

CANBY CITY COUNCIL
REGULAR SESSION
DECEMBER 20, 2000

Mayor Scott Taylor presiding. Council members present Walt Daniels, Terry Prince, Barry Lucas, Randy Carson, Shirley Strong, and Roger Harris.

Also present: City Administrator Mark Adcock, City Attorney John Kelley, Recreation Services Director Beth Saul, Community Development Director Jerry Pineau, Police Chief Jerry Giger, Councilors-elect Patrick Johnson and Teresa Blackwell, David Howell, Marty Moretty, Ron Yarbrough, Craig Finden, Linda Runyan-Finden, Ed Armstrong, Robin Adcock, Mary Renella, Rudy and Carol Prael, Randy Tessman, Steven Amick, Pat and Buzz Weygandt, Ray Hoen, Bob and Irene Trappe, Dave and Betty Dalley, Wayne and Kelly Oliver, Ron Berg, Frank Cutsforth, Vicki Adamson, Bev Doolittle, and Lila and Curtis Gottman.

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

PRESENTATION: Home Town Hero Award "Community Involvement" - Bob Trappe was introduced as the first recipient of the award and Mayor Taylor read excerpts from the letters of nomination highlighting his community service and active participation in downtown revitalization, Pioneer Plaza and Gateway South projects, various City meetings and workshops, Clackamas Community College Seasoned Adult Enrichment program, Canby Youth Summit, Canby By Design, staff booths at General Canby Day, assist with the recent "Make A Difference Day", and Canby Public Library. Mayor Taylor announced that a permanent plaque will reside at City Hall with Mr. Trappe's name being the first, and then Mr. Trappe was presented with a Home Town Hero Certificate.

CITIZEN INPUT ON NON-AGENDA ITEMS: Craig Finden, President of the Canby Business Revitalization thanked the Mayor, Council and city staff for their leadership, vision and action this year working toward the revitalization of the business community and encouraging the new Council to retain experience and knowledge while considering the appointment to the open Council seat.

CONSENT AGENDA: ****Councilor Daniels moved to adopt the consent agenda: minutes of the special meeting, November 29, 2000 and the minutes of the workshop and regular meeting, December 6, 2000; accounts payable in the amount of \$213,661.70; and request for use of City lot for fireworks booth by the Canby Assembly of God. Motion seconded by Councilor Lucas and passed 6-0.**

COMMUNICATIONS: Mayor Taylor expressed thanks to the camera crew members, Kevin Hayes and Matthew Maurice, who volunteer their time and announced that this will be their last

night. A lot of time is spent before and after the Council meetings setting up and taking down and their efforts are appreciated. Anyone interested in filling their shoes, please contact OCTS.

NEW BUSINESS: Community Park Wetlands Grant Presentation - Recreation Services Director Beth Saul briefly reviewed the grant for \$14,500 that was received from the Metro Green Spaces Program and introduced Matilda Deas who found the grant opportunity and tied it into an educational grant, partnering with the School District.

Project Planner Matilda Deas explained that it is a multi-phased project and the hope is to get funding for several phases to enhance the wetlands area at the end of S. Berg Parkway. Georgia Pacific has contributed \$2,000 towards the project to serve as seed money and to spark interest and other partners within the community. The project is expected to be completed in June of 2002. Max Sherman, the Ag Science teacher at Canby High School, will sign students up for different portions of the project such as a web page, lobbying legislature for continued funding, brochures, planting and propagation of native plants.

Ed Armstrong with the Canby School District stated many partnerships and resources have emerged as a result of the "Make a Difference Day". He was pleasantly surprised at what a difference that event made in the Community Park and another day is being planned for April, 2001 during Earth Week. Their grant opportunity is focused on teacher training this summer and will be using City partnerships, Portland University and SOLV (Stop Oregon Litter and Vandalism). Teachers will be out in the community in environmental training and service learning projects looking at potential projects to do with students in the following year.

Discussion of Warranty Deed for Improved Open Space Dedication and Deed for Road Purposes for Cutsforth Expansion Phase II - Project Planner Matilda Deas reviewed that as a part of the June 2, 1999 Development Agreement, the warranty deeds were conditions for approval of the Cutsforth development. Part of the requirement was right-of-way dedication on N. Ivy and dedication of improved open space, Tax Lot 12200. This is necessary as part of what was required as part of the development agreement.

Mayor Taylor acknowledged that this is one of this Council's last acts and thanked Cutsforths for their continued work to revitalize downtown. This step means that they now will be moving forward to Phase II.

