

CANBY CITY COUNCIL  
REGULAR SESSION  
JUNE 2, 1999

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

Also present: Acting City Administrator Beth Saul, City Attorney John Kelley, Police Chief Jerry Giger, Sharon Tramel, Mark and Robin Adcock, Cam Sivesind, Steven Amick, Sam Hodder, Matt Knoblauch, Geoffrey D. Bird, Joshua M. Beam, Elsie Egli, and Curtis and Lila Gottman.

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

Sharon Tramel arrived at 7:33 p.m.

**CITIZEN INPUT ON NON-AGENDA ITEMS:** Geoffrey Bird introduced himself to the Council. He was there this evening in regards to the Saturday night narcotics anonymous meeting that was being held in the council chambers. He said they were told to move to another location due to the door being left unlocked at night. He explained the Saturday night routine was to go to the police department and have them unlock the door, then they would come back after the meeting and lock the door. He said they accepted the responsibility the door needed to be locked, but they did not have a key to do so.

Mr. Bird proposed that maybe they could set up a time to pickup the key on a Friday night and after the meeting on Saturday night leave the key in the council chambers, or he could personally fund the money to install a lock that would lock from the inside like a deadbolt.

The Council agreed they should find a way for this group to meet on Saturdays in the council chambers.

Mayor Taylor stated if the main issue was locking and unlocking the council chambers, we could find a way for them to have access to it.

Mayor Taylor took a moment to introduce the new City Administrator and his wife, Mark and Robin Adcock.

Mark Adcock thanked the Council for inviting them to Canby. They had an opportunity to meet several people, and they were truly impressed with the community even more so than when they were here during the interview process, they were both anxious to be part of the community and they thanked everyone for the nice reception and for their hospitality.

**CONSENT AGENDA: \*\*Councilor Daniels moved to adopt the consent agenda: minutes of the regular meeting and executive session, May 19, 1999; accounts payable in the amount of \$273,031.31. Motion seconded by Councilor Prince, and passed 5-0.**

**COMMUNICATIONS:** Trust for Public Land - Beth Saul stated Sam Hodder from the Trust for Public Land was there this evening to speak to the Council about the possibility of purchasing the property down by the river.

Sam Hodder introduced himself. He worked for an organization called the Trust for Public Land which was a national non profit, conservation organization which was dedicated in buying open space land that was significant for any reasons, and finding a public buyer for the property. He explained they started about twenty-five years ago.

Mr. Hodder explained the way they worked was they negotiated willing seller transactions and negotiate options on properties, then during the option term they would complete their due diligence and try to find the appropriate public steward for the property. Their priority was recreation and land for people.

He said there was an option on the Willamette Molalla Greenway property which was going to be an exciting opportunity for everyone. He pointed to the map on the wall where the property was located. He said the property included more than a ½ mile of river frontage and was adjacent to about 75 acres of State of Oregon land. The Parks Department owned the land which was sitting vacant and just a stone's throw away from Molalla State Park. He explained an effort by the City of Canby, Clackamas County, and the City of Molalla to make a recreational trail out of the Molalla Forest Road which extended through the City of Canby and South to Molalla, then on to the foothills.

Mr. Hodder said if the project was successful, it would provide a great opportunity to extend the recreational trail right up to the river. He said right now they had the property under option and were trying to get funding allocated to the project. Their first target was the State because they owned property on both sides, and secondly because of Measure 66 which recently passed creating funding out of the lottery for acquisition of park land.

He said in order to get this piece of property on the front of the list, they would need to get the legislators who had constituents in this area to write letters to the Parks Director in support of this project. He said himself and Beth Saul had been working together to draft the letter, but he felt it would be most effective if it could come from the members of the City Council.

Mayor Taylor said he had the chance to read the draft of the letter but had concerns about it.

Councilor Daniels said it was a great idea. He asked if there was a deadline on the option. Mr. Hodder said they had until early December of 1999.

Councilor Prince said this was something the City of Canby had been looking at for many years and he had hoped they would have the opportunity to make some type of offer on it. He said any type of agreement would be more than welcome.

Mayor Taylor said the concerns he had about the letter were that they would get a lot closer to moving things high on the list if they show local investment. He said the Council was very supportive of working with Mr. Hodder.

Mayor Taylor said they would take the drafted letter and make changes to it, and they would also be keeping in contact with Mr. Hodder.

