

CANBY CITY COUNCIL
SPECIAL SESSION
JANUARY 31, 2001

Mayor Terry Prince presiding. Council members present Randy Carson, Patrick Johnson, Shirley Strong, Walt Daniels, and Teresa Blackwell.

Also present: City Administrator Mark Adcock, City Attorney John Kelley, Recreation Services Director Beth Saul, Community Development Director Jerry Pineau, Police Chief Jerry Giger, Planning Director John Williams, Marty Moretty, Steven Amick, Jerri Pineau, Linda Runyan-Finden, Craig Finden, Dave Eatwell, Georgia Newton, Jim Newton, Bob Trappe, Buzz and Pat Weygandt, Roy Zimmer, Bev Doolittle, Lisa Weygandt, Walker, Ray Hoen, Roger Harris, Keith Stewart, Corey Parks, Hank Jarboe, Yvonne Faber, Ken Faber, John Dewar, Wayne Oliver, Randy Tessman and Lila and Curtis Gottman.

Mayor Prince called the special session to order at 7:35 p.m., followed by the opening ceremonies.

Councilor Walt Daniels requested Councilors' Issues be added to the agenda just before Action Review. The Mayor granted the request.

CITIZEN INPUT ON NON-AGENDA ITEMS:

Ray Hoen - Asked of Council if they had received the letter he had sent and the Mayor responded that they had received it.

Roger Harris - requested to speak to the Council regarding the appointment process, pointing out that there was no opportunity for citizens to speak on agenda items, only on non-agenda items. The subcommittee selected to interview the applicants for the open Council seat created by the election had come to a split decision. His understanding was that Corey Parks would be the recommended candidate to the Council and Council would be voting on this tonight.

There are traditional reasons for appointing the next highest vote-getter to an open position because that person showed a willingness to campaign and obtain a significant segment of the community's support through votes. He agreed that it would be legitimate not to appoint that person if the Council felt there were specific reasons which could be defined and explained to the public. Primarily, he feels that the specific reason would be because he actively campaigned against the current Mayor in the election.

As far as his attitudes and positions on the Council in the past, certainly his advocacy for open discussion and decisions, always made in full public view, should be threatening only to those who actually have discussions and decisions made behind closed doors. His stand on issues should not be a threat as debating all the perspectives on an issue is at the very heart of the democratic process. If these are adequate explanation to the public for why he was skipped over, then there is no political price to pay in this appointment.

His recommendation would be for Paul Dawson who also ran in the November election, garnering a fair share of the votes. Mr. Dawson refused to be aligned with any other candidates, he didn't support anyone publically other than himself, he didn't criticize anyone, he ran an open, neutral campaign and showed an enthusiasm and a genuine, sincere interest in helping the community. This is what we should want to see sitting on the Council. Mr. Harris is aware that he is controversial and has strong opinions, whereas Mr. Dawson is not. He feels it would be risky politically to skip over Mr. Dawson and can't think of a reason to do so.

Mr. Harris reiterated not to exclude people from the political process because of their support or non-support of another candidate in an election or if they have a legitimate position on an issue. You want the process to include the various perspectives that represent the community. He requests of Council to have an open discussion in front of the public in making this appointment so the public will know the Council's justification in picking the candidate.

Councilor Johnson asked if any of the other candidates wished to have an opportunity to address the Council in light of Mr. Harris's input. Two of the candidates who were present, declined to speak feeling that it would not be appropriate.

John Dewar residing at 220 S. Walnut, Canby, addressed the Council as a Canby area resident living just outside the city limits and was disturbed after reading a newspaper article and to wishing make his thoughts clear and *for the record*, read a letter of recommendation in considering Roger Harris for the position of City Councilman.

"Roger has been an honorable and respected councilman for many years. He earned that respect through his hard work and knowledge of the needs of the City and also of its residents.

"Roger has shown insight into problem areas and has been able to deal well with them. For example: the annexation of the 301 acres in the light industrial area. There were things that he didn't understand about the situation regarding the property owners, and he listened to them and drew clear and concise conclusions that were both beneficial to them and the City.

"In his speaking at Council meetings, he has spoken both for and against ideas regarding annexation. He has shown respect to other council members even when they have disagreed with him on this and other issues.

"He has a knack of being able to admit when he is wrong and takes responsibility for it.

"In the past articles in the *Canby Herald* prior to the elections in November of last year, Roger expressed concerns for the special annexation ballot. He gave intelligent reasons for the annexation and against. Weighing both sides, Roger chose what to do.

