

CANBY CITY COUNCIL
WORKSHOP SESSION
FEBRUARY 16, 2000

Council President Walt Daniels called the session to order at 6:10 p.m. A light dinner was served.

PRESENT: Council members Terry Prince, Barry Lucas, Shirley Strong, Randy Carson, Walt Daniels, and Roger Harris, City Administrator Mark Adcock, Community Development Director Jerry Pineau, City Engineer Curt McLeod, Emma Campbell, Betty Ramey, Doris Robertson, Elsie Wilson, George and Donna Douglass, Doretta Schrock, Curtis and Lila Gottman, Gary and Donna Patton, David Howell, Derek and Tandy Bliss, and Mel Moss.

The Council discussed N. Ivy Street reconstruction.

Council President Daniels adjourned the workshop session at 7:20 p.m.

REGULAR SESSION
FEBRUARY 16, 2000

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

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, Susan Wood, David Howell, Bud Roberts, Leighton Perkins, Robert Root, Lyle Hilley, Keith Stewart, David Dalley, Phil Dalley, Terry Tolls, Craig Lewelling, and Curtis and Lila Gottman.

Council President Daniels called the regular session to order at 7:30 p.m., followed by the opening ceremonies.

Council President Daniels said the Mayor would be joining them shortly, he was flying into Portland that evening.

CITIZEN INPUT ON NON-AGENDA ITEMS: None.

SPECIAL PRESENTATION: Swearing-In of New Police Officer - Police Chief Jerry Giger said they had a new member of the Police force which finally filled all the vacancies left by

Lieutenant Jim Scharmota who retired last October. That person was Lisa Panoff. She came from the Tigard Police Department where she worked for 18 months and was very active in their department and came to the City of Canby as a lateral transfer officer. She had a Bachelor's degree, and was working on her Master's degree, and she also spoke Russian.

Judge Henricksen was glad to present to the Council the newest member of the Canby Police Department, Lisa Panoff. He welcomed her to the community as a member of what he considered to be the finest police force in the State of Oregon and more than likely in the western United States. Ms. Panoff took the oath of office. Council President Daniels presented Ms. Panoff with her Police Badge.

Chief Giger said when they hired a lateral transfer officer, they had already been through the Police Academy and all of the basic training required by the State, so the ability for this type of officer to get out on their own was much quicker.

CONSENT AGENDA: **Councilor Harris moved to adopt the consent agenda: minutes of the executive session, January 26, 2000; regular meeting and executive session, February 2, 2000; accounts payable in the amount of \$236,695.16; liquor license annual renewals; liquor license change of ownership for Fisher's Old Fashioned Meats; fireworks booth for ER Youth Ministries; and Budget Committee appointment. Motion seconded by Councilor Prince.

Councilor Harris said regarding the liquor license annual renewals, the Council made a recommendation to the OLCC regarding those establishments in town that were licensed to serve alcohol. They did this each year, and if there were any complaints about an establishment or there were concerns about giving them that authorization, this was the time they discussed it. They were also appointing Scott Swanson to the Budget Committee. He welcomed him to that committee.

The motion to adopt the consent agenda passed 6-0.

PROCLAMATION: Iwo Jima Remembrance Day - Walt Daniels read the proclamation which declared February 19, 2000, as Iwo Jima Remembrance Day. Bob Root accepted the proclamation. He said everyone was welcome to the ceremony on Saturday morning.

PUBLIC HEARING: Continued Hearing on Transportation Systems Plan -

Council President Daniels opened the public hearing at 7:40 p.m. He said this was continued from the last Council meeting, and they would take testimony that night and make a final decision on March 15, 2000.

STAFF REPORT: Interim Planning Director John Williams said the memo he wrote to the Council about the Transportation System Plan did adjust the Industrial area, but it stated that

details of the street alignments, street widths, etc. in the area were set separately which left the Industrial area very flexible for whatever development occurred there. There were a number of issues outstanding which were covered in the memo. He was not planning on going over them that night, but if they had any questions, he was there to answer them.

