

CANBY CITY COUNCIL
REGULAR SESSION
JANUARY 20, 1999

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

Also present: City Administrator and City Recorder Mike Jordan, City Attorney John Kelley, Community Development Director Jerry Pineau, Recreation Services Director Beth Saul, Project Planner Clint Chiavarini, Sharon Tramel, Curt McLeod, Cam Sivesind, Pat Johnson, Thomas Postlewait, Nancy Salber, Walt West, John and Bette Vaudt, Jeff and Gale Hipp, and Curtis and Lila Gottman.

Mayor Taylor called the session to order at 7:33 p.m., followed by the opening ceremonies.

CITIZEN INPUT ON NON-AGENDA ITEMS: None

CONSENT AGENDA: **Councilor Daniels moved to adopt the consent agenda: minutes of the regular meeting and special meeting, January 6, 1999; accounts payable in the amount of \$526,786.22; park and recreation advisory board appointment; planning commission appointments; and renewal of planning commissioners positions. Motion seconded by Councilor Prince.

Mayor Taylor said if the Council wanted to have further discussion regarding the appointments of Teresa Blackwell and Geoffrey Manley to the Planning Commission, he could move that down on the agenda. He said those were the two names recommended to the Council.

Councilor Prince stated the two people mentioned were warranted and very capable.

Motion passed, 6-0.

Mayor Taylor stated the Planning Commission appointments were to begin on January 26, and Staff would meet with Mr. Stewart to do an orientation with the two new Commissioners.

Mayor Taylor asked the audience how many were there for which public hearings. He decided to move the Advance Financing District public hearing first since the audience was there for that hearing.

PUBLIC HEARINGS:

Mayor Taylor opened the public hearing at 7:37 p.m.

Advance Financing District on N. Redwood Street -

Curt McLeod introduced himself to the Council. He explained he had just completed the Advance Financing report and construction of storm drain facilities on N. Redwood Street. He explained the background of this project. In 1994 they completed a Storm Drainage Master Plan that identified the drainage patterns in and around the City. The one area that did not work well for subsurface disposal was the N. Redwood area. He explained there was a stretch of N. Redwood where the soils were different and there was a lot of surface water runoff, which created a flow of water over the roadways when there were storms. He said over the last ten to fifteen years, there was development on Pine Street that contributed to the drainage in the area. He said the drainage became an issue last year when there were annexation applications and also applications for development of subdivisions along N. Redwood Street.

Mr. McLeod said at the time, development approvals were being withheld pending resolution of the drainage problem. The City prepared a program to build the storm drains needed to collect the area that did not drain by dry wells. He explained what they were trying to determine tonight, was how to best allocate the costs to pay for that. He pointed to the map on the wall where it showed the limits of the districts that did not drain well by dry well disposal. He stated Territorial Road was across the top, Redwood Street was the eastern boundary, and Pine Street was the western boundary.

He explained they picked Redwood Street as a division line because there were several surface drainage ways that all end up in the detention ponds just south of Territorial Road and Willow Creek, then they determined the properties east of Redwood would generally fall easterly in the drainage pattern that was behind their lots so when the streets were going to be built, the drainage would be collected toward the back end and dumped directly into the surface drainage that went into those ponds. The west side, which was Pine Street was isolated by existing developments which their storm drainage systems did not function, and over the years they either had a dry well that was later abandoned or they were designed like 14th and 15th Avenues which went into a ditch along the Logging Road.

Curt McLeod explained there were dry wells down Pine Street that took care of the storm drainage at Pine Street. He said it was very difficult to determine what their limits should be. He said there was a dry well at the corner of T.J. Meadows, located at the corner of Pine Street and Territorial, which functioned adequately, at 15th Street the dry well did not function at all. He stated that Territorial Road had a drain line that ran down it and had dry wells scattered along Territorial Road. He noted a lower dry well was designed to be put in for the new bike path project that will be happening next year.

