

CANBY CITY COUNCIL
EOC TRAINING WORKSHOP
MARCH 6, 2002

Present: Mayor Terry Prince, Council members Jean Tallman, Walt Daniels, Shirley Strong, Randy Carson, and Teresa Blackwell, City Administrator Mark Adcock, Lt. Greg Kroeplin, Fire Chief Ted Kunze, Fire Marshal Ron Yarbrough, Library and Parks Director Beth Saul, Community Development and Planning Director John Williams, Finance Operations Manager Laura Dornbusch, Transit Director Margaret Yochem, Marty Moretty, Public Works Supervisor Roy Hester, Patrol Officer Jorge Tro, Sgt. Brian Howarth, and David Howell.

Mayor Prince called the session to order at 6:00 p.m. A light dinner was served.

The Council met in workshop session at the Canby Fire Department for Emergency Operations Command training and policy discussion.

Mayor Prince adjourned the session at 7:10 p.m.

CANBY CITY COUNCIL
REGULAR SESSION
MARCH 6, 2002

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

Also present: City Administrator Mark Adcock, Community Development and Planning Director John Williams, Marty Moretty, Library and Parks Director Beth Saul, Leonard Walker, Curtis and Lila Gottman, Finance Operations Manager Laura Dornbusch, Georgia Newton, Jim Newton, John Foote, Doug Poppen, Bev Doolittle, Brad Baker, Axton Baker, Marlene Elmore, John Merina, Melody Thompson, Hank Jarboe, Roy Hester, Wayne Oliver, David Howell, Craig Finden, Lt. Greg Kroeplin, Carolyn Ann Carson Graybill, Pat Detloff, and Paul Fox.

Mayor Prince called the regular session to order at 7:38 p.m., followed by the opening ceremonies and a moment of silence for the troops in Afghanistan.

CITIZEN INPUT ON NON-AGENDA ITEMS: Hank Jarboe, President of the Chamber of Commerce Board presented the City with their new membership plaque for 2002.

Craig Finden, President of the CBR Board expressed best wishes for Councilor Johnson's speedy recovery, serving as the Council liaison to their group. Mr. Finden read a letter on behalf of Jamie Johnk, CBR Director who was unable to be here as her family is gathering to face the reality that her son is being deployed to Afghanistan. He expressed pride for her family and other community families who share the great responsibility of having loved ones in harms way.

Ms. Johnk's letter appeals for the Council's support as their group plans the Canby Business Revitalization's five year strategic plan and for giving them an opportunity to move forward with revitalization efforts. They have been achieving great results and community feedback from the projects they have been recently been able to complete, such as new directional signs and facade improvement programs. The CBR extends help to the Council, offering assistance and any information needed towards working together.

Councilor Carson expressed appreciation for CBR working closely with City staff and offered his support for implementation of another Economic Improvement District and their on-going projects.

Christy Pruitt with "Yes Pool Committee", spoke for a group of citizens campaigning to save the Pool. She asked the Mayor and Council what would happen to the pool if the levy didn't pass.

Mayor Prince stated he did not know if the Budget Committee had made an actual vote on this yet.

Councilor Daniels responded that the Budget Committee was \$90,000 short and it was the feeling at the last Budget meeting that whether or not to close the facility was a Council decision. Her question was well founded.

Councilor Carson also felt that the pool was a necessary item but when it gets down to the budget cuts and \$90,000 short, people could not be cut and expect the pool to be viable. That was the reality and he would recommend that the pool be closed if the levy didn't pass on May 21st.

Ms. Pruitt felt that it was important for the citizens to know what decision would be made prior to voting.

Councilor Daniels said that in the past, people would assume that when levies and similar issues went to the voters, the money could somehow be found from somewhere else if the measure failed. This was not the case this year and he wanted to go on record as saying that.

****Councilor Daniels moved that the Council support the closing of the Municipal Swim Center if the levy fails on May 21, 2002. Councilor Carson seconded the motion.**

Councilor Daniels wanted to make it clear that he supported the pool but if the levy failed, further cuts to staff were not possible. At this point, it was down to dollars and cents.

Councilor Tallman stated as one of the biggest supporters of the pool, her statement was hard to say but this levy was a "last ditch effort" to save pool. She would need to vote to close the pool if the levy failed.

Councilor Blackwell said that her decision would be that if the levy failed, she would vote to close the pool. There could potentially be an opportunity to vote again in November.

Mayor Prince responded that it would be a possibility, although if it did pass on a second vote, the money would not be available until the following November and was something to consider.