Lila Gottman from the Bike and Ped Committee said she sent out a request to about 50 different individuals from across the State and nation to give them feedback on what they had done in their cities regarding travel lane widths and sidewalk widths. She passed out a copy of the letter that was sent. Someone from the City of Albany had a slide show presentation about what Albany did with their streets and how it affected their livability. She would like the Council to view that slide show.

Councilor Lucas said this was a big issue, and should be addressed the sooner the better. Staff would coordinate to have the slide show at the time of the N. Ivy Street Town Hall meeting.

Council President Daniels closed the public hearing at 7:45 p.m. and continued it to March 15, 2000.

COMMUNICATIONS: Councilor Daniels said they received a Clackamas Community College Community Profile which gave the enrollment at Clackamas Community College of 27,725 students and about 1,699 of those were from Canby. It was interesting to see how they were represented at Clackamas Community College.

Councilor Lucas said they received a letter regarding a citizen whose car was towed. Councilor Lucas wanted to know what towing companies the City used and how the company decided where the cars were towed to. Councilor Harris said this was on private property and was not towed by the City. Police Chief Jerry Giger said for a two and a half year period they used Tow Services which was a contract service for all of the government agencies that required a lot of towing. They rotated their tows with different businesses in Clackamas County. They did not use that service anymore, they now had a contract with M & M Towing.

Councilor Lucas asked if they had anything to say about their fees? Chief Giger said every year when their contract came up, they checked with other towing agencies regarding their fees. They could not regulate their fees because they were private companies. Councilor Lucas thought they were overcharging for towing. Chief Giger explained that over the last two years, they had seen the towing costs go up about 40%. Councilor Lucas was going to take the bill and show it to some local people to find out if it was an appropriate fee.

Councilor Harris said in this instance, this person went to a concert at the Fine Arts Center and parked in front of a business that was near the Center where they had a sign in the window that said parking was for customers only. That was private property not owned by that business, they were leasing the space, was it legitimate for the business to put a sign like that up and enforce it by towing cars? John Kelley said yes, that was allowable. The City had no control over it, but

the business owners controlled the area in front of their business.

NEW BUSINESS: Township Road Update - City Engineer Curt McLeod said they were approaching the time when they were going to be paving Township. They poured a lot of sidewalks and curbs within the last two weeks and were down to where they would be pouring driveways and finishing landscaping. One thing they needed to discuss was what they wanted to do with that street. They built a 44 foot street and he brought an example of options they could do regarding striping the street. This street was designated as a three lane collector and was triggered by traffic load, so when the traffic counts went up, they would convert it to three lane. Currently they designed it as a two lane. It would be a two lane street with six foot bike lanes and parking on one side. The utility reconstruction had been substantial through the winter, and now they were back to doing the street work. There were two properties they did not do because they could not secure dedications from them. They pulled the curb out to miss those properties, which coincided with what they did on the other side of the street to save the trees. It would function nicely as a speed control mechanism and there would be no parking in that stretch. They also made improvements on Pine Street. There would be a surface lift between Third Avenue and Township Road on Pine Street which should clean up all of those streets.

Mayor Taylor arrived at 8:00 p.m.

Councilor Lucas asked if they were going to stripe the two lanes, bike lanes, and parking on one side of the street? Mr. McLeod said their directions right now were to only stripe a center line, and that stripe would fit for future striping of parking on one side, bike lanes, and two travel lanes.

Councilor Lucas asked when the decision to go to a turn lane and no parking would be? Mr. McLeod said that was for some time in the future.

Councilor Strong asked how wide the travel lanes would be? Mr. McLeod said they would have a 5 foot bike lane on each side, 11 foot travel lanes, a 12 foot turn lane, and no parking. Councilor Strong said with the parking on one side, how wide were the travel lanes? Mr. McLeod said they would be 12 foot travel lanes, 6 foot bike lanes, and one 8 foot parking lane. There were some areas that would be hard to change into three lanes later and some areas would be very tight and push the standards to the limit.

Councilor Strong said she was concerned about truck traffic on that street.

Councilor Daniels asked how soon Mr. McLeod needed a decision? Mr. McLeod said they could stripe it the way the Council wanted anytime, it would be at least a month before they came back for final lift.

