

CANBY CITY COUNCIL
WORKSHOP SESSION
MARCH 1, 2000

PRESENT: Mayor Scott Taylor, Councilors Barry Lucas, Roger Harris, Terry Prince, Randy Carson, Walt Daniels, and Shirley Strong, City Administrator Mark Adcock, Community Development Director Jerry Pineau, and Recreation Services Director Beth Saul, Ken Hagen, David Stepp, Wayne Guild, Terry Blackwell, and Peggy Sigler.

Mayor Taylor called the session to order at 6:30 p.m. A light dinner was served.

The Board members of the Canby Historical Society updated the Council as to where the Society had been and where they intended to be in the future.

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

REGULAR SESSION
MARCH 1, 2000

Mayor 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, City Treasurer/Recorder Chauncey Seifried, Sharon Tramel, Steven Amick, Craig Lewelling, Leighton Perkins, Buzz Weygandt, Greg Kroeplin, Lisa Weygandt, Curt McLeod, Jorge Tro, Todd Coleman, and Curtis Gottman.

Mayor Taylor called the regular session to order at 7:30 p.m., followed by the opening ceremonies.

CITIZEN INPUT ON NON-AGENDA ITEMS: A lady from the audience thought there was a meeting tonight regarding the renovations that would be taking place on 3rd Avenue.

Mayor Taylor said later this evening there would be a presentation on what would be going on in that area.

CONSENT AGENDA: **Councilor Daniels moved to adopt the consent agenda: minutes of the workshop and regular meeting, February 16, 2000; accounts payable in the amount of \$209,330.72. Motion seconded by Councilor Harris, and passed 6-0.

COMMUNICATIONS: Mark Adcock said he had received a phone call from the Clackamas County Commissioner's office and was advised there would be three of the County Commissioners visiting them at the March 15 Council meeting to talk about roads.

NEW BUSINESS: Township Property Acquisitions, Deeds/Grants - Mark Adcock stated Jerry Pineau had prepared a staff report regarding this and he was available this evening to answer any questions.

****Councilor Harris moved to accept the Deeds for Road Purposes and Grants of Easement for South Township Road Reconstruction project as presented and described on the enclosed deeds and grants of easement. Motion seconded by Councilor Prince.**

Councilor Carson commended Jerry Pineau for all his hard work on getting all of the property owners to sign off on this. He said the streets were starting to look better.

Motion to accept the deeds for road purposes and grants of easement for South Township Road passed 6-0.

Fund Exchange Agreement Between ODOT and City of Canby for N. Ivy Street Project - Mark Adcock explained part of the Ivy Street project was funded with Federal money and they were proposing that they enter into an agreement with ODOT transferring the City's money to them rather than having the City deal with the Federal processes. The difference between the \$58,498 in Federal money which would go to ODOT was that \$54,988 would be available for the project and the difference would be for administration fees.

****Councilor Prince moved to authorize the Mayor to execute the 1999 Fund Exchange Agreement between Oregon Department of Transportation and the City of Canby for North Ivy Street from Highway 99E to North Tenth Avenue. Motion seconded by Councilor Carson.**

Councilor Harris gave a brief synopsis of his understanding of this. He said for the North Ivy Street improvement project, the Federal funds the City would be receiving would be \$58,498. Instead of the City accepting it and administering it, the City would transfer it over to ODOT and their percentage would be 6% which would come to approximately \$3,500 that they would charge for a fee. It would save the City from having to do a lot of administrative work which would come to more than \$3,500.

Mark Adcock stated that was an accurate assessment.

Motion to authorize the Mayor to execute the 1999 Fund Exchange Agreement between ODOT and the City of Canby for North Ivy Street from Highway 99E to North Tenth Avenue passed 6-0.

Change Order #1, Township Rd. Phase II Road Improvement Contract - Mr. Adcock explained Jerry Pineau had prepared a Staff report which outlined the justification and needs for a change order in the amount of \$8,721.30 along with a 60-day extension of time.

