

CANBY CITY COUNCIL
REGULAR SESSION
FEBRUARY 2, 2000

Mayor Taylor called the session to order at 6:00 p.m.

****Councilor Harris moved to go into Executive Session under ORS 192.660 1(d) labor negotiations, 1(f) exempt public records, and 1(h) pending litigation. Motion seconded by Councilor Prince, and passed 6-0.**

Mayor Taylor recessed the regular session at 6:02 p.m.

EXECUTIVE SESSION
FEBRUARY 2, 2000

Present: Mayor Scott Taylor, Councilors Barry Lucas, Roger Harris, Randy Carson, Terry Prince, Walt Daniels, and Shirley Strong, City Administrator Mark Adcock, John Kelley, Jerry Pineau, Dirk Borges, Bob Westcott, John Lang, Ron Berg, and Pam Beery.

Mayor Taylor called the session to order at 6:06 p.m.

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

ORS 192.660 1(f) - The Council discussed power purchase and franchise renewal negotiations with Canby Telephone Association.

ORS 192.660 1(h) - The Council discussed McMillan Constructors litigation.

Mayor Taylor adjourned the session at 7:25 p.m.

REGULAR SESSION
FEBRUARY 2, 2000

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

Also present: City Administrator Mark Adcock, Recreation Services Director Beth Saul, Community Development Director Jerry Pineau, City Attorney John Kelley, Police Chief Jerry Giger, Interim City Planner John Williams, Sharon Tramel, Curt McLeod, Kathy Henderson, David Howell, Steven Amick, Craig Finden, Bud Roberts, Ray Hoen, Bob Trappe, Ken Pellett, Andy Mortensen, and Curtis and Lila Gottman.

Mayor Taylor reconvened the regular session at 7:35 p.m., followed by the opening ceremonies.

CITIZEN INPUT ON NON-AGENDA ITEMS: Bud Roberts, who represented some of the industrial area property owners, had a concern regarding the alignment of the parkway as it went along Walnut Street which was not set and would not be set even after they approved the Transportation System Plan and establish where the road was going to be. He said there was concern from the property owners on both sides of Walnut, the City being the owner on the west side, and several landowners on the east side of Walnut. His request was to ask the Council to refrain from selling any cemetery plots within a 100' of Walnut until it was established.

Mayor Taylor asked the Council if they were willing to discuss this issue tonight.

Councilor Prince said there was an issue regarding future expansion of the mausoleum which would be on the east side of the existing mausoleum.

Mayor Taylor wanted to make sure he understood what Mr. Roberts was asking. While they were doing the planning and figuring where everything was going to go, he wanted the City to refrain from selling any cemetery plots that would lock that in.

Councilor Lucas said since the cemetery was contracted out, the City should have a discussion with that person. Councilor Strong felt since the City contracted out the cemetery, this was not something they should decide on tonight.

Mayor Taylor said they would put this item on the next agenda and bring the person that manages the cemetery back to the Council.

Bud Roberts explained he had already spoken with Ken Robinson who managed the cemetery and he was the one who suggested for him to come and speak to the Council. Ken Robinson was

the one that told him that there was no cemetery plots sold within 200' of Walnut at this time.

PRESENTATION: Presentation from Kathy Henderson Reg: Completion of Gateway Project, Continued from January 19, 2000 - Kathy Henderson, representing Canby Business

Revitalization, was there this evening to talk about the Gateway Project which incorporated the bank at 4th Quarter and also the entry way to Canby Square. She displayed some designs boards which represented the approved design for the Gateway Project in which the Council saw in early Fall. The designs were the product of CIDA with the help of Bruce Powers on the project who did a great job.

