

CANBY CITY COUNCIL
REGULAR SESSION
SEPTEMBER 19, 2001
CANBY ADULT CENTER

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

Also present: City Administrator Mark Adcock, Community Development and Planning Director John Williams, Marty Moretty, Joyce Peters, Library and Parks Director Beth Saul, Finance Director Chaunee Seifried, Lt. Greg Kroeplin, Chief Ken Pagano, Donna and Leonard Walker, Curtis and Lila Gottman, Steve Dorman and Julia Schewanick of Dorman Mausoleum, Linda Runyan-Finden, Craig Finden, Leighton Perkins, Rudy Prael, Lynn Weygandt, Pat and Buzz Weygandt, Bev Doolittle, Casey Thomas, Wayne Scott, Jeff Scott, Dawn Mclarn, K. Lewelling, Roger Harris, Kelly Oliver, Ryan Oliver, Kerrie Wilson, Wayne Oliver, Virginia Molamphy, Owen Smith, Gordon and Evelyn Mills, Juan Carlos Morales, Jamie Johnk, Robin Adcock, Joe Driggers, John Molamphy, Ron Yarbrough, Bill Cassel, Hank Jarboe, David Howell, Carol Prael, Lisa Weygandt, Gordon Winfree, P.A. Miles, Brent Pavlicek, Miguel Morales, Janet Milne, Jim Newton, Jack Papke, Frank Cutsforth, Tony Lockwood, G.D. Monger, Karen Foote, Thomas Scott, Sharlee Blackwell, Tony Helbling, Sean Ragain, Kitty Caul, Maelu Baker, Maria Baker, Irene Breshears, James Taylor, Helen Washurn, Roy Hester, Ray Hoen, Georgia Newton, June Postelwait, Bob Trappe, Ken Schue, and Herman Bergman.

Mayor Prince called the regular session to order at 8:10 p.m., followed by the opening ceremonies. Mayor Prince asked for a moment of silence for the victims of September 11th and for the brave fire fighters and policemen who fought to save their lives.

PROCLAMATION: POW/MIA Remembrance Day - Mayor Prince read the proclamation declaring September 21, 2001 as MIA/POW Remembrance Day. Mayor Prince presented the proclamation to Roy Hester, Vice Commander of Canby American Legion Post #122. Mr. Hester thanked the Council for this proclamation and their support of the fallen comrades that might never return to them. Mr. Murray Taylor, Canby Commander of VFW, said their chaplain, Mr. Herman Bergman would like to make a presentation to them. Mr. Bergman said they were replacing the POW flag that flew at City Hall because it was worn out. It was only a piece of cloth, but it represented the effort of their government to find those soldiers yet missing from World War II and subsequent wars. This flag had gained a new perspective, to find the missing in New York and Washington, D.C. and those that would be victims if they went to war against terrorism. Mr. Bergman presented Mayor Prince with a new flag.

Mayor Prince said he understood Mr. Bergman was a POW. Mr. Bergman said he was a POW during World War II for 20 months. Mayor Prince said his father was a POW also.

Maelu and Maria Baker represented the Canby/Aurora Lady's Auxiliary of the VFW. They had stamped, postage paid envelopes sponsored by the POW/MIA association and they also had poppies that they presented to the Council.

CITIZEN INPUT ON NON-AGENDA ITEMS:

