

Amendment failed for lack of a second.

Acting Mayor Cartales stated she had asked that staff look into matter to see if this is attributable to the contractor and to present letter to Department of Transportation and METRO to see if they are responsible for the problem.

Vote on motion: Thom, Aye; Johnson, Aye; Cartales, Aye.

There being no further business the meeting was adjourned at 10:15 p.m. to Thursday, October 15, 1981, at 8:00 p.m.

Ruby M. Lampkins
CITY RECORDER

Oregon City, Oregon, October 15, 1981

ADJOURNED REGULAR MEETING

The 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	Dave Fish, Admin. Assistant
Commissioner Edward Allick	John C. Anicker, Jr., City Attorney
Commissioner Ron Thom	Ruby M. Lampkins, City Recorder
Commissioner James L. Johnson	

It was moved by Cartales, seconded by Thom, to approve the minutes of the October 7, 1981 meeting, as published and mailed to each Commissioner.

Johnson, Aye; Allick, 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 the audience. Commissioner Johnson brought up matter of letter from his Attorney and the Mayor stated this would be considered shortly. Commissioner Allick referred to a visit by Mayor Andersen, Commissioner Thom and himself to the experimental disposal plant in Portland, as requested by Mr. Sig Jensen. He presented pictures of the operation and stated this is not the alternative this City wants. Commissioner Allick also commented on signs being posted by people representing Oregonians for Clean Air and fact that they are being tacked on public property which is not legal. Mayor Andersen reported that Commissioner Johnson has been contacted and signs are being removed.

Mayor Andersen presented a letter from the Oregon City High School Principal, praising Oregon City Police Department for their cooperation. He also presented request from Association of Western Pulp and Papermakers, extending an invitation for Commissioners Johnson and Allick to debate the issue of resource recovery on October 29, 1981. The Commissioners agreed to do so.

Mayor Andersen presented a letter from Mt. Pleasant School thanking Oregon City for the quick response by the City Engineer and Street Superintendent in a drainage problem at the school.

Mayor Andersen appointed Mr. Paul Neerman to fill the unexpired term of Mrs. Peggy Fujita on the Oregon City Planning Commission, to May 7, 1983. He expressed his appreciation for the number of people who applied and for the quality of the applicants.

Mayor Andersen referred to Commissioner Allick's letter of resignation and informed those present that he had encouraged Mr. Allick to remain on the Commission because of issues before the Commission. He noted Commissioner Allick has agreed to remain on the City Commission until they resolve the issue of the resource recovery plant. He expressed his appreciation to Commissioner Allick.

Mayor Andersen reported that Commissioner Johnson is serving as Chairman of United Nations' Day for Oregon City and read a proclamation prepared by Mr. Johnson.

Next the Mayor presented a letter from Attorney Robert E. Martin regarding complaint of James L. Johnson, Jr., regarding the open meeting law. He referred to emergency meeting on June 15, 1981 to create a Boxing Commission and to letter written regarding proposed amendment to the Urban Growth Boundary (Waldow property) on June 10, 1981, with no meeting held. Mr. Martin's letter stated that the Commission should pass a resolution indicating there will be no further non-compliance with the Oregon Public Meeting Laws. The City Attorney stated the passing of a resolution would not be

appropriate. Mayor Andersen felt this to be a civil matter and not a matter for this Commission to discuss. It was moved by Johnson that this Commission pass a resolution to agree that there be no further non-compliance of open meeting laws as written in ORS 192.610 through 192.690. Motion failed for lack of a second.

Mayor Andersen read for the benefit of the audience the open meetings' law on emergency meetings. He informed them that Dave Peters of the Enterprise-Courier attended the meeting and that an article was written on the sports page of that newspaper.

Commissioner Allick brought up contact by Commissioner Johnson in which he may be unknowingly representing the City Commission by handing his card to someone. Commissioner Allick felt he should make a point, when speaking with people, that he is speaking for no other Commissioners.

Mayor Andersen presented a letter from Territorial Days expressing appreciation for the quick response towards Territorial Days by calling an emergency meeting of the Commission to allow boxing activity to take place during celebration.

