

**CITY OF OREGON CITY
CITY COMMISSION
MEETING MINUTES**

April 7, 2010

1. [Convene Regular Meeting of April 7, 2010, and Roll Call](#)

Roll Call: Mayor Alice Norris; Commissioner Doug Neeley; Commissioner Rocky Smith, Jr.; Commissioner James Nicita; and Commissioner Daphne Wuest.

Staff Present: David Frasher, City Manager; Carrie Richter, Assistant City Attorney; Nancy Kraushaar, City Engineer and Public Works Director; Scott Archer, Community Services Director; David Wimmer, Finance Director; Nancy Ide, City Recorder; Jim Loeffler, Human Resources Director; Mike Conrad, Police Chief and Public Safety Director; Maureen Cole, Library Director; Teri Bankhead, Assistant to the City Manager; and Dan Drentlaw, Economic Development Manager.

Mayor Norris called the meeting to order at 7:05 p.m.

2. [Flag Salute](#)

3. [Ceremonies, Proclamations, Presentations](#)

a. [Oath of Office for David W. Frasher, City Manager](#)

Mayor Norris administered the Oath of Office for Mr. Frasher.

b. [Presentation of Preserve America Sign to the Oregon City Community](#)

Mayor Norris displayed the Preserve America sign the City received and explained the benefits of being a Preserve America community.

c. [Proclamation for Sexual Assault Awareness Month](#)

Mayor Norris read the proclamation proclaiming April 2010 as Sexual Assault Awareness Month.

4. [Citizen Comments](#)

Bill Daniels of Oregon City discussed improving the current parking management program, combining both the police and court facility with the library where the Police Department was located now, and eliminating the charter restrictions on term limits for City Commission.

Tom O'Brien of Oregon City reviewed photos of signs in the City and discussed the quality and whether or not they were appropriate under the current City Code.

5. [Adoption of the Agenda](#)

Mayor Norris said the Commission would not be making a decision on the sales contract for the Library that night. She also would like to pull the minutes of March 17, 2010 from the consent agenda for separate vote.

6. **Public Hearings**

a. **Ordinance No. 10-1001, Municipal Code Amendment to Reduce the Planning Commission from Seven (7) members to Five (5) Members**

Laura Butler, Assistant Planner, said this was a proposed amendment to reduce the size of the Planning Commission from seven to five members. It would not change the authority or scope of the Commission. On March 22, the Planning Commission unanimously recommended approval of the proposal. There were two public comments entered into the record at that time and no other public comments had been received. She entered into the record proposed Ordinance 10-1001.

Mayor Norris said this was aligning City Code with practice as it had been for almost a decade.

Commissioner Nicita said previously he had been interested in this proposal, but had changed his mind because there had been numerous people expressing interest in serving who were not selected to do so. He wanted to see a good faith attempt to fill the positions before considering shrinking the Planning Commission size.

Commissioner Neeley said the appointments of any board were at the discretion of the Mayor by Charter. He did not feel strongly they should reduce the size of the Planning Commission because there should be a broad deliberation among a number of people.

Commissioner Smith thought they should have as many opportunities for citizen input and participation as possible and hopefully with increased participation in neighborhood associations, there might be a larger pool of volunteers. Right now was not the time to make the change.

Mayor Norris said it had been difficult to keep the Planning Commission filled because it was the most time consuming and technical committee the City had. She did not make the decision alone, but with members of the committee and staff.

Paul Edgar of Oregon City said reducing the number of members would not enhance citizen involvement. He had applied to sit on the Planning Commission previously.

Tom O'Brien of Oregon City said fewer members on the Planning Commission would bring less knowledge, experience, and fewer viewpoints to the decision making process. He did not think it was appropriate for one individual to appoint all members of the Planning Commission. He thought the Code should be changed and allow for a process that better represented the views and wishes of the citizens. He gave them a handout for how to improve the current Planning Commission.

Mayor Norris explained the process and the criteria she used in selecting committee members.

Motion by Commissioner James Nicita, second by Commissioner Doug Neeley to terminate proceedings on Ordinance No. 10-1001.

A roll call was taken and the motion passed with Mayor Alice Norris, Commissioner Doug Neeley,

Commissioner Rocky Smith, Jr., Commissioner James Nicita, and Commissioner Daphne Wuest voting aye. [5:0:0]

7. **General Business**

a. **Warner Milne Road Restriping with Bike Lanes from West of Molalla Avenue to Beaver Creek Road**

Nancy Kraushaar, City Engineer and Public Works Director, said this area was limited for adding bike lanes without removing some other piece of infrastructure. Staff was proposing to replace the center turn lane with bike lanes. A traffic study was done and taken to the Transportation Advisory Committee and stakeholders open house. Staff received several letters in support and a letter from Danielson's Hilltop Mall that questioned the timing of the change. Staff recommended making the change and keeping an eye on it to see how it worked out. There were several accesses to the mall and it would help to reduce greenhouse gases.

