

CANBY CITY COUNCIL  
REGULAR SESSION  
JUNE 20, 2001

Council President Shirley Strong presiding. Council members present Walt Daniels, Corey Parks, Patrick Johnson, Teresa Blackwell, and Randy Carson. Mayor Prince absent. Also present: City Administrator Mark Adcock, City Attorney John Kelley, Library and Parks Director Beth Saul, Finance Director Chaunee Seifried, Police Chief Jerry Giger, Planning Director John Williams, Marty Moretty, David Howell, Nancy Wilmes, Ernie Laitinen, Donna Webber, Bette Postlewait, Betty Dalley, Craig Lewelling, Curtis and Lila Gottman, June Postlewait, Roger Reif, Leonard and Donna Walker, Don Perman, George Hudson, Kay Lewelling, Thelma Hooper, Kathryn Henderson, Robin Motsinger, Kyle Walkoski, Ted Kunze, Allen Manuel, Karen Swirsky, Mark Seder, Linda Runyan-Finden, Craig Finden, Rudy and Carol Prael, Jamie Johnk, Terry Tolls, Tim and Maile Austen, Bob Trappe, Marty McCullough, Buzz and Pat Weygandt, Bob Zimmer, Lisa Weygandt, Gordon Winfree, Vicki Pounds, Kelly Oliver, Hank Jarboe, Mary Carlton, Matthew Madeira, Barry Lucas, Scott Enyart, Troy Lucas, Chris Lucas, Bev Doolittle, Marlene Scott, Rich Cook, Robert A. Miles, Shelley Scott, Vince Pavlicek, Brent Pavlicek, Ron Berg, Wayne Spencer, Mike Holmes, Bob Rapp, Leighton Perkins, Norm Fromm, Ray Burden, Joe Kimmel, Joseph Wipff, Ryan Jacobsen, Bill Cassel, Craig Finden, and Jeff Scott.

Council President Strong called the regular session to order at 7:33 p.m., followed by the opening ceremonies.

**CITIZEN INPUT ON NON-AGENDA ITEMS:** Don Perman a local dentist who has been in Canby for over eight years, spoke to the Council regarding the development in downtown and is proud to be a business person. Through his business, he has listened to people who see him and recently, he faxed a letter to 12-15 individuals wanting their feedback and their sense about the direction Canby was heading. From that initial letter sent to such individuals as Hank Jarboe, Rudy Praehl, Roger Reif, Walt Daniels, Wayne Oliver, Frank Cutsforth, Katherine Davis, Don Peterson, Jim Newton, Dan Wilcox, Tim Austen and Wayne Scott, a committee developed. This group decided to bring forward general ideas to the Mayor and Council in hopes of beginning dialog and about what they feel is important in the community, where Canby is going, and dealing with the movement of the URD. Mr. Perman introduced Wayne Scott.

Wayne Scott a Canby resident, also stated that several people had gotten together in the past few weeks and discussed some of the items that he would like to present tonight. He realized that the topic that they want to bring up is the URD and although it was not a topic on tonight's agenda, it will be addressed at an URD Agency meeting Wednesday, June 27<sup>th</sup>. The coalition does not support the shrinking of the URD as Canby stands to gain much more in the entire 275 acres, if and when they are annexed. Tonight they were asking the Council to conduct a public opinion poll to judge how Canby residents feel about the URD; an objective survey is important and will be helpful in determining Canby residents' needs and wants. He personally would like to aid the Council in this endeavor. He referred to the October 11, 2000 Candidate Forum during the last election when current Mayor Prince said that he supported openness and involvement of the public. So, please remember those campaign promises and continue along that path without making an abrupt decision, possibly as early as next week.

The group would also like to work with the City and the Chamber to perform economic analysis to the potential benefits or pitfalls of moving forward with the URD as it stands now. Economic analysis is necessary to assess the community impacts such as transportation needs and taxation issues that everyone is facing. He urged at the very least, utilization of the City-appointed advisory board by delaying the decision long enough to give the advisory board time to weigh the pros and cons of the two plans as Ron Berg, Chair of the Advisory Board, had strongly urged the Council to do several weeks ago.

As the debate over the URD continues in this public forum, he wanted to remind the Mayor and Council again of the campaign platform they ran on and urged them to follow it.

Mr. Scott requested that the next URD meeting on June 27<sup>th</sup> be held at the Canby Adult Center so that a larger crowd could be accommodated and heard. He appreciated the time he had been granted to speak and looked forward to working with the Council in an effort to resolve this issue.

