

**CITY OF OREGON CITY
CITY COMMISSION
MEETING MINUTES
July 16, 2003**

Mayor Alice Norris called the regular meeting of the City Commission to order at 7:00 p.m. on July 16, 2003, at City Hall, 320 Warner Milner Road.

Roll Call: Commissioners Tom Lemons, Bob Bailey, Doug Neeley, Gary Hewitt, and Mayor Alice Norris.

Mayor Norris led the flag salute.

1.0 CALL TO ORDER

2.0 CITIZEN COMMENTS

- **Tim Powell, Co-Chair of the McLoughlin Neighborhood Association (MNA), 819 6th Street**

Mr. Powell read a letter into the record relating to Agenda Item No. 3.5, Library and Senior Citizen's Park Upgrades. The MNA requested that the City not replace the playground equipment at the Library Park because the location was a "landmark." MNA brought in a certified playground inspector who agreed that the playground equipment was in reasonable shape and could be repaired or refitted to meet the government guidelines.

Mr. Powell said that the City staff disagreed and continued to push for replacement of the original equipment. Discussion between both parties continued and MNA agreed that replacement could occur as long as the replacement equipment was made from steel and looked like the original. City staff agreed, and that was the proposal before the City Commission at this time.

Mr. Powell addressed the addition of a "tot lot" in the Senior Citizen's Park. MNA asked to have playground equipment made of any other material than plastic, as plastic did not maintain the feel of the historic neighborhood. He stated that, in spite of this, staff continued to encourage plastic equipment, although they did agree to use natural colors instead of primary colors.

MNA offered its support for replacement of a sprinkler heads in the wading pool in front of the Carnegie Center, as well as the replacement of the outdated equipment at Library Park with new equipment. **Mr. Powell** reiterated that MNA would not support replacement of plastic play structures in Senior Citizen Park as long as there was more historically accurate material available.

- **Kathy Hogan, 19721 Central Point Road**

Ms. Hogan thanked Mary Palmer, Public Affairs Manager, for her invaluable help to the neighborhood associations. She also thanked Commissioner Neeley for his participation at Citizen Involvement Committee Council (CICC) meetings.

3.0 CONSENT AGENDA

Mayor Norris pulled Items 3.2, 3.4, 3.5, 3.7, 3.8, and 3.12 from the Consent Agenda:

Commissioners Neeley/Lemons m/s to approve Consent Agenda items 3.1, 3.3, 3.6, 3.9, 3.10 and 3.11. A roll call vote was taken, and the motion passed with Commissioners Lemons, Bailey, Neeley, Hewitt and Mayor Norris voting 'aye.' 5:0.

3.1 Approval of Regular Meeting Minutes of May 7, 2003.

3.2 Approval of Regular Meeting Minutes of July 2, 2003.

3.3 Commission Report No. 03-169, Consider Approval of Employment Actions Taken by City Manager Pro Tem for Period of July 2, 2003 through July 16, 2003.

- 3.4 **Commission Report No. 03-163, Proposed Resolution No. 03-26, Declaring Oregon City's Election to Receive State Revenues for Fiscal Year 2003-04 – Continued from July 2, 2003.**
- 3.5 **Commission Report No. 03-161, Library and Senior Citizen's Park Upgrades.**
- 3.6 **Commission Report No. 03-166, Proposed Resolution No. 03-29, the Vacation of Generic Unneeded Public Utility Easements in Partition Plat No. 1997-116, City File MP96-14, (EV03-002).**
- 3.7 **Commission Report No. 03-165, Proposed Resolution No. 03-27, the Vacation of Unneeded Portions of Van Buren Street Between 17th Street and 18th Street – the Northwesterly and Southeasterly 8.0 feet – Supersedes Resolution No. 03-25, (SV03-001).**
- 3.8 **Commission Report No. 03-168, Purchase Authorization – Oregon City Public Works Fleet – Asphaltic Concrete Milling Apparatus with Transport Trailer.**
- 3.9 **Commission Report No. 03-164, Proposed Resolution No. 03-28, Approving an Oregon Business Development Fund Project Proposal (Thermo Industries, Inc.).**
- 3.10 **Commission Report No. 03-167, Proposed Resolution No. 03-30, the Vacation of Unneeded Public Storm Drainage Easement in Lot No. 1 of Pacific Cascade heights Subdivision, City File TP94-06 – (EV03-004).**
- 3.11 **Commission Report No. 03-162, United States Fish & Wildlife Service – Watershed Restoration Agreement "Jobs in the Woods" Program for Holcomb Creek Culvert Replacement Project at South Redland Road (Agreement No. 03-601).**
- 3.12 **Commission Report No. 03-170, Sale of City Fire Equipment to Clackamas County Fire District #1.**

