

**CANBY CITY COUNCIL  
REGULAR SESSION  
June 18, 2003**

Mayor Melody Thompson presiding. Council members present: Walt Daniels, Wayne Oliver, Patrick Johnson, Randy Carson, and Teresa Blackwell. Councilor Newton absent.

Also present: City Administrator Mark Adcock, City Attorney John Kelley, Community Development and Planning Director John Williams, Library and Parks Director Beth Saul, Police Chief Ken Pagano, Police Lieutenant Greg Kroeplin, Transit & General Services Director Margaret Yochem, Administrative Specialist Kim Scheafer, Office Specialist Joyce Peters, Curtis & Lila Gottman, Bev Doolittle, Senator Kurt Schrader, Robin Adcock, Janie Malloy, Jon Dragt, David Howell, Terry Tolls, Craig Finden, Lisa Weygandt, Buzz Weygandt, Roger Harris, and Ronald Tatone.

Mayor Thompson called the regular session to order at 7:35 p.m., followed by the opening ceremonies.

Mayor Thompson recessed the session at 7:35 p.m. for an Urban Renewal Agency meeting.

Mayor Thompson reconvened the session at 7:52 p.m.

**PROCLAMATIONS:** Certification of May 20, 2003 Measure 3-100, 4 Acre Annexation - Mayor Thompson read the certification of the May 20, 2003 Special Election regarding Measure 3-100. The measure passed with an official count of votes from Clackamas County: Yes – 1,845, No – 1,562, Blank – 416, Overvotes – 1.

Certification of May 20, 2003 Measure 3-101, 19.91 Acre Annexation - Mayor Thompson read the certification of the May 20, 2003 Special Election regarding Measure 3-101. The measure failed with an official count of votes from Clackamas County: Yes – 1,518, No – 2,024, Blank – 278, Overvotes – 4.

Certification of May 20, 2003 Measure 3-102, 2.98 Acre Annexation - Mayor Thompson read the certification of the May 20, 2003 Special Election regarding Measure 3-102. The measure passed with an official count of votes from Clackamas County: Yes – 1,867, No – 1,643, Blank – 310, Overvotes – 4.

**CITIZEN INPUT ON NON-AGENDA ITEMS:** Bev Doolittle of the Canby Chamber of Commerce spoke on behalf of the Farmer's Market and requested that they be able to move into the railroad parking lot and off the street as they had outgrown the area. The businesses on First Avenue did not have a problem with this request.

**\*\*Councilor Daniels moved to approve the request for the Farmer's Market to be moved from First Street into the railroad parking lot. Motion was seconded Councilor Blackwell and passed 5-0.**

Senator Kurt Schrader said they were facing many economic shortfalls, the State of Oregon's revenues and resources were down 25%. All the revenue came from income tax, and they had the highest income tax. They were revamping the PERS system. They had reduced the non-essential service areas, done cost containment, revamped the entire Oregon Health Plan system, and eliminated over 800 positions in State government. Even with all the cuts, however, the school year had been cut short, classroom size was growing, people were cut off of medical benefits, and senior homes closed. It had been sobering. To help turn things around, he was proposing a 2-2.5% business education tax. They were shifting some money using federal and lottery money to help fill some natural resource and environmental areas so they could put general fund money into essential services. The biggest problem was the education area. He hoped that would come to some resolution in the next 4-6 weeks. It was a budget driven session and they were trying to match revenues with budget expectations.

Councilor Daniels asked Senator Schrader if there had been any talk regarding a sales tax. Senator Schrader said there was talk of it. They were also talking about a streamline income tax which would be different than the current system, and this was a value added type of tax.

Councilor Blackwell thanked Senator Schrader for helping them accomplish their goals of Willamette Greenway and Sequoia Parkway.

Mayor Thompson asked regarding the PERS savings, did he anticipate any challenges? Senator Schrader said yes, but about two-thirds of the savings would be realized even with a court challenge. The rate would go into effect June 30, and whatever rate they set then would be in effect for two years. If they changed the rate they were not going to make it retroactive, the rate would go up slightly over a 20 year period so they would have some certainty in their budgeting.