Councilor Strong added that in her opinion if the levy goes down, she would vote to close.

Ms. Pruitt thanked the Council for their candor knowing that the Pool is such a vital part of the community and pleaded with the people to call her with offers to help campaign and be sure to vote.

Mayor Prince reconfirmed that the levy would not only have to pass, but the 50% double majority would come into play so it was very important for everyone to vote, regardless of "yes" or "no".

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

CONSENT AGENDA: **Councilor Strong moved to approve the Minutes of the regular session of February 20, 2002, and Accounts Payable of \$108,990.16. Motion was seconded by Councilor Carson and passed 5-0.

COMMUNICATIONS: Presentation by Clackamas County re: Community Safety Levy - District Attorney John Foote, Sheriff Pat Detloff and Juvenile Director Doug Poppen were present to state that this issue involved the entire criminal justice system of the County other than the local police departments. Clackamas County was facing a \$10 million shortfall in public safety this coming year and if they don't pass the levy, some or all of that shortfall could fall on public safety. This would have a significant impact on up to one-quarter of all their offices potentially closing. The shortfall has been caused in part by the cap on property taxes vs. the growth in government. The State is willing to give them the jail facility building for \$1, but the County needs to come up with the money to staff it. This could then accommodate about 115 beds for County inmates. Currently, the County has one of the smallest jails per capita in the State, housing approximately 300 beds. The levy is designed to maintain the current service employment levels for the next three years and add the 115 beds to the jail; it is very straightforward.

Sheriff Pat Detloff said that this would benefit the community of Canby since our local officers lodge all prisoners in the Clackamas County jail. He referred to an *Oregonian* article which stated that Multnomah County had released 400 inmates since November 2001 due to overcrowding, and yet Clackamas County is forced to release that same amount in any given month for the same reason. Typical offenses that the County is having to early release are minor assaults, some lower level drug offenses, thefts including identity theft, and Driving While Suspended or Under Influence. However, out of all the people who were released last year, 1500 went right back into jail as repeat offenders. This creates inefficiency by having to reprocess these people back through the system when the police officers should be doing pro-active work with patrol activities. It "dominos" through the whole system by impacting all the departments.

City Attorney John Kelley said that it greatly affects the citizens of Canby because when these

people are released from jail because there is no room, they come back into the community only to re-offend. In his personal experience in prosecuting, there is nothing more frustrating to himself and the Canby Municipal Judge than to have them back out on the streets doing the same crimes. He would strongly urge citizens to support this levy and speak with him so he can explain this "revolving door effect" at the County.

Sheriff Detloff said that he would encourage everyone to turn out to vote and especially important with the double majority. They were asking tonight for a city resolution in support of this County levy and also allow Canby's police chief to be able to publically speak about it. This levy will amount to 59 cents per thousand of assessed value and for those who think that this is good public policy, they are urging support.

Mayor Prince agreed that with so many years of being pro-active, to take a step back would be hard. There has already been significant increase in crime in Canby so this has a lot to do with the safety of the citizens.

Doug Poppen said they would like to be able to tell the Council what the full impact would be if the levy didn't pass, but their departments will be meeting this Friday to project budgets and cuts if it should fail. To go back to where they were five years ago is very unappealing since great strides have been made in the programs. Council's endorsement would go a long way to help pass the campaign.

NEW BUSINESS: Appointment to Canby Utility Board - Mayor Prince stated that he was recommending Bruce Marshall as a mayoral appointment to the Board. He apologized for the lateness in the appointment but there had been a Council appointment to do and wanted to take a look at those candidates. He recommended that staff contact applicants if the process will take over a month in an effort to keep them updated.

Mr. Marshall currently serves at the Oregon Air National Guard Headquarters in Salem after serving as Base Commander of Portland Air National Guard Base for seven years. He was one of the candidates who applied for the recent open Council position that Mrs. Tallman filled, but stated that he wished to serve in the community in any way possible and applied for the Canby Utility Board.

As a member of the selection committee, Councilor Carson had the privilege of interviewing Mr. Marshall and felt that he would be a good applicant for this position. Mr. Carson stated that even though this is a mayoral appointment, there needed to be a better and more timely process in the future.

****Councilor Strong moved to accept the Mayor's recommendation to appoint Bruce Marshall to the Canby Utility Board for an unexpired term to end in February, 2004. Motion was seconded by Councilor Blackwell and passed 5-0.**

Mr. Marshall thanked the Council for their confidence and said that he would do his very best to work with the Canby Utility Board. Mayor Prince said that he had come highly recommended by

Canby Utility Board Chairman Bob Westcott.