• **ITEMS PULLED FROM THE CONSENT AGENDA**

3.5 Commission Report No. 03-161, Library and Senior Citizen's Park Upgrades.

Mayor Norris explained that the Commission pulled this item in order to place it at the top of the agenda for consideration.

Dee Craig, Community Services Director, provided the staff report:

- This project, started by former Parks & Recreation Director Barb Streeter, predated 2002. Ms. Streeter raised funds at the "Concert in the Parks" to replace playground equipment at Library Park, but the project stalled and did not move forward until the City formed a steering committee in January 2003.
- The steering committee decided to replace the playground equipment at Library Park with as close to like-equipment as possible, while meeting current safety standards. The committee discussed the wading pool, as it did not meet current state standards for health, and suggested solutions.
- The steering committee raised concerns about having pre-school or tot play equipment, and the need for providing ADA-accessible equipment. However, neither the swings nor the slide that staff would like to place at Library Park were ADA compliant nor were they sized for a tot-lot.
- The steering committee decided to place a plastic play structure at the Senior Citizen Park, which was similar to the one used across the street at St. John's School. Staff did not find any metal structures in the tot-age group, although they found wood structures. Staff found that other cities were replacing their high-maintenance wood equipment.
- Staff made a recommendation to Parks & Recreation Advisory Committee (PRAC) not to consider wood play structures at Senior Citizen's Park. PRAC recommended approving the original design in plastic in muted earth-tone colors.

- Staff sent the proposal to Oregon City's Historic Review Board (HRB), which considered and approved it. Staff also sent the proposal, along with a grant application, to the State Historic Preservation Office (SHPO).
- The City could use systems development charges (SDC) to fund the Library Park enhancement portion of the project but not for the retrofit at Senior Citizens' Park. Staff has applied to the state for a grant to fund the retrofit to supplement the \$9,000 raised so far through public donations. Staff has also applied for an Oregon City Metro Enhancement grant to finish the retrofit.
- Stricter State health regulations required either changing the wading pool to a spray pool or retrofitting the wading pool with pump to circulate water. Staff borrowed a City of Portland recent study on retrofitting wading pools into spray pools, which required no water treatment.

Commissioners Neeley and Lemons m/s to proceed with the bidding process once staff obtained the funding.

- **Dean Walch, Co-Chair of the McLoughlin Neighborhood Association (MNA), 516 Madison Street**

Mr. Walch acknowledged the many hours dedicated to this project by both staff and citizens. He and his wife hoped that the City would plan the tot lot well, as they hoped to start a family soon that would use it. He encouraged improvements in the area to be historically sound. He encouraged the Commission to consider all-metal playground equipment for Senior Citizen's Park, such as those designed by American Playground Corporation.

Mr. Powell informed the Commission that the steering committee consisted of between 8 – 10 people. He felt that it was not accurate to say that it recommended anything; he felt it only discussed matters, but did not make any recommendations. He argued that, while the Historic Review Board felt it had no jurisdiction in this area to make a recommendation, the area was historic and it should consider the project. He felt that the matter was up in the air at this time.

