

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

January 7, 2009

1. **Convene Regular Meeting of January 7, 2009 at 7:02 p.m. and Roll Call**

Roll Call: Mayor Alice Norris; Commissioner Damon Mabee; Commissioner Doug Neeley; and Commissioner Daphne Wuest.

Staff Present: Larry Patterson, City Manager; Ed Sullivan, City Attorney; Nancy Kraushaar, City Engineer and Public Works Director; Scott Archer, Community Services Director; Dan Drentlaw, Community Development Director; David Wimmer, Finance Director; Nancy Ide, City Recorder; Jim Loeffler, Human Resources Director; and Mike Conrad, Acting Police Chief.

2. **Flag Salute**

3. **Ceremonies, Proclamations, Presentations**

Mayor Norris announced a "Sesquicentennial Moment" to honor Oregon's 150th birthday and to give little-known facts about Oregon City. She stated the City's seal includes the City's motto: "Urbs Civitatis Nostrae Prima Et Mater," meaning "First and Mother Town of our State."

a. **Oath of Office for Newly Elected City Commissioners, The Honorable Judge Laraine McNiece, Officiating Commission Position No. 2: Rocky L. Smith, Jr.**

Commission Position No. 3: James J. Nicita

The Honorable Judge Laraine McNiece administered the Oaths of Office to newly elected City Commissioners Rocky L. Smith, Jr. for Position No. 2 and James J. Nicita for Position No. 3.

Commissioners Smith and Nicita took their place at the dais.

b. **Election of Commission President for 2009**

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

Staff Present: Larry Patterson, City Manager; Ed Sullivan, City Attorney; Nancy Kraushaar, City Engineer and Public Works Director; Scott Archer, Community Services Director; Dan Drentlaw, Community Development Director; David Wimmer, Finance Director; Nancy Ide, City Recorder; Jim Loeffler, Human Resources Director; and Mike Conrad, Acting Police Chief.

Motion by Commissioner Doug Neeley, second by Commissioner Rocky Smith, Jr. to nominate Commissioner Daphne Wuest as Commission President for 2009.

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 abstained. [4:0:1]

c. **Swearing In of Commission President for 2009 The Honorable Judge Laraine McNiece, Officiating**

The Honorable Judge Laraine McNiece administered the Oath of Office to 2009 Commission President, Daphne Wuest.

d. **Commission Assignments**

1. **Metro Policy Advisory Committee (MPAC)**

Mayor Norris announced the assignment of Mayor Alice Norris to MPAC and Commissioner Doug Neeley as alternate.

2. **Joint Policy Advisory Committee on Transportation (JPACT)**

Mayor Norris announced the assignment of Mayor Alice Norris as alternate to JPACT.

3. **South Fork Water Board**

Mayor Norris announced the assignment of Mayor Alice Norris, Commissioner Daphne Wuest, and Commissioner Rocky Smith, Jr. to the South Fork Water Board.

4. **Urban/Rural Reserves - Regional**

Mayor Norris announced the assignment of Mayor Alice Norris to Urban/Rural Reserves - Regional and Commissioner James Nicita as alternate.

5. **Urban/Rural Reserves - County**

Mayor Norris announced the assignment of Commissioner Doug Neeley to Urban/Rural Reserves - County and Commissioner Daphne Wuest as alternate.

6. **Main Street Program**

Mayor Norris announced that Commissioner Daphne Wuest has previously been endorsed as a member of the Main Street Board and Commissioner James Nicita serves on the design subcommittee.

7. **Clackamas County Coordinating Committee (C4)**

Mayor Norris announced the assignment of Mayor Alice Norris to the Clackamas County Coordinating Committee and Commissioner Daphne Wuest as alternate.

8. **Oregon City Tourism Council**

Mayor Norris announced the assignment of Commissioner Rocky Smith, Jr. and Commissioner Daphne Wuest to the Oregon City Tourism Council and Mayor Alice Norris as alternate.

9. **South Metro Light Rail**

Mayor Norris announced the assignment of Mayor Alice Norris to the South Metro Light Rail Committee.

10. **Regional Wastewater Treatment Task Force**

Mayor Norris announced the assignment of Mayor Alice Norris to the Regional Wastewater Treatment Task Force and Commissioner James Nicita as alternate.

11. **Oregon City 150th Task Force**

Mayor Norris announced that Mayor Alice Norris, Commissioner Rocky Smith, Jr., and Commissioner Daphne Wuest are currently serving and will continue to serve on the Oregon City 150th Task Force.

12. **Willamette Falls Heritage Area Coalition**

Mayor Norris announced the assignment of Mayor Alice Norris to the Willamette Falls Heritage Area Coalition and Commissioner Daphne Wuest as alternate.

13. **One Willamette River Coalition (Locks)**

Mayor Norris stated the assignment of the member to the One Willamette River Coalition will be announced at a later date.

14. **Economic Development Liaison**

Mayor Norris announced the assignment of Mayor Alice Norris as the Economic Development Liaison and Commissioner Daphne Wuest as alternate.

15. **Clackamas Heritage Partners Liaison**

Mayor Norris announced the assignment of Commissioner James Nicita as the Clackamas Heritage Partners Liaison and Commissioner Daphne Wuest as alternate.

