

Len Tirrill, 144 Ogden Drive, was present and addressed the Commission noting the procedure he followed following the meeting at which the Commission granted the extension of time. He noted that the loan officer of the financial institution was to have notified the City of the progress of his application for a loan but failed to do so.

The City Attorney was called upon regarding this matter. He noted that the transaction in private business would have had to have been closed some time ago; that Mr. Tirrill had been given quite an extension of time and that the Commission should consider their responsibility with regard to this now being a no-interest loan and consider imposing an amount of interest on the money from January 1, 1985 of possibly 10 percent. Commissioner Thom reiterated the fiduciary responsibility of the Commission. Mr. Tirrill noted there being nothing in the Earnest Money Agreement regarding interest and does not agree with the interest situation. General discussion was held regarding this after which it was moved by Mitchell, seconded by VanOrman, that in light of the time that has expired the recommendation of the City Attorney be followed and the earnest money be declared forfeited as of today and the sale declared void.

Mr. Tirrill noted that he would be contacting his attorney in an effort to try to protect himself.

Roll call: VanOrman, Aye; Mitchell, Aye; Thom, Aye.

There being no further business, the meeting adjourned at 9:25 p.m.


JEAN K. McNULTY, City Recorder

REGULAR MEETING

Oregon City, Oregon, May 1, 1985

A regular meeting of the City Commission was held in the Commission Chambers of City Hall on the above date at 8:00 p.m.

Roll call showed the following present:

Mayor Don Andersen
Commissioner Thomas F. Lemons
Commissioner Ronald D. Thom
Commissioner Kenneth M. Mitchell

Noel J. Klein, City Manager
Irmgard Marggi, Clerk Pro-Tem
William J. Ruddy, Finance/Personnel Director
John C. Anicker, City Attorney

The pledge of allegiance was recited after which it was moved by Lemons, seconded by Mitchell, to approve the minutes of April 11, 1985 as published.

Roll call: Lemons, Aye; Mitchell Aye; Andersen, Aye.

This was the opportunity for citizens to present items for Commission consideration on future agendas. Mayor Andersen requested a proclamation to be placed on the May 9 agenda declaring May as Youth Employment Month.

At this time Mayor Andersen read information on behalf of the Kiwanis Club of Oregon City who have established a bank trust fund to benefit a 25 year old Oregon City woman who is in need of heart and lung transplant surgery. Contributions may be made at any branch of the United States National Bank in behalf of Renee Kunz.

City of Oregon City Employee Service awards were presented to the following: Shelly L. Moore, Police Secretary, 5 years; Joseph C. Hart, Fire Captain, 10 years; Bobby L. Smith, Street Superintendent, 20 years; and, Walter H. Smith, Jr., Firefighter, 20 years.

At this time, a presentation was made by Ed Burton, of Oregon City High School, from our Sister City, Tateshina, Japan Police Department to the Oregon City Police Department. Chief Martin was present and accepted the presentation. Mayor Andersen extended an invitation to Mr. Burton to attend a meeting in approximately a month to give a presentation on his trip to Tateshina, which Mr. Burton accepted.

At this time Commissioner Thom joined the meeting.

Bill Ruddy, Finance/Personnel Director and staff member to the Cable Communications Advisory Board, presented a history to the Commission regarding the Board. Those present from the board were Karmin Tomlinson, Frank Maxwell, Ella Lipp, Jo Davis, Robert Mitchell.

Karmin Tomlinson, Chairperson of the Advisory Board presented a report to the Commission regarding the Boards goals and objectives.

At this time, Mayor Andersen read a proclamation proclaiming May 12-18, 1985 as "Historic Preservation Week in Oregon" and a proclamation proclaiming June 5, 1985 as "Community Service Award Day".

An appointment to the Planning Commission was delayed until the May 9 agenda.