Commissioner Neeley clarified that citizens on a point list had suggested placing tot play equipment at Senior Citizens' Park; it was not a specific staff recommendation. **Mr. Powell** agreed that the equipment should be there but pointed out that no one specified that it be made of plastic.

Commissioner Lemons concurred that the Council should not consider high maintenance wood equipment. **Mr. Powell** indicated that the vendor would replace any parts for the life of the warranty.

Ms. Craig indicated to **Commissioner Lemons** that the Parks Department normally used one of the four vendors of playground equipment on the state bid list, as opposed to going out for bids for play equipment. **Commissioner Lemons** said he would not support play equipment made of wood.

Commissioner Lemons recognized and thanked Donny Andersen, Jr. of B&B Leasing for donating the re-roofing and minor plumbing improvements to the restroom at Senior Citizen's Park.

Ms. Craig indicated to **Commissioner Neeley** that she could be specific on the type of material used in a play structure. She pointed out that metal structures tended to be larger than could fit in the small space allotted at Senior Citizen's Park.

Ms. Craig indicated to **Mayor Norris** that children seven years and under would use the tot play equipment.

Commissioner Bailey recapped the elements of the discussion: (1) No concerns about the wading pool solution; (2) Replace the swing and slide set at Library Park with proper set backs to accommodate the slide; (3) Re-roofing a minor plumbing improvements to the restroom at Senior Citizen's Park; and (4) Tot playground equipment – its material and fit. He observed that there was agreement on three of the four projects.

Ms. Craig indicated to **Commissioner Bailey** that staff had a bid package, as they needed a full project in order to match the Parks SDC funds for new construction to the money for the renovations.

Ms. Craig explained to **Commissioner Bailey** that staff could write bids to instruct vendors to provide quotes on an all-metal play structure and on a plastic play structure, which would fit within the tight confines at Senior Citizen's Park.

Mayor Norris stated there was no time constraint or urgency to spend the money. **Ms. Craig** pointed out there was some time constraint on using the state grant beyond summer 2004.

Commissioner Lemons agreed that most products made today were made of plastic. He asked when the wading pool would be in use. **Ms. Craig** indicated that it would be available for use between June and the start of school.

Ms. Craig indicated to **Commissioner Hewitt** that staff has not looked at a metal manufacturer in Portland to make the play structure. **Commissioner Hewitt** preferred that the City use metal. He reminded the Commission that it had time on its side.

Ms. Craig asked the Commission for direction on whether staff should write up an RFP and go out for bids. **Mayor Norris** encouraged her to do so. She mentioned that her grandson burned his feet on a metal slide.

Commissioner Neeley said that he did not think that the motion required amendment, as he did not feel strongly about using metal. He mentioned observing other plastic play equipment structures in many areas in the historic neighborhood. He concurred that staff should go out to bid on the project.

Mayor Norris noted that the Council had consensus on its direction to staff.

Commissioner Neeley restated the motion: "That the City go out for a bid once the funds were available."

A roll call vote was taken, and the motion passed with Commissioners Lemons, Bailey, Neeley, Hewitt, and Mayor Norris voting 'aye.' 5:0.

3.2 Approval of Regular Meeting Minutes of July 2, 2003.

Commissioner Neeley requested a verbatim statement on the motion on page 7, which he made concerning pornographic materials visible by minors; he said it was not accurate. In addition, he wanted a verbatim transcript of the City Attorney's response that followed his motion.

Commissioners Neeley/Lemons m/s to approve the minutes of July 2, 2003, as amended by Commissioner Neeley's request. A roll call was taken, and the motion passed with Commissioners Lemons, Bailey, Neeley, Hewitt, and Mayor Norris voting 'aye.' 5:0.

3.3 Commission Report No. 03-163, Proposed Resolution No. 03-26, Declaring Oregon City's Election to Receive State Revenues for Fiscal Year 2003-04 – Continued from July 2, 2003.