Mayor Taylor asked Curt McLeod to give an explanation of what a dry well was.

Curt McLeod explained that a dry well was a 4' diameter similar to a manhole, it was a concrete structure that was 26' deep, they go down to where they get into some permeable rock or sand formation, so that the storm water was collected into catch basins where the floating debris gets trapped, then the water went into the 4' diameter structures and then percolates into the ground.

Councilor Daniels asked what Mr. McLeod meant when he said a dry well failed. Mr. McLeod said when a dry well failed, it meant the water did not go anywhere.

Curt McLeod said the difference between the runoff of a pre-development and a post development was not as dramatic as a normal situation because a pre-development amount of runoff was now perking into the ground and hitting the ground water table 2' down then coming out of the ground and flowing into the creek once it got into the lower reaches of the drainage way. He said the biggest task was the design and construction.

Mr. McLeod said the biggest task was how to allocate the cost. He stated they worked over the costs, and looked to make an equitable allocation of cost. He said as a City function, they only built a portion of the pipeline, then they built the main trunk down until they provided exposure for the properties that wanted to develop now, and where they picked up the existing drainage from the subdivisions along Pine Street.

He said what they did for the cost estimates was they included what they had built plus they anticipated the cost of building the rest of the trunk, so they could inventory all of the cost and provide a basis of service so that everyone would have access to a pipeline. He said they gave the property owners credit for that amount, so when they assessed the blanket rate to everyone, they ended up with \$7,990 per acre was the charge for constructing the storm drain system. He gave an example that if a property did not have a main line built, on his allocation of cost, they would reduce it by the amount it would take to build that section. When the time came to develop the properties, they would have to build the system.

Curt McLeod stated there were two options. One would be to leave the drainage way in place and as each property developed, they would be allowed to discharge what their pre-development flow was by drainage laws. He stated they elected not to do that in Canby. The maintenance of detention ponds were costly, and after a period of years, people did not maintain the discharge points which resulted in overflowing and not functioning. The second option would be to pipe the entire system down to the point where it would be acceptable to discharge. Since everybody had the ability to pipe their own system, they would be able to pipe it through their property and build the detention for their own property if they wished to develop. He concluded the benefit of building a pipeline was the same for everyone. They had the right to discharge into the creek at the bottom part of their property and they could proceed, if the City elected, to build detention systems to where the existing drainage pattern would still provide the drainage. He said some unique things about the allocation was all of the developments along Pine Street that were pre-developed, did not have an avenue to get a System Development Charge or an Advance Financing fee from them when they go to buy a building permit because they were pre-existing. He said the total cost to be allocated to the property owners would be \$419,000, so the City had more than a third of the total cost for the project.

Mayor Taylor asked if the people who lived on Pine Street had the ability to put a lien on the

future sale of a house so that when they sold, the new owners would have the cost.

Curt McLeod said it would be if it were a Local Improvement District, but with an Advance Financing District, they would not be providing a benefit that the house did not already have. If the drainage was not going anywhere now, and they built the system, they would be providing a tangible benefit to the property and then they could allocate the cost and then determine a way of collecting it.

Councilor Harris said the Advance Financing District was not to recoup costs, but to pay for things that were going to be constructed.

Curt McLeod said Councilor Harris was incorrect. He stated the way it was laid out was that they included what was already spent plus they included what was going to be built.

Councilor Harris asked if it was unusual that so much was constructed and now they were discussing the financing.

Curt McLeod said it started out being funded through SDC's, which did not accumulate any money since they only charged \$4 per connection. He said it fit within the Advance Financing District program fine, it was typical for what the local developer would do. He said secondly, it was initially just a City function that was going to be paid out of the Sewer System Reserve Fund. He stated why they were there tonight, was for the Council to determine the support or the objection of forming a district, whether the benefit was adequate for what they were assessing people and also to consider if the boundaries were adequate.