At this time a discussion was held by the Commission regarding a City Commission project for the "Take Pride in Oregon City" campaign. Noel Klein reported that an area by the Elevator on Railroad Avenue is in need of attention. Bob Smith, Street Superintendent, stated the area could be cleaned up in one day and he would provide the equipment. It was agreed, by the Commission, to perform this task on May 18th.

Manager's Report No. 85-30, Concession Privileges at Clackamette Park - Bid Award, was presented. The report noted that at its April 3, 1985 meeting, the City Commission was presented Commission Report No. 85-18 which outlined the bidding process for Concession Privileges at Clackamette Park. Because of an irregularity in the process, the Commission rejected the one bid received and directed staff to readvertise the Concession Privileges at Clackamette Park.

On April 22, 1985, the City received one bid for the operation of the concession at Clackamette Park. The Readvertisement for Bids stipulated the minimum bid to be \$500. The bid in the amount of \$605 was received from Jan Mituniewicz, 9366 S.E. 32nd, Milwaukie. Mrs. Mituniewicz is the current concessionaire and has knowledge regarding operation of the concession, the requirements for payment of electrical service and acquiring the necessary licenses and permits. Mrs. Mituniewicz was also advised of the "Riverfest 85" activity planned for late July, and of the construction of interceptor and outfall sewer lines by Tri-City Service District. She did not withdraw her bid.

It was moved by Lemons, seconded by Mitchell, that the Mayor and City Recorder are hereby authorized and directed to sign a Concession Contract with Jan Mituniewicz, in the amount of \$605 for the year May 1, 1985 through April 30, 1986.

Roll call: Thom, Aye; Mitchell, Aye; Lemons, Aye; Andersen, Aye.

Manager's Report No. 85-31, King-Bell Housing, Inc. Request for Permanent Emergency/Temporary Shelter for the Homeless at 911 Washington Street - Final Order, was presented. The report noted that on March 6, 1985, King-Bell Housing, Inc. filed an appeal of the Planning Commission denial of a request for a Conditional Use Permit for a residential care facility at 911 Washington Street.

At its April 3, 1985 meeting, the City Commission held a public hearing regarding the appeal. As a result of the public hearing, the City Commission denied the appeal based on the site size, location, topography and proposed intensity of use, with the site not being suitable for the proposed facility.

The report further noted that on the May 1, 1985 agenda, there was the Final Order being presented for adoption. Based on the Commission's denial of the appeal, it was recommended that the Final Order be adopted. Upon adoption, the Planning Director would duly notify residents of the affected area.

It was moved by Lemons, seconded by Mitchell, to adopt the Final Order and the Planning Director will notify the residents of the affected area.

Roll call: Mitchell, Aye; Lemons, Aye; Thom, Aye; Andersen, Aye.

Next presented was Manager's Report No. 85-33, Proposed Ordinance No. 85-1002, An Ordinance Amending and Modifying Ordinance No. 83-1018, which said Ordinance adopted an Urban Renewal Plan. The report noted that at its April 14, 1983 meeting, the City Commission adopted Resolution No. 83-3 approving the Oregon City Downtown Development Plan. Included in the Resolution was general approval of improvement projects identified in the Plan as well as procedures needed to establish an Urban Renewal Plan.

The report continued that at its December 14, 1983 public hearing, the City Commission adopted Ordinance No. 83-1018 which adopted an Urban Renewal Plan and made certain findings and determinations.

Presented on the May 1, 1985 agenda, was proposed Ordinance No. 85-1002 which would amend and modify Ordinance No. 83-1018 to exclude from the Urban Renewal District and amend the legal boundary and Plan Map, real property as described in proposed Ordinance No. 85-1002.

The report further noted that the purpose of the proposed amendment was to correct an error and oversight in the initial acceptance of the Urban Renewal District Boundary. There would be no effect on the City's ability to carry out approved projects or to generate tax increment funds within the District.

Notice of proposed Ordinance No. 85-1002 had been posted at City Hall, 320 Warner-Milne Road; Clackamas County Courthouse, 807 Main Street; and, Senior Center, 615 5th Street, by direction of the City Recorder.

