

CANBY CITY COUNCIL
WORKSHOP
FEBRUARY 20, 2002

Present: Mayor Terry Prince, Council members Jean Tallman, Walt Daniels, Shirley Strong, Randy Carson, and Teresa Blackwell, Library and Parks Director Beth Saul, Community Development and Planning Director John Williams, Finance Director Chaunee Seifried, Finance Operations Manager Laura Dornbusch, Transit Director Margaret Yochem, Kamala Austin, John Merina, Suzan Duffy, Marty Moretty, Carolyn Ann Carson Graybill, and David Howell.

Mayor Prince called the session to order at 6:37 p.m. A light dinner was served.

The Council met in workshop session with the representatives of Merina & Company for an independent auditor's report on the Fiscal Year 00-01 for the City. They also gave a brief report on GASB 34.

Mayor Prince adjourned the session at 7:16 p.m.

CANBY CITY COUNCIL
REGULAR SESSION
FEBRUARY 20, 2002

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

Also present: Community Development and Planning Director John Williams, Marty Moretty, Library and Parks Director Beth Saul, Leonard Walker, Curtis and Lila Gottman, Finance Director Chaunee Seifried, Finance Operations Manager Laura Dornbusch, Chief Ken Pagano, Court Supervisor Kathy Mashek, Jim Harbison, Randy Tessman, Keith Stewart, Steven Willis, Greg Perez, Tina Leber, Al Friederich, Freda and Herman Bergman, Georgia Newton, Melody Thompson, Jim Newton, Jim Gibson, Carolyn Ann Carson Graybill, Bruce and Barb Bergman, Lt. Greg Kroeplin, Peggy Sigler, Steven Amick, Larry Bergman, and Sgt. Brian Howarth.

Mayor Prince called the regular session to order at 7:33 p.m., followed by the opening ceremonies and a moment of silence.

SWEARING-IN CEREMONY: Swearing-In of the New City Councilor - Mayor Prince introduced Municipal Court Judge Jon Henriksen who administered the Oath of Office to the Councilor-designate Jean Tallman. Mayor Prince and the rest of the Council congratulated Councilor Tallman and welcomed her aboard.

Planning Commission Chair Keith Stewart presented a plaque to Mrs. Tallman expressing the Commission's gratitude for her five years on the Planning Commission. Planning Commissioner Randy Tessman thanked Mrs. Tallman for mentoring him in his first year on the Commission. He

said Mrs. Tallman attended many city committee meetings; she was a dedicated volunteer and looked at all of Canby's needs and goals rather than the needs and goals of a chosen few. He presented her with a floral bouquet. Mr. Stewart said Mrs. Tallman filled in for him a lot in the last year and had done a great job. He presented Mrs. Tallman with an inscribed gavel.

Councilor Tallman said the downside to becoming a City Councilor was leaving the Planning Commission. She enjoyed working with the commissioners, and would always appreciate the work they did. She felt she had a lot to live up to, and she promised that she would do her best to live up to their expectations.

PRESENTATION: Hometown Hero Award - Honors were given to Herman and Freda Bergman for their many years of combined "Community Involvement" demonstrated by their tireless and longstanding contributions to the Canby Historical Society and the Depot Museum and their dedication to the youth of the community through their active participation in Boy Scouts and Ackerman Living History Day. In addition, the City extended special gratitude for their active support of the Canby Kiwanis Club, their community service, and for Mr. Bergman's contributions to the preservation of freedom. Mayor Prince showed the plaque with their names inscribed to the audience.

Mr. and Mrs. Bergman thanked the Council for the award.

INTRODUCTION OF NEW TRANSIT DIRECTOR: Community Development and Planning Director John Williams introduced Margaret Yochem, Canby's new transit director. Ms. Yochem said she was excited to get started and her door would be open to answer any questions anyone might have about the new transit system. Mayor Prince and Council welcomed her.