**CONSENT AGENDA: \*\*Councilor Carson moved to approve the Minutes of the Executive Session of June 3, 2003, Minutes of the Regular and Executive Session of June 4, 2003, Accounts Payable of \$559,923.24, and appointment to the General Canby Day Committee. Motion was seconded by Councilor Johnson and passed 5-0.**

**COMMUNICATIONS:** None.

Mayor Thompson recessed the session for a short break at 8:14 p.m.

Mayor Thompson reconvened the session at 8:19 p.m.

**PUBLIC HEARINGS:** State Revenue Sharing -

**STAFF REPORT:** City Administrator Adcock said this action declared the City's election to receive state revenue for 2003-2004. The public hearing was to allow citizens to comment on how the money was to be used. They were planning to place the money in reserve.

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

**PUBLIC INPUT:** None.

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

**\*\*Councilor Carson moved to adopt Ordinance 1121, AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUE FOR FISCAL YEAR 2003-2004 to come up for second reading on July 2, 2003. Motion was seconded by Councilor Johnson and passed 5-0 on first reading.**

2002-2003 Supplemental Budget -

Administrator Adcock said this was in regard to the current fiscal year and the proposed supplemental budget for 2002-2003.

Mayor Thompson opened the public hearing at 8:22 p.m.

PUBLIC INPUT: None.

Mayor Thompson closed the public hearing at 8:22 p.m.

**\*\*Councilor Daniels moved to adopt Resolution 831, A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR THE 2002-2003 FISCAL YEAR. Motion was seconded by Councilor Johnson and passed 5-0.**

2003-2004 Fiscal Year Budget -

Administrator Adcock said this was the adoption of the 2003-2004 fiscal year budget.

Mayor Thompson opened the public hearing at 8:24 p.m.

PUBLIC INPUT: None.

Mayor Thompson closed the public hearing at 8:24 p.m.

**\*\*Councilor Johnson moved to adopt Resolution 832, A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS, AND CATEGORIZATION FOR THE 2003-2004 FISCAL YEAR. Motion was seconded by Councilor Blackwell and passed 5-0.**

Councilor Johnson thanked the Budget Committee and Finance and Court Director Chaunee Seifried for all their hard work along with staff. He also thanked Administrator Adcock for his work on the budget message.

**NEW BUSINESS:** None.

**UNFINISHED BUSINESS:** Haute Air Faire Presentation - Lieutenant Greg Kroeplin said he had been meeting with Janie Malloy and John Dragt. He said they had been looking at logistical issues, which included parking, a traffic management plan, law enforcement presence, and a

staging area for emergency vehicles. The City Attorney drafted an agreement to secure the reimbursement for 120 overtime hours for law enforcement at the event. He had been in contact with Roy Hester regarding street closures. Both John and Janie had been exceptional to work with. The event was going to be July 26-27.

John Dragt said he had a request for some street closures. KXL Radio was providing about \$16,000 worth of advertising on their radio station, which should pull in a lot of people. Willamette Broadband was a substantial sponsor as well. They had originally planned to only do a pancake breakfast and launch some balloons. They also received a grant from the Clackamas County Tourist Development Council, which had motivated them to take on a lot more than that. They wanted to make this a culinary event with balloons. The balloons launched at dawn, and there would be a lot of entertainment and contests. They were requesting some road closures to prevent negative impacts on the neighborhoods and facilitate emergency services. They asked for a barrier at the Township and Redwood intersection, just blocking one lane, no parking on Teakwood Street, and barriers up on the side streets that ran along Teakwood.

**\*\*Councilor Blackwell moved to approve the street closures as requested. Motion was seconded by Councilor Daniels.**

Councilor Daniels asked if there would be any notification to the residents in those neighborhoods? Mr. Dragt said they would be canvassing the neighborhoods and giving out some free passes to mitigate any negative impact.

