

CANBY CITY COUNCIL
REGULAR SESSION
APRIL 21, 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, Susan Wood, Betty Kirk, Irene Breshears, David Lee Webber, Curtis and Lila Gottman, Bettie and Fred Postlewait, Jerry and Connie Franz, John Dewar, Derek Bliss, Craig Finden, Irma Llanes, Joan Jones, and Tim McCorims.

Mayor Taylor called the session to order at 7:31 p.m., followed by the opening ceremonies.

CITIZEN INPUT ON NON-AGENDA ITEMS: Representative Kurt Schrader apologized for missing the last meeting he scheduled with the Council. He was asked to help sponsor a bill for the City to investigate the opportunity of opting out of the Tri-Met public transit system, and possibly establishing the City's own system or contracting with someone else to do so. They perhaps could do the same service for half the price. Growth, the retirement center and community development on S. Ivy, along with the Gramor addition, showed the City's needs may be greater and need more efficient service. All the bills on the House side had to be kicked out by the end of next week or they would not get heard. They had a month to get this bill to the Senate. He was informed that the hearing for this issue was scheduled for Friday at 8 a.m. in Salem. Because they were on a timeline, they did not want a lot of testimony, one, two, or three at most would be enough. If people wanted to come down and show strength, that was very positive. He had talked with other committee members and they already somewhat supported this bill. He also had a meeting with Mike Jordan, Fred Hanson, head of Tri-Met, and others to discuss the advantages of this move. Representative Schrader and Commissioner Jordan explained the advantages of having the City's own district. They did not have to have everything done by Friday, the bill only gave Canby the option of withdrawing, and then they had to go through a process where they discussed and made their case with Tri-Met. Tri-Met was becoming more reticent to let people out, and even if they did fit under the population limit, it might be looked upon negatively by people on the board. Mr. Hanson thought that it might be fine since it would be a peripheral territory doing their own thing and working cooperatively with them.

To secure their support, there would be several amendments to the original bill. There was a concern about the timeframe and they felt it should be pushed out to 2001. The other issue was the discussion of several communities of 10,000 population and under having to re-testify and go through the process again, so another portion of the amendment would be to limit the opportunity to the communities with 10,000 to 15,000 population, which added Canby and Troutdale. He spoke with a representative of Troutdale who saw no problem with this. The other issue was

some sort of sunset for this, because it was unchartered territory. They suggested a sunset of December 31, 2001. The amendments were being drafted and would be introduced on Friday. Once this bill was passed, they could start making their case to Tri-Met.

Mayor Taylor thanked Representative Schrader in helping the City with the process, doing the leg work, and keeping them on top of this opportunity. He asked how many City Councilors planned to be there on Friday. Councilors Lucas and Prince said they would like to be there, but they would have to work out scheduling.

Mayor Taylor said this would be a brief statement of why they wanted this opportunity. Also if they were successful, they would have another opportunity to testify in the Senate.

Councilor Daniels said they had talked about this for a long time and the last time they had a lot of opposition from citizens who were using Tri-Met and were concerned that the City was cutting out service. He wanted to reiterate that was not the case, they were looking for some better service and Tri-Met was not filling the need of the community.

Representative Schrader said they were searching for better service for less money that met the community's needs.

CONSENT AGENDA: **Councilor Daniels moved to adopt the consent agenda: minutes of the regular meeting and executive session, April 7, 1999; accounts payable in the amount of \$112,269.84; and salary adjustment for Community Development Director. Motion seconded by Councilor Harris, and passed 6-0.

PROCLAMATIONS: National Association of Letter Carriers National Food Drive Day - Mayor Taylor read the proclamation. John Dewar said this was their fourth year of doing this food drive. He appreciated the Council's support for this program. He also mentioned that Irene Breshears had been working for the past four years collecting food from the grade schools. It really got the children involved and was a great opportunity for them. They collected the food from the schools on Friday and added it to the food they picked up on Saturday. The need for food in Canby had risen four times than what it was a year ago. There had been a lot of food going out of the food bank for those in need. Last year nationally the letter carriers collected 63 million pounds of food, which was 10 million pounds shorter than it was in 1997. This year they hoped they would boost that number up.

Mayor Taylor said the Postal Service went out of its way to do this extra service for the community and thanked them. He asked if they took cash donations instead of canned food? Mr. Dewar said they should talk with Sarah Creole at St. Patrick's church about that issue.

