

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
September 19, 2007**

Presiding: Mayor Melody Thompson

Council Present: Teresa Blackwell, Walt Daniels, Randy Carson, and Tony Helbling.
Councilors Paul Carlson and Wayne Oliver were absent.

Staff Present: Mark Adcock, City Administrator; John Kelley, City Attorney; John Williams, Community Development & Planning Director; Chaunee Seifried, Finance and Court Services Director; Cynthia Thompson, Interim Transit Director; Dan Mickelsen, Public Works Lead; Jerry Nelzen, Utility Maintenance Worker; Lou Westwick, Utility Maintenance Worker; Dave Conner, WWTP Operator; Robert Wengert, WWTP Operator, Joe Witt, Lead Mechanic; Hanna Hofer, Office Specialist; Joyce Peters, Office Specialist; Marty Moretty, Office Specialist; and Valerie Kraxberger, Office Specialist.

Others Present: Charles Burden, Don Kylo, James Taylor, John Lance, Scotty Lance, Murry Taylor, Irene Breshears, Roger Reif, Terry Tolls, Allen Patterson, Irene Breshears, Ed Trompke, Kathy Batz, Lee Wiegant, Bob Cornelius, Juanita Strueble, Bruce Orr, John Middleton, Bob Hungerford and Tracey Olrecker, Debra Kidney, Scott Tabor, and Ralph Groener.

CALL TO ORDER: Mayor Thompson called the Regular Meeting to order at 7:33 p.m. followed by the opening ceremonies.

POW/MIA Recognition Day Proclamation – Mayor Thompson read a proclamation proclaiming September 21, 2007 as POW/MIA Recognition Day. Mr. Murry Taylor accepted the proclamation. They gave the City a new POW/MIA flag. Ms. Irene Breshears introduced the representatives and gave them a POW envelope with a buddy poppy in it.

COMMUNICATIONS: None.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: Kathy Batz, Canby Adult Center Director, discussed the fundraiser for Meals on Wheels on September 29.

Dan Mickelson, AFSCME president, thanked them for the invitation to come and said they were going back into mediation tomorrow and hoped they gave serious consideration to get the contract done. The AFSCME members introduced themselves.

MAYOR'S BUSINESS: None.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Helbling said they had a full Planning Commission. Regarding Canby Business Development, the downtown design standard charrettes were complete. City staff and CBD staff were working together with the architects to develop and formalize the package and they postponed the meeting with the property owners until the beginning of October.

Council Daniels said there was a meeting that night with Hope Village regarding the Transit Master Plan. The ridership had increased 9% over the previous year. They were trying something new, a special event policy, where citizens could call and get a ride on the CAT to the Community Concert Series concerts and a return ride to their home.

CONSENT AGENDA: **Councilor Daniels moved to approve the minutes of the August 29, 2007 City Council Work Session, minutes of the September 5, 2007 City Council Regular Meeting; and a Change of Ownership Liquor License Application for Canby Lanes, Inc. Motion was seconded by Councilor Carson and passed 4-0.

PUBLIC HEARING: APP 07-01 JBS Estates -

Mayor Thompson read the public hearing format.

CONFLICT OF INTEREST:

Councilor Blackwell – No conflict, plan to participate.
Mayor Thompson – No conflict, plan to participate.
Councilor Daniels – No conflict, plan to participate.
Councilor Carson – No conflict, plan to participate.
Councilor Helbling – No conflict, plan to participate.

EX PARTE CONTACT:

Councilor Blackwell – No contact.
Mayor Thompson – No contact.
Councilor Daniels – No contact.
Councilor Carson – Driven by the site, drew no conclusions.
Councilor Helbling – Driven by the site, drew no conclusions.

STAFF REPORT: John Williams, Community Development and Planning Director, said he would focus mostly on the background. JBS Estates LLC applied for a five lot subdivision of industrial property in the Canby Pioneer Industrial Park in July. The property in question was an eight acre parcel with frontage on Sequoia Parkway and Walnut Street. The application was to divide the eight acres into five lots, four of which were one acre lots with frontage on Sequoia Parkway and access from Sequoia Parkway on a cul-de-sac. The fifth lot was four acres. The City had been working with private property owners for some time to develop the extension of Walnut Street, called the new Walnut alignment, which would provide a new connection from Walnut Street to Sequoia Parkway. It would connect them to the north, provide a direct transportation route access to 99E and out to I-5 from those properties. Walnut Street would then be vacated or turned into a private driveway. This was not part of any adopted plans. The alignment was discussed when the industrial area master plan was put together ten years ago. As the Industrial Park started building out and as the final alignment of Sequoia Parkway got built, they started thinking it might be advantageous. They had been working with property owners on a voluntary basis to implement it. When the subdivision came in, it was a trigger for serious discussions about this possible roadway alignment. Since it was not in any of the adopted plans, staff did not think it should be a condition of approval. What he recommended was requiring