Commissioner Thom stated the City has been officially notified, through Congressman Denny Smith's office and others, that the Tri-City Sewer District has received Step II funding. He stated he represented the City of Oregon City recently, with other City representatives, in Washington, D. C., to lobby the congressional delegation regarding federal funding for construction, and that he felt chance of receiving federal funding is more probable now.

The Mayor presented a letter from Governor Atiyeh's office, thanking Commission for their official position on the resource plant.

Mayor Andersen presented a letter from City Recorder Ruby M. Lampkins, giving her retirement date as December 24, 1981.

The Commission set a date for Executive Session to discuss salary request of City Attorney, 7:30 p.m., November 4, 1981.

Next considered by the Commission was request of the Economic Development Committee for funding "End of the Oregon Trail Center". This had been continued from October 7th meeting. Mr. Jerry Grisham of the Economic Development Committee was present and explained the request. He mentioned meetings with the Manager of Publishers. He noted, in talking with them, they have a large quantity of hand-cut stone (foundation of the woolen mill) and, when their new machine is installed, there is chance this will be donated for this or other historical sites. Commissioner Thom stated only problem is that there are no funds available in City. He mentioned grant application made through County for funding. Commissioner Johnson felt it imperative that this Commission show leadership and initiative in starting to accomplish this very important goal of the economic development of Oregon City. He stated it is necessary not only to provide \$10,000 to start project but also to provide the direction and the encouragement to the Downtown people and other civic leaders and to the people who will contribute once original money is made available. Mr. Grisham felt a commitment when funds become available would be satisfactory. He noted the architect will donate working drawings at below cost or free. Commissioner Cartales felt this item should go to Budget Committee for funding in next fiscal year. Commissioner Thom felt all of the Commission would give whole-hearted commitment to construction of The End of the Oregon Trail memorial but no financial commitment, even though they would like to do so. Commissioner Cartales questioned the Manager if there would be problem with staff assistance in this endeavor. Mr. Pecinovsky suggested, if possible, in the interim, that this matter be referred to his office and at some future time come back with report identifying what is possible and working with Economic Development Committee identifying what this said money would be used for.

It was moved by Cartales, seconded by Allick, that this matter be referred to the City Manager's office for report back to this Commission.

Commissioner Johnson moved to amend motion to say that the Oregon City Commission goes on record as commitment to construction of the End of the Oregon Trail National Visitors' Center. Seconded by Allick. Commissioner Thom stated he would not favor location.

Vote on amendment: Allick, Aye; Cartales, Aye; Thom, Aye; Johnson, Aye; Andersen, Aye.

Vote on motion: Cartales, Aye; Thom, Aye; Johnson, Aye; Allick, Aye; Andersen, Aye.

Continued from the October 7th meeting was petition for annexation of 2.03 acres by Les Schwab Profit-Sharing Retirement Trust, for property at 1625 Beaver Creek Road. The Manager asked the Planning Director to make report. Ms. Galbraith commented on previous action and referred to map showing existing city limits and urban growth boundary and requested annexation property. She noted that recommendation has been made to annex properties surrounded by Schwab property. Commissioner Cartales commented

there were people at last meeting who discussed this, owners of property on each side and at end of proposed annexation, who wished to remain in the County. Mayor Andersen questioned what kind of problems this creates for planning. The Planning Director noted disadvantage to having irregular City boundary where you have an island of County property surrounded by City property. She noted they do enjoy the benefits of City properties. Commissioner Johnson referred to testimony at last meeting and that original application was for one piece of property only.

It was moved by Johnson to deny the annexation of this property to Oregon City. Motion failed for lack of a second.

It was moved by Cartales, seconded by Thom, to annex the 2.03 acres originally applied for by Les Schwab.

Commissioner Allick referred to island inside the City and fact that these people will undoubtedly ask for annexation within year or so. He could not understand what the City will gain by annexing one parcel only and not accepting recommendation of Planning Commission.

Vote on Motion: Thom, Nay; Johnson, Nay; Allick, Nay; Cartales, Aye; Andersen, Nay.

