

The Manager referred to the appointment of two additional Judge Pro-tems and felt it proper, since John Anicker serves as City Counsel, he be removed as one of the Judge Pro-tems. Mayor Andersen agreed to this action.

There being no further business the meeting was adjourned at 9:05 p.m.



CITY RECORDER

Oregon City, Oregon, December 2, 1981

REGULAR MEETING

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

Roll call showed the following present:

Mayor Don Andersen	Gerald Pecinovsky, General Manager
Commissioner Joan Cartales	Dave Fish, Admin. Assistant
Commissioner Ron Thom	John C. Anicker, City Attorney
Commissioner James L. Johnson, Jr.	Ruby M. Lampkins, City Recorder

It was moved by Cartales, seconded by Thom to approve the minutes of November 12, 1981.

Johnson, Aye; Cartales, Aye; Thom, Aye; Andersen, Aye.

This was the time for citizens to present items for consideration by the Commission on future agendas.

Ms. Diana Palmer, 645 SW Maple Crest Dr., Portland, requested to be placed on the next agenda for discussion of an ordinance to help enforce the new Charter change on animal euthanasia. The Commission asked that this item be placed on the agenda for December 10, 1981 meeting.

Mr. John Hardin, 816 S. McLoughlin, Canemah Neighborhood, requested study on problem at highway and Pacquet Street. The Mayor suggested that Mr. Hardin present written material to the City Engineer. The Commission asked that this item be placed on the agenda for December 10, 1981, meeting.

Mayor Andersen asked that Commissioner Thom report on his recent trip to Scotland. Commissioner Thom reported visiting a Resource Recovery plant outside of greater London. He stated the plant has been in operation since 1972, disposing of approximately 400,000 ton of garbage each year. He felt this was comparable to Oregon City's proposed plant. He commented on nice architectural design, large parking lots, and generation of electricity by mass incineration process. He noted they had no problems with either emission or odor complaints.

Mayor Andersen read a letter from Governor's Honorary United Nations Day Chairman, conveying thanks to all concerned in Oregon City. Mayor Andersen, again thanked Commissioner Johnson for his time and effort in this event.

Proposed Ordinance No. 1988, an ordinance amending Title XI, Zoning Chapter 4, supplemental zoning regulations and exceptions, section 1, accessory building and uses, subsection (g), swimming pools, of the 1963 City Code, was read the second time and on motion of Cartales, seconded by Thom, placed on its final passage and, it appearing from the certificate by Debi York, Principal Clerk of the Enterprise-Courier, that the same has been properly published as required by Charter, the Ordinance was passed.

Cartales, Aye; Thom, Aye; Johnson, Aye; Andersen, Aye.

Proposed Ordinance No. 1989, an ordinance granting to Southern Pacific Transportation Company, its successors, lessees and assigns, the right to maintain a side track and fill on a portion of Center Street by renewing Ordinance No. 1470 originally passed on November 4, 1959, was read the second time and on motion by Cartales, second by Thom, placed on its final passage and, it appearing from the certificate of Debi York, Principal Clerk of the Enterprise-Courier, that the same has been properly published as required by Charter, the Ordinance was passed.

Thom, Aye; Johnson, Aye; Cartales, Aye; Andersen, Aye

Next item on the agenda was petition for annexation of 2.03 acres by Les Schwab Profit-Sharing Retirement Trust for property at 1625 Beaver Creek Rd.

The General Manager noted that this had been discussed previously and was referred back to the Planning Commission. The Planning Director reviewed their action. Mr. Lonnie Lyle, 990 SE 5th, Prineville, representing Les Schwab Tire Centers, was present. He discussed their construction plans and the need for approval of the City Commission for annexation of Tax Lot 600.

Mr. Quentin Rippey, stated that he has a 10-year lease and option to buy on the old Clairmont building and is not ready to annex at this time.

Mr. Larry Bennett, 19731 S Central Pt. Rd., spoke on behalf of his father, regarding property at 1613 Beaver Creek Rd., adjacent to Clairmont building. He did not oppose Schwab annexation but did oppose any additional property being annexed.

