

CANBY CITY COUNCIL  
REGULAR SESSION  
NOVEMBER 3, 1999

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

Also present: Recreation Services Director Beth Saul, Community Development Director Jerry Pineau, City Attorney John Kelley, City Administrator Mark Adcock, City Planner Jason Kruckeberg, Joyce Peters, Bill Cassel, Kathy Henderson, Harry Lee Kwai, Lisa Weygandt, Steven Amick, Georgia Newton, Ted Kunze, Carol Meeuwsen, Dirk Borges, Michael Jordan, Craig Lewelling, Sharon Tramel, David Howell, Craig Finden, Linda Runyan-Finden, James E. Surdam, Bob Zimmer, Bettie V. Postlewait, Bud Roberts, Buzz and Pat Weygandt, George Zimmer, Allen Patterson, Leighton Perkins, Jim Newton, Terry Tolls, Mark Gross, Dan Ewert, Kit Youngren, Jim Brown, Steve and Candi Millar, Wayne Oliver, Gustavo Cruz, Bob Cornelius, Kurt Harrington, Ken Perinchief, Owen Smith, Pat Mulligan, Joe Driggers, Bob Trappe, and Curtis and Lila Gottman.

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

**CITIZEN INPUT ON NON-AGENDA ITEMS:** Lila Gottman updated the Council on what had been going on with the Bike and Pedestrian Committee. She said they had two workshops with the Council and two workshops with the downtown group and citizens who were concerned about the bike map and where the bike lanes were going to be in the future. What was going to be presented to the Council with the transportation package would be the map they had seen before, with the exception of the downtown area and would not include bike lanes from 1<sup>st</sup> to 3<sup>rd</sup> and from Elm to Ivy. She explained as new construction happened or as streets were being upgraded, it would trigger the placement of bike lanes on the particular streets in town. She said people would not see this all at once, it would happen over a 20-year plan.

Kathy Henderson, who represented the Chamber of Commerce and also Canby Business Revitalization, was there to give a quick update on a couple of projects that were going on around town. The first project was the Gateway Project. She explained they would start planting on Tuesday and she felt the project should be completed before Thanksgiving. She said Pacific Rock had donated a large quantity of rock, Hank Jarboe and the owners of Canby Square had contributed financially to the project and she wanted to acknowledge the patience of the merchants at Canby Square. The second project was Pioneer Plaza. She explained the Victorian lights were being shipped on October 28, 1999. She thanked the Council for the contribution toward decorations for the holiday lighting ceremony. She said the lights were going to be placed in Wait Park along with the decorated gazebo. The formal lighting ceremony was going

to be held Saturday, November 20 at 6:00 p.m. People would meet at Wait Park then head to Pioneer Plaza where they would have the first community Christmas tree.

Mayor Taylor recessed the regular session at 7:35 p.m.

**RECESS TO CONVENE A MEETING OF THE CANBY URBAN RENEWAL AGENCY:**

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**CANBY URBAN RENEWAL DISTRICT AGENCY  
REGULAR SESSION  
NOVEMBER 3, 1999**

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

Also present: Recreation Services Director Beth Saul, Community Development Director Jerry Pineau, City Attorney John Kelley, City Administrator Mark Adcock, City Planner Jason Kruckeberg, Joyce Peters, Bill Cassel, Kathy Henderson, Harry Lee Kwai, Lisa Weygandt, Steven Amick, Georgia Newton, Ted Kunze, Carol Meeuwsen, Dirk Borges, Michael Jordan, Craig Lewelling, Sharon Tramel, David Howell, Craig Finden, Linda Runyan-Finden, James E. Surdam, Bob Zimmer, Bettie V. Postlewait, Bud Roberts, Buzz and Pat Weygandt, George Zimmer, Allen Patterson, Leighton Perkins, Jim Newton, Terry Tolls, Mark Gross, Dan Ewert, Kit Youngren, Jim Brown, Steve and Candi Millar, Wayne Oliver, Gustavo Cruz, Bob Cornelius, Kurt Harrington, Ken Perinchief, Owen Smith, Pat Mulligan, Joe Driggers, Bob Trappe, and Curtis and Lila Gottman.

Mayor Taylor called the session to order at 7:38 p.m. followed by roll call.

