

**CANBY CITY COUNCIL
WORK SESSION MINUTES
May 2, 2007**

Presiding: Mayor Melody Thompson

Council Present: Paul Carlson, Teresa Blackwell, Walt Daniels, and Tony Helbling. Councilors Wayne Oliver and Randy Carson were absent.

Staff Present: John Kelley, City Attorney; Chaunee Seifried, Finance & Court Services Director; Melissa York, Office Specialist; and Kim Scheafer, City Recorder Pro-Tem.

Others Present: None.

Mayor Thompson called the Work Session to order at 6:30 p.m. in the City Hall Conference Room. A light dinner was served. The Council met to receive training on public record laws.

John Kelley, City Attorney, reviewed public record laws with the Council especially as it related to email. They might be creating public records and subject to retention law on their home or business computers anytime they communicated with someone about public business.

Mr. Kelley explained the differences between emails that were and were not public records. He also discussed the appropriate uses for email.

Chaunee Seifried, Finance & Court Services Director, said they could set up City email accounts that they could check from any computer. Their new system would probably not be effective until mid-June. If they wanted to do it now, they could be set up on Groupwise, but would then be switched over in June.

The consensus of the Council was to wait and use a City email account when the City moved to the Outlook email system.

Attorney Kelley discussed exemptions to and the process of public records requests. The law was intended to be open and the records available to the public.

Mayor Thompson adjourned the Work Session at 7:28 p.m.

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
May 2, 2007**

Presiding: Mayor Melody Thompson

Council Present: Paul Carlson, Teresa Blackwell, Wayne Oliver, Walt Daniels, and Tony Helbling. Councilor Randy Carson was absent.

Staff Present: Mark Adcock, City Administrator; John Kelley, City Attorney; John Williams, Community Development & Planning Director; Beth Saul, General Services Director; Matilda Deas, Project Planner; Lou Westwick, Utility Maintenance Worker; Darwin Tramel, WWTP Supervisor; and Kim Scheafer, City Recorder Pro-Tem.

Others Present: Susan Voss, Katelyn Williams, Carlie Hillner, Mary Balcom, John Dewar, Irene Breshears, Randy & Shirley Tessman, Job & Elizabeth Cacka, Dan & Pat Ewert, Joe Driggers, Christy Pruitt, Bill & Jan Milne, Kevin Starrett, George Johnson, and Steve St. Amand.

CALL TO ORDER: Mayor Thompson called the Regular Meeting to order at 7:36 p.m. followed by the opening ceremonies.

National Association of Letter Carriers Food Drive Day Proclamation - Mayor Thompson presented John Dewar with a proclamation proclaiming May 12, 2007 as 2007 National Association of Letter Carriers National Food Drive Day.

Mr. Dewar said they helped around 3,000 people. He told them of the many services that postal carriers provided, such as helping the elderly and helping evacuate homes on fire.

Poppy Days in Canby Proclamation - Mayor Thompson presented Susan Voss with a proclamation proclaiming May 13 through May 19, 2007 as Poppy Days in the City of Canby. Carlie Hillner read a poem about poppies.

Employee of the Month Presentation – Mark Adcock, City Administrator, presented Lou Westwick, Utility Maintenance Worker, with an Employee of the Month certificate for March 2007.

COMMUNICATIONS: None.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: Kevin Starrett said he had met with the Mayor on April 12 to share concerns about a number of quality of life issues in Canby. He thought Canby was changing for the worse and they needed to start a dialogue about what could be done. He encouraged the Council to look at local policies and use their position to influence other government officials. There were other possibilities that he urged them to explore.

Mayor Thompson said it would help if he would share his specific ideas.

Mr. Starrett said he was interested in stricter immigration laws.

Joe Driggers spoke on behalf of the Canby Area Parks and Recreation District. Willamette Water Trails Day would be held on June 2, 2007 at Molalla River State Park. He thanked the Council for the staff help that had been given so they could do strategic planning. They had applied for tourism dollars through the Chamber of Commerce. They had planned several events and had a web site.

Matilda Deas, Project Planner, thanked the volunteers that had shown up to help at Community Park for Earth Day. A lot was accomplished at the park.

MAYOR'S BUSINESS: Mayor Thompson said Clackamas County would like to have Canby participate in Community Congress Five on May 12.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Carlson said the Canby Educational Foundation had their annual spring fling. He thanked everyone who attended. He had attended the Governing 101 class through the League of Oregon Cities. He had also received an anonymous complaint about train noise.