Commissioner Lemons explained to the citizens that this item was important because the City received these funds from the State.

Mayor Norris asked whether this required a public hearing process. **Larry Patterson, City Manager Pro Tem**, indicated that, although in the past, the State has approved handling this matter through the budget process, in the future, the City might want to hold a public hearing. He described it as a housekeeping matter, as he knew of no jurisdiction that has declined state-shared revenues. He mentioned the estimations: \$140,000 for state revenue sharing, \$231,150 from the liquor tax, \$49,000 from the cigarette tax, and \$1,043,623 from the gas tax.

Mr. Patterson indicated to **Mayor Norris** that if the Commission asked for public comment tonight, that fulfilled the City Commission's obligation to hold a public hearing.

Commissioner Hewitt argued that the public hearing at the Budget Committee fulfilled the Commission's obligation for both required public hearings. **Mayor Norris** disagreed.

Mr. Patterson mentioned that Oregon City's share of the state-shared revenues totaled a little over \$1.5 million. **Mayor Norris** was pleased to have that amount in the City's coffers.

Commissioner Neeley asked whether the City Attorney's silence signaled concurrence. **City Attorney Edward Sullivan** responded that he and staff have discussed this point in depth and that he preferred to provide notice and to hold a hearing on this matter.

Commissioner Lemons asked for clarification on whether the City would get the full \$1.5 million of shared revenues. **Mr. Patterson** explained that the State calculated these funds on a per capita basis for each city. He noted that their receipt depended on the action of State Legislators. He mentioned that it was questionable whether Oregon City would receive any cigarette tax revenues. **Commissioner Lemons** observed that this was not money confirmed for Oregon City's coffers.

Commissioners Bailey/Neeley m/s to adopt Resolution No. 03-26, declaring Oregon City's election to receive state shared revenues for fiscal year 2003-04. A roll vote was taken, and the motion passed with Commissioners Lemons, Bailey, Neeley, Hewitt, and Mayor Norris voting 'aye.' 5:0.

3.7 Commission Report No. 03-165, Proposed Resolution No. 03-27, the Vacation of Unneeded Portions of Van Buren Street Between 17th Street and 18th Street – the Northwesterly and Southeasterly 8.0 feet – Supersedes Resolution No. 03-25, (SV03-001).

Commissioner Neeley asked Bob Cullison, Engineer Manager, whether staff noticed the neighbors, and whether they all agreed to the street vacation. **Mr. Cullison** indicated that staff met all the criteria for the street vacation.

Mr. Cullison confirmed to **Commissioner Neeley** that the vacation was for only eight feet on each side of the street, and not the entire street itself. He also confirmed that the remaining 42 feet of this original 60-foot right-of-way was adequate to meet the City's needs. He explained that residential development in the area brought forward the right-of-way vacation request as a means of facilitating some of the small lots.

Mr. Cullison indicated to **Commissioner Neeley** that the street would not go through because the grade was too steep. He mentioned the notice of this item in the newspaper for a public hearing at the August 6, 2003, meeting.

Commissioners Neeley/Hewitt m/s to approve Resolution No. 03-27, the vacation of unneeded portions of Van Buren Street between 17th Street and 18th Street – the northwesterly and southeasterly 8.0 feet. A roll call was taken, the motion passed with Commissioners Lemons, Bailey, Neeley, Hewitt, and Mayor Norris voting 'aye.' 5:0.

3.8 Commission Report No. 03-168, Purchase Authorization – Oregon City Public Works Fleet – Asphaltic Concrete Milling Apparatus with Transport Trailer.

Commissioner Lemons asked that staff not to put bids for equipment on the consent agenda, as he wanted a Commission discussion of the requests.

Nancy Kraushaar, City Engineer and Public Works Director, explained that this particular piece of equipment was a new addition to the fleet, which would save time and money. She described how staff would use it with the City's existing equipment to facilitate water and sewer line trench repairs, small scale pavement reconstruction, overlay work, and re-use the grindings for back fill (instead of sending the grindings to the landfill). She pointed out that the City could not go out for competitive bids on this equipment because it was unique, and therefore sole source.