standard half-street improvements on the existing alignment or improvements in a different alignment if they could get agreement and the City would approve it. When this discussion came before the Planning Commission, they felt more certainty was needed about the road alignment. Based on some testimony at the public hearing regarding the impact of Walnut Street's development on the two properties to the south of the subject parcel, the Commission rewrote two conditions, conditions 12 and 13. These conditions would require construction of Walnut Street in this new alignment and would require the applicant to participate in a Local Improvement District, should one be created to fund that new alignment. It was the changes to the two conditions that was the subject of the appeal that night. When they did appeal hearings, the appeal was limited to specific issues raised in the comment period unless the Council allowed additional issues to be admitted or allowed additional evidence to be admitted. They had a significant amount of additional testimony or evidence that had been received since the Council packet was prepared and the Planning Commission record was formalized. The first decision the Council needed to make was whether to admit the new evidence.

Mayor Thompson asked what the nature of the materials were.

John Kelly, City Attorney, said there were three submittals, one from the appellant, a supplemental submission in support of appeal, second was a letter from Roger Reif representing the Burden estate, and third was an email received from Terry Tolls. All three contained new evidence as far as material that was not in the record at the time of the Planning Commission hearing. They could allow the additional evidence if they thought it would help resolve the case. Should they decide they wanted more time to digest the material they could continue the hearing to October 3.

Councilor Daniels asked if the new information was given to the Planning Commission, would it make any difference.

Mr. Kelley said he did not know if it would or would not. To send it back to the Planning Commission and get it back to the Council within the 120 day deadline would not work.

Councilor Helbling asked if both sides brought in new information that would affect the decision, did that not automatically extend the 120 day rule.

Mr. Kelley said it was not a new issue, it was new evidence.

Councilor Blackwell thought they should have the evidence and come back after having the opportunity to examine the evidence.

Mr. Kelley said they should accept the new information and have the attorneys lead them through it and then review it and come back for a decision. He thought they should close the public testimony of the hearing that night and come back for the decision making process. Council agreed to allow the additional information.

Bruce Orr, attorney for the applicant, said that in front of the Planning Commission, Mr. Reif and Mr. Tolls' positions were in favor of the application. They were now taking the position of

opposing the application and, as a consequence, he believed they waived their right to oppose the application on appeal.

Mr. Kelley said Mr. Orr was protecting himself by raising the issue and putting it in the record, but it was advised that the Council should read all of it.

Mr. Williams said there were four major categories in the appeal application itself. They were arguments outlined by Mr. Orr. The first major topic was that the Commission did not conduct a Dolan analysis of the proposed exactions in the amended conditions. These analyses were required by the Supreme Court's decision in the case of Dolan vs. City of Tigard, and they needed to be able to show that any exactions were roughly proportional to the needs created by the development. This was not present in the record and staff agreed with that. The second argument was there was no evidence in the Commission's record to support a finding for a need for a Local Improvement District. The Commission's decision did not require the formation of a LID, but it did require a waiver of remonstrance if a LID should be formed. There was no evidence in the record as to exact details about what the total cost of the LID would be, what the applicant's share of that LID would be, or how proportions would be allocated to other properties. Staff agreed with this as well. The third argument was there was insufficient evidence in the Commission's record to support the supplemental finding made by the Commission that the current road alignment for Walnut Street would unduly hinder the use and development of industrial zoned properties to the south. The Commission discussed lots seven and eight, which were surrounded by Walnut Street, Fourth Avenue, and Sequoia Parkway. They discussed the size and viability of those lots as industrial properties should Walnut Street be developed in its existing alignment and made a finding that the current road alignment would unduly hinder the use and development of these lots. The Commission approved the subdivision, Burden 1, the subdivision that created lots seven and eight. The history of that subdivision was essentially Sequoia Parkway's alignment was determined first and the subdivision was created around it. Lots seven and eight were remainder parcels. Walnut Street was existing at the time the subdivision was approved, and the Commission approved the subdivision and made a finding that all of the lots met the criteria for subdivision. Staff agreed that the findings of these two applications were in conflict. The last argument was the City did not have the ability to require the new road alignment since it was not contained in the adopted plans, and he covered that earlier in the staff report. They were on a 120 day timeline and suggested the public testimony portion be closed that night. The Planning Commission's key finding had to do with the impact of Walnut Street in its current alignment on the lots to the south. They used their finding on that issue to create the other conditions as the only way to solve the problem. If the Council were to agree, it would hinder the development of those properties that would support the Planning Commission's decision. If not, they would need to find some other reason to deny the application. If they believed the findings along those lines could not be made, they would recommend approving the original conditions proposed in the staff report. This was an appeal hearing, not a subdivision hearing, and they were not ruling on the original subdivision.