"I have known Roger Harris for many years and have found him to be very listening-oriented. I respect him for that. I live outside of the city and have no representation in Canby. But what Canby does is affecting my family and my life. I have no say as to whether or not I want to remain living in a rural setting. My future is in your hands.

"I believe that the votes Roger received during the election should be conclusive enough that a large segment of the population of Canby wanted him for their councilman. The political process that is currently in action tonight, reminds me of the hearings in Washington D.C. even now. Even liberals are impressed with the integrity, capabilities, and experience of the man they are deciding for U.S. Attorney General. Certainly, you could respect Roger Harris for his integrity, capabilities, and experience as a councilman and appoint him for the vacancy. At least,

respect the desire of the people and the future of Canby.

"Thank you for considering my viewpoints, and I don't want Canby to lose a good man.

"Respectfully submitted, John Dewar"

Craig Finden - addressed the Council as a resident living outside the city limits although he spends all day inside the city and appreciates having the opportunity to have a voice, even though he does not have the ability to vote.

Mr. Finden also read the article and in thinking it over, he would like to move to the "honeymoon" period following an election. He does have some concerns however, with the tack that the article indicated the Council was taking. He hopes that the actions and statements made tonight and at future meetings will bear out whether the article was "mis-shapen" or not.

He stated that the Urban Renewal Task Force needs to reconvene now and address the issues that have been raised - size, impact and services, and appropriateness of the Council to act as the Agency. At this time, it would be pertinent to ask the nature of the Agency, if they are acting as an opponent to the URD. He is very concerned that the task force meetings are not being held now. Those issues impact business owners, commercial property owners and the EID District. This group is paying taxes and investing today in the revitalization of Canby. Those issues should not be tabled because of the impacts on revitalization - the meter is running on the property and business owners downtown.

Donna Walker - spoke as a citizen of Canby who trusts that this Council will do what the people want, not just the business owners. The election addressed a change of leadership.

Randy Tessman - mentioned that he had written a letter to the editor in the *Canby Herald* and feels that there is a new start in Canby. Citizen input will become a high priority of this Council regardless of who the new person will be chosen tonight, a move the right direction.

COMMUNICATIONS: None.

NEW BUSINESS: Mayor Prince made a statement regarding the January 29, 2001 *Oregonian* article:

- 1) This interview was in the first part of January before the Council had decided on a method to select his empty Council seat.
- 2) In the article, he did not state that Councilors Strong, Blackwell and Johnson are under his influence. Indeed, he said that they are very capable people who can make their own decisions.
- 3) It was only his intent to characterize their relationship as a good working relationship with some common issues to move the City forward in the next two years.

UNFINISHED BUSINESS: Appointment of New Councilor to Vacant City Council Seat - Mayor Prince stated that the committee represented by himself, Councilor Strong and Councilor Daniels was making a recommendation following the interviews with the applicants. Councilor Strong announced that the recommendation from that committee was Corey Parks.

****Councilor Strong moved to appoint Corey Parks to fill the vacant City of Canby Council seat. Motion was seconded by Councilor Johnson.**

Councilor Daniels said that when the committee report came out after reaching the consensus, those in the minority would have a chance to talk. His concern is that the Council is not looking at the total qualifications of the individuals. Although Mr. Daniels doesn't want to be perceived as carrying baggage from the campaign as some have suggested, he doesn't think the reference in the paper to the "old Council" and the "new Council" helped and it seemed to carry over to the interview committee. He felt that one individual on the committee had a conflict of interest and probably should not have had a vote. The vote did not reflect the qualifications of the individual; he doesn't want to hear "back room" information, he wants to proceed with the business at hand and move forward as a Council. The question should be which of the candidates can best serve the City at this time with the issues before them.

Mayor Prince responded that it has been a long-standing rule for the interview committee not to talk in public about what was discussed about the candidates' qualifications. The committee's recommendation is made and they report reasons for their selection, but do not openly go into detail and compare the qualifications of the candidates, either positively or negatively. He reiterated that this is only a recommendation to the Council and not a final decision.

Councilor Johnson stated that he took offense at back room deals. The former Mayor had opinions but that never meant he had to bow out of being on selection committees. He is concerned that it would be suggested that he would second the motion because of what went on in the campaign. He can honestly say that although it was a "nasty" campaign, his literature did not have Mr. Harris's name on any of it and tonight he doesn't feel comfortable talking about why he is not picking one over another. There were four superbly qualified applicants and the two who didn't run in the election, serve the City on the Planning Commission dealing with very complicated issues.