She explained in their packet there was a financial breakdown and who the major players were on the project. She said they had received some instruction from the landscape architect and the landscapers regarding the project and they sent a breakdown of the maintenance issues and what they needed to care for the project for over the next year or two. She explained they had a watering system called the water rise program which did not involve constant irrigation. She explained for the first two years the plants would need some tender care. At the initial meeting when they started the project, the Parks Department did an assessment on the maintenance and Council had agreed to maintain the project. Hank Jarboe consented to maintaining the 4th Quarter side of the project which was very generous

Ms. Henderson mentioned some of the dollars that were committed toward the project, including a grant from Mt. Hood Economic Alliance, cash contributions from the City of Canby, Canby Square property owners, and from Hank Jarboe. She said because the City of Canby had agreed to maintain the project which was on ODOT property, IPM who was property management firm worked with the owners at the Canby Square site, committed an additional amount which was on the breakdown. She said included in the in-kind services was some work done by Clackamas County Department of Corrections, in-kind dollars from the City of Canby, Canby Business Revitalization, and the Chamber of Commerce. There was also a contribution from Pacific Rock for the rock wall that was donated along with irrigation rock that was located in the middle of the Canby Square project.

She said they would be working with their design team regarding the amenities for the project which might include flags, flag poles, etc. She said anybody in the community that might want to be a part of this could help them make decisions regarding the types of flags, flag poles, banners, signs, etc. She explained because the Parks Department was committed to maintain this project, she asked Council to direct Beth Saul or Jeff Snyder to be part of that process as they looked toward the amenities.

Kathy Henderson publicly thanked the City of Canby and Council for their commitment to the project, Roy Hester, Jerry Pineau, and Mark Adcock for all their help on the project for their cooperativeness, and especially Marty Moretty at City Hall for taking care of the financial end of the project. She thanked the property owners and participants on the project, Hank Jarboe for his financial contribution and commitment to the maintenance on the project, and Kathy Breshears

who worked for IPM which was the property management firm for Canby Square. She also wanted to thank the Canby Square property owners for their cash contributions, Bruce Powers at CIDA for their designs and extra help, Dave Lampe at Pacific Rock for the rock contribution, and John Gonzalez from Gonzalez Gardening, and Mount Hood Economic Alliance who continues to contribute to the community and many more in Clackamas and Hood River counties, and to the many volunteers that helped make decisions. A special thanks went to the property owners that were in the economic improvement district. She wanted to have involvement and input from the community regarding these special projects.

Mayor Taylor thanked Kathy Henderson for the work she put into this.

Councilor Strong originally thought there was talk about having greenery in the parking lot. Kathy Henderson said that Canby Square was private property and the property management firm did do some research with the same company that produced these documents outside of the project. She had a conversation with Kathy Breshears and Bruce Powers from CIDA who said they worked up some conceptual designs for the landscaping inside the Canby Square Plaza which was outside the scope of this particular project.

Councilor Daniels appreciated Kathy Henderson's leadership in this project. He asked since she was going to be changing hats, would she be involved in the project until it was completed. Kathy Henderson said the project would be completed but she was not sure she would be leading it to the end. She explained the majority of the project was complete.

CONSENT AGENDA: **Councilor Daniels moved to adopt the consent agenda: minutes of the regular meeting and executive session, January 19, 2000; accounts payable in the amount of \$188,222.60; and Steps for Life Walk. Motion seconded by Councilor Prince.

Councilor Daniels explained the Steps for Life Walk was a two-mile walk that was done on city streets put on by the Crisis Pregnancy Center.

Motion to adopt the consent agenda passed 6-0.

Mayor Taylor opened the public hearing at 7:53 p.m.

Mayor Taylor explained the public hearing criteria.

PUBLIC HEARING: Transportation Systems Plan -

STAFF REPORT: John Williams said the Transportation Systems Plan had been going on for some time. He explained this was a Comprehensive Plan and a text amendment which was a legislative action by the City to add design standards and elements to the Comprehensive Plan and the Municipal Code.

John Williams wanted to briefly go through the entire content of the plan. He explained their intent tonight was to introduce the plan, give the background, and open the public hearing and get a sense of the comments. He said the recommendation was for approval but it did not have to happen this evening.