Mayor Taylor said if he were a property owner for property that was developed, he would not get a bill for \$7,000, he would get the bill when they went to develop the property.

Curt McLeod did explain that it would accrue interest, in his evaluation, they were pre-developing every one of those properties, providing a portion of the development they would have to do with 1998-1999 dollars.

Councilor Lucas asked if there was standing water where the trunk was now.

Curt McLeod said the trunk main essentially went to Heritage Park. Before, there was a catch basin that dumped water into it, so they intercepted all of the water from Heritage Park and Erika Acres. They also intercepted all of the water that came from existing subdivisions along Pine Street, so the only water there should be, is the water generated on-site. He stated the ground water table was so shallow that when rainfall falls in the district, it does not perk into the ground.

Councilor Carson asked if the holding ponds were not put in, how much land would have been lost for each property.

Curt McLeod explained they did that on the difference between pre-development and post development flows. He said it would be identical for everyone because the rainfall and the runoff were a factor of the amount of permeable area they had.

Councilor Carson asked how many lots they would have to take out to put in the holding ponds. Curt McLeod said if they kept the natural drainage way, they might have lost one to two lots on the fifteen-acre parcel. He said the detention systems would not take any land since it would be an underground pipeline.

Councilor Carson asked on the eastside area, where the water would drain into the lower creek area, would there be an additional pollution factor. Curt McLeod did not think there would be.

Councilor Prince said the Planning Commission had been working with Staff for the past two years with the two subdivisions. The Planning Commissioners had concerns regarding allowing subdivisions to go in and then getting flooded out. He felt it important that the Council keep moving forward on this, since housing would be coming in the Spring.

Mayor Taylor asked the audience members how long they needed to speak. He gave Tom Postlewait fifteen minutes and everyone else five minutes.

Tom Postlewait who lived and owned property on N. Redwood Street for the past thirty five years disagreed with Mr. McLeod's way on funding this project. He asked Mr. McLeod why on Redwood he said 30" of pipe would be enough to carry the water and went up to 36" on Territorial. Curt McLeod said there were some existing drainage on Territorial. Tom Postlewait thought there was a special junction box put in so that they could tie into it from Territorial. Curt McLeod said yes there was. Tom Postlewait asked if it was going to be funded in with that. Curt McLeod said yes it was going to be, it was part of the Phase 3 Storm Drain Master Plan that they never expected to implement, it was a plan that if the EPA said they could no longer have dry wells. He stated if they came to the point of not being able to do dry wells, they would have storm drains, which there is no funding for.

Mayor Taylor stated along Territorial, there was a 36" pipe and the cost was being distributed to the property owners in that section, so that in the future if they had to accommodate the other flow, the pipe would be big enough, and that Tom Postlewait was paying them for the extra six inches of pipe on that section.

Mayor Taylor explained Curt McLeod provided a payment rationale and people were there tonight offering different views.

Tom Postlewait asked the Council to postpone the voting on this for approximately 60-90 days so they could have an opportunity to consult with their attorney to look at the situation.

Jim Postlewait wanted to review a couple of things. He read from the Municipal Code 4.12.080

regarding the Advance Finance Reimbursement. He felt some of the people benefitted more than others. He said Curt McLeod had said they were providing a portion of the development they would have to do. If they were going to develop and put in a storm drain, they would not be interested in helping pay for it.

Betty Postlewait who owned the property that was being affected stated their attorney could not be there this evening because he flew out of town.

Nancy Salber from Walter West Construction who owned one of the properties affected, was concerned people within the district are charged interest on their assessment. She stated if a property owner desired to develop their property and went through the City process, at any point Staff, Planning Commission, City Council, and the voters could deny the request, would it be fair to burden the property owners with interest. She felt people would not pay the assessment because they would not benefit from it. She said Curt McLeod had stated they would receive the benefit of 1998 pricing, but he had also said two years down the road the prices did not increase. She said their assessment was \$37,000, in ten years it would double. She wanted the Council to look at it as if they were the ones receiving the assessment.