Councilor Blackwell was pleased with the progress of the Canby Area Parks and Recreation District. She thanked Ms. Deas for her work.

Councilor Daniels said things were progressing well with the Transit Advisory Board.

CONSENT AGENDA: ****Councilor Daniels moved to approve the Accounts Payable of \$196,564.38 and minutes of the April 18, 2007 City Council Work Session and Regular Meeting. Motion was seconded by Councilor Carlson and passed 5-0.**

OLD BUSINESS: Findings, Conclusion & Final Order ZC 07-02 – ****Councilor Helbling moved to approve the Findings, Conclusion & Final Order for ZC 07-02. Motion was seconded by Councilor Blackwell and passed 5-0**

Continuation of Discussion Regarding North Baker Drive – Ms. Deas reviewed what had been discussed at the April 4, 2007 Council Meeting. Since that meeting, she had provided Council with costs for signage and road improvements.

Councilor Helbling said that staff had provided information and to put in signage and leave the road surface as it was, it would cost \$1,500. To make it a one-way street with sidewalks it would cost \$38,000. There was still interest in maintaining a two-way in and out of the industrial park. He proposed the option of an LID and procuring the right-of-way to maintain the two-way access. The industrial park tenants were in the opinion that it should stay a two-way road because of the limited access to the industrial park. With the correct signage, the trucks would stay away and it could be a safe two-way.

Councilor Daniels said that they had several comments about redirecting the traffic to Cedar Street. It was a collector street and was designed for that. There were also comments about running traffic near the school. There were schools that had more traffic. Schools were not in session during rush hours. They should have crossing guards on Cedar Street. He thought Baker Drive was for the Utility to get to the water intake and for emergency vehicles. They could put up barriers to block off the traffic. They should not run the extra traffic on Baker and Ash. Putting sidewalks up to 6th Street on Cedar would eliminate a lot of problems. The truck signage had been there for a long time, but Google directed them through town. Looking at the costs, there were other places in town that the funds could be better spent.

Councilor Helbling thought the City had no choice but to make it a one-way road because of the safety liability. The industrial park tenants thought a two-way access there was appropriate. The option he was in favor of was one-way unimproved road and putting signage on it. Google did not make laws in the City and the signs said it was not a truck route.

Councilor Daniels said he would like to close the road and have emergency access only.

Councilor Carlson wanted clarification on the liability.

John Kelley, City Attorney said there was potential for liability which should be avoided.

Councilor Oliver said he thought it should be one-way unimproved and was open to have a two-way funded through an LID later.

Councilor Blackwell said she thought they should make it one-way unimproved.

Councilor Carlson said he thought they should enforce the truck routes. They could have the Code Enforcement Officer go to the businesses and inform them they would be enforcing it. He would rather see posting proper signs and speed bumps to slow people down. He was in favor of leaving it two-way and putting in speed bumps. Every road was getting more traffic.

Mayor Thompson thought one-way would be the most sensible. She also asked since it was in the comp plan as a truck route, did it prevent them from changing it.

Ms. Deas said they would need to make an amendment to the comp plan to change the route. They were looking at alternative truck routes.

Mayor Thompson said they wanted signage and enforcement to keep the trucks off that road.

Councilor Helbling recommended they table the discussion about making this a two-way road and have staff look into it.

Councilor Carlson said they were seeing other issues that needed to be revisited. There was a problem getting trucks in and out of Canby.

Councilor Daniels said they should put truck signs all the way to Barlow.

****Councilor Helbling moved to make Baker Drive a one-way unimproved road with expenditure of funds for proper signage. Motion was seconded by Councilor Carlson and passed 5-0.**

Councilor Helbling recommended staff look at creating an LID in that area and improvement of the road to include acquisition of right-of-way for a two-way access. There was a lot of area left in the industrial park, and they may be constricting access to the industrial park.

Councilor Daniels said his concern was traffic on Knights Bridge Road.

Councilor Carlson did not see the urgency as wanted to see how the one-way worked.

Councilor Blackwell said she would like to wait and see how the one-way worked also.

Councilor Oliver said he would like to see some exploration with the property owners to see if they were interested.

Councilor Helbling said a lot of businesses came there with the expectation of a two-way road and they were changing that. He was not asking for the City Council to commit to making it a two-way road. He was asking the Council to talk to the business owners to see if they were interested in funding the cost that it would take to make it a two-way road and maintain the access that was there when they brought their businesses to Canby.

Mr. Kelley said the benefited properties were the ones that would fund the LID.

