
**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
August 16, 2006**

Presiding: Mayor Melody Thompson

Council Present: Roger Harris, Walt Daniels, Wayne Oliver, Randy Carson, and Tony Helbling. Councilor Teresa Blackwell was absent.

Staff Present: Mark Adcock, City Administrator; John Kelley, City Attorney; John Williams, Community Development & Planning Director; Beth Saul, Library & Parks Director; Margaret Yochem, Transit & General Services Director; Greg Kroeplin, Chief of Police; Jorge Tro, Police Lieutenant; Joe Witt, Senior Mechanic; and Kim Scheafer, City Recorder Pro Tem.

Others Present: Catherine Comer, Sheila Tice, Bob Tice, and Jill Marie Wiles.

CALL TO ORDER: Mayor Thompson called the Regular Meeting to order at 7:15 p.m. in the City Hall Conference Room.

****Councilor Carson moved to go into executive session pursuant to ORS 192.660(2)(h) Pending Litigation. Motion was seconded by Councilor Daniels and passed 5-0.**

Mayor Thompson read the Executive Session format and recessed the Regular Meeting at 7:16 p.m.

**CANBY CITY COUNCIL
EXECUTIVE SESSION
August 16, 2006**

Presiding: Mayor Melody Thompson

Council Present: Roger Harris, Walt Daniels, Wayne Oliver, Randy Carson and Tony Helbling. Councilor Teresa Blackwell was absent.

Staff Present: Mark Adcock, City Administrator; John Kelley, City Attorney; and John Williams, Community Development & Planning Director.

Others Present: None.

Mayor Thompson called the Executive Session to order at 7:16 p.m. in the City Hall Conference Room.

ORS 192.660(2)(h) Pending Litigation – The Council discussed Krishchenko vs. Canby.

Mayor Thompson adjourned the Executive Session at 7:33 p.m.

OPENING CEREMONIES: Mayor Thompson reconvened the Regular Meeting at 7:37 p.m. in the Council Chambers followed by the opening ceremonies.

COMMUNICATIONS: Mr. Adcock received a request for a street closure. It was a for profit group and they had paid the \$50.00 fee. Council would discuss this under new business.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: None.

MAYOR'S BUSINESS: Mayor Thompson said the Council had a work session regarding amending the contract with the City Treasurer.

****Councilor Harris moved to authorize the Mayor to sign the Amendment to Employment Agreement with the City Treasurer. Motion was seconded by Councilor Carson and passed 5-0.**

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Daniels said it was nice to see the new buses going around town.

Councilor Oliver thanked Councilor Daniels and the Kiwanis for the Kiddie Caper Parade.

Councilor Helbling said that the new Planning Commissioners were on board.

Mayor Thompson wanted an update on the issue of developers buying land used for manufactured home parks. Attorney Kelley said Wilsonville had an ordinance that was going through the court system. This would be the model ordinance for homeowner protection.

CONSENT AGENDA: **Councilor Carson moved to approve Accounts Payable of \$594,079.28 and Minutes of the August 2, 2006 City Council Regular Meeting and Executive Session. Motion was seconded by Councilor Helbling and passed 5-0.

RESOLUTIONS & ORDINANCES:

Resolution 932 – ****Councilor Carson moved to approve Resolution 932, A RESOLUTION AUTHORIZING AND DIRECTING THE CITY RECORDER TO CERTIFY TO THE CLACKAMAS COUNTY CLERK A MEASURE SUBMITTING TO THE ELECTORATE FOR THE NOVEMBER 7, 2006 ELECTION, A PROPOSED FIVE YEAR, LOCAL OPTION LEVY FOR THE SWIM CENTER AT THE RATE OF \$0.42 PER \$1000.00 ASSESSED VALUE BEGINNING IN FISCAL YEAR 2007-2008; AND REPEALING RESOLUTION NO 784. Motion was seconded by Councilor Daniels.**

Councilor Harris said the last time they had done this there was a lot of support by the public. He hoped there was a lot of support for voting this in again.

Mayor Thompson said the previous Council stated that they would close the pool if this did not pass. Councilor Harris said it was not done to scare people but was the reality of the situation.

Motion passed 5-0.