Mayor Taylor said they recently discussed the issue of interest.

Mr. Jordan said both himself and the Mayor were involved in the research regarding the issue. The opinions they received were that the Council was within their purview to charge interest regardless of the other acts it would take, which would be the land use policy. One suggestion for a policy change in the Advance Financing was to stop the interest from accruing once the Council had taken a policy decision which would have denied a property owner the opportunity to develop. The other option was to allow the property owner at any time to pay the assessment.

Nancy Salber wanted the Council to look at it as if they were property owners because they would write a check for \$8,000 and not receive a single benefit.

John Vaudt who lived on N. Redwood Street for twenty years stated the water never ran across the road during the time he had lived there until that piece of property had been developed which was not properly engineered. He also received a memorandum that said to the benefitted property owners on N. Redwood Street, he felt he would not benefit by this. He never had a problem with drainage on his property.

Mayor Taylor closed the public hearing at 8:43 p.m.

Councilor Harris asked if there were a time frame they were dealing with.

Curt McLeod said the ordinance stated they had six months from the end of construction to initiate the process.

Councilor Prince thought the property owners should be able to consult with legal counsel.

Councilor Strong also thought they should postpone the hearing.

Councilor Daniels stated the property owners were more concerned about the financing rather than the drainage district.

Councilor Lucas agreed this was a good plan. He felt it did benefit the property owners on development. He also thought the Postlewait's should receive 60-90 days to get representation.

Councilor Harris also thought this was a good plan.

Mayor Taylor said the consensus of the Council was to allow the Postlewait's 60-90 days to meet with legal counsel to see if they could come up with a better idea or to allow Staff to reexamine things brought up this evening.

****Councilor Harris moved to continue the Advance Financing District public hearing to April 21, 1999. Motion seconded by Councilor Daniels, passed 6-0.**

Mayor Taylor recessed the meeting at 9:05 p.m.

Mayor Taylor reconvened the meeting at 9:12 p.m.

ANN 98-03, Sampsel/Nellen (Annexation Request of Two Parcels, Totaling 1.5 Acres Into the City) -

Mayor Taylor read the public hearing format.

Mayor Taylor opened the public hearing at 9:17 p.m.

CONFLICT OF INTEREST:

Councilor Strong - No conflict and plan to participate.

Councilor Prince - No conflict.

Councilor Harris - No conflict and plan to participate.

Mayor Taylor - No conflict.

Councilor Daniels - No conflict and plan to participate.

Councilor Carson - No conflict.

Councilor Lucas - No conflict and plan to participate.

EX'PARTE CONTACT:

Councilor Lucas - No ex'parte contact.

Councilor Carson - Visited the site, drew no conclusions.

Councilor Daniels - Visited the site, drew no conclusions.

Mayor Taylor - Visited the site, no other contact.

Councilor Harris - Visited the site.

Councilor Prince - Visited the site, drew no conclusions.

Councilor Strong - Visited the site.

STAFF REPORT: Project Planner Clint Chiavarini explained this was an annexation of two properties, totaling approximately 1.5 acres on Township Road and S. Redwood. He stated tax lot 100 was a .64 parcel, and tax lot 200 was .86 acres. The Comprehensive Plan zoning was split, north was zoned for high density residential and south was zoned low density residential. He explained tax lot 200 was recently sold and the new owner had submitted a letter which stated he intended to continue with the annexation process.

Clint Chiavarini explained the two properties wanted to annex into the City was primarily to connect to City services. He said a couple months ago City Council approved the conditional connection of these properties to City services providing they sign an agreement not to withdraw from the annexation process. The property at the north had a failed septic system, and the property to the south had a contaminated well. Since that time he had the well tested a couple of times, and it now tested all right. So they decided not to connect at this time. If the property were to redevelop completely, the City could possibly look at fifteen high density units and three single family units, which would mean the existing two houses would need to be demolished. The property owner on tax lot 100 had been trying to sell, however, it is a newer single family home and probably would not be demolished. The property owner on tax lot 200 had inquired with Staff about the possibilities of subdividing through a minor land partition process.