Leonard Walker presented a letter with nine signatures to Council in their capacity as the Urban Renewal Agency representing several friends and neighbors in his area around 1526 N. Plum Court. It briefly stated that they would like to express support of the Urban Renewal Agency's action to reduce the Urban Renewal District boundaries.

Marty McCullough represented the Canby Educational Foundation and briefly told Council about the "Kiss a Pig" contest which will culminate on July 4<sup>th</sup>. The five candidates will be Mayor Terry Prince, Chief of Police Jerry Giger, Hank Jarboe, Wayne Oliver, and Deborah Sommer. Ballots are being sold around town for one dollar each which allow the buyer to vote for the candidate of their choice as well as be eligible for prizes in a raffle. The one with the most votes will get to kiss the pig during the General Canby Day festivities!

To date, the Educational Foundation has granted about \$40,000 for projects in the Canby School District and hope to be able to continue through fund raisers such as this.

Donna Walker residing at 1526 N. Plum Court urged all citizens to read an *Oregonian* article dated June 19, 2001 concerning the "controversy" the City of Portland and urged the voters, not just the Canby business people, whether they want to shrink the Urban Renewal.

Ray Burden 23230 S. Hwy 99E, Canby, spoke regarding the shrinking of the Urban Renewal District. As he understands, if it were to be shrunk so that it were just on the south side of the proposed Parkway, it leaves a very restricted area to be developed. It would be very difficult to develop the industrial park in that fashion because everything north of that would be off-limits for immediate development. Had the Parkway gone through, Centax and Milgard would both be under construction to date. If the Urban Renewal District is shrunk and then decide to do something in that area, it will be a two year process to get it done.

For every house in Canby, the taxes derived from it just pay for the Police Department. For every dollar taken in on a house in Canby, it costs \$1.29 for the City to service it; for every dollar taken in the industrial area, it costs \$.25 to service it. It will continue to be difficult to balance

the budget if they continue to just build houses, it will go further and further into the hole without the industrial park.

In response to the article in the *Oregonian*, very few of the urban renewal projects involved funds for development in industrial areas.

Council President Strong invited people who wished share their comments about urban renewal were invited to attend the Agency meeting June 27, 2001 at 7 p.m.

It was the consensus of Council to try to obtain use of the Canby Adult Center for the Agency meeting to try to accommodate a larger group than the Council Chambers could hold.

Council President Strong stated that the group would be notified if the meeting were to be held at the Adult Center.

**CONSENT AGENDA: \*\*Councilor Daniels moved to adopt the consent agenda: minutes of the regular meeting, June 6, 2001 and accounts payable in the amount of \$184,395.29. Motion seconded by Councilor Johnson and passed 6-0.**

**PUBLIC HEARING:**

Administrator Adcock reviewed the background of the upcoming public hearing. Pursuant to Oregon Budget Law, a public hearing is necessary to approve the supplemental budget of the current 2000-2001 fiscal year representing an amount greater than 10% of the fund.

2000-2001 Fiscal Year Supplemental Budget - Council President opened the public hearing at 7:48 p.m.

STAFF REPORT: Finance Director Chaunee Seifried stated that only the forfeiture fund had more cash carryover than was projected after the budget had been completed. This process brings in that revenue and puts it into material and services, and capital outlay.

Councilor Carson stated that this money is specifically set up for certain things in the police budget forfeiture fund and cannot be used in the general fund.

PUBLIC TESTIMONY: None.

Council President Strong closed the public hearing at 7:51 p.m.

DISCUSSION: None.

Resolution 757 -

**\*\*Councilor Daniels moved to adopt Resolution 757, A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR THE 2000-2001 FISCAL YEAR. Motion seconded by Councilor Carson and passed 6-0.**

## **PUBLIC HEARING:**

City Administrator Mark Adcock explained that although it is not legally required, it is still provides the community with additional opportunity for testimony and to provide input from the community of the proposals Ms. Deas will be referring to tonight. If the Council concurs with the substance of the plan, there is an accompanying ordinance on the agenda with the second reading to be on July 3, 2001.

Attorney John Kelley explained that because there is an accompanying zone change associated with the plan, it is required the formal public hearing process.

### Downtown Plan CPA 01-03/TA 01-01 -

Council President Strong opened the public hearing at 7:54 p.m.

Council President Strong read the public hearing format.

## **CONFLICT OF INTEREST:**

Councilor Parks - No conflict, plan to participate.  
Councilor Daniels - No conflict, plan to participate.  
Councilor Johnson - No conflict, plan to participate.  
Council President Strong - No conflict, plan to participate.  
Councilor Carson - No conflict, plan to participate.  
Councilor Blackwell - No conflict, plan to participate.