It was recommended that first reading be approved; that second reading be called and approved for final enactment on May 1, 1985 to become effective May 31, 1985.

It was moved by Thom, seconded by Lemons, to approve first reading of proposed Ordinance No. 85-1002.

Roll call: Lemons, Aye; Thom, Aye; Mitchell, Aye; Andersen, Aye.

Second reading was called after which it was moved by Thom, seconded by Lemons, to approve second reading and final enactment of Ordinance No. 85-1002.

Roll call: Thom, Aye; Mitchell, Aye; Lemons, Aye; Andersen, Aye.

ORDINANCE NO. 85-1002

AN ORDINANCE AMENDING AND MODIFYING ORDINANCE NO. 83-1018, WHICH SAID ORDINANCE ADOPTED AN URBAN RENEWAL PLAN

WHEREAS, Ordinance No. 83-1018 in Section 1 thereof adopted an urban renewal plan and report entitled OREGON CITY DOWNTOWN RENEWAL PLAN, attached and incorporated therein as Exhibit A, and

WHEREAS, it appears that by inadvertence a certain parcel of real property hereinafter described was included within the District,

OREGON CITY DOES ORDAIN AS FOLLOWS:

The following described real property is excluded from said District and the legal boundary and Plan Map is accordingly so amended:

A parcel of real property 29 feet wide and 1260 feet long being Tax Lots 290 and 293 in Section 5, T. 3S., R. 2E., W.M., Clackamas County, Oregon, said tax lots being immediately South and abutting Danielsons Hilltop Shopping Center, 1500 Molalla Avenue, Oregon City, Oregon.

Read first time at a regular meeting of the City Commission held on the 1st day of May, 1985, and the foregoing ordinance was finally enacted by the City Commission this 1st day of May 1985.

/s/ JEAN K. MCNULTY, City Recorder

ATTESTED this 1st day of
May 1985.

/s/ Donald G. Andersen
DONALD G. ANDERSEN, Mayor

Manager's Report No. 85-32, Proposed Ordinance No. 85-1003, An Ordinance Amending Title XI, Chapter 2, Section 3, of the 1963 City Code, Zoning: Official Zoning Map, of Oregon City by Changing Certain Districts, was presented. The report noted that at its April 11, 1985 meeting, the City Commission approved a request for Comprehensive Plan Amendment and Zone Change for Beaver Creek Road properties as directed by the Planning Commission and City Commission.

The request was for a Comprehensive Plan Amendment from "LR" Low Density Residential and "MR" Medium Density Residential to "C" Commercial for 15.1 acres of property fronting on Beaver Creek Road, and a Zone Change from "R-10" Single-Family Residential and "RD-4" Two-Family Residential to "C" General Commercial for 15.1 acres of property fronting on Beaver Creek Road. The request was approved based on the nine conditions recommended by the Planning Commission.

The report further noted that on the May 1, 1985 agenda, there was proposed Ordinance No. 85-1003 which provided for amending Title XI, Chapter 2, Section 3, of the 1963 City Code. Notice of proposed Ordinance No. 85-1003 has been posted at City Hall, 320 Warner-Milne Road; Clackamas County Courthouse, 807 Main Street; and, Senior Center, 615 5th Street, by direction of the City Recorder.

Based on the Commission's prior approval of the request for Comprehensive Plan Amendment and Zone Change, it was recommended that first reading be approved; that second reading be called and approved for final enactment on May 1, 1985 to become effective May 31, 1985.

It was moved by Thom, seconded by Lemons, to approve first reading of proposed Ordinance No. 85-1003 with changing the word ~~exculding~~ to ~~excluding~~ in Paragraph 3 and adding Single Family to the condition on Tax Lot 804 S.W. 1/4 Section 4T 3S R 2E W.M.

Roll call: Mitchell, Aye; Lemons, Aye; Thom, Aye; Andersen, Aye.