Clint Chiavarini stated the Fire Marshall asked that a fire hydrant be installed, they could not condition annexation, therefore, they could not require them to install the fire hydrant, and because of the proximity to the school, the school district said they would like to see a sidewalk along the frontage of Redwood Street. He said the other major issue was tax lot 100 had several arborvitae hedges that obscured the vision. The County had issued an enforcement notice to the property owners.

Councilor Daniels asked if the well was for domestic purposes, etc. Clint Chiavarini stated it was for domestic purposes.

Mayor Taylor was concerned the original reasons for the Council to consider this, was because of the desire to move off of the well.

Councilor Harris asked if they approved this annexation, when would it go to the voters.

Clint Chiavarini said it would be on the May ballot. He also stated they would need to draft ordinance language. He asked the Council how they wanted to proceed as far as drafting outline. Would they like to wait and do a variety at the same time, or as they came in?

Mayor Taylor closed the public hearing at 9:30 p.m.

Mayor Taylor asked if everyone was clear that the annexation applicants pay for the ballot.

Michael Jordan said under our ordinance, annexations could only appear on the primary or general election ballots. The County did not charge for the primary or general election. He said if a person wanted to be on a special election, they could pay, but the language did not appear on the final ordinance.

Mayor Taylor thought this should be an agenda item.

Mr. Jordan let the Council know they were reviewing the language. He stated the City did incur extra costs for voter approved annexations over and above the land use process.

****Councilor Harris moved to approve ANN 98-03, a request for annexation of two parcels totaling 1.5 acres into the City limits and direct Staff to return with written findings at the regular Council meeting of February 3, 1999. Motion seconded by Councilor Prince, and passed 6-0.**

Councilor Harris suggested they deal with the ballot language individually as they came.

COMMUNICATIONS: None.

NEW BUSINESS: Township Road Pedestrian Bridge Foundation Construction Change Order No.1 -

****Councilor Daniels moved to approve Change Order No. 1 for the Township Road Pedestrian Bridge Foundation construction and contract with Four Rivers Construction, in the amount of \$3,953.22. Motion seconded by Councilor Harris, and passed 6-0.**

Joint Planning of Recreation Facilities Between the City and the Canby School District - Beth Saul explained they had ongoing, informal discussions regarding possibly developing property on 13th, next to Valley Farms and the Ackerman School District property.

Mayor Taylor said there were a group of students that had brought in pictures and suggested different ways of utilizing the property.

Mayor Taylor said it would be fine for Beth Saul to represent them in a meeting to discuss that.

Mayor Taylor asked about the skate park. Beth said Councilor Lucas would report about that at the February 3, 1999 Council meeting.

IGA Between Clackamas County and City of Canby for Township Road Improvement Project - Community Development Director Jerry Pineau said this was a proposal given to them by Clackamas County for an IGA to do the Township Road Improvement Project. Included in the project would be a sewer line extension, for low income housing that would be going in.

Mr. Pineau explained Staff's recommendation was to authorize the Mayor to enter into the attached IGA with Clackamas County for the Township Road and the Casa Verde sewer extension projects.

Mr. Jordan said the bottom line of the right of way issue was not the funding, it was the time issue, and it would be extremely cumbersome, and the fact that they would have to pay for all of the pieces of right of way that would be required to make Township a full cross section under Federal rules.

Curt McLeod said they had the funding to do the job, they did not have the funding to go through the procedure of securing the right of ways.

Mayor Taylor wanted it understood that they do one piece now, then budget the funds to bring the whole thing in with sidewalks and curbs.

Mr. Jordan said they had the funds, the timing issue was going out and acquiring twenty pieces of right of way in a cost efficient way.