Poppy Month - Mayor Taylor read the proclamation. Kayla Dillan, Junior Miss Poppy, passed out poppies and corsages to the Council. The Council gave them a donation.

Mayor Taylor asked if someone wanted to donate to wear poppies, where else could they donate? Ms. Kirk said they would have cans in Canby businesses. She also wanted them to know that all the poppies were hand made by the veterans.

PUBLIC HEARINGS: N. Redwood Advanced Financing District -

Mayor Taylor said they had a request by the Postlewaits to continue the public hearing to May 19, 1999. They would still accept testimony for anyone who could not make that meeting. The Mayor opened the public hearing at 7:55 p.m.

Staff Report: Jason Kruckeberg said Advanced Financing Districts were set up by a city or developer to pay for improvements for a region or area of town for utilities, for streets, sewer, storm water, etc. In this case it was for storm water improvements on N. Redwood Street. The Advanced Financing District incorporated a number of properties when an improvement was made and the cost was allocated to the properties in the district. The district was set up by the City's engineer and the allocations were determined by him based on the cost of the improvements. They had continued the hearing once on this issue.

Public Testimony: Ms. Connie Boos Franz stated as follows:

"Excuse me, I did not hear who presented the information before me?" Mayor Taylor stated it was Jason, head of the City's Planning Department.

"I'm Connie Boos Franz and my husband, Jerry, are representing Lucille Franz who was shown as owning tax lot 2600. My background is: recently retired from the Department of Agriculture forestry service after 33 years. With the forest service, I was a contracting officer including construction contracts and then detailed to the Department in Washington D.C. for the past three and a half years as a procurement analyst." City Attorney John Kelley asked Ms. Franz to give them her address for the record. Ms. Franz lived outside the City limits at 22840 S. Haines Road, Canby.

"I appreciate the Council's dedication in seeking ways to fund needed project development as the Canby community is rapidly growing. We have two basic concerns, however, that the assessment is a taxation on future development of property owners who were outside the City limits and outside of the City's Municipal Codes. The U.S. Constitution and Bill of Rights expressly prohibits taxation without representation. The property owners living outside the City limits had no say as to who the Council and Mayor are, no vote on annexations, no vote on the Municipal Code, and no say regarding City rules and regulations.

I have found no law that allows for taxation without representation as proposed in the January 11, 1999, memo to benefitted property owners from Curt McLeod, City of Canby Project Engineer issued using the City of Canby letterhead seal.

Our second concern regarding this taxation is that there appears to be a conflict of interest where a City Engineer utilizes his own firm to develop a financing report that includes project cost estimates, allocations, and indicates his fee of 15% of the construction costs.

When I asked for the backup analysis data to support this report, City Planner Jason Kruckeberg advised me that City Engineer Curt McLeod had the information in his Portland office. I contacted Mr. McLeod and he said I had all the necessary information in the letter that was provided to me on January 11. I do not know how Mr. McLeod determined that half of the Beck's property adjacent to the Franz property and the Franz property could not support dry wells in that he had performed no perk test, only used his knowledge and experience. Since November 25, 1991, when the Canby Planning Commission met regarding the property developed next to Ms. Franz, Mr. Hoffman, Planning Director at the time, stated that this vicinity recently experienced problems because of the high water table, which was at 17 feet. The City's usual standard for dry wells was at 24 feet. Mr. McLeod advised me that he had been project engineer for Canby since 1985, so he had to have known or should have known of these Planning Commission meetings in 1991/1992. Why has development continued to be approved?

As Councilors they had an awesome responsibility. She realized the Council had expertise in areas other than stormwater run-off, and had to rely on the advice of professionals. The City acted in an unconscionable manner by not providing a methodology to seek alternative methods in resolving issues. Will the next step of the City of Canby be to tax land owners outside the city limits for sewage treatment plant expansion or more potable water sources or more City street improvements or more City Police Officers, all of which are not provided to these land owners until they are within the City limits?

In closing, taxation without representation is unconstitutional. Thank you for your time."

Councilor Harris wanted to make sure this testimony was included in the discussion on May 19. Mayor Taylor wanted this testimony attached in their packet.

Mayor Taylor closed the hearing at 8:03 p.m. The hearing was continued to May 19.

Approve Periodic Review Work Plan -

Mayor Taylor opened the public hearing at 8:04 p.m.