Craig Finden, resident of 11628 Macon Lane, said that the tragedies our country had incurred showed the value of the Council and citizens participating together in the democratic process. Even though at times the arguments were sometimes heated, sometimes rancorous, sometimes fun, sometimes trivial, the process was remarkable. America was under attack because of the values they held dear and the democracy they participated in. He thanked the Council for the opportunity to speak to them that night. He said the Council and the community had been discussing the issue of budgetary shortfall. He said they were living in the reality of post-Measure 50. Property tax payers had the money all along, Measure 50 meant the taxing bodies were going to receive less. Living in post-Measure 50 meant that the times of taxing bodies to continue to spend more and take on more tasks while waiting for their slice of the pie was over. The communities that proactively stimulated their economy by diversifying and leveraging their assets would prosper and there would be no safety net for those communities that didn't. Opportunities like the one they had with the Urban Renewal District were creative ways to try to mitigate the impact of Measure 50. They had the opportunity to capture for the City and leverage the entire one dollar of tax increment and leverage it many times instead of settling for the shared 25 cents of general fund money. That dollar could be invested, though they could mitigate some general fund issues with that dollar, but more importantly it could be invested to help diversify an economic base for Canby while controlling the quality of growth. The industrial land that had been zoned industrial for many years was now a new opportunity. Did the Council sit down with the Planning Commission and really decide what type of light industrial neighbors they wanted? Those discussions would facilitate taking charge of the type of light industrial they wanted. In light of what appeared to be tough times economically, they owed it to themselves to be proactive. He did not want to trade the dollars they could invest in a Canby their children inherited for a 25 cent spend-it-now general fund. He suggested that every quarter they chased now, was a dollar lost in the future of Canby.

Ken Schue, resident of 778 NE 17th Avenue, said he had been before the Council previously and wanted to preface his remarks with the thought that what he was bringing before them paled in comparison with the issues that had come about since September 11. He read an alarming item in the newspaper after the last Council meeting that the Canby Swim Center was as good as closed. He had to admit he was very disappointed to hear it from the Council because he believed there were things that were self-fulfilling prophecies. He was disappointed not that it might close because there was a monetary issue, but that he hadn't seen any movement by the Council to take steps to help the situation. The rates the swim center charged were set by the Council. There had been no movement to increase the rates. He encouraged the Mayor and Council to look for ways they could keep it open. He thought they should allow the swim center management to be able to set rates, and this would show there was some proactive movement on an important issue. There were many kids who swam competitively and many people who used the swim center. It was one of the things that made Canby what it was. There were budgetary constraints, but he didn't want to be disappointed by there being no action to mitigate the financial circumstances. He said Lisa Champ was a great example, a student who got a scholarship to college, an all-American in collegiate athletics, and a possible Olympic swimmer from Canby.

Mayor Prince said the Budget Committee did try to give direction to increase revenues so they could make the pool more viable. They were also working on a fee study.

City Administrator Adcock said the Council had been working on this issue. They authorized in last year's budget to engage a consultant to look at providing City services, the pool included. Part of that study was to determine what it cost to provide all the services, and then give the City Council some recommendations as to what they could do to recover those costs. There was a workshop scheduled for the second meeting in October where they could hear the methodology that was being applied and to have a better understanding of the Council's response to the financial situation.

Councilor Johnson said the Budget Committee would be meeting tomorrow night from 7-9 p.m. at the City shops to talk about ways to keep things open and funded.

Laura Dornbusch was introduced by Administrator Adcock as the City's new Finance Operations Manager.

CONSENT AGENDA: **Councilor Strong moved to approve the minutes of regular session and executive session of September 5, 2001 and Accounts Payable of \$271,004.87. Motion was seconded by Councilor Johnson and passed 6-0.

COMMUNICATIONS: None.

NEW BUSINESS: Setting City Council/Planning Commission Joint Meeting on Street Funding
- Keith Stewart, Chairman of the Planning Commission, said they had an issue under active discussion by the Planning Commission which had to do with potential new development in the community. Prior to this application, he received a letter from Roy Hester, Public Works Supervisor, and in the letter Mr. Hester indicated the street department was having a difficult time maintaining what they already had, let alone building new roads. For the last two and a half to three years, the Planning Commission had made outreach to each and every service provider in the community and had asked them to tell the Commission when they believed they were approaching their saturation point, when they believed their ability to provide services could be compromised. The first group that came to them was the school district. In five years if they did nothing else, they would be drastically short in terms of money to maintain the roads they had let alone maintain new roads they may approve. This was a policy issue and had to come from the Council. They had to discuss how they, as a community, were going to handle it when infrastructure providers said they couldn't provide service anymore. They currently had an application that was on hold pending some guidance from the City Council. Because of the immense ramifications this held for the community, they wanted to the Council to give them policy direction and guidance as to how they wanted to proceed.

Mayor Prince asked about a date for a workshop with the Planning Commission at the earliest possible time due to the urgency of the situation. There was already a workshop scheduled on October 3rd with CBR but that could be postponed, and the second meeting in October they had a workshop to discuss the fee study.

