

****Councilor Lucas moved to go into Executive Session under ORS 192.660 1(a) employment of a public officer. Motion seconded by Councilor Carson, and approved 4-0.**

**EXECUTIVE SESSION
APRIL 7, 1999**

PRESENT: Councilors Daniels, Lucas, Strong, and Carson, Acting City Administrator Beth Saul, Cam Sivesind, and Dick Townsend.

Mayor Scott Taylor arrived at 6:07 p.m., Councilor Prince arrived at 6:15 p.m., and Councilor Harris arrived at 6:35 p.m.

Council President Daniels called the session to order at 6:05 p.m.

ORS 192.660 1(a) - The Council discussed selection of candidates to interview for the City Administrator position and how the assessment center would work.

Mayor Taylor adjourned the session at 7:15 p.m.

**CANBY CITY COUNCIL
REGULAR SESSION
APRIL 7, 1999**

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

Also present: Acting City Administrator Beth Saul, City Attorney John Kelley, Community Development Director Jerry Pineau, Planning Director Jason Kruckeberg, Police Chief Jerry Giger, City Treasurer and City Recorder pro tem Chaunee Seifried, Sharon Tramel, Cam Sivesind, Curtis and Lila Gottman, and Barb Kirwan.

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

CITIZEN INPUT ON NON-AGENDA ITEMS: Lila Gottman introduced herself to the Council. She pointed out that at the Councilors' places were entry forms for the pedestrian bridge walk, run, etc. She also explained there was a parking problem on 13th Street, from Ivy to the City limits, which was Valley Farms. She explained there was no residential parking.

Employees from the school were parking on the street because it was more convenient. She said now that Spring was here, there were a lot of sporting activities going on, which meant people were parking on both sides of the street. She said what made it dangerous was the street faced directly into the sun.

Lila Gottman asked the Council how they wanted her to proceed with this particular issue. She asked whether they should have a workshop, or did they want a packet presentation from the Traffic Safety Committee.

Mayor Taylor felt the people who identified the problem may have some ideas. He suggested to Lila that she make a presentation to the Council along with a couple of solutions, then the Council could help make that selection.

Councilor Lucas agreed. He said 13th Avenue was going to change drastically as soon as Berg Parkway got put through.

Councilor Carson suggested that Lila needed to contact the school about the parking problem. Ms. Gottman said they had already discussed the situation with the school.

Mayor Taylor asked Ms. Gottman how long she needed to get the information together for the Council.

Ms. Gottman said she could have the information together by the first meeting in May.

CONSENT AGENDA: **Councilor Daniels moved to adopt the consent agenda: minutes of the workshop, March 15, 1999; minutes of the regular meeting and executive session, March 17, 1999; accounts payable in the amount of \$117,532.36; acceptance of right of way-SE Township Road and S. Ivy Street. Motion seconded by Councilor Prince, and passed 6-0.

PUBLIC HEARINGS: Title 16 Code Amendments-TA 99-01 -

Mayor Taylor opened the public hearing at 7:40 p.m.

City Planner Jason Kruckeberg explained the Planning Commission and Staff were always looking through the Development Code to determine if there was anything that needed to be changed, updated, or modernized. He said TA 99-01 was their latest version of Code Amendments. He said the current set was in response to a couple of issues that were brought up in front of the Planning Commission.

Mr. Kruckeberg briefly went through the sections. Section 1 was about adding bicycle parking standards to the codes. Sections 2, 3, and 4 dealt with site and design review, and paving projects. They added specific paving requirements instead of site and design review, so they

exempted strict paving from those requirements and added a different set of regulations. Section 4 dealt with modifications. He said currently they did not have a process for dealing with those outside of coming back through the entire design review process, so they were adding a modification process which he felt would be more effective in dealing with some of the smaller issues that came up after an application had been approved. Sections 5-12 were house keeping issues, cleaning up typos, and some of the language that was used. Sections 13-18 had to do with traffic impact analysis. Mr. Kruckeberg said the current standard was based on the number of employees, and they found it was not an accurate method of determining whether or not a traffic impact analysis would be necessary. Section 19 had to deal with annexation filing procedures. The requirements in the code made it necessary for applicants to provide a general land use plan and also a traffic impact analysis at the time of annexation. So they added the wording in the annexation filing procedures that the traffic impact analysis and general land use plans were not required if the property had been included in the Master Plan area. Section 20 allowed for special elections. Currently the ordinance read that applicants can only be considered during the May and November general elections. It would still go through the City Staff, Planning Commission, and City Council for review. But at the time of approval, the applicant could opt to pay for a special election if it would save them time. Section 21 had to deal with minimum street widths. He said what the requirement did, was rather than having a full width road necking down to a sub standard 18' road, the developer would need to provide a 24' strip of pavement.