## **EX' PARTE CONTACT:**

Councilor Parks - No contact.  
Councilor Daniels - No contact.  
Councilor Johnson - Visited the site, has drawn no conclusions.  
Council President Strong - No contact.  
Councilor Carson - No contact.  
Councilor Blackwell - No contact.

**STAFF REPORT:** Matilda Deas City of Canby Project Planner was glad to be at this point after a year long process. Their packet contained the legislative and quasi-judicial amendment application to adopt the Canby downtown plan and to add the amendments to the comprehensive plan text and map of the Municipal Code and the Transportation Systems Plan in order to initiate the downtown plan. There has been extensive public input with many workshop and a very active task force. The Planning Commission held an extended public hearing and also voted unanimously to approve the plan with the minor modifications. She knows that the people in the downtown and community, and other participants in this process are very anxious to transition from the planning process into the implementation stage. She requested that since they already had read the staff report and accompanying documents, would like to call upon two of the three consultants who were involved in the process. She introduced Karen Swirsky A.I.C.P., the senior planner of David Evans and Associates who served as the project manager for the



consultants and Mark Seder A.I.A., an architect specializing in downtown design, has been responsible for the drawings of the downtown. The third consultant on the project who couldn't be present tonight, Mary Bosch of Marketec will be coming back to facilitate a marketing implementation process.

Karen Swirsky, A.I.C.P. David Evans and Associates recapped the project which was a grant funded plan. She has been pleased to be working with an economic analyst as it is the first time she has incorporated that aspect into the plan. At this point, if it is adopted, the plan can move forward. She has enjoyed working in Canby which in some respects is typical of small down towns but has a unique character. She will be interested to see what will be done with this plan from hereon. She found Canby to be a very friendly town and its citizens really care about it, as well as a great staff. Canby has great public spaces to start with - Pioneer Plaza and Wait Park.

There was an extensive public involvement process including a kickoff walking tour a year ago; town hall meeting, a series of multi-day workshops (charrettes), special meetings with stakeholders, several public meetings on the market assessment and City public meetings. There were overriding goals for Canby to start out: Beautification, Economic Health, Connection to the Highway, and To Encourage a Diversity of Uses in Downtown. There was an inventory done of the existing land use patterns, but the important part of that process was to come up with pluses and minuses for Canby and to build on those.

What they heard from the Task Force when they first arrived, was that Hwy. 99E bypassed the downtown but she now believes that it is Canby's strength in that they don't have to deal with the through-traffic issues and can develop a core personality without being constrained by the highway and the highway department's rules and regulations.

Another thing they heard when they came were the problems surrounding the railroad dividing the highway from downtown but she sees that as an open space that can be utilized; the plan has come up with some great ideas such as moving the historical depot back, landscaping and gateways, etc. The downtown street system is sound and merely needs some enhancement with sidewalks, increasing the pedestrian environment, and beautification.

They also looked at the overall development pattern of the downtown area, especially relative to economic development, and found that there were a lot of opportunities for infill development and increasing diversity of uses, particularly encouraging more residential and office use. There is a lot of surface parking but those areas might be better developed as structures for more different kinds of uses, such as second story development. Some of the changes to the code were to make that a little more straight forward. The design elements for the esthetic part of the improvements to downtown were based on some factors. Foremost, was how appropriate to Canby's character based on the things that they heard Canby is - the railroad and agricultural history of the area. These elements are emphasized over and over even to the extent of putting a railroad water tower adjacent to the highway saying CANBY to attract people to the center of town rather than the malls.

Another issue that they looked at and wanted to address very briefly was SW 2<sup>nd</sup> Avenue. There was a concept early on the SW 2<sup>nd</sup> may eventually serve as a parallel route to the highway. Their study didn't bear out that it was time to think about that yet; the downtown needs to be more

healthy and economically sound before opening up another commercial street and 2<sup>nd</sup> Avenue is problematic as a through route.

Practicality was an issue, perception of cost and difficulty, widening the sidewalks, street trees, adding curb extensions and how they enhance the pedestrian environment, textured sidewalks to alert motorists that they are passing through pedestrian zones, use of Pioneer Plaza bollards, planters, light posts as a template for the rest of downtown, create a more standard awning treatment for buildings, create a gateway treatment. Now there are three signals that lead into the downtown and this is unique, but there is nothing very strong visually to alert people that there is a downtown from the highway which could be done by signage, walls and landscaping. A surface pathway was suggested to join Pioneer Plaza with Wait Park so that the two could be joined and utilize both of those open areas more effectively. Now, you can be at either one and not know the other exists. She feels that Wait Park is a “stellar” urban park.