Ms. Kraushaar indicated to **Commissioner Hewitt** that the street crew provided input, after seeing the apparatus in use. She said that the crew felt it would be a fantastic addition to the fleet.

Commissioners Hewitt/Lemons m/s to authorize the purchase of the new asphalt and trenching machine with transporter trailer for \$54,750 from Asphalt Zipper, Inc., a sole source A roll call was taken, the motion passed with Commissioners Lemons, Bailey, Neeley, Hewitt and Mayor Norris voting 'aye.' 5:0.

3.12 Commission Report No. 03-170, Sale of City Fire Equipment to Clackamas County Fire District #1.

Commissioner Neeley said that he had no problem with the sale. He pointed out the City used the bond to procure some of the items, yet it has not yet paid off the bond. He asked if the City had to sell the equipment, and if so, should the Council use the proceeds to pay off the bond. **Mr. Sullivan** explained that the City did not have to sell the equipment but could, if the Commission so desired.

Commissioner Neeley recalled that the bond request was quite specific in listing equipment, building, and reconstruction as things that the capital bond request would cover. He personally felt that the money should either be used to pay down the bond debt or be put back into the bond account and used for things that were approved in the bond.

Mayor Norris asked staff which items were related to the bond. **Chief Gordon Huiras, Public Safety Director**, referred the Commission members to Appendix A of the report. He stated that the City purchased three pieces of equipment (dated 1999) using the bond: 1999 Pierce Bumper, 1999 Piece Qunit, and 1999 Ford Expedition – SUV.

Commissioner Lemons asked to hold off on any decision relating to this matter until after the August 4, 2003, joint work session between the City Commission and Clackamas County Fire District #1. He seconded Commissioner Neeley's concern that the City should apply the sale proceeds to paying off the bond debt.

Commissioner Neeley pointed out that selling off this equipment implied that the City would not be forming its own fire unit in the future because it would be cost-prohibitive to re-buy this equipment.

Mayor Norris pointed out that the first payment period (10 year payment period in a 20 year bond) did not occur until January 1, 2004.

Commissioner Hewitt asked whether the bond had paid for everything that the Commission had had in mind when it went out for the bond. **Chief Huiras** noted that the City was still working on a remodel on the Hilltop Station and other minor items on the South End Station.

Chief Huiras indicated to **Commissioner Hewitt** that the City still had \$411,000 left in the bond.

Mayor Norris asked to hold over this item until after the August 4, 2003, joint work session.

Commissioners Neeley/Hewitt m/s to table this matter until after the August 4, 2003, joint work session with Clackamas County Fire District #1. A roll call was taken, the motion passed with Commissioners Lemons, Bailey, Neeley, Hewitt, and Mayor Norris. 5:0.

4.0 COMMISSION BUSINESS

4.1 Commission Report No. 03-172, Approval of Municipal Court Judge's Contract.

Mayor Norris introduced the report noting one change, which she asked City Attorney Sullivan to explain. **Mr. Sullivan's** response was inaudible, as his microphone was not turned on.

Commissioners Bailey/Hewitt m/s to approve the contract for Municipal Court Judge Laraine McNiece retroactive back to May 1, 2003.

Commissioner Neeley raised a concern about the termination date of the two-year contract. He pointed out that a two-year contract it would put a new Commission in the position of making an evaluation on somebody after the members have only been in office for three months. He

suggested having a one-year term with an automatic reopening for a two-year period, if the Commission so chose, as that would put the evaluation in the second year of a Commission.

Commissioner Hewitt wondered if Commissioner Neeley's concern would be relieved with an 18-month cycle. **Commissioner Neeley** responded it would still throw it out of a phase.