**Councilor Carson wanted to add in the motion that the Police Department be able to make adjustments as they saw fit. Councilor Blackwell and Daniels agreed to add it in. Motion passed 5-0.**

Intergovernmental Agreement with Community Planning Workshop – Library and Parks Director Beth Saul said earlier the Council agreed to look into using CPW with the planning process for the Willamette Wayside properties. They wanted to be able to use the graduate students again, and this looked like a very large plan process. The cost was much less than using professional consultants. They would also organize a project advisory committee. The project would probably take about a year.

**\*\*Councilor Daniels moved to authorize the City Administrator to sign the Intergovernmental Agreement with the University of Oregon Community Planning Workshop to proceed with the scoping study of the Willamette Wayside Properties management plan. Motion was seconded by Councilor Blackwell and passed 5-0.**

Councilor Blackwell asked if the Parks and Recreation Advisory Board would be included in the advisory committee? Ms. Saul said they were talking about a larger group, but they would help in deciding who would be on the committee.

Councilor Blackwell was concerned about the habitat area and that it would be preserved, and Ms. Saul said that would be one of the main factors, habitat enhancement.



## **RESOLUTIONS & ORDINANCES:**

Resolution 830 – Administrator Adcock said this had to be passed in order to receive the revenues from these taxes. They were eligible to receive them because of services the City provided.

**\*\*Councilor Johnson moved to adopt Resolution 830, A RESOLUTION VERIFYING THAT THE CITY OF CANBY HAS MET THE REQUIREMENTS TO RECEIVE REVENUES FROM CIGARETTE, GAS AND LIQUOR TAXES. Motion was seconded by Councilor Blackwell and passed 5-0.**

Resolution 836 – Administrator Adcock said this was needed to close the 2002-2003 budget year.

**\*\*Councilor Carson moved to adopt Resolution 836, A RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN BUDGET LINE ITEMS TO BALANCE THE 2002-2003 BUDGET. Motion was seconded by Councilor Daniels and passed 5-0.**

Resolution 833 - **\*\*Councilor Johnson moved to adopt Resolution 833, A RESOLUTION ACCEPTING THE RESULTS OF THE MAY 20, 2003 ELECTION, PROCLAIMING ANNEXATION INTO THE CITY OF 2.98 ACRES DESCRIBED AS TAX LOTS 602 AND 700 OF TAX MAP 3-1E-27DB LOCATED IN THE NORTHEAST QUADRANT OF THE CITY, ON THE SOUTH SIDE OF NE TERRITORIAL ROAD, JUST EAST OF N. VINE STREET NEAR VINE MEADOWS SUBDIVISION, AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CITY LIMITS. Motion was seconded by Councilor Carson and passed 5-0.**

Resolution 834 - **\*\*Councilor Johnson moved to adopt Resolution 834, A RESOLUTION ACCEPTING THE RESULTS OF THE MAY 20, 2003 ELECTION, PROCLAIMING ANNEXATION INTO THE CITY OF 4 ACRES DESCRIBED AS TAX LOTS 1400 OF TAX MAP 3-1E-28CD LOCATED IN THE NORTHEAST QUADRANT OF THE CITY, ON THE SOUTH SIDE OF NE TERRITORIAL ROAD AND WEST SIDE OF N JUNIPER STREET, AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CITY LIMITS. Motion was seconded by Councilor Daniels and passed 5-0.**

Resolution 835 - Attorney Kelley said this resolution contained the findings, which were prepared by Mr. Greenfield, the attorney for the applicant, as well as the comprehensive plan and map amendment, which allowed them to bring the property in the urban growth boundary, and zone change from agricultural to low density residential.