Jerry Pineau said as required under ORS Chapter 457, the Agency had a responsibility to look at the Canby Urban Renewal Plan and Report, the Planning Commission's recommendation, and then submit to the City Council to move forward with the Canby Urban Renewal process. He stated the recommendation was to be presented to the City Council along with the Canby Urban Renewal Plan, the Report, and the Canby Planning Commission recommendations on the Canby Urban Renewal Plan.

**\*\*Commissioner Daniels moved to forward the Report on the Urban Renewal District, the Plan, and the comments from the Canby Planning Commission onto the City Council for review and decision. Motion seconded by Commissioner Harris.**

Commissioner Prince asked if they supported this plan as a group or if they were just going to review it and pass it onto the Council. Mayor Taylor said his understanding was that as an Agency they would be forwarding it to the Council for their review, discussion, and testimony.

**Motion passed 6-0.**

Mayor Taylor adjourned the session at 7:38 p.m.

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Mayor Taylor reconvened the regular session at 7:38 p.m.

**CONSENT AGENDA: \*\*Councilor Daniels moved to adopt the consent agenda: minutes of the workshop session, regular meeting, and executive session, October 20, 1999; accounts payable in the amount of \$94,530.81; personal services agreement with Pam Beery; and waive park fee for annual Canby Junior Festival of Jazz. Motion seconded by Councilor Harris, and passed 6-0.**

Mayor Taylor polled the audience to see how many people were there for Urban Renewal.

Mayor Taylor moved to New Business.

**NEW BUSINESS: Public Testimony on the Canby Urban Renewal Plan** - Mayor Taylor explained this was going to be a public hearing on the Urban Renewal Plan. This was going to be an opportunity for the hearing body to hear thoughts and comments around the Urban Renewal Plan. There were 15 people who wanted to testify, so Mayor Taylor gave them a five minute limitation.

Mark Adcock reminded the Council of a few things. They had adopted Ordinance 1032 which established the need for an Urban Renewal District and designated themselves as the Urban Renewal Agency. Subsequent to that action they directed City Staff to proceed with all of the required actions that were necessary as part of the implementation process which included notification to the various taxing entities. He said the establishment of an Urban Renewal Agency and adopting a plan was not an unusual economic tool, it was something that was in use in the State of Oregon and also in other states and throughout the country. He explained Staff had prepared some displays that were on the wall and Jerry Pineau would walk them through those and he was there to answer any questions they might have.

Jerry Pineau passed out packets to the Council. He requested anyone who wanted to testify this evening to sign in on the sheet. He suggested hearing from the taxing entities first and then move to the public testimony.

Jerry Pineau said they were here this evening to discuss, consider, and receive public testimony on the proposed adoption of the Canby Urban Renewal Plan and Ordinance 1031. He explained the Canby Urban Renewal Plan documents were prepared by the collaborative efforts of the Urban Renewal Task Force, Charles Kupper, and City Staff over the past eleven months. The presentation would include Mr. Kupper, who was the Urban Renewal consultant, would provide an overview of Urban Renewal in Oregon, general purpose of Urban Renewal programs, and a brief review of content of the Canby Urban Renewal Plan. Also Carol Meeuwsen, chairperson of the Canby Urban Renewal Task Force, would share the task force perspective on how the Canby Urban Renewal Plan was developed. He said the tax rates, amounts, and tax limitations were regulated by ORS Title 29. The elimination of blighted areas within the Urban Renewal District was governed by ORS Chapter 457. He explained the Canby City Council had the opportunity and the process to eliminate blight within the City of Canby through tax increment financing without encumbering any property for any debt incurred by the Canby Urban Renewal Agency and without obligating the City to pay any incurred debt of the Canby Urban Renewal Agency.

The purpose of the Canby Urban Renewal program was to help the Canby community improve and redevelop areas which were deteriorating, faulty, poorly planned, inadequately served by infrastructure or facilities and would show signs of economic or physical conditions which would be detrimental to the community as a whole. Under Oregon law, Urban Renewal blight was very broad in its definition and application.

The fundamental foundation for the Canby Urban Renewal Plan as required by ORS Chapter 457 was the Canby Comprehensive Plan and the plans evolved from there. The Canby Urban Renewal Plan documents were reviewed and considered. Those were the Canby Comprehensive Plan, Canby Transportation Systems Plan, Canby Downtown Design Plan, Canby Storm Drainage Master Plan, Neighboring Cities 2040 Studies, Canby Utility Board Water System Master Plan, Canby by Design, Canby Sanitary Sewer Master Plan, Canby Utility Board Long Range Electric System Plan, Canby Industrial Area Master Plan, Canby Highway 99E Access Management Plan, Canby Parks and Recreation Master Plan, Canby Municipal Code, and Canby Land Development and Planning Ordinance.