Peter Coffey of DKS Associates gave a presentation on the proposal. Putting bike lanes on Warner Milne Road from Linn to Molalla Avenue was a project identified in the 1994 adopted Transportation System Plan. He thought this would also meet Metro's goals and policies to decrease in vehicle miles traveled, encourage multi-modal travel, and reduction in vehicle emissions. The analysis showed that the left turn lanes were not warranted and the City would be meeting the standard level of service with or without the turn lanes. He recommended putting in the dedicated bike lanes. He discussed how it would work if the new development in the Danielson's Mall brought three times more traffic.

Commissioner Nicita was concerned about the traffic stacking and access to the police station. Ms. Kraushaar said it was important to remember the safety of the cyclists and this change would help. The benefits of multi-modal travel outweighed the center turn lane.

Mike Conrad, Police Chief, said police officers needed to enter the roadway safely and the safety it would give pedestrians and bicyclists was more pressing than the vehicles on the roadway.

William Gifford of Oregon City said if there was traffic increase, it would not be coming from Warner Milne. Regarding police access, they could put in an emergency traffic light.

Commissioner Nicita thought they should have a study done to see how it worked after one year of the change. The Commission did not agree due to the changes that might occur during the Safeway project.

Motion by Commissioner Daphne Wuest, second by Commissioner Doug Neeley to approve the Warner Milne Road Restriping with Bike Lanes from West of Molalla Avenue to Beaver Creek Road subject to a before and after study.

A roll call was taken and the motion passed with Mayor Alice Norris, Commissioner Doug Neeley, Commissioner Rocky Smith, Jr., and Commissioner Daphne Wuest voting aye and Commissioner James Nicita voting no. [4:1:0]

b. **Approval of Sales Contract for \$4 Million Dollars for Purchase of Eastham School for Permanent Home of the Oregon City Public Library**

Commission Report-Purchase of Eastham School for Library

Maureen Cole, Library Director, announced the Matching Fines Program for the week of April 11-17 and Friends of the Library book sale on May 7-8. She also gave an update on the sales contract negotiations for the new Library at Eastham School.

Commissioner Nicita discussed the purchase price for the Library. The Commission wanted to leave flexibility to the City Manager and Library Director and did not want to lose the facility.

Ms. Cole said the Library would be closed to move into the Carnegie building the weekend of June 12 and staff was moving forward with the Change of Use application. They also looked into the other location option discussed at the last Commission meeting and parking was a bigger issue than the Carnegie and there was no ADA access for the second floor. They wanted to move forward with the Carnegie as the primary option.

Commissioner Neeley suggested restricting the parking around the Carnegie to library patrons.

Ms. Cole said Dan Berge offered use of his property as a permanent option for the Library and after staff review, there were several issues such as: 1) parking would be limited; 2) no street exposure; 3) ownership would not be exclusive over the entire property; 4) it was not the land Eastham offered or zoned for a Library.

Linda VanHaverbeke of Oregon City reminded the Commission that the Friends of the Library and Library Board supported the purchase of Eastham. The Library had been in a temporary location for 15 years and it was time to take action.

William Gifford of Oregon City suggested getting a second appraisal on the Eastham property.

- c. [Supplemental Agreement No. 6 to Personal Services Agreement, Warner Milne Road/ Molalla Ave Intersection Realignment and Utility Replacements, Construction Engineering, Administration, Monitoring and Inspection Services, Wallis Engineering](#)

Ms. Kraushaar said this would add \$154,000 to the existing personal services agreement with Wallis Engineering to complete the construction phase of the Molalla/Warner Milne project. Additional construction activities came up that were unexpected and required more time on the project. They were all legitimate expenses.

Motion by Commissioner Doug Neeley, second by Commissioner Daphne Wuest to approve Supplemental Agreement No. 6 to Personal Services Agreement for the Warner Milne Road/ Molalla Ave Intersection Realignment and Utility Replacements, Construction Engineering, Administration, Monitoring and Inspection Services for Wallis Engineering.

A roll call was taken and the motion passed with Mayor Alice Norris, Commissioner Doug Neeley, Commissioner Rocky Smith, Jr., Commissioner James Nicita, and Commissioner Daphne Wuest voting aye. [5:0:0]

- d. [Change Order for Holcomb Boulevard Pedestrian Improvement Project](#)

Ms. Kraushaar said the project required more flagging hours than were anticipated. There was also a miscalculation of concrete needed to do driveway replacements. The County would pay half of the change order, and the City would pay the other half.

Commissioner Neeley was concerned about how much of an increase this was to the project. Ms. Kraushaar said they didn't have the benefit of a consultant preparing the bid documents and doing the cost estimates and staff was trying to do it as inexpensively as possible.