**\*\*Councilor Carson moved to adopt Resolution 835, A RESOLUTION ADOPTING FINDINGS OF FACT AND CONCLUSIONS OF LAW, APPROVING A COMPREHENSIVE PLAN AMENDMENT, AMENDING THE URBAN GROWTH BOUNDARY AND THE ZONING MAP OF THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON, FOR LAND USE PLANNING APPLICATION NO. ZC 03-02/CPA**

**03-02 REGARDING TAX LOT 800 OF MAP 3-1E-32AA, TAX LOTS 100, 200 AND 1700 OF MAP 3-1E-32AD, TAX LOTS 300 AND 501 OF MAP 3-1E-33BB AND TAX LOT 6600 OF MAP 3-1E-33BC; NORTHWOOD INVESTMENT, APPLICANT. Motion was seconded by Councilor Daniels.**

Councilor Johnson said that he would not be voting in favor of this, but out of respect for the guidelines and principles they agreed to, he would not say more than that. Councilor Blackwell agreed.

**Motion passed 3-2 with Councilors Johnson and Blackwell opposed.**

**Ordinance 1120 - \*\*Councilor Daniels moved to adopt Ordinance 1120, AN ORDINANCE AMENDING THE CANBY COMPREHENSIVE PLAN AND REZONING SPECIFIC PROPERTIES WITHIN THE CANBY CITY LIMITS. Motion was seconded by Councilor Carson and passed 5-0 by roll call vote.**

**MANAGER'S REPORT:** City Administrator Adcock spoke regarding his management team philosophy. As the City Administrator he relied on his management team's collective wisdom, expertise, ability to respect differences of opinion, and willingness to come together to solve problems. They did a great job in managing their departments. By far this group of department directors exceeded any group he ever worked with. He appreciated their loyalty and support.

Administrator Adcock read the inscriptions on the plaque and presented it to the directors. Mayor Thompson said they appreciated the directors as well.

**CITIZEN INPUT:** None.

**COUNCILOR'S ISSUES:** Councilor Carson said the Priority A, B, C plan was discussed at the Planning Commission meeting the other night. He asked that they set a workshop in July to discuss the plan.

Councilor Carson said that property owners could build houses outside the City Limits but inside the Urban Growth Boundary because they only needed permission from the County. He wanted to talk with the County Commissioners and their planning department to get a better handle on what was being built. Councilor Blackwell thought they had an Urban Growth Boundary Agreement with Clackamas County. Community Development and Planning Director John Williams said that agreement provided for notice of land use actions and administrative decisions, but it didn't address building permits. Councilor Johnson asked Mr. Williams to look into this and bring it back at the next meeting. Mr. Williams said he would do some research.

Mr. Williams thanked Mr. Adcock for his presentation on behalf of everyone.

Councilor Daniels asked if the County was aware of their proposed zoning as it might affect people buying certain properties. Mr. Williams said the County planning staff was aware, but he was not sure about the real estate agents.


## **ACTION REVIEW:**

1. Approving the request from the Growers Market to move to the railroad parking lot.
2. Approving Resolution 831, adopting the 2002-2003 Supplemental Budget.
3. Approving Resolution 832, adopting the 2003-2004 City Budget.
4. Approving the Intergovernmental Agreement with the University of Oregon Community Planning Workshop.
5. Approving Resolution 830, verification of the cigarette, gasoline and liquor tax requirements.
6. Approving Resolution 833, annexation of 2.98 acres.
7. Approving Resolution 834, annexation of 4 acres.
8. Approving Resolution 835, adopting Findings of Fact, Comprehensive Plan Amendments and Zone Change on Northwood Investments.
9. Approving Resolution 836, authorizing the transfer of funds to balance the 2002-2003 budget.
10. Adopting Ordinance 1120 on second reading.
11. Passing Ordinance 1121 on first reading to come up for second reading on July 2, 2003.
12. Scheduling a workshop in July regarding the A, B, C priorities.
13. Working with the County regarding UGBA concerns.

Mayor Thompson said they received the employment agreement from Attorney Kelley. Councilor Blackwell recommended that everyone read it and then come back to discuss it.

**There was no executive session.**

Mayor Thompson adjourned the session at 9:15 p.m.