Presentation re: Fiscal Year 00-01 Financial Audit - John Merina from Merina & Associates, City of Canby's independent auditors stated that books and records were kept in good order and that there was nothing that would amount to a recordable condition, only housekeeping items that needed to be adjusted. There were some areas where suggested changes could be achieved or controls strengthened and those corrections and suggestions have already been implemented.

In the area of property tax revenues and revenues in general in Canby and other cities, he has noticed a declining rate of collection. He has been encouraging all councils and staffs to look for opportunities to generate non-property tax revenues, to identify the full costs of providing various services, and to set fees accordingly. It puts the cost of providing a service onto the people using that service most directly and an equitable method of helping cities with their budget problems.

Discussion re: Proposed Fees for Library, Parks, Streets, and Police - Administrator Adcock said that with the completion of the cost-of-service study, staff was ready to bring these fees forward. The respective staff was present to address their specific department's fee proposals.

Library fees: Library and Parks Director Beth Saul said that the library fines and fees were certainly the types that would be expected and although they would not bring in substantial revenue, they would certainly bring the fees more closely in line with actual costs for providing the service.

Fees updated were: lost and damaged items assessed a \$5 reordering and processing fee added to the replacement cost; visitor cards increased from \$5 to \$15 for one-month; and one-time only use of the Internet for \$3.50. Out-of-county library card fee, printing charges, microfiche, and use of fax machine all remained the same.

Councilor Blackwell asked about overdue fines and Ms. Saul said the charge was 10 cents and was a County-wide policy. Ms. Saul responded to Council Daniel's question that overdue and lost books took in about \$1000 annually. In implementing these new or raised fees, the library was anticipating only bringing in another \$800 a year.

Parks fees: Ms. Saul also addressed the new parks fee increases. After generating much discussion at the Parks and Recreation Advisory Committee meeting, they were proposing the Wait Park gazebo rental fee to increase from \$50 for city residents and \$100 for non-residents to \$110 and \$220, respectively. The new fee only reflects the actual cost as brought out from the fee study. The fee was doubled for non-city residents based on the rationale that they don't pay any property tax toward Canby's basic infrastructure.

The second fee proposal dealt with the rental of Wait Park in its entirety for a large event. The cost-of-service study showed that this costs \$375 in staff time for preparation, cleanup, and support per day. The same rationale was applied for residents at \$375 and doubled for non-city residents for a charge of \$750. Discussion has centered around whether there are certain events that are considered community events for which there would be a waiver of the charges, but the

Committee was unable to come up with a definition of what that would be and it was determined that the decision would be a Council policy decision. She did an informal survey of some other cities in the area, and found that the philosophies varied greatly.

Councilor Daniels said that there needed to be a policy that made it easy for staff to determine the fee and not have to come to Council for determination.

Councilor Blackwell clarified that the boundary for resident and non-resident was inside or outside the Canby city limits.

Councilor Carson said that as a policy decision was made, to consider that some events brought people into the town and were good for businesses, although not necessarily the City coffers. He felt that the policy was going to need to be consistent about which groups would have fees waived or be charged.

Mr. Adcock said another component to consider would be whether an organization using Wait Park would derive a significant amount of income from the event. Should the fee be waived when there was a large amount of money made off of the event? This should be taken into consideration since the City would still have expense such as police overtime, and public works manpower and equipment.

Councilor Carson replied that money raised by these groups, like the Rotary and Kiwanis, was also being put back into the community in other ways through scholarships, etc. Mayor Prince said that perhaps clean-up by these groups after an event could help towards waiving the fee. Councilor Carson said those would have to be things considered when establishing the guidelines. Councilor Daniels also agreed that all these things needed to be taken into consideration for the policy group.

Ms. Saul added that the various groups who use Wait Park are very good about cleaning up after themselves but there is an unavoidable impact of extra work on part of the staff prior and after an event.

Councilor Strong said maybe a clause could go into the policy requiring payment if they did not clean up.

City Administrator Adcock said tonight he would encourage passage of the resolution and have staff to come back in the near future with outlines and scenarios of policies and rationales behind the fees.

Councilor Daniels said preparing the park prior to the event takes considerable staff time, even the extra grooming. Mayor Prince said that part of the reality is that with the low staff level this year and no part time help, something won't get done.

Police fees: Lt. Kroeplin stated that there are three fee proposals. The first is a special event fee requiring extra security. They were proposing a \$100 minimum rate charge and a \$45 per hour

per officer present at the special event.