Second reading was called after which it was moved by Thom, seconded by Mitchell, to approve second reading with corrections for final enactment.

Roll call: Lemons, Aye; Thom, Aye; Mitchell, Aye; Andersen, Aye.

ORDINANCE NO. 85-1003

AN ORDINANCE AMENDING TITLE XI, CHAPTER 2, SECTION 3, OF THE 1963 CITY CODE, ZONING: OFFICIAL ZONING MAP, 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 it after public notice and hearing as required by Title XI, Chapter 13, Section 2, of the 1963 City Code, and the City Commission after public notice and hearing finding that the following described property can suitably be utilized for uses incident to "C" General Commercial and "R-6" Single-Family Residential Districts, for which there is a need in this area, and that such zoning is compatible with the neighborhood development and the comprehensive plan of Oregon City, the findings, conditions and recommendations of the Planning Commission and staff are hereby adopted as the findings of this Commission, and the following described property, to-wit:

1. Eight (8) parcels of land comprising approximately 9.2 acres located North of Beavercreek Road and adjacent to Beaver Court Apartments in Oregon City, Clackamas County, Oregon, more particularly described as:
Tax Lot 800, S.W. 1/4, Section 4, T. 3S., R. 2E., W.M., and Tax Lots 100, 201, 202, 205, 206, 207 and the Southeastern 5.4 acres of Tax Lot 208, S.E. 1/4, Section 5, T. 3S., R. 2E., W.M.

which are now zoned "RD-4" Two-Family Residential District are hereby changed to "C" General Commercial District with conditions, and the Comprehensive Plan Designation which is now "MR" Medium Density Residential is hereby changed to "C" Commercial.

2. A 4-acre site located North of Beavercreek Road and East of Beaver Court Apartments in Oregon City, Clackamas County, Oregon, more particularly described as:

The Southwestern 4-acre portion of Tax Lot 804, S.W. 1/4, Section 4, T. 3S., R. 2E., W.M.

which is now zoned "R-10" Single-Family Residential District is hereby changed to "C" General Commercial District with conditions, and the Comprehensive Plan Designation which is now "LR" Low Density Residential is hereby changed to "C" Commercial.

3. A 29-acre site located North of Beavercreek Road and West of the proposed Oregon City By-Pass in Oregon City, Clackamas County, Oregon, more particularly described as:

Tax Lot 804, S.W. 1/4, Section 4, T. 3S., R. 2E., W.M., excluding the southwestern 4 acres of the parcel.

which is now zoned "R-10" Single-Family Residential District is hereby changed to "R-6" Single Family Residential District with conditions.

Said zone changes are subject to the following conditions:

1. That the following uses be permitted only by approval of a conditional use permit in the "C" General Commercial area:
 - a. Service Stations
 - b. Convenience Markets
 - c. Drive-Through Banks & Savings & Loans, including Teller Machines
 - d. Drive-Through Restaurants

2. That the property for which "R-6" zoning has been approved develop as a Planned Development.
3. That no vehicle access be permitted without approval of the appropriate transportation authorities, i.e. Oregon Department of Transportation, Metropolitan Service District, City of Oregon City. Any disputes shall be resolved by the Oregon City Planning Commission.
4. That to minimize access points, provisions shall be made for shared access whereby adjoining properties are served by a single drive. All new development shall be evaluated with consideration given to shared access.
5. That no new development occur unless and until connected to sanitary sewer, scheduled to be available in early 1986.
6. That to minimize storm water run-off problems, storm drainage plans shall be submitted to and approved by the City Engineering Department prior to any development. The City shall develop an overall drainage pattern for the area.
7. That all commercial development be subject to the site plan and review procedures of the Zoning Code.
8. That sidewalks constructed to City standards shall be installed along Beaver Creek Road as development occurs.
9. That residential property, including the Beaver Court Apartments, be protected from commercial development by installation of a landscaped buffer strip and/or a six foot (6') fence or hedge. In addition, commercial lighting shall be directed away from residential uses.