Moved by Thom, seconded by Cartales that the annexation request of Tax Lot 600, proposed by Les Schwab be approved. He explained reason not requesting other property to be annexed at this time is because of dire economic circumstances that people are facing.

Cartales, Aye; Thom, Aye; Johnson, Aye; Andersen, Aye.

The City Attorney read proposed Resolution No. 81-28, as amended. It was moved by Thom, seconded by Cartales that Resolution 81-28 as amended be adopted. The Manager explained this was amended because of problem with use of deed call references and necessity to modify and include portion of right-of-way of South End Rd. Cartales, Aye; Thom, Aye; Johnson, Nay; Andersen, Aye.

RESOLUTION NO. 81-28, as amended

A RESOLUTION FURTHERING ANNEXATION TO THE CITY OF OREGON CITY OF THE TERRITORY DESCRIBED AS FOLLOWS:

IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON

A tract of land in Sections 1 and 12, Township 3 South, Range 1 East and Sections 6 and 7, Township 3 South, Range 2 East of the Willamette Meridian, Clackamas County, Oregon, described as follows:

Beginning at the intersection of the Northwestern line of Central Point Road, aka Market Road No. 24, with the Northeasterly line of Partlow Road, aka County Road No. 374 1/2; thence Northwesternly along said Partlow Road, 1096 feet, more or less, to the most Southerly corner of that tract of land conveyed as Parcel II to Norman V. Bass dba Greenwood Homes, recorded January 9, 1979 as Recorder's Fee No. 79-1038, Clackamas County Records; thence North 42°15' East 146.89 feet to the Easterly corner thereof; thence North 47°45' West 136.15 feet to the Easterly corner thereof; thence North 47°45' West 136.15 feet to the most Northerly corner thereof; thence South 42°15' West 4.72 feet to the most Easterly corner of that tract of land conveyed as Parcel I to Norman V. Bass dba Greenwood Homes by deed recorded January 9, 1979 as Recorder's Fee No. 79-1038 Clackamas County Records; thence continuing South 42°15' West 142.17 feet to a point on the Northeasterly line of aforesaid Partlow Road; thence Northwesternly along said line 90.32 feet; thence North 6°56' East 174.23 feet to the most Northerly point of Parcel I of said Bass tract and a point in the most Northerly-Southwesterly line of that tract of land conveyed to Richard P. Reiver, et ux, by deed recorded June 23, 1980 as Recorder's Fee No. 80-23060 Clackamas County Records; thence North 6°56' East 15 feet, more or less, to an angle corner therein; thence North 47°45' West 165 feet to an angle corner of said Reiver tract; thence North 6°56' East 95 feet, more or less, to the Southeasterly corner of that tract of land conveyed to William B. Hoffman, et ux, by deed recorded June 9, 1976, as Recorder's Fee No. 76-19134 Clackamas County Records; thence Northwesternly along the most Southwesterly line of said Hoffman tract 941.45 feet to the most Westerly corner thereof and a point in the Southeasterly line of South End Road; thence Southwesterly following the Southwesterly line of South End Road 260.5 feet, more or less, to a point, said point being on the centerline of County Road No. 374 1/2 (Partlow Road); thence North 47°45' West across South End Road, 60.0 feet, more or less, to a point in the Northwesternly line of South End Road; thence Northeasterly along said Northwesternly line 438.3 feet, more or less, to a point, said point being North 47°13' West 60.0 feet, more or less, of the most Westerly-North point of said Hoffman tract; thence South 47°13' East 60.0 feet, more or less, to a point; said point being the most Westerly-North point of said Hoffman tract; thence South 47°13' East 138.9 feet to a point; thence South 47°15' East 111.33 feet to a point; thence North 45°25' East 269 feet to the most Northerly point of said Hoffman tract; thence South 47°15' East along the most Northerly line of said Hoffman tract 370.78 feet to a point in the Northwesternly line of that tract of land described in instrument as Parcel II to Ray C. Hallberg, recorded April 10, 1978, as Recorder's Fee No. 78-14490 Clackamas County Records; thence Northeasterly along said Northwesternly line 858 feet, more or less, to the most Southerly corner of that tract of land conveyed to the City of Oregon City by deed recorded January 30, 1980 as Recorder's Fee No. 80-3550 Clackamas County Records;