The marketing assessment was discussed to establish a trade area and the question was would people travel to Canby to shop? Spending was found to be slightly above average as well as the income. Ms. Barsch did a survey of downtown businesses and got fairly positive results. Both shoppers and business owners consistently said that the business hours were uneven, foot traffic was limited and some concern about how efficiently the parking is being used. Ms. Swirsky understood that there was now a parking study being conducted that would help manage that aspect.

All these elements were grouped into a variety of projects: the Pioneer Plaza project, Second Street, First Street, the Gateway Concepts, Cross Streets, the Depot, and new structures such as a transit mall.

Both the Urban Renewal and the Economic Improvement Districts were discussed for funding. In her experience with down towns, most successful one have some kind of a urban renewal district and it is critical that it be kept in some form for future help. The EID could continue to be used for the downtown management and form project-specific local improvement districts. The critical part is to use that funding, whatever it is, to leverage for grants and loans. If there is money to bring to the table and adopt a plan, the chances for getting funding are much better.

Finally, the code revisions are to recognize the strip of land that is owned by the railroad is really part of downtown and it changes the C-1 district slightly. In the Transportation System Plan, the main purpose is to add the downtown street standards. Right now, our transportation plan doesn't have a street standard that recognizes that downtown streets are different and needs to allow for things such as wider sidewalks, narrower lanes, and diagonal parking. A few changes to the Code would recognize the downtown commercial zone as being slightly different than other commercial areas. There is already a very good downtown ordinance in place so only minor suggestions have been made. There were also some special standards for the design review committee having to do with the same issues as mentioned above.

Councilor Carson asked about the C-1 zoning changes and asked if there was a reason why the area off of Douglas where Jarboe's is, was not included. Ms. Swirsky responded that it was out of the study area but that it was something that could be considered separately at a later time.

Councilor Carson also noted to Project Planner Deas that the swap that had been done between Oregon Bag and the mall was not reflected on the plan and she answered that it would not affect this area.

Councilor Parks asked them to respond as to the flexibility in the plan. He wondered about the plan's ability to be malleable and adaptable down the road since all of these suggestions could not be implemented in five years. Ms. Swirsky noted that things will change rapidly and a plan adopted today will need to be constantly revisited and revised to see that it still fits the direction. Also, they got strong direction from the Task Force that they did not want a limiting set of guidelines for downtown and although this is more open-ended, it allows for more flexibility. She specifically mentioned the design code alone for the City of Sisters is one-quarter inch thick. They cannot even put out a flower box without having to meet certain parameters. It was made quite clear in Canby's process, that was not the restrictive look that Canby was looking for.

Mark Seder A.I.A. of Seder Architects, stated that the strength of the plan was that it could flex and change and was based on very solid principles. An example of that would be, no matter how awnings were done, they thought that First Avenue wanted to be more open so that it could be seen better from Hwy 99. There are tall windows in some of the buildings and have been boarded over and so the general recommendation was that the historic character of the older part of town would be reinforced and open that much more to Hwy 99 by raising awning levels and perhaps flattening them out. That did not prescribe that anyone had to do that, but as a general principle it would provide an inviting view of downtown.

Ms. Swirsky added that these ideas would not be impressed on anyone until they came in with a site plan application or some trigger through the Planning and Building Department; these recommendations would not be forced on any businesses.

Mr. Seder said that the plan consisted of principles and concepts that everyone seemed to "buy into" during the process.

Councilor Parks stated that his personal philosophy was that type was "good planning" and bad planning was "prescriptive" and it is the more flexible and more adaptable policy and documents that last longer.

Mr. Seder finally added that there has already been an investment made in Pioneer Plaza and things can spread out from there. It can reap greater dividends if it is carried further.

**PUBLIC TESTIMONY:**

**APPLICANT:** None present representing the Union Pacific Railroad.

**OPPONENTS:** None.

**PROPONENTS:** Craig Finden with Canby Business Revitalization stated that their organization was very solidly behind this plan. The input was that the plan be flexible and they are confident that this plan does that. A lot of the ideas came from processes prior to this plan, so these are based on some very core foundations.

Council President Strong closed the public hearing at 8:25 p.m. and immediately reconvened the regular session.

**DISCUSSION:**

Councilor Johnson asked about the Pioneer Plaza project and asked if it had been done without a downtown master plan.

Administrator Adcock was not sure about all the planning process since it predated his coming, but knew that there was a lot of work done by CBR. The impetus was not to go any further in Pioneer Plaza without a master plan to guide future right-of-way improvements. At that point, staff started to work and that is how the downtown master plan came about.