He explained there were six main elements to the plan and appendix. Chapter One had a summary of existing conditions on Canby streets, Chapter Two discussed some of the short term improvements and maintenance programs that were needed, Chapter 3 discussed long term alternatives, Chapter 4 was the heart of the plan which consisted of discussions of all the modes of transportation in Canby, the auto, bike and pedestrian trail, brief discussions of pipeline, public transportation, and extensive discussions of individual street projects. There were maps showing where projects were going to be in the next twenty years, what the classifications of various streets were going to be, and where there would be bike lanes and sidewalk projects. He explained Chapter 5 was the finance plan which included two spreadsheets that showed what the projects were going to be that they were planning for. The chapter also included a fairly detailed discussion of funding options, various ways of paying for transportation projects, etc. He explained the City currently used system development charges and the projects that were identified in the spreadsheets came up to a new amount of money, so they would need to be revisiting the finance plan and system development charges. What Staff wanted to do was to come back at a later date with a more detailed discussion about SDC's. Chapter 6 discussed compliance with the State's Transportation Planning Rule. This addressed what the State's requirements were for these types of plans and how this plan met those requirements.

John Williams briefly went over the appendices that were included in the plan. He said Appendix D were code changes that were very specific and recommended. Appendix G was the Access Management Standard which was a collaborative effort between the City, State, and various property owners. The policies that were arrived at were groundbreaking in many ways.

Andy Mortensen said the first Transportation Systems Plan was back in 1994. He explained the previous City Planner and Administrator from one year ago brought him back on board to bring the City's document to a new standard, one that was provided for in house regular maintenance and update. He went on to say the first six months of 1999, his firm helped document and re document the TSP which included a couple of important components. One was bringing the costs that were used to estimate the original 1994 project list up to a 1999 current dollar estimate. The second one was the original street standards that were suggested for adoption back in the mid 90's was really suggested only for new street construction. They also included the redefinition of what separated out a neighborhood connector from just a global definition of a local street.

Andy Mortensen said they provided a lot more flexibility in the street standards for recognition of existing investments. The third piece was they needed to leave the documentation behind with City Staff so they would be able to do regular maintenance on the plan.

Councilor Prince said it was going to be a challenge in the next year or so deciding how to bring in bike lanes to streets that traditionally had on street parking on both sides of the street. He said two of the biggest examples were Ivy Street and Township Road. He asked how did this plan address that.

Andy Mortensen said instead of leaving them with a construction standard that stated if you were on an arterial or collector, you had to have a bicycle lane. Some section of roads, you could not, without a significant amount of public cost, come back and restructure those to accommodate some bike lanes in certain areas. He said maybe from a policy perspective they would want to have bike lanes on some of those facilities, but often those were the streets that were developed in the 40's, 50's, and 60's where bike lanes were not visioned. He said there would be a number of projects that would be volatile.

Councilor Daniels said several years ago they had an agency come in and survey the streets and determine which ones needed to be repaired, etc. He asked if this was encompassed in this plan. Mr. Mortensen said what they had done was to update it since 1994 based on the Winchell Survey of the pavement condition. When they originally crafted the 1994 draft plan, they did an exhausted Winchell Survey on all of the streets to get a visual survey of what the street pavement condition was and identified those that they felt were top, middle, and low priority for ongoing maintenance which were the things they needed to update every five years.

John Williams said there was a technical advisory committee that worked on this which consisted of State Representatives, City Staff, and representatives from the Bike and Pedestrian committee. He explained the Transportation System Plan was both a Comprehensive Plan amendment and a Municipal Code text amendment. He explained this was one of the elements of Periodic Review and these changes would meet State requirements.

He explained there were five criteria they would be basing their decision on. The first was to consider the remainder of the Comprehensive Plan of the City and the plans and policies of the county, state, and local districts in order to preserve functions and local aspects of land conservation and development. The second criterion was a public need for the change. The third being whether the proposed change would serve the public needs better than any other change. The fourth was whether the change would preserve and protect the health, safety and general welfare of the residents in the community. The fifth would be statewide planning goals. The Staff response to the criteria was the plan represented the end of a lot of work by a lot of different people around town, and it would best preserve safety, health, and welfare in Canby and by planning and providing financing mechanisms for this twenty-year plan, they were meeting the desires of the citizens and providing the safest transportation system they could. Their recommendation was for approval of this land use application and adoption of an ordinance which he included in draft form. He said included in the Council's packet was a draft ordinance and several exhibits to the Staff report which summarized various comments that had been recently made. There were also four options at the end of the Staff report. One was approving the Transportation Systems Plan, the second was to approve the Transportation Systems Plan

with significant conditions or modifications, the third was to send it back to the Planning Commission or Technical Advisory Committee for further review, and the fourth would be to deny the Transportation Systems Plan outright.

