. Nays: None.

It was moved by Nichols, seconded by Parrott, to continue Item 8, request for funding by Clackamas County Juvenile Department for summer recreation program, and Item 9, Mrs. Lloyd Mills' request to install a memorial, to the September 13 meeting.

Ayes: Nichols, Parrott, Klemsen. Nays: None.

The Commission was presented with the architectural agreement between Stuart B. Mockford and the City of Oregon City for an addition to the existing mausoleum at Mountain View Cemetery. The Manager stated that the rate is 7½%, with a \$350 initial payment. It was moved by Nichols, seconded by Parrott, to authorize the Mayor and the City Recorder to sign the contract on behalf of the City of Oregon City.

Ayes: Nichols, Parrott, Klemsen. Nays: None.

Mr. Mockford was present and presented a preliminary drawing of the layout of the addition to the mausoleum.

The Commission was presented with a petition for a zone change from William and Twila Gibson requesting rezoning from R-1 to C-2 for property located at Pleasant Avenue and Caulfield Street. It was moved by Parrott, seconded by Nichols, to refer the

petition to the Planning Commission for public hearing.

Ayes: Nichols, Parrott, Klemsen.                      Nays: None.

The Commission was presented with proposed Resolution No. 73-23 on the proposed annexation of the Karl E. Notdurft property. The Manager read the Planning Commission minutes recommending the annexation of this property. It was moved by Parrott, seconded by Nichols, to adopt Resolution No. 73-23.

Ayes: Nichols, Parrott, Klemsen.                      Nays: None.

RESOLUTION NO. 73-23

A RESOLUTION RELATING TO THE PROPOSED ANNEXATION OF TERRITORY DESIGNATED AS THE KARL E. NOTDURFT PROPERTY.

WHEREAS, attached hereto and marked Exhibit "A" is a petition submitted to the City of Oregon City requesting and consenting to the annexation of the territory described in Exhibit "A" and depicted in the map marked Exhibit "B", showing the location of said territory; and

WHEREAS, the petition meets the requirements of O.R.S. 222.170; and

WHEREAS, the property described in Exhibit "A" and depicted in Exhibit "B" is contiguous to the City and requires certain municipal services which the City is able to provide; and

WHEREAS, the City Commission of Oregon City has determined that it would be in the best interest of the City that said territory be annexed to the City;

NOW, THEREFORE, THE CITY COMMISSION OF OREGON CITY DOES RESOLVE AS FOLLOWS:

Section 1. The City Commission hereby accepts the petition and consent to annexation attached hereto, marked Exhibit "A" and made a part thereof.

Section 2. The City Commission hereby requests that the Portland Metropolitan Area Local Government Boundary Commission take appropriate action to annex the territory described in Exhibit "A" and depicted in Exhibit "A" to the City of Oregon City.

Section 3. The City Recorder shall file a certified copy of this resolution and Exhibits "A" and "B" with the Boundary Commission together with such other information and documents as the Boundary Commission may require.

Adopted, signed and approved this 5th day of September, 1973.

Comprising the City Commission of Oregon City, Oregon.	HOWARD KLEMSSEN (S)
	Mayor-Commissioner
	G. D. PARROTT (S)
	Commissioner
	DEAN NICHOLS (S)
	Commissioner

The Commission requested that the five special payments presented on the agenda be continued to the September 13 meeting of the Commission.

The Commission was informed that the condemnation proceedings against the Dennis Stuck property, 122 Molalla Avenue, can be discontinued since Mr. Stuck has removed the residence on the property.

The City Manager recommended discontinuing condemnation proceedings against the Agnes Lewis property at 1401 Jackson Street.

It was moved by Nichols, seconded by Parrott, to discontinue condemnation proceedings against the Dennis Stuck property, 122 Molalla Avenue and against the Agnes Lewis property, 1401 Jackson Street.

Ayes: Nichols, Parrott, Klemsen.                      Nays: None.

The Manager reported on the condemnation proceedings against the property of Mrs. J. A. McCoy, at 143 Valley View Drive. The Manager stated that the proceedings of findings and orders directed Mrs. McCoy to remove said building by August 17, 1973. The Manager stated that as of this date a portion of the building has been removed. It was moved by Parrott, seconded by Nichols, to continue the McCoy condemnation to the September 13 meeting.

Ayes: Nichols, Parrott, Klemsen.                      Nays: None.

The City Attorney informed the Commission that he has in his office the deed to the property the City is purchasing from the Henderson Estate but as of this date has not received the title insurance. It was moved by Nichols, seconded by Parrott, to continue discussion on the Henderson property to the September 13 meeting.

Ayes: Nichols, Parrott, Klemsen. Nays: None.

The Commission was read a notice from the Center for Population Research informing the City that the preliminary July 1, 1973 population is 11,185.

The City Commission was informed that Jodi Miller of Clackamas County Senior Citizens' Council will be at the Commission meeting September 13 to discuss the Senior Citizens' Center.

The Commission was informed that the City has received the following revenues:

\$ 6,997.48	Cigarette Tax
\$ 3,386.00	Dividend from SAIF
\$ 63,879.26	Gas tax revenues - first half year

The Commission was informed that the term of Marvin Weiss on the Civil Service Commission expires on November 2, 1973.

A letter was read from John C. McIntyre, Director of Clackamas County Public Works, requesting that parking be prohibited on the south side of Abernethy Road beginning approximately 1,000 feet east of Washington Street, at the east property line of 512 Abernethy Road, and extending easterly to the intersection of Redland Road. It was moved by Nichols, seconded by Parrott, to refer the letter to the Police Department for recommendation.

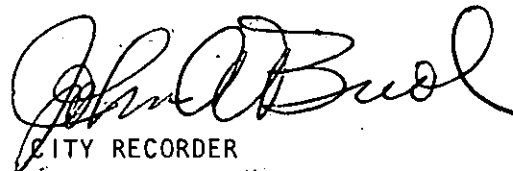
Ayes: Nichols, Parrott, Klemsen. Nays: None.

A memo was read from Marybeth Arbuckle, Librarian, suggesting a change of hours at the Library because of the energy crisis. The Commission gave their approval for the change in hours.

The Commission requested that the City Manager report to them on what the City is doing to save energy in the City operation.

Mr. Ralph Groener, Representative from District 27, was present requesting support on his petition for the Port of Portland boundaries and suggested meeting with the City Commission and the City Administration on legislative problems regarding cities for the next session of the legislature.

There being no further business the meeting adjourned to September 13, 1973, at 8:00 p.m.

  
CITY RECORDER

Oregon City, Oregon, September 13, 1973

ADJOURNED  
REGULAR MEETING

adjourned  
A regular meeting of the City Commission was held on the above date in the Commission Chambers at 8:00 P.M.

Roll call showed the following present:

Howard Klemsen, Mayor  
Glenn D. Parrott, Commissioner  
Dean Nichols, Commissioner

John A. Buol, Recorder  
John C. Anicker, Jr., Attorney  
Alfred Simonson, General Manager

Commissioner Parrott stated that on the minutes of September 5th meeting under the discussion on the Sister City Program, the minutes should be corrected to read that the City should make the application for the Sister City Program instead of Hilltop Booster Club. The minutes, copies of which had been mailed to each member of the Commission, stand approved as corrected.

The City Commission was informed that the City of Oregon City will have a Fall Cleanup and Pickup by the City from October 15, 1973 through October 31, 1973.

Continued discussion was held on the Telford Road Local Improvement District known as No. 35. A letter was read from Mr. and Mrs. Carl A. Caseday, 164 Telford Road, as going on record favoring storm sewers and curbs and the street paved. The manager