Mr. Kruckeberg said it was a way of getting sub standard roads up to a serviceable width.

Councilor Harris asked if the developers were required to pave in one direction up to the next arterial? Mr. Kruckeberg said yes, it was just in one direction.

Councilor Harris asked of a place where this situation would develop. Mr. Kruckeberg said it developed at Redwood Street.

Councilor Prince said this was based on Washington County. The whole purpose for this was for public safety, and not to have heavily-traveled streets in large subdivisions going in with only 18' with just enough room for cars to pass.

Mr. Kruckeberg said Sections 22-23 added definitions into the code for trip generations and traffic impact analysis. He felt all of the criteria had been met with the particular cases, and there was a requirement under Measure 56 that if any code amendment or text amendment would have the potential to lower property values, you would need to send notice. They determined none of them did that, they simply tightened up language and created technical base for decision making.

Councilor Carson said on page 5 of the Staff report, under Section 2F., it stated if no buildings or structures were involved, paving or parking lot development in excess of 2,500 square feet of impervious surface would be exempted from site and design review.

Mr. Kruckeberg said there would not be any action taken on a paving project less than 2,500 square feet. But for a paving project 2,500 foot and above would require site and design review under the current code.

Councilor Carson asked if there was reasoning for the 35' principal building height instead of the two and a half story. Jason Kruckeberg said they tried to determine what a half a story was. He explained there really was not such a thing as half a story.

Councilor Prince thanked the Planning Commission for all of the work they had accomplished. He said Section 21 was clearly a public safety issue which should be addressed.

Mayor Taylor closed the public hearing at 8:00 p.m.

****Councilor Daniels moved to adopt Ordinance 1019, AN ORDINANCE FOR THE CITY OF CANBY, COUNTY OF CLACKAMAS, OREGON, AMENDING TITLE 16 OF THE CANBY MUNICIPAL CODE (LAND DEVELOPMENT AND PLANNING ORDINANCE); AND DECLARING AN EMERGENCY be posted and come up for second reading on April 21, 1999. Motion seconded by Councilor Prince, and passed 6-0.**

1998-1999 Supplemental -

Mayor Taylor opened the public hearing at 8:02 p.m.

Acting City Administrator Beth Saul said the supplemental budget was reviewed by the Budget Committee on March 10, and at that time it was recommended that it be approved by the City Council after the public hearing. She explained most of the money was a cash carry over or in some cases were unanticipated grants or other revenues they had received. She said any department that saved or had any extra money at the end of the year, 80% could be used for a project and 20% would go into the general fund.

Mayor Taylor closed the public hearing at 8:03 p.m.

****Councilor Daniels moved to adopt Resolution No. 698, A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR THE 1998-1999 FISCAL YEAR. Motion seconded by Councilor Strong, and passed 6-0.**

COMMUNICATIONS: Visit from Congresswoman Darlene Hooley on April 24, 1999 - Mayor Taylor said Congresswoman Darlene Hooley was going to visit on April 24, 1999 from 2-3:30 p.m. in the Library Community Room.

NEW BUSINESS: Contract Amendment with OTAK in the amount of \$2,832.00 - Beth Saul explained OTAK did the Master Plan for the Industrial Park, and it was quite an extensive process. There was a final bill that was sent which the City apparently did not receive. It did

involve an extension to their contract, so she prepared a Staff report which asked they approve an extension to their contract and pay the final bill of \$2,832.00

****Councilor Lucas moved to authorize the Mayor and Interim City Administrator to sign the "Professional Services Agreement Supplement No. 1" with OTAK and approve the final payment of \$2,832.00 for services that were performed at the request of the City. Motion seconded by Councilor Strong, and passed 6-0.**

ORDINANCES & RESOLUTIONS:

Ordinance No. 1017 -

****Councilor Lucas moved to adopt Ordinance No. 1017, AN ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE TO NORTH WILLAMETTE TELECOM TO PROVIDE CABLE SERVICE WITHIN THE CITY OF CANBY. Motion seconded by Councilor Harris, and passed by roll call vote, 6-0.**

Ordinance No. 1018 -

****Councilor Lucas moved to adopt Ordinance No. 1018, AN ORDINANCE AMENDING THE MUNICIPAL CODE FOR THE CITY OF CANBY, OREGON, BY REPEALING CHAPTER 5.08, "CABLE TELEVISION COMMUNICATION SYSTEMS." Motion seconded by Councilor Strong, and passed by roll call vote, 6-0.**

Resolution No. 696 -

****Councilor Daniels moved to adopt Resolution No. 696, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANBY, OREGON REPEALING RESOLUTIONS NO. 337 AND 338 GOVERNING THE AWARD OF A CABLE FRANCHISE TO CANBY TELEPHONE. Motion seconded by Councilor Strong, and passed 6-0.**

Resolution No. 697 -

City Attorney John Kelley said earlier in the meeting they agreed to accept the right of way dedication of SE Township and Ivy which was on the consent agenda.