Commissioner Lemons asked Commissioner Neeley to clarify his concerns. **Mayor Norris** stated she was not bothered with the term suggested in the contract.

Commissioner Bailey stated his inclination to approve the contract at hand, but to consider a one-year term next time.

A roll call was taken, the motion passed with Commissioners Lemons, Bailey, Hewitt, and Mayor Norris voting 'aye,' and Commissioner Neeley abstaining. 4:1.

5.0 COMMISSION / CITY MANAGER INFORMATION

5.1 City Manager's Report:

5.1.a Commission Report 03-171, Consider Draft Version of City Manager Contract.

Mr. Patterson said he and City Attorney Sullivan were still working on the contractual language. He indicated that they should have something available for the Commission's action at the next meeting.

Mr. Sullivan reported that staff developed the type of contract that the Commission had directed. He said that Patterson Parks, LLC, after its review of the contract, shared its concerns with him. He confirmed that he would provide a contract for Commission review at the next meeting.

Mr. Sullivan emphasized the importance of trying to "square the circle contract" of the Charter language, as well as state and federal laws on employment. He observed that the contract did so, to the extent possible. He indicated that he would have the final language available a week prior to the next Commission meeting.

Mayor Norris mentioned an article in *The Oregonian* on the unusual employment arrangement of "leasing the city manager." She recounted that citizens lobbied her at several events over the weekend to consider the idea, describing it as a cost-effective and creative solution for the City.

Commissioner Neeley shared the citizen comments that he has heard, expressing concerns about having a leased city manager who would be working on other non-City projects. He explained to the citizens that it was not unusual for a city manager to be involved in a teaching or consulting program while holding down as full time job as a city manager.

Commissioner Lemons stated that he did not support the proposed hiring arrangement in Mr. Patterson's contract. He preferred the hiring practice used in the past and added that he has supporters in the community who agreed with him on this point.

Commissioner Neeley pointed out that Mr. Patterson would accept a conventional hiring, but he is trying to save the City money, which this contract did. **Mayor Norris** stated that the difference was approximately a \$30,000.

Mr. Patterson continued the City Manager Report:

- Staff received the federal building packet, but **Mr. Patterson** doubted that the City would be successful in obtaining the building, due to its costly remodel (approximately \$650,000 to \$900,000). While the required remodel of the site design could be done, the biggest hurdle was the City's financing plan for funding the remodel.

Mr. Patterson suggested withdrawing the City's name from consideration. He mentioned that Chief Huiras has spoken with the Clackamas County Sheriff's Department about a joint application for the use of the space. He indicated to **Mayor Norris** that the application deadline was the end of August.

- **Mr. Patterson** noted the Transportation Advisory Committee's recommendation for a pedestrian walkway to Wesley Lynn Park. **The Commission** granted approval by consensus directing staff to take the project to bid.
- **Mr. Patterson** mentioned that he would arrange for Mr. Jencks to meet with the Commission about the Regional Partnership. He referred to his handout, noting that the City's cost for entering into the partnership was \$3,000. **Mayor Norris** supported joining the Regional Partnership in order to help the City develop its economic development plan. **Commissioner Hewitt** encouraged the Commission to approve the agreement for allowing Mr. Patterson to expend \$3,000 to enter the Partnership. **The Commission** granted approval by consensus.
- **Mr. Patterson** presented Clackamas Community College request for a partnership with the City to support the Environmental Learning Center (ELC). The College cut the director and support staff due to budget cuts. **Commissioner Neeley** suggested that the Commission consider a joint effort on urban storm water issues in collaboration with the educational center. **Mayor Norris** said she was interested in Newell Creek Watershed Restoration and Conservation Council and would support ELC with that concern.

Mr. Patterson indicated to **Commissioner Hewitt** that he has not met with the College to determine the scope of the proposed partnership. He said that he has spoken with Mr. Dixon and learned that the College was still searching for what it needed.

