

CANBY CITY COUNCIL  
PLANNING COMMISSION  
JOINT WORKSHOP  
NOVEMBER 6, 2002

Present: Mayor Terry Prince, Council members Jean Tallman, Walt Daniels, Patrick Johnson, Shirley Strong, Randy Carson, and Teresa Blackwell, Planning Commissioner Paul Thalhoffer, City Administrator Mark Adcock, Community Development and Planning Director John Williams, Library and Parks Director Beth Saul, Project Planner Matilda Deas, Marty Moretty, David Howell, Melody Thompson, and Georgia Newton.

Mayor Prince called the session to order at 6:33 p.m. A light dinner was served.

The Council met in joint workshop session in the Canby Utility Board room with the Canby Planning Commission. Parks Director Beth Saul and Project Planner Matilda Deas were on hand to present Parks System Development Charges scenarios.

Mayor Prince adjourned the session at 7:20 p.m.

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CANBY CITY COUNCIL  
REGULAR SESSION  
NOVEMBER 6, 2002

Mayor Terry Prince presiding. Council members present: Jean Tallman, Walt Daniels, Patrick Johnson, Shirley Strong, Randy Carson, and Teresa Blackwell.

Also present: City Administrator Mark Adcock, Community Development and Planning Director John Williams, City Attorney John Kelley, Library and Parks Director Beth Saul, Police Chief Ken Pagano, Finance Director Chauncey Seifried, Marty Moretty, Joyce Peters, Roger Harris, Terry N. Tolls, Kay Lewelling, Craig Lewelling, Wayne Oliver, Ken Schuh, Bob Zimmer, Pat Weygandt, Jamie Johnk, Fred Kahut, Barry Lucas, Craig Finden, Buzz Weygandt, Georgia Newton, Scott Gustafson, Paul Dawson, Lisa Weygandt, Curtis and Lila Gottman, Bev Doolittle, F.Yoder, Roger Reif, Melody Thompson, Ray Burden, and Paula Palmer.

Mayor Prince called the regular session to order at 8:02 p.m., followed by the opening ceremonies and a moment of silence for our troops in the field.

**PRESENTATION: Hometown Hero Award** - Mayor Prince announced that Fred Kahut was the latest recipient of the Hometown Hero Award for his community involvement throughout the years especially in support of events such as Slice of Summer, Nothing But Net, and the Festival of Jazz and work on the Canby Educational Foundation, Canby Rotary, and Canby Kiwanis. Mr. Kahut was always there at every event, without being asked, and it was much appreciated. Mr. Kahut said he loved the community and being involved in it.

**CITIZEN INPUT ON NON-AGENDA ITEMS: None.**

**CONSENT AGENDA: \*\*Councilor Strong moved to approve the Minutes of the Regular and Executive Session of October 16, 2002; Accounts Payable of \$443,328.79; and Special Use of Swim Center Handicap Spaces and Parking Lot for Canby Gators Swim Meet. Motion was seconded by Councilor Carson.**

Councilor Tallman noted that she had spoken in the discussion under the Memorandum of Understanding with the IAA and noted that it had been left out of the minutes. She wanted to have her comments included. She also noted that in the Transit Update, the word "*they* would start service" should be replaced with "*Wilsonville* would start service."

**\*\*Councilor Strong amended her motion to hold over the approval of the Minutes of the Regular and Executive Session of October 16, 2002 to the Council meeting of November 20, 2002. The rest of the consent agenda passed 6-0.**

**COMMUNICATIONS:** Presentation re: City Risk Management Activities - Canby's City-County Insurance Services agent Scott Gustafson of Gustafson Insurance said the City of Canby a number of years back had a history of high frequency of claims and fairly significant losses. That path had changed, and he commended the City Administrator and staff for their commitment to safety. They were saving money because of it.