The second fee is for police reports from \$5 which has been in effect for at least the twenty-three years since he's been with the City, to be raised to \$10. An archival report of more than three years old would now have a \$20 charge.

The third proposed fee is for release of a vehicle to be raised from \$50 to \$75.

Councilor Carson asked for clarification on the event fee and Lt. Kroeplin said that the \$100 would be considered the minimum charge in the form of a deposit and then added to that would be the rate of \$45 per hour for each officer needed.

Councilor Daniels asked how Slice of Summer would be classified, it was a large function and would patrols be there? Lt. Kroeplin said that there would be officers staffed taking into consideration the budget limitations, overtime, etc. Mr. Adcock also responded that these scenarios could be included in the options that staff would bring to the Council in the discussion of fee waivers.

Public Works fees: Community Development Director John Williams discussed the fees that fell under the community events category to include \$50 for special use of high ranger, street barricades drop off and pick up of \$50, and an increase in banner installations from \$50 to \$100.

They are also proposing fees for special street sweeping of \$70 when known who to charge; map copying and research on easements of \$90; and plan review and inspections at \$60 per hour. Currently the public works receives no revenue for these review and inspection charges; it has not previously been included in the Planning Department fees. The hourly fee should also serve as an incentive to submit better plans and have inspections ready when called in. Currently, there is one fee, the subdivision improvement fee, that most people think goes to the Public Works Department but does not. Dependent on the size of the subdivision, the fee can range anywhere from \$12-15,000. As part of the new fee structure, it would be replaced with the new plan review fee and the Planning application fees, so the total cost of development won't be going up quite as much as the developers may think because the one fee will be discontinued.

The Planning Department fees will be the last fees to be considered and will be presented at the March 20th Council meeting.

Mayor Prince recommended that all of the City fees continue to be reviewed and updated on a regular basis.

Councilor Daniels asked if the inspection fees includes dye testing and Public Works Supervisor Roy Hester responded that there were no charges for those tests since they were done for the City's own information. The first time is required by DEQ but the second time would prompt a charge from the City.

Mr. Adcock said that staff is recommending passage of Resolution 787 which adopts these fees.

Resolution 787 -

****Councilor Daniels moved to adopt Resolution 787, A RESOLUTION ESTABLISHING FEES FOR THE FOLLOWING CITY DEPARTMENTS: LIBRARY, PARKS, STREETS, AND POLICE. Motion was seconded by Councilor Strong and passed 5-0.**

Discussion re: Creating Incentives for Downtown Housing Projects - Administrator Adcock recapped from the last meeting that Councilor Strong had read a memorandum from Councilor Johnson discussing incentives used in other communities to promote the development of multi-use building in the downtown area and staff had then been directed to come back with further research on these incentives. As a discussion topic tonight, it is the hope that Council will want to refine the direction that staff continues.

Community Development and Planning Director John Williams gave a synopsis of the staff report. There are basically two main tax incentive programs that can be used to stimulate downtown development, one of which is an exemption that has been in Oregon state law for a number of years being used by Eugene, Portland, and Salem. This program allows cities to designate an area usually in the downtown within which a tax abatement will apply if a multifamily housing is constructed. Once the area is established, if a developer comes in and builds a project, they can apply to the City and can receive a ten year tax abatement on the property taxes on that particular property. The abatement applies only to City taxes unless the other taxing entities approve a waiver for their portion of the taxes as well. If agencies accounting for at least more than half of the tax for the property agree, then all of the property taxes for that property are waived for ten years. In this program, the City can establish standards that projects would have to meet in order to gain the abatement such as design and income standards. The abatements can be revoked if, for instance, an affordable housing standard had been developed and then at some time later, they had converted to luxury apartments.

The other program is new legislation that has just been adopted in 2001 that focuses on mixed-use housing (housing that has a commercial use on the ground floor and residential above). It has just taken effect in January of this year and Mr. Williams doesn't know of anyone who has taken advantage of it yet. The City must apply to the Oregon Economic and Development Department for designation of an area as a Vertical Housing Development Zone. It applies to areas that are basically within the reach of transit so Canby's new transit system will ensure that almost any commercially zoned property in Canby could qualify. Mixed-use housing would fit in perfectly with the goals that have been established in the Downtown Master Plan. Prior to designation of the zone, notice is provided to all other taxing agencies. These agencies can choose to opt out of the tax abatements (this program is different from the multiple-unit program in that any agency that chooses to continue receiving taxes will do so). Another difference is that the City cannot create minimum standards for design; any new development with commercial uses below and residential above will qualify if the zone is established. It is also less of an abatement; it is for a period of ten years but not a full abatement of taxes. If there is one floor of residential above there is a 20% abatement; two floors 40%; three floors 60%; and four floors 80%. As with the multiple-unit program, exemptions can be revoked if the project ceases to comply with the requirements.

