

**CANBY CITY COUNCIL  
REGULAR SESSION  
JANUARY 15, 2003**

Mayor Melody Thompson presiding. Council members present: Georgia Newton, Paul Dawson, Wayne Oliver, Patrick Johnson, Randy Carson and Teresa Blackwell.

Also present: City Administrator Mark Adcock, City Attorney John Kelley, Community Development and Planning Director John Williams, Library and Parks Director Beth Saul, Finance Director Chaunee Seifried, Transit Director Margaret Yochem, Chief of Police Ken Pagano, Kim Scheafer, Jamie Johnk, Jane Jung, Curtis & Lila Gottman, Erin Burckhard, Frank Cutsforth, Leonard Walker, David Howell, Bev Doolittle, Bob Cavanaugh, Peggy Baker, Bill Cassel, Jim Newton, Janna Yoder, Danielle Holland, Bob Trappe, Marlene Elmore, Tom Scott, John Smith, Barry Lucas, and Craig Finden.

Mayor Thompson called the regular session to order at 7:30 p.m., followed by the opening ceremonies.

**PROCLAMATION:** Barbershop Singing Week - Mayor Thompson read and presented Bob Cavanaugh a proclamation proclaiming February 2-8, 2003 as Barbershop Singing Week. Mr. Cavanaugh thanked them and hoped to see everyone at the concert on February 8.

**CITIZEN INPUT ON NON-AGENDA ITEMS:** Lila Gottman, resident of 10381 S Mulino Rd, spoke on behalf of the Canby Adult Center fundraising group. This year they were going to operate a Bingo to raise funds, and the first was scheduled for March 15, 2003 at 7 p.m. Refreshments would be available. She asked for the blessing from the Council so that they could do this on an on-going basis. Mayor Thompson thought it was an admirable idea. City Attorney John Kelley said that he and Ms. Gottman already spoke and she knew that a permit needed to be obtained from the State of Oregon. Councilor Dawson felt it was a good idea. Councilor Carson thought it would be good to raise money for the Adult Center. Councilor Blackwell said Ms. Gottman had thoroughly researched this and they should go ahead and try it. Council gave their blessing for this fund raising idea.

**CONSENT AGENDA:**

**\*\*Councilor Carson moved to approve the consent agenda: Accounts Payable of \$119,402.15. Motion was seconded by Councilor Johnson and passed 6-0.**

**COMMUNICATIONS:** None.

**PUBLIC HEARING:** Establishment of Proposed EID - Administrator Adcock said that this was the second hearing on this matter.

STAFF REPORT: Planning Director John Williams said the existing EID ended this Spring, and this was a proposal to do an EID for another 5 years. The new district had been expanded to all the commercial and industrial land in Canby and there was a new rate structure. They had been accumulating written objections and at this point they were running 13% in opposition. If they had 33% it could not be adopted. If the Council approved this, they would return at the next meeting with an ordinance formally adopting the EID.

Mayor Thompson opened the public hearing at 7:43 p.m. and read the public hearing format.

## PUBLIC TESTIMONY

### OPPONENTS:

Martha Howard-Bullen, owner of property at 615 NW 2<sup>nd</sup> Street (Post Office), said she wrote a letter in objection to this because she had a long term lease and the tenant could not assist her in any way in payment of the assessment. She supported the last EID and applauded the renovation of the downtown historic area, but she had already given to the last EID. She had no way to receive any of these monies back from her tenant.

PROPOSERS: None.

Mayor Thompson closed the public hearing at 7:45 p.m.

DISCUSSION: Jamie Johnk said that the percentage in opposition was 12.9990%. She was there to answer any questions they had.

Mayor Thompson asked about the entire budget for the EID. Jamie Johnk said when they expanded the EID boundaries they anticipated it to be about \$93,000, however their board of directors indicated that no undeveloped or residentially used properties would be assessed. After weeding those out, they were down to a \$77,384.02 budget.

Mayor Thompson asked her about grant money that they would receive. Jamie Johnk said that they always had to go out and find another source of money since they were on a tight budget. For the \$368,000 they billed for in the EID assessments in the last 5 years, they were able to bring in \$319,000 in grants from foundations, county and state entities to finish the project. They were going to be taking on a huger scope of work which would require more grant writing. A recommendation from the CBR Board was that they should make this a voluntary EID, that any of those property owners who wrote letters opposed to it would not be assessed and would not receive the benefit of the services CBR provided. Mayor Thompson said that if that recommendation was adopted, Ms. Howard would be excluded from the EID.

Councilor Dawson said other cities were looking to mirror what they were doing. Jamie Johnk said that five communities in the area had come to Canby and asked for help.