Councilor Prince stated some of the right of ways that needed to be acquired would not be easy to fix. He wanted Staff to commit to some type of timetable for acquiring the right of way.

Mr. Jordan said they would come back at the next meeting with a time schedule for the completion phase of the project, and also the amount of right of way needed.

Curt McLeod said Clackamas County was interested in separating it and making it two separate projects.

Jerry Pineau said they needed to make sure the Community Development Block Grant was completed and signed off on.

****Councilor Daniels moved to authorize the Mayor to enter into the enclosed Intergovernmental Agreement with Clackamas County for the Township Road and Casa Verde Sewer Extension projects. Motion seconded by Councilor Strong, and passed 6-0.**

ORDINANCES & RESOLUTIONS:

Ordinance No. 1014 -

****Councilor Harris moved to adopt Ordinance No. 1014, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF CANBY AND CANBY TELEPHONE ASSOCIATION TO FURTHER EXTEND THE CURRENT NON-EXCLUSIVE FRANCHISE AGREEMENT. Motion seconded by Councilor Strong.**

Councilor Prince asked how long they would be extending it to. Mr. Jordan stated it would be extended through April 22.

Motion passed by roll call vote, 6-0.

Ordinance No. 1015 -

****Councilor Harris moved to adopt Ordinance No. 1015, AN ORDINANCE REPEALING PROVISIONS OF CANBY MUNICIPAL CODE SECTION 2.48 REGARDING THE POLICY ADVISORY BOARD FOR THE CANBY ADULT CENTER be posted and come up for second reading on February 3, 1999. Motion seconded by Councilor Strong, and passed 6-0, on first reading.**

Resolution No. 688 - Postponed.

UNFINISHED BUSINESS: Findings, Conclusions and Final Order, ANN 98-01 (Pete Kelley) -

****Councilor Daniels moved to accept Findings, Conclusion and Final Order of ANN 98-01 (Leonard Kelley). Motion seconded by Councilor Strong.**

Councilor Prince abstained since he heard this as a Planning Commissioner.

John Kelley stated they would have the proposed ballot language and resolution adopting the ballot language.

Motion passed 6-0.

MANAGERS REPORT:

Mr. Jordan said there was an Urban Renewal meeting January 21, at 7:00 p.m. in the Library. There would be a Clackamas County Cities Association meeting in Milwaukie, on January 28. A workshop session will be held February 10, at 7:00 p.m. in the Council Chambers for Community Development. A workshop session was going to be held February 24, at 7:00 p.m. in the Council Chambers for Administrative Services. Then there will be a Budget Committee meeting to hold a Supplemental Budget hearing and also an orientation session, March 1, at 7:00 p.m.

Mr. Jordan stated the Mayor wanted to meet with the School Board, Canby Utility Board, and Planning Commission. Mayor Taylor wanted the boards to meet all in one meeting, approximately two hours, Wednesday night would be acceptable. Staff would call the different boards and committees to find a date and time that would work for everyone.

Mr. Jordan said they contacted Legislative Council regarding TriMet. Legislative Council needed a direct request from a legislator to do the drafting, so Mr. Jordan would be contacting Kurt Schrader to make that request.

He also said on Thursday, Clackamas County would be working with Clackamas County personnel regarding safety inspections of trucks on Arndt Road, as they approach Canby. He explained it would be a traffic stop, then they would be directed to the Fairgrounds. In conjunction with that, they would be advising drivers of accessing the City on Knights Bridge Road and polling them regarding their destination and what kind of deliveries they were making. The current ordinance regarding truck traffic on Knights Bridge Road allowed local deliveries within the City.

He explained the parking signs were up on SW. 2nd Avenue. Also, the Territorial Road and 99E signalization feasibility study was in its final draft form and would be coming to the Council in the near future.