It was moved by Allick, seconded by Thom, to adopt the Planning Commission recommendation and annex the parcels of property as proposed by the Planning Commission.

Commissioner Johnson asked the Planning Director, if, when this was before Planning Commission, the other three property owners were notified. She stated they received notification of the proposed Schwab annexation but did not receive Planning Commission recommendation. She had drafted a revised notice and notified those people of last week's meeting. They were present and were aware that the item was continued until tonight. She noted that the Boundary Commission will make final decision on annexation.

Vote on motion: Johnson, Nay; Allick, Aye; Cartales, Nay; Thom, Nay; Andersen, Nay.

It was moved by Allick, seconded by Johnson, to deny the Planning Commission recommendation at this point.

Commissioner Cartales stated last week was a continued public hearing and the disadvantage was that no action could be taken because there were only three City Commissioners present.

It was moved by Allick to amend motion to refer this back to the Planning Commission. Seconded by Cartales.

Vote on amendment: Allick, Aye; Cartales, Aye; Johnson, Nay; Thom, Aye; Andersen, Aye.

Commissioner Thom stated he would vote "no" because they have already denied Planning Commission recommendation.

Vote on motion: Cartales, Aye; Thom, Nay; Johnson, Nay; Allick, Aye; Andersen, Aye.

Continued from the October 7th meeting was petition for annexation of 9.3 acres by Elsie Brown and Roger and Connie Nichols for property off Gaffney Lane, East of Falcon Drive. The Manager asked the Planning Director to make a presentation on this item. She pointed out that application made would create County island if approved. She referred to her memo dated September 29, 1981, stating her recommendation in favor of the annexation along with the house fronting on Gaffney Lane, Tax Lot 1601. The Planning Commission recommended in favor of the staff report except that they did not include Tax Lot 1601. Commissioner Johnson questioned how much actual construction has taken place to separate storm drains and the sewer system. The Planning Director noted the City Engineer had presented sewer separation report last week, and that Dave Abraham was present tonight, representing Tri-City Sewer District. Commissioner Johnson stated this City has over-burdened roads, especially on Molalla Avenue, sewers are over-loaded, and did not feel it appropriate to do any annexations until construction is underway to alleviate road and sewer problems.

Commissioner Cartales pointed out that, if the citizens of this City are expected to make those services available before those other people come in, then the people here will be paying for services to be initiated. If you annex those people, they begin paying City taxes and help to pay the burden of the citizens of this City. Commissioner Thom pointed out that a recommendation of annexation by the Commission is only one step; it then goes to the Boundary Commission for final approval. After that is the application for building permits and for sewer connections.

Commissioner Allick stated that property would be developed under County jurisdiction and the City would suffer burden of traffic because of the development and still not gain any benefit from taxes. Commissioner Thom asked the Planning Director if the owner of Tax Lot 1601 had received notification of Planning Commission hearing and had been given an opportunity to appear. She stated the property owner was contacted prior to annexation being filed. The City Attorney informed the Commission that this is a continued public hearing and it would be appropriate to ask for further testimony. Mayor Andersen called for testimony from the audience.

Mr. Dennis Brown, whose mother owns forward 2/3 of the parcel, noted the Comprehensive Plan shows this to be developed as houses rather than expansion of present chicken farm. He said they have come to City Commission to see what they should do with the property. He felt they would either have to expand chicken business or develop property. There was no further testimony.

Following discussion, it was moved by Allick, to accept recommendation of Planning Commission and annex as proposed. Seconded by Cartales.