Councilor Lucas said it would be nice to prevent restriping. He wanted to make the decision before that. Mr. McLeod suggested the layout of the road as 6 foot bike lanes and 12 foot travel

lanes throughout the whole stretch, and parking that started and stopped, stopping where the road was necked down.

Councilor Daniels said the Council agreed with the layout of the street as suggested with parking on the north side of the street.

Mayor Taylor asked if they talked with everyone about this? Mr. McLeod said they had talked with everyone, and they were all aware of it. Everyone was nervous about converting the street to three lane, however. That was an issue that would need community involvement when it came time to do that. This plan was compatible with what citizens had been told from day one.

Mr. McLeod said they were only going to stripe the center line. Was the Council's direction to stripe the bike lanes and the parking lanes at this time? The Council agreed with striping it all at one time.

ORDINANCES & RESOLUTIONS: None.

UNFINISHED BUSINESS: None.

MANAGER'S REPORT: Sale of Cemetery Lots Adjacent to Sequoia Parkway - Jerry Pineau reminded the Council of two issues they needed to decide that night, one regarding N. Ivy Street and the other regarding a Canby Urban Renewal Agency meeting.

Mr. Pineau said Bud Roberts was there to articulate his request regarding Sequoia to share more of the right of way for the parkway going down Walnut Street. Ken Robinson, who currently maintained the cemetery, was there as well. They had a diagram in their packet that showed the area where they would decide whether to sell the plots because Sequoia Parkway may go in there. They needed 68 to 74 feet of right of way in order to meet the criteria. Staff recommended to reserve 40 feet of no-sell space, 100 feet would substantially cut into the cemetery sales. He wanted to make an informal agreement that night with Ken Robinson regarding this issue. The financial impact was a loss of revenue of the land they would reserve for this right of way.

Councilor Prince asked how long the cemetery was along Walnut? Mr. Pineau was not sure, somewhere between 400 to 500 feet.

Bud Roberts, resident of 934 SW Cheltenham Street, Portland, said he picked an arbitrary distance of 100 feet and they were six months from knowing where the road would be. They wanted to make sure no one was buried there so it would be impossible to make a choice. If they could keep from selling those plots until they knew where the road was going, that was all he was asking. He said the problem with 40 feet was they would have to put half the road on one side of the trees and the other half on the other side. If they wanted to put the whole road on one side of the trees, that would take the whole 100 feet. If that was going to be where the road went, the City could get the lost income of the cemetery plots through development.

Ken Robinson said if they went the 100 feet, that would include the backroad there, and would be 60 feet from the new proposed Mausoleum. If they took the whole 100, it would be right on the road. Mayor Taylor asked if he had six months supply of land and sites available that he wouldn't have to sell these particular plots? Mr. Robinson said yes, he did.

Councilor Lucas said if he had that supply, they could put this off. It sounded like the question was did they want to have a cemetery there or not? Councilor Prince said they did have an offer from people living north of the cemetery who would sell the property to the City at commercial rates, but originally the road was going to be on the other side of the cemetery, it was never included in the plan to be part of the cemetery.

Mr. Robinson said they would be losing a lot of money on this property, up to \$800,000. Mayor Taylor said if they had six months, they could think it through and decide. Councilor Lucas said he was willing to put this decision off, but he did not want to give anyone false hopes that he would ever be willing to build a road right there. Councilor Prince said there were many negatives to building a road there. Mayor Taylor said unless they were in a rush to make the decision, it allowed staff and them time to examine all the different options.

Mr. Robinson asked if they wanted to reserve 100 feet or 40 feet? He had a lot of property to sell, but it depended on where the people chose to go.

Councilor Carson wanted to stay at 100 feet right now to give them more options. Councilor Strong said she would not want a road to go there, why were they even discussing it? Mayor Taylor said they were not done yet figuring out where the road was going to go. He wanted to keep as much flexibility in that area as possible. Councilor Lucas said he wanted to allow staff flexibility, but he also did not want Mr. Robinson to lose sales either.

Mayor Taylor asked if it would actually be decided in six months? Jerry Pineau said it might take longer than six months.