4. **Citizen Comments**

Claire Met, representing the Chamber, extended an invitation to the Oregon City Chamber of Commerce's annual dinner and auction on January 31, 2009, its 100th year of service to the business community in Oregon City.

5. [Adoption of the Agenda](#)

The agenda was adopted as presented with item 6b removed from the Consent Agenda for separate vote.

6. [Consent Agenda](#)

- a. **OLCC: Liquor License Application - Full On-Premises Sales for Commercial Establishment, Applying for a Change of Ownership and Change of Trade Name, Boots Enterprises, LLC, DBA Woodstone Steakhouse, Located at 19502 Molalla Avenue, Suite 123, Oregon City**
Staff: Mike Conrad, Acting Police Chief

Motion by Commissioner Daphne Wuest, second by Commissioner Doug Neeley to approve consent agenda item 6a as presented.

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

- b. **Minutes of December 9, 2008 Work Session**
Nancy Ide, City Recorder

Motion by Commissioner Daphne Wuest, second by Commissioner Doug Neeley minutes of December 9, 2008 Work Session.

A roll call was taken and the motion passed with Mayor Alice Norris, Commissioner Doug Neeley, and Commissioner Daphne Wuest voting aye and Commissioner James Nicita, Commissioner Rocky Smith, Jr. abstained. [3:0:2]

7. [Communications](#)

- a. [City Manager](#)

Mr. Patterson welcomed Commissioners Smith and Nicita to the Commission and announced the Commission Retreat will be held January 9-10, 2009 at the Ainsworth House in Oregon City.

Mr. Patterson asked Ms. Kraushaar to give an update on the City's efforts during the recent storms. Ms. Kraushaar reported on the heavy, unprecedented rainfall, approximately 5 inches of rain in 24 hours. She said the Operations group performed heroically considering the circumstances. There was a sewer back-up on Joyce Court that backed up in five homes, resulting from a blockage in the downstream pipe by a paint roller. The drain is restored again and the pipe

capacity will be reviewed to ensure it is adequate for the supply. There was also a sewage back-up on Linn Avenue, and a sewage company was hired to restore the system. Public Works will also study this area to ensure its capacity is adequate. Many streets were temporarily closed, streams eroded, and gravel flowed into the roads. Clean up is now taking place. She reported that seven landslides have recently taken place in the City and the City is carefully monitoring these, including some movement at Newell Creek Village Apartments. Catch basins have been cleaned, sand bags are available on the hilltop and at Public Works; the Police Dept. has access to barricades to close streets if needed; and pump contractors are on call if needed. She stated the additional costs incurred are \$50,000, and the latest rainstorm has cost \$30,000, which is a hit on the stormwater fund. She noted the pavement damage on the roads as a result of the tire chains and said a new patch truck just arrived and will help in repairing the streets as time allows. Mr. Patterson stated that staff delivered many meals-on-wheels during the storms.

Mayor Norris commended the Operations staff for their 24-hour shift work during the storm crises. She asked for the difference in sand vs. de-icing as related to snow on the roads. Ms. Kraushaar responded that de-icer is used more throughout the storm which eliminates the need for excessive amount of sand. De-icer is efficient in labor, as it reduces the clean-up time of the gravel. Priority routes are the public safety streets that lead to emergency services, and steep hills are also a priority. She informed the public that broken tree limbs on the property owner's frontage are their responsibility to remove. Mr. Patterson stated the Code Red emergency system was used to ask the public to clear sidewalks and walkways near their homes.

Ed Allick of Oregon City commended City staff for the great job they did with the little equipment available.

Mr. Sullivan reported on the outcome of a court matter concerning Lowell Wittke and Oak Tree Terrace. Mr. Wittke had failed to appropriately complete the final lift on the road following completion of the development and the City sued to recover the costs incurred in completing the final lift. The case was apparently settled in November 2008, and Mr. Wittke had problems with the paperwork and has not signed the agreement. Court is again scheduled for Friday, and he asked the Commission for permission for the Mayor to sign the City's portion of the settlement and present it to the Court along with the other parties.

Motion by Commissioner James Nicita, second by Commissioner Doug Neeley authorize the City Commission to sign a settlement agreement and mutual release related to the Wittke litigation.

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

b. [Mayor](#)

Mayor Norris announced the first Sesquicentennial event on January 14 at City Hall where the event's stamp will be released, including a special postmark in Oregon City that will say "First City Station" and a specially-designed stamp designed by Oregon City high school students.

Mayor Norris announced the Willamette Falls Heritage Area Coalition, an effort by the mayor of West Linn and herself to be the umbrella group to preserve and enhance the Willamette Falls area from the Tualatin River to the Clackamas River. A master plan has begun by students, and

she asked the Commission to authorize to spend up to \$5,000 for this project, to be paid from the business license reserves. After some discussion, a decision was tabled to a future meeting.

c. **Commissioners**

Commissioner Nicita commended the Public Works crews for the fine work during the storms.

Commissioner Smith reported the Post Office would also display a board showing the students' designs for the Sesquicentennial stamps.

8. **Adjournment**

The meeting was adjourned at 8:02 p.m.

Respectfully submitted,

Nancy Ide, City Recorder