Mr. Adcock said if an adjoining property benefited from the public improvement, then that party paid and voted to do it.

Mr. Kelley said that two thirds would defeat an LID.

Mr. Adcock said he wanted some sense from the Council as to where in the priority of things that staff was currently working on it would be.

Councilor Helbling said he recommended doing it within the next 18 months. It was not an emergency but would give everyone on both ends of the "s" turn a chance to see how it was going.

Mayor Thompson said she felt it was not the right solution. She understood the idea that it was a long road and looked like it was meant to go through. They had done Darcy Estates and the Industrial Park and things had changed. The idea of running truck traffic up the neighborhood was a bad idea.

The consensus of the Council was to have staff bring back information regarding the interest in an LID in the next 18 months.

RESOLUTIONS & ORDINANCES:

Ordinance 1236 – **Councilor Daniels moved to approve Ordinance 1236, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CEDAR MILL CONSTRUCTION COMPANY OF TUALATIN, OREGON FOR THE CONSTRUCTION OF RESTROOM AND SUPPORT FACILITIES FOR MAPLE STREET PARK AND LEGACY PARK; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Carlson and passed 5-0 by roll call vote.

Ordinance 1239 – **Councilor Carlson moved to approve Ordinance 1239, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY,

CLACKAMAS COUNTY, OREGON FOR TAX LOTS 1500 AND 1501 OF TAX MAP 3-1E-27CB. Motion was seconded by Councilor Blackwell and passed 5-0 by roll call vote.

Ordinance 1240 – John Williams, Community Development & Planning Director, said this was for the Phase III improvements to the Wastewater Treatment Plant. The contract would provide for the engineer and bid preparations for the improvements. The contract total was \$171,000 which would be divided between this and next budget years.

****Councilor Daniels moved to approve Ordinance 1240, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CURRAN-MCLEOD, INC. CONSULTING ENGINEERS FOR ENGINEERING SERVICES TO COMPLETE IMPROVEMENTS TO THE WASTEWATER TREATMENT PLANT; AND DECLARING AN EMERGENCY to come up for second reading on May 16, 2007. Motion was seconded by Councilor Helbling and passed 5-0.**

Ordinance 1241 – Administrator Adcock said this was a project funded under a community development block grant and the contract was for \$22,100.

****Councilor Daniels moved to approve Ordinance 1241, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CURRAN-McLEOD, INC. CONSULTING ENGINEERS FOR DESIGN AND CONSTRUCTION ENGINEERING OF THE NW CANBY SIDEWALK AND ADA IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY to come up for second reading on May 16, 2007. Motion was seconded by Councilor Blackwell and passed 5-0.**

Ordinance 1242 – Mr. Williams said they had gone out for bid and received four. It was funded largely by the Oregon Department of Transportation and there would be urban renewal and system development money in the project as well. There would be traffic calming projects done along with it.

****Councilor Blackwell moved to approve Ordinance 1242, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CANBY EXCAVATING, INC. FOR CONSTRUCTION OF SOUTH BERG PARKWAY ROADWAY EXTENSION; AND DECLARING AN EMERGENCY to come up for second reading on May 16, 2007. Motion was seconded by Councilor Carlson and passed 5-0.**

NEW BUSINESS: None.

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: None.

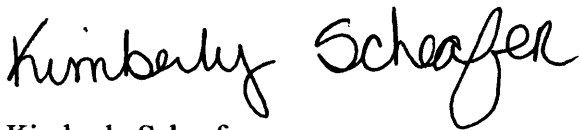
CITIZEN INPUT: None.

ACTION REVIEW:

1. Approved the consent agenda.
2. Approved the Findings, Conclusion and Final Order for ZC 07-02.
3. Staff would implement the \$1,500 option for Baker Drive with signage and stepped up enforcement when appropriate.
4. Approved Ordinance 1236 on second reading.
5. Approved Ordinance 1239 on second reading.
6. Approved Ordinance 1240 to come up for second reading on May 16, 2007.
7. Approved Ordinance 1241 to come up for second reading on May 16, 2007.
8. Approved Ordinance 1242 to come up for second reading on May 16, 2007.
9. Staff would look into the feasibility and process for creation of a LID to improve Baker Drive within the next 18 months.

There was not an Executive Session.

Mayor Thompson adjourned the Regular Meeting at 9:15 p.m.



Kimberly Scheafer
City Recorder Pro Tem



Melody Thompson
Mayor

Assisted with Preparation of Minutes – Susan Wood