Staff Report: Jason Kruckeberg said back in July of 1998, the City was ordered into Periodic Review by the Department of Land Conservation and Development. Periodic Review was the process by which the City reviewed their land development planning ordinances, comprehensive plans, and made changes to update them to accommodate development patterns, growth patterns, and policies. Canby was one of two cities to ask to be ordered into Periodic Review. As a City they felt they were ready to update the Code and Comp Plan. They were given four months to do an evaluation report, which was a fairly comprehensive analysis of the current development code

and comprehensive plan to find those areas that might be deficient or need to be updated. There were two public hearings associated with that process, and there was an article in the paper. The City Council approved the evaluation report in December. At that point, the State gave them another four months to complete the work plan. They had two public hearings on this and there was also an article about this in the paper. They were now ready to submit the work plan to the State.

The purpose of the work plan was to identify each of the steps they needed to take as a City to carry out the changes to the development code and comp plan. It was a community driven effort. The purpose of the Periodic Review was to involve the community. They had an extensive list of people who were interested in receiving information and had some testimony at the hearings. They also received word from DLCD that they were very supportive of the work plan. They had a series of letters and testimony from citizens reflecting their interest in the process and typically the comments were about specific work items that were already identified in the work plan. They were in a good spot as a City in terms of having all of their ducks in a row to start Periodic Review. They were working on an update of the transportation systems plan, working on an update of the access management plan, and also had a buildable lands analysis, where they were looking at projected population 20 years out and looking at residential, commercial, and industrial land needs.

The work plan had six overall items. The first was citizen involvement, and they had already started that process. One of the goals was to re-energize what the community went through during the visioning process of Canby by Design. They wanted to make sure the ideas that came out of that process were used, utilized, embellished, and carried on through the entire process. They had several tasks to accomplish some of the citizen involvement work, such as formulation of a citizen involvement committee, focus group meetings, town hall meetings, etc. The second item was the Goal 5 Update, which had to do with open spaces and natural and historical resources. The tasks for Goal 5 were such things as fishery listings, endangered species listings, wetlands, etc. They had that information in the comp plan now, they had a wetland inventory, historical inventory, open space policies, but they needed to be updated to reflect current state-wide policies. The third item was public facilities and services, which had to do with master plans. The City had a transportation master plan, sewer, water, parks, etc., all the required master plans. This component was to make sure all the plans were talking to each other and there was coordination among all the master plan documents and comprehensive plan development code to ensure that development took place as it should and that they planned adequately for all capital improvements. They had to review the master plans, review and refine Systems Development Charges, and improve stormwater master policies. The fourth item was land use and development. They talked a lot about this, especially commercial development. They also had some interest in mixed use development. This part fell back on the utilization of their buildable lands analysis, and when that was completed, they could figure out how the City wanted to grow. They could also look at permitted outright and conditional uses in the zones, and determine which types of uses they thought were most appropriate for which types of zones. The fifth item was a downtown development plan. They felt they needed a plan that could show what everyone

wanted downtown to look like. The sixth item was growth management, which had the most interest by citizens so far. It dealt mainly with two issues, the City's current policy of A, B, C designations for annexation and where the urban growth boundary should be. The last thing they would do was to present the final revised comprehensive plan and land use and development ordinances. This would be the codification of each of the finalized documents with improved maps and approved data and text.

Mayor Taylor said they had to approve this plan tonight so they could go to step three. Mr. Kruckeberg said that was correct, they would be looking for a potential recommendation on to the Department of Land Conservation and Development and the State would review the proposed work plan and hopefully send back approval of it saying it was adequate and they could go forward with it.

There was no public testimony.

Mayor Taylor closed the public hearing at 8:17 p.m.

****Councilor Lucas moved to adopt Resolution 699, A RESOLUTION TO THE DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT RECOMMENDING APPROVAL OF THE PERIODIC REVIEW WORK PLAN FOR THE CITY OF CANBY. Motion seconded by Councilor Harris.**

Councilor Prince commended staff for bringing most, if not all, the important issues they had dealt with in the last few years to the table. He was puzzled about the mention of an Urban Reserve Area, which would be an area outside of the Urban Growth Boundary. The City did not have something like that right now and he was not in favor of it. He felt they had enough pressure as it was to develop property within the Urban Growth Boundary and to look outside of it right now and try to identify other property would be diverting their attention from something they needed to stay focused on, those properties inside the Urban Growth Boundary.