Mayor Taylor asked when the Council received this big document, by adopting the plan would they also adopt a budget? John Williams said his understanding was they would be adopting a general plan. What they tried to do was make their best guess at what the cost and projects would be over the next twenty years. The intent of the State requirements of the local plan was to make a reasonable guess as to the growth that was going to happen, the projects they needed, the cost of those projects, and a way to finance them. He said they would have the freedom to change project costs as they happened and it would not require a Comp Plan amendment.

Andy Mortensen said the statewide planning goals did not require a jurisdiction of this size to have a financially constrained plan to the sense that they would be looking at a concurrency policy that said if they did not pay for those projects they would have to stop development that caused them from happening. He explained the statewide goals did not go that far for a community of our size.

Councilor Prince added this was what they would be basing the system development charges on as they updated the plan.

John Williams said after they finished periodic review, the State would require them to do a check to see if this still made sense.

Curt McLeod said his role, for example, was how they were going to cut across someone's property with the street that had to be built. He said this was not a major financial undertaking for the City, it was only identifying what needed to be done and who was responsible for the cost. He said they did add a few streets to the plan that were deteriorating. His task on this were the specifics. He wanted a general overview on what the standards should be and an overview on what different streets were categorized as. His job was to bring in the physical constraints that they were aware of plus knowing some of the huge tasks that were involved in changing some of the developments they had. What they had done was to take the task list and looked at what was in the field, what had already been built, and looked at the standards that had been applied in the last fifteen years to try and make them consistent. He said they specifically looked at each street to say what standard they had been applying and modify the criteria, then try to resolve the conflicts that came out of that process.

He said they still had a couple of conflicts which were streets that were built 40' curb to curb and when they had a new plan that identified what streets were a three lane arterial, 40' was very difficult to make three lanes work. The given criteria would be having bike lanes at 6' and having them on all collectors and arterials, having travel lanes at 12', and if there was room for parking. Those criteria would not fit in a three-lane section. He explained in the standards, there was a three lane arterial adequacy standard that tried to fit a 40' street into that mold which

compromised the standards for both bike lanes and travel lanes. The Traffic Safety Committee wanted travel lanes at 11.5' minimum and they were able to do that in the majority of applications. As far as parking went, they would go below a 11.5' travel lane and would go down to a 11' travel lane. For a three lane arterial the travel lanes would be 10.5' and the bike lanes would be 4' and neither one of those met the standards. That would need to be a decision the Council would need to discuss or consider some alternative ways whether they had a separate detached bike lane, not to have a three-lane section, or just to widen the street. He said there were only two locations where that would apply. Most three lane adequacy standard was a 40' section which would allow them to have 5' bike lanes and 11' , 12', 11' and two 5' bike lanes. The two locations where it would almost be an impossible task of making it work would be Knights Bridge Road which was 40' curb to curb and to just go in and rebuild it would be a huge task and a huge dollar amount. The second would be 13th and Berg Parkway, the stretch from First Street going west had been built at 40' so it was built up past the high school.

Ray Hoen, who resided at 309 SE 1st, asked if this 300-page document was in front of Clackamas County or was Clackamas County's program integrated with the City's?

Curt McLeod said the Comp Plan identified the urban growth boundary for Canby and all of that area within the urban growth boundary was under the cities planning window, so if Clackamas County had agreements with the City and continued to do so, as they grew they would identify the design standards for streets in the County and after development a lot of time they took over the streets and would become City streets. The County would only be acknowledging the plan and knowing what the City's long term plans would be regarding their streets.

Andy Mortensen said the County served on the technical committee in the beginning and in the updates. He explained the County had been regularly participating with the City in the review of the technical development.