Read first time at a regular meeting of the City Commission held on the 1st day of May, 1985, and the foregoing ordinance was finally enacted by the City Commission this 1st day of May, 1985.

/s/ JEAN K. McNULTY, City Recorder

ATTESTED this 1st day of
May, 1985.

/s/ Donald G. Andersen
DONALD G. ANDERSEN, Mayor

Manager's Report No. 85-34, Proposed Ordinance No. 85-1004, An Ordinance Amending Title XI, Chapter 2, Section 3, of the 1963 City Code, Zoning: Official Zoning Map, of Oregon City, by Changing Certain Districts, was presented. The report noted that at its April 11, 1985 meeting, the City Commission approved a request for Comprehensive Plan Amendment and Zone Change for property at 128 and 130 s. McLoughlin Boulevard as requested by James F. Justice for expansion of his auto rebuilding business.

The request was for a Comprehensive Plan Amendment from "LR" Low Density Residential to "C" Commercial for the rear portions and a Zone Change from "R-6" Single-Family Residential to "C" General Commercial for the rear portions. The request was approved based on the nine conditions recommended by the Planning Commission.

The report further noted that on the May 1, 1985 agenda, there was proposed Ordinance No. 85-1004 which would amend Title XI, Chapter 2, Section 3, of the 1963 City Code.

Notice of proposed Ordinance No. 85-1004 had been posted at City Hall, 320 Warner-Milne Road; Clackamas County Courthouse, 807 Main Street; and, Senior Center, 615 5th Street, by direction of the City Recorder.

Based on the Commission's prior approval of the request for Comprehensive Plan Amendment and Zone Change, it was recommended that first reading be approved; that second reading be called and approved for final enactment on May 1, 1985 to become effective May 31, 1985.

It was moved by Thom, seconded by Mitchell, to approve first reading of proposed Ordinance No. 85-1004.

Roll call: Thom, Aye; Mitchell, Aye; Lemons, Aye; Andersen, Aye.

Second reading was called after which it was moved by Lemons, seconded by Mitchell, to approve second reading for final enactment.

Roll call: Mitchell, Aye; Lemons, Aye; Thom, Aye; Andersen, Aye.

ORDINANCE NO. 85-1004

AN ORDINANCE AMENDING TITLE XI, CHAPTER 2, SECTION 3, OF THE 1963 CITY CODE, ZONING: OFFICIAL ZONING MAP, 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 it after public notice and hearing as required by Title XI, Chapter 13, Section 2, of the 1963 City Code, and the City Commission after public notice and hearing finding that the following described property can suitably be utilized for uses incident to "C" General Commercial District, for which there is a need in this area, and that such zoning is compatible with the neighborhood development and the comprehensive plan of Oregon City, the findings, conditions and recommendations of the Planning Commission and staff are hereby adopted as the findings of this Commission, and the following described property, to-wit:

Property located at 128 S. McLoughlin Blvd. in Oregon City, Clackamas County, Oregon, more particularly described as:

Part of the Archibald McKinley D.L.C. in T. 2S., R. 2E., of the W.M., and part of Lots 3 and 4, Peoples Transportation Company Lots, more particularly described as:

Beginning at the point of intersection of the southeasterly boundary of the Pacific Highway, with the southwesterly boundary of a tract of land conveyed to Walter T. Schwoch by Deed recorded June 11, 1945, in Book 345, page 480, Deed Records; thence Southwesterly tracing the southeasterly boundary of the Pacific Highway 120.0 feet (when measured at right angles to the aforesaid Schwoch boundary) to an angle corner on said southeasterly boundary of the Pacific Highway, said point also being in the northeasterly boundary of a tract of land conveyed to the Portland Railway Light and Power Company by Deed recorded in Book 98, Page 505, Deed Records; thence Southeasterly tracing the northeasterly boundary of said Portland Railway Light and Power Company tract, passing through the most southerly corner of Lot 4, Peoples Transportation Company Lots, and continuing southeasterly along said P.R.L. & P. Co. boundary, 120 feet from said corner of Lot 4, to a corner of a tract of land conveyed to J.A. Roake et al by Deed recorded in book 303, page 214, Deed Records; thence N. 38° 13' E. tracing the westerly line of said Roake tract 120.0 feet to the most southerly corner of the aforesaid Walter T. Schwoch tract; thence N. 51° 47' W. tracing the southwesterly line of said Schwoch tract 240.0 feet, more or less, to the place of beginning.

