

**CANBY CITY COUNCIL
REGULAR MEETING
JULY 5, 1995**

WORKSHOP SESSION - Present: Mayor Taylor, Councilors Nolder, Harris, Prince, Stark, Strong and Daniels, Administrator Jordan, Assistant to Administrator Chaplen, Beth Saul, Ken Hagen, Robert Root, Cam Sivesind, Gayle Henry, Laura Crorey, Bill Cassel, John Hoffman and Pat and Norman Smith

The session was held in the CUB conference room, starting at 6:00 p.m.

The purpose of the session was to discuss the Telecommunity Concept.

Mayor Taylor adjourned the workshop session at 7:30 p.m.

REGULAR SESSION: Mayor Taylor presiding. Council members present: Dennis Nolder, Roger Harris, Terry Prince, Cheryl Stark, Shirley Strong and Walt Daniels.

Also present: Administrator Michael Jordan, Assistant to the Administrator Sarah Jo Chaplen, Library Director Beth Saul, Stephen & Colleen Philbrook, Parks and Recreation Director Scott Nelson, Jack Martin, Nan Olson, Carol Meeuwssen, Trish Conrad, John Hoffman and Cam Sivesind.

Mayor Taylor called the session to order at 7:34 P.M., followed by the flag salute and a moment of silence.

Roll call of the Council showed a quorum to be present.

MINUTES OF PREVIOUS SESSION; **Councilman Prince moved to approve as distributed the minutes of regular meeting, June 21, 1995. Motion seconded by Councilman Harris and approved 6-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: None presented.

PUBLIC HEARING: DR 94-11 Appeal - This agenda item has been rescheduled.

Eco-Park Development - Mayor Taylor reminded the Council that this subject had been set for this session to receive public input regarding the proposed Eco-Park on N.E. Territorial.

Jack Martin reviewed the proposal, which is to create a sustainable Eco-Park at the City owned property near the shop site off of N.E. Territorial Road. He noted that he had not received much feedback, and what he had received was positive for preservation of the area.

Mayor Taylor noted that the subject area forest will be thinned out and then managed.

Councilman Prince asked if only 20-percent of the trees would be removed. Mr. Martin stated that was correct. Mr. Martin also noted that he has been pursuing the horse logging status, however, he will be reviewing all of the various logging techniques to insure the least amount of damage at the site.

Mayor Taylor asked if there were any input from the audience.

Trish Conrad, Board member of the Blue Heron District, stated that her organization encouraged the proposed project.

Sarah Jo Chaplen reported that she was expressing input on behalf of Chris Blodgett, who is with the Molalla River Watch, and he is very enthusiastic about the Eco-Park. He favored the horse logging proposal, he was concerned that vegetation around the edge of the park be maintained for habitat, and that some dead trees and snags be left for birds for use in nesting.

Jack Martin stated that he had spoke with Mr. Blodgett and they seemed to agree on the concerns expressed by Mr. Blodgett. However, Mr. Martin did point out that Mr. Blodgett was employed by a firm that does horse logging. Mr. Martin made it clear he was NOT against horse logging. However, he will pursue all available logging procedures.

Administrator Jordan stated that Mr. Miller of the school district, was still interested in the subject area as a potential school site in the future.

****Councilman Nolder moved to proceed with the proposed Eco-Park plan as outlined by the City Parks Department. Motion seconded by Councilman Harris.**

Discussion - Councilman Daniels thanked Mr. Martin for the good job he did in preparing for this project, noting that generations to come will enjoy the benefits.

Councilman Harris also commended Mr. Martin for his project preparations.

****Motion to approve the Eco-Park was approved 6-0.**

Mayor Taylor thanked Jack Martin and the entire parks crew for the excellent job they did in preparing Wait Park for the General Canby Day event. He noted that he had received several comments on the great maintenance of the park.

COMMUNICATIONS: Request for Waiver of Fee, Grace McIntosh - Administrator Jordan noted that this was a request from Grace McIntosh, to waive the fee for a replacement

Liquor License Request, Quarter's Diner - Administrator Jordan stated that a memo was in the packet from Police Chief Giger recommending approval of the application. Mr. Jordan noted that in compliance with the City Ordinance the Chief of Police is responsible for researching the application and making a recommendation. He added that a hearing procedure can be requested by any Councilor or the applicant.

Mayor Taylor expressed concern about the location because of the volume of youth in the area. He did state that he appreciated the plan presented by the applicant for self-enforcement since this is a "0 - tolerance area."