Mayor Taylor said because of the size of this document and the limited number of copies available, where could someone get a copy. John Williams explained there was a copy at the library, a checkout copy in the Planning Department, and also copies could be made if someone came in.

Lila Gottman, Chairman of the Bike and Ped Committee, said the committee had issues regarding the width of bike lanes and sidewalks in relation to the fact those travel lanes were 12'. They felt that 12' travel lanes would not give them the livability they were striving for. The other issue was the plan did not identify bike lanes on 99E. They felt as a commuting segment that needed to be in there. She explained they were working on a multi use path that was going to be on the north side of the railroad tracks but as far as a commuter from Aurora or Oregon City, the path would not be convenient for them, they would still need to have bike lanes on 99E. The State would be willing to stripe them. Another issue was the values the Council saw before them for cross sections of the roads were larger for the travel lanes then what the committee agreed upon and the entire tone of the committee was to have an overall newer right of way than what

they were seeing. She said as a member of the Access Management Committee they needed to pass this document in its entirety.

Mayor Taylor asked Lila what size the travel lanes should be. She thought 10' travel lanes would be adequate. Mayor Taylor asked if 99E through town was wide enough to accommodate the shoulders, a 6' bike lane, and the travel lanes. Lila Gottman said individuals from the State had already come out and took a look at it and said they could do it.

Councilor Harris said since it was a State highway, did they have control over whether it got striped. He asked what the process was going to be. Lila Gottman said they would need to identify that element in the transportation plan. She said the actual act of putting the stripes on the street, her understanding was the next time the street was repainted, they would shift the paint so that it would be in the middle of the highway. She stated all of the traffic was on the south of the highway and they had a really wide shoulder on the north side. Their feeling was that if they could shift it about half a lane, they would have brand new pavement for cars, be able to put in 6' bike lanes, narrow the center lane by approximately a foot, or narrowing the travel lanes by a foot.

Curt McLeod said they had been working with ODOT for a long time regarding bike paths down the highway. The reason they had not formally said they would not be doing bike paths were because the City had not adopted a transportation plan. Once they adopt a plan showing bike lanes down the highway, ODOT would have to figure out how to put them there. Their approach was to leave the bike lanes in the plan and take the actual allocation of the highway out of the City's hands.

Bud Roberts, representing the industrial area property owners, said Staff had been very good about listening as they brought up issues. He said the flexibility of the text needed to govern because the exhibits did not match the industrial area master plans as they moved forward in developing the streets within the industrial park.

Mayor Taylor said the text was more flexible than the schematics.

Ken Pellett, representing Millars Hiway Tire Factory, explained that he was on the Citizens Advisory Committee for the 99E access management. He said it had been a long haul with ODOT and the City. He said they had quite a few meetings within the last few years and stated it had been difficult trying to pin them down as to what was going to happen and how they were going to achieve what they really wanted out of the plan. He read a portion of a letter he had received from Kay Van Sickle which was in the document.

He explained what it boiled down to was there were quite a few small lots downtown that were on 99E and there were quite a few things that could trigger a site and systems review. If you changed the use or various other things, you would be subject to these criteria for the access.

He read a statement from the document which they collectively came up with that read development access management policies would preserve the integrity of Highway 99E and enhance the operations and safety while also preserving the City of Canby's economic development potential and maintaining existing business interest. He had a concern regarding this document because he said at one point in time they were kind of being pushed into a different designation of an urban business area and they felt they had something better than that through the meeting they had. He then read a portion of the document that said where the right of access exists, access would be allowed to a property at less than minor deviation limits if the Oregon Highway Plan Division 50 Deviation approval of criteria was met. He did not know what that meant.

Mayor Taylor said they needed to know what Oregon Highway Plan Division 50 Deviation was.

Andy Mortensen explained if there was a recognized extreme safety hazard area, that is what the criteria addressed. He said that would need to be included so it would be more clear.

Mayor Taylor closed the public hearing at 8:53 p.m.

Mayor Taylor said there were still some discussions going on. There were no time lines that said at the next meeting they had to have a resolution, and there were some corrections and additions that had been noted tonight, so they wanted Staff to come back to the Council and tell them when they might be at a place where they have resolved some of the other issues.