The Council asked Mr. Gustafson to read the letter. Mr. Gustafson wrote in a letter addressed to Mark Adcock, City Administrator:

"As you know, part of my job as the agent of record for the City of Canby is to monitor claims results for all the lines of insurance I manage. These include General Liability, Commercial Automobile, Property and Workers Compensation.

City-County Insurance Services, your insurer, provides loss reports and detail to me on a semi-annual basis. These reports list each specific loss and the final claim payment made to close each loss. In reviewing the recently produced loss reports for the City of Canby I was impressed with the consistently excellent results the City has enjoyed.

After 21 years in the profession, my experience is that consistent and predictably excellent loss results from all the lines of insurance listed above do not just happen by chance.

These excellent loss reports are the result of a "top down" approach to safety and risk management within the organization. You have obviously implemented an on-site commitment to safety. The City of Canby's loss results are superior in comparison to your peers.

Low losses equal low premiums, our insurance program is an experience rated premium calculation. Your excellent results have saved literally thousands of dollars a year in reduced premiums.

I would also like to address your letter of September 24, 2002 to Noel Kline of the City County Insurance Services. The letter was a request of our insurer to review a claim payout which was

apparently made in haste without proper investigation. While we appreciate quick claims service it is important the service is not only quick but accurate as well. As your letter so accurately pointed out, The Pinnacle Risk Management Services mis-handled a recent claim and resultant payout. The City of Canby's demand of our insurer as a result of this claims "mis-que" has been answered. In a letter from Noel Kline dated 10/15/02, City County Insurance Services has offered to reimburse the City of Canby \$6,064.52 to amend their error. This reimbursement is unprecedented and would not have occurred without your intervention.

Thank you for the leadership you have exhibited in all areas of risk management for the City of Canby."

Councilor Johnson said they were within the top 5% of those insured in the State, and he thought their City Administrator was in the top 5% as well.

Councilor Daniels wanted the record to show that the Council thanked Administrator Adcock and the staff for this excellent job.

Councilor Carson said it did help to reduce the premiums so that money could go into other programs for the City. He commended Administrator Adcock and staff for this.

**NEW BUSINESS: Recommendation for Community Development Block Grant Projects -**

Administrator Adcock said it was time for jurisdictions to prepare project submittals to Clackamas County for their three year Community Development Block Grant funding cycle. The projects would be submitted and then reviewed by a selection committee for funding. Staff recommended a list of projects, the two highest priority projects were street rehabilitation from Knights Bridge Road from N. Baker to N. Grant for \$900,000 and S. Berg Parkway from 99E to 13<sup>th</sup> Avenue for \$800,000 plus right of way costs. They could have the funds for these larger projects accumulate over the three year cycle or prepare applications for smaller projects, delaying the larger ones he just mentioned.

Councilor Tallman thought they should apply for the large projects as they desperately needed to be done.

Mayor Prince said Berg Parkway was important to open up south Canby for development.

Planning Director John Williams said the amount of money they could expect would be between \$200,000 to \$300,000. If they went for the larger projects, they could probably only do one.

Councilor Tallman thought S. Berg Parkway was the most important. Councilor Daniels agreed.

Councilor Carson asked if there was some other funding mechanism they could do for the Township and Ivy traffic light? Mr. Williams said that was the downside of saving for the larger project as they would be using SDC money for that project and the smaller projects would not get done. There were not any grants they could get for that project.

Councilor Strong thought S. Berg Parkway should be priority because they could get the traffic off of Ivy, and the signal at Township would not be as critical as it was right now.

Mayor Prince said the County and State would also be straightening out Arndt Road. Mr. Williams said the final connection from Arndt and 99E would be made in 2005, and it would tie into the project.

Councilor Johnson thought they didn't have enough street maintenance funds for the streets they had now and he thought they should fix Knights Bridge Road. Councilor Daniels said they all needed repair, but they had a limited number of dollars and had to choose.

Councilor Strong thought Knights Bridge was in bad shape, but if they built more homes on the south side, it would double traffic and they had to take care of that first.