which is now zoned "R-6" Single-Family Dwelling District is hereby changed to "C" General Commercial District, and the Comprehensive Plan Designation which is now "LR" Low Density Residential is hereby changed to "C" Commercial, conditioned upon the following:

1. No commercial motor vehicle towing and storage activity is permitted on the site without a separate conditional use permit.
2. No on-street parking is permitted. All parking/business must be accommodated on-site.
3. A detailed site plan and building plans will be required, including a detailed landscaping plan. Signing shall also be reviewed. Any disagreements that cannot be resolved in the staff-coordinated design review process will be referred to the Planning Commission for resolution.
4. Sidewalks constructed to City standards will be required along McLoughlin Boulevard as part of the development.
5. A landscaped buffer is required along the southerly property line to screen the blank expanse of brick that is part of the covered parking.
6. Commercial lighting shall be directed away from residential uses.
7. Drainage plans shall be submitted and approved by the City Engineer prior to any development.
8. Approval of the plan and zone change are specifically for the development as proposed, including the site plan, elevations and perspective as submitted by the applicant. These three items are to be submitted in file-size form as Exhibits B, C and D and attached to the decision.

9. Any major deviation from the submitted site plan and elevations is grounds for reversal of the plan and zone change. Building materials, color, location of parking and access are approved as shown on Exhibits B, C and D.

Read first time at a regular meeting of the City Commission held on the 1st day of May, 1985, and the foregoing ordinance was finally enacted by the City Commission this 1st day of May, 1985.

/s/ JEAN K. McNULTY, City Recorder

ATTESTED this 1st day of
May, 1985.

/s/ Donald G. Andersen
DONALD G. ANDERSEN, Mayor

Manager's Report No. 85-35, Collective Bargaining Agreement Between the City of Oregon City and Local 350-2, Council 75, American Federation of State, County and Municipal Employees, July 1, 1985 through June 30, 1987 - Resolution No. 85-9, was presented. The report noted that on April 4, 1983, the American Federation of State, county and Municipal Employees (AFSCME), AFL-CIO, filed a "Petition for Certification of Representative" with the Employee Relations Board requesting that they represent all permanent full-time City employees except police, fire, management, supervisory and confidential personnel. An election was held which resulted in AFSCME representing public works and office personnel in collective bargaining.

The report continued by noting that at its December 8, 1983 meeting, the City Commission adopted Resolution No. 83-33 which authorized the Mayor and City Recorder to enter into an agreement with AFSCME, Local 350, Oregon City Chapter, regulating salary and terms of employment for the remainder of fiscal year 1983-84 and for fiscal year 1984-85.

On March 1, 1985 a Pre-Negotiations Agreement was signed between the City and representatives of AFSCME. This agreement stated the terms under which a new contract would be negotiated to replace the current contract which expires June 30, 1985.

The report further noted that negotiations have resulted in a two-year contract covering wages, hours and working conditions for employees in this bargaining unit for the period July 1, 1985 through June 30, 1987. The proposed contract was ratified by the membership of the union on April 18, 1985 and is now presented for approval by the City Commission. The significant changes in the proposed contract were as follows:

Salary Adjustment

The contract provides for a \$70 per month across-the-board salary increase for fiscal year 1985-86. This represents an increase of 4.17 percent. For fiscal year 1986-87, there is also an across-the-board increase based on the Portland Metropolitan, All Urban Consumers, C.P.I., no less than 3 percent, nor more than 6 percent.