Councilor Daniels reiterated that they should not take personalities into the selection.

But Councilor Johnson did not appreciate Councilor Daniel's talking in public about what was discussed at the selection committee level when comparing the qualifications of one candidate over another.

Councilor Blackwell stated that the weight of the voice of the citizens through the election process was for change. The issue is not whether or not Mr. Harris is a good man, but as a Council, they are charged to benefit the voters through a neutral attitude. In speaking directly about Mr. Parks, who is the applicant nominated by the interview committee, she has observed while serving with him on the Planning Commission that he is neutral to this Council; a very intelligent man, discerning in his thoughts and certainly has land use understanding. Not wishing discredit any one else, she believes the public asked for change.

Councilor Carson stated that the voice of change may be tempered, and that there were quite a few votes cast for both Roger Harris and Paul Dawson. He is aware that Mr. Parks is doing a

good job on the Planning Commission but has only served a little more than a year. He feels that the people who ran in the election worked hard campaigning listening to all sides and have as just as much of a right to be appointed to this open seat. If there had been a fourth spot open at the time of election, Mr. Harris would have gotten the spot as the next highest vote-getter. This has been the precedent in the past and has served the City well. He wished Mr. Dawson had attended more meetings. He did a good job at the forum but hasn't been visible at other meetings since. Mr. Harris has been a councilor for seven years, has served on the Budget Committee for almost the same length of time, has been active in downtown revitalization, and has been through labor negotiations which are again coming up.

****Councilor Carson amended the motion and moved to appoint Roger Harris to the vacant council seat. Motion was seconded by Councilor Daniels.**

Councilor Strong stated that she also served as one of the members of the interview committee and all were well qualified. Each candidate would bring his own unique style. There were personal reasons why the two candidates who did not run for office in November, chose not to run. This was a hard decision and wanted it on record that after conversations with members of the community, the message she is getting is that people want change.

Councilor Johnson said that when he had run for office last fall, he felt he would bring a fresh outlook to the Council. In the past month, he has talked to neighborhood groups, businessmen, respected leaders and his colleagues and he defined that his job is simple - do what's best for the City of Canby. Politics aside, the Council needs to listen, learn and lead, in that order. At some point, one needs to make decisions based on the information at hand. He refuses to place someone on the Council because of default. He wants to do what's best for the people of Canby and in this case, it is choosing the best person for the job. Being on the Council requires patience, a careful look at the implications of all major decisions, and a willingness to communicate with the citizenry in developing an acceptable strategy. This is his core belief and this is what Corey Parks wrote on his application. With issues like growth, urban renewal, withdrawing from Tri-Met and labor negotiations, the Council must be a group that can work together through compromise and communication. He is aware that the interest in who will be appointed to the Council seat has been high and he believes Corey Parks will be the best person for the job.

Councilor Daniels restated that as a member of the committee, each candidate came with unique expertise. He wants the Council to look at the qualifications and knowledge that will best serve the City and not let personalities enter into it.

****Motion to amend the motion by appointing Roger Harris failed 3-2 with Councilors Johnson, Strong and Blackwell voting nay.**

****Motion to appoint Corey Parks passed 3-2 with Councilors Daniels and Carson voting nay.**

COUNCILORS ISSUES:

As Council liaison to the Urban Renewal Advisory Committee and the Task Force, Councilor Carson urged the Council to get these committees meeting again. The issue got put behind during the campaign, but if we want businesses like Milgard, we need to get the Urban Renewal District settled either by going forward, modifying or ending.

Councilor Blackwell knew that things have been on hold and was also in favor of getting the task force started again.

Councilor Strong was also in agreement and thought the meetings would be going forward.

Councilor Carson knew that there had been meetings scheduled but they been canceled.

Councilor Daniels asked about the Request for Proposals for a Cost of Services and User Fee Analysis Study and City Administrator Adcock said that there were four proposals received and a committee outside of city staff is reviewing them.

As Budget Chairman, Councilor Daniels gained approval from Council to sit in to observe the interview process. Mr. Don Staehley, CPA from the School District, an accountant from the City of Wilsonville Finance Department, Canby City Administrator, Canby City Treasurer will make up that interview committee.

Councilor Strong asked if the Vice Chairman of the City Budget Committee could sit in on the committee as well and Council approved, if he is available.

