

CANBY CITY COUNCIL
WORKSHOP
NOVEMBER 21, 2001

Present: Mayor Terry Prince, Council members Walt Daniels, Patrick Johnson, Shirley Strong, and Teresa Blackwell, City Administrator Mark Adcock, Community Development and Planning Director John Williams, Library and Parks Director Beth Saul, Marty Moretty, Patricia Miller, Ken Zatarain, and Curtis and Lila Gottman.

Mayor Terry Prince called the session to order at 6:31 p.m. A light dinner was served.

The Council met in workshop session with representatives from Tri-Met re: Canby Transit Plan.

Mayor Prince adjourned the session at 7:27 p.m.

CANBY CITY COUNCIL
REGULAR SESSION
NOVEMBER 21, 2001

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

Also present: City Administrator Mark Adcock, Community Development and Planning Director John Williams, Marty Moretty, Library and Parks Director Beth Saul, Donna and Leonard Walker, Curtis and Lila Gottman, Wastewater Treatment Supervisor Darvin Tramel, David Howell, Mark Stone, Garn and Jake Loveland, Buzz Weygandt, Craig Finden, Ron Berg, and Linda Stone.

Mayor Prince called the regular session to order at 7:35 p.m., followed by the opening ceremonies and a moment of silence for our service people fighting for our freedom.

CITIZEN INPUT ON NON-AGENDA ITEMS: None.

Mayor Prince announced that there would be a proclamation added to the agenda and he would be moving up the safety award presentation to Darvin Tramel from later on the agenda.

PROCLAMATION: Certification of November 6, 2001 Measure 3-49 Annexation - Mayor Prince read the General Election results from the Clackamas County Elections Division for the 0.61 acre Sheldon Annexation. The official abstract election results were as follows:

Yes	1476
No	436
Blank	17
Overvotes	0

Safety Award from League of Oregon Cities and City-County Insurances - City Administrator Mark Adcock said that because of the good work and diligence of the City Safety Committee and city staff, the City has had a reduction in its liability insurance premium. Darvin Tramel, past Chairman of the City Safety Committee, was there to receive the award on behalf of the Committee.

CONSENT AGENDA: **Councilor Strong moved to approve the Minutes of the regular session of November 7, 2001 and Accounts Payable of \$269,717.70. Motion was seconded by Councilor Daniels and passed 5-0.

COMMUNICATIONS: Hometown Hero Award - City Administrator Mark Adcock explained this was a request from Councilor Johnson to nominate Jim Brown for the Hometown Hero Award. Councilor Johnson said a number of citizens approached him asking about the process to nominate this individual. In light of his service on the Planning Commission and his dedicated work on the Neighbor-to-Neighbor Day, the Council agreed to honor Mr. Brown at the next meeting that he would be able to attend.

Administrator Adcock said they had a letter of resignation from Harry Lee Kwai for his position on the Budget Committee. They also received some feedback from a citizen on a How'd We Do card, which was a complaint regarding a street light. Thanks to the employees, the citizen had good words to say about the response to the complaint.

Councilor Daniels alerted the citizens to the press release from the Police Department about thefts and burglaries. The Police Department received over 120 reports from citizens of thefts, vandalism, and burglaries since October 1, 2001. They should lock cars and put away bicycles, especially in the evening and morning when the most thefts occurred.

NEW BUSINESS: Appointment of Budget Committee Member - Administrator Adcock said they received an application to fill a vacancy on the Budget Committee, and Councilor Daniels, who was the Chair of that committee, had a chance to talk with the candidate. Councilor Daniels said he talked with Mr. Lais, and he thought he would be a great asset. He was a senior programmer analyst for Schnitzer Steel Industries, and wanted to get involved in the community.