Councilor Lucas said this was only saying they would be willing to look into the issue, not approving it. Councilor Prince said he did not remember seeing any focus on this and was surprised it was put in there.

Mayor Taylor said along with an analysis of the Urban Growth Boundary expansion should come an evaluation of the need for the establishment of urban reserves. Councilor Prince said the need was basically based on what they needed within the Urban Growth Boundary itself, whether or not it needed to be expanded. He was just surprised to see this in the plan.

Mr. Kruckeberg said they had some public testimony during the Planning Commission hearings on this and a letter read into the record that asked the City to consider as part of its Urban Growth Boundary review setting up urban reserves, which would be outside the Urban Growth Boundary. It would essentially designate an area for future urbanization. They felt it should be added to the

analysis, and it may be the Council and community felt they did not need to expand the Urban Growth Boundary, but they should set up an urban reserve that would point to an area they would look at in the next five years when they do their next Periodic Review.

Councilor Prince reiterated that he was not in favor of this.

Councilor Carson felt it should be in there as a talking point in the whole context of their buildable lands. Councilor Lucas thought it stated very well that this was an evaluation of need. Councilor Harris said they did not lose anything by projecting into the future.

Councilor Prince said he was not in favor of the urban reserve philosophy and he did not want to see Canby go down that trail.

The motion to adopt Resolution 699 passed 6-0.

COMMUNICATIONS: Update on Centro de Canby - Irma Llanes, Program Manager of Centro de Canby, came to speak to the Council about the things the Center had been able to accomplish in the last year. She wanted to remind them of the mission of the Center: to increase self sufficiency within the Latino community, to empower individuals to achieve a better quality of life, and to promote mutual respect and understanding between cultures. Each program aimed to accomplish those goals. Last year through their information and referral services, which allowed people to come in and ask where they could get a food basket or employment or translation, they serviced over 500 people, a 400% increase from last year. They viewed this as giving people short intervention, looking beyond the immediate need to find ways to support the person so they did not need to come back to the center for the same service over and over again. They were taking the time to know folks and helping them become successful. They also had mental health counseling services. They served 53 individuals with that program so far. They also had a housing project, which allowed them to provide information such as what the responsibility of a tenant was and their rights as a tenant. They also discussed the importance of signing forms and contracts and helped folks with finding places to live. They had a program in the schools as well. They created an after school activity for young women which was a 13 week commitment to come after school once a week and talk about certain issues, especially ones regarding transition. They were also looking into offering a free legal clinic run by a volunteer, and they already had 5 clients without advertising it. They had a youth employment project, which the City helped to fund, that served 40-50 youth training them to take on a job. They had to sit for a two hour training and discuss how to interview, learned about cultural issues, etc. They did mock interviews and were required to attend bi-monthly club meetings once they were already placed.

Denise Sanchez, a Canby High School student, had been a part of the youth employment program. Through that program she learned how to go through interviews, and learned how to present herself. She got a good job, and had learned how to interact with all types of people. She wanted to go to college and her job helped her earn money for that. She appreciated all the hard work Ms. Llanes put in this program. They had guest speakers at their bi-monthly meetings, such

as teachers, lawyers, etc. She felt that if she worked really hard, she could go for her dreams because of the training she received. Their next group meeting would be about how they could get scholarships. Her biggest dream was to become a lawyer, and she felt that she could reach that goal and help others.

Ms. Llanes closed with saying that Denise was an example of what the Center can do for the community. She thanked the Council for their contribution to this program.

Councilor Harris said that 12% of Canby's population was Latino, but in all of the committees that helped to administer the City, there was no representation of that population. Were there things Ms. Llanes could recommend to the City to reach out and involve that population? Ms. Llanes said that was something she was trying to work at. First of all, they needed to build trust between the City and the Latinos and to help them see that they were part of the community. She started to have focus groups for people to come in and talk to them about their experiences and what they needed. The Latinos did not think their voices were important. She was trying to help them see they were important. She suggested the Council come to their meetings, and get to know them better. The language might be a problem, so they could bring someone in to translate. Ms. Llanes also suggested putting something on the agenda where they could come and tell their experiences to get them used to this process.

Mayor Taylor said they were moving into Periodic Review, and these folks were part of their community. Perhaps she could assist them to have a few focus groups with folks to get their input. Mayor Taylor said the population that most used the Center was the Latino population, but they were open to any citizen in Canby who would need their services.

Ms. Llanes said they wanted to serve all people, although the focus of the Center was the Latino people.

