

CANBY CITY COUNCIL  
WORKSHOP SESSION  
AUGUST 16, 2000

PRESENT: Council members Walt Daniels, Randy Carson, Terry Prince, Roger Harris, Barry Lucas, and Shirley Strong, City Administrator Mark Adcock, Community Development Director Jerry Pineau, Recreation Services Director Beth Saul, and Aquatics Program Manager Eric Laitinen.

Council President Walt Daniels called the session to order at 6:50 p.m. in the Canby Utility Board Room. A light dinner was served.

The Council discussed the performance measures, programs, and goals of the Canby Swim Center.

Council President Daniels adjourned the session at 7:28 p.m.

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REGULAR SESSION  
AUGUST 16, 2000

Council President Walt Daniels presiding. Council members present Barry Lucas, Roger Harris, Randy Carson, Shirley Strong and Terry Prince. Mayor Scott Taylor absent.

Also present: City Administrator Mark Adcock, Community Development Director Jerry Pineau, Recreation Services Director Beth Saul, Planning Director John Williams, Project Planner Matilda Deas, Susan Wood, Vince Kohler, Leighton Perkins, Buzz Weygandt, Terry Tolls, Craig Lewelling, and Curtis Gottman.

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

**CITIZEN INPUT ON NON-AGENDA ITEMS:** None.

**CONSENT AGENDA:** \*\*Councilor Harris moved to adopt the consent agenda: minutes of the regular meeting and executive session, August 2, 2000; accounts payable in the amount of \$440,732.70; appointments to the Parks & Recreation Advisory Board, General Canby Day Committee, and Budget Committee; and reappointment to the Bike & Pedestrian Committee. Motion seconded by Councilor Prince and passed 6-0.

**COMMUNICATIONS:** None.

**NEW BUSINESS:** Discussion Regarding Zoning Task Force & Information Packet for Real

Estate Community - Administrator Adcock said back in April staff was instructed to prepare information to assist potential property buyers and the real estate community in providing information on the community future plans for infrastructure improvements. Planning Director John Williams was there to discuss the status of that project and also to discuss the notion of a zoning task force as related to the periodic review process. John Williams said the information for realtors was going to be a mailing that went out that realty offices could have to hand out to people who were interested in buying houses in Canby. The problem was it might not get to everyone who was buying a house, but he thought it would help explain about their zoning system and how the zoning on the house now might not necessarily be what was in the City's Comprehensive Plan, it would explain the City's system and mostly direct them to the Planning Department if they had any questions. Councilor Carson asked if he talked to any of the realtors and did they think this was a good idea? Mr. Williams said they were open to it, he thought some would give out the information and some would not. At least it would be available. He thought most people supported the idea of letting homebuyers know what they were getting into.

Mr. Williams said regarding the zoning task force, they were starting one of the important pieces of periodic review, which was to look at zoning. They were working on the Downtown Master Plan, which would look at downtown commercial zoning, and also were working on the zoning in the industrial area. The piece that was not in either of those was residential zoning. They had some grant money from the State, they did the Smart Development Code Audit Phase I last year. They had grant money to do the second phase of that project which was to take the recommendations from Phase I and find out what people around town thought of it. They wanted to set up a task force. They had a Citizen Involvement Committee set up for periodic review, and they were anxious to get into larger and more substantive issues. The group had good representation from the business community, industrial area, City Council members, and Planning Commission members. He recommended that they take that group and start them going on the zoning work. They would start out with the Smart Development Code Audit. Once they were through with the grant money they had from the State, they could do any additional work that was left over or items that were identified that their consultant would not be able to work on. When periodic review was originally designed, they set aside a year to do this work, it was a significant piece. They would start this work in September. Councilor Prince said it was a good group and represented both businesses and regular residents and was an active group, as everyone contributed. The consensus of the Council was to move forward with this process.

## **ORDINANCES & RESOLUTIONS:**

Ordinance No. 1054 - Administrator Adcock said there was a need for the City to have a process that would allow property owners to impinge or encroach upon the public right of way consistent with any kind of building or facade improvements that might take place in the downtown master planning implementation stage. They researched what other cities had done and Jerry Pineau was there for any questions. The ordinance provided an administrative process for the granting of those encroachment permits to facilitate improvements to properties in the City that might require a minor encroachment into the public right of way. It was a revocable permit, which meant that before they went this way with the property owner, the property owner would have a full understanding that it was revocable. If the property owner chose not to have it revocable,

they come to the Council in a public hearing for a vacation of the public right of way, which would make that a permanent vacation.

**\*\*Councilor Harris moved to adopt Ordinance 1054, AN ORDINANCE AMENDING TITLE 12 OF THE CANBY MUNICIPAL CODE BY ADDING A NEW CHAPTER, 12.20, ENCROACHMENT PERMITS; AND DECLARING AN EMERGENCY be posted and come up for final reading on September 6, 2000. Motion seconded by Councilor Lucas.**

Councilor Strong asked if this included all of the property within the city limits, did it include people with shrubbery that ran out into the sidewalk? Administrator Adcock said it included any encroachment within the public right of way, its primary focus was to facilitate downtown improvements, but the way it was worded, it was all-inclusive of encroachments in the public right of way. Jerry Pineau said although they knew there were encroachments out there, it was not their intention to make people come in and get a permit. This was to allow someone in the future to do something, rather than going back to something that already existed. Councilor Strong said this did not include shrubbery that already was growing over into the sidewalks. Administrator Adcock said they would address those problems as the Council and community brought them to the City through code enforcement and try to get some voluntary compliance. They had been successful in doing that in the past. Councilor Prince said the best example of this was the use for brick facade on a building, because the buildings were built right up to the lot line and by adding a brick front to a building downtown, they were actually in violation. He thought this answered some questions they needed for downtown redevelopment. Councilor Daniels said in most cases they were looking at less than a foot. Mr. Pineau said when they took a look around downtown, the most it was was 7 inches, and it had to do more with a gas meter, but the other ones were only 3 to 4 inches. He did not know of anyone who was putting in more than 5 inches maximum.

**The motion passed 6-0 on first reading.**

Resolution No. 739 - Administrator Adcock said the Council had a public hearing at their last meeting on this annexation, and this resolution forwarded the matter to the electorate in the November General Election. They had a Resolution, Notice of City Measure and Explanatory Statement.

**\*\*Councilor Harris moved to adopt Resolution 739, A RESOLUTION AUTHORIZING AND DIRECTING THE CITY RECORDER TO CERTIFY TO THE CLACKAMAS COUNTY CLERK A MEASURE REFERRING TO THE ELECTORATE A PROPOSED ANNEXATION OF 1.7 ACRES DESCRIBED AS TAX LOTS 200 AND 300 OF TAX MAP 3-1E-28DB LOCATED ON THE SOUTH SIDE OF NE 22<sup>ND</sup> AVENUE, BETWEEN N. LOCUST STREET AND N. MAPLE STREET TO THE CITY OF CANBY; AUTHORIZING THE CITY RECORDER TO SEND AN EXPLANATORY STATEMENT FOR THE VOTER'S PAMPHLET; AND DOING ALL OTHER NECESSARY ACTS TO PLACE THE MATTER BEFORE THE VOTERS OF THE CITY OF CANBY FOR THE NOVEMBER 7, 2000, GENERAL ELECTION. Motion**

**seconded by Councilor Carson.**

Councilor Prince wanted the Council to consider putting the votes of the Planning Commission and City Council in the Explanatory Statement. Councilor Lucas thought they decided not to do that. Councilor Prince said they decided on the last annexation not to do it. He thought the electorate should understand how much support there was for the issue they were voting for. He thought they should see that the Planning Commission and City Council were both in support of it by a wide margin. Councilor Harris said he wanted to be consistent, they needed to set a policy that said they would always do it or they would not do it instead of discussing it every time. Personally he was indifferent, but he thought they should have a standard. Councilor Lucas also thought it should be consistent. Councilor Prince thought the more information they gave to the voters the better, and now they were voting on annexations they needed more information. Councilor Daniels wanted staff to check to see if there were any legal implications with adding that information, and then they could be consistent one way or another.

Councilor Harris asked when the deadline was for this measure to get to County. Administrator Adcock said it was September 7, the day after their next Council meeting. Councilor Harris wanted to send it off to the County in case it was sent back or something happened that was unanticipated and they had to correct it on the meeting of September 6. Councilor Strong thought they should leave this one the way it was, but look into it in the future so they did not have this discussion every time. She thought it might be useful information to the voters, but this was ready and she thought they should let it go as it was.

**The motion passed 6-0.**

**UNFINISHED BUSINESS:** Findings, Conclusion, and Final Order for ANN 00-01, Knutson Annexation - Administrator Adcock said this was related to the annexation they just passed on Resolution 739. Staff was requesting that they approve the findings, conclusion, and final order as stated in their report.

**\*\*Councilor Harris moved to approve the findings, conclusion, and final order for ANN 00-01. Motion seconded by Councilor Prince, and passed 6-0.**

**MANAGER'S REPORT:** Update on Downtown Redevelopment Plan - Administrator Adcock said this project was being funded through a TGM grant they applied for last year. Project Planner Matilda Deas was in charge of this project, they made some significant progress, and she was there to bring them up to date. Ms. Deas said things were moving forward rapidly. They did a kick off tour with the task force and had a townhall meeting where the consultants got together with citizens and discussed the upcoming design workshops. The workshops were scheduled in three different series and would be held in the Mangus building. There would be a live feed for OCTS and Mark Seder, of Seder Architects, would be leading the workshops. The first workshops would be the 29, 30, and 31 of August, and they would advertise this both in the newspaper and in mailings. The second set of workshops would be September 12 and 13, and the final one would be September 19. Concurrent with this, they had a marketing piece that was going on. They had a customer survey, were doing interviews with businesses around town,

were conducting a regional and local market analysis, and base maps were being assembled from DEA for mapping downtown. Everything was moving along.

**COUNCILORS' ISSUES:** Councilor Harris said several people approached him to discuss traffic issues in the City. Councilor Daniels was the liaison to the Traffic Safety Committee and Councilor Harris gave him a few suggestions people wanted to be considered. The first was the possibility of a stop sign on N. Elm at NW 2<sup>nd</sup>, because of visibility problems. The second was the intersection of 3<sup>rd</sup> where it curved around in front of the Fairgrounds and crossed the railroad tracks and went into 99E, where Pine connected into it, the possibility of having a stop sign on the street in front of the fair grounds because traffic backed up there and cars coming down Pine had trouble turning left and getting over the railroad tracks. The third was NE 10<sup>th</sup>, the mudpuddles had been in the same places for years, and there were times when people walked down the lane of traffic to avoid them. He thought they could run down the sides of NE 10<sup>th</sup> from Ivy to Pine and level it out so pedestrians could stay off of the road.

Councilor Prince said he was asked from time to time about the traffic signal on 99E when coming in from the industrial park crossing over into the fairgrounds, there was no clear lane distinguished there. The intersection was at an angle and he thought some lines should be painted there or some distinguishing marks put there for citizens to know which side cars were to stay on. He wanted staff to see if there was some way to make the intersection cleaner as far as where the lanes were. Councilor Harris said at the other intersections like Elm and Ivy, they had a left turn signal with a green arrow, and they didn't have something like that at that intersection, which was a hazard. Jerry Pineau said it was an ODOT issue. Councilor Prince said the City could recommend to ODOT that the sight lines at that intersection be cleaned up as far as lane usage going through that intersection.

#### **ACTION REVIEW:**

1. Approving the consent agenda.
2. Bringing back Ordinance 1054 for second reading on September 6, 2000.
3. Forwarding Resolution 739, ANN 00-01, to the County for the November election and listing on a future agenda a discussion about adding information to the ballot language as Councilor Prince requested.
4. Approving the Findings, Conclusion, and Final Order for ANN 00-01.
5. Following up on the list of traffic concerns given by the Council.

Council President Daniels said they still had openings on City committees, and if anyone was interested to please make contact with City Hall. He hoped to see everyone at the County fair.

**There was no executive session.**

Council President Daniels adjourned the regular session at 8:07 p.m.



Chaunee Seifried,  
City Recorder pro tem



Scott Taylor,  
Mayor



Prepared by Susan Wood,  
Office Specialist