Councilor Prince said this was a good source of income, why would they want to take that away from the City? The road was planned to be on the other side, and if they allowed the option of it to go through the cemetery and not on Phase II industrial land, it was inviting it to happen.

Mayor Taylor said they had to decide whether it was a money thing or a value about the cemetery. At some point, they would run out of land and would be living off the maintenance and perpetual care fund. At that time, the profit margin they were talking about ended. Was it because of sentimental and personal reasons that they would not want to sell the cemetery, or was it about economics? If it was strictly economic, they might find a better offer. He thought they were only talking about the economics of it.

Councilor Strong said they contracted this service out and now they were going to change the contract, which was not fair to Mr. Robinson. Mayor Taylor said it was an informal agreement

and Mr. Robinson was involved in the decision.

Councilor Daniels said there were many different scenarios to this problem. He thought they should hold off the 100 feet so they had room to discuss this.

Councilor Harris said he was willing to go with 100 feet with a six month deadline. Mr. Robinson said he could sell other property, but he would hate to lose that many spaces. It was new development, and when you lost that many spaces, that meant they had to develop something else sooner. He suggested they reserve 40 feet.

Councilor Harris retracted his suggestion for 100 feet and wanted to go to 40 feet. Councilor Carson agreed.

Councilor Daniels said if Mr. Robinson came back to them a few months down the road and told them he needed that property, that discussion could take place then. If they did not need it now, why couldn't they set it aside right now and come back to it when it was needed?

Mayor Taylor asked what the number of openings and closings were per month? Mr. Robinson said they might have 35 to 70 in a six month period. Councilor Lucas asked when Mr. Robinson said he would hate to lose the 100 feet, did he mean for six months or permanently? Mr. Robinson said if they were going to build a road there, the whole new development would have to be redone. It would also be way too close to the Mausoleum.

Councilor Harris said it was not just a matter of selling the available spaces, people were picturing the whole cemetery when they decided where their loved ones were to be buried, and then they might go in and put a road there. It would be hard to convince some of the Council that putting a road there was a viable consideration.

Leighton Perkins, resident of 446 S. Walnut, Canby, said this issue was flexible. He thought it was a matter of choice, not a matter of saying where the road was going to go. His son was buried at the cemetery not far from where they were talking about, and he did not want that disturbed either, but they still needed to make that choice. If they took right of way on the other side of the street, it would destroy his business. The well on his property was of value also. They might want to buy the property, whether cemetery property or other property, for this. Some of these things could be discussed. Mayor Taylor said Mr. Perkins was proposing they reserve 40 feet, and Mr. Roberts wanted 70 feet.

Mr. Roberts said the Council had three different roles in this discussion, one as the City Council making decisions on the part of the City, two as the Urban Renewal Agency which would put Sequoia Street together, and three as one of the property owners in the district. He wanted them to keep those roles separate and act as the City Council that night not as the property owner of the cemetery.

Mayor Taylor said staff recommended an informal agreement with Ken Robinson that he hold 40 feet out of sale right now while they decide where the road would go. They heard from the folks in the area, and it sounded like 40 feet fit their needs as well. Councilor Strong said she did not want to hold any of the property for this. Councilor Lucas agreed to hold 40 feet. Councilor Daniels wanted to hold 40 feet. Councilor Harris agreed to hold 40 feet and a six month time line. Councilor Prince did not want to consider holding any property in the cemetery. Councilor Carson wanted to hold 40 feet.

****Councilor Lucas moved to adopt staff recommendation to have a no-sale area in the Zion Memorial Cemetery within 40 feet of the fence along Walnut Street for a period of six months. Motion seconded by Councilor Daniels and passed 4-2, Councilors Prince and Strong opposed.**

Skate Park, Wait Park Restrooms, & 13th Avenue/Ackerman Project Updates - Beth Saul said they had gone out to bid for the Skate Park project. They would be opening the bids on March 3rd, and the work would hopefully start in April and be done in August. Regarding the 13th Avenue Park, they had a first meeting with Walker and Macy. The purpose of the meeting was to go in depth with all the different stakeholder groups. There still seemed to be some confusion on the part of the public that they were only planning what to do with the little City strip of property. They were actually planning the whole complex, including the publicly owned property belonging to the School District. They would be coming back in April for another public meeting and at that meeting they would show several different scenarios that would incorporate different things people would like to see on the site. Mayor Taylor said this complex included Lee School, the Swim Center, Adult Center, Ackerman, all the baseball and soccer fields, and the parking lots. Ms. Saul said no decisions had been made on this yet, so anyone interested in the development of this area should come to voice their opinion. Councilor Lucas said along with those properties was the 6.2 acres of City owned property.