Resolution 933 – ****Councilor Harris moved to approve Resolution 933, A RESOLUTION ADOPTING AN INTERGOVERNMENTAL AGREEMENT WITH THE CANBY URBAN RENEWAL AGENCY REGARDING THE ACQUISITION OF LAND. Motion was seconded by Councilor Helbling and passed 5-0.**

Resolution 934 – ****Councilor Helbling moved to approve Resolution 934, A RESOLUTION ANNOUNCING AN INTENTION TO REIMBURSE INCURRED COSTS ON POLICE STATION PROPERTY PURCHASE FROM BOND PROCEEDS. Motion was seconded by Councilor Harris and passed 5-0.**

Ordinance 1215 – ****Councilor Carson moved to approve Ordinance 1215, AN ORDINANCE AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH POWER MOTORS OF SALEM, OREGON FOR THE LEASE/PURCHASE OF TWO (2) 2007 DODGE CHARGER POLICE VEHICLES WITH POLICE EQUIPMENT PACKAGES FOR THE CANBY POLICE DEPARTMENT; AND DECLARING AN EMERGENCY to come up for second reading on September 6, 2006. Motion was seconded by Councilor Daniels and passed 5-0 on first reading.**

Ordinance 1220 – ****Councilor Harris moved to approve Ordinance 1220, AN ORDINANCE AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH POWER MOTORS OF SALEM, OREGON FOR THE PURCHASE OF ONE (1) 2007 DODGE CHARGER POLICE VEHICLE FOR THE CANBY POLICE DEPARTMENT; AND DECLARING AN EMERGENCY to come up for second reading on September 6, 2006. Motion was seconded by Councilor Carson and passed 5-0 on first reading.**

Councilor Harris asked why they were purchasing one car and leasing two. Margaret Yochem, Transit & General Services Director, said they were purchasing one because it was coming from Court funds.

Ordinance 1219 – ****Councilor Harris moved to approve Ordinance 1219, AN ORDINANCE AMENDING ORDINANCE NO. 1113 REGARDING INTEREST COLLECTED ON PAST DUE ACCOUNTS WITHIN THE CANBY ECONOMIC IMPROVEMENT DISTRICT (EID) to come up for second reading on September 6, 2006. Motion was seconded by Councilor Carson and passed 4-0 on first reading with Councilor Helbling abstaining.**

NEW BUSINESS: Request to Amend Memorandum of Understanding with Canby Livability Coalition – Mr. Adcock said that the staff recommendation was to extend the current Memorandum of Understanding for sixty days so that the Park & Recreation Advisory Board could come back to the Council with a formal recommendation.

Bob Tice said in the Memorandum of Understanding they agreed to give the City \$35,000 as their contribution for the purchase of the land due by August 31. Mr. Kelley said it sounded like what they were asking for was a waiver of that requirement.

Ms. Wiles said the agreement was that until they paid the \$35,000 they could not develop the land. They were at \$22,500 and they wanted to sell bricks as a fundraiser for a pathway on the site. They wanted to be allowed to develop the land, but would still pay off the \$12,500.

There was discussion regarding how the fundraising was being affected by the language in the Memorandum.

Councilor Harris wanted to know if they did not raise the money, would they have a partial project.

Mr. Kelley said the problem was that the organization still had to come up with \$35,000 and if they gave donations and it did not go through, the donations were gone. They wanted a commitment from Council that they would accept the \$22,500 while continuing to fundraise to reach \$35,000.

Mayor Thompson said it would be a commitment to make the area a park because once they started putting improvements in the ground, it was going to be used for that purpose. They might also have to use City funds to finish the project if they did not get the rest of the money. She thought the Memorandum should be extended and sent to the Parks & Recreation Board.

Ms. Wiles said they were going out to the community to get the rest of the donations and they had every intention to pay the full \$35,000.

****Councilor Daniels moved to grant an extension of the Memorandum of Understanding for 90 days. Motion was seconded by Councilor Harris and passed 5-0.**

Street Closure Request for Cody's Coffee and Heaven Scent Books –

****Councilor Carson moved to approve a street closure request for Cody's Coffee and Heaven Scent Books. Motion was seconded by Councilor Daniels.**

Councilor Oliver asked about the location. It would be on the railroad parking lot across from the store. Councilor Helbling said there needed to be a condition that they meet with adjoining businesses regarding parking and have a parking plan approved by the City.

Motion passed 5-0.

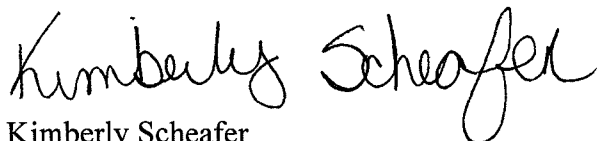
CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: None.

CITIZEN INPUT: None.

ACTION REVIEW:

1. Approved the consent agenda.
2. Approved Resolution 932.
3. Approved Resolution 933.
4. Approved Resolution 934.
5. Approved Ordinance 1215 to come up for second reading on September 6, 2006.
6. Approved Ordinance 1219 to come up for second reading on September 6, 2006.
7. Approved Ordinance 1220 to come up for second reading on September 6, 2006.
8. Granting 90 day Extension for the Memorandum of Understanding with the Canby Livability Coalition.
9. Approved Street Closure Request for Cody's Coffee and Heaven Scent Books.

Mayor Thompson adjourned the Regular Meeting at 8:33 p.m.



Kimberly Scheafer
City Recorder Pro Tem



Melody Thompson
Mayor

Assisted with Preparation of Minutes – Susan Wood