Mr. Jordan told the Council that Canby was the front runner for landing an industrial property called Cintas. It was a company that did uniform cleaning and distribution. They would be employing 100 people. The City was still going over their sewer discharge issues.

The design review application was in for Canby Station which was the Cutsforth Development, and building permit applications were in for Canby Builders Supply for their new location.

COUNCILORS' ISSUES:

Councilor Daniels gave the Council an update on the traffic safety on the downtown parking. He

personally took the questionnaire to each downtown business. The results were being tabulated, and would be going to the Traffic Safety meeting this coming Tuesday. He also stated the restroom at Wait Park was not handicap accessible. He also noted the painting of the restroom needed to be repaired or to just tear it down. He wanted to get Council approval to direct Staff to come up with a design and prices.

Councilor Lucas passed out tickets to the Mayor, Council, City Administrator, and City Attorney for the 21st Annual Canby Kids Super Bowl Pancake Breakfast. It was going to be held Sunday January 31, at Cutsforth's Old Town Hall from 7 a.m.-1 p.m. Tickets were available at Wayne Oliver Insurance, Cutsforth's Thrift way, and Canby Sporting Goods.

Councilor Harris stated that several weeks ago, they discussed parking problems and busses turning on SW. 2nd and Elm. He made the suggestion of looking into the possibility of adding crosswalks, and also considering other intersections. He wondered if anyone was dealing with that issue.

Jerry Pineau stated Roy Hester was looking into it.

Mayor Taylor appreciated the gesture from Canby Kids but he wanted to give his back and give someone else the chance to go that would normally not be able to attend.

Councilor Prince reminded everyone that the legislative session coming up had some interesting things like voter approved annexations. Also, House Bill 2406 which was looking to disband Land Conservation and Development Commission and bring it into a regional type situation. He said there would be a look at System Development Charges for schools. He explained Kurt Schrader was going to enact the bill.

ACTION REVIEW:

1. Continue Advance Financing District hearing on April 21.
2. Bring back amendment to the voter approved annexation ordinance regarding the cost for producing ballot language.
3. Return with findings on ANN 98-03 and the language for resolution and ballot title.
4. Returning with schedule for right of way acquisition and completion of Township Road along with a map.
5. Entering into the IGA with Clackamas County regarding the Township Road Community Development Block Grant.
6. Implementing Ordinance No. 1014.
7. Bringing back Ordinance No. 1015 for second reading.
8. Bringing back a resolution ballot title for ANN 98-01.
9. Investigating cost and design issues around new restrooms at Wait Park.

John Kelley asked the Council if they wanted them to come back with a proposal to allow for

special elections within the voter approved annexation ordinance. The 6-month period gave Staff time to go through the Planning Commission and City Council.

Mayor Taylor said if someone came in and wanted the ability to hold a special election, there would be a process.

Mr. Jordan stated currently we did not have that ability.

**** Councilor Daniels moved to go into Executive Session under ORS 192.660 1(b) discipline of public officers and employees, and 1(h) property negotiations. Motion seconded by Councilor Prince, and approved 7-0.**

Mayor Taylor recessed the regular session at 10:35 p.m.

Mayor Taylor reconvened the regular session at 11:17 p.m. and immediately adjourned the session.

**EXECUTIVE SESSION
JANUARY 20, 1999**


PRESENT: Mayor Scott Taylor, Councilors Daniels, Lucas, Strong, Harris, Carson, and Prince and City Administrator and City Recorder Mike Jordan, Cam Sivesind and Pat Johnson.

Councilor Daniels called the session to order at 11:05 p.m.


ORS 192.660 1(b) - The Council discussed the Fillis case.

ORS 192.660 1(h) - The Council discussed Canby Builders Project.


Councilor Daniels adjourned the session at 11:17 p.m.



Michael J. Jordan,
City Recorder pro tem



Scott Taylor,
Mayor



Sharon Tramel,
Prepared by Sharon Tramel,
Office Specialist