Councilor Johnson inquired of Ms. Deas if the projects in this plan matched up with the projects in the urban renewal plan. She responded that when working with Mr. Pineau, at some point they were in alignment. Mr. Johnson commented to the businesspeople, that they just need to pick up a copy of the downtown master plan, the parks plan, the transportation plan, etc. and get a very good idea in what direction this town wants to go. He feels the debate is not where are we going, but how are we going to get there. Everyone sees that this is a huge project so we need to find a way as a community to come together and get these things done; it is critical to the survival of the downtown core. It comes down to sitting down at the same table and agreeing on a plan to get behind, putting politics aside and get there.

He thanked the business people for coming out and is a very important first step to start moving forward.

Councilor Carson thanked staff and the consultants and was pleased with all the public input and felt they were moving in the right direction. We know where we want to go, we just have to figure out how to get there.

Councilor Daniels appreciated all the stakeholders, citizens, and business people had taken part and also thanked staff for all of their hard work. He hopes to be surprised at how fast it will develop.

Councilor Parks thanked all the volunteers, staff, and consultants and thought that this forward thinking and involves turning a city from today into tomorrow. This is what makes it fun to be involved a city. He is looking forward to implementation; that it will move there more quickly than most people think.

Councilor Blackwell quoted a part of the FYI written by Mark Adcock excerpting that Matilda has worked hard facilitating the development process and in working with the consultants "to insure that the plan is comprehensive an incorporates the features and components that the community feels to be important in a master plan crafted specially for this community".

Council President Strong echoed appreciation for all the work that has gone into getting the project to this point; hopefully, this will revitalize our downtown area.

Matilda Deas thanked the CBR group who put several projects on hold and trusted in one more plan. They participated whole-heartedly in the process and the result has been worth it. She also thanked the Task Force for their participation.

Ordinance 1076 -

**\*\*Councilor Blackwell moved to adopt Ordinance 1076, AN ORDINANCE ADOPTING THE CANBY DOWNTOWN PLAN, AMENDING CANBY'S COMPREHENSIVE PLAN, TRANSPORTATION SYSTEM PLAN, AND TITLE 16 OF THE CANBY MUNICIPAL CODE to come up for second reading on July 3, 2001. Motion seconded by Councilor Daniels and passed 6-0.**

**COMMUNICATIONS:** None.

**NEW BUSINESS:** Request from Asset Development Group to connect to City Storm Water Collection System and N. Redwood Advanced Finance District - Interim Community  
Development Director Mike Swanson reviewed the staff report and recommended that the Council approve the request. It was sized with excess capacity and there is currently remaining capacity of 20-25 cubic feet per second of which this development will put a load on the system of around 1 cubic foot per second so that it will not put a great demand on the system.

The applicant has agreed to purchase the excess capacity that they need in order to connect to the Advanced Finance District system. In light of the fact that there is both existing capacity and that there is already an agreement in place to buy into the system, it is being recommended that the request be approved. Mr. Swanson indicated that he had been in contact with City Engineer Curt McLeod and he has come up with a solution that will avoid cutting on the new overlay on Territorial Road by connecting on the south side. The staff report allows for Mr. McLeod's recommendation to be implemented. Mr. Reif representing the applicant and Mr. McLeod the City Engineer were both on hand to answer any specific questions.

**\*\*Councilor Daniels moved that the staff recommendation be adopted to allow Asset Development Group, LLC, to connect to the N. Redwood AFD Storm Drainage System for the Hawleys Corner Development with the conditions contained in the staff report. Motion was seconded by Councilor Parks.**

Council Carson asked City Engineer Curt McLeod how much more property has not been hooked up that could be impacted? Mr. McLeod did not think that any properties on the south end of N. Redwood would be impacted because dry wells would work fine in those areas. The remaining approximate 12 acres to hook in were against Territorial and some properties against Pine Street.

Councilor Carson asked how many cubic feet those remaining areas to be connected would require and Mr. McLeod felt that those would not deplete the capacity in that pipeline that went from Redwood to the creek. There was a 20 c.f.s. surplus and the properties that could potentially apply to connect to that line would use only between 10-12 c.f.s. plus the one before them tonight would bring in 1 c.f.s. The City's interest is in maintaining some capacity for when Territorial is curbed and there is drainage coming down Territorial. There is plenty of capacity in



the leg that comes down Territorial Road and the only loads will come from the properties in the north end of the AFD.

Councilor Johnson wanted to restate that they can hook in and pay for "x" amount of dollars for capacity in this pipe and Mr. Swanson concurred. Mr. Johnson asked if it would lower the AFD for those people who have already paid in. Mr. Swanson stated that it was a separate issue and that this process was authorizing connection but that the City Attorney would be getting involved to resolve what would be done with those funds and maybe a question of a refund back to the people in the AFD. It could perhaps be dealt with administratively.

**\*\*Motion passed 6-0.**

Year End Accounts Payable -

**\*\*Councilor Carson moved to appoint Councilor Daniels to officially approve the accounts payable for the year end fiscal year 2000-2001. Motion was seconded by Councilor Parks and passed 6-0.**

**UNFINISHED BUSINESS: None.**

**ORDINANCES & RESOLUTIONS:**

Ordinance 1072 -

**\*\*Councilor Daniels moved to adopt Ordinance 1072, AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUE FOR 2001-2002 FISCAL YEAR on second reading. Motion seconded by Councilor Johnson and passed by roll call vote 6-0.**

Ordinance 1073 -

Administrator Adcock stated that this was an ordinance that amended the contract with the City engineering firm for the work necessary for the Wastewater Dewatering project.

Interim Community Development Director Mike Swanson reviewed the staff report with Council. On April 18, 2001, the City Administrator was authorized to proceed with engineering, bid documents and to solicit bids in accordance with Oregon local contracting laws, for the Sludge Dewatering improvements using Rotary Press equipment and to return with proposed constructing contract awards at the end of the bidding cycle and prior to any commitment for construction. This process authorizes the City Engineer to proceed with the preparation of those specs and documents.

**\*\*Councilor Carson moved to adopt Ordinance 1073, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 2 TO THE AGREEMENT FOR ENGINEERING SERVICES DATED FEBRUARY 3, 1998 WITH CURRAN-MCLEOD, INC. TO PROVIDE ENGINEERING SERVICES FOR THE WASTEWATER TREATMENT FACILITY PHASE II BIOSOLIDS DEWATERING PROJECT,**



**SUBJECT TO CITY COUNCIL FY 2001-2002 APPROPRIATION, FOR AN AMOUNT NOT TO EXCEED \$148,400; AND DECLARING AN EMERGENCY be posted and come up for second reading on July 3, 2001. Motion seconded by Councilor Parks.**

Councilor Daniels explained that the solids which currently came out of the plant had a high content of water and were hauled out to farmland. This newer process would remove more of the water thereby lessening the amount of trips necessary to haul.

**\*\*Motion passed 6-0.**

Resolution 752 -

City Attorney John Kelley clarified that our volunteers must be covered under workers comp in case of on-the-job accidents. Volunteers are currently used at the Library, Reserve Police, court-ordered juveniles and that amount is estimated over the year. The City County Insurances gives the City a figure for the cost of coverage. Last year it cost the City the following for insurance premiums: Sewer work volunteers \$150.88; Court mandated \$215.28; Boards and Commissions \$35.52; Clerical volunteer (library) \$29.15; and Police Reserves \$368.64, for a total of \$799.47. This year all the departments wanted to continue using volunteers with the exception of the Sewer plant which was not going to have any workers coming from the Community College. Someone could be later added if a volunteer became available. If volunteers are used, they must be insured.

Councilor Parks asked about *ad hoc* matters that came up that take place on City property such as the Community Service Day. Mr. Kelley answered that they would need to carry their own insurance. Mr. Parks foresaw that the upcoming year could potentially see volunteers in the City parks and could those just be added at that time. Mr. Kelley said that the City would need to notify the insurance company, a binder would be sent to the City and we would pay the new amount.

Councilor Blackwell wanted to make sure that this was already a budgeted item and Mr. Adcock stated that this had already been taken into account in the budget.

**\*\*Councilor Daniels moved to adopt Resolution 752, A RESOLUTION AUTHORIZING AND DIRECTING THE CITY RECORDER TO PROVIDE WORKER'S COMPENSATION COVERAGE FOR VOLUNTEER WORKERS, AND REPEALING RESOLUTION 730. Motion was seconded by Councilor Carson.**

Councilor Daniels clarified that Res. 730 was being repealed because the sewer workers were being taken out.

Councilor Carson stated that this money is budgeted because volunteers are needed and without volunteers a lot of work would not get done. Mr. Kelley stated that it was a very cheap source of police coverage.

**\*\*Motion passed 6-0.**

Resolution 756 -

Finance Director Chaunee Seifried stated that there were no changes but in the last week found out that there could be less coming from Canby Utility. Presently, the City was still safe in using the 35-40% increase in utility rates. It would be for nine months instead of twelve so the expense side looked adequate but they were anticipating revenues in the franchise fees to be about \$32,000 less than what the City has budgeted. People are expected to be more conservative which will lower Canby Utility's revenue to the City. She is not asking for anything to be changed but wanted \$32,000 in the contingency fund to be reserved for this possibility. \$67,000 is presently in the contingency at this time.

Administrator Adcock spoke to the wisdom of the Council and the Budget Committee by putting money into contingency.

**\*\* Councilor Daniels moved to adopt Resolution 756, A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS, AND CATEGORIZATION FOR THE 2001-2002 FISCAL YEAR. Motion was seconded by Councilor Johnson.**

Councilor Daniels thanked the current Budget Committee and Finance Director for their dedicated work coming up with a balanced budget. He specifically named the members of the Budget Committee as J.D. Roth, Jeff Robison, Melody Thompson, Harry LeeKwai, Roger Harris, and Dan Drazan complimenting them as one of the better Budget Committees the City has had.

**\*\*Motion passed 6-0.**

**MANAGERS' REPORT:** Letter of Support for City Application to State for Residential Design Standards Project Grant - Planning Director John Williams announced that out of the neighborhood zoning meetings held as a part of the Periodic Review, people were interested in looking at design standards for new residential construction. It didn't fall under the grant that was obtained for this year because it was beyond its scope. This project would benefit from outside professional assistance of architects, landscapers, site planners, etc. In addition, it could be a big project and the planning department is overwhelmed at this time by the Periodic Review process, and to get some assistance would be beneficial.

The State of Oregon has the Transportation Growth Management Program which can fund projects like this and is what has funded the current round of residential zoning work. These are grants that do not require any matching funds from the City. A letter of support has already been obtained from the Planning Commission and an endorsement from the Residential Zoning Task Force and at this time, staff is recommending that the City Council sign a letter of support. The deadline is at the end of June and will know by this summer whether or not it was obtained. The project would then start in Fall, 2001. It would not commit Council to adopt any codes, but rather a project encouraging neighborhood involvement and finding out what people want. If an outside planning consultant could contribute some of those hours, it would be a tremendous help to the Planning Department.

**\*\*Councilor Daniels moved to take staff recommendation that the City Council sign the letter of support for the attached memo which is the grant for the State of Oregon program**

**for funding the residential design standard project as part of our periodic review. The motion was seconded by Councilor Carson and passed 6-0.**

ODOT Fund Exchange Program - Administrator Mark Adcock referred Council to the supplemental agenda information that had been given to Council in response to information received from the League of Oregon Cities. Attached was a memorandum from Curt McLeod City Engineer about a program to replace the ODOT Fund Exchange Program. The program would be offered to those cities who were eligible for the ODOT STP program and would be offered and administered by the League from Tri-Met through an arrangement made between them. If Canby is to participate, the League needs to know by July 1, 2001.

The exchange rate is different on this program. On the North Ivy Street project, the exchange rate with ODOT was \$94 per \$100 of federal allocation, whereas this exchange rate is \$92. Mr. McLeod's report is urging that this contract be approved and forward on to the League for continued participation.

Councilor Parks stated that he read the report and could see no reason not to enter into the program.

**\*\* Councilor Carson moved to authorize the City Administrator to execute a contract with the League of Oregon Cities to receive ODOT Fund Exchange revenues. Motion was seconded by Councilor Daniels. Motion passed 6-0.**

**CITIZEN INPUT:** Chief of Police Jerry Giger announced his retirement effective August 31, 2001. He has been with the City for 29-1/2 years and is ready to move on to do something else. It has been a wonderful experience and has worked for 7-8 mayors, 6-7 city administrators, and dozens of councilors. He clarified that it was not a forced retirement, it was something that he wanted to do. He was eligible to retire as of last August and has worked an extra year! He will have an annual report to them soon and will have to think about volunteering!

Councilor Johnson expressed that the would be "sorely missed" and Canby Police Department won't be the same without him.

Council President Strong concurred and was sorry to see him leave.

Anna Phillips, Director of the Canby Adult Center thanked the support of the Council in approving the budget, grateful that she won't have "to scramble" this year. She knows it will be a different set of circumstances, knowing that the Budget Committee worked long and hard and that they were under a lot of constraints. She appreciated that fact that they supported the senior citizens and the disabled in the area. The dollars put into the Center really do a lot of good in the community.

Nancy Wilmes a lifelong resident of Canby, commented on Jerry Giger's announcement of retirement. She has had the pleasure of knowing Jerry since he moved to Canby and remembered when he had his first experience in law enforcement. He has always done an exemplary job and would like the citizens to pay tribute to a fine man.

Mr. Adcock said he was also reaching his thirty year mark and that it is a rarity to find someone in an organization that has the positive attitude, "can do" spirit and the accommodating will that Jerry possesses. In his experience, Jerry ranks right up there and hopes his expertise will remain available to his successor, his community, and this Council. He felt we were losing a tremendous asset to the organization and wanted to publically thank Jerry for all of his hard work and he will be missed.

Councilor Parks pointed out that his asset contribution to the community is not just as a police officer or police chief, but had not been more wholly impressed as with Jerry and his knowledge and appreciation for his love of this City.

#### **COUNCILORS' ISSUES:**

Councilor Johnson requested that there be a letter of commendation to Canine Officer Chris Mead based on the letter received from the City of Oregon City and his involvement in two incidents showing that he went above and beyond.

Councilor Daniels asked of Ron Berg if the reduction of the URD had been discussed in the URD Advisory Committee meeting and Mr. Berg responded that he wanted to address that when the group adjourned to the URD Agency meeting.

Councilor Daniels announced that he had received an invitation to attend a Ford Family Foundation "Institute for Community Building" seminar in Eugene. He was one of 145 councilors, community leaders and city administrators in Oregon to receive an invitation. The Ford Institute makes grants to communities and was started by the family of Roseburg Forest Products and gave away over \$4 million a year. Its goal was to make a difference in the communities by practical building strategies and resources. There were consultants from all over the United States in attendance. "Healthy communities are a place where people can meet their economic, social, physical, and cultural needs; work together for the common good; and participate in creating their future". They also would partner on various grant programs and Mr. Daniels is currently talking with the school and Beth, on park matters. It was a tremendous program and the founder had a great desire to help small communities. Mr. Daniels discovered that he had been nominated for the opportunity to participate in the Institute and had gained much.

Councilor Blackwell commented on Chief Giger's by stating that she had never seen him without a smile and appreciated that quality.

#### **ACTION REVIEW:**

1. Approving the Consent Agenda.
2. Approving Ordinance 1072.
3. Approving Ordinance 1073 for second reading on July 3, 2001.
4. Approving Ordinance 1076 for second reading on July 3, 2001.
5. Adopting Resolution 752.
6. Adopting Resolution 756.
7. Adopting Resolution 757.
8. Approving the request from Asset Development Group to be connected to the City Storm Water Collection System and N. redwood AFD.

9. Appointing Councilor Daniels to approve Accounts Payable year end.
10. Forwarding letter of support for City Application to State for residential Design Standards Project Grant.
11. Executing contract with the League of Oregon Cities for the Fund exchange Program.
12. Arranging for the URD Agency meeting to be held at the Adult Center on June 27, 2001.
13. Arranging for letter of commendation for Officer Chris Mead.

Council President Strong recessed for a short break at 9:28 p.m. and reconvened at 9:38 p.m.

Council President Strong adjourned to an Urban Renewal Agency meeting at 9:39 p.m. and reconvened into the regular session at 10:02 p.m.

**\*\*Councilor Carson moved to go into Executive Session under ORS 192.660 1(d) labor negotiations. Motion seconded by Councilor Johnson and passed 6-0.**

Council President Strong recessed the regular session to the at 10:05 p.m.

Council President Strong reconvened the regular session at 10:51 p.m.

**UNFINISHED BUSINESS:** Status of City Board/Committee Vacancies - Council directed City Administrator Adcock to place committee appointments on the July 3, 2001 Council agenda. It was decided to re-advertise for the Budget Committee as there were no applications presently submitted.

Hometown Hero Awards - Council directed City Administrator Adcock to prepare two awards to be presented on the July 18, 2001 regular session Council meeting.

Council President Strong adjourned the regular session at 11:30 p.m.

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#### EXECUTIVE SESSION JUNE 20, 2001

Present: Council President Shirley Strong, Councilors Corey Parks, Teresa Blackwell, and Randy Carson, City Administrator Mark Adcock, City Attorney John Kelley, Finance Director Chauncey Seifried, David Howell, and Mike Swanson.

Council President Strong called the session to order at 10:09 p.m.

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

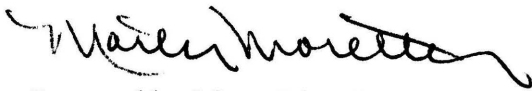
Council President Strong adjourned the session at 10:43 p.m.

Handwritten signature of Chaunee F. Seifried in black ink.

Chaunee F. Seifried  
City Recorder pro tem

Handwritten signature of Terry L. Prince in black ink.

Terry L Prince  
Mayor

Handwritten signature of Marty Moretti in black ink.

Prepared by Marty Moretti  
Office Specialist