****Councilor Daniels moved to appoint Lawrence Lais to serve as a member of the Budget Committee. He will fill an unexpired term which ends June 30, 2003. Motion was seconded by Councilor Johnson and passed 5-0.**

Discussion re: Street Maintenance Fee - Administrator Adcock said they had various meetings to discuss their ability to maintain the City's infrastructure in light of dwindling financial resources. The Planning Commission also expressed their concern about the City's finances as far as maintaining streets. They discussed funding mechanisms over and above the traditional funding sources, the Transportation SDC, which was typically not used for maintenance but for new construction, and the gas tax. They had a presentation from the City of Tualatin and Dan Boss, who was an expert on transportation maintenance fees. At the City Budget Committee meeting held Monday, November 19, it was decided to recommend that the City Council direct staff to

begin work on a street maintenance fee proposal.

****Councilor Johnson moved to direct staff to develop a program on a street maintenance fee, including an education and public information campaign, and to bring back a proposal at a later date for discussion and review. Motion was seconded by Councilor Daniels.**

Councilor Johnson said that he also would like this to come before the Planning Commission with public hearings as they discussed.

Councilor Strong said she thought this was the wrong time, given the economy, to move forward with this, and she would be voting against the motion.

Mayor Prince said this was mainly a discussion with the citizens of Canby about what they wanted to do as far as saving the infrastructure and an alternate way of doing it. They would take citizen input and direction very seriously.

The motion passed 4-1, Councilor Strong opposed.

UNFINISHED BUSINESS: None.

ORDINANCES & RESOLUTIONS:

Ordinance 1080 -

****Councilor Daniels moved to adopt Ordinance 1080, AN ORDINANCE AMENDING TITLE 16 OF THE CANBY MUNICIPAL CODE. Motion was seconded by Councilor Blackwell and passed by roll call vote 4-0, with one abstention by Councilor Carson who was not present for the first reading.**

Ordinance 1081 -

****Councilor Daniels moved to adopt Ordinance 1081, AN ORDINANCE AUTHORIZING THE CITY OF CANBY TO ASSESS, LEVY, AND COLLECT A BUSINESS TAX BASED ON PAYROLL EXPENDITURES, AND SELF-EMPLOYMENT AND AMENDING THE CANBY CITY CODE BY ADDING CHAPTER 3.24. Motion was seconded by Councilor Strong and passed by roll call vote 4-0, with one abstention by Councilor Carson who was not present at the first reading.**

Ordinance 1082 -

****Councilor Strong moved to adopt ORDINANCE 1082, AN ORDINANCE REGULATING THE OPERATION AND USE OF BICYCLES, SKATEBOARDS, SCOOTERS, ROLLER BLADES AND ROLLER SKATES WITHIN THE CITY OF CANBY, AND SETTING FORTH PENALTIES FOR THE VIOLATION THEREOF. Motion seconded by Councilor Blackwell.**

Councilor Johnson stated that after researching the State Vehicle Code he intended to change his vote. He thought this would be a proactive approach.

****Motion passed by roll call vote 5-0.**

Resolution 769 -

****Councilor Johnson moved to approve Resolution 769, A RESOLUTION ACCEPTING THE RESULTS OF NOVEMBER 6, 2001 ELECTION, PROCLAIMING ANNEXATION INTO THE CITY OF CANBY OF 0.61 ACRES OF PROPERTY, AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CITY LIMITS. Motion was seconded by Councilor Strong and passed 5-0.**

MANAGERS' REPORT: Status Report on Canby Public Transportation System - John Williams said they had a workshop prior to that night's meeting with representatives from Tri-Met to discuss the intergovernmental agreement to formalize some of the responsibilities, payments, etc. that went in with the agreement. They would have a follow-up meeting before the Council meeting of December 5, and would be bringing a document to the Council by the second meeting in December. They would also be advertising for a transit manager in the next few weeks. They would be looking for someone from Canby, if possible, and the community would be involved in the selection. He hoped to have someone on board in January. They also set a meeting with some task force members to discuss bus stop locations, the service plan, and service to other cities. As of March, there would be a connection between Molalla and Canby. In June, there would be a connection to Wilsonville. These connections were funded by a Jobs Access Grant.

The Public Transportation Advisory Committee was being formed, and they were taking applications. There was a member of the Planning Commission interested in serving on the committee and he asked the Council if that would be permissible. Mayor Prince thought that would work well. Councilor Carson asked if there would still be other people involved with the group, and Mr. Williams said there certainly would be, although they wanted to have a group committed to this work on a monthly basis to oversee the progress.

Mayor Prince asked how many members Mr. Williams was proposing, and Mr. Williams thought it would be five to seven.

Councilor Strong asked if the members should be limited to living within the UGB? Mr. Williams said that was the Council's decision, but he was trying to get a business owner representative who was paying the tax, and they might not necessarily live in Canby.

Councilor Carson thought they should at least live within the transit district. The Council consensus was that the members would live within the transit district.

List of Projects for the Clackamas County Needs and Issues Inventory - Mr. Williams said this was a list put together county-wide that went into a state-wide list and it was used to notify funding

agencies that projects were regionally accepted and ranked as important. Canby submitted four projects last year, and it was time for redoing the list. The four projects were: downtown redevelopment and revitalization, including street scape reconstruction on First Avenue and development of the parking lot property; reconstruction and street scape projects on the north side of downtown, which included Second, Third, Fourth, Ivy, Holly, and Grant; reconstruction and street scape projects on the south side of town on SW First, Second, and Fourth; and Sequoia Parkway and Fourth Avenue. The City submitted these projects to the County and the Economic Development Commission ranked them, and grant providers were supposed to look at the list when they were funding projects. Sequoia Parkway was the highest ranked project county-wide, the downtown redevelopment on First Avenue was ranked eighth; they only ranked the top 10. Since none of these projects was accomplished last year, he was requesting that they resubmit the same four projects again. Council consensus was to submit the same four projects again.

CITIZEN INPUT: None.

COUNCILORS' ISSUES: Councilor Johnson said they had a workshop with CBR about a month ago and an issue brought up was the lack of communication between CBR and the City. He requested to serve as liaison since Councilor Parks was not able to serve due to his out-of-town commitments. The Council concurred.

Councilor Daniels recognized the scouts in the audience from Troup 266. The scouts introduced themselves. They were Jake Loveland and Mark Stone, and Mr. Garn Loveland was the Assistant Troup Leader.

Councilor Blackwell said at Cutsforth's Thriftway, there was a calendar called "Proud to be an American Kid" and part of the proceeds went to Canby Fire and Rescue disaster equipment. They were available at many locations around town.

Councilor Carson referred to his editorial in this week's *Canby Herald* in support of Canby's businesses, both the downtown business community as well as Fred Meyer and Safeway. All the businesses supported the community and the more citizens spent in town, the better off everyone would be.

Mayor Prince said that the annual Christmas tree lighting would be in Wait Park at 6:30 p.m. this Saturday, November 24. It was sponsored by Direct Link and Renaissance Homes.

A remembrance tree lighting, would be held on December 1 in Pioneer Plaza at 7 p.m. in honor of military personnel who had served either in previous years or who were presently serving. The tree would be decorated in white. Citizens could purchase red, white, and blue ribbons, blue for retired veterans, red for current military, and white for deceased comrades in arms. Ribbons could be purchased at various locations around town and at the Canby American Legion. Other events would start at 5 p.m. prior to the lighting.

ACTION REVIEW:

1. Continuing the Tri-Met workshop to December 5, and holding another workshop on December 5 with the Council and Building Department to discuss proposed revisions to building department fees and charges.
2. Approving the Consent Agenda.
3. Approving Ordinance 1080 on final reading.
4. Approving Ordinance 1081 on final reading.
5. Approving Ordinance 1082 on final reading.
6. Approving Resolution 769.
7. Inviting the recipient of the Hometown Hero Award to attend the December 5 meeting.
8. Appointing Lawrence Lais to the Budget Committee.
9. Developing a work program and implementation for a street maintenance fee.
10. Resubmitting projects to the Economic Development Department of Clackamas County.
11. Proceeding with the formation of the Canby Transit Advisory Committee.

****Councilor Strong moved to go into Executive Session under ORS 192.660 1(d) labor negotiations. Motion was seconded by Councilor Carson and passed 5-0.**

Mayor Prince read the executive session format and recessed the regular session at 8:24 p.m.

Mayor Prince reconvened the regular Council session at 10:33 p.m.

NEW BUSINESS:

****Councilor Johnson moved to make the following adjustments to the compensation and benefits package for the management group:**

1. Provide for a 50% cash buy-back of accumulated sick leave upon PERS eligible retirement from the City of Canby. The sick leave cap is to be set at one-thousand (1000) hours for the buy-back program. Cash buy-back is not to exceed fifty percent (50%) of 1000 hours or five-hundred (500) hours.

2. Add an additional holiday as a floating day to increase the total to eleven (11) paid annual holidays.

3. Include in the compensation the same hybrid as provided for in the AFSCME current contract: for Fiscal Year 2001-2002, one step for those managers not at the top step and a 3% increase for those managers at the top step.

These three actions are to be retroactive to July 1, 2001, and the funding is to be taken from the City's Contingency Fund.

The motion was seconded by Councilor Daniels and passed 5-0.

Mayor Prince adjourned the meeting at 10:40 p.m.

EXECUTIVE SESSION
NOVEMBER 21, 21001

Present: Mayor Prince, Councilors Walt Daniels, Patrick Johnson, Shirley Strong, Randy Carson, and Teresa Blackwell, and City Administrator Mark Adcock.

Mayor Prince called the session to order at 9:40 p.m.

ORS 192.660 1(d) - The Council discussed labor negotiations with management.

City Administrator Adcock was excused at 10:15 p.m.

Mayor Prince adjourned the session at 10:33 p.m.

Chaunce F. Seifried

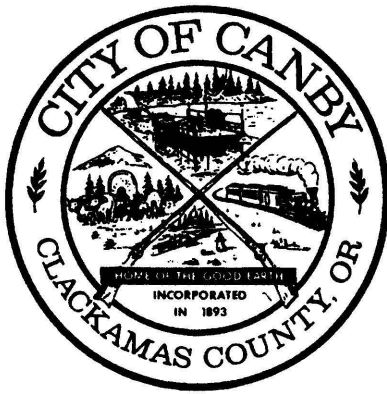
Chaunce F. Seifried
City Recorder pro-tem

Terry L Prince

Terry L Prince
Mayor

Susan Wood

Prepared by Susan Wood
Office Specialist



City of Canby

General Administration Office

PROCLAMATION

WHEREAS, the City of Canby, County of Clackamas, Oregon, held a General Election on November 6, 2001, to consider the following measure:

MEASURE NO. 3-49

Shall 0.61 acres located at 687 S. Redwood Street be annexed into Canby City limits?

WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes for the General Election as of NOVEMBER 14, 2001.

YES -	1476
NO -	436
Blank -	17
Overvotes -	0

NOW, THEREFORE, I, Terry L Prince, Mayor of the City of Canby, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting as presented by the Clackamas County Election Division dated November 14, 2001.

Dated this 21st day of November, 2001.


Terry L Prince, Mayor

State of Vote - Clackamas County Special Election - Nov. 6, 2001												
** City of Canby - Measure 3-49 **												
Page Number	1.001.001	REGISTERED VOTERS	TURNOUT	TURNOUT PERCENTAGE	MEAS 3-49 City Area City	MEAS 3-49 City Area City	MEAS 3-49 City Area City	BLANKS	OVERVOTES			
CONSOL PREC NO 122	1775	403	22.7%		324	75	4	0				
CONSOL PREC NO 123	673	159	23.6%		119	40	0	0				
CONSOL PREC NO 124	1709	544	31.8%		391	149	4	0				
CONSOL PREC NO 125	1425	378	26.5%		315	58	5	0				
CONSOL PREC NO 126	1316	445	33.8%		327	114	4	0				
**** TOTALS ****	6898	1929	27.9%		1476	436	17	0				

RECEIVED

NOV 15 2001

CITY OF CANBY

CERTIFIED COPY OF THE ORIGINAL

JOHN F. KAUFFMAN, COUNTY CLERK

BY: *[Signature]* Deputy

11-14-01

CERTIFIED COPY OF THE ORIGINAL
JOHN F. KAUFFMAN, COUNTY CLERK
BY: Darren Berry
Deputy
11-14-01