****Councilor Daniels moved to accept the Warranty Deed for Tax Lot 12200 for Improved Open Space and accept the Deed for Road Purposes for additional right-of way along N. Ivy Street from Cutsforth's Enterprises. Motion seconded by Councilor Lucas and passed 6-0.**

ORDINANCES & RESOLUTIONS:

Ordinance No. 1061 -

****Councilor Lucas moved to adopt Ordinance 1061, AN ORDINANCE RELATING TO HISTORIC PRESERVATION, AMENDING CANBY'S COMPREHENSIVE PLAN AND TITLE 16 OF THE CANBY MUNICIPAL CODE on second reading. Motion seconded by Councilor Harris and passed 6-0 by roll call vote.**

Ordinance 1063 -

**** Councilor Daniels moved to adopt the Ordinance 1063, AN ORDINANCE AMENDING THE TITLE 1 OF THE CANBY MUNICIPAL CODE BY ADDING A NEW CHAPTER, 1.20, ADOPTING A PROCEDURE FOR PROCESSING CLAIMS MADE PURSUANT TO ARTICLE 1, SECTION 18 OF THE OREGON CONSTITUTION AS AMENDED BY INITIATIVE MEASURE 7; AND DECLARING AN EMERGENCY on second reading. Motion seconded by Councilor Harris and failed 6-0 by roll call vote.**

City Attorney John Kelley briefly stated that a preliminary injunction was granted on December 6, 2000 prohibiting State Ballot Measure 7 from going into effect. Up until then, municipalities had been making an effort to put ordinances together to implement a procedure for handling Measure 7 claims. Cities have since been notified with letters from 1000 Friends of Oregon and the Department of Land Conservation and Development, that if an ordinance included waiver provision language, the 1000 Friends would challenge any city's attempt. They do not feel that any city should be waiving any land use regulation.

The League of Oregon Cities then issued another recommendation that any city that has not yet enacted an ordinance, not to do so. Since our city has not yet enacted an ordinance, Mr. Kelley advised that we do not pass Ordinance 1063 with the current implementation language. The choices would be to either table or defeat the ordinance with his preference being to defeat since our ordinance would probably need to be amended over time as a result of litigation or constitutionally claims. The legislature will probably start to deal with solutions when it convenes next month.

Mayor Taylor asked if there is any wisdom in tabling the ordinance in case the Council would need to move fast and Mr. Kelley responded that tabling would work, but that if the original Measure 7 were implemented, there would be enough time to get an ordinance passed.

Councilor Lucas felt that because this will be tied up in courts for so long, he could not think of an instance whereby we would not have enough time to implement an ordinance. It would be cleaner to vote this down rather than have to go back and amend.

Councilor Prince stated that it would still take two readings to amend an ordinance.

UNFINISHED BUSINESS: None.

MANAGERS' REPORT: None.

COUNCILORS' ISSUES:

Councilor Barry Lucas thanked all for the privilege and honor of being a councilor for four years and also thanked staff for their helpfulness, patience and professionalism. Over his four years, he considered his number one accomplishment that of bringing City Administrator Mark Adcock and his wife Robin, to Canby. He wished the new Council the best of luck, this is an important time for Canby. He thanked the Mayor and councilors with whom he has served.

Councilor Roger Harris noted that in the seven years he has been on the Council, there have been some exciting changes. He sees one of his accomplishments as advocating for the police department and remembers when he came onto the Council, there was only one police officer working on the night shift. He has advocated for programs that mean something to him and has consistently pushed for the police department. He has been involved with downtown revitalization, served as liaison for the Canby Library Board, Centro de Canby and as Chairman of the Budget Committee. He had the opportunity to attend the Clackamas County Citizens Police Academy. Funds were found for laptops for police cars through a co-operative and energetic budget committee. He expressed gratitude to his wife who encouraged him to use good judgement rather than emotion. There is so much work that goes on away from the cameras. It will be the friendships that have developed that will be most remembered.

He lastly said that to the new councilors' credit, any reservations that he might have had are gone. They have been attending all the workshops, meetings, and even the League new councilor training and knows that they will do fine.

Mayor Scott Taylor spoke as follows:

"Thanks for the very kind letters and cards. I have had an outstanding 18 years of service and the amount I have learned, the people I have met, and the skills I developed, all added to the quality of my life, and I thank you.

"Thanks to the community for letting me hold the position of Mayor for the last 8 years.

"I firmly believe that local government is the best place to positively impact our day to day life and I appreciate the opportunity to be part of that effort.

"I would like to thank the hundreds of volunteers who have worked on committees, task forces and special events over the years of my administration. People and their dedication is part of what makes this community special and I was continually in awe of what people working together can accomplish in the name of caring and loving of the community.