****Councilor Lucas moved to approve Change Order No. 1 to the contract with Oregon Siteworks Corporation for South Township Road Phase II Road Improvement in the amount of \$8,721.30 and the extension of time of completion by 60 days. Motion seconded by Councilor Daniels.**

Councilor Strong asked when would the 60 days be up. Jerry Pineau did not have the exact date.

Motion to approve Change Order No. 1 passed 6-0.

ORDINANCES & RESOLUTIONS:

Ordinance No. 1042 - Mark Adcock said this request came from the Street and Community Development departments. The funds were included in the current fiscal year's budget in the amount of \$68,000 to purchase capital equipment. He said at the time the amount was established, there was still some open discussion as to whether it was going to be a paving machine or a dump truck. The request came forward from Jerry Pineau that they purchase a paving machine and that the Council approve the purchase.

****Councilor Daniels moved to adopt Ordinance 1042, AN ORDINANCE AUTHORIZING THE PURCHASE OF A SELF PROPELLED ASPHALT PAVER FOR THE STREET DEPARTMENT IN THE AMOUNT OF \$74,900 FROM WESTERN POWER AND EQUIPMENT, INC. OF PORTLAND, OREGON; AND DECLARING AN EMERGENCY be posted and come up for final reading on March 15, 2000. Motion seconded by Councilor Prince.**

Councilor Strong stated there was \$68,000 in the budget and the paver would cost \$74,900, so where would the difference come from. Jerry Pineau said that in the Street department budget, there was a capital outlay which they had for equipment which would cover that.

Councilor Prince asked if this would give them a full 8' or 10' of paving lanes. Jerry Pineau said yes, it would be a full lane.

Mayor Taylor said there was something in the memo that concerned him. When the Council received memos regarding cost per square foot, his assumption from past experiences was that the rate of \$2.50 to \$3.50 per square foot, somebody was using the cost of equipment and was not

factoring in manpower time to do the job. Jerry Pineau said this cost did include the manpower time.

Motion to adopt Ordinance No. 1042 passed 6-0 on first reading.

Ordinance No. 1044 - Jerry Giger said there was a letter that he had prepared for the Judge and each year he tried to contribute a portion of their operation to the traffic safety portion of their operation. He said they had put in for three patrol cars through the State of Oregon on a lease program and they only offered them two. He explained Gresham Ford had the bid through State of Oregon Purchasing for them to acquire a car for the traffic safety officer.

****Councilor Prince moved to adopt Ordinance 1044, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH GRESHAM FORD OF GRESHAM, OREGON, FOR THE PURCHASE OF A 2000 FORD CROWN VICTORIA POLICE INTERCEPTOR AUTOMOBILE; AND DECLARING AN EMERGENCY be posted and come up for final reading on March 15, 2000. Motion seconded by Councilor Harris.**

Councilor Daniels asked if the price included having all of the police equipment put on. Jerry Giger said they provided the car and equipment and then the motor pool department would put the equipment on.

Mayor Taylor wanted the audience to know that the traffic safety officer was also a regular police officer and that was why they were developing a vehicle that could be used for both normal patrol functions, arresting people, and traffic incidents.

Councilor Harris asked who the officer was that would also be the traffic safety officer. Jerry Giger said the traffic safety coordinator was Jorge Tro.

Motion to adopt Ordinance 1044 passed 6-0.

Mayor Taylor said he read a brief article that was in the newspaper regarding accountability review boards that were being formed in the community. He gave Jerry Giger a few moments to discuss this for anyone who had not had the opportunity to read that article.

Jerry Giger said they had two accountability boards being formed in the community. He explained there was one for juveniles and also one for adults, and what would happen with the minor offenders was that they could have their sentence referred back to the community for some sort of penalty phase, then it would be reviewed, and the penalty would be assessed by a community panel of citizens in Canby. They would then be assigned different types of community service work to be done in the community.