thence North 42°34' 36" West 184.80 feet to a point; thence North 0°43'36" West 166.03 feet to a point; thence North 44°43'24" East 176.78 feet to the most Westerly corner of that tract of land conveyed to the City of Oregon City by deed recorded April 10, 1978 as Recorder's Fee No. 78-14591 Clackamas County Records; thence East along the North line of said Oregon City tract to a point in the West line of Boynton Addition No. 2; thence South 0°22' East along said West line to the Southerly corner of last mentioned Oregon City tract and a point in the Northeasterly line of that tract described as Parcel II in aforementioned Hallbert Tract; thence South 47°45' East along said Northeasterly line 890 feet, more or less, to the Southwesterly corner of that third described parcel of land conveyed to Gustav Hein, et ux, by deed recorded October 23, 1954 in Book 487, Page 543 Clackamas County Deed Records; thence North along the West line of said Hein tract 804.54 feet, more or less, to the Northwest corner thereof; thence East along the North line of said Hein tract 433.62 feet, more or less, to the Northeast corner thereof; thence South along the East line of said Hein tract 1063.46 feet to the Northerly corner of that tract of land conveyed to Patricia Miller by deed recorded November 13, 1973, as Recorder's Fee No. 73-35438 Clackamas County Records; thence South 47° 45' East along the Northeasterly line of said Miller tract 608.63 feet, more or less, to the Northwesterly line of aforementioned Central Point Road; thence Southwesterly along the Northwesterly line of said Central Point Road 593.02 feet to the Southwesterly line of that tract of land described as Parcel I in aforementioned Hallberg tract; thence Northwesterly along the Southwesterly line of said Hallberg tract 150 feet to the most Northerly-Southeast corner of that tract of land conveyed to Ernest Wimer, et ux, by deed recorded October 3, 1977, as Recorder's Fee No. 77-39981 Clackamas County Records; thence South 42° 22' West 110 feet to a point; thence South 47° 33' 30" East 150 feet to a point on the Northwesterly line of aforementioned Central Point Road; thence Southwesterly along said Northwesterly line 95 feet, more or less, to the Southwesterly of said Wimer tract; thence Northwesterly along the Southwesterly line of said Wimer tract 1040.20 feet, more or less, to the Northwesterly corner thereof and a point in the Southeasterly line of Parcel II of aforesaid Hallberg tract; thence Southwesterly along said Southeasterly line 382.14 feet, more or less, to the most Northerly point of that tract of land conveyed to Don M. Whelden, et ux, by deed recorded March 5, 1979, as Recorder's Fee No. 79-8955 Clackamas County Records; thence South 47° 45' East along the Northeasterly line of said Whelden Tract 511 feet, more or less, to the Northerly point of that tract of land conveyed to R.C. Smelser, Inc. by deed recorded September 27, 1971, as Recorder's Fee No. 71-27544 Clackamas County Records; thence Southwesterly along the Northwesterly line of said Smelser tract 82.5 feet to the Northwesterly corner thereof; thence Southerly along the Southwesterly line of said Smelser tract to the most Northerly point of that tract of land conveyed to William C. Parrish by deed recorded May 17, 1977 as Recorder's Fee No. 77-18544 Clackamas County Records; thence South 47° 45' East along the Northeasterly line of said Parrish tract 328 feet, more or less, to the most Northerly point of that tract of land conveyed to Lawrence R. Accuardi, et ux, by deed recorded December 14, 1978 as Recorder's Fee No. 78-53537 Clackamas County Records; thence South 42° 15' West along the Northwesterly line of said Accuardi tract 100 feet to the most Northerly point of that tract of land conveyed to Norman L. Dye, et ux, by deed recorded December 1, 1978, as Recorder's Fee No. 78-51430 Clackamas County Records; thence continuing South 42° 15' West along the Northwesterly line of Dye tract 100 feet to the Northwesterly corner thereof; thence South 47° 45' East along the Southwesterly line of said Dye tract 200 feet to the Southerly corner thereof and a point in the Northwesterly line of aforementioned Central Point Road; thence Southwesterly along said Northwesterly line 450 feet, more or less, to the point of beginning.