Mayor Taylor complemented Ms. Llanes on her energy, compassion for what she did, and her amazing organizational skills.

Mayor Taylor said they received a thank you from the Department of Justice Federal Bureau of Investigation thanking Chief Giger, Detective Swanberg, and Jerry Gustaveson for working with them on a case to help bring an alleged kidnapping to a successful resolution. He thanked the Chief for his work on that case.

ORDINANCES & RESOLUTIONS:

Ordinance No. 1019 -

****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. Motion seconded by Councilor Harris, and passed by roll call vote, 6-0.

Ordinance No. 1020 -

****Councilor Lucas moved to adopt Ordinance 1020, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH RON ROBINSON FOR CONSTRUCTION OF THE MOTOR POOL OFFICE ADDITION; AND DECLARING AN EMERGENCY be posted and come up for second reading on May 5, 1999. Motion seconded by Councilor Harris.**

Councilor Prince asked if the cut-off was still \$20,000 for going out for bids? Mr. Pineau said it was \$75,000.

Councilor Prince asked if this had been open for bids. Mr. Pineau said they solicited locally for contractors, which was done in conformance with State law. They did not have to go through a formal bidding process because when projects were under \$75,000 they were not required to do that, but when it was under \$75,000 and greater than \$2500, they were required to contact at least three contractors and have them submit bids.

Mr. Pineau said they only had one response.

The motion to adopt Ordinance 1020 passed 6-0 on first reading.

Ordinance No. 1021 -

****Councilor Harris moved to adopt Ordinance 1021, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH STEEL STORAGE SYSTEMS, INC. FOR CONSTRUCTION OF A STREET SWEEPING DEBRIS STRUCTURE; AND DECLARING AN EMERGENCY be posted and come up for second reading on May 5, 1999. Motion seconded by Councilor Prince.**

Councilor Daniels asked what the purpose of the building was, how long did they keep the debris, and what happened to it. Mr. Pineau said before this they just took the street sweepings out and dumped them in a pit. DEQ said they could not do that, it needed to be contained. The purpose of the building was to take the sweepings and put them inside the building and allow them to drain and treat them if need be.

Councilor Harris asked if that was what they had been doing, dumping them into a pit? Mr. Pineau said that was correct.

Councilor Harris asked what the building looked like. Mr. Pineau said he had not seen a picture of the building itself, but he imagined it was just a single slant roofed building with a wide door.

Once the street sweepings were cleaned off, the top debris could be taken to other places, such as the dump, but it was the drainage off of the sweepings that was more important. The drainage would probably be sent to the Wastewater Treatment Plant.

The motion to adopt Ordinance 1021 passed 6-0 on first reading.

UNFINISHED BUSINESS: Downtown Parking Plan - Mayor Taylor said Ms. Saul summarized for them the last workshop they had regarding downtown parking. The Council came to some conclusions and consensus within the meeting and after all the work that had been done prior to the meeting, and with the comments at the meeting, they made some decisions. They decided to remove some 20 minute parking spots so that there were four 20 minute parking spots on each block. They would re-examine ADA parking spots to ensure they were in the right place and they were workable for the handicapped. They would remove those ADA parking spots from the Railroad lot if appropriate. They decided to move the park and ride from downtown up to the Canby Christian Church, and change the Railroad parking to all 8 hour parking. They decided that at Wait Park, the parking directly adjacent to the park would be unlimited, and the parking across the street in front of the businesses would be two hour parking. They would try that configuration and if they found it did not work, they would revisit the issue. The businesses in town would work with Ms. Saul and the Code Enforcement Officer to develop a card for a business to give customers whose appointments would take longer than the allowed time in the parking space, and they could place the card in their vehicle to show they had been granted permission to park there longer. They talked about improving the lighting, and there were several plans that would address that. One of the issues brought up at the workshop was that the City failed to enforce this consistently, and once this plan was approved, they would begin enforcement of it, starting with a period of 30 days of giving people notice, and then after that hit it strong and they would have the support of the local business community and the public to keep the downtown area viable.

Mr. Gottman said there was a question about putting times and days on the signs when the timed parking was valid. Mayor Taylor said they did not come to closure on what the sign would say, but that was brought up as an issue.

Ms. Saul said Chief Giger and Mr. Pineau were there to answer any questions.