He explained the Canby Urban Renewal Plan Project activities were developed from the said plans and input from the affecting taxing districts. They were selected because major parts of the Urban Renewal area lacked streets, curbs, and sidewalks mainly referring to the industrial area. Other parts lacked water and sewer services, which was also mainly in the industrial area. Major parts of the area lacked a storm drainage system, a significant portion of the Urban Renewal Area was unimproved land which would be unproductive for purposes of providing revenue for needed city services. Parks, open space, and public facilities in the Urban Renewal area were inadequate for current and projected needs.

He went on to say the Task Force grouped the project activities as follows: commercial areas, streets and circulation, industrial area street projects, industrial area utility improvements, parks, pedestrian and bike corridors and other amenities, public buildings, complexes and parking

facilities, fire protection and emergency response improvements, rehabilitation and preservation, and plan administration.

Jerry Pineau said all of the requirements had been made regarding Chapter 457 including notifying property owners and affected taxing districts. He said if the Canby Urban Renewal process was adopted by the City Council, the next step for the Canby Urban Renewal Agency would be to commence the public participation process for developing the Canby Urban Renewal District, business plan, financial strategy, budget, project "A" priorities, and capital improvement program.

Charles Kupper, who was the Urban Renewal consultant, talked about the context of the Urban Renewal Plan. He said there were a number of Urban Renewal Plans that were operating in the State of Oregon. Clackamas County was the most active county in the state with Urban Renewal. Clackamas County itself ran three Urban Renewal Plans and the cities of Gladstone, Sandy, Oregon City, Wilsonville, and Lake Oswego currently operated Urban Renewal Plans. He felt blighted areas had evolved greatly from a slum clearance into an economic development tool. He said communities used it in an attempt to stimulate new development values in employment in areas in their cities that would be otherwise unproductive. Another use would be to help offset the cost of growth. He explained creating new values in an area became very important because of the new values that would be provided to maintain the level of services.

He said Canby's plan was a good example because there was a considerable amount of land in the industrial area which had good productive use but it was not producing any tax values. He said the two documents that were before the Council this evening was the Canby Urban Renewal Plan and the Canby Urban Renewal Report on the Plan. He said the most important elements of the Urban Renewal Plan were the goals and objectives of the plan. He said there was a host of goals and objectives that this plan met including comprehensive plan goals. The first was to develop and maintain a transportation system which was safe, convenient, and economical. The second was to insure a provision of full range of public services and facilities and to diversify and improve the economy for the city. In addition to the comprehensive plan goals, the Task Force developed a series of goals for this Urban Renewal Plan which included diversifying the economic face and family wage jobs within the district, maintain effective and safe traffic system for vehicular and pedestrian users, and to improve and maintain existing businesses. These goals would be used in the future as a measurement for some of the activities that would be carried out in this plan.

Mr. Kupper pointed out the list of project activities. He said the descriptions of projects to be undertaken represented authorizations to do activities under this plan. You could not spend Urban Renewal funds on activities that were not authorized in the plan. They included street construction and circulation improvements; infrastructures and utility improvements; public facilities; parks, recreation, pedestrian and bike corridors and other amenities; upgrades to fire protection and emergency response systems. They would be further authorized to spend Urban Renewal funds on preservation, rehabilitation, and redevelopment which would be to assist in

stimulating new construction in the area and rehabilitation of existing structures. They would be authorized to dispose of property in the area and to participate in technical, financial, and design plans and to fund the administration of the plan. He pointed out the last section of the plan which was maximum indebtedness. Urban Renewal statutes said the plan must contain maximum indebtedness. The maximum authorization in this plan was \$51,149,000 and that amount was taken from the total cost of the plan activities.

Mr. Kupper discussed the Urban Renewal Area Report on the Urban Renewal Plan. He said the report on the plan was also prescribed by state law. The report was a technical document that contained supplementary and background information which would assist the Council in their deliberations. There were two very important statistical notes in the report which Oregon law stated that an Urban Renewal area may not contain more than 25% of the land area of the city and may not contain more than 25% of the assessed valuation of the city. The tables that were in the report noted that the Urban Renewal area contained 573 acres which represented 23.7% of the total acreage in the City which met the 25%. He explained there was a detailed list of project activities to be undertaken in the plan which the total cost would be \$51,149,000. He said the list of project activities could begin in the year 2000-2001 and all project activities could be completed and all debt retired in the year 2020-2021. The final section of the plan discussed the impacts of the plan on other taxing bodies. He explained that under Measure 50 there would be no effect on taxpayers. What would happen would be the various taxing bodies would forego some revenues as a result of the new values and the taxing bodies would not be able to apply their governmental rate to the new values in the Urban Renewal area.

Councilor Harris asked why were the costs for the projects done in 1999 dollars and not in what it would cost to do the projects in 15-20 years?

Mr. Kupper answered it was the decision of the Task Force.

Councilor Harris asked if there would be a potential for an average person to see a reduction in their taxes? Mr. Kupper said if they carried out this plan, they would be seeing more of the service loads for the City being carried by non residential properties. Under Measure 50, the governmental rates were fixed.

Carol Meeuwsen explained how the Urban Renewal Task Force came to be, and what they were trying to accomplish. She had been told the Plan did not include enough detail to gain support, and the process was not clearly defined to establish guidelines on how projects were going to be prioritized, approved, and then implemented. By direction this was not their charge, therefore, the Report and Plan did not include those details. She understood the details and the business plan of the district would be developed if and when it was established.

Mayor Taylor had the members of the Task Force stand to be recognized. He publicly thanked Carol Meeuwsen for all of the work that had been done.

Jerry Pineau said this would not have happened without the Task Force and he briefly explained the charts and maps on the wall.

Mayor Taylor publicly thanked Jerry Pineau for all his work on this as well.

Mayor Taylor wanted the taxing agencies to speak next.

Michael Jordan, Clackamas County Commissioner, representing Clackamas County and was also a citizen of the community with an interest on this issue. He stated they passed a Board Resolution endorsing the Urban Renewal Plan. He explained Clackamas County Commission believed strongly that the City of Canby was on the leading edge of the "rural communities" in this county at trying to create what they were hoping to be the example of all communities in the county which would be a complete community. He stated in the late 80's and early 90's the community was 90% residential and 10% commercial and industrial. The City Council in the early 90's had the forethought to know that the situation could not last forever and have the tax rates stay at a reasonable level for the citizens. He said the choices were to further become a bedroom community or try to establish a balance in the growth pattern. He felt this tool would allow them to keep up with the cost of public services and create a balanced community where people could live and work.

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

Mayor Taylor reconvened the regular session at 9:00 p.m.

Joe Driggers, Vice Chair of the Canby School Board, said the School Board had elected not to take a position on the Urban Renewal District, which was the tradition of the School Board not voting on anything that was not directly related to education. The sentiment of the Board Chair, Sandy Ricksger, was that there was very limited impact on the District. He said as a member of the Task Force, the presentation to the Board was very clear on impact but was not clear about what the plan would fund.

Jim Brown, representing the Planning Commission, explained they had an opportunity to discuss this issue and the vote was 5-1 against implementation. He said it had taken some time for them to understand this issue. By the third public hearing, they had an opportunity to ask questions, and at that time they had a list of issues they would have liked to have made recommendations to, but they felt they could not have made them with any clear format. It was brought to their attention via Staff that if the process were to stay on track they would need to have some sort of decision made by the group at that time. So rather than to postpone the process, they elected to take a vote and tried to state that there were issues within the plan to which they did not agree. He said the Planning Commission was in agreement with the map, the goals, the projects, and with the need for the plan. There were six issues the Planning Commission did not agree with. First they wanted some sort of policy statement in the document relative to the use of eminent domain and condemnation for the plan. They wanted to make sure there were checks and

balances that were already in the agreement and they wanted separation of the Agency from the Council. They also wanted to clarify the review by the Agency; clarify market value; put the IGA's in force; then issue the vote.

Mayor Taylor said all of the issues Mr. Brown listed were process issues. He said they did have the ability as they moved forward to fill in the details around the plan.

Kit Youngren, representing Clackamas Community College, wanted to extend their support for the Urban Renewal Plan. He said they wanted to make one modification which would be to have the college named in the plan under the section of projects that listed public buildings, complexes, and parking facilities. He said the college was committed to developing a more visible presence in Canby. He stated while they would be seeing a loss of revenue through this process, he felt this was the best way for the City of Canby to move forward and for the college to look at becoming a long term partner in that process.

Mark Gross, representing Shimadzu, said they agreed completely with the direction the City Council was going with this. He said like many other people, they had concerns about the details that have not come out yet. He thought Jerry Pineau and the Task Force did a great job putting this together.

Harry Lee Kwai said the average citizen did not understand this. He said it was not that people were not interested, it was just people were busy. He said what people wanted from the government was that when they dialed 911, a police officer would respond, when they turned on a faucet, they would have clean water, when they pulled the power switch, the light would come on, and they wanted the City's elected officials to gather the best information and to make the best judgement they can to move forward and improve the community. He read a statement from a letter he had received in regards to Urban Renewal which stated "the decisions made today about the future of Canby will determine if this community will be one that future generations will embrace, tolerate, or abandon."

Bob Trappe, who was on the Canby Revitalization Group, stated they needed to get the property owners and the business people downtown in on this movement. He felt the City needed to step in with some street scape improvements, better streets, sidewalks, trees, lighting, etc., so that property owners would feel that it was worth investing in their buildings as well. He felt the Urban Renewal District was the method that would provide those funds.

Georgia Newton, President of the Canby Area Chamber of Commerce, felt a responsibility of looking at the URD from the standpoint of how it would benefit or hurt the business community as it was now and in the future. She said Canby's residential community had grown over the years and now it was time to enhance the business economic base to support those residences. Urban Renewal and tax increment financing encouraged community guided, stable, and governed commercial and industrial economic development.



Craig Finden, a rural resident of Canby, had the privilege to work with the Canby Business Revitalization Board. He wanted to voice his support for the proposed Canby Urban Renewal District. The establishment of an URD would maximize the opportunity to improve community amenities like area parks, city gateways, possible pedestrian corridors across Highway 99E. These benefits encouraged a positive economic development and community connectedness. Canby Urban Renewal would help hand our kids the keys to a more vital and self-sufficient Canby.

Owen Smith said there were a couple of things to be considered. One thing that was expressed this evening was that taxpayers might not understand this. He said anything that could not be explained might not be a legitimate thing for government to take on. He said as a voter, taxpayer, and a resident of Canby, why did they have a system that required a vote of the citizens to bring one square foot of property into the city limits, but they were going to pass a measure that would affect \$51 million in valuation over the life of the project without a vote of the people?

Bud Roberts felt the pessimism at this stage of the game was overrated and the possibilities were underrated. He felt when they were all through, they would have a much better city for a fairly small investment.

Dan Ewert said this was an exciting project. He agreed with Mike Jordan's comments. He felt there should be criteria in place to help the Agency make the decisions easier, and to make sure the industrial park got completed.

Bob Zimmer, member of the IAA, was in support of the Canby Urban Renewal District provided it would be done in a manner they could all be proud of.

Leighton Perkins said this related back to the property owners. He felt anything worthwhile came with a little pain. He read a letter from the property owner's attorney which said that industrial use was the future for this block of properties and the industrial owners should work with the City so the properties would be used to their best advantage. He was pleased with the comments he had heard this evening. As property owners, they objected to another layer of government. He wanted people to have quality jobs and also have people stop and visit the city. He said the entrance to the city and Pioneer Plaza was a start.

Mayor Taylor moved to Ordinances and Resolutions on the agenda.

## **ORDINANCES & RESOLUTIONS:**

### Ordinance No. 1031 -

**\*\*Councilor Harris moved to adopt Ordinance 1031, AN ORDINANCE OF THE CITY OF CANBY APPROVING THE URBAN RENEWAL PLAN AND DIRECTING THAT**

**NOTICE OF APPROVAL BE PUBLISHED, be posted and come up for final reading on November 24, 1999. Motion seconded by Councilor Daniels.**

**DISCUSSION:**

Councilor Harris thought this issue would be more controversial. He did not see a down side to this. He felt they should set up IGA's with the taxing agencies so those bodies could be confident of what the plan was and how they stood in it. He said this was a working plan so all of these suggestions would not have to be there in the beginning.

Councilor Lucas felt this was an investment in Canby's future and this was a perfect time to do it. He complimented the Task Force, Jerry Pineau, and Staff for doing a great job. He said some time back the Task Force had suggested three different ways that this plan could be put together. He agreed with the one that established an Urban Renewal Advisory Committee which he hoped that the Task Force would be willing to be part of. He was voting to approve the Urban Renewal Agency.

Councilor Daniels thought most people in town wanted to keep the livability here and the only way to do that would be to plan for it. He also said people were concerned about not being able to have any input. He also thought this was a great plan.

Councilor Prince was concerned about the Council being the ones reviewing the plan. He felt there should be members from the School Board, Fire District and other people from different advisory groups on the board as well. It would keep the separation between the City Council and the Urban Renewal Agency. He said Phase II was master planned and did not necessarily need to be developed all at once, which meant the roads would go in where they were supposed to go in. He also stated that out of the \$48 million, \$24 million would be going to Phase II industrial property, and \$13 million would be going toward public buildings. He said normally in the past they funded public buildings through bonds through the City, that way citizens could decide if they were needed or not. He said the Fire District would only be receiving \$2.7 million, yet they would lose all of their funding and the Fire District was based mostly on personnel. The School District would be receiving \$2.4 million in buildings and structures for parking, yet they would lose bonding authority for more than 20 years which he felt would shift the tax burden to communities outside of the city limits. He felt this said Canby wanted to grow and we wanted it to grow fast. He wanted this to go to the vote of the people because it would affect them drastically as far as taxation and the growth of the city.

Councilor Carson said the money that would be coming in would be relieving some of the money in the General Fund to be used for personnel. He felt this would be a good thing for the city and without it they would not be able to have a good infrastructure to get good businesses when they came in.

Councilor Strong had concerns regarding the financing of the School Board and Fire District.

She thought there was a plan in the industrial park and it was going to grow in that plan whether this passed or not. She understood the purpose of the Urban Renewal, but was not ready to vote for it because there were points brought up tonight that needed to be investigated.

Mayor Taylor saw this plan as a vision of what the community should be like, the kind of place we wanted to live in, the kind of place our kids could stay living in because they could have jobs here, the kind of place that would produce income for the city and the other taxing entities in the long run to continue to provide the quality of life. He said they were talking like at the end of the twenty years the money would go away. He said at the end of twenty years every taxing entity had a massively increased tax base and assessed valuation to work with. He said if he was able to vote, he would vote for the Urban Renewal District.

**Motion passed 5-1, with Councilor Prince voting nay.**

Mayor Taylor recessed the regular session at 10:33 p.m.

Mayor Taylor reconvened the regular session at 10:43 p.m.

Mayor Taylor said he wanted to schedule a special meeting for November 24, 1999, at 7:30 p.m., for the second reading of Ordinance 1031, due to the fact that Councilor Carson would be absent from the November 17, 1999 Council meeting. They would take more public testimony on the ordinance at the November 17, 1999 meeting.

**NEW BUSINESS:** Discussion Regarding Tuition Assistance Program - Mark Adcock said on October 13, 1999, he sent out a staff report which outlined some of the issues surrounding the current tuition assistance program that had been ongoing in the organization for some time. After discussing some of the issues that were outlined in the staff report with the various department directors, they came up with an alternative process that was designed to do several things. What it did was establish a written process. What the draft policy attempted to achieve was to articulate a process and procedure on how to manage this program for the employees. He said what they had before them set the procedures they would follow internally among the various departments. It would also set some financial limits in terms of tuition assistance. The past practices were open ended and this suggested a limit of \$1,000 per fiscal year. The reason for that was these funds competed with mandatory training. He said if the Council agreed with the tuition assistance, it would come back as part of the budget proposal and they would budget some money for this. It would also provide an audit trail as to what was actually approved. How this would work would be the employee would fill out the course titles, articulate on the form how their job related to the course, then would meet with the department director, and then get some approvals. When the course was completed the reimbursement amount would be determined by the course grade.

Councilor Prince thought it would be a B or above for compensation. What was going to be proposed would be 50% for a C, 75% for a B, 100% for an A.

Councilor Lucas thought this was a very good policy. He complimented Mark Adcock for putting this together.

**\*\*Councilor Daniels moved to accept the tuition reimbursement program as outlined in the City Administrator's memo. Motion seconded by Councilor Lucas.**

Councilor Strong felt it prudent to have some sort of policy and she felt this was a great idea.

Councilor Harris also agreed. He felt the employees should know exactly where they stood instead of word of mouth.

Councilor Carson said this was above and beyond any mandatory training. He thought if the tuition increased at a later date, they could set limits and change the amounts.

**Motion to accept the tuition reimbursement program passed 6-0.**

**COMMUNICATIONS:** There were none.

Mayor Taylor moved back to Ordinances and Resolutions on the agenda.

#### **ORDINANCES AND RESOLUTIONS:**

##### Ordinance No. 1035 -

**\*\*Councilor Daniels moved to adopt Ordinance 1035, AN ORDINANCE AMENDING CMC CHAPTER 12.08 REGARDING STREET EXCAVATIONS. Motion seconded by Councilor Harris, and passed by roll call vote, 6-0.**

##### Ordinance No. 1036 -

**\*\*Councilor Lucas moved to adopt Ordinance 1036, AN ORDINANCE AMENDING THE CANBY MUNICIPAL CODE BY ADDING CHAPTER 12.36, TELECOMMUNICATIONS FACILITIES." Motion seconded by Councilor Harris, and passed by roll call vote, 6-0.**

Ordinance No. 1037 - Curt McLeod said they had received 16 bids for the Township Road Phase II which was to complete sidewalks and curbs and put the second lift of asphalt on Ivy Street and Redwood Street.

**\*\*Councilor Daniels moved to adopt Ordinance 1037, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH OREGON SITEWORKS FOR CONSTRUCTION OF TOWNSHIP ROAD PHASE II AND DECLARING AN EMERGENCY be posted and come up for final reading on November**

**17, 1999. Motion seconded by Councilor Harris.**

Councilor Prince asked how much right of way they received. Curt McLeod said they were working with 25 properties, of those they secured all but seven. Out of the seven remaining there was one that opposed the project who agreed to give them an easement to do the utility work. He said there would be a stretch of 60' where they will not be putting in curbs and sidewalks on the south side of Township.

Councilor Daniels said in the past they had taken some low bids which caused problems. He asked Curt McLeod if this concerned him. Curt McLeod said the low bidder was pre qualified, they had a responsive bid, and they were currently doing work in Tigard, and everybody was happy with their work.

Councilor Strong wanted to remind people of the 25-mph speed limit on Township Road.

Councilor Carson said the Police Department was enforcing the speed limit in that area.

**Motion to adopt Ordinance 1037, passed 6-0 on first reading.**

Ordinance No. 1038 -

**\*\*Councilor Prince moved to adopt Ordinance 1038, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH WALKER-MACY FOR PROFESSIONAL SERVICES FOR THE DESIGN OF PROPOSED PUBLIC IMPROVEMENTS TO THE THIRTEENTH AVENUE PARK/ACKERMAN SCHOOL COMPLEX AND DECLARING AN EMERGENCY be posted and come up for final reading on November 17, 1999. Motion seconded by Councilor Lucas, and passed 6-0 on first reading.**

Ordinance No. 1040 -

**\*\*Councilor Daniels moved to adopt Ordinance 1040, AN ORDINANCE EXTENDING THE CURRENT NON-EXCLUSIVE FRANCHISE AGREEMENT BETWEEN THE CITY OF CANBY AND CANBY TELEPHONE ASSOCIATION FOR THE PROVISION OF TELECOMMUNICATION SERVICES AND DECLARING AN EMERGENCY be posted and come up for final reading on November 17, 1999. Motion seconded by Councilor Strong, and passed 6-0 on first reading.**

**UNFINISHED BUSINESS: Discussion Regarding Costs Associated with Lease of Mangus Building and Building Expansion** - Jerry Pineau said this process generated back in June to see if they could find alternate ways to get space for the Council and also for office space. The City Council requested taking a look at three options. One would be leasing space in the Mangus building, the second might be expanding the existing facilities, and the third was taking a look at

the Canby Adult Center.

The first option would be enlarging the existing Council Chambers. This option would include an addition of approximately 1,420 square feet and had a construction cost of \$158,000, and a total development cost of \$235,000. The second option would be to lease the Mangus building. To do remodeling for the Council to move over there would be approximately \$22,600. What they would do is rent space at \$1.15 per square foot per month, which was based on 2,900 square feet which would include utilities and taxes. The third option would be to make improvements to the inside of the Canby Adult Center. It would cost approximately \$20,000, but the problem was scheduling and the availability. He said there were no recommendations, and there was no available funding in the budget to do any of these things.

Mayor Taylor was concerned about holding court at the Canby Adult Center. He explained the Judge was before the Council a few weeks ago and within the budget they already expected to take roughly \$100,000 over his costs.

Mark Adcock asked Beth Saul when the budget was developed, were the Court's anticipated revenue part of the revenue side of the budget. Beth Saul said yes it was.

Councilor Lucas asked if there was talk regarding the length of the lease at the Mangus building.

Jerry Pineau said they would make it as short or as long as they wanted.

Councilor Lucas felt they should not put that amount of money into someone else's building where they may only be for six months.

Councilor Harris thought spending \$22,000 for remodeling of someone else's building and then paying \$3,300 a month to rent was out of line.

Councilor Daniels felt they should put the money into the property the City already owned. Councilor Lucas stated the City already owned the whole block except for the Wayne Oliver building and he thought it would be a good time to try to acquire that building.

Mayor Taylor said at what point would the City no longer have room for the staff it already had?

Councilor Lucas said they had been talking about the big picture. He said they needed to do something about the problem soon.

Councilor Strong thought there was an asbestos problem when they looked at the Mangus building before. Jerry Pineau said that problem had already been taken care of.

Councilor Prince felt their money should go into a facility that would be here because it was connected. He said at the end of three or four years you would see an end to the payments.

Councilor Daniels said some time back, the Police Department had a consultant look at the facilities they would need in the long term. At that time he was willing to look at the needs of City Hall and also the school. He said the last thing he had heard was Jerry Giger was getting the needs of the Staff and the School Superintendent was determining the needs of the school.

Mark Adcock asked Mayor Taylor to clarify what they decided to do.

Mayor Taylor said they did not reach any conclusions. He said if the City were to invest any money, they would like to be able to own it. They would like to have a workshop at a later date to further discuss the issue. He wanted to find out what other public entities would be interested.

Discussion Regarding Intersection Improvements at Redwood & Highway 99E - Mark Adcock said this was brought up earlier when Jason Kruckeberg had a discussion regarding an interim traffic plan and there were concerns about the interim traffic plan that was proposed by ODOT that would allow for only a right turn at Redwood onto 99E. The Council had asked Staff to review the conditions of approval and the minutes of the Planning Commission and City Council meetings for any mention of the intersection improvements for being a condition of approval for the Gramor Development.

Mark Adcock said part of the problem was with Union Pacific with getting their crossing work done.

Jerry Pineau said the problem was that Union Pacific needed to do their railroad work signaling at that intersection in order to tie it in. What they were not able to pin down was when Union Pacific actually had the work scheduled. He stated ODOT was saying that until Fred Meyer opened up, they did not want the signal system to be energized. It would alleviate the problem of blocking off North Redwood and restricting access there.

Councilor Lucas asked if North Redwood would be restricted. Jerry Pineau said no it would not because the signals would not be energized so it would have full access subject to the construction going on there.

**MANAGER'S REPORT:** None.

**COUNCILORS' ISSUES:** Mayor Taylor said in January, the City of Canby would be hosting the Clackamas Cities meeting which would be held at the Canby Adult Center.

Mayor Taylor said earlier on, the Council approved some work around his request to work on a Community of Promise, which dealt with children's issues. He wanted to let the Council know they put in for a grant, in cooperation with the School Board, to try and receive funding to hold a children's summit in February.

Mayor Taylor reminded the Council that the League of Oregon Cities annual conference would be held next week in Eugene.

**ACTION REVIEW:**

1. Execute the personal services agreement with Pam Beery.
2. Waive park fees for the annual Canby Junior Festival of Jazz.
3. Implement tuition assistance program.
4. Bring back Ordinance 1031 for second reading at a special meeting held November 24, 1999 at 7:30 p.m.
5. Implement Ordinances 1035 and 1036.
6. Bring back Ordinance 1037, 1038, and 1040 for second reading on November 17, 1999.
7. Continue to explore the topic of space allocation.
8. Continue to monitor Union Pacific to expedite and facilitate to the extent possible the improvements at the 99E and Redwood intersection.

Mayor Taylor adjourned the regular session at 11:40 p.m.

**There was no Executive Session.**

*Chaunee F. Seifried*

Chaunee Seifried,  
City Recorder pro tem

*Scott Taylor*

Scott Taylor,  
Mayor

*Sharon Tramel*

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