Commissioner Bailey pointed out that, fundamentally, it was not the City's problem to maintain the John Inskeep ELC. He stated that he would be happy to get involved in developing a long-range plan with the College. **Commissioner Lemons** agreed with Commissioner Bailey's comments.

- A joint work session has been set for August 4, 2003, at 5:30 p.m. with Clackamas County Fire District #1. The proposed agenda would introduce the players, provide an overview of the program, and define resources and boundaries. In addition, the two groups would discuss issues, such as staffing the South End Station, along with the Joint Oversight Committee. **Commissioner Hewitt** said he wanted "alternative" staffing added on item 2.A. **Commissioner Neeley** also asked for information about the services at Holcomb Station, which was a county station. **Commissioner Hewitt** asked to have annexing districts added as an agenda item.
- **Mr. Patterson** indicated that staff would meet with the County staff to discuss the County adopting the City's methodology, which it needed to do if it was going to collect Parks System Development Charges (SDCs) for unincorporated areas in the Urban Growth Boundary. **Commissioner Neeley** commented that this point was in the Parks Master Plan.
- **Mr. Patterson** commented that a past Commission approved the sale of the 1-acre plus Partlow property, which was the original site of the South End Fire Station. He indicated that the new Comprehensive Plan proposed zoning the area neighborhood commercial. He asked permission to sell the property.

Chief Huiras confirmed to **Commissioner Lemons** that the City purchased the property with fire bond funds. He said that staff would put the sale proceeds back in the bond fund. **The Commission** agreed by consensus to put the property up for sale.

- **Mr. Patterson** advised the Commission to discuss its Goals and Action Plan at a mini retreat, including a tour of the City to view the site of many projects. He suggested reviewing and prioritizing the list of projects.

5.2 Commissioner Communications:

5.2.a **Mayor Norris extended the term of Laura Law to the Metro Enhancement Committee with term to expire on December 31, 2003.**

5.2.b **Commissioner Bailey** provided a brief overview of the Commission's Goals and Actions.

5.2.c Historic Oregon City

Mayor Norris reported that Historic Oregon City has met to discuss development of tourism for historical facilities, such as the End of the Oregon Trail Interpretive Center, the McLoughlin House, the Ermatinger House, and the Clackamas County Historical Society. The group was ready to send out a request for proposal (RFP) for a consultant, and the Clackamas County Tourism Development Council (TDC) has agreed that the City could use \$50,000 for this purpose.

Mayor Norris spoke to administering the contract through the City with Ms. Craig as the point person. She mentioned the goal of the consultant providing advice on the organizational structure by December 31, 2003. She expressed her hope that Oregon City could bring its tourism development under one umbrella, and allow the City to pool its resources, as Historic Williamsburg, Virginia, did in effectively marketing its historical properties together.

Commissioner Bailey supported the premise. He mentioned his observations on a recent trip to Baltimore, Maryland on that city's successful efforts to unify its historical tourism facilities.

Commissioner Neeley recognized the great advancement for all these facilities to come together. **The Commission** agreed by consensus to support moving forward with the RFP.

5.2.d McLoughlin Corridor

Mayor Norris reported on a group meeting of the mayors and city managers of Oregon City, Gladstone, Milwaukie, plus Metro and Clackamas County, to discuss the McLoughlin Corridor. She said that the group met with two consultants, Dave Leland of Leland & Associates and G.B. Arington with Parsons, Sprinkerhoff, Clay, and Douglas. She mentioned the group's agreement that the McLoughlin Corridor was deteriorating, and, that the economic health of each entity in the group depended on the health of the corridor.

Mayor Norris spoke of a report from an MPAC meeting that Metro had \$100,000 for a pilot project for a regional center. She mentioned Mr. Leland's suggestion that the group draw up an intergovernmental agreement (IGA) to become a regional center in order to qualify for the funding. Clackamas County offered to put together an IGA, which Mr. Patterson has received.