Both of these programs represent tradeoffs: tax revenue is foregone in order to stimulate development - trying to get long term gain by losing short term money. The money in this instance is a lot less than urban renewal represents therefore, not big dollars to the agencies. The worst scenario would be that the City would get a lot of redevelopment projects going on and then of course, the City could change the zone or also apply for zone designation on a case-by-case basis.

Mayor Prince said that he had gotten a notice of vertical housing development public hearing scheduled for March 15, 2002. Mr. Williams responded that the OEDD is making some administrative rules that will cover how these will actually be implemented. Because our downtown is covered by an urban renewal district, any new project would be increment received by the URD. So, will it be the other agencies that will get the notice and have the ability to waive or will it be the URD that will get the notification? This is something that the OEDD will need to consider when drawing up the administrative rules.

Councilor Daniels complimented Mr. Williams for all the work done on this and would encourage him to go ahead on an outline and continue to pursue. Mayor Prince said that he knew Councilor Johnson was also interested and if possible, to bring back at the next meeting.

Mr. Williams thought that in order to continue, a housing needs analysis could be done first. The City wouldn't want to create a program if there is no market for developing housing downtown. The study which could be done for several thousand dollars could be funded by a combination of private and public funds through grant money. The study, if done by a reputable firm, can go a long way in getting grants to work with this program.

Through a workshop or town hall meeting, perhaps with the CBR Design Committee, community goals for the program could be discussed to determine what types of projects the Council hopes to attract.

And finally, the City could have some initial discussions with the other taxing agencies (including the Urban Renewal District) and find out if they would be interested in proceeding and their willingness to participate.

Mayor Prince asked if he needed direction to proceed with a grant and Mr. Williams said that he did.

Councilor Carson asked if it would be preferable to have the study done first and then have the workshop and Mr. Williams answered that he would need to sketch out a detailed program before proceeding. Councilor Carson said because it was in the URD area, maybe those funds could be used to get things started and then move forward with some matching funds.

Councilor Blackwell asked if CBR has been involved in this and Mr. Williams replied that he has briefly spoken with Jamie Johnk.

Councilor Tallman reiterated that there was no money in the general fund for the study.

UNFINISHED BUSINESS: Discussion re: Transferring Urban Renewal Agency Authority - City Administrator Adcock said that this was a follow-up to the February 20th Council meeting when Councilor Blackwell asked that Council move forward in separating the Council as the Urban Renewal Agency and asked for a further discussion tonight. Mr. Williams was present to give his overview report and review some options with Council.

Community Development and Planning Director John Williams said that he found that procedurally, the actual process of separating the Council from an Urban Renewal Agency is relatively simple. The process is already established by state law and needs to be adopted by a non-emergency ordinance of the Council. There also needs to be a resolution by the Agency and at this point, the UR Plan specifies that the Agency has to approve the change by resolution which would then go to the Council. So if the powers of each body were to be left the same, it would be relatively easy to craft the ordinance.

The Urban Renewal Plan allots some powers to the City Council and everything else that an agency can do is established under state law. The Council would have to approve the acquisition of property when the developer of the land is not the owner as well as where conditions exist and acquisition of property is necessary to remove these blighted conditions; to adopt substantial plan amendments; and to transfer the Agency's power to any other group or back to the Council.

The Urban Renewal Agency would have all the remaining powers, including acquiring right-of-way for streets or utilities, acquiring property for public use or buildings; adding or modifying projects that are under \$1 million; increasing (minor) in the District's boundary or minor changes to other aspects of the plan; borrowing or lending money, assuming debt, and applying for and accepting loans and grants; and scheduling and constructing streets, utilities, and site improvements that are included in the plan.

If the Council wants to change that allocation of power or authority in any way, it should be done before the Agency is changed over so that there could be an amendment to the Plan similar to the process in creating it.

After speaking with City Attorney Kelley and looking at the state law, it is the feeling by staff that if Council wants to reserve control in certain areas, then the Agency's attorney, Harvey Rogers, should be contacted. There are some areas that are unclear and Mr. Rogers is considered most knowledgeable on urban renewal law.

At this time, Mayor Prince views this as an ongoing discussion to determine what Council recommendations would be; hopefully, Mr. Johnson will be returning in time for further discussions.