****There was Council consensus to meet with the Planning Commission on October 3, 2001 in the Council Chambers at 6 p.m. in workshop session prior to the Council meeting.**

UNFINISHED BUSINESS: Discussion re: Prohibition of Bicycles and Skateboarding in Downtown Core Area - Councilor Daniels said they were looking at model ordinances from other cities and they didn't come in time for the Traffic Safety Committee meeting. They would have a recommendation for the Council on October 3.

Councilor Strong asked if he had received the recommendation from the Bike & Ped Committee? She had a copy if he would like to see it.

Discussion re: Clackamas County Coordinating Committee- City Administrator Adcock stated that this matter was held over from the last Council meeting to give the Council more time to choose a representative and an alternate to serve on this newly formed County committee. The first meeting would be held on September 26, 2001 at 7 p.m. and at that meeting they would discuss when they would regularly meet.

****There was Council consensus to select Councilor Teresa Blackwell as the representative to the Clackamas County Coordinating Committee from the City of Canby and Councilor Randy Carson would serve as the alternate.**

ORDINANCES & RESOLUTIONS:

Ordinance 1078 -

****Councilor Johnson moved to adopt Ordinance 1078, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH DORMAN MAUSOLEUM COMPANY FOR CONSTRUCTION OF THE ZION MEMORIAL PARK MAUSOLEUM ADDITION; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Strong and passed by roll call vote 6-0.**

Public Works Supervisor Roy Hester introduced the president of Dorman Mausoleum Company, Steve Dorman. Steve Dorman and Julia Schewanick brought two conceptual drawings of the new mausoleum which showed the orientation of the new mausoleum in relation to the existing one, all the granites would match what was on the existing buildings and the style would be identical. They also brought a marketing package of their company that showed their past projects so the Council could get an idea of their experience.

Councilor Daniels asked when they would start and be completed with the project. Mr. Dorman said the contract gave them six months to complete the project, and they were hoping they could get a building permit fairly soon once they had the plans done. As soon as they had the contract, they would engage their architect and within about three weeks have plans, and then get the building permit. They also needed samples of the granite on the existing building to be able to match it. Roy Hester said when the new addition was almost complete, they would bring a

resolution for a new price structure for the addition.

Ordinance 1079 - Community Development and Planning Director John Williams said this was a relatively simple application that went through a lot of review at the Planning Commission level. It was an application to allow the use of aggregate surfaces, or gravel surfaces, rather than strictly paved, asphalt, or concrete which was required now. Right now any new parking lots or vehicle maneuvering areas had to be paved, asphalt, or concrete under the code and the applicant was requesting to allow in some situations an engineered aggregate product to be used instead. The Planning Commission recommended approval with some revised language they felt would provide more certainty as to what kinds of uses would be and would not be allowed. The proposal would allow these as conditional uses, so an applicant would have to make a conditional use permit application to get approval. In addition to the standards that were proffered here, they would have to bring forward a specific design that would be reviewed by the Planning Commission and by the subject area experts.

****Councilor Daniels moved to adopt Ordinance 1079, AN ORDINANCE AMENDING TITLE 16 SECTION 16.10.070(A)3 OF THE CANBY MUNICIPAL CODE; to come up for second reading on October 3, 2001. Motion was seconded by Councilor Strong and passed 6-0.**

MANAGERS' REPORT: Status Report on Canby Public Transportation System - City Administrator Adcock told the Council that on September 12th, he along with Mr. Williams, and State Representative Kurt Schrader attended the Tri-Met workshop where they discussed Canby's withdrawal petition.