Councilor Harris said in the Parks Master Plan, they had goals of area parks in residential areas that included picnic areas, playgrounds, tennis courts, etc. They had this large area that was developing quickly that did not have a lot of park space. The complex they were talking about would be great as a sports complex, but it appeared almost exclusively that. They also needed picnic areas, play areas, etc. He was concerned that it looked like it was either/or. He wanted to make sure the Council was on board if they needed to alter the Parks Master Plan or change something else to make sure there were parks in that area. Councilor Lucas said that was part of the Periodic Review process and that issue would be discussed then.

Councilor Carson said when Township Village was built, they donated six and a half acres to the City for a park. As a resident of that neighborhood, he knew they did want to have some kind of play and picnic area at least in part of it. Councilor Lucas said they donated the property in lieu of SDC funds.

Beth Saul said regarding the Wait Park restrooms, they were looking at different alternatives.

They did look at simply remodeling those restrooms and making them ADA accessible, but that did not solve some of the other problems, such as plumbing. The preferred option would be to build a new one. They had \$38,000 in the budget for a project that might cost \$50,000 or more. They talked about it at the Park & Rec Board meeting last night. They thought since this was Canby's central park, they wanted to wait and spend the funds to make it nice and compatible with the Gazebo. In the mean time, since they could not do anything for this upcoming season, she wanted to know if they could paint over the murals which were starting to fade or if the Council wanted them to wait. Mayor Taylor said he wanted them to paint the building now and bring back options for the restrooms later. Ms. Saul said they might be able to work with the building trade programs at Clackamas Community College or the high school to do that work for them.

Councilor Prince said they always had a problem with this building, because it was just too small. He agreed with waiting for a bigger project that would be compatible with the Gazebo. Councilor Lucas agreed and wanted it to be brought up to the Budget Committee.

COUNCILORS' ISSUES: Jerry Pineau said he proposed a meeting for the Canby Urban Renewal Agency on March 1st at 6:15 p.m. at the CUB Board Room to establish the Canby Urban Renewal Advisory Committee and appoint the members. The Council wanted to meet at 6 p.m.

Councilor Prince asked how many applications they received. Jerry Pineau said they received 14 so far. Councilor Prince asked if the application time was still open. Jerry Pineau said yes, it was. The committee would be minimum of 7 members, and a maximum of 18.

Jerry Pineau said he also needed some formal direction regarding the N. Ivy Street reconstruction.

****Councilor Lucas moved to instruct staff to go forward with the plan of 60 foot right of way, 40 foot curb to curb using 5 foot bike lanes and parking on one side of the street, and 11 foot travel lanes, and 5 foot sidewalks next to the curb. Motion seconded by Councilor Harris, and passed 6-0.**

Councilor Daniels said on behalf of the Traffic Safety Committee and the School District, he had an issue regarding the intersection of Redwood and Township. There was a safety concern regarding visibility. It was suggested to put in a four way stop there or find a better solution to the problem. Mayor Taylor said it was not only visibility, but because there was a school there, a four way stop would help the kids get across the street safely. The Mayor wanted a study done on that property.

Councilor Strong asked if that was a city or county road? Staff said it was a City road.

Councilor Harris said the Library was going to have a nationally known children's author, Mike Thayer, as a guest speaker on March 2, 2000. He was going to put on a book reading program for children and parents.

Councilor Harris said he attended an open house for Fred Meyer and did a little shopping there that day. He did not know there were so many people in the Canby area who could crowd into one place. He ran into Kathy Henderson, Canby Area Chamber of Commerce Director, who said as an opening gesture to the City, the store contributed \$6,000 to the community. Some of the money went to Canby Business Revitalization, Canby Education Foundation, Slice of Summer, and Canby Kids. He welcomed them to Canby and thanked them for their contribution.