City Administrator Adcock said that the interviews would likely take place during the work day and would take about four to five hours.

Councilor Daniels also asked about the goal setting workshop and it was agreed by Council to set the session for Saturday, February 17, 2001.

City Administrator Adcock announced that the facilitator will be Mr. Mike Swanson and that he will be meeting with each Councilor individually and from those interviews, will propose an agenda stemming from councilors' points of interest and areas to discuss. These areas will be discussed with the Mayor and the agenda set prior to the goal setting Saturday session.

Councilor Daniels hopes that from now on this Council will be able to work as a team and leave the baggage from the past behind. Council needs to make sure when they are discussing issues amongst themselves that they are staying within the rules of the public meeting law. They also need to all be aware of the comments they make in public and make sure there is a distinction between what the Council decides and what is personal opinion.

Councilor Blackwell affirmed that she has been approached specifically about the URD and she knows that the Council has not had any meetings on that matter. She knows that what she says is

her opinion and not that of the Council. She appreciated Councilor Daniels comments and she sincerely wants to move forward.

Councilor Johnson has tried to move forward for the last month and has met with Councilor Carson and also met with Councilor Daniels regarding relationships and talking with them about his role in the past. He has spoken with CBR and Chamber members and citizens that he wants to build bridges. There are a lot of tough issues ahead and doesn't want it to become a war over unanimous votes. The comments attributed to the Mayor have toppled his efforts to date. Mr. Johnson stated that he had been in contact with Mr. Amick of the *Oregonian* and didn't think that Mr. Amick had misrepresented the Mayor's opinions. Some of the issues brought up in the article were ones that Mr. Johnson doesn't agree with and didn't want it inferred that he would support the Mayor in those. As a Council, they need to be very careful to work together.

Mayor Prince responded that his intent in the interview was not to speak for the others. It was an interview that lasted over 2-1/2 hours and some of the Mayor's comments were that Mr. Prince, Mr. Johnson, and Mrs. Blackwell had run together and had common issues. He apologized if it had come out that Councilor Johnson followed the Mayor's lead, that certainly wasn't his intent. He did not intend to paint the Council or any of his recommendations as anything other than his own. In the interview discussion about possible cutting back of the URD, the Mayor did bring up that there had been agreement to move forward with downtown. His further comments were that they were good people to work with and the Council could build bridges and work together. The Mayor learned that further interviews will be written down and make sure it is very clear.

Councilor Daniels asked if they would share the 100 day plan or the issues that they had run on in the election. Whatever agenda the three had and are going to move ahead on, he would appreciate being included in those ideas so they could be included in further discussion and meetings.

Councilor Johnson had written a letter to the editor in the *Canby Herald* referring to the plan and stated basically that plan was a list of issues that he did not want to forget. He would be happy to get the list to the Council.

Councilor Strong commented that the article had been disturbing to her and she wanted to tell the citizens of Canby that she was not a "rubber stamp", she does her own thinking and makes her own decisions and hasn't always agreed with Mr. Prince. She will continue to listen to the people she is in contact with in the community and bring their voice to the Council.

Councilor Carson encouraged citizens to give the Council feedback. His phone number is listed in the phone book and the Mayor and Councilors can all be reached through their voicemail boxes at City Hall. Through the campaign and after, he has not received any calls either for or against. Without input, it is hard to know what the citizens want. The Council all wants what is best for the City and encourages citizens to get involved or let them know.

Councilor Strong reiterated that it is difficult to sit on the Council and know exactly what the citizens want. As Councilors, they are all in contact with different people. Please contact them

through the City and leave messages so they know better the direction the citizens want them to go.

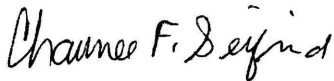
Councilor Daniels commented that the Concurrency meeting held in Canby recently only drew ten citizens. This meeting was an opportunity for the citizens to let the County know what our goals are and decide what is best for the City but it is disheartening when only 10 people show up. It would be nice to see more people involved in making the decisions and in setting standards for the City.

Mayor Prince announced that the Residential Task Force is looking for hosts for meetings to be held in their own neighborhoods. Please contact City Hall if you would be willing to host a meeting.

ACTION REVIEW:

1. Appointing Corey Parks as new City Councilor.

Mayor Prince adjourned the special session at 8:31 p.m.



Chauncey F. Seifried,
City Recorder pro tem



Terry L Prince
Mayor



Prepared by Marty Moretti,
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