Councilor Carson asked for the ownership of the properties in question.

Mr. Williams explained it.

Councilor Helbling asked when this first went before the Planning Commission.

Mr. Williams said the road had been discussed in the past and they had been working with the property owners for some time and all of these issues were known before the original subdivision application was filed.

Councilor Helbling wanted those minutes also.

Mayor Thompson wanted to know if the concept had been discussed for a long time, why was it not adopted.

Mr. Williams said they had attempted to work cooperatively with the property owners and they still were.

Councilor Carson said this was not only for the property owners, it was for the benefit of the community to make sure the roads went into a plan that would work for the best use of the property.

Mayor Thompson opened the public hearing at 8:26 p.m.

PUBLIC TESTIMONY

APPELLANT: Mr. Orr said he was not going to restate what he put in writing and they had allowed it to become part of the record. The staff report acknowledged the Planning Commission did not follow applicable law in making the changes to the staff report because it did not follow the requirements set forth by the Supreme Court in the Dolan decision. The fourth point made in the staff report also established the Commission did not follow applicable law because it acknowledged the Commission did not have the ability to require the new road since it was not contained in any of the adopted plans by the City. The second point in the staff report also established the Commission did not follow applicable law because the requirement for the waiver with regard to the formation of an LID was inappropriate and incorrect and did not meet the requisite findings to place such a condition in the decision. The third point in the staff report showed the Commission did not follow good planning precepts because it made a finding with regard to the two lots owned by the Burden estate, lots seven and eight, that they were not developable when in fact such a conclusion was reached in 2005. There was no discussion about what happened to other parcels if Walnut was vacated. When the Commission imposed this road on his client, to do it as it was currently configured would deny two lots access to Walnut that they had now. The whole plan was unfair as it took a substantial amount of his client's property, a little of the Burden property, and another property would be cut off by the road. It would benefit the Burden estate because they would get half of it and Parsons would get half of the street. His client would be giving up a substantial amount of property, other people would get more property, and some properties were left without access to Walnut Street. It was not thought out. He and his client knew nothing about prior applications for a subdivision that might hinder their application because of the problem with regard to this road. Whoever owned that four acres was going to have to comply, either fix Walnut or put in another road that was acceptable to the City. If the City approved the plan as proposed and set forth in the conditions in the original staff report, they got four new one acre parcels that everyone thought was a good idea. Walnut was a problem, but the staff report anticipated that some point along the way someone would

have to get it fixed. The Commission, in its well intentioned effort to get a solution, forgot about the two properties on Walnut and the equity in terms of resolving the other properties as it cut through his client's property and the Burden property. Sequoia was put in place, and then the Burden subdivision was placed on top of that and these lots were created. The intentions were preserved with the staff report and all they were asking was the Commission's decision to modify conditions 12 and 13 be overturned and the original staff report be adopted. They might hear from others that everyone would like to get together between now and the next meeting to resolve the road issue once and for all. Everyone had been trying to work towards that end, but it was difficult because there were a number of different issues and there were some expenses involved.