Colleen Philbrook said her philosophy was the same as the Mayor's. She stated that they have worked closely with the high school and Police Department regarding their business establishment.

Councilman Nolder expressed concern because of the proposed site so close to the high school.

Mrs. Philbrook stated that they will not serve alcohol during the school lunch period.

Councilman Nolder asked if restrictions for serving times could be put in the application. Mrs. Philbrook said she would have to take that into consideration. At this time they are asking to be competitive with other community businesses, Fultano's, Lone Elder Pizza, Jarboe's, all which are within walking distance of the school. She added that many students choose not to come into their business because they cannot smoke there. She said they want to provide an environment where families want to come in and have a beer with their pizza.

Councilwoman Stark said she appreciated the concerns, however, she was impressed with what has gone on in that business establishment. She added that she would not deny the request.

Councilman Prince added that even if we are only recommending to the OLCC, he felt the City's decision would be strongly considered. He added that he felt the situation should be monitored. Mrs. Philbrook welcomed being monitored.

Councilman Daniels shared concerns, however, he said since this was an area that students have frequented there might be a consideration regarding the time of serving alcohol.

Mayor Taylor suggested that we recommend approval to the OLCC, with an understanding that this is an area of "concern" and if there becomes a problem, a letter to the OLCC will be forwarded with the concerns.

****Councilwoman Stark moved to forward a recommendation of approval to the OLCC for the Quarters Diner liquor license application, with the understanding if any complaints are**

generated, another letter to the OLCC will be forwarded recommending denial of the license for future renewals. Motion seconded by Councilman Prince and approved 4-2, with Councilors Nolder and Daniels voting nay.

Community School Contract - Scott Nelson reported that he wanted to check the "hold harmless" section of the contract with Attorney Kelley, therefore, he suggested rescheduling the contract. He was granted the request.

Adult Center Building Application - Administrator Jordan pointed out that there has always been an application form for use of the facility and this represents some changes to the application.

Nan Olson informed the Council that her memo outlined the individual changes.

Administrator Jordan pointed out that on the fee schedule, category 2, "Canby School District, Canby Community School, Civic & Non-Profit Organizations", has been discussed with Ms. Olson and she has agreed to be flexible and negotiate fees with those entities.

****Councilman Daniels moved to adopt the building use application and fee schedule presented and allow the Adult Center Director to negotiate fees for Category 2. Motion seconded by Councilwoman Strong and approved 6-0.**

ORDINANCES & RESOLUTIONS: Ordinance No. 940 - Administrator Jordan stated that this ordinance is a budgetary "housekeeping" document which allows the City to accept State Revenue Funds.

****Councilman Harris moved to adopt Ordinance No. 940, AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUE FOR 1995-96 FISCAL YEAR. Motion seconded by Councilwoman Stark and approved 6-0, by roll call vote.:**

UNFINISHED BUSINESS: Committee Appointments - Administrator Jordan reminded the Council that several committees have vacancies effective this month.

****Councilman Daniels moved to make the following committee appointments:**

Canby Adult Center Advisory Board-Jack Murray, four year term expiring in July, 1999 and Diane Brown to complete a term expiring in July, 1997. Parks & Recreation Advisory Board-Darryl Warner to a three year term expiring in July 1998 and Mike Burke to complete a term expiring in July 1996.

Motion seconded by Councilman Prince and approved 6-0.

****Councilman Prince moved to approve the following Library Advisory Board appointments: Nancy Kopelk to another term expiring July 1999 and Dale Carter to complete a term expiring July 1996. Motion seconded by Councilman Harris and approved 6-0.**

manufactured home setup fee and excise tax. A memo from Bob Hoffman suggested that the fee would be less than \$300.00. He added that SDC's are exempt for a replacement permit.

Councilman Harris expressed a concern setting a precedent, however, due to the circumstances of the age and financial status of the applicant, he was swayed to approve the request.

Councilwoman Stark agreed with Mr. Harris and felt the City should work with the applicant on the request.

Mayor Taylor questioned if there might be an alternative for collecting the fee at the sale of the home. He was informed this could be researched.

Councilman Nolder pointed out that new mobile homes run \$30,000 and above and, therefore, he felt the proposed \$278 setup fee was nominal. He added that he didn't want to set a precedent.

Councilwoman Strong felt the City fee was a small amount in relationship to what the home would cost..