Jerry Giger said they were looking for two things. One was that they were looking for people to

serve on these boards and if there was an organization who had needs in the community for community service to contact the Police Department.

Mayor Taylor said the kinds of offenses they would frequently see would be graffiti, vandalism, shoplifting, etc.

Resolution No. 725 -

****Councilor Daniels moved to adopt Resolution 725, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANBY ESTABLISHING SEPTEMBER 19, 2000 AS THE DATE FOR A SPECIAL ELECTION FOR THE ANNEXATION OF THE CERTAIN PROPERTIES LOCATED IN THE LOGGING ROAD INDUSTRIAL PARK NOT WITHIN THE CORPORATE LIMITS OF THE CITY OF CANBY BUT WITHIN THE CITY OF CANBY URBAN GROWTH BOUNDARY. Motion seconded by Councilor Harris.**

Councilor Harris said he had been asked by several people who were unclear about what they were doing and where they were going with the annexation and Urban Renewal. He said from his perspective, going back a little way in history, people who were planning for the growth of this community designated this particular area of approximately 300 acres east or southeast of the City but within the Urban Growth Boundary as industrial land, projecting that it would be zoned industrial in the future. He explained most of this area had not been annexed into the City yet. He stated they needed to build a balanced economy in the community instead of the City just growing as a bedroom community for Portland, Salem, and the surrounding Metro area.

Councilor Harris said the issue they were dealing with was the City being the applicant. How would it come into the City? Would the people who resided there join together as applicants for a vote for it to become part of the city or would the city just do it? He said the way the City did annexations was by vote of the people and he explained the City had never been aggressive in annexing property.

Councilor Harris' opinion was in favor of the City being the applicant.

Mayor Taylor stated the Council had already voted on an Urban Renewal Agency and on the annexation. He said the reason they were here this evening was to vote on the date of the special election.

Councilor Daniels said the reason they chose September 19 as the date for the election was because the utility board advised them that they buy their wholesale power from BPA at the lowest wholesale rate available for the years 2001-2006.

Councilor Prince said he saw Phase I go in. He stated the property owners in Phase I of the industrial complex all got together, decided they wanted to come in, the road was put in, and

everything went in fine. All taxing bodies enjoyed equally all the revenues that came out of Phase I. He explained all development was basically developed by developers coming in and convincing the property owners there was a need for a certain size development. He did not want to see public funds expended on this especially when everyone signed off on this except for one property owner.

Councilor Daniels felt this was getting out of hand since it had already been decided on by the Council.

Mayor Taylor said since he allowed Councilor Harris to present the history, he would allow Councilor Prince to continue his discussion. He felt it was not phase development and he thought the City of Canby would be going down the same path as the City of Wilsonville did.

Motion to establish September 19, 2000 as the date for a special election passed 4-2, Councilors Prince and Strong opposed.

Craig Lewelling asked when they were going to hold the Industrial Area Task Force which would be between the Council and the Industrial Area Association. Jerry Pineau said what they would be doing was having a town hall meeting where anybody that was interested in the annexation could take information out there which was part of the annexation process. The Task Force was the one where some people wanted to be assigned and sit down and start working on a development agreement.

Jerry Pineau reminded the Council members that Councilors Prince, Harris, Daniels, Carson, and Mayor Taylor wanted to be on the Task Force.

Resolution No. 726 - Mark Adcock asked the Council that when they reconvened after executive session that they take this matter up.

UNFINISHED BUSINESS: None.

MANAGER'S REPORT: Notice of Town Hall Meeting Reg: N. Ivy Street Improvements -

Mark Adcock explained there was going to be a town hall meeting regarding N. Ivy Street improvements that Jerry Pineau had prepared and it talked about the earlier Council decisions that they made regarding road dimensions and characteristics of public right of way, etc. If an individual was unable to attend this, they could call City Staff on the matter.