****Councilor Prince moved to adopt Resolution No. 697, A RESOLUTION TO ACCEPT DEDICATION OF LAND FOR IMPROVEMENT OF SE TOWNSHIP ROAD AND S. IVY STREET. Motion seconded by Councilor Lucas, and passed 6-0.**

MANAGER'S REPORT: Beth Saul pointed out to the Council that the painting of the Council Chambers had begun. Jerry Giger had put up a white board and a few other accessories. Also, the audience chairs had been set diagonally, to see how it would work out.

The League of Oregon Cities Legislative Conference was going to be held April 20 at the Local Government Center in Salem. The Legislators will brief them on issues, and answer any questions they might have. Also the League of Oregon Cities might have information on issues that the City did not have.

Beth Saul said the American Legion Post 122 was honoring policeman and fireman of the year. She asked the Council if they were planning on attending. Mayor Taylor, Councilors Harris, Prince, and Carson would be attending.

She said the downtown parking meeting was going to be held April 14 at the Canby Adult Center at 7:00 p.m., and at that time the budget books would be distributed. The budget meeting was going to be held April 28, and in those two weeks she wanted the Council to review their budget books, and if they had any questions to call herself or Chaunce Seifried at City Hall.

Beth Saul said April 15 was going to be the Urban Renewal Meeting, but the Council was not required to attend. The Clackamas Cities Association Dinner was being hosted by the City of Molalla on April 29 at the Molalla Adult Center, 6:30 p.m. social time, and dinner would be at 7:00 p.m. She also pointed out to the Council that Police Chief Jerry Giger put together a packet of all the information regarding the downtown parking issue for the meeting that was being held on April 14.

Mayor Taylor explained the Council's intent on the downtown parking meeting was to have this meeting and unless new, fresh, or a different perspective is brought up and would warrant further meetings, this would be their attempt to put closure on this issue.

Councilor Lucas wanted to make sure everyone was notified. Beth Saul said 275 people were notified by using the business license and the EID list.

Councilor Harris said there were letters attached to windows of businesses in the downtown area, but the letters were only done in English.

Mayor Taylor said if someone came to the meeting and did not have any information on the issue, they would be spending some time at the beginning of the meeting on some history of the parking issue.

COUNCILORS' ISSUES:

Councilor Prince asked Staff what the status of the highway expansion of 99E and Ivy was.

Jerry Pineau said they would need to check on that and get back to the Council.

Councilor Strong also wanted to find out when the two streets were going to get paved that were worked on last Fall.

Mayor Taylor explained they were in the middle of doing the Comprehensive Plan and adjustments. He said the City would be facing some tough issues, and he wanted to get feelings from the average Canby citizen about the use of farm land for example. He said if the public had any thoughts, to please call or write to City Hall with any comments they might have.

Jason Kruckeberg said there would be a public hearing on April 21 on this issue.

Mayor Taylor updated the citizens on the process of contacting a variety of applicants for the City Administrator position and would be setting up interviews for May 8. He also invited everyone to come out and walk, run, ride, etc., during the pedestrian bridge ceremony on May 22. Starting at Trost School at 8:30 a.m., followed by a ribbon cutting ceremony, then on to exercising the path.

ACTION REVIEW:

1. Lila Gottman will be bringing 13th Avenue parking issues to the Traffic Safety Committee, and possibly bringing information back to the Council in May.
2. Bringing back Ordinance No. 1019 on April 21, 1999, for second reading.
3. Implementing Resolution No. 698.
4. Signing OTAK supplemental contract and paying final bill of \$2,832.00.
5. Implementing Ordinances 1017 and 1018.
6. Implementing Resolutions 696 and 697.
7. Distribute Spanish version of the notice for the downtown parking meeting.
8. Status of Hwy. 99E and Ivy intersection.

There was no Executive Session.

Mayor Taylor recessed the regular session at 8:35p.m.

Chauncey F. Seifried

Chauncey Seifried,
City Recorder pro tem

Scott Taylor

Scott Taylor,
Mayor

Sharon Tramel

Prepared by Sharon Tramel,
Office Specialist