PROPONENTS:

Ed Trompke, attorney representing Parsons Family Trust, said the trust owned some of the properties they were talking about. They supported the appellant and the staff report. He suggested a practical resolution to this. Mr. Parsons died earlier this year; he was the trustee and his son farmed some of these pieces. There was a lack of continuity and with estate taxes, there was a financing problem with building a road that created a hardship on the trust. He thought the Burden estate might be facing the same type of issues. He said if the City wanted to change this, it would be very important that they got together with staff and finance it through a LID. Building this would cost around half a million dollars. Other properties could contribute to the LID and it allowed them to spread the payments over several years and that was necessary when building infrastructure like this. It would also take away the value of the property if someone had to immediately on development pay the whole thing in one lump sum, which is what would happen if it had to be a condition of approval for development that they build the half-street improvements. They had to have a mechanism to finance it over a period of time. Whatever the Council did they wanted to direct staff to help out to make these things happen as industrial development was tough to get done and the owners wanted to get it done. The lack of access was a concern, and there was not a resolution yet, but they had talked about doing land swaps which would have to be done as separate lot line adjustments in order to make it work. It might be this got done once an agreement was reached over a period of the next six months or year. From a practical standpoint, the City would have to help with the financing and they would be back in charge of the timing. He was asking them to give, between now and the next hearing, some instructions to staff to make this a possibility. He thought everyone was acting in good faith; his client had the most to lose as he lost the access, paid for a big chunk of the curve piece, lost land on it, and paid for the street as part of an LID. He was willing to proceed in good faith to do it. With all of the estates, it was complicated and with staff help he thought they could get there.

Mayor Thompson asked how much land his client had, and Mr. Trompke said about 35 acres.

OPPONENTS:

Roger Reif, Representative of the Burden estate, said he was at the Commission hearing as a proponent and he really was a proponent. They had the same issues as Mr. Trompke and they needed a solution out there. They wanted this deal to go through, but they thought they needed the conditions there in order to be a proper industrial subdivision. He understood what Mr. Orr

said and he believed him that he did not know about the prior applications. On behalf of the Planning Commission, this was not a new issue. He had in his file that Walnut Street would be east to west; he did not realize the final map showed north to south. They did not want to hinder them; they just wanted a solution to the problem. That was why they were there as a proponent, but they needed a LID or something because they could not put the road out there because of the expense. In order to do this, they needed to get the people together. Mr. Orr was correct that they did not get the Dolan case information, but they did not have the time with the death and the 120 day deadline. He took exception when he said it made a property owner hostage; he thought they were a hostage when they could not get all the people together. They were in good faith, they paid engineers privately trying to get it together. They were not successful, but they tried. He wanted the record to show they did want this application to go through. They did not want to delay it or for the Parsons as they had the same issues they did. But this was an issue out there and the property owners and City had to come to a solution or they would have a mess. Mr. Trompke's client owned more than 50% of the acreage and he wanted a LID too. He was concerned about the dates and he thought they could try to put it together but probably could not get it done in time. The Planning Commission did not follow the precepts of good planning, because if they looked at this and the new information, they could not help but know that it was a mess. If the City Council felt this was an issue and could not get it done by October, they could find it did not follow the precepts of good planning. He said they would work in good faith to get this done not only for their property, it was the entire industrial subdivision. They were still in favor of the application, but they had to come up with a solution while they had the properties. In his letter, he said, with all due respect to everyone, when they went back to the Burden subdivision in 2005, Sequoia Parkway was there first, and they did not create those narrow lots. Sequoia was organized and put where it was so they could avoid the cemetery, serve the Weygandt place, get access to the American Steel property, and they had to give and take to get it resolved to the common good of all. They did not like that narrow, skinny lot, but for the industrial subdivision it made sense to go there. It would not happen in the 120 days, but they would try to put it together because it was the right solution. It was not impossible that these narrow parcels could be developed, but it would be difficult.

Terry Tolls said he testified as a proponent of subdivision of the property. His comments dealt with Walnut, and he was not an attorney and did not know he had to re-enter a public document back into the testimony, the 1998 master plan which was adopted by the City. What they did know was there was a requirement in the master plan that the local roads remain flexible as to where they would go. If they were to look at worksheets from early in the process, all of them addressed an east to west direction from Walnut onto Sequoia. He thought the Industrial Area Master Plan in 1998 had been adopted by the City and 100% of the master plan maps all showed the alignment east to west. They cooperated on these things as best they could for the community. He was in favor of a subdivision of their property, and wanted to see Walnut Street resolved in the process. They had many years in this. In the additional evidence, he urged them to go along with the findings of the Planning Commission, but that made him an opponent because they were different from what the applicant submitted. He could walk them through every alternative that had been presented, and they assumed from the beginning that they would be doing land swaps and property being neutral as far where the roads went. He was bothered about the fact that it was said these issues had been forgotten.