John Williams asked the Council if they had any issues they could work on at the same time to bring back to them.

Councilor Harris asked what the numbers meant on Table A2, page 101, referring to un signalized reserve capacity. Andy Mortensen said on un signalized intersections, rather than the average stop delay through a signal phasing, they were talking about how many gaps were in the main street of traffic flow did they see throughout an hour for people to either make a left or right turn.

Councilor Harris said regarding the bike lanes on Highway 99E, often they had a document like this transportation plan where a lot of people would be involved, but it gets approved, and generally the public would not see any immediate effect that gets them upset. He went on to say things like bike lanes were a volatile issue.

Mayor Taylor said to David Howell, who was there representing the newspaper, that this would be one of those topical areas where they should highlight the volatile areas, and give the public the opportunity to come and give the Council their thoughts and ideas.

Councilor Lucas said this would be a great idea. He wanted those people to step forward before the stripes went on the streets.

Mayor Taylor said as they looked through this plan, they might be able to highlight some of the areas that they knew from past experience would be controversial and have something put in the newspaper.

Mayor Taylor wanted a one page informational sheet highlighting the key, non technical decisions.

Councilor Daniels said they got into some controversial discussions regarding changing lane widths by Trost School. He asked if there had been any discussions with the Fire Department regarding changing lane widths.

John Williams said his understanding was that the widths were acceptable by the Fire Department.

Councilor Prince said there were some concerns regarding turning trucks traveling on 10' travel lanes, because they would be going into the bike lanes.

John Williams said they wanted to get the Access Management Plan adopted soon because the State would be adopting rules.

Andy Mortensen said they should not hold up the entire TSP, but perhaps adopt portions of the plan.

John Williams said this had already been approved by the Planning Commission by a 5-1 vote.

Mayor Taylor said Staff would come back and tell them if they needed to move faster, and would try to work up a little notice to mail out to people, and then there would be one more public hearing, possibly two and then they would be ready to take some sort of action.

****Councilor Harris moved to continue the public hearing to February 16. Motion seconded by Councilor Daniels, and passed 6-0.**

COMMUNICATIONS: Mayor Taylor said there was some communication from Beth Saul regarding a citizen who had donated some money to the library. Beth Saul said they had received a very generous donation from Bob Trappe which enabled the library to buy some very needed materials.

Mayor Taylor said it was important for people to know there were a variety of citizens who donated money to various things. He thanked Mr. Trappe for his donation.

NEW BUSINESS: None

ORDINANCES & RESOLUTIONS: None

UNFINISHED BUSINESS: None

MANAGER'S REPORT: City's Emergency Operations Plan - Mr. Adcock wanted the Council to reconsider a date for a workshop with the Police Chief regarding the Emergency Management Plan. The Council decided on March 15, 6:00 p.m. at the Fire Department.

COUNCILORS' ISSUES: Mayor Taylor said the Historical Society wanted to meet with the Council briefly to update them on what they were doing. The Council agreed to March 1, 6:30 p.m.

Mayor Taylor stated there was a delay in the Redwood Street signalization. The work was going to begin in August and would finish in October. He stated they had been working with the organization for approximately two years and they had just now picked this date.

Mayor Taylor said he had met with the School District and they set a date for March 30 where they would be kicking off the Children's Summit.

ACTION REVIEW:

1. Invite to the next Council meeting the individual who takes care of the cemetery to address Mr. Roberts' concern regarding the future alignment of Sequoia and the issue of selling cemetery lots in that area.
2. Continue the TSP public hearing to the meeting on February 16 and bring back documentation addressing the various issues that were outlined this evening relating to the Traffic Systems Plan and prepare the issues paper for the Council's consideration.
3. There will be a workshop on March 15, 6:00 p.m. at the Fire Department regarding the Emergency Operations Plan.

Mayor Taylor adjourned the regular session at 9:20 p.m.

Chaunee F. Seifried

Chaunee Seifried,
City Recorder pro tem

Scott Taylor

Scott Taylor,
Mayor

Sharon Tramel

Prepared by Sharon Tramel,
Office Specialist