CITIZEN INPUT ON NON-AGENDA ITEMS: Keith Stewart, Chair of the Planning Commission, announced the Commission would be holding a series of two public forums, held March 12 and 14 at 7 p.m., to take information from citizens regarding street maintenance and a proposed transportation utility fee. Following those meetings, the Planning Commission would hold a public hearing on March 25. He encouraged citizen participation.

Mr. Stewart also announced the Planning Commission had two vacancies. He asked that citizens step forward to volunteer.

CONSENT AGENDA: **Councilor Strong moved to approve the Minutes of the regular and executive session of February 6, 2002, Accounts Payable of \$200,297.07, an Appointment to the Park and Recreation Advisory Board, an Appointment to the City Budget Committee, and Approval of the Annual Liquor License Renewals. Motion was seconded by Councilor Carson.

Councilor Carson announced that Mark Triebwasser was the appointment to the Parks and Rec Board and Mark Vodka was the appointment to the Budget Committee. Both appointments were filling unexpired terms and would end on June 30, 2002.

****Motion passed 5-0.**

PUBLIC HEARING: Park Master Plan and Park Acquisition Plan - Library and Parks Director Beth Saul explained that a few weeks ago they had a joint workshop with the Planning Commission on the final documents. It had been a two year process to create these documents and update their previous master plan. The biggest change was in the park master plan, they updated the various amenities they had for parks and also created a new community standard for parks acreage--10 acres per 1,000. They also chose to look at leading with land dedication with SDC's as bolstering acreage acquisition rather than the other way around. That led to the creation of an acquisition plan. Both of these were guiding documents to help with park acquisition and development for the next several years. They would again review them in three to five years and update them as needed. They already had a great deal of public input, people seemed to be interested in having more natural areas and trails and there was a need for more developed parks in the northwest and southeast corners of the city. This was one more chance for public input. Staff recommended that these documents be adopted.

Project Planner Matilda Deas explained the Acquisition Plan. Park land acquisition, specifically for mini and neighborhood parks within new subdivisions, has not kept pace with new development. The Acquisition Plan is an important supporting document for implementing the Parks Master Plan. The Acquisition Plan provides a solid foundation for requiring park land dedication as a part of any new development. New residential development currently is required to pay System Development fees for Parks. The City is proposing a land dedication Ordinance that will require new development to dedicate park land proportionate to the demand generated by the new development, unless the land does not meet the City's dedication criteria. In this case, the developer will pay equivalent system development fees in lieu of the land dedication requirement. The Acquisition Plan provides a neighborhood level analysis of park needs by type and general location, and will therefore provide the Planning Commission with a valuable decision-making tool for requiring park land dedication for new development.

Mayor Prince opened the public hearing at 7:55 p.m.

PUBLIC TESTIMONY: None.

Mayor Prince closed the public hearing at 7:56 p.m.

DISCUSSION: Ms. Saul reminded them that Resolution 782 would adopt these documents.

****Councilor Blackwell moved to adopt Resolution 782, A RESOLUTION AMENDING THE PARKS AND RECREATION MASTER PLAN AS MODIFIED BY EXHIBIT A AND ADDENDUM A, AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Strong.**

Councilor Tallman said this document was much needed by the Planning Commission and she appreciated its enactment.

Mayor Prince agreed there were a lot of places in town with new housing that did not have small parks, and a lot of people, especially in the Ackerman school district area, wanted to have a small park somewhere. They still needed smaller parks within subdivisions.

****Motion passed 5-0.**

COMMUNICATIONS: Mayor Prince announced that on Thursday, March 7, from noon to 1:30 p.m., Canby Telephone Association would host a lunch to garner support for Neighbor to Neighbor Day and for businesses to get involved with that event. There would also be a meeting at the Adult Center on February 21 at 7 p.m. to plan potential projects for the event.

NEW BUSINESS: None.

UNFINISHED BUSINESS: Community Development and Planning Director John Williams said there was an address that was incorrect on the Harbison Annexation, and they should approve the revised resolution that night.