Councilor Newton said that she was lucky to be on the CBR Board for a time. She said that it filled a wonderful need and Ms. Johnk was very innovative and got things done. She would be thrilled to see another five years come about.

Councilor Carson said that the name of the game was "Canby Business Revitalization." The City needed more businesses to come to town. Ms. Johnk had done a wonderful job working with City staff. He thought it benefitted all property owners and businesses no matter if they took advantage of the facade improvements. It brought more businesses to town and stimulated the economy. He thought it was a good way to go for another five years.

City Attorney John Kelley said that they needed to decide whether this was a voluntary or mandatory EID.

Councilor Carson said that he was at the last CBR meeting and they recommended it be voluntary so those people that wanted to stay out of it could. He was willing to go along with that. Council agreed.

**\*\*Councilor Blackwell moved to approve the EID and direct staff to come back with an ordinance at their next Council meeting and to include a voluntary component to the EID. Motion was seconded by Councilor Johnson and passed 6-0.**

Administrator Adcock thanked Planning Director John Williams for all his work on this.

**NEW BUSINESS: Discussion re: Urban Renewal Agency Meeting Schedule -**

Councilor Johnson said that he felt that people didn't understand the role of the Urban Renewal District in regard to the City of Canby. He said they had talked at length last year about establishing two distinct groups, the Urban Renewal Agency and the City. Because of the late meetings and perceptions of citizens about the Council being both groups, he thought they should split them up and have the Council and Urban Renewal Agency meetings on two different days.

Councilor Dawson asked for clarification on how often the Urban Renewal Agency would meet. Councilor Johnson thought they could establish something like the Council meetings, such as meeting every second and fourth Wednesdays of the month. If they didn't need to meet, then they wouldn't hold a meeting.

Councilor Carson said the Urban Renewal committee was changed from a 17 member committee to 9, but they never appointed anyone to the committee. That should be on the agenda for their next Urban Renewal meeting.

Councilor Blackwell said that she agreed with Councilor Johnson. Her concern at this point was that the budget would be upon them and they would have a conflict.

Councilor Newton said she ran into a lot of people who didn't know the difference between the Agency and the Council, and it would help to differentiate between the two.

Mayor Thompson said that she knew other agencies who blocked out the off-meeting days for such meetings, and also for workshops. She thought perhaps in addition they could use those days for workshops or Urban Renewal meetings. They could have executive session before their regular Council meetings and cut out some of the late nights.

Councilor Oliver was in favor of blocking out the second and fourth Wednesdays. Councilor Dawson thought it was a good idea. It would help clarify the difference between the Council and the Agency. Councilor Johnson thought the idea of doing a workshop on those days was great.

There was Council consensus to hold the second and fourth Wednesdays of every month for either Urban Renewal or workshop meetings as needed.

Discussion re: Planning Commission Selection Process - Mayor Thompson said there were vacancies that needed to be filled on the Planning Commission and the process changed from Council to Council and she wanted to find out how this Council wanted to go forward with the current vacancies. Councilor Carson said he would like to go to a four member committee to interview for the Planning Commission, which included the Mayor, Council President, liaison to the Planning Commission, and chair of the Planning Commission. Their recommendation would be brought back to the Council. He thought even those currently in office should interview for reappointment. Councilor Johnson asked what if there was a tie. Councilor Carson thought they would be able to get a consensus.

Councilor Dawson said he agreed with the idea of the commissioners resubmitting when their term was up. Councilor Blackwell said they had already done a series of interviews and a current Planning Commissioner submitted his letter for reappointment as they did in the past, and she wondered what they were going to do about that. Councilor Oliver said they should start the interview process over and interview everyone that applied. Councilor Blackwell said her concern was the possibility of getting everyone back in to be interviewed. Councilor Newton said she hoped those folks could humor them so they could feel more comfortable with what they were doing. The Planning Commission was a long term commitment and they needed a good relationship with them. She would like to see the new process go in place with the new administration. Councilor Johnson said the plan sounded good.

Mayor Thompson asked about the vacant seats at the last Planning Commission meeting. Planning Director John Williams said they currently had five Planning Commissioners and two could not make the last meeting. Currently there were two vacancies.

Councilor Dawson asked how many applications they had. Councilor Carson thought they had six or seven, and three of those had already done interviews.

Councilor Blackwell said that since Mr. Tessman submitted a letter that it be considered an application.

**\*\*Councilor Blackwell moved to adopt the new method of selecting a Planning Commission and all the people previously interviewed be re-interviewed. Motion was seconded by Councilor Dawson and passed 6-0.**

Administrator Adcock said that they would schedule a date for the interviews as soon as possible.

Discussion re: Liaisons for City Commissions/Committees - Councilor Newton suggested that the senior members of the Council take what they wanted first.

Councilor Carson said he would like to be the liaison for the Canby Utility Board and Canby Adult Center.

Councilor Blackwell agreed to be the liaison for the General Canby Day Committee, Planning Commission, Canby Historical Society, and the alternate on the Clackamas County Coordinating Committee.

Mayor Thompson agreed to be the liaison to the Clackamas County Coordinating Committee.

Councilor Johnson said he would like to be liaison to the Bike & Pedestrian Committee and Transit Advisory Committee.

Councilor Newton agreed to be the liaison to the Urban Renewal Advisory Committee and Canby Public Library Board.

Councilor Dawson said he would like to be liaison to CBR.

Councilor Oliver agreed to be liaison to the Parks and Recreation Advisory Board and Traffic Safety Committee.

**RESOLUTIONS & ORDINANCES:** Ordinance 1110 - Administrator Adcock said that currently there was not adequate language in the code to allow the Police Department to effectively enforce park rules and regulations. Police Chief Pagano said this was an exclusion in trespass from Canby city parks. They had problems in the past in the skate park. If they had an ongoing problem with someone at the park they could give them a trespass order for 30 days, and if they did not follow it they could arrest them for criminal trespass. It would help them to keep the parks cleaner and keep them from going back to the same reoccurring problems.

**\*\*Councilor Johnson moved to adopt Ordinance 1110, AN ORDINANCE AMENDING CANBY MUNICIPAL CODE SECTION 12.24 REGARDING CITY PARKS BY ADDING SECTION 12.24.060 ENTITLED "TRESPASS AND EXCLUSION FROM PARKS" AND SECTION 12.24.065 ENTITLED "APPEAL"; AND DECLARING AN EMERGENCY to come up for second reading on February 5, 2003. Motion was seconded by Councilor Newton and passed 6-0 on first reading.**

**MANAGER'S REPORT:** Administrator Adcock reminded the Council that the Budget Committee Meeting had been rescheduled for January 22, 2003 at 7 p.m. in the Council

Chambers. They had a representative from LGPI to come and talk about PERS and they would also talk about the street fund. There was also a notice regarding the goal setting session. Any issues or concerns should be given to staff so they could put together the written material for their meeting on January 25.

#### **COUNCILOR'S ISSUES:**

Councilor Oliver said that on January 26 Canby Kids baseball would be having their annual Superbowl Breakfast and invited all Councilors to be their guests. It was one of their main fundraisers and had been going on for approximately 30 years. It was being held at Cutsforth's Old Town Hall. Volunteer awards would be given out at 10 a.m.

Councilor Carson said that at last night's Canby Utility meeting Shawn Carroll was elected to a one year term to be chairman for this next year. He thanked them for their hard work and keeping their water and electrical rates in line.

#### **ACTION REVIEW:**

1. Approving the Consent Agenda.
2. Approving Bingo at the Canby Adult Center.
3. Bringing back an ordinance outlining the formal establishment of the EID for first reading on February 5, 2003.
4. Scheduling Urban Renewal Agency meetings on the second and fourth Wednesdays for either an agency meeting or work session depending on need.
5. Approving the process for selecting Planning Commissioners.
6. Approving Ordinance 1110 for second reading on February 5, 2003.

**\*\* Councilor Carson moved to go into Executive Session under ORS 192.660 1(e) real property. Motion was seconded by Councilor Johnson and passed 6-0.**

Mayor Thompson read the executive session format and recessed the regular session at 8:29 p.m.

Mayor Thompson reconvened the regular Council session and immediately adjourned at 9:05 p.m.

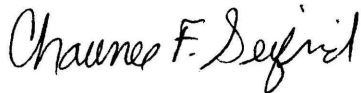
EXECUTIVE SESSION  
JANUARY 15, 2003

Present: Mayor Melody Thompson, Councilors Paul Dawson, Georgia Newton, Patrick Johnson, Randy Carson, Wayne Oliver, and Teresa Blackwell, City Administrator Mark Adcock, City Attorney John Kelley, Community Development and Planning Director John Williams, and David Howell.

Mayor Thompson called the session to order at 8:35 p.m.

ORS 192.660 1 (e) - The Council discussed real property transactions.

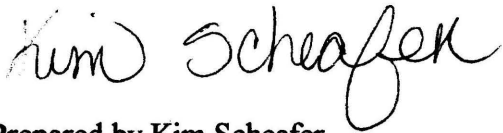
Mayor Thompson adjourned the session at 9 p.m.



Chaunee F. Seifried  
City Recorder pro tem



Melody Thompson  
Mayor



Prepared by Kim Scheafer  
and Susan Wood  
Office Specialists