Mayor Norris asked the Commission's approval to enter into this IGA. She requested the Commission's approval to submit an application to Metro as a regional center for the development of the McLoughlin Corridor. **The Commission** agreed by consensus to proceed with the proposal.

5.2.e Mayor Norris described this past weekend at the Oregon City's Arts Commission First Arts Faire as very successful, and well attended and supported. It was a two-day event with over 60 artist booths and a steady crowd of participants.

5.2.f Metropolitan Policy Advisory Committee (MPAC)

Commissioner Neeley commented that the Metro's \$100,000 funding for a pilot program had tremendous potential.

Commissioner Neeley reported that MPAC received a letter from the Mayor of Wilsonville, referencing Metro's proposed "Alternative Study Area for Industrial Lands." He noted that, even with the recent UGB extension, the region was 2,700 acres short of the anticipated industrial lands need over the next 20 years.

Commissioner Neeley explained that the Mayor of Wilsonville was concerned about Metro's extension of the study area of potential industrial lands (in order to accommodate the 2,700 acres) to include an area south of the Willamette River, adjacent to the Charbonneau area. He recalled that MPAC had voted 10 to 7 to exclude areas south of the Willamette River but the Metro Council voted the next day to include this particular area south of the Willamette River.

Commissioner Neeley spoke to finding a mechanism for all the jurisdictions in Clackamas County to say, "There are certain boundaries that we should not cross." He spoke to the cities reaching agreement as a group to push that as a policy to Metro. He recalled that all the

Clackamas County jurisdictions voted to exclude the area south of the Willamette River, which was in Clackamas County. He expressed his doubt that Metro would include the area after the study because of the political implications.

Mayor Norris reported that Mayor Hammerstad of Lake Oswego raised a paramount issue at the meeting: the integrity of the vision that each city had for itself.

Commissioner Neeley indicated to **Commissioner Hewitt** that there was not discussion on how the cities would band together and become a coalition. He spoke to discussing the issue with Clackamas County Commissioner Martha Schrader.

Commissioner Hewitt wondered whether the “4-C” group could address this. **Commissioner Neeley** commented that Washington County has been very effective in its efforts to band together, which Clackamas County should emulate.

5.2.g Green Corridor Study

Commissioner Neeley informed the Commission that the Clackamas County Planning Commission rejected the County Green Corridor Study, partly because the recommendations differed dramatically in the presentations of agro-industrial development and agro-commercial development with the Green Corridor.

Commissioner Neeley noted the original 1,000 foot setback from the centerlines of Highway 213 and Highway 99E for development, which the County Planning Commission changed to 300 feet. He reported that the Planning Commission formed a subcommittee to look at extending the Green Corridor Study countywide, instead of focusing on the two highway corridors defined by Metro.

5.2.h City Trolleys

Commissioner Hewitt mentioned that the City of Salem was interested in leasing or buying one of the City’s two trolleys. He asked the Commission to look at how the community did business in Oregon City with regards to these trolleys. He mentioned hearing that the Mayor supported leasing the trolleys but not selling them. He questioned whether the City needed to own the trolleys. He requested placing this on the agenda for future discussion.

7. EXECUTIVE SESSION

Mayor Norris called to order an Executive Session at 9: 00 p.m. pursuant to ORS 192.660(1)(h), for consultation with counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed.

8. RETURN TO OPEN SESSION

Mayor Norris reconvened the regular meeting at 9:07 p.m.

Commissioners Neeley/Lemons m/s to approve Counsel’s recommendation for payment of \$2,500 to settle the federal lawsuit in *Ratto v. City of Oregon City*. A roll call was taken, the motion passed with Commissioners Lemons, Bailey, Neeley, Hewitt and Mayor Norris voting ‘aye.’ 5:0.

9. ADJOURNMENT

Mayor Norris adjourned the regular meeting at 9:08 p.m.

Respectively Submitted by,

LEILANI BRONSON-CRELLY, City Recorder