Councilor Carson wanted Harvey Rogers to take a look to make sure we were on legal ground. Mr. Williams responded that we were at present, if the power allocation were to remain the same. They would like to refer to Mr. Rogers if it needed to be changed to any further degree.

Councilor Tallman has been concerned about the "check and balance" in the process primarily because of the shaky condition in the budget and wants to make certain that the Council retains

strong powers to check on what is done at the Agency level. She has worked out, with the help of Councilors Johnson and Blackwell, a set of thirteen recommendations to go into the document to hopefully help the direction of the administration. They are strictly discussion items but they will become a point to start. Obviously if they are contrary to law, they would not be considered. At this time, she said she would like to make a motion to use these as the basis of discussion for the next meeting. It would hopefully expedite the ordinances needed.

Councilor Carson asked if this were the same list that Mr. Stewart with the Planning Commission had discussed at an earlier meeting and Mrs. Tallman responded that it was based on the Planning Commission set-up, but it was her list in collaboration with Councilor Johnson and Councilor Blackwell. The reason there was a consensus that it would be based on those points, was that it would be easier for the administration if our boards and committees followed the same recommendations. Some of the things on the list were already state law and some of the items were included for clarification so a new member knows what is expected.

Councilor Carson said he would like to see both of these lists and any other suggestions go to the old Advisory Committee members or other interested individuals.

Councilor Blackwell asked if this would be done in the context of a workshop or public hearing setting.

****There was Council consensus to have a 6:00 p.m. workshop prior to the next Council meeting on March 20, 2002.**

Hank Jarboe spoke on behalf of the Chamber Board of Directors in support of separating the URD Agency from the Council and presented a letter into the record. Their request was to designate a position on the new Agency for a Chamber representative.

Craig Finden read a statement on behalf of the Canby Business Revitalization Executive Director Jamie Johnk in support of separating the Agency from the City Council and presented a letter into the record requesting representation on the Agency. CBR represents commercial property owners within the Economic Improvement District as well as the Urban Renewal District. Their role on the Agency would be to represent these property owners.

He read that it would also be appropriate for the Agency/Council to request the URD Advisory Committee's recommendation on this matter and determine the future direction of the Advisory Committee.

He added that it is important to appreciate the separateness of the Chamber and CBR and even though they work cooperatively in the business community pool, they do work very hard not to duplicate their efforts. He further asked that the Council incorporate the history and expertise of the Advisory Committee in the process.

Georgia Newton residing at 1511 NE Laurelwood Circle, Canby, stated appreciation to Mr. Williams for addressing the issues that she has had concerns about since the last Council meeting. She felt the Council was taking wise steps in contacting Harvey Rogers and appreciated Councilor

Tallman taking the steps to put together her list. Ms. Newton asked that the former members of the Urban Renewal Advisory Committee have a chance to review the lists and provide input drawing from their years of working in depth on the topic. She would further appreciate that when it was discussed that there be public input so others can share information. Mayor Prince said that there would be time for public discussion at the workshop.

Councilor Tallman said that everything on the list is in discussion format and not to be perceived as final. She has found that sometimes when an issue is discussed that it becomes a "done deal". She referred directly to an article in the *Oregonian* where budget issues were discussed, but nothing will be finalized until the Council passes it; until then, the figures can still be "tweaked".

Councilor Blackwell said that was precisely why at the last meeting she brought this topic up as a point of discussion to stimulate conversation and start moving forward with equitable urban renewal projects.

Councilor Carson asked that the March 15th deadline for accepting applications for the Agency be pushed further out to allow more people to apply and further discussion. Mayor Prince suggested that it be left indefinite until it is decided what the Agency will be and then accept applications.

Mr. Williams said that the Urban Renewal Plan would be available in the Planning Department.

Mayor Prince recessed the meeting for a short break 9:27 p.m. and reconvened at 9:35 p.m.

UNFINISHED BUSINESS: None.

ORDINANCES & RESOLUTIONS:

Ordinance 1088 -

****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 on final reading. Motion was seconded by Councilor Carson and passed 5-0 by roll call vote.**

Ordinance 1093 - Mr. Adcock said that the Cost of Service Study addressed the staff time associated with doing lien searches. The current Municipal Code sets the fee at \$5 (five dollars) and this amendment would give the Council the discretion to establish by resolution an appropriate amount. With the passage of this ordinance, there can then be a resolution brought back to Council on March 20th.