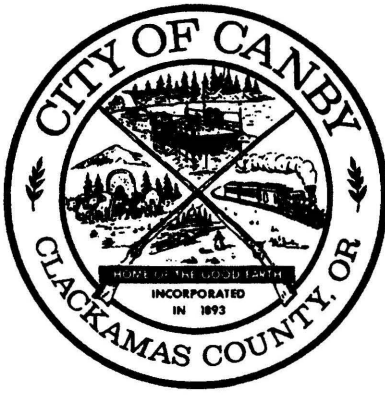
Chauncey F. Seifried  
City Recorder pro tem



Melody Thompson  
Mayor



Prepared by Kim Scheafer  
and Susan Wood Office Specialist



# City of Canby

General Administration Office

## PROCLAMATION

WHEREAS, the City of Canby, County of Clackamas, Oregon, held a Special Election on May 20, 2003, to consider the following measure:

### MEASURE NO. 3-100

**Shall 4 acres located on NE Territorial, West of N Juniper be annexed into Canby?**

WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes for the Special Election on May 20, 2003.

**YES - 1845**


**NO - 1562**

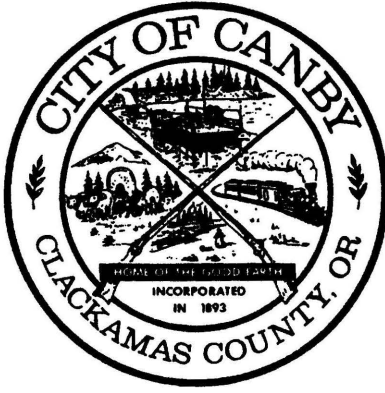
**Blank - 416**

**Overvotes - 1**

**NOW, THEREFORE**, I, Melody Thompson, Mayor of the City of Canby, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting as presented by the Clackamas County Election Division dated June 4, 2003.

Dated this 18<sup>th</sup> day of June, 2003.

  
Melody Thompson, Mayor



# City of Canby

General Administration Office

## PROCLAMATION

WHEREAS, the City of Canby, County of Clackamas, Oregon, held a Special Election on May 20, 2003, to consider the following measure:

### MEASURE NO. 3-101

**Shall 19.91 acres located North of NE Territorial, near N Holly be annexed into Canby?**

WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes for the Special Election on May 20, 2003.

**YES - 1518**

**NO - 2024**

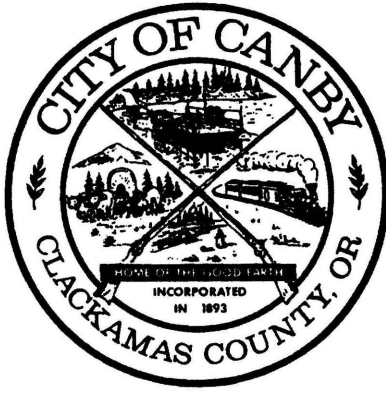
**Blank - 278**

**Overvotes - 4**

**NOW, THEREFORE**, I, Melody Thompson, Mayor of the City of Canby, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting as presented by the Clackamas County Election Division dated June 4, 2003.

Dated this 18<sup>th</sup> day of June, 2003.

  
Melody Thompson, Mayor



# City of Canby

General Administration Office

## PROCLAMATION

WHEREAS, the City of Canby, County of Clackamas, Oregon, held a Special Election on May 20, 2003, to consider the following measure:

### MEASURE NO. 3-102

**Shall 2.98 acres located South of NE Territorial, East of N Vine Street be annexed into Canby?**

WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes for the Special Election on May 20, 2003.

**YES - 1867**


**NO - 1643**

**Blank - 310**

**Overvotes - 4**

**NOW, THEREFORE**, I, Melody Thompson, Mayor of the City of Canby, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting as presented by the Clackamas County Election Division dated June 4, 2003.

Dated this 18<sup>th</sup> day of June, 2003.

  
Melody Thompson, Mayor