Councilor Harris said there was now difficulty for people on N. Redwood to get out onto 99E, and they were encouraged to come up Territorial and go down Pine to get on the highway or to go to the Territorial/99E intersection. There was increased traffic on N. Pine and he wanted to know if they could again encourage improvement on that street. Mayor Taylor wanted to know if the Council wanted to re-approach the county for a discussion on that road. The county had offered to bring streets up to a certain standard, but it wasn't the standard the City had in mind. The Council wanted to have that discussion.

Mayor Taylor suggested scheduling a workshop with the Clackamas County Commissioners regarding this issue.

Councilor Harris said they recently discussed the need for a pedestrian walkway to go on 99E to where the new Fred Meyers was. What they had just beyond the Logging Road bridge where the railroad spur came down from Molalla and split and crossed the highway, was a half acre with out of control blackberry vines. Now there was a beaten pedestrian path through the dirt to get over to that side of the tracks where Fred Meyers was. There was no way to walk there. It was a very bad eyesore. Mayor Taylor said staff would need to step up the conversation and try to find a way to get that taken care of. Councilor Harris wanted an anticipated date it would be done. Jerry Pineau said it would be done by March 15, 2000.

Councilor Prince thanked the City crew who cleared out a hedge on the corner of Territorial and Pine Street. The hedge had been a safety hazard because it blocked visibility.

Jerry Pineau announced that the 55 mph sign on 99E heading towards Oregon City was soon going to be changed. They put in about 65 days ago to the Oregon Speed Board to have it reduced to 45 mph. It would get there, but it would take some time. Councilor Daniels asked about the other direction, would that be reduced as well? Jerry Pineau said they were working with ODOT on that.

Mayor Taylor said he wanted a brief report on where they were with the Trust for Public Lands project since they were moving into the budget process.

ACTION REVIEW:

1. Moving forward with the N. Ivy Street reconstruction with Council specifications.
2. Working with the intersection of Redwood and Township to do a study and take a look at

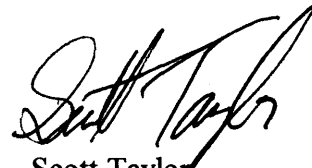
- options and alternative to make that intersection safer.
3. Setting up a meeting with the Clackamas County Commissioners to discuss upgrading county roads within the city limits.
 4. Cleaning up the vacant property adjacent to the Logging Road Bridge.
 5. Bringing back a report on the Trust for Public Lands.
 6. Continuing the Transportation Systems Plan Public Hearing to March 15, 2000.
 7. Striping the configuration on Township Road as per Council direction.
 8. Implementing the informal agreement with Ken Robinson for a 40 foot no-sale section at the Cemetery.

There was no Executive Session.


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



Chauncey Seifried,
City Recorder pro tem



Scott Taylor,
Mayor



Prepared by Susan Wood,
Office Specialist



Proclamation

Iwo Jima Remembrance Day

WHEREAS, on February 23, 1945, this country's Armed Forces were involved in one of the most strategic and bloodiest battles of World War II, the Battle for Iwo Jima. The Canby Veterans of Foreign Wars Post 6057 found it fitting to erect a flag pole at the Canby Adult Center in remembrance of the servicemen who took part in that battle; and

WHEREAS, each year the members of VFW Post 6057 and their fellow veterans' organizations hold a ceremony to replace the flags on the flag pole; and

WHEREAS, this is Canby's only memorial dedicated to World War II veterans.

NOW, THEREFORE I, Walt Daniels by virtue of the authority vested in me as President of the City Council of Canby, Oregon and on behalf of the Mayor do hereby proclaim February 19, 2000 as

Iwo Jima Remembrance Day

and urge all individuals, schools, churches, organizations and business establishments in the City of Canby to proudly remember the sacrifices of those servicemen and join the Veterans of Foreign Wars of the United States in commemorating that event by rededicating the flag pole at the Canby Adult Center at 10 A.M. on February 19.

Given unto my hand this Sixteenth day of February, 2000.

Walt Daniels
President of the City Council