

**CANBY CITY COUNCIL
WORK SESSION MINUTES
October 18, 2006**

Presiding: Mayor Melody Thompson.

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

Staff Present: Mark Adcock, City Administrator; Beth Saul, Library & Parks Director; and Kim Scheafer, City Recorder.

Others Present: None.

Mayor Thompson called the work session to order at 6:34 p.m. A light dinner was served.

The Council met to discuss increased park usage impacts.

Beth Saul, Library & Parks Director, said that a task force had been formed to study the usage of the parks and how to facilitate emergency response. The biggest problem was at Community Park.

The Council discussed how to make the park and trails surrounding it safer and prevent overcrowding. There was interest in exploration of day use fees or restricted access, but it would need to be studied.

Ms. Saul said it would also help to have Park staff working on the weekend. Expanding staffing for parks would also benefit other activities, such as events in Wait, Maple, and Legacy Parks.

Council agreed that they would be receptive to the idea of converting a part-time Parks Department position to that of a full-time position. That would give them four full-time park employees.

Mayor Thompson adjourned the work session at 7:15 p.m.

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
October 18, 2006**

Presiding: Mayor Melody Thompson

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

Staff Present: Mark Adcock, City Administrator; John Kelley, City Attorney; John Williams, Community Development & Planning Director; Beth Saul, Library & Parks Director; Kevin Cook, Associate Planner; and Kim Scheafer, City Recorder.

Others Present: Chip Greendale, Craig Roberts, Mark Zimmerman, Bev Doolittle, Ted Kunze, Steve St. Amand, Dan Chandler, Mary Hellhake, and Catriona Sumrain.

CALL TO ORDER: Mayor Thompson called the Regular Meeting to order at 7:34 p.m., followed by the opening ceremonies.

Fitness Leadership Award Presentation – Mayor Thompson presented Chip Greendale with a Governor's Fitness Leadership Award. Eric Laitinen of the Canby Swim Center nominated Mr. Greendale for his work on the Gator Grinder Triathlon. Mr. Greendale announced the next triathlon would be on May 12 and he encouraged people to vote in favor of the swim center levy.

Request for Endorsement of Measure 3-246 (5 Year Public Safety Operating Levy) – Craig Roberts, Clackamas County Sheriff, said that the Canby Swimming Pool saved lives and he thought it was a wonderful thing to have in the City. Measure 3-246 would add 19 sheriff's patrol deputies expanding a portion of meth and child abuse task forces, add 30 staff members to reopen the 84 closed jail beds, and create stability for an inmate work crew. It would cost 24.8 cents per \$1,000 assessed value. The funds could only be used for law enforcement purposes. Currently 84 of the 434 jail beds were closed. The county growth had been tremendous and the police services had not been able to keep up. They developed a Blue Ribbon Task Force to research what they should do. They did a cost assessment and they made several cost effective changes. This levy would provide core level services and was reasonable.

Mark Zimmerman, said he was a former inmate at the Clackamas County Jail. He had been arrested 42 times with 25 felony convictions and four prison terms. He spoke about the time he had been arrested and was released soon after, still high on drugs and committed more crimes, because there was no jail room. There were many who were getting out of jail that needed to be there. He saw how much he harmed society and he was giving back. This was one step in making society safer. Offenders needed to be in jail long enough to detox and serve consequences so they would be motivated to change.

John Kelley, City Attorney, said the City had the same issues. He felt very strongly that they needed to open the jail beds so that there were consequences to crime. He wanted to emphasize that they needed a more comprehensive approach to the jail problems and should be looking at a new jail facility.

The Mayor and City Council said that they supported the measure.

COMMUNICATIONS: None.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: Bev Doolittle, Director of Canby Chamber of Commerce, presented Beth Saul with a check for \$2,483 that was collected from the Fun Run.

MAYOR'S BUSINESS: None.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Oliver said it was Homecoming Week and there would be a big football game against Tualatin on Friday.

Councilor Carson said he had attended a workshop with the Planning Commission regarding a biodiesel company that might come to town.

CONSENT AGENDA: ****Councilor Blackwell moved to approve Accounts Payable of \$411,418.04 and Minutes of the October 4, 2006 City Council Regular Meeting. Motion was seconded by Councilor Carson and passed 5-0.**

Mayor Thompson said Councilor Helbling was out of town.

PUBLIC HEARING: ZC 06-02 Canby Fire Department –

Mayor Thompson read the public hearing format.

CONFLICT OF INTEREST:

Councilor Harris – No conflict, plan to participate.
Councilor Daniels – No conflict, plan to participate.
Councilor Oliver – No conflict, plan to participate.
Councilor Blackwell – No conflict, plan to participate.
Councilor Carson – No conflict, plan to participate.
Mayor Thompson – No conflict, plan to participate.

EX PARTE CONTACT:

Councilor Harris – Visited the site, drew no conclusions.
Councilor Daniels – Visited the site, drew no conclusions.
Councilor Oliver – Driven by the site, drew no conclusions.
Mayor Thompson – Driven by the site, drew no conclusions.
Councilor Blackwell – Driven by the site, drew no conclusions.
Councilor Carson – Driven by the site, drew no conclusions.

STAFF REPORT: Kevin Cook, Associate Planner, said the application was to change the zoning for three R1 parcels. The property at 221 S Pine would change to highway commercial, the property at 883 SE 1st Ave would change to C2 commercial, and the property at 354 S Pine would change to light industrial. The Planning Commission voted to recommend approval with the caveat that the final draft of the Traffic Study would not identify an insurmountable burden to the local road system. It met all other criteria. The first traffic study said the intersection of S Pine and Highway 99E was at an unacceptable level. The Fire District provided a letter that said they intended to rely on the less restrictive setbacks allowed in the commercial zone. Lancaster Engineering was asked to review the proposal. The addendum they received said that the intersection did not fail even when considering the Fire Station property. Mr. Cook read a proposed additional condition of approval from ODOT.

Staff's recommendation was to approve the zone change request with two conditions, that any change in the intensity or use of the properties would be reviewed by a traffic study and that the Fire Station property would remain as fire use only.

Catriona Sumrain from Lancaster Engineering explained that Comprehensive Plan designation changes could result in the Transportation System Plan being no longer valid. They were comparing the trips to the TSP to their conclusions just to make sure the improvements they planned for still supplied a sufficient infrastructure for any trips that would be added. The trips from the medical office building were included in the study.

Councilor Harris wondered if the new schools were a consideration. Ms. Sumrain said the volumes in the TSP assumed they were part of the background. They counted the turning movements rather than total volume going through the intersections. The schools should not substantially change how traffic drove through the intersection so the assumptions should be valid.

Mayor Thompson opened the public hearing at 8:20 p.m.

PUBLIC TESTIMONY

APPLICANTS: Dan Chandler said he represented Mary and Ray Hellhake. He thanked the staff for working through the ODOT issue regarding traffic. The traffic study assumed the development of a restaurant on the Hellake property and a 12,000 square foot auto parts store on the Fire District property. Taking all of that and doing 20 years of growth the level of services measures a volume to capacity ratio. The standard is .85 and they hit .86. They assumed the worst case development. Regarding schools, they did not create p.m. peak trips. It was in the Comprehensive Plan as commercial. The intersection would need improvement and if it remained at the current zoning, it would not be improved. The zone change would fix the problem rather than cause a problem.

Ted Kunze, Canby Fire District Chief, said that when they talked to staff about their urban renewal project, they talked about setbacks. They wanted to change the zone to do the project. Regarding the long-term commitment of the Fire Department to be there, it was difficult to build public facilities. Strategically it served the district well. It served many purposes for the community other than fire services.

PROPOSERS: None.

OPPOSERS: None.

REBUTTAL: None.

Mayor Thompson closed the public hearing at 8:30 p.m.

DISCUSSION: Councilor Carson said he thought the corner needed improvement.

Ordinance 1225 - ****Councilor Carson moved to approve Ordinance 1225, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON FOR TAX LOTS 804 AND 800 OF TAX MAP 3-1E-33DA AND TAX LOT 500 OF TAX MAP 3-1E-34C with the two conditions recommended by staff to come up for second reading on November 1, 2006. Motion was seconded by Councilor Daniels and passed 5-0.**

RESOLUTIONS & ORDINANCES:

Ordinance 1224 - ****Councilor Harris moved to approve Ordinance 1224, AN ORDINANCE REQUIRING CRIMINAL HISTORY RECORD CHECKS ON ALL CITY VOLUNTEERS AND PROSPECTIVE CITY EMPLOYEES; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Blackwell and passed 5-0 by roll call vote.**

Ordinance 1226 - ****Councilor Harris moved to adopt Ordinance 1226, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH PARKER NORTHWEST PAVING COMPANY FOR MOLALLA FOREST ROAD PIPE REPAIR AND SLOPE STABILIZATION; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Carson and passed 5-0 by roll call vote.**

NEW BUSINESS: None.

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: None.

CITIZEN INPUT: None.

ACTION REVIEW:

1. Approved the Consent Agenda.
2. Endorsed Measure 3-246.
3. Approved Ordinance 1225 to come up for second reading on November 1, 2006.
4. Approved Ordinance 1224 on second reading.
5. Approved Ordinance 1226 on second reading.

****Councilor Blackwell moved to go into executive session pursuant to ORS 192.660(2)(e) Real Property. Motion was seconded by Councilor Carson and passed 5-0.**

Mayor Thompson read the Executive Session format and recessed the Regular Meeting at 8:35 p.m.

Mayor Thompson reconvened the Regular Meeting at 9:05 p.m. and immediately adjourned.

**CANBY CITY COUNCIL
EXECUTIVE SESSION
October 18, 2006**

Presiding: Mayor Melody Thompson

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

Staff Present: Mark Adcock, City Administrator; John Kelley, City Attorney; and John Williams, Community Development & Planning Director.

Others Present: None.

Mayor Thompson called the Executive Session to order at 8:45 p.m. in the City Hall Conference Room.

ORS 192.660(2)(e) Real Property – The Council discussed the Berg Parkway property acquisition from Fred Kahut and the sale of a piece of the Police Property.

Mayor Thompson adjourned the Executive Session at 9:05 p.m.



Kimberly Scheafer
City Recorder Pro Tem



Melody Thompson
Mayor

Assisted with Preparation of Minutes – Susan Wood