WHEREAS, the annexation of the territory to the City has been initiated by landowners; statements of consent, in accordance with ORS 222.170, and would therefore constitute a so-called "triple majority" annexation under ORS 222.170 and a "minor boundary change" under the boundary commission law, ORS 199.410 to 199.510; and,

WHEREAS, the part of the territory that lies in the Clackamas County Fire District No. 54 would, by operation of ORS 199.510 (2), be automatically withdrawn from the district immediately upon consummation of the annexation; and,

WHEREAS, the part of the territory that lies in the Clairmont Water District, the City Commission intends, in the event the annexation is consummated, to withdraw from that district by authority of ORS 222.520;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF OREGON CITY, a municipal corporation of the State of Oregon, at a regular session held on the 2nd day of December, 1981, that:

1. The City Commission hereby approves the proposed annexation and requests the Commission to approve it and effect it as soon as possible.
2. The City Recorder is hereby directed to file certified copies of the statements of consent and of this Resolution with the Portland Metropolitan Area Local Government Boundary Commission at once.

Adopted, signed and approved this 2nd day of December, 1981.

/s/ Don Andersen
Mayor-Commissioner
/s/ Joan M. Cartales
Commissioner

/s/ Ronald T. Thom
Commissioner
/s/ James L. Johnson, Jr.
Commissioner

Commissioner

Comprising the City Commission of Oregon City, Oregon

The Commission was presented Manager's Report No. 81-15 regarding Tri-Met fare information, which had been requested by Commissioner Johnson. Mayor Andersen reported that Tri-Met has adopted new fares. Commissioner Johnson stated his concern that Fairless Square in Portland is being subsidized by the new tax structure. He felt busses in non-rush hours could be used to provide short bus runs for no fare or a small fare within the City Limits. The Commission agreed that there would be no problem if Commissioner Johnson wished to look into this further.

The Commission was presented Manager's Report No. 81-18, regarding Oregon City's Comprehensive Plan. The Planning Director explained LCDC's action and request for continuance of the City's plan to allow more time to deal with and resolve certain issues. She stated she would have draft report from their staff within ten days and could then meet with County staff and METRO coordinator and Commission to determine what direction they wish to take. Following discussion, it was moved by Cartales, seconded by Thom, that the General Manager is hereby authorized and directed to accept the request for an extension of time from LCDC to review the City's Comprehensive Plan and implementing measures, and City staff is to negotiate a revised "Dual-Interest Area" agreement with the County which would be compatible with City Commission direction with regard to development within the Urban Growth Boundary.

Thom, Aye; Johnson, Aye; Cartales, Aye; Andersen, Aye.

Next on the agenda was discussion on appointment of a Cable Television Advisory Board. Commissioner Thom stated, since this involves Liberty Cable Television, he would abstain from voting on this issue and declare a potential conflict of interest. The Manager presented Report No. 81-16 on this matter. The Manager presented a booklet "The New Communicators" which will be provided to each Board member. In reviewing the proposed composition of the Board, Commissioner Cartales commented her hope that the citizens at large would be selected from occupations other than those already provided for on the Board. The Commission reviewed the composition of the Board: 1 each from School District No. 62, Clackamas Community College, Oregon City Area Seniors, Council of Churches and 3 Oregon City Residents at-large.

It was moved by Cartales, seconded by Johnson, that a 7-member board be appointed by the Mayor with composition of the Board to be 1 each from School District No. 62, Clackamas Community College, Oregon City Area Seniors, Council of Churches, and 3 Oregon City residents at-large.

Johnson, Aye; Cartales, Aye; Andersen, Aye. Commissioner Thom abstaining.

The Commission recessed at 9:05 p.m. and reconvened at 9:15 p.m.

Next considered was Commission Report No. 81-20, police vehicle bids. The Manager explained that staff felt bids were high and looked for an alternative. He informed the Commission they found that State Police vehicle bids meet or exceed those bid by Alexander's Chrysler-Plymouth, Portland. It was his recommendation to reject the low bid submitted by Alexander's Chrysler-Plymouth and to go along with the State bid, since this would mean a total savings to the City of \$4,210.20 on the three vehicles.

It was moved by Thom, seconded by Cartales, that the low bid submitted by Alexander's Chrysler-Plymouth, 2340 N. E. Sandy, Portland, in the amount of \$8,994.37 per vehicle, as approved on November 12, 1981, be rejected; and that the City instead purchase three Dodge Diplomats, Model GL41, through State bid in the amount of \$7,590.97 per vehicle.

Commissioner Thom expressed pleasure that the Police Department had the opportunity to do this. He noted that Clackamas County has a full-time purchasing agent and some items are common to other governmental agencies and wished the City to check into this opportunity, mentioning in particular, gasoline and oil. Mayor Andersen commended the Manager and staff. The Manager informed the Mayor that the City will go for private bids to sell the old automobiles.

Cartales, Aye; Thom, Aye; Johnson, Aye; Andersen, Aye.

The Manager presented Commission Report No. 81-19, regarding the appointment of a City Recorder/Executive Secretary. He explained the appointment process and announced selection of Jean Kae McNulty. He noted she is currently Municipal Court Clerk and will report for the new position on December 7th if the Commission gives their approval to the appointment. It was moved by Thom, seconded by Cartales, that the Commission confirm the appointment of Jean Kae McNulty as City Recorder/Executive Secretary.

Thom, Aye; Johnson, Aye; Cartales, Aye; Andersen, Aye.

Next on the agenda was discussion of policy on reimbursement. Commissioners Cartales and Thom presented proposals for such reimbursement. The Commission discussed this matter at length. It was moved by Thom, seconded by Cartales, to continue this matter to next meeting to see in writing other people's suggestions. The Manager informed the Commission that information from the League on other Cities' policies could not be obtained that quickly. It was moved by Thom, to amend motion to continue this to the second meeting in January. Commissioner Cartales accepted this into her second of motion. Commissioner Cartales noted that Commission has placed a ban on reimbursement until this matter is solved. Commissioner Johnson reported he has bills and will continue to go to DEQ meetings. Commissioner Thom had no objection to Commissioner Johnson's being reimbursed for League meeting but felt to incur additional expenses is to assume risk of not being paid.

Johnson, Aye; Cartales, Aye; Thom, Aye; Andersen, Aye.

It was moved by Thom, seconded by Cartales, that Consent Calendar be approved.

1. Liquor license approval - Fred Meyer, Inc.

Cartales, Aye; Thom, Aye; Johnson, Aye; Andersen, Aye.

Commissioner Cartales reported she had been appointed by Clackamas County Board of Commissioners to the Clackamas County Cooperative Library Citizens Policy Board to serve until 1983. She noted this is essentially a budget-type committee and, if anyone in the City or the Commissioners wish to submit anything, she is the Oregon City representative.

There being no further business the meeting was adjourned at 9:50 p.m. to Thursday, December 10, 1981, at 8:00 p.m.

Ruby M. Lampkins
CITY RECORDER

Oregon City, Oregon, December 10, 1981

ADJOURNED REGULAR MEETING

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

Roll call showed the following present:

Mayor Don Andersen	Gerald Pecinovsky, General Manager
Commissioner Joan Cartales	John C. Anicker, Jr., City Attorney
Commissioner Ron Thom	Ruby M. Lampkins, City Recorder
Commissioner James L. Johnson	

It was moved by Johnson, seconded by Thom, to approve minutes of December 2, 1981, as published.

Johnson, Aye; Cartales, Aye; Thom, Aye; Andersen, Aye.

This was the time for citizens to present items for Commission consideration on future agendas. There was no input from audience.

Commissioner Thom reported on a communication he had received dated December 6, 1981 from McLoughlin Memorial Association requesting interpretation of City Ordinance No. 1985, the burglary alarm regulations. The Commission requested that this be an item on the January 14, 1982 agenda.

Mayor Andersen reported on a call he had received from Senator Packwood's office in regard to his letter expressing concerns about the Tri-City Service District funding.