Commissioner Nicita wanted to ensure this did not happen regularly.

Motion by Commissioner Daphne Wuest, second by Commissioner Doug Neeley to approve the Change Order for Holcomb Boulevard Pedestrian Improvements Contract with Kerr Contractors to allow for an increase of \$93,059.48 from Transportation SDCs.

A roll call was taken and the motion passed with Mayor Alice Norris, Commissioner Doug Neeley, Commissioner Rocky Smith, Jr., Commissioner James Nicita, and Commissioner Daphne Wuest voting aye. [5:0:0]

8. **Consent Agenda**

a. **Public Official Bond for City Manager**

b. **OLCC: Liquor License Application for Off Premise Sales and Change of Ownership, Applying as an Individual, Tri M. Trinh, DBA Cigarettes Cheaper, Located at 19057 Beaver Creek Rd., Oregon City, OR 97045**

c. **Minutes of the March 17, 2010 Regular Meeting**

d. **Minutes of the March 31, 2010 Special Meeting**

Motion by Commissioner Daphne Wuest, second by Commissioner Rocky Smith, Jr. to approve the Consent Agenda except for the minutes of March 17, 2010.

A roll call was taken and the motion passed with Mayor Alice Norris, Commissioner Doug Neeley, Commissioner Rocky Smith, Jr., Commissioner James Nicita, and Commissioner Daphne Wuest voting aye. [5:0:0]

Mayor Norris had a re-write of the minutes of March 17, 2010 where it spoke about the South Fork Water debt service coverage, which should have been covenants. She requested to hold the minutes over to the next meeting.

Commissioner Smith pointed out a typo in the March 17 minutes regarding his employment with the School District.

9. **Communications**

a. [City Manager](#)

David Frasher, City Manager, thanked the Commission and citizens for the opportunity to be the new City Manager. He passed out the budget books and announced the first Budget Committee meeting would be April 19, 2010.

b. [Mayor](#)

1. **Mayoral Re-appointment of James "Marty" Bertsch to the Parks and Recreation Advisory Committee for the term January 1, 2010 to December 31, 2012.**
2. **Mayoral Appointment of Patrick Sweeney to the Parks and Recreation Advisory Committee for the term March 3, 2010 to December 31, 2012.**

Mayoral appointment of Charles Kidwell to the Planning Commission for the term April 7, 2010 to December 31, 2012; reappointment of Marty Bertsch to the Parks and Recreation Advisory Committee for the term January 1, 2010 to December 31, 2012; and appointment of Patrick Sweeney to the Parks and Recreation Advisory Committee for the term April 7, 2010 to December 31, 2010.

Mayor Norris reported on the first meeting of the Wastewater Advisory Committee. The Committee would meet quarterly. There would be an open house on April 15, 2010 at the Masonic Lodge in the City of Milwaukie regarding a revisioning process for Milwaukie's wastewater treatment plant.

c. [Commissioners](#)

Commissioner Wuest reported on several C-4 meetings she had attended.

Commissioner Neeley said in regard to the contract with AMS as the consultant for the future use of the End of the Oregon Trail Interpretive Center, on April 1, 2010 the person putting together the contract died suddenly. The owner of the company was taking over the responsibilities and wanted to continue the project. The process would begin again at the end of April 2010.

Mayor Norris was concerned that they had not interviewed the owner, Mr. Bailey. Teri Bankhead, Assistant to the City Manager, said Mr. Bailey's working style was the same as Mr. Greenburg's and was confident he could provide the same service in the same style of his partner.

Commissioner Neeley reported on the Climate Change Retreat put on by the Metro Policy Advisory Committee he and the Mayor had attended. Mayor Norris discussed the Joint Policy Advisory Committee on Transportation meeting regarding changes to the Metro Transportation Improvement Plan. There was focus on access to transit and building communities that relied less on cars. The Governor's staff wanted to hold a high capacity transit and transportation hearing in Oregon City on May 26, 2010.

Commissioner Nicita reported on the South End/Hazel Grove Neighborhood Association meeting where they discussed the root damage of trees. He also attended the Attorney General's forum on government transparency where there was discussion on how some public bodies obstructed citizens from access to public records. He also attended the CIC meeting where John Collins, manager of South Fork, gave a presentation regarding the proposed loan of 2.4 million dollars to South Fork.

Commissioner Smith reported on the Canemah Neighborhood Association meeting. He announced the Clackamas County Historical Society fundraiser hosted at Oregon City High School which was a premier of a movie called *In Pursuit of a Dream*. He asked for an update on the South End traffic light. Ms. Kraushaar said the light was coming.

Commissioner Neeley said the SOLV clean-up day would be April 17, 2010 and invited all citizens to attend.

10. **Adjournment**

Mayor Norris adjourned the meeting at 10:03 p.m.

Respectfully submitted,



Nancy Ide, City Recorder