"I appreciate the councilors I have worked with and their ability to deal with very difficult, emotional and complex issues, and people at times, and still keep the best

interests of the citizens in mind. I also greatly appreciate their ability to make a decision and move on to the next issue with very little personal rancor. They have acted like professionals and repeatedly I have heard comments from other communities about our leadership as a community.

"I've worked with a number of these people in very difficult places. I want to thank Shirley. Most of you don't get to hear her talk much but when we go in private and have conversations, Shirley is always present; she has an opinion, she participates and thank you.

"Terry and I have worked together for a long time and I appreciate him. I think of Terry as the accountant, he keeps us on task and always interested in making sure the City's budget and operations are fiscally sound. He also often asks the hard questions to make us stop and make sure we've taken care of the information, the detail, and where we're going and so I thank you.

"Randy, I refer to as the "EverReady Bunny". Randy is everywhere always, and while I am very proud of this Council and the detail work they do, I don't think anyone reads their packet harder and stronger than Randy does and is out there more often. We find him even in other communities talking to people so he really is unstoppable and an example of "Mr. Community".

"I refer to Barry and Roger as "heart and soul". Barry, on occasion, has surprised me and made life difficult but it always comes from the heart and it always has value to itself.

"Roger is the soul and there are days I'd like to unplug his mike, but the bottom line is that it really comes from the heart. It is really something he feels and he expresses those opinions and that is rare and I really appreciate it. And yes, Roger and I have spent some time sharing differences of opinions and have proved to be growth opportunities for both of us.

"And lastly, I would really like to thank Walt who is probably one of the most underrated councilors because he is also very quiet. But Walt is a statesman, and a leader. That is why the Council chose him as my Council President. He has repeatedly shown up when I could not make things and repeatedly helped the Council stay on course, follow the rules and actually do the best work we can do, so thank you very much.

"I would like to thank the former Mayors, Mike Gabrion, Bill Pulver, Nancy Kopelk, and Shawn Carroll, who helped prepare me for my eight years and in tough times have been available for support and assistance.

"Mike Gabrion, one of the youngest Mayors of Canby, taught me about energy and optimism. Bill Pulver taught me about consistency and staying the course. Nancy

Kopelk taught me to ask "why" and "what does this mean". Shawn Carroll exemplified humble and taught me a lot about that.

"I would like to thank the city employees who daily keep this town the quality place it is. Their dedication to quality service is much more than an 8 hour job and they have repeatedly gone above and beyond the call of duty with no request for recognition and we seldom give it.

"In particular, I would like to thank Mike Jordan and Mark Adcock for the excellent service they have given me. I would just say that Mike was instrumental in carrying out many of our wishes and future plans and anyone who has worked for a 7-headed boss knows how hard that can be. For Mark, in particular the time since the election, has required extreme skill as he transitions from one council to the next. I know he will give the new council the same level of attention and loyalty he has given me. Thank you very much for your professionalism.

"I would like to thank my wife, Vicki, and my two sons, Brandon and Jared. My family has made numerous adjustments over the 18 years to accommodate the schedule of the city. Both of my sons have grown up only knowing the reality of every other Wednesday my being unavailable. But they also have given me purpose in making this community the best I could.

"My wife, Vicki, has always supported me and has spent many an evening alone or worse yet, with me brooding about some city issue. We will now have some time to make up for movies missed and dinners out. But their sacrifice over the years cannot be repaid and I thank them very much.

"I have confidence that those remaining on the council and those who will be new to it have the best interests of the city in their hearts. It is often said that campaign rhetoric does not live beyond the election. I strongly disagree with that and would offer that as leaders and candidates, we have an obligation to keep local politics out of the mud. It not only damages the individual but makes that healing of the community that much harder.

"I wish Mayor-elect Prince and the new millennium council the best of everything and I hope they will set the standard for the next 1,000 years."

Mayor Taylor gave each of the Councilors a pen as a small token of his appreciation. May they remember the good times when they use it. This will be the only Council to have served in two millennium and thanked the Council for an opportunity to have served with them and to have served the citizens of Canby.

ACTION REVIEW:

1. Approving Consent Agenda.
2. Approving the Warranty Deed for Improved Open Space Dedication and Deed for Road Purposes for Cutsforth Enterprises Expansion Phase II.
3. Approving Ord. 1061.
4. Defeating Ord. 1063.

Mayor Taylor adjourned the regular session at 8:20 p.m.

There was no Executive Session.

Chauncey F. Seifried

Chauncey F. Seifried,
City Recorder pro tem

Walt Daniels

Walt Daniels
Council President

Marty Moretti

Prepared by Marty Moretti,
Office Specialist