****Councilor Carson moved to adopt Ordinance 1093, AN ORDINANCE AMENDING CANBY MUNICIPAL CODE SECTION 2.36.010 REGARDING THE FEE CHARGED FOR LIEN SEARCHES; to come up for second reading on March 20, 2002. Motion was**

seconded by Councilor Blackwell and passed 5-0.

Resolution 783 - Mr. Adcock said the next two resolutions would correct an error found in Res. 776 and Res. 777. Once the new resolutions are passed tonight, they will be forwarded on to the Elections Office.

****Councilor Carson moved to adopt Resolution 783, 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 \$1,000.00 ASSESSED VALUE BEGINNING IN FISCAL YEAR 2002/03 AND REPEALING RESOLUTION NO. 776. Motion was seconded by Councilor Daniels and passed 5-0.**

Resolution 784 -

****Councilor Tallman moved to adopt Resolution 784, 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 \$1,000.00 ASSESSED VALUE BEGINNING IN FISCAL YEAR 2002/03 AND REPEALING RESOLUTION NO. 777. Motion was seconded by Councilor Strong.**

Mayor Prince asked if there were a change in the cost per house and Finance Operations Manager Laura Dornbusch said that the levy amounts were the same, the Police levy at \$1.40/thousand and the Swim Center at \$.32/thousand. What changed on the new resolutions was the estimated amounts of revenues per fiscal year.

John Kelley clarified that this impacts the property owner on the assessed property value, not the real market value of the property. Ms. Dornbusch added that also included with the new resolutions tonight were the explanatory statements that will go into the voters' pamphlet. This will hopefully explain the values to the voters and examples are also being included in the fact sheets.

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

Resolution 785 - Laura Dornbusch outlined the staff report by saying that the next two resolutions related to the N. Baker & 3rd Local Improvement District and set up the mechanism for the repayment for the interfund loan from the Parks Development Fund and the Street Reserve Fund to the LID.

Ms. Dornbusch said that these are the final resolutions required for the LID project by covering the street portion and the parks property portion that benefitted; thus, there is a liability to pick up their portion of the cost of the project. The total loan amount for the street department is \$95,684.09 and for the parks department the amount is \$80,014.12 to be paid back over a five year period at a rate of 6%. This percentage is also the same amount that the property owners are bearing.

Councilor Carson said that we could charge a lesser interest rate since it is essentially one department paying another. Ms. Dornbusch responded that these loans were from the Sewer department to the Street and Parks departments. As a Council, they can set whatever rate they choose however, staff is recommending the 6% amount since the Parks department is also a property owner in that District and felt that it needed to have a similar burden as the other property owners. Currently, she reported that the State Pool Fund is around 2% and Councilor Carson responded that this would make it more fair to the other property owners. She further stated that this could be levied over a ten year period for the private property owners but that the interfund loans would need to be paid back within five years. Over the term of the loan, the City would be paying less interest.

****Councilor Daniels moved to adopt Resolution 785, A RESOLUTION AUTHORIZING AN INTERFUND LOAN OF \$95,684.09 FROM THE SEWER CONSTRUCTION RESERVE FUND TO THE STREET RESERVE FUND. Motion was seconded by Councilor Strong and passed 5-0.**

Resolution 786 -

****Councilor Strong moved to adopt Resolution 786, A RESOLUTION AUTHORIZING AN INTERFUND LOAN OF \$80,014.12 FROM THE SEWER CONSTRUCTION RESERVE FUND TO THE PARKS DEVELOPMENT FUND. Motion was seconded by Councilor Tallman and passed 5-0.**

MANAGERS' REPORT: Mr. Adcock made the Council aware that the appointment of Jean Tallman created an opening on the Public Transportation Advisory Committee and that there would be advertising for that opening.

****Councilor Blackwell moved to appoint Jean Tallman as Council liaison to the Canby Public Transportation Advisory Committee. Motion was seconded by Councilor Daniels and passed 5-0.**

CITIZEN INPUT: Paul Fox, owner of the new Denny's Restaurant announced that the grand opening will be held sometime at the end of March. After looking over the region to locate a new restaurant, they were pleased to have chosen Canby. He said they were open twenty four hours, seven days a week.

COUNCILORS' ISSUES: Councilor Carson said that Councilor Johnson has three liaisons and it was amenable with schedules for Councilor Tallman to take over as Library liaison.

****Councilor Carson moved to appoint Jean Tallman as Council liaison to the Canby Public Library. Motion was seconded by Councilor Strong and passed 5-0.**

Councilor Carson also discussed with Councilor Johnson to ask Council to try to come up with the money to do a survey, engineering, final road layout, and cost per lineal foot for the funding of Sequoia Parkway. It could be done either by funding the whole thing, or perhaps fund a half street which is what is there already. He would also like to know how much the URD would be

able to leverage to maximize what can be borrowed and how soon the funds could be borrowed. And lastly, to find out how much should be put aside for the Shilo Inn lawsuit issue.