Councilor Lucas said since they were going to have someone re-examine the ADA spots, he thought they should not take them out of the Railroad parking lot yet. He thought they should just re-examine the ADA spots.

Councilor Prince said they should also re-examine the curb cuts where there was parking in the middle of the block and there was no way of getting onto the block except by going to the far end. Councilor Lucas said a lot of people with handicapped tags on their cars were not necessarily in wheelchairs, they just could not walk a long distance, and parking in the middle of the block would be fine for them. Councilor Prince said that curbs do become a hazard because

they could not lift their feet high enough to get over the curb.

Councilor Carson asked in regards to removing half of the 20 minute parking spots, who was going to make the decision of which 20 minute parking spaces would be removed? Mayor Taylor said the idea was that they would keep the spots most convenient to the traffic flow. Ms. Gottman had a map showing what the changes would look like. The Mayor also had faith in the staff who had to deal with this every day.

Councilor Carson said he hoped the citizens would let this work for a while, and not complain the first two weeks and keep complaining. He wanted them to give it time to work, and if there were some specific problems bring it back to the Council at a later date.

Mayor Taylor said until they moved the park and ride to Canby Christian Church, they could not change the parking in the Railroad lot to 8 hour parking.

Chief Jerry Giger said they got rave reviews from citizens regarding the parking plan, and negative reviews from businesses. The City's Street department spent \$6,000 in putting up the signs and were a little short on funds for re-signing, so it might take some time to change them.

Councilor Harris said there would be signs coming down, but there would be no significant additions to them. They had not decided to change the signs to say two hour parking only Monday through Friday. Chief Giger said on one of the petitions that was one of the things they requested, listing the days because people were worried about Saturdays. If they wanted to do that, they needed to know what the Council wanted the signs to say. Chief Giger had a letter from Tri-Met regarding negotiations with them because they felt there would be considerable cost to them to move the park and ride. They would reopen negotiations with them in regards to what their concerns were and Tri-Met said they would assist the City with signage in the Railroad lot to keep people from using it as a park and ride. Mayor Taylor wanted the Chief to talk with Commissioner Mike Jordan about that because he thought when Commissioner Jordan and Representative Kurt Schrader recently met with Tri-Met, they revisited that topic and reinforced how that would be good service.

Chief Giger said the only other thing they had to do was make the permit. Was there any preference from the Council regarding what businesses would be able to use the permit?

Councilor Lucas said they could come in and apply for the permit, because everyone wouldn't need it. Councilor Daniels said he thought they should just have a card they could put in the windshield. Chief Giger said he had an example from the state offices that they could hang on their mirror that was good for one time only. They would try to design it like that.

Councilor Harris said the businesses who wanted the permits should come into City Hall and ask for them and they could be given a stack.

Councilor Carson said Kathy Henderson from the Chamber of Commerce was going to help on those too and she might have some ideas as well.

Mayor Taylor said enforcement was important, but Ms. Fuqua, Code Enforcement Officer, could not keep up with all of the enforcement. One of the issues was they did not enforce this and if they were going to have any credibility about having the signs up, it could not be hit and miss. Particularly as they initiated this plan, they wanted to have the necessary support from Police staff to make sure this was enforced. After they had been at it for a while, they could talk about random or spot checking.

Councilor Prince said he thought if they decided what they were going to do, he wanted to see some plan from the Chief so they could put something in the budget for it so it was ongoing. Chief Giger said their Code Enforcement person did parking and she was averaging two or three times a week, but not every day. Then they got crosswaves from the businesses because they thought that until the parking plan was finished, they were not going to enforce the parking. Technically they did not change the two hour parking downtown, they were just playing with the ADA and 20 minute parking. Recently Ms. Fuqua had backed off because of the last workshop on this issue so that people would come to the workshop with genuine concerns, not being upset because they had a conflict with the Code Enforcement Officer. In the budget, they had a federal grant that approved two more CSO, Community Service Officer, positions and they would be utilizing that in their responsibility, so the coverage would be greater.

Councilor Lucas said they should continue enforcement so it did not end up like the State's safety corridor between Canby and Oregon City where they only enforced it for a day and then only now and then. He thought it lost credibility if they started something and didn't finish it up.

Councilor Harris said they should not leave the point open-ended regarding the two hour parking signs saying Monday through Friday, if it was always only two hour parking, they might have some problems during Slice of Summer or General Canby Day. Chief Giger said it was controlled by an ordinance, so if they wanted to change it, they would have to change the ