

CANBY CITY COUNCIL
WORKSHOP SESSION
SEPTEMBER 6, 2000

PRESENT: Mayor Scott Taylor, Council members Walt Daniels, Randy Carson, Terry Prince, Barry Lucas, and Shirley Strong, City Administrator Mark Adcock, Community Development Director Jerry Pineau, Planning Director John Williams, Planning Commission members Geoff Manley and Corey Parks, Bud Roberts, Matt Grady, Kay Lewelling, Dan Stoller, Craig Lewelling, Lisa Weygandt, Buzz Weygandt and David Howell.

Mayor Taylor called the session to order at 6:12 p.m. in the Council Chambers. A light dinner was served.

The Council and Planning Commission continued their discussion from the joint meeting of August 28, 2000 on the Industrial Area zoning.

Mayor Scott Taylor adjourned the session at 7:10 p.m.

REGULAR SESSION
SEPTEMBER 6, 2000

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

Also present: City Administrator Mark Adcock, Community Development Director Jerry Pineau, Recreation Services Director Beth Saul, Planning Director John Williams, Police Chief Jerry Giger, Police Lt. Kenneth Pagano, Detective Jerry Gustaveson, Sr. Officer Stephen Page, Sgt. Dennis Swanberg, Marty Moretty, David Howell, Bud Roberts, Matt Grady, Kay Lewelling, Dan Stoller, Craig Lewelling Lisa Weygandt, Buzz Weygandt, Bob Root, Nathan Clayton, Joan Seely, Donna Borges, Sam Flaherty, Philip Groelz, Caroline McFarland, Mary Liechty, Allison Hartwell, Patty McMillan, Michaela Carroll and Lila and Curtis Gottman.

Mayor Taylor called the regular session to order at 7:32 p.m., followed by the opening ceremonies.

SPECIAL PRESENTATIONS: Police Chief Jerry Giger and Mayor Taylor presented plaques to Det. Jerry Gustaveson and Sr. Patrol Officer Stephen Page for their many years of dedicated service and a credit to the Canby Police Department. Detective Gustaveson's investigative techniques and style and his ability to close cases are probably second to none in Clackamas County; the District Attorney's Office has spoken highly about the cases he has sent to them. After serving for nineteen years, Officer Gustaveson hopes the City is a better place and he has given his best for that to happen. He's going to take a few months and decide what to do after

his retirement. Officer Page has been with the City for sixteen years and two additional years as a reserve officer. His circumstances are not allowing him to do uniformed police officer work anymore so ultimately he has had to decide that retirement is the best option. He was presented by Chief Giger on behalf of the Police Department with the badge that he first wore as an officer when he was hired.

The Mayor reiterated that this is a great loss of experience considering the amount of combined time that these two officers have given to the City.

PROCLAMATIONS: Patty McMillan, operations manager from Clackamas County C-Com, was present to receive the proclamation for 9-1-1 Awareness Week September 9-17, 2000 from Mayor Taylor. Oregon is one of only six states that has implemented a statewide 9-1-1 system.

Ms. McMillan stated that C-COM dispatch provides emergency 9-1-1 and non-emergency service including law enforcement, fire, and emergency medical to over 200,000 county residents. They dispatch for nine fire departments and five law enforcement agencies and are the first county in the state to implement the enhanced system. Some statistics for Canby are as follows: for law enforcement in 1998 there were 13,988 calls, in 1999 there were 14,223 calls for a 1.6% rise in the number of calls. Out of a total of 375,927 calls, this amounts to a 8.6% total of C-Com's business. For fire enforcement the calls in 1998 were 1,429 calls, and in 1999 the calls were 1,410. She attributes the decrease to better fire prevention awareness and citizen awareness. She hopes that they can only improve their service in the years to come.

Bob Root, American Legion Department of Oregon POW/MIA Chairman, was present to receive the proclamation for the POW/MIA Remembrance Day, September 15, 2000. There will be a ceremony at Zion Memorial Cemetery on September 16, 2000 at 10 a.m. The ceremony is dedicated to Warren E. Newton, Canby's only MIA from the Vietnam War. Terry Prince will be speaking on behalf of the City. He reported that ten aviators' remains in China and three pilots in Italy from WWII were repatriated to the United States recently.

He also thanked the Mayor and City for erecting the two flag poles in front of City Hall so that the POW/MIA flag can be flown 365 days a year. As far as he knows, we were the second city in the state to do this.

CITIZEN INPUT ON NON-AGENDA ITEMS: Allison Hartwell requested street closure of N Juniper just north of Juniper Court and south of 9th for a neighborhood block party from 4 - 7 p.m. on Sunday night, September 10, 2000.

****Councilor Daniels moved to approve the street closure and was seconded by Councilor Prince; the motion passed 5-0.**

The Street and Police Departments will co-ordinate their efforts on the closure.

CONSENT AGENDA: **Councilor Daniels moved to adopt the consent agenda: minutes of the workshop and regular meeting, August 16, 2000; accounts payable in the amount of \$199,838.40; and appointment to the Canby Library Board. Motion seconded by Councilor Strong and passed 5-0.

The Mayor recognized Kriss Carpenter on his acceptance to the position on the Canby Library Board.

COMMUNICATIONS: A Canby Telecommunity Center Update Report was highlighted by Community Development Director Jerry Pineau on behalf of Carol Meeuwsen, Community School Director, who was unable to attend. She has requested to attend the second meeting in October and will give a more detailed report then.

Since the opening, Clackamas Community College has gotten a grant so that now more equipment and programs have been put into the facility and Direct Link has put in lines for more direct access to the laptops. All the patrons of Canby have been sent information about the programs offered by CCC starting September 25, 2000. There are also marketing funds available through the County so the October report will have that information up-to-date.

Overall, all the partners at the telecommunity center are very pleased with what is happening. It has been a learning process and they look at the center as a great asset to the community.

The Mayor commended the Community College, Direct Link and the Canby Community School for all the donations into making the telecommunity center work.

NEW BUSINESS: The Mayor moved on to appointments to the Canby Public Transportation Task Force. The task force will study and give input on the feasibility of having our own bus system. Community Development Director Jerry Pineau reported that the task force will be working on petitioning TriMet to withdraw from their transit district and also to create a public transit or bus plan that is equal to or better than the current bus service. Also, they will work on a shuttle system and develop a Canby Public Transportation Plan. The plan has always been to have a very broad base of participants from the community to be involved and a list of the potential task force members is being considered at this meeting. At this time, there are 24 volunteers who are willing to serve on the task force and they are all anxious to move forward. Donna Borges is the consultant and co-ordinator on this project and has talked to all the potential task force members. Several potential members were introduced in the audience.

Mayor Taylor explained that the Council went to the legislature and testified on this issue. This resulted in a change of legislation to allow this window to withdraw from TriMet. He wanted to clarify if the intent of this task force is to advise the Council whether to go ahead with the withdrawing process or to talk more about how it would look and how it would be run. Jerry Pineau explained that the intent of this task force is to help the Council decide what the transit system should look like. He believes that the decision to go ahead and petition TriMet has already been made so the task force's participation in that portion is to help decide on the information to be included. Filing the petition will happen early in the year 2001 and will take

approximately six months for TriMet to go through their process. The feedback into our process will continue to happen.

Mayor Taylor requested that Mr. Pineau check on any limitations that potential November ballot measures might have on our ability to deal with TriMet in the future. Is there any advantage due to any time lines that might make it advantageous for us to petition TriMet prior to the November elections.

Mr. Pineau stated that the time line that was critical was that we file in the year 2001 and under the statutes, that petition has to be in front of TriMet by August of 2001. So because we cannot withdraw before the year 2001, it does us no good to file any earlier.

****Councilor Daniels moved to appoint all those persons on the enclosed list to the Canby Public Transportation Task Force for the purpose of establishing a Canby Public Transportation Plan. Motion was seconded by Councilor Prince and passed 5-0.**

Mayor Taylor read the names since they will be putting in many hours on behalf of the City. The Mayor requested that at least two additional positions on the task force be held for youth representatives. Jerry Pineau said that they would continue to recruit to try to find youth who would be willing to serve on this task force.

Councilor Lucas requested that the opting out date is definite. He would like the questions to be answered definitively. If someone were to opt out now, TriMet could slightly increase everyone else's rates to make up the difference but after November if this measure passes, TriMet would not have that option and which might make TriMet less willing to allow communities to opt out.

The Mayor again requested that all the information be reconfirmed.

State of Oregon/City of Canby Agreement Grant Program Contract - Mayor Taylor stated that the City had gone forward with this project and has been successful in obtaining the grant. The Budget Committee had put aside the funding in the current budget. There is now an opportunity to buy the portion of the logging road that goes down to the Willamette River and hopefully to obtain more if the opportunity presents itself. The Council was very adamant about trying to pursue the acquisition.

Recreation Services Director Beth Saul was there to give a verbal report on the process required to go forward with the grant and that was to enter into this contract with the State. The request on this agenda is whether or not the Council wants to approve the Mayor's signature on the grant papers so that processing the grant papers can begin by working with the Trust For Public Lands on the acquisition.

Mayor Taylor announced that just prior to the Council meeting, he had met with Sam Hodder from the Trust For Public Lands, Recreation Services Director Beth Saul and City Administrator Mark Adcock to make sure what the next steps were in the process and what the contract signing at this Council meeting accomplished. The contract needs to be signed, then comes the grant

from the State, the Trust for Public Lands then buys the land and finally, the City buys the land from the Trust for Public Lands.

Councilor Daniels inquired how long it would take for state approval. Ms. Saul stated that after the State Parks and Recreation Department receives all of the proper paperwork, the whole process should take about six weeks.

****Councilor Lucas moved to accept the Mayor's signature to the signed copy of the agreement from the State and proceed with the process. Seconded by Councilor Prince and passed 5-0.**

Mayor Taylor complimented the Council for its vision to think that down the road when all the parts are connected, people will be able to go down the path and stand at the river and it will hopefully be connected to a larger network. This has been a great effort by this Council to pass to citizens of the future.

Nathan Clayton of 715 NE 34th Place, Canby, questioned what area this included and if it would then be a pedestrian path only.

The Mayor explained that there were two phases and this process completed the first phase. This phase runs all the way down the logging road to a flat piece of property to the right. This acquisition will include the logging road as well as this additional piece of property. Phase 2 includes three more pieces of property which we are also in the process of trying to secure. If the City is able to acquire all the property, then the discussion will come about what and how the property will be used. For now, there is an easement that would allow for traffic if the three parcels were to be residential.

Mayor Taylor announced the Canby Fun Run sponsored by Canby Telephone and City of Canby would be happening on Saturday, September 30th. There will be a 5k and 10k walk and run and will be a good opportunity to see the trail first hand. In addition, the first 75 participants will receive a free t-shirt.

Also happening that day will be the dedication of the Skate Park. Recreation Services Director Beth Saul introduced Michaela Carroll who described what her vision of what the day will be. Michaela has been a local youth instrumental in seeing that the skate park happened and has worked on the project from its inception.

Michaela is anticipating an orientation and contest sign up at 10:00 a.m. when the younger children or older skaters can skate without the teenagers on the course. At noon, a small skating contest is scheduled with prizes donated from some of the skate shops and other sponsors. Also planned will be food booths, a band and a time for the dignitaries to speak.

Mayor Taylor let her know that the fun run portion of the day will be finished early enough to allow him and available Council to be available by noon.

Councilor Lucas thanked Michaela for staying with the skate park project.

Mayor Taylor wanted to reinforce how important it is to respect the park by overseeing the care by limiting graffiti, garbage bottles, etc.

Michaela let the Council know that a group of youth from Canby have taken it upon themselves to begin to police the area. A skate club through the high school is being formed through the efforts of her sister to help keep the park clean after school and with special projects. There is a "name the park" contest going on at the high school now and a select group of students are involved with that. Perhaps at the festivities on September 30th, five finalists can be selected. The celebration will conclude at dusk.

Ms. Saul distributed the sign that will be posted at the skate park. Mayor Taylor requested that the rules also be in Spanish.

Councilor Daniels announced the route of the fun run will be starting from Trost Elementary School to SE 13th and then on to the logging road path.

Chief Giger let the Council know that the police and parks departments, skaters, and the Traffic Safety Committee are working together and communicating to address the traffic, toilet, parking and garbage concerns at the skate park. He has never seen such a more used facility; the kids are really enjoying it.

ORDINANCES & RESOLUTIONS:

Ordinance No. 1054 -

****Councilor Lucas 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. Motion seconded by Councilor Strong, and passed 5-0 by roll call vote.**

Ordinance No. 1055-

****Councilor Daniels moved to adopt Ordinance 1055, AN ORDINANCE AMENDING CANBY MUNICIPAL CODE 2.56.040 ABOLISHING TERM LIMITS FOR MEMBERS OF THE PARKS AND SWIM CENTER ADVISORY BOARD be posted and come up for final reading on September 20, 2000. Motion seconded by Councilor Strong, and passed 5-0 on first reading.**

Ordinance No.1056 -

****Councilor Lucas moved to adopt Ordinance 1056, AN ORDINANCE AMENDING CANBY MUNICIPAL CODE 2.20.040 ABOLISHING TERM LIMITS FOR MEMBERS OF THE LIBRARY BOARD be posted and come up for final reading on September 20,**

2000. Motion seconded by Councilor Strong and passed 5-0 on first reading.

Resolution No.740 -

****Councilor Lucas moved to adopt Resolution 740, A RESOLUTION AUTHORIZING AND DIRECTING THE CITY RECORDER TO CERTIFY TO THE CLACKAMAS COUNTY CLERK A PROPOSED AMENDMENT TO THE CANBY CITY CHARTER SUBMITTED TO THE VOTERS BY THE COMMON COUNCIL ABOLISHING THE TERM LIMITATION PROVISION FOR CANBY UTILITY BOARD MEMBERS AS SET FORTH IN SECTION 4, CHAPTER X OF THE CITY CHARTER; 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 and passed 5-0.**

City Attorney Kelley pointed out that because this board has its term limits imposed by the City Charter it is necessary to go to a vote of the people with a Charter amendment to abolish the term limits. The material needs to get to the Clackamas County Election Department by September 7, 2000 in order to qualify for the November 7, 2000 ballot.

Councilor Daniels asked if there were any problems with the Utility Board having the term limits removed and Councilor Carson announced that he had spoken with Canby Utility Board Chairman Bob Westcott who had no problem with the amendment.

Resolution No.741 -

****Councilor Prince moved to adopt Resolution 741, A RESOLUTION AMENDING RESOLUTION NO. 567 TO ABOLISH TERM LIMITS FOR MEMBERS OF THE CANBY TRAFFIC SAFETY COMMISSION. Motion seconded by Councilor Daniels and passed 5-0.**

Councilor Carson wanted to make clear it that this was not a change in procedure but only abolishing the number of terms a person was able to serve. There would still be the reappointment process at the end of each term in the same manner as is presently being done.

Councilor Daniels restated that committees will not lose good members who need to go off just because under the old system they could not be reappointed because of term limitation. This assures a committee of being able to reappoint a member as long as the member wished or as long as the committee wished them to serve.

UNFINISHED BUSINESS: None.

MANAGER'S REPORT: None.

COUNCILORS' ISSUES: Councilor Carson reported on the Complete Communities for Clackamas County project town hall meeting will be at Cutsforth's Old Town Hall September 7, 2000 from 7:00 - 9:00 p.m. It is being sponsored by Clackamas County to talk about issues in the community and how to work together to remedy problems. It is also an opportunity to inform the County of the vision work our community has previously done and make sure we're still on track.

ACTION REVIEW:

1. Approving street closure request for block party at N. Juniper on September 10, 2000.
2. Approving the consent agenda and appointment of Kriss Carpenter to Library Board.
3. Approving and authorizing the Mayor to execute the agreement with the State of Oregon on the land acquisition at logging road.
4. Approving appointments to Canby Public Transportation Task Force holding two youth positions open.
5. Approving 2nd reading of Ord.1054.
6. Bringing back Ord.1055 for second reading on September 20, 2000.
7. Bringing back Ord.1056 for second reading on September 20, 2000.
8. Passing Res.740 and referred accompanying ballot language to Elections Department for November 7, 2000 election.
9. Passing Res.741.

****Councilor Daniels moved to go into Executive session under ORS 192.6601(h) pending litigation. Motion seconded by Councilor Prince and passed 5-0.**

Mayor Taylor recessed the regular session at 8:27 p.m.

Mayor Taylor reconvened the regular session and immediately adjourned the session at 8:49 p.m.

**EXECUTIVE SESSION
SEPTEMBER 6, 2000**

Present: Mayor Scott Taylor, Councilors Barry Lucas, Randy Carson, Terry Prince, Shirley Strong and Walt Daniels, City Attorney John Kelley and City Administrator Mark Adcock.

Mayor Taylor called the session to order at 8:35 p.m.

ORS 192.660 1(h) - The Council discussed Faltus vs. City of Canby.

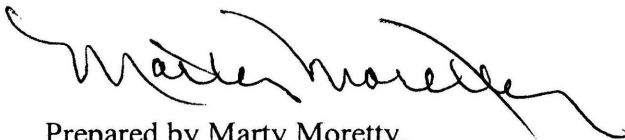
Mayor Taylor adjourned the session at 8:47 p.m.



Chauncey Seifried,
City Recorder pro tem



Walt Daniels,
Council President



Prepared by Marty Moretti,
Office Specialist