Mark Adcock said there were a number of meetings coming up and Jerry Pineau had prepared a master calendar in draft form of those meetings. He wanted the Council to look over the calendar and any concerns they may have be brought up at the March 15 Council meeting. Jerry Pineau passed out the calendars to the Mayor and Councilors.

Jerry Pineau brought the Council up to date on what was happening on NE 3rd Avenue and

Juniper. He passed out the report to the Council. He wanted the Council's concurrence to go ahead with the project and notify Clackamas County to go ahead with the change order so they could proceed with the job.

Mayor Taylor recessed the regular session at 8:23 p.m. to read over the material Jerry Pineau just passed out.

Mayor Taylor reconvened the regular session at 8:30 p.m.

Mayor Taylor apologized because he was asked to add this on as a discussion but he did not realize it was so lengthy. Again he apologized for this not being included in their packet.

Curt McLeod said they were under contract with Parker Northwest. He explained things came together just this week which gave them an opportunity to add sidewalks. He said the other thing that prompted this was they were breaking ground this week and there were concerned residents that they anticipated would bring questions to the Council. What they were discussing was the addition of sidewalks which the letter stated. They had a grant from Clackamas County for the street improvements that included sidewalks and they extracted the sidewalks at the start of the project because of the planning that Canby was in the process of doing. What they were proposing was if they went in and built sidewalks that would provide them with code compliant width of sidewalks, they built in a planter strip that allowed them to later add street trees, vintage lighting, brick, or any amenities they might want to do. The existing street had sidewalk at the property line with a planter strip between the curb and sidewalk. All they would be doing was upgrading what was already there.

Curt McLeod said they wanted to get the Council's direction whether they concurred in adding sidewalks. It would cost the City approximately an extra \$50,000, but they would recover \$35,000 more in grant money that Clackamas County had which would allow the City to have 8' sidewalks in all of the downtown commercial zoned areas which extended from 2nd to 4th on Juniper Street which went from the Thriftway complex up to 4th Street where Juniper teed off and there would be 8' sidewalks all the way from Ivy to just past Knott Street.

Mayor Taylor asked which of this piece was currently zoned commercial? Curt McLeod thought the whole thing was zoned commercial which matched the land use designation.

Councilor Harris said this would cost the City an additional \$50,000 and they would recover \$35,000 of that \$50,000. Curt McLeod said it would cost \$83,000 so \$50,000 would have to come out of the City budget. He asked if that amount was budgeted?

Councilor Prince did not understand because they had a couple of projects like this that did not include sidewalks, so he wondered how they could get into these projects when they decided they did want sidewalks with all of their projects.

Curt McLeod explained when they first heard the grant application they had 5' sidewalks, which was an oversight that they did not ask for 8' sidewalks and that was why they had a deficiency in the funding for the project. The reason they pulled the sidewalks out was at the time the City was moving ahead with the downtown plan.

Councilor Prince said he did not see 3rd Avenue as close to downtown to warrant that kind of development.

Mayor Taylor said he met with the Canby Business Revitalization group earlier in the day and this project was brought up. They were curious why they were not involved more in the discussions regarding how did it match with the rest of downtown, etc. The views they heard from people were that this should be part of downtown.

Curt McLeod said there would be a 9' planter strip that would allow them to do the kind of amenities he had heard them discussing for the downtown plan.

Councilor Carson said another benefit to this would be the traffic flow from S. Pine past the fairgrounds and downtown to 3rd Avenue.

Mayor Taylor said his issue with this was the need to move forward and whether taking advantage of this opportunity made sense. He said sometimes these issues just fell upon them without the opportunity to engage concerned citizens or other parties who had interest in how this should look.

Councilor Strong asked where the \$50,000 would be coming from. Jerry Pineau said there were funds in the capital reserve budget for these types of projects.

Mark Adcock asked if this was the same allocation they had talked about for 2nd Avenue. Jerry Pineau said no it was not.