Councilor Carson asked if they got the money and decided to change their minds on what project it was for, could they do that or were they locked in? Administrator Adcock said he thought they would be locked in, the County might reallocate that money to some other project that received a higher rating than what the City might want to substitute it for.

Mr. Williams said there were questions regarding the Berg Parkway project, such as acquisition of right of way and possible environmental issues. He could not guarantee that they could accomplish the project for the amount of money he suggested and if they committed to this course, there would not be any street projects done by SDC money for three years.

**UNFINISHED BUSINESS: None.**

#### **ORDINANCES & RESOLUTIONS:**

##### Resolution 812 -

**\*\*Councilor Daniels moved to adopt Resolution 812, A RESOLUTION TO ACCEPT RIGHT-OF-WAY FROM VARIOUS PROPERTY OWNERS ON N. IVY STREET. Motion was seconded by Councilor Strong and passed 6-0.**

##### Ordinance 1105 -

**\*\*Councilor Carson moved to adopt Ordinance 1105, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH CONTRACTORS, INC. FOR CONSTRUCTION OF THE CANBY WASTEWATER TREATMENT PLANT EFFLUENT FILTRATION AND BIOSOLIDS DEWATERING IMPROVEMENTS; AND DECLARING AN EMERGENCY on second reading. Motion was seconded by Councilor Blackwell and passed by roll call vote 6-0.**

##### Ordinance 1109 -

Project Planner Matilda Deas stated that this ordinance and code language was the result of directives from the Council and Planning Commission. They went out into the community and had meetings to encourage formation of neighborhood associations. Neighborhood associations were one way to enhance communication and understanding between the government and its citizens. There was a lot

of interest in the community, two neighborhood associations had already formed. Three more meetings were scheduled to continue the process and staff was trying to help as much as they could. There was information on the City's web site as well. Now they needed a procedure to formally recognize the associations as they were formed. They wanted it to be as simple and easy as possible, and each neighborhood association was required to have membership rules, boundary rules, and bylaws. This process had been great, they created an atmosphere where people could ask questions and also had a police representative to talk about possibly reactivating the neighborhood watch program.

Councilor Carson questioned the wording, he wanted to make sure they did not leave anyone out in case there were two groups who left out a section in between them. Ms. Deas said there was language that said they couldn't leave excluded areas out and they had the ability to review and approve at the time a group would come forward to be formally recognized.

Councilor Carson asked for clarification about the appeals process. Ms. Deas clarified that neighborhood associations could have people outside of the association that had issues of community-wide concern. This was so they could go to the association and the association agreed by vote that it was an issue that affected the association. They would vote to have that person be represented by the neighborhood association.

**\*\*Councilor Blackwell moved to adopt Ordinance 1109, AN ORDINANCE AMENDING TITLE 2 OF THE CANBY MUNICIPAL CODE BY ADDING A NEW CHAPTER, 2.70, NEIGHBORHOOD ASSOCIATIONS; AND DECLARING AN EMERGENCY to come up for second reading on November 20, 2002. Motion was seconded by Councilor Tallman and passed 6-0.**

Mayor Prince thanked Ms. Deas for a great job. He said that there had been about 40 people in attendance at the last meeting. Councilor Tallman said that the next meeting would be held at the Community Room at Willamette Green.

**MANAGER'S REPORT:** Status Report on 2<sup>nd</sup> Avenue/N. Ivy Street Improvements - Community Development Director John Williams stated that the work was down to the last intersection and was anticipated to be completed in about the middle of next week. The cold weather delayed the project, and the rain might delay it as well. It would certainly be completed next week and they were on budget. He thanked everyone for their patience.

Discussion re: January 2003 City Council Meeting Dates -

City Administrator Adcock explained that the first Wednesday in January 2003 fell on New Years Day and asked the Council what alternate date they would like to hold that meeting.

**\*\*Councilor Daniels moved to hold the first regular Council meeting of 2003 on January 8.**

Councilor Carson said that he would not be in town on January 8.

Councilor Tallman asked if it were held on the 8<sup>th</sup>, would it allow for enough time to get the loan going

or would it be better to hold the meeting earlier? John Williams answered that it depended on the scheduling of a special hearing date for the annexation. He thought the 8<sup>th</sup> would be fine.

**\*\*Councilor Johnson seconded the motion and it passed 6-0.**

Discussion re: Artistic Graffiti at Skate Park - Parks Director Beth Saul passed out a sketch that a young artist from Portland was willing to paint in the bowls of the skate park at no cost in an effort to act as a deterrent of unwanted graffiti. The skateboard committee had been trying hard to address these problems, stay in communication with the City, and do everything possible to improve the skate park. They had ideas for competition and fund raisers as well. The Parks and Rec Board was pleased with this group also.

Administrator Adcock was requested by Councilor Carson to speak about the educational opportunities being afforded to Police Chief Ken Pagano. The Chief had the opportunity to attend the Los Angeles Police Department's Leadership Institute or the State of California Law Enforcement Executive Development Program. He would have to choose one, but it was quite an honor to be selected.

Councilor Daniels asked how long the programs were and Administrator Adcock said it was a week long and they had funds for it in the budget.

**CITIZEN INPUT:** Bev Doolittle Chamber of Commerce Director spoke about the downtown festival celebration for the completion of the street improvements on Sunday, November 24, from noon to 4 p.m. in conjunction with the traditional holiday downtown open house. There would also be a food row. They were doing this as a thank you to the businesses and encouraging the citizens of Canby to come and enjoy the new improvements. Invitations would be forthcoming. She thanked John Williams and Jamie Johnk for all of their hard work.

**COUNCILORS' ISSUES:** Councilor Blackwell referred to the Traffic Safety Committee minutes of October 24, 2002. It referred to a letter that would be sent to the 7-11 Store about signs that would force a right turn only onto Hwy 99E. She wanted to know if the Committee should be addressing these issues on behalf of the Council?

Administrator Adcock stated that he had read the minutes and had discussed it with Chief Pagano and requested that he see the letter before it went out. He thought advisory committees should not send out letters to property owners representing positions that were policy. He would look at a draft of the letter and then forward it to the Council before anything was sent out.

Councilor Strong said they also discussed narrowing the traffic lanes to 10 feet, and that was also a Council decision.

Councilor Johnson addressed the memo regarding the waiving of fees for the Canby High School grandstands. Administrator Adcock said some time ago the Council waived all the associated fees with the project at the high school. When they waived them, they were not able to waive the State mandated costs that had to be paid to the building department fund so the City was required to pay the fee somewhere out of the general fund. This was just a point of information for the Council.



Councilor Carson asked if there was a resolution or ordinance that stated that public entities would not be charged these fees? Administrator Adcock said that they would still be required to pay it since it was mandated by the State.

Councilor Tallman thought that in the future if fees were waived they should mandate that the entity requesting the fees to be waived pay for this part. Administrator Adcock said that would be a policy decision.


Councilor Carson thought they should be waived on a case by case basis.


#### **ACTION REVIEW:**


1. Approving the consent agenda.
2. Direction to focus the Community Development Block Grant application for the coming three-year funding cycle on Berg Parkway project.
3. Approving Res. 812.
4. Approving Ord. 1105 on final reading.
5. Approving Ord. 1109 to come back for second reading on November 20, 2002.
6. Scheduling the first regular Council meeting in 2003 for January 8.

There was no executive session.

Mayor Prince adjourned the Council meeting at 9:00 p.m.

  
Chaunce F. Seifried  
City Recorder pro tem

  
Terry L. Prince  
Mayor

  
Prepared by Marty Moretti  
and Susan Wood  
Office Specialists