

**CANBY CITY COUNCIL
EXECUTIVE SESSION
June 6, 2007**

Presiding: Mayor Melody Thompson

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

Staff Present: John Kelley, City Attorney and Beth Saul, General Services Director

Others Present: Chuck Robbins

Mayor Thompson called the Executive Session to order at 6:00 p.m. in the City Hall Conference Room.

ORS 192.660(2)(e) Real Property – The Council discussed the possible sale of the Adult Center Building to the Canby Adult Center Board.

Councilor Daniels left at 7:06 p.m.

Mayor Thompson adjourned the Executive Session at 7:20 p.m.

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
June 6, 2007**

Presiding: Mayor Melody Thompson

Council Present: Paul Carlson, Teresa Blackwell, Wayne Oliver, Walt Daniels (arrived at 8:23 p.m.) Randy Carson, and Tony Helbling.

Staff Present: John Kelley, City Attorney; John Williams, Community Development & Planning Director; Beth Saul, General Services Director; Kevin Cook, Associate Planner; Nancy Muller, Office Specialist; Melissa York, Office Specialist and Kim Scheafer, City Recorder Pro Tem.

Others Present: Dr. Deborah Sommer, Pat Johnson, Debra Pearson, Todd Gary, Steve St. Amand, Paul Muller, Andrew Rivinus, Rod Beck, Pam Thomas, Mark Wharry, and Shannon Tacla.

CALL TO ORDER: Mayor Thompson called the Regular Meeting to order at 6:00 p.m. and immediately recessed for an Executive Session. Mayor Thompson reconvened the Regular Meeting at 7:30 p.m. followed by the opening ceremonies.

Employee of the Month Presentation for April – Beth Saul, General Services Director, presented Nancy Muller, Transit Office Specialist, with an Employee of the Month certificate for April 2007.

COMMUNICATIONS: Attorney Kelley said they received from Clackamas County Elections the unofficial results of the recount. The Parsons Family Trust annexation did pass.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: None.

MAYOR'S BUSINESS: Mayor Thompson said she had been invited to the Tofte Farms Neighborhood Block Party on June 16. She talked with the City Administrator regarding using a new form for his performance evaluation. The consensus of the Council was to change the form and have a work session on July 5.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Helbling said CBR held a third design charrette, and they scheduled one more for June 28. At the charrette, they looked at the draft of the proposed new code and the design standard. The Planning Commission still had an opening.

Councilor Carson thanked the *Canby Herald* for the editorial thanking the public servants for the job they did.

Councilor Blackwell encouraged everyone to stop by the Library and purchase raffle tickets for a piece of pottery created by a local artist. The drawing would be on July 4 and all the proceeds would go to the Library.

Councilor Carlson said the next Traffic Safety Commission meeting would be held a week from Thursday at the Canby Utility Board Room at noon.

CONSENT AGENDA: ****Councilor Carson moved to approve the Accounts Payable of \$292,914.10; minutes of the May 16, 2007 City Council Work Session and Regular Meeting, Reappointment of Elaina Canutt to the City Budget Committee for a term to expire on June 30, 2010; a street closure request for N Lupine on July 4, 2007; and a street closure request for S Ponderosa for June 16, 2007. Motion was seconded by Councilor Blackwell and passed 5-0.**

PUBLIC HEARINGS: ROW 07-03 Canby School District – Kevin Cook, Associate Planner, said that Ordinance 1238 would vacate a portion of SW 4th Avenue that would transfer land to the Canby School District. They had a work session about a year ago when the School District planned to expand their campus. On May 14, the Planning Commission approved the design of the building and the expansion of the campus. This design included the right-of-way vacation. It would remain City right-of-way in the event that the conditional use permit and design review was not approved. The School District proposed using the former site of the First Student bus yard and including the right-of-way was 17,500 square feet. The new building would be 10,000 square feet. The area that would be vacated would be developed as a pedestrian plaza for students and faculty to move back and forth, unifying the campus. A Traffic Study was done and ODOT contacted.

APPLICANT: Debra Pearson, Project Manager with Canby School District, reviewed the project. Part of the street closure was to be able to provide a pedestrian plaza across from the main building and address the issue of bus and vehicular traffic. They had a one-way entrance and exit for buses and one-way exit for vehicles. They were vacating from the east end of the main building all the way to the west end and Birch Street. This created the opportunity for people to drive into the parking lot, turn around, and go back out again. They thought most likely the community members and patrons would figure it out during construction. The new building would have four classroom spaces and a multipurpose space.

Councilor Carson asked if emergency vehicles could come through the pedestrian plaza.

Ms. Pearson said there were removable bollards so they could come across and go back out again if necessary.

Councilor Oliver asked about visitor parking.

Ms. Pearson said there were two locations. Staff parking was through the entrance off the east end parking lot.

Councilor Helbling asked if the School District procured the property adjacent to the 3M building and Ms. Pearson said they did not.

Ms. Pearson said in negotiations with the Fire Department, they required a hammerhead turn around in the event that the buses were parked there and they could not access all the way to the backside. This provided them an access for the fire trucks to go in and turn around again. The gates were there because the adjacent property owners wanted to be able to maintain access should they decide to have any events and they wanted to have one-way traffic out. They would be getting an easement for the properties to cross what would become the School District's property.

Mayor Thompson asked if there were any significant concerns expressed by citizens that they consulted about the vacation.

Ms. Pearson said everyone supported it, and they had two meetings with the neighborhood association.

Mayor Thompson said people might think the roads were closed just for construction, and when school opened and people still went down those streets and it was a hazard to pedestrians, what was their plan.

Ms. Pearson said whenever they opened a new facility they had extra people on the site to deal with the traffic.

Councilor Carson asked about the traffic pattern on 2nd Avenue and the parking along the side of the streets.

Mr. Cook said that was something the Planning Commission asked them to come back with more information on. The Traffic Study suggested a turn lane added on 2nd for the buses, so currently they were having the City Engineer look at the feasibility. The Traffic Study did indicate that they were only talking about stacking buses for a period of 15 minutes during the peak period, so it was not considered a major concern.

Councilor Carson said moving all the traffic to 2nd that had been going down 4th, they should know soon if they were taking parking off one side or the other so they could let the neighborhood know.

Ms. Pearson said there was a misunderstanding about the traffic pattern. They were not changing it at all, the buses currently came down 2nd, turned onto Birch, and then onto 4th. The only change was they were no longer going onto Birch, but on their private drive.

Councilor Carson was not as concerned about the bus traffic that time of day as he was concerned about the general traffic that people now were not going to be able to use 4th to get over to Elm.

Ms. Pearson said she had several conversations with Pacific Pride and that was one of their issues, and in the end they realized it was a one time a day occurrence and it was a learned thing in terms of how people moved about in the community. In that 15 minute period, people usually modified their habits.

Councilor Oliver had that same concern, but it seemed a lot of people who used 4th would now use Berg Parkway and go around to 13th.

Mr. Cook said Berg would be a connection to south Canby. Second Avenue was also classified as a collector, and theoretically it was meant to carry more traffic in the Transportation System Plan.

Mayor Thompson asked if they had talked about road improvements in conjunction with this project. The roadway on 2nd was very bad.

Ms. Pearson said they would be demolishing the past street improvement along Birch and 2nd and the City planned to come back and repave those areas.

Mr. Cook said the possible turn lane would improve that stretch also.

Councilor Blackwell asked how they would pay for the repaving.

Mr. Williams said it would be out of the general street fund.

John Kelley, City Attorney, read the statute regarding street vacation requirements and how the Council would make a determination.

Mayor Thompson opened the public hearing at 8:13 p.m.

PUBLIC TESTIMONY: None.

Mayor Thompson closed the public hearing at 8:13 p.m.

DISCUSSION: Councilor Carson said there had always been a problem in that area, the roads were never upgraded as the school developed. He thought it would be in the best interest of the school and public safety for the students to vacate at this time.

Councilor Carlson said he liked the plan and his only concern was losing access from east to west in the area. He thought the safety issue was paramount.

Councilor Blackwell said she thought it was an incredible improvement. The design was solid, and they met the criteria.

Councilor Oliver said he was in favor. The safety factor was a main issue for him and he thought this would work.

Councilor Helbling said this was a sign to the community that things were getting back in balance. When he saw the School District, the single largest employer in the community, investing in the community and expanding the high school, it paid big dividends. He thanked them for that. Their residential land was the only deficit, and they needed to get it back in balance. The School District needed the residential funds as well.

Mayor Thompson said it was an excellent design and it was a positive that the businesses and citizens in the area supported it. This was an opportunity for the City to do some street and sidewalk improvements in the area. She would like to see it happen at the same time.

Councilor Carlson said a lot of people came to the City to go to a high school event and this design would be a welcome to them coming into town.

Ordinance 1238 - **Councilor Blackwell moved to approve Ordinance 1238, AN ORDINANCE VACATING SIX HUNDRED TWENTY FEET (620') OF THE PUBLIC RIGHT-OF-WAY ON SW 4TH AVENUE EAST OF S. BIRCH STREET FRONTING TAX LOT 700 OF MAP 4-1E-O4B to come up for second reading on June 20, 2007. Motion was seconded by Councilor Carson and passed 5-0 on first reading.

Beth Saul, General Services Director, said they would be working with them during the street closures regarding transit re-routing.

RESOLUTIONS & ORDINANCES:

Councilor Daniels arrived at 8:23 p.m.

Ordinance 1243 - **Councilor Carson moved to adopt Ordinance 1243, AN ORDINANCE AUTHORIZING A PAYMENT OF \$350,197.00 FROM THE SANITARY SEWER SYSTEM DEVELOPMENT CHARGE FUND TO THE CANBY URBAN RENEWAL DISTRICT FOR THE HAZEL DELL WAY/SE 1ST AVENUE SANITARY SEWER PUMP

STATION AND RELATED SANITARY SEWER LINES; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Blackwell and passed 6-0 by roll call vote.

Ordinance 1244 – **Councilor Carlson moved to adopt Ordinance 1244, AN ORDINANCE AUTHORIZING PAYMENTS NOT TO EXCEED \$97,712.00 FROM THE TRANSPORTATION SYSTEM DEVELOPMENT CHARGE FUND TO STERLING DEVELOPMENT FOR THE RELOCATION OF A SIGNAL POLE AND UTILITIES AT THE INTERSECTION OF S. BERG PARKWAY AND HIGHWAY 99E; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Blackwell and passed 6-0 by roll call vote.

Ordinance 1246 – Mr. Williams said this was a \$15,083 contract to the Transpo Group for services related to the update of the Transportation System Plan. They had been working with this group for a long time. To date, a computer model had been developed of the City's transportation system and it was used to predict where the traffic would go and what traffic would be generated in the future. It used current patterns and road systems and added the growth expected. The next step of the project was to develop a capital project list by running the model.

****Councilor Helbling moved to approve Ordinance 1246, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH THE TRANSPO GROUP, INC. CONSULTING ENGINEERS FOR TRANSPORTATION MODELING AND ENGINEERING SERVICES; AND DECLARING AN EMERGENCY to come up for second reading on June 20, 2007. Motion was seconded by Councilor Carlson and passed 6-0 on first reading.**

Ordinance 1247 – **Councilor Daniels moved to approve Ordinance 1247, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH NANCY MCCLAIN FOR PROFESSIONAL SERVICES FOR PROJECT MANAGEMENT FOR THE CANBY FINANCE DEPARTMENT; AND DECLARING AN EMERGENCY to come up for second reading on June 20, 2007. Motion was seconded by Councilor Carson and passed 6-0 on first reading.

Ordinance 1248 – Mr. Williams said this was a yearly contract with this company that provided plan review and inspection services. Councilor Helbling said he was abstaining as the company he worked for was in a contract with Winstead and Associates. Councilor Carson said the fees they paid them were from the fees the City collected for this type of work.

****Councilor Carson moved to approve Ordinance 1248, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH WINSTEAD & ASSOCIATES TO PROVIDE BUILDING CODE SERVICES to come up for second reading on June 20, 2007. Motion was seconded by Councilor Carlson and passed 5-0 on first reading with Councilor Helbling abstaining.**

NEW BUSINESS: None.

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: None.

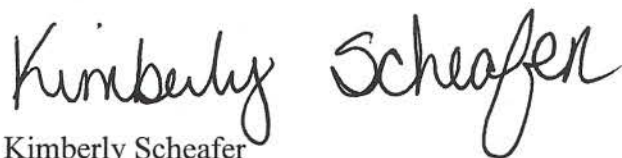
CITIZEN INPUT: None.

ACTION REVIEW:

1. Approved the consent agenda.
2. Include the materials for the City Administrator performance evaluation in the meeting packets.
3. Coordinate with the School District, Planning, and Transit for street closure.
4. Approved Ordinance 1238 to come up for second reading on June 20, 2007.
5. Adopted Ordinance 1243 on second reading.
6. Adopted Ordinance 1244 on second reading.
7. Approved Ordinance 1246 to come up for second reading on June 20, 2007.
8. Approved Ordinance 1247 to come up for second reading on June 20, 2007.
9. Approved Ordinance 1248 to come up for second reading on June 20, 2007.

There was not an Executive Session for Labor Negotiations held after the Regular Meeting.

Mayor Thompson adjourned the Regular Meeting at 8:34 p.m.



Kimberly Scheafer
City Recorder Pro Tem



Melody Thompson
Mayor

Assisted with preparation of minutes – Susan Wood.