

COUNCIL MEETING MINUTES NOVEMBER 14, 2011

0:00 **DATE** COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, NOVEMBER 14, 2011.

CONVENED The meeting convened at 7:00 p.m. with Mayor Figley presiding.

ROLL CALL

Mayor Figley	Present
Councilor Cox	Present
Councilor Lonergan	Present
Councilor McCallum	Present
Councilor Morris	Present
Councilor Pugh	Present
Councilor Schmidt	Absent

Staff Present: City Administrator Derickson, City Attorney Shields, Police Chief Russell, Public Works Director Brown, Police Captain Garrett, Police Captain Alexander, Finance Director Palacios, Human Resources Director Hereford, Officer Williams, Officer Stewart, Recorder Shearer.

0:00 **ANNOUNCEMENTS**

City Hall will be closed on November 24th and 25th for the Thanksgiving Holiday. The Aquatic Center and Library will be closed on November 24th but will be open normal business hours the rest of the holiday weekend.

0:01 **APPOINTMENTS**

Pugh/Lonergan...accept the Mayor's appointment of Brent Glogau to the Recreation and Parks Board. The motion passed unanimously.

0:01 **COMMUNITY/GOVERNMENT REPORTS**

- A. Woodburn Area Chamber of Commerce – Chamber President Jason Orton provided an update on Chamber activities & events.
- B. Woodburn School District – Superintendent David Bautista provided an update on School District events and activities.

0:06 **PROCLAMATION**

Honoring Leonard Black and the Lavell Black Trust Fund

0:10 **PRESENTATIONS**

- A. **Donation** – Presentation of a plaque in recognition of the gift made by the Leonard Black in Honor of Lavelle Black which establishes the Lavelle Black Trust Fund to support the Woodburn Police Canine Unit.
- B. **Murals** – Economic & Community Development Director Hendryx provided a presentation overview of the Woodburn Sign Code and how it applies to murals. He

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discussed the legal concerns regarding how the regulation of content is prohibited by the Oregon Constitution. He also discussed the various ways murals are handled in other cities and how they could be incorporated in Woodburn.

Councilor Cox expressed support for a mural program and suggested that the City Attorney research the potential for a program that would work within the constraints of the Oregon Constitution. He would like to ensure that any program put in place is likely to withstand legal challenges. Councilor McCallum also supports murals and recognizes the challenges of regulating and enforcing regulations for them. Councilor Morris suggested that the City establish recommended guidelines for content, without having any effective restrictions or controls. Mayor Figley reminded Council that retaining the current sign standards as currently enacted is an option, but stated that it was her understanding that there was support on Council to establish a means for murals that would not be currently permitted under the sign code.

Hector Hernandez, Jose Montes, Julio Solano, and Lenny Kleinman spoke in favor of murals and encourage changes to the sign code to facilitate creation of murals. Merrilie Berlin cautioned Council to proceed carefully to ensure community support, particularly in the Historic Downtown Neighborhood.

Council directed the City Attorney to prepare a legal opinion that they can use to guide further action on this topic.

1:34

CONSENT AGENDA

- A. Approve Woodburn City Council minutes of October 24, 2011,
- B. Accept Library Board minutes of October 12, 2011, and
- C. Recommend Approval of a Greater Privilege application for 7 Seas Restaurant and Bar to the OLCC.

McCallum/Lonergan.... adopt the consent agenda as presented. The motion passed unanimously.

1:35

COUNCIL BILL NO. 2881 – A RESOLUTION ESTABLISHING THE LAVELLE BLACK TRUST FUND AND APPROVING APPROPRIATIONS FOR THE FUND FOR FISCAL YEAR 2011-2012

Councilor McCallum introduced Council Bill 2881. Recorder Shearer read the bill by title only since there were no objections from the Council. On roll call vote for final passage, the bill passed unanimously. Mayor Figley declared Council Bill No. 2881 duly passed.

1:36

CITY ADMINISTRATOR'S REPORT

- New Human Resources Director Michael Hereford was introduced

1:38

MAYOR AND COUNCIL REPORTS

- No one wished to make a report

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1:38 **EXECUTIVE SESSION**

Mayor Figley entertained a motion to adjourn into executive session under the authority of ORS 192.660(2)(i). **Cox/Morris...** adjourn to executive session under the statutory authority cited by the Mayor. The motion passed unanimously. For the record, City Administrator Derickson waived his right to an open hearing for his evaluation.

The Council adjourned to executive session at 8:45 pm and reconvened at 9:05 pm. Mayor Figley stated that no action was taken by the Council while in executive session.

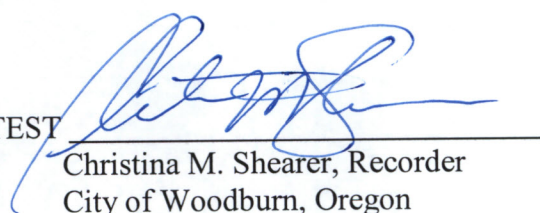
1:39 **ADJOURNMENT**

McCallum/Pugh... meeting be adjourned. The motion passed unanimously. The meeting adjourned at 9:05 p.m.

APPROVED _____


KATHRYN FIGLEY, MAYOR

ATTEST _____


Christina M. Shearer, Recorder
City of Woodburn, Oregon