REBUTTAL: Mr. Orr said his understanding was that the master plan was adopted in 1998 and that map showed that Walnut would be extended, parallel to Sequoia, and would come out of the Parsons' property. There was no east to west adjustment for Walnut, it would be north to south. Mr. Tolls said that there was a chance the opportunity to make an adjustment on Walnut would be lost, but that was wrong. The way Mr. Williams worded it in the staff report retained the intention the Commission wanted to have regarding to the placement of Walnut. It made it more of an imperative and put a greater burden on the owner of that four acres, which if it was the Parsons, it would impose a condition on the Parsons for the further development of that four acres that they had to solve the road issue one way or the other. If this plan was not adopted, one option was his client could take that eight acres and sell it to someone else as an eight acre parcel. That would avoid this tension over Walnut because the Commission might preclude any building on that property subject to Walnut being adjusted, but he did not see how the Commission could do that. The opportunity to retain the intention associated with getting Walnut adjusted was improved by adopting the subdivision they put forward that the staff report placed certain conditions upon. So the opportunity to retain this chance was going to continue, it would not go away and it benefitted all parties for this plan to be approved. Not one person said the development of these four one acre parcels was a bad thing. Everyone agreed it was a good thing. So how much of a risk did they want to place on the development of that acreage by holding up this subdivision when the goal of retaining the intentions associated with getting Walnut solved would remain. Neither Mr. Reif or Mr. Tolls said that by adopting this subdivision that it would go away, and Mr. Williams did a good job of keeping these intentions in the staff report.

Mayor Thompson closed the public testimony portion of the public hearing at 9:13 p.m.

DISCUSSION:

Councilor Carson asked Mr. Kelley if they agreed to this appeal and let the subdivision go through, how did the conditions remain that they were going to hold anyone on parcel 5 of the new subdivision to build a new road.

Mr. Kelley said it required development of the road before any development occurred on the lot. They were not asking them to drop conditions 12 and 13, they were asking them to substitute the original conditions 12 and 13 that Mr. Williams had in his original staff report.

Mr. Williams summarized conditions 12 and 13. They would deny an application that came in that did not provide that access to a collector street.

Mayor Thompson asked if conditions 12 and 13 were meant to encourage people into a broader discussion with each other.

Mr. Williams said that was correct, and they had discussions in the past. They had looked for advanced funding of the improvements through Urban Renewal, and the Agency said no. Advanced financing and local improvement districts were great, but someone had to front the money and that would still need to happen.

Mr. Williams said the key thing was in 13 they could work on the alignment with the City. The map was very general and the whole discussion had been how they would get access from all the different pieces.

Mayor Thompson said this was not a new concept for this area.

Councilor Carson questioned condition 13, the Commission only approved one alignment instead of allowing them to work on the alignment with the City. That was the sticking point as well as the formation of a LID.

Councilor Blackwell asked if the discussion about the advanced financing district was the first time they talked about it.

Mr. Williams said they had probably brought it up several times, but they came to the Urban Renewal Agency for assistance in building that road and the Agency decided to not go forward with that.

Mayor Thompson said most of the road decisions were not made by the Planning Commission in the industrial park as far as who would pay for it. That was worked out by the City.

Mr. Williams said the Planning Commission was an advisory committee and streets were one of their areas and they worked hard to stay out of the funding issues. They also did a lot of things that required people to spend money. They would not want to be the ones figuring out how a LID was apportioned.

Councilor Blackwell asked if they at one point discussed the configuration of that road as a Council.

Mr. Williams said the only formal discussion was in front of the Urban Renewal Agency.

Councilor Carson said back in 1998 they were looking at a flat piece of ground with a lot of cross lines on it with ownership and they had not laid in Sequoia Parkway where they ended up putting it. It was a compromise and they spent a lot of time trying to make it work for everyone. That was where they needed to be here.

Mayor Thompson asked Mr. Kelley since staff agreed that there was no formal exaction analysis in the Planning Commission's record, was it recommended that there should have been.

Mr. Kelley said yes, there should have been.

Mayor Thompson asked if there should have been evidence in the record by the Planning Commission or City staff supporting a LID.

Mr. Kelley said yes, if that was the condition they imposed as it was written.