Resolution 778 -

****Councilor Daniels moved to adopt Resolution 778, A RESOLUTION AUTHORIZING AND DIRECTING THE CITY RECORDER TO CERTIFY TO THE CLACKAMAS COUNTY CLERK A MEASURE REFERRING TO THE ELECTORATE A PROPOSED ANNEXATION OF 45.42 ACRES DESCRIBED AS TAX LOTS 900, 1100 AND 1200 OF TAX MAP 4-1E-03 LOCATED ON THE SOUTH SIDE OF S. E. TOWNSHIP ROAD EAST OF TROST ELEMENTARY SCHOOL TO THE CITY OF CANBY; AUTHORIZING THE CITY RECORDER TO SEND AN EXPLANATORY STATEMENT FOR THE VOTER'S PAMPHLET; AND DOING ALL OTHER NECESSARY ACTS TO PLACE THE MATTER BEFORE THE VOTERS OF THE CITY OF CANBY FOR THE MAY 21, 2002 GENERAL ELECTION. Motion was seconded by Councilor Tallman and passed 5-0.**

Resolution 779 -

****Councilor Blackwell moved to adopt Resolution 779, A RESOLUTION AUTHORIZING AND DIRECTING THE CITY RECORDER TO CERTIFY TO THE CLACKAMAS COUNTY CLERK A MEASURE REFERRING TO THE ELECTORATE A PROPOSED ANNEXATION OF 1.97 ACRES DESCRIBED AS TAX LOT 1200 OF TAX MAP 4-1E-04CA LOCATED ON THE SOUTHWEST CORNER OF SW 13TH AVENUE AND S. FIR STREET TO THE CITY OF CANBY; AUTHORIZING THE CITY RECORDER TO SEND AN EXPLANATORY STATEMENT FOR THE VOTER'S PAMPHLET; AND DOING ALL OTHER NECESSARY ACTS TO PLACE THE MATTER BEFORE THE VOTERS OF THE CITY OF CANBY FOR THE MAY 21, 2002 GENERAL ELECTION. Motion was seconded by Councilor Carson and passed 5-0.**

Findings, Conclusions, and Final Order for ANN 01-02, Canby School District Annexation and ANN 01-03, Harbison Annexation -

****Councilor Carson moved to approve the findings, conclusion and order for ANN 01-02 and approve the findings, conclusion and final order for ANN 01-03. Motion was seconded by Councilor Blackwell and passed 5-0.**

ORDINANCES & RESOLUTIONS:

Ordinance 1090 -

****Councilor Carson moved to adopt Ordinance 1090, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH CASELLE, INC. OF SPANISH FORK, UTAH FOR COURT MANAGEMENT SOFTWARE AND SUPPORT SERVICES; AND DECLARING AN EMERGENCY on final reading. Motion was seconded by Councilor Strong and passed 5-0 by roll call vote.**

Ordinance 1091 -

****Councilor Daniels moved to adopt Ordinance 1091, AN ORDINANCE AMENDING CANBY MUNICIPAL CODE SECTION 4.04.110 REGARDING INTEREST CHARGED TO PROPERTY OWNERS OF PROPERTY BENEFITTED BY PUBLIC IMPROVEMENTS; AND DECLARING AN EMERGENCY on final reading. Motion was seconded by Councilor Carson and passed 5-0 by roll call vote.**

Resolution 775 - Library and Parks Director Beth Saul said the personnel policy was a good tool they needed and did not have. The management team had worked on this in order to have a document that spelled out the expectations for all the employees of the City of Canby. These went beyond what was covered in the bargaining agreements. Staff recommended approval of the policy.

****Councilor Daniels moved to adopt Resolution 775, A RESOLUTION OF THE CITY OF CANBY ADOPTING A PERSONNEL POLICY MANUAL FOR THE EFFICIENT AND EFFECTIVE MANAGEMENT OF MUNICIPAL EMPLOYEES. Motion was seconded by Councilor Carson.**

Councilor Carson asked if there were any substantive changes after review from the unions and Ms. Saul said the only changes were in wording for clarification.

Mayor Prince thanked Administrator Adcock and staff on their work on this. This would make it a lot clearer on how things should be run.

****Motion passed 5-0.**

Ordinance 1088 - Finance Operations Manager Laura Dornbusch made a PowerPoint presentation on the final assessments of the LID project on 3rd and Baker. Council had passed the interest rate under Ordinance 1091 and they were going to discuss the next phase of the project, the interim interest financing. That was the amount of the interest that was passed on to the property owners for monies spent throughout the project. Ordinance 1088 was tabled in January, and was now being brought back with more information and staff recommendations. Staff came up with the most fair conclusion for all the parties involved. They tried to keep to the original budgeted amount for interim interest, \$40,000. They were proposing \$37,587 to be passed on as interim interest financing. That was based on a rate of 2.25% for the duration of the project going back to March 1998 through March 2002. Ordinance 1091 allowed the Council to set whatever interest rate they chose per LID project basis. The assessment to the LID property owners, if they chose installment payments spread over 10 years, would be an annual interest rate of 6%. With the passage of this ordinance, the only other outstanding issue was the parks and streets portion of the project which would be brought up at their next meeting.

****Councilor Daniels moved to adopt Ordinance 1088, AN ORDINANCE ASSESSING BENEFITTED PROPERTY FOR THE COSTS OF CONSTRUCTING LOCAL IMPROVEMENT DISTRICT NO. 0100, KNOWN AS NORTH 3RD AND BAKER LOCAL IMPROVEMENT DISTRICT, AND DIRECTING THE CITY RECORDER TO ENTER THE ASSESSMENTS IN THE DOCKET OF CITY LIENS, AND DECLARING AN EMERGENCY; to come up for second reading on March 6, 2002. Motion was seconded by Councilor Strong and passed 5-0.**

Resolution 776 - Laura Dornbusch said that staff had worked with the Parks and Rec Advisory Committee, police union, and Secretary of State's office to finalize the language on the ballot title for these two levies. The Swim Center levy would be \$.32 per 1,000 and the Police Levy at \$1.40 per 1,000. The City Budget Committee recommended to go forward with these levies. They needed approval of these resolutions to go forward with the ballot titles and file with the County for the May 21, 2002 election.

****Councilor Carson moved to adopt Resolution 776, A RESOLUTION OF THE CITY OF CANBY, OREGON, CALLING AN ELECTION TO SUBMIT TO THE VOTERS OF CANBY A FIVE YEAR, LOCAL OPTION LEVY FOR POLICE SERVICES AT THE RATE OF \$1.40 PER \$1,000 ASSESSED VALUE BEGINNING IN FISCAL YEAR 2002/03. Motion was seconded by Councilor Daniels.**

Councilor Carson said this levy would bring the Police Department personnel back up to 1998/99 levels, to supply the City with an 800 mhz radio system that the County said they needed to continue 911 operations, it would provide more training, and other improvements that would help the department remain proactive to keep up with the increased crime in the City.

Mayor Prince said the Budget Committee, City Council, and staff worked hard to figure out what the citizens of Canby needed in regards to police protection in the next five years. The citizens would make the final choice in how their government looked and how they were protected.

****Motion passed 5-0.**

Resolution 777 -

****Councilor Tallman moved to adopt Resolution 777, A RESOLUTION OF THE CITY OF CANBY, OREGON, CALLING AN ELECTION TO SUBMIT TO THE VOTERS OF CANBY A FIVE YEAR, LOCAL OPTION LEVY FOR THE SWIM CENTER AT THE RATE OF \$0.32 PER \$1,000 ASSESSED VALUE BEGINNING IN FISCAL YEAR 2002/03. Motion was seconded by Councilor Carson.**

Councilor Tallman stated this resolution was "dear to her heart" as she had used the pool three days a week for fifteen years. She has seen the good the pool has done for the citizens of Canby, and it would be a terrible shame if it were lost. The idea of the pool came about because of the drowning death of two popular high school boys many years ago who couldn't swim. It was a volunteer effort to start the pool, and only later was it adopted by the City. The need was still there today. Older citizens also benefitted greatly by the pool, and it was a great amenity for the City.

Councilor Daniels mentioned that they needed double majority, 50% of the electorate had to vote, for it to pass. It was very important to vote. The pool had been an expense out of the general fund and at this time it became increasingly difficult to subsidize the swim center.

Mayor Prince urged the citizens to support these levies and asked every citizen to vote.

****Motion passed 5-0.**

Resolution 780 - Laura Dornbusch said one of their big projects next year was the GASB 34, the Governmental Accounting Standards Board statement 34, and coming into compliance with that statement. This was one of the first steps in completing the project. They were asking for a capitalization threshold on the assets they purchased and for assets going forward. The threshold would be \$5,000 and those assets would be included on their balance sheet and depreciated. For assets less than \$5,000, they may choose to track them depending on the type of asset. This allowed them to have a cut off amount, saving staff time and fees, and focusing on the assets that were the most dollar value to the City.

Mayor Prince said that didn't mean they wouldn't track the lower cost assets, they wouldn't track them as extensively. Ms. Dornbusch said that was true, they would not be recorded on the balance sheet for depreciation purposes. Any assets currently in place would be recorded, but going forward on the balance sheet would be assets of \$5,000 and above.

****Councilor Daniels moved to adopt Resolution 780, A RESOLUTION OF THE CITY OF CANBY, OREGON, ESTABLISHING A CAPITALIZATION THRESHOLD OF FIVE-THOUSAND DOLLARS (\$5,000) TO DIFFERENTIATE CAPITAL ASSETS FROM EXPENSES. Motion was seconded by Councilor Strong and passed 5-0.**

Resolution 781 - Community Development and Planning Director John Williams said this had to do with how they managed their funds and what kind of funds to set up. They wanted to have as few funds as possible, but for their separate and enterprise funds, it did make sense to have a separate accounting item. The finance department was proposing to create two new funds for next year's budget, one relating to the transit district for monies received from the payroll tax and another relating to the local improvement district which they just approved. This resolution would approve those two new funds.

****Councilor Carson moved to adopt Resolution 781, A RESOLUTION OF THE CITY OF CANBY, OREGON, CREATING BUDGET FUNDS FOR TRANSIT DISTRICT AND LOCAL IMPROVEMENT DISTRICT #0100. Motion was seconded by Councilor Strong.**

Mr. Williams clarified that these would be effective during this year's budget and would be carried over into next year's budget. They would be effective immediately.

****Motion passed 5-0.**

MANAGERS' REPORT: Mr. Williams said there would be a notice going out in the Canby Utility bill that would advertise the public forums Keith Stewart talked about previously regarding street maintenance and a proposed transportation utility fee.

Mr. Williams also pointed out that at their places, there was a handout about some of the fees they would be considering at their next Council meeting. They were fees relating to library, parks, streets, and police. He was also working on planning fees.

CITIZEN INPUT: None.

COUNCILORS' ISSUES: Councilor Strong referred to a memo from Councilor Johnson asking for a meeting with Willamette Broadband and OCTS about the taping of the Council meetings and she wanted to move forward with that. She wanted the City to send a letter to them. Also, Councilor Johnson wanted the Council to look at the downtown master plan in regards to an ordinance giving tax incentives for apartment buildings in the downtown core area.

Mayor Prince said they had communicated with the cable company earlier in the year about their intent not to cover the meetings. He asked if the Council wished to send them a letter asking if they would. Councilor Carson said they would be meeting with them on Monday.

****Mr. Williams** said that staff would draft a letter to Willamette Broadband, they would get the letter by Monday.

Councilor Daniels said that they tried to set up a meeting with the new owner, but that never materialized. Mr. Williams said they would definitely try to make that contact.

Councilor Strong said Councilor Johnson requested to see if they would be willing to fund the production of the City Council meetings for OCTS as a service to the community.

Mayor Prince thought Councilor Johnson's second action request was a good idea because since downtown was under urban renewal, it would be urban renewal dollars that would be used. They knew how hard it was to encourage development of a certain type and part of the downtown development was the idea of having living spaces above retail shops, so there would be people downtown 24 hours a day and support the downtown businesses.

Mr. Williams said he could bring back a letter about some new legislation that allowed them to provide these kinds of incentives. Staff could come back with a presentation on that and explained how it worked.

****There was Council consensus to have staff work on a proposal.**

Councilor Strong said Councilor Johnson asked that they allow Chief Pagano to fill the two vacant officer positions created by recent retirements.

****The Council concurred to allow staff to move forward with the hiring.**

Councilor Blackwell said they previously received a statement from the Planning Commission concerning their recommendations regarding the Urban Renewal Agency, and the Commission wanted to know when they would move forward with the process. She felt that it would be a good time since quite a few of the terms on the Advisory Committee were close to ending.

Councilor Tallman asked if this could be implemented by April 15th and Mr. Williams thought it could be done. He thought it would need to be passed by ordinance.

Councilor Blackwell said she thought if Council agreed, they could have Mr. Williams work on the ordinance and start the process of taking applications for the board.

Councilor Daniels said that a decision needed to be made on how to fill the new Agency, dissolve the current Advisory Committee, and advertise and interview the applications for the agency?

Councilor Blackwell thought anyone on the Advisory Committee could apply to the board.

Councilor Tallman wanted to take the Planning Commission's recommendation of the nine-member board.

Councilor Carson thought if they could meet the April deadline, that was fine, but if it was going to go longer than that, they needed to continue with the Advisory Committee to help the Council manage things. They needed to notify the group if they were going to dissolve the committee.

Councilor Blackwell thought that there would still be a need for an Advisory Committee.

Councilor Carson said they were talking about dissolving the committee and getting a new agency to take the Council's place.

****Mayor Prince wanted this to be a discussion item for the next Council meeting.**

Councilor Tallman said they should leave the Advisory Committee up to the new Agency and let them make the decision as to whether they wanted it and who would be on it.

****Council concurred to start advertising for the Agency.**

Councilor Blackwell thanked the owners of the Canby Farm Store, Deborah and Kirk Wade for their generous donation of flowers to the City.

ACTION REVIEW:

1. Approving the consent agenda to include an appointment to the City Budget Committee and Park and Rec Advisory Board and approval of annual liquor license renewals.
2. Swearing-in of Jean Tallman to fill the vacant Council seat.
3. Approving Ordinance 1090.
4. Approving Ordinance 1091.
5. Approving Ordinance 1088 to come up for second reading on March 6, 2002.
6. Adopting Resolution 782.
7. Adopting Resolution 775.
8. Adopting Resolution 776.
9. Adopting Resolution 777.
10. Adopting Resolution 778.
11. Adopting Resolution 779.
12. Adopting Resolution 780.
13. Adopting Resolution 781.
14. Adopting findings, conclusions, and final order for ANN 01-02 and ANN 01-03.
15. Bringing back a discussion item on separating the Urban Renewal Agency Board from the Council for March 6, 2002.
16. Bringing back a discussion item on downtown business incentives for March 6, 2002.
17. Drafting letter to Willamette Broadband and OCTS.
18. Proceeding with hiring of police officers.

There was no executive session.

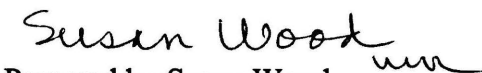
Mayor Prince adjourned the regular session at 8:55 p.m.



Chauncey F. Seifried
City Recorder pro-tem



Terry L Prince
Mayor



Prepared by Susan Wood
Office Specialist