Councilor Prince was concerned regarding not meeting with the property owners along that area. Curt McLeod said this area was all public right of way. They had existing sidewalks and streets on this project.

Mayor Taylor said even if they did have right and the land, the way they liked to do things was to meet with the property owners and to make sure they had notice of what would be going on.

Councilor Strong asked how wide were the travel lanes going to be on that road? Curt McLeod said he had not addressed the parking issue yet. He explained they were building a 44' street, putting a center line stripe giving them 22' on each side which would allow 7' parking on both sides and a 15' shared bike/travel lane with no bike lane stripe, which was what he anticipated. He said when the Council took on the parking issue a 44' street would be designed for parking on one side, two bike lanes, and two 12' travel lanes.

Councilor Prince said this area they were discussing was a commercial zone which needed parking.

Mayor Taylor said in their discussions of downtown bike lanes, the idea right now was to have the bike lanes for people to come downtown and then to be able to move with the traffic.

****The Council agreed to move forward with the project.**

COUNCILORS' ISSUES: Councilor Carson wanted to have a discussion within the next month or so regarding S. Berg Parkway to 13th through Canby Recycling.

Mayor Taylor wanted to get a packet of information updating them on the history and what the time lines were. After looking at the information, if they needed to have more discussions on it they could.

Mayor Taylor said they were scheduling a youth summit for March 30. They would be meeting with the youth of the community in the morning and in the afternoon from 3:00 p.m.-6:00 p.m. and then again at 7:00 p.m.-10:00 p.m. People would have the opportunity to attend a group discussion and workshop around issues concerning youth and the future, and any issues the community may have.

Mayor Taylor said he was approached by a sponsor in town that was interested in working with them on bringing back a possible City run that Canby Telephone sponsored in the past. He asked if the City and the City Council would be interested in bringing back something that would attract people to the community and provide a focus event. He said the sponsor did some preliminary work and the cost to putting on such an event would cost approximately \$6,000. He wanted to showcase the Logging Road Path for the run. Councilor Harris and Mayor Taylor expressed interest in the run.

ACTION REVIEW:

1. Approved the Township Property Acquisitions Deeds/Grants.
2. Approved the Fund Exchange Agreement between ODOT and the City of Canby.
3. Approved Change Order #1 for Township Road Phase II Road Improvements.
4. Bring back Ordinance 1042 and 1044 on March 15 for second reading.
5. Approved Resolution 725.
6. Proceed forward with the NE 3rd Avenue improvements as described.
7. Putting together an information packet on S. Berg Parkway regarding background and history.

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

Mayor Taylor recessed the regular session at 8:55 p.m.

Mayor Taylor reconvened the regular session at 10:40 p.m.

Resolution No. 726 -

****Councilor Harris moved to adopt Resolution 726, A RESOLUTION ESTABLISHING SALARY COMPENSATION SCALES AND ADOPTING A CONTRACT AND MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CANBY (CITY) AND THE CITY OF CANBY OFFICE AND PUBLIC EMPLOYEES LOCAL 350-6, COUNCIL 75, AFSCME, AFL-CIO (UNION) FOR THE PERIOD FROM JULY 1, 1999 THROUGH JUNE 30, 2001. Motion seconded by Councilor Daniels, and passed 6-0.**

Mayor Taylor adjourned the session at 10:43 p.m.

EXECUTIVE SESSION
MARCH 1, 2000

PRESENT: Mayor Scott Taylor, Councilors Prince, Harris, Lucas, Carson, and Strong, City Administrator Mark Adcock, City Attorney John Kelley, City Treasurer/City Recorder pro tem Chaunce Seifried, and Mike Swanson.

Mayor Taylor called the session to order at 8:58 p.m.

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

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

Mayor Taylor adjourned the session at 10:55 p.m.

Chauncey F. Seifried

Chauncey Seifried,
City Recorder pro tem

Scott Taylor

Scott Taylor,
Mayor

Sharon Tramel

Prepared by Sharon Tramel,
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