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

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

Mr. Dave Abraham, Utility Director for Clackamas County, was present. He stated he was present to assist the Commission in its decisions regarding annexation question and what impact that might have on Tri-City Service District. He presented a table to the Commissioners of the financial plan for Tri-City, and informed him this was done by Bartle-Wells of San Francisco. He noted this shows that Tri-City District expense is to be funded from tax rate to pay off portion of bonds and connection charge and monthly service charge. He stated bonds that will be sold will fund local share of that portion of the project cost to be matched to Federal grants and to fund 100% of cost to do sewer separation. He stated service district will pay for 50% of sewer separation within each of three cities and cities will continue with final work of separation with the other 50% with city funds. He stated it is important to recognize that payment of bonds, which will be sold within next few months, comes from two sources of revenue: Property Tax and Sewer Connection Charge. He informed the Commission that \$1,160,000 is actual obligation that must be met to pay off bonds in first year of bond issue. \$450,000 is amount that will be raised by property tax. Difference between is to come from connection charge revenue. This is based on an annual number of new connections of 600 a year and of that amount it is projected that 380 of those connections will be coming from the Oregon City area. If this amount can't be raised, then property tax will have to be increased.

Mr. Abraham stated they have received grant application forms and they will be returned to EPA tomorrow and the program will get underway for design. He said they will put together bond issue to include match money, enough money to complete design of sewer in FY'82 and include 5 1/2 million for share of sewer separation and include those funds that cities have already advanced in paying some of the cost of this work, possibly around \$10,000,000.

Commissioner Cartales asked about \$450,000 property tax. Mr. Abraham stated this is based on true cash value but would include additions. Commissioner Thom pointed out, because of requirements, design is through the year 2000. Mr. Abraham agreed and stated interceptor sewers are designed for full capacity and the system is designed to provide service within the urban growth boundary.

Commissioner Johnson asked for clarification; would expect Oregon City to be providing 2/3 of sewer connections, and in last year have given out only about 100 hookups because of economic situation. Mr. Abraham stated these were projections at time plan was developed. He stated any action City does take should be one that encourages these units to be constructed. Mr. Merle McKee, questioned if any chance the district can abate size of this bond issue. Mr. Abraham stated total amount of bonds that can be sold was \$25,000,000 and they were to be sold over several years as need for funds becomes available. Initial phase to do one-half of sewer separation work with bond money is committed. Mr. McKee noted he is owner of several pieces of property on Main Street in Oregon City and hoped they could control any escalation in taxation. Mr. Abraham informed him the cities are under requirement to improve their systems.

Mayor Andersen thanked Mr. Abraham for his presentation.

Continued from the October 7, 1981 meeting was the proposal of Clackamas County to remove 190 acres from Oregon City's Urban Growth Boundary (Canemah slopes) to be substituted by Waldow Farms Property (Jimmie Johnson). The Commission was presented a memo from the Planning Director. She explained to the Commission that this item is not necessary before them for action. She said the County Planning Commission knew this item was continued to tonight. They met on October 12th and the Board of County Commissioners will hear this on October 26th. She pointed out properties on the map. She noted at the County Planning Commission meeting the property owner of a large parcel presented testimony in opposition. The County Planning Commission

and the Board of County Commissioners wish the City Commission to know that this is being planned. Commissioner Johnson stated this Commission is on record as having voted against the Waldow project and thinks it appropriate to continue to maintain official stand or change it. Commissioner Thom disagreed with this since there had been a number of votes. He didn't feel this to be official stand of City Commission. Commissioner Allick stated last vote stated in the record that this Commission, until the problems were resolved, had concerns for sewerage and by-pass construction. In finding out developments that were going on and that money was forthcoming, that is how position changed. Commissioner Cartales referred to January, 1981 that this Commission voted "no opposition" to that project. That vote has never been changed; that motion stands on the record of this Commission.

Commissioner Johnson clarified that in June meeting of this year made it very clear that would not be in favor of the Waldow Acres project until construction funds were available for the by-pass and the sewers and that is still the official on the record stand of the Oregon City Commission.

Mayor Andersen stated change that took place was that concerns in regard to by-pass and sewers which were mentioned in addendum letter, after talking with a number of people were convinced that by-pass and Tri-City Service District would obtain support from Federal Government and would take place. He stated METRO was to hear this case on the 12th of June and letter was written, signed by four City Commissioners, that they support the project. The four Commissioners will stand by that. He noted any further accusation will have to come in Civil Court.

It was moved by Thom, seconded by Cartales, to approve proposed Ordinance No. 1987, as read by the City Attorney, and to order it published.