Administrator Jordan stated that the replacement home is approximately \$40,000 and her daughter is paying for it.

Councilman Prince expressed a concern of setting a precedent, however, he stated he would be willing to waive half of the fee.

Councilwoman Strong suggested we needed more information prior to making a decision.

Councilman Nolder said he would prefer that City staff ask questions necessary for a decision process.

Mayor Taylor asked that additional questions be asked of the applicant, as well as research on a delay payment process.

Councilman Daneils said he did not feel this was setting a precedent since we are taking each case by its own merit.

Councilman Prince suggested the City might want to consider a "hardship" process in the future for the excise tax.

NEW BUSINESS: Accounts Payable - Councilman Daniels reported that he had reviewed the accounts payable and gave approval for payment.

Mayor Taylor noted that the Traffic Committee and Budget Committee both need volunteers to serve on the respective committees.

Management Compensation - Mayor Taylor reminded the Council that one meeting has been held.

Administrator Jordan said that the reporting schedule from the committee was set for the end of September, unless they finished earlier.

Councilman Prince urged the Council and committee to be ready by the end of August, prior to the City levy election.

Administrator Jordan stated that the earlier figure given to the Council on salaries was based on all cities within 5,000 to 15,000 populations, with an average taken and a calculation on what it would take to bring the Canby management team up to that standard. He noted that the committee is considering taking ten cities closest to Canby's population, five above and five below as a comparative. He further added that three positions didn't have enough data, and the City Attorney's position was totally left out.

Mayor Taylor requested a list of the 10 comparative cities in the next Council packet. He added that the Council has expressed concern about a fazed in budget program for the compensation of the management team.

OTHER REPORTS OR ANNOUNCEMENTS: Administrator Jordan reported that the Blue Heron Committee has requested a meeting in August with Council and the Budget Committee, to bring back a "refined" plan.

Mayor Taylor noted that during August and September, the City levies will be the main focus, therefore, he suggested waiting until after the City levy election. He added that in September the Blue Heron Committee could be scheduled to meet with the Council.

Councilwoman Stark suggested that the proposed meeting be held during a public session or have it televised.

Councilwoman Stark thanked everyone who worked on General Canby Day event, and the Boy Scouts for putting out flags. Ms. Stark added that the World War II Commemorative Committee had a booth at General Canby Day taking orders for T-shirts and that a parade and day long events have been scheduled for September 2nd for this organization.

Beth Saul added that the World War II t-shirts are the best she has seen.

Councilwoman Strong reiterated that the Cub Scouts did a great job with the flags. Mayor Taylor requested a thank you letter go to the Scouts and Coldwell Bankers for providing the

flags for the July 4th event.

Mayor Taylor noted that he will be gone for the next meeting and Councilman Prince will sit in as Mayor-Pro Tem.

- ACTION REVIEW:**
1. Proceeding with Eco-Park Project.
 2. Provide additional information on manufactured home fee waiver.
 3. Recommendation to OLCC for approval of Quarters Diner liquor license.
 4. Returning with Community School Contract.
 5. Implementing Adult Center Building Use Application.
 6. Ordinance No. 940, sent to State to receive State Revenues.
 7. Thank you letters to Scouts and Coldwell Banker for flags on July 4th.
 8. Send letters regarding committee appointments.

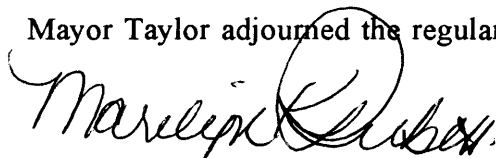
Administrator Jordan asked if action was necessary regarding the Telecommunity Workshop held earlier in the evening.


****Councilwoman Stark moved to authorize staff to proceed with the Telecommunity project for the City up to a limit of \$20,000 and keep the Council updated on activities. Motion seconded by Councilman Daniels.**

Discussion- Mayor Taylor explained that this project provides an opportunity for the community to do business in the Telecommuting and electronics information area. Existing franchise agreements will be reviewed, as well as how to provide various services regarding the "computer" world. The motion authorizes staff to examine if there are entities that will join in a partnership with the City, what revenues can be generated and what type of agreements can be negotiated to provide the services for the entire population.

****Motion was approved 6-0.**

Mayor Taylor adjourned the regular session at 8:45 p.m.


Marilyn K. Perkett
City Recorder


Scott Taylor
Mayor