Mr. Williams said he was not sure what evidence that would be except if nothing else could work. They only had two forward financing mechanisms, advanced financing or LID. The only other option was to go in as development happened.

Mayor Thompson said Mr. Orr stated the City did not have the ability to require the new road alignment since it was not contained in any adopted plans that was why staff did not recommend it.

Mr. Williams said if their Transportation System Plan showed that alignment that would have been what they had to do. The challenge was getting it to that end when there were so many uncertainties. Once it was in the TSP, it was set in stone. The Planning Commission's discussions showed that folks out there needed to talk.

****Councilor Helbling moved to continue the public hearing to October 3, 2007. Motion seconded by Councilor Blackwell and passed 4-0.**

RESOLUTIONS & ORDINANCES:

Ordinance 1249 - ****Councilor Carson moved to adopt Ordinance 1249, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CURRAN-MCLEOD, INC. CONSULTING ENGINEERS FOR ENGINEERING SERVICES ON AN APPROXIMATELY 1,850 FOOT EXTENSION OF SEQUOIA PARKWAY AND APPROXIMATELY 750 FEET OF IMPROVEMENTS TO S. TOWNSHIP ROAD; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Blackwell and passed 4-0 by roll call vote.**

Ordinance 1255 - ****Councilor Daniels moved to adopt Ordinance 1255, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH WITHNELL MOTOR COMPANY OF SALEM, OREGON FOR THE PURCHASE OF TWO 2008 DODGE CHARGER VEHICLES WITH POLICE PACKAGES FOR THE CANBY POLICE DEPARTMENT; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Blackwell and passed 4-0 by roll call vote.**

NEW BUSINESS: None.

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: Mr. Adcock received a call from Canby School District's Finance Director, David Moore, regarding the School District's intention to collect the construction excise tax for school facilities that the legislature recently passed into law. To do that required the City to agree to collect those fees at the time building permits were issued. It would require the development of an interagency agreement or memorandum of understanding. It was \$1 per square foot of new construction and on non-residential it was \$.50 per square foot with a maximum of \$25,000.

Councilor Carson asked if it had to come through the City since it was inside the City limits and the \$1 per square foot was a standard. He wanted to make sure they were within the standard and wanted to know the restrictions.

Mr. Adcock said he was not sure of the details, they would serve as the fiscal agent.

Councilor Helbling recommended staff work out the details with the School District and come back with a presentation. The Council agreed.

CITIZEN INPUT: None.

ACTION REVIEW:

1. Approved the consent agenda.
2. Continued public hearing APP 07-01 JBS Estates to October 3, 2007.
3. Adopted Ordinance 1249 on second reading.
4. Adopted Ordinance 1255 on second reading.
5. Move forward with the process of the construction excise tax with the School District.

****Councilor Daniels moved to go into Executive Session pursuant to ORS 192.660(2)(e) Real Property. Motion was seconded by Councilor Blackwell and passed 4-0.**

Mayor Thompson read the Executive Session format and recessed the Regular Meeting at 9:41 p.m.

Mayor Thompson reconvened the Regular Meeting at 10.40 p.m. and immediately adjourned.

**CANBY CITY COUNCIL
EXECUTIVE SESSION
September 19, 2007**

Presiding: Mayor Melody Thompson

Council Present: Teresa Blackwell, Walt Daniels, Randy Carson, and Tony Helbling.
Councilor Paul Carlson and Councilor Wayne Oliver were absent.

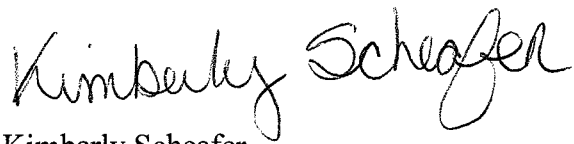
Staff Present: Mark Adcock, City Administrator; Chaunee Seifried, Finance & Court Services Director; and Cynthia Thompson, Interim Transit Director.

Others Present: None.

Mayor Thompson called the Executive Session to order at 9:48 p.m. in the City Hall Conference Room.

ORS 192.660(2)(e) Real Property – The Council discussed purchase of real estate for future Transit Facility.

Mayor Thompson adjourned the Executive Session as 10:40 p.m.



Kimberly Scheafer
City Recorder Pro Tem



Melody Thompson
Mayor

Assisted with preparation of minutes – Valerie Kraxberger and Susan Wood.