Mr. Williams stated that the application to withdraw from Tri-Met appeared certain that it would be approved. The Tri-Met Board directed staff to prepare an ordinance approving it with certain conditions. They were talking about what the conditions would be, and the Tri-Met Board had to make some policy decisions as to where they wanted to go with this withdrawal before they were comfortable with an ordinance. They would be working on a number of details, such as how the handicapped-on-demand service would be handled, where the withdrawal would actually go to, considering withdrawing further past Canby's boundaries, and other issues. It also looked like they would be getting a delayed start. The ordinance would be effective January 1 2002, but Tri-Met was willing to provide services until they could get an excellent system together, which they were hoping to roll out next summer. Some things they would have to do to make this a reality was adoption of a transit tax ordinance which needed to be in place by January 1 in order to collect the revenues, and they would be doing an extensive amount of public involvement. He also told them they were considering taking a field trip to a couple other cities that ran their own transit services in their size area. Talking to those folks and getting recommendations would be very helpful and important for success. If the Council had an interest in going on those field trips, they should let him know. Mayor Prince said the Tri-Met Board Chair was very skeptical at first about them being able to do this, but after seeing Sandy's bus system, he was sold on the idea since they were doing pretty much the same thing. The more they learned the better. Mr. Williams also commented on last Thursday's event at Shimadzu and in attendance were a few buses vendors who were interested in selling their buses to the City and they invited people from

other cities and those in the business community to ask for help on the implementation of this plan.

Donation to Canby Public Library Endowment Fund and Friends of the Canby Adult Center - Library Director Beth Saul said it was very gratifying when you provided services such as the Adult Center and Library did and every now and then someone who used those services for years was able to express their appreciation with a generous gift. This was the most generous gift she had ever seen. It was \$100,000 for the Library Endowment Fund and \$100,000 for the Friends of the Canby Adult Center Endowment Fund. Mr. Robert Glasgow made the donation in honor of his late wife, Helen. The money was going into endowment funds, which meant the principal stayed in tact, and the interest was what would be spent. In the case of the Library Endowment Fund, it was set up 10 years ago and there was a provision that the Library Board had to make a proposal to use the money and the Council had to approve the proposal. They were very pleased and it was a very nice thing to have happened right now.

Councilor Parks asked if they could have something in the library named in memory of Helen Glasgow. Ms. Saul said they already named the children's reading room the Addison Room in memory of Mary Addison who gave them \$10,000 a year from her estate for the last five or six years. The library had such an open floor plan that they didn't have rooms except for that one, but Mr. Glasgow was told that everything they purchased in terms of furnishings and books would have book plates in them mentioning her name. If some opportunity came along for a space to be named, that would be very appropriate.

Mayor Prince thanked Mr. Glasgow for his community service.

CITIZEN INPUT: None.

COUNCILORS' ISSUES: Councilor Daniels said he thought they had deviated from some of their guiding principles, and some of the comments had embarrassed them because it was taken as Council approval when it was not. They signed an agreement of guiding principles, and number two said they would respect the right of each of them to ask questions, and would not indicate any judgement in regard to the question or questioner. Number three said they would not represent a position as that being of the City Council absent of Council action adopting it and would clearly indicate the position was theirs when appropriate. In representing the Council as a liaison, the primary role was to provide information to both the group and to the Council. He thought they ought to be careful when they made comments so that people did not construe it as a Council decision.

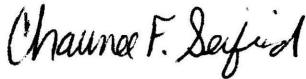
Mayor Prince announced that this was Constitution Week and on September 17th he had the privilege of attending the festivities in Oregon City at the Oregon Trail Interpretive Center. It was well attended by many school children. During this tragic time, it was good to revisit those documents and remind themselves where they were and how precious freedom was.

ACTION REVIEW:

1. Approving the consent agenda.
2. Approving Ordinance 1078, contract for the new mausoleum.
3. Bringing back Ordinance 1079 for second reading on October 3, 2001.
4. Notifying the County of the selection of Councilor Teresa Blackwell as representative to the Clackamas County Coordinating Committee and Councilor Carson as the alternate.
5. Scheduling a joint workshop with the Planning Commission for October 3, 2001 at 6 p.m. and reschedule the workshop with CBR.
6. Awaiting sample ordinance from the Traffic Safety Committee regarding the prohibition of bicycles and skateboarding in downtown.

City Administrator Mark Adcock stated that there would be no Executive Session that night.

Mayor Prince adjourned the regular Council meeting at 9:10 p.m.



Chaunce F. Seifried,
City Recorder pro tem



Terry L Prince
Mayor



Prepared by Susan Wood,
Office Specialist