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

ORDINANCE NO. 1987

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 City Commission after public notice and hearing finding that the following described real property can suitably be utilized for uses incident to an "RA-2" Multi-Family Dwelling 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 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 between Magnolia and Alden Streets, Mt. View Addition, in Oregon City, Clackamas County, Oregon, more particularly described as:

Blocks 15, 16, 17, 18, 19 and 20, MOUNTAIN VIEW ADDITION TO OREGON CITY, in the County of Clackamas and State of Oregon. TOGETHER with that portion of Vermilyea Street lying between Blocks 16 and 17 and Blocks 18 and 19, as set forth in Vacation Order 1347 recorded January 12, 1948 in Book 401, page 442, Deed Records.

which is now zoned "R-6" Single-Family Dwelling District, be and the same is hereby changed to "RA-2" Multi-Family Dwelling District, and the Comprehensive Plan designation changed from "Low-Density Residential" to "High-Density Residential".

Read first time and ordered published at an adjourned regular meeting of the City Commission held on the 15th day of October, 1981, and to come up for second reading and final passage at a regular meeting of the City Commission to be held on the 4th day of November, 1981, at the hour of 8:00 p.m.

RUBY M. LAMPKINS, City Recorder

Next on the agenda was annexation petition covering 84 plus acres located between South End Road, Central Point Road and Partlow Road. The Planning Director stated this had been continued until the first meeting in October, pending notification of financing for Tri-City Service District. She informed the Commission this is the largest annexation the City has had for some time and that the City of Oregon City is one of the applicants because of future water tower site and that the City Engineer, Bill Parrish, is also an applicant.

She pointed out the property on the map and discussed the City/County agreement. She noted concern that at least a portion of this property was proposed for annexation in 1977 and was tabled by City and denied by Boundary Commission because of sewer moratorium. She stated there have been undesirable developments in this period of time that County has permitted. She informed the Commission that property owners stated at Planning Commission hearing that there is no plan for immediate development but they are planning for subdivision in future. She mentioned that the City Commission has reserved the right to review requests for 30 or more sewer connections so could have input on development. Commissioner Johnson asked about Planning Commission denial. She stated their denial was based on concern for inadequacy of services and, following that meeting, staff reviewed the City/County agreement regarding roads, police and fire services. Commissioner Allick questioned new information not being submitted to Planning Commission and that possibly this request should be returned to that group for reconsideration. Mayor Andersen asked about water supply. The City Manager stated it was his understanding a water tower would eventually resolve this problem and that there is also a proposal for providing additional water service to that area as it relates to the Canemah water line.

Mayor Andersen opened the public hearing and asked for testimony from the audience.

Dick Close, Vice-President, R. J. Frank and Associates, 700 N. Hayden Island Drive, Suite 150, Portland, spoke, representing Mr. Hallberg and Mr. Reiver in the annexation procedure. He stated the Police and Fire Departments have responded to Planning Commission's concerns and Planning Commission had that information available to them at the time the other two annexations were reviewed by them and that was after this application was submitted to them. He felt they had been satisfied that those issues can be properly addressed by the City. He discussed their request for zone and that this had been withdrawn and they would re-submit that with the staff study of the entire area. He stated they had contacted School District Administration and there are three schools to serve this area. He stated that in development process water circulation will be improved with installation of 12-inch lines. He referred to sewer system improvements. He stated there is some concern at Planning Commission level regarding traffic on Central Point Road and stated, as per City Engineer's study, it is carrying much less traffic per day than Beavercreek Road. Mr. Close stated Mr. Hallberg was present and wished to talk about timing of development process.

Mr. Ray Hallberg, homebuilder, 1710 N. E. 82nd Avenue, Portland, owner of "Curry" property, informed the Commission that he sold three acres to the City at cost for a future water tower. He felt, if Commission does not annex at this time, it will continue to develop in haphazard basis. He requested Commission approval so that they could proceed with orderly development of this land.

Dick Reiver, owner of Tax Lot 1001, 8.20 acres, discussed problems with his land. He requested that the City Commission not send this matter back to Planning Commission, but that they approve annexation request and let applicants proceed to try to do something with this property.

Commissioner Johnson asked if Cliburn and Harvey, original applicants, had withdrawn their request and the Planning Director noted this is so.

It was moved by Thom that the staff recommendation for approval of the annexation of the properties of the current petitioners be approved, designated "R-10", Single-Family Residential Zoning, and that the matter be referred to the Boundary Commission. Seconded by Cartales.

Commissioner Johnson noted the Planning Commission did not have evidence the City Commission has from Police and Fire Departments and also requested to delay making decision until they had that information and then went ahead and denied request for annexation. He felt there were a number of people who did not want this annexation for several reasons, and that it would be more appropriate to accept Planning Commission recommendation or refer back to them. Commissioner Thom commented that Planning Commission had additional information regarding services and recommendation would have been with staff and for that reason thinks it a waste of time to refer back to Planning Commission to have them refer back to City Commission with change of mind.

Vote on motion: Allick, Aye; Cartales, Aye; Thom, Aye; Johnson, Nay; Andersen, Aye.

Next on agenda was continued item from September 2, 1981 - status of cable television. Commissioner Thom at this time declared a potential conflict of interest, having represented Liberty Cable Television, not in any matters involving Oregon City, and asked to be excused. Mayor Andersen excused Commissioner Thom. The City Manager referred to letter to Liberty Cable and stated that Mr. Knoche is present to address any concerns this Commission might have. Mr. Knoche presented a letter dated October 15, 1981 to the Commissioners, giving their response to Commission's concerns. Mayor Andersen noted difficulty for City Commissioners to respond to letter when they haven't had time to read it and to analyze it. The Commission agreed to carry this item over to November 4, 1981 meeting because the information requested arrived at such a late date.

The City Manager referred to memo from Dave Fish, Administrative Assistant, and noted that the City has been in contact with West Linn, Clackamas Community College and the School District on this matter. He requested that this be referred to the General Manager so that, when something is being formulated, it could come back to the Commission and then advise what might be alternatives in terms of implementing a cable TV advisory board.

It was moved by Allick, seconded by Johnson, to assign this matter to the General Manager.

Johnson, Aye; Allick, Aye; Andersen, Aye.
Thom not voting; Cartales out of room.

The Commission was presented a report from the General Manager regarding Canemah Water Line Improvements Project. Mr. Pecinovsky recommended that the project be approved and that the General Manager be authorized up to \$20,000 in expenditures to pay for the project.

It was moved by Cartales, seconded by Johnson, that the low bid for the Canemah Water line improvement project in the amount of \$79,526, as submitted by Robertson, Inc., Vancouver, Washington, is hereby approved; and that the General Manager is hereby authorized to utilize up to \$20,000 of Water Department System Improvement funds to finance that portion of the project which exceeds \$65,000 as contained in the agreement with Clackamas County Community Development Division.

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

The Commission was presented a report from the General Manager regarding the Caufield Estate and building located at 211-219 - 7th Street. He informed the Commission that the appraisal obtained by the Trust Department, United States National Bank, was \$125,000 cash sale. He informed the Commission that the West Linn Council approved a motion that the asking price for the Caufield Building be \$125,000 for cash sale. Commissioner Johnson questioned reason for selling and Mr. Pecinovsky stated he had observed that the building is in need of some repair and explained that, if objective is to move ahead with Historical Society building, sale of building is necessary action. Commissioner Thom reviewed legal requirements of the Caufield will and need to dispose of assets by converting to cash. He suggested that perhaps museum is not going to be built in near future because of lack of funds and the City has a building that may be usable as a temporary structure for the museum. Commissioner Allick felt Historical Society is in full agreement with what City is doing and that all these questions had been raised in previous meetings. He suggested that this information be provided to Commissioner Johnson so that he could see these questions have been addressed and some agreement has been made.

Mr. Frank Kahl, President of the Clackamas County Historical Society, felt their members would not see need for temporary museum at this time. They are using the Stevens House but are not able to display as they should. He expressed appreciation for Commissioner Thom's assistance.

It was moved by Cartales, seconded by Allick, that the asking price for the Caufield Building, located at 211-219 - 7th Street, be \$125,000 for a cash sale only.

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

Commissioner Thom gave a brief report, in his position as representative of the City Commission to work with the Clackamas County Historical Society and others on this particular project. He reported informal meeting with some of the County Commissioners regarding the subject property. He noted the Caufield will designates that we are beneficiaries of funds for the purpose of construction of the building for the Clackamas County Historical Society but that it shall be built on the Latourette Property, which was given to the County by will. He stated that the County is willing to give the City either the property or an interest in the property. Proposal was an undivided 1/2 interest, with the County having a portion of the interest to provide a reading funding capability of the County, since the Society or the City would not have to make application for funds through the County. He requested legal opinion. The City Attorney has set forth certain conditions in requesting an undivided 1/2 interest. Commissioner Thom asked for authorization to continue negotiations with the County, as well as having the City Attorney assist so that proper legal conditions can be in transfer. The City Commission agreed that Commissioner Thom proceed, since he had been appointed as City's representative in this matter.

The Commission was presented a report from the General Manager regarding the roadway connection between South Ridge and Fred Meyer Shopping Centers. Mr. Pecinovsky explained status as per City Engineer's meeting with Bedford and Associates and Albertson's. Mayor Andersen expressed concern and asked City Attorney for legal aspect on this. The City Attorney stated the City would have right of condemnation but he would not particularly advise this procedure. He stated there is question whether or not this ramp was agreed to. Ms. Rita Ketchum, Property Manager for Bedford and Associates, was present and explained lease agreements with Albertson's and Bi-Mart giving them the right to approve any changes in access to common area.

She expressed major concern of both stores is access to South Ridge: Island that is directly in front of Albertson's is basically ineffective. This was installed at request of State Highway Department before traffic signal was installed and before Molalla had center left turn access. She stated, in discussion with the Highway Department, they stated they would not prohibit removal of this island, if the Center had an independent engineer study. Also, if and when Beaver Creek Road is expanded to complete 4-lane highway, which will eliminate all parking on that road, that the City allow an access between Buildings F and H in the Shopping Center.

Mayor Andersen stated this is a big problem and the City would like to have it resolved. Commissioner Thom asked, if the City agrees to make change on Beaver Creek Road in the future, as well as removal of the other condition, the two stores will go along with that or not until this is fully developed. Ms. Ketchum stated as soon as agreement is reached, access will be completed. Mr. Pecinovsky stated it appears that matter can be resolved if the City gets letters from Albertson's and Bi-Mart and if State goes along with removal of island.

It was moved by Johnson, seconded by Thom, that the General Manager report to the Commission when the matter of opening the roadway connection between South Ridge and Fred Meyer Shopping Centers is resolved.

Commissioner Thom stated that the City has some control over the second request but no direct control over the first. He would like to see that the City takes some form of position to this particular request to the State, saying that removing this island would be contingent on the fact that the connection be opened. He also felt it should be officially stated that by a certain date this ramp would be opened or the City would have to take legal action.

Mr. Steven Amick, speaking as an independent merchant in South Ridge, wished to see this access created as quickly as possible not only for safety of people of this City but also to generate freer flow of commercial activity in both centers.

Vote on motion: Thom, Aye; Johnson, Aye; Allick, Nay; Cartales, Aye; Andersen, Aye.

The Commission was presented a memo from Cathy Galbraith, Planning Director, with recommendation for change in Zoning Code requirements for swimming pools. It was moved by Cartales, seconded by Thom, to approve staff recommendation and that the City Attorney draft the appropriate ordinance.

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

Continued from the October 7, 1981 meeting was discussion on bids received for Water Department truck. It was moved by Cartales, seconded by Johnson, that the low bid of \$7,630 from D. Thomason Ford, Lake Oswego, be accepted. Mayor Andersen referred to Commissioner Thom's statement that Mr. Weiler is local businessman who pays taxes in the City and only difference in two bids is \$10. He felt if something goes wrong with the truck, Weiler Chevrolet is much closer to handle vehicle under warranty. Commissioner Allick agreed but wished to hear from staff. Mr. Pecinovsky stated that neither Bill Jackson nor Bill Parrish are present but he believed the recommendation is basically on the fact that competitive bids have been taken, but that, if servicing is necessary, Weiler is more convenient. The City Attorney added that, if the City can justify that servicing the unit would more than make up difference in price, there would be no problem but cannot do this on basis that Mr. Weiler is local person. Commissioner Johnson expressed his opposition to this. Mr. Tom Lemons, 120 Barker Avenue, Oregon City, spoke as a citizen of this City that it would be detrimental to this City not to accept a local bid with so little difference. Commissioner Cartales stated she would vote against motion since discussion had convinced her otherwise.

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

It was moved by Thom, seconded by Cartales, that the bid of Weiler Chevrolet in the amount of \$7,640.79 for a Water Department truck be accepted by the City.

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

The Commission was presented a memo from the General Manager regarding a date for budget election. It was moved by Cartales, seconded by Thom, that the date of March 30, 1982 be set for budget election.

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

It was moved by Cartales, seconded by Allick, to designate General Manager Gerald Pecinovsky to serve as Budget Officer for the 1982/83 fiscal year.

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

Next on agenda was request for discussion on reimbursement of expense which had been continued from October 7th. It was moved by Cartales, seconded by Thom, to continue this to the second meeting in November. Commissioner Johnson stated he had requested this on agenda several months ago and, since there is apparently no desire by other Commissioners to discuss this, he would withdraw his request. It was moved by Johnson to amend motion to not continue this item and to remove request. Seconded by Thom.

Vote on amendment: Allick, Aye; Cartales, Aye; Thom, Aye; Johnson, Aye
Andersen, Aye.
Vote on motion: Cartales, Aye; Thom, Aye; Johnson, Aye; Andersen, Aye;
Allick, Aye.

Commissioner Allick referred to Policy Manual on reimbursement of Commission members' expenses. He questioned what would be expense not routine in nature. Mr. Pecinovsky stated generally concern is not of limiting activities of Commissioners but of documenting expenditure of funds to various individuals. Commissioner Allick disagreed with policy and felt it should not be up to Commissioners individually to determine what meetings to attend, feeling Mayor should be responsible for these things.

It was moved by Cartales, seconded by Thom, to approve Consent Agenda. Commissioner Allick informed the General Manager he would be in earliest date to determine documentation and would like to know authority. The City Attorney stated Commissioners have the authority because they are approving expenditures. Commissioner Johnson stated he has previously voted against payments to METRO and, since there is one listed, he would vote against payment of bills for September. Commissioner Thom advised, since this is a consent agenda item, it takes unanimous vote.

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

It was moved by Cartales, seconded by Thom, to approve payment of the bills for the month of September, 1981.

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

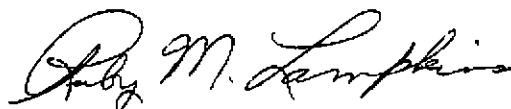
It was moved by Cartales, seconded by Thom, to approve payment to Milne Construction on the mausoleum project in the amount of \$49,441.41.

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

It was moved by Thom, seconded by Cartales, that Final Order No. 1732, annexation of the Younger property on Molalla Avenue, be entered into the record.

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

There being no further business the meeting was adjourned at 11:30 p.m.



CITY RECORDER

Oregon City, Oregon, November 4, 1981

REGULAR MEETING

The 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:

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

It was moved by Cartales, seconded by Thom, to approve minutes of the October 15, 1981 meeting.

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

Ms. Mary Merritt, Public Relations/Safety Director of the Automobile Club of Oregon, was present. On behalf of the Automobile Association of America and the Automobile Club of Oregon, she presented the City of Oregon City with a Pedestrian Safety Citation award for their achievement in accident-free year. Mayor Andersen thanked the Automobile Club, the Police Department and the Traffic Safety Board for this citation.