Working Out of Classification

The contract provides for a payment of \$10 per day for employees working in a higher classification than that to which they are normally assigned. The City retains authority to assign staff to work out of classification.

Holidays

The contract provides for Martin Luther King's Birthday to be a paid holiday.

Layoff

The contract provides that temporary or parttime staff will not be retained while fulltime employees are laid off providing the employee to be laid off has the necessary job skills to fill another position. The contract guarantees that management employees may not "bump" union employees without approval of the union.

Subcontracting

The contract stipulates that the City shall give the union sixty (60) day notice before implementing any programs which would result in the layoff of union members. The contract further provides that the City shall make reasonable attempts to place employees in other available positions in the City as an alternative to being laid off.

Conclusion

If the Commission agrees to the negotiated terms and conditions for fiscal years 1985-86 and 1986-87 with AFSCME, Local 350-2, Council 75, Resolution No. 85-9 should be adopted.

It was moved by Lemons, seconded by Thom, to approve Resolution No. 85-9 as read by the City Attorney.

On discussion, Commissioner Thom questioned if it could be made mandatory to have employees attend some service on Martin Luther King's birthday since they are requesting it as a holiday. Bill Ruddy explained that such a holiday is for the leisure of the employees. In response to the number of holidays granted to this group of employees, Mr. Ruddy replied that they receive 12 paid holidays per year.

Roll call: Lemons, Aye; Thom, Aye; Mitchell, Aye; Andersen, Aye.

RESOLUTION NO. 85-9

WHEREAS, it is necessary to enter into an agreement with the American Federation of State, County and Municipal Employees, Local 350-2, Council 75, AFL-CIO, regulating salary and terms of employment for July 1, 1985 through June 30, 1987.

WHEREAS, after negotiations the parties have reached an agreement, copy of which is attached hereto as EXHIBIT A.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Oregon City that the Mayor and City Recorder are hereby authorized and directed to execute said Agreement on behalf of the City.

Adopted, signed and approved this 1st day of May, 1985.

/s/Donald G. Andersen
Mayor-Commissioner

/s/ Thomas F. Lemons
Commissioner

/s/Kenneth M. Mitchell
Commissioner

/s/Ronald D. Thom
Commissioner

Commissioner

Comprising the City Commission
of Oregon City, Oregon

At this time, the following items were referred to the Planning Commission: Request for revision to Conditional Use Permit, for property at 1024 Linn Avenue, by Evangelical Church of Oregon City. The request is for revision to the master plan to include additional classroom space and administrative office.

Request for preliminary subdivision, with variances, for property on the east side of Linn Avenue on Eastfield Drive (private), by Frank Schumaker. The request is to create ten lots on which houses have already been constructed.

Request for Conditional Use Permit, for property at 1634 Beavercreek road (Southridge Shopping Center), by Bedford Properties. The request is for a child day care center.

At this time City Attorney John C. Anicker referred to correspondence concerning the Stafford House. Anicker stated the Commission had considered earnest money forfeited at a preceding meeting; Mr. Tirrill requested that the City reinstate the earnest money agreement. He agreed to pay interest from January 1 until closing so the City will not lose money; however, the sale must be closed on or before June 1, 1985.

A Reinstating Earnest Money Agreement, as prepared by Clark Balfour of Hibbard, Caldwell law firm, was submitted. Commissioner Thom questioned as to the interest rate on this agreement. Mr. Anicker responded that 9% is a fair amount which would be approximately \$256.50 per month until closing.

It was moved by Mitchell, seconded by Lemons to accept the offer contingent upon the closing of the sale on June 1 under the terms as specified.

Roll call: Thom, Aye; Mitchell, Aye; Lemons, Aye; Andersen, Aye.

There being no further business, the meeting adjourned at 8:45 p.m.

Irmgard Marggi

IRMGARD MARGGI, Clerk of the Commission Pro-Tem