Mayor Prince said that Mr. Williams was coming before Council at the next meeting but that they knew that the School District's portion was 40% for the lawsuit.

Mr. Williams said that he had been working on all of these issues and hoped to give them all the information at the next meeting.

Councilor Tallman said she rode with a Canby patrol car last Saturday night and would encourage all to do so. She saw a view of Canby that most don't see; she knew it was there but the evening brought a new reality. She was present when the five individuals were brought in and arrested for the mailbox thefts and actually rode up to the County jail with the officer and some of the prisoners. She realized how much our officers are depended upon, how much we need for the levy to pass, and thanks to Officers Panoff-Jamison and Cunningham for a "great ride".

John Williams said after conferring with City Attorney Kelley, Councilor Carson's topics would best be addressed in an Urban Renewal Agency meeting.

Council concurred to hold the Agency meeting on March 20th.

Mayor Prince informed the audience about the EOC training at the Fire District that the Council attended prior to the meeting. He thanked Marshal Ron Yarbrough and Chief Kunze for running the group through the kinds of disasters that could happen in this community and the importance of our preparedness. Policies are necessary for any emergencies that might come up as well as cooperation among the agencies. Citizen Emergency Response Team training is available through the Fire Department for citizens to take; it is a six session class that is held twice a year in October and February. Citizens are also encouraged to put together a 72 hour kit to assist their families in case of an emergency or disaster. Please contact the Fire Station for further information. The Council will be working on policy decisions.

ACTION REVIEW:

1. Approving the consent agenda.
2. Appointing Bruce Marshall to the Canby Utility Board.
3. Approving Ordinance 1088.
4. Approving Ordinance 1093 to come up for second reading on March 20, 2002.
5. Adopting Resolution 783.
6. Adopting Resolution 784.
7. Adopting Resolution 785.
8. Adopting Resolution 786.
9. Adopting Resolution 787.
10. Following up with incentives for downtown housing projects discussion.
11. Scheduling a workshop at 6 p.m. on March 20, 2002 to follow up with points brought forward by Councilor Tallman's list of recommendations regarding the transfer of Urban Renewal Agency authority and working with the Agency attorney on the questions that

- will be developed by our City Attorney.
12. Staff will bring back options and recommendations to define community events to help determine fees and circumstances for waiver.
 13. Following up with an Agency meeting regarding Sequoia Parkway issues.
 14. Advertising for the opening on the Canby Public Transportation Advisory Committee.

Mr. Adcock said that the Clackamas County Sheriff had requested a resolution of support and staff is prohibited by State law to draft that for the Council if it were determined that they wanted to do that.

Councilor Blackwell stated that she would need to abstain since she works for the County.

Mr. Adcock said that it needed to be in the Elections Office by March 25th.

Councilor Carson felt that all the levies were important but it will be hard to put them all out there for the voters.

Councilor Tallman did not want it to distract from Canby's own levy but it is part of the continuation of police protection.

Councilor Strong felt that she could support it.

Mayor Prince said that he would contact District Attorney Foote.

Mr. Adcock reminded the Council that in the County presentation they had also asked for an endorsement from Canby's Police Chief, but it is our City Council policy that no public employee may use his office, title, or position in the City for promotion or endorsement of such measures. As a private citizen on his own time, he could do what he wanted. Mayor Prince said that he would also relay that to the District Attorney.

****A majority of Council concurred to draft a resolution in support of the Clackamas County levy. Mayor Prince stated that he would contact District Attorney Foote and to also pass on the City Council policy of not allowing City officials, the Chief of Police in this case, to use their positions to endorse or promote the levy.**

City Attorney Kelley reinforced that there has been a rash of mail thefts in the last month and he would encourage people not to put outgoing mail and certainly no checks into their mailboxes; take to the post office or a postal drop box. Councilor Daniels suggested that citizens pick up new checks at their bank so that they are not mailed. Councilor Strong added that the washed checks are very difficult for most people to detect causing merchants to take the loss.

There was no executive session.

Mayor Prince adjourned the regular session at 10:12 p.m.

Chaunce F. Seifried

Chaunce F. Seifried
City Recorder pro-tem

Terry L Prince

Terry L Prince
Mayor

Marty Moretti

Prepared by Marty Moretti
Office Specialist