Certificate of Appreciation from the American Legion Auxiliary - Mayor Taylor said they received a very nice certificate of appreciation from the American Legion Auxiliary in recognition of sincere appreciation for outstanding services.

General Canby Day King and Queen Coronation - Mayor Taylor said on June 10 at 11:30 a.m., there was going to be a luncheon held at the Canby Adult Center to crown the new king and queen for General Canby Days, Ray and Jeanne Reif. He said for those who wanted to attend needed to call Nancy Murphy at 266-6048.

Beth Saul asked the Council if they received the memo from the Dare Officer, Dolores Kilpela, regarding the graduation of the Ackerman 6<sup>th</sup> grade Dare classes. She said this was a very important event.

**NEW BUSINESS:** Deed for Road Purposes & Public Utility Easement (Hubbell & Nofziger) - Beth Saul said they had a deal with PGE to relocate the poles if the City would get the easements for them, which would be along Redwood Street.

**\*\*Councilor Harris moved to accept the two deeds for road purposes and the accompanying utility easements for Hubbell and Nofziger. Motion seconded by Councilor Lucas.**

Councilor Prince asked how much the road improvements were. Beth Saul did not know the answer.

**Motion passed 5-0.**

SP 99-02, Special Permit for Temporary Construction Office Trailer for Riverside Homes - Clint Chiavarini said in the packet there was a brief staff report about a special permit. The applicant was requesting they locate an 8x20 trailer and an 8x20 storage container to be in the street right of way. He stated it was already there because Riverside Homes put the trailer and storage unit in and then they were informed that they were required to have a permit by the City and they immediately applied for it. He said in the past they usually placed the job trailers on a

lot. Staff was recommending that Riverside Homes put their trailer and storage unit on a lot as well. If the Council allowed them to leave it in the public right of way, he suggested they shorten the period of approval.

Councilor Harris asked if the trailer was currently hooked up to utilities. Mr. Chiavarini said he did not know if it was currently hooked up. The recommendation stated it should be connected to utilities.

**\*\*Councilor Lucas moved to approve special permit SP 99-02 to allow the location of the temporary office trailer and storage unit with the following conditions 1-6 as in the staff report. Motion seconded by Councilor Prince.**

Councilor Daniels said some of the trailers were used for tools and would not need to be hooked up to electricity. Would it be mandatory under the condition? Clint Chiavarini said it would be a modification they could make.

Councilor Harris asked in these developments, were the trailers usually put on a lot or on a public right of way. Mr. Chiavarini said in Canby, they were usually put on a lot.

**Motion passed 5-0.**

#### **ORDINANCES & RESOLUTIONS:**

Ordinance No. 1022 -

**\*\*Councilor Lucas moved to adopt Ordinance 1022, AN ORDINANCE AUTHORIZING THE CANBY STATION DEVELOPMENT AGREEMENT. Motion seconded by Councilor Harris.**

Councilor Harris said he had been asked about the city expenditure. He wanted to point out the benefits to the City besides the downtown revitalization. It would also solve a problem for the community due to the traffic jams on N. Ivy where Canby Builders was located. It would allow them to widen Ivy and make it the collector it is supposed to be, traffic would flow more freely.

**Motion passed 5-0.**

Resolution No. 701 -

**\*\*Councilor Daniels moved to adopt Resolution 701, A RESOLUTION BY THE CANBY CITY COUNCIL ACTING IN ITS CAPACITY AS CONTRACT REVIEW BOARD TO ADOPT BY REFERENCE UPDATED MODEL PUBLIC CONTRACTING RULES. Motion seconded by Councilor Lucas, and passed 5-0.**

Resolution No. 702 -

**\*\*Councilor Prince moved to adopt Resolution 702, A RESOLUTION ACCEPTING THE RESULTS OF MAY 18, 1999 ELECTION, PROCLAIMING ANNEXATION INTO THE CITY OF CANBY OF 1.5 ACRES OF PROPERTY, AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CITY LIMITS. Motion seconded by Councilor Harris, and passed 5-0.**

Resolution No. 703 -

**\*\*Councilor Harris moved to adopt Resolution 703, A RESOLUTION ACCEPTING THE RESULTS OF MAY 18, 1999 ELECTION, PROCLAIMING ANNEXATION INTO THE CITY OF CANBY OF 0.64 ACRES AND 0.86 ACRES OF PROPERTY, AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CITY LIMITS. Motion seconded by Councilor Daniels, and passed 5-0.**

Resolution No. 704 -

**\*\*Councilor Harris moved to adopt Resolution 704, A RESOLUTION ACCEPTING THE RESULTS OF MAY 18, 1999 ELECTION, PROCLAIMING ANNEXATION INTO THE CITY OF CANBY OF 14.03 ACRES OF PROPERTY, AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CITY LIMITS. Motion seconded by Councilor Prince, and passed 5-0.**

Resolution No. 705 -

**\*\*Councilor Carson moved to adopt Resolution 705, A RESOLUTION ACCEPTING THE RESULTS OF MAY 18, 1999 ELECTION, PROCLAIMING ANNEXATION INTO THE CITY OF CANBY OF 5.5 ACRES OF PROPERTY, AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CITY LIMITS. Motion seconded by Councilor Daniels, and passed 5-0.**

Mayor Taylor pointed out when a citizen read the pamphlet, they might not know that annexation would mean a development could occur. He felt when people voted they were not aware that by their vote they would be increasing the number of houses in the city. He wanted to make sure people understood the difference of being in or out of the city.

**OLD BUSINESS: Findings, Conclusion, & Final Order for HD 99-01 (Mangus House) -**  
Clint Chiavarini said Mrs. Mangus's nephew was there and he had a question for the Council. Mr. Chiavarini said he was not notified in the process because he did not live within 200 feet of her house and she signed the application. He said they typically did not notify the property owner that was making the application because they were involved in the process.

Matt Knoblauch introduced himself as Carol Mangus's nephew. He said the first notification that he was aware of what was happening was when he read it in the Oregonian newspaper. She would not have been notified because she was the applicant. He stated again he was not objecting to what was being done, but he wanted to know more about it before the Council made a final decision.

Mayor Taylor said this was not an urgent issue, it was brought to them as a request. He asked Mr. Knoblauch how long he needed to read over the information. Mayor Taylor said they would hold it over until the June 16 council meeting.

#### **MANAGER'S REPORT:**

Beth Saul made sure the Council read through the June meeting list. There was one change which the meeting that was scheduled for June 23 was changed to June 30. She said she was having a wonderful time showing Mark and Robin Adcock around Canby.

#### **COUNCILORS' ISSUES:**

Councilor Carson said there was a three-page letter from Allen Manuel about Willow Creek. He pointed out he had some good thoughts on Willow Creek.

Mayor Taylor wanted to make sure this was going to be passed on to the Parks and Recreation Advisory Committee.

Councilor Harris reminded everyone of the Canby Wine and Art Festival on June 5-6 starting at noon at the Clackamas County Fairgrounds.

Mayor Taylor wanted to personally thank Lila and Curtis Gottman for their hard work on the pedestrian bridge ceremony which was held May 22. The other person he wanted to thank was Councilor Lucas for making the T-shirts which were sold at the bridge ceremony.

Mayor Taylor said they had a number of people who signed up for the adopt a panel program for the logging road bridge which had a variety of graffiti on it. He hoped to have the correction's work crew up there to paint it and get it cleaned up. Also, they were having considerable problems with graffiti on the Shimadzu bridge, but during the last week or so he had not noticed any. He explained they did have a \$100 reward for anyone who helps find someone defacing the property.

## **ACTION REVIEW:**

1. Working out the meeting protocols for the use of the Council Chambers on the weekends for the narcotics anonymous group.
2. Re-drafting the letter to the legislators regarding the purchase of the property along the river indicating the city's interest in putting forth time, money, or whatever is necessary to make it happen.
3. Keeping the Council up to date on how the Trust for Public Land was progressing.
4. Accepting deeds for easement from Hubbell and Nofziger.
5. Notifying Riverside Homes of the approval of their special permit for a trailer and the conditions.
6. Implementing Ordinance No. 1022 and Resolutions 701-705.
7. Rescheduling HD 99-01 (Mangus House) to the June 16 council meeting.
8. Informing the Park and Recreation Committee of the Willow Creek letter.

**\*\*Councilor Daniels moved to go into Executive Session under ORS 192.660 1(a) employment of a public officer and 1(d) labor negotiations. Motion seconded by Councilor Prince, and passed 5-0.**

Mayor Taylor recessed the regular session at 8:25 p.m.

Mayor Taylor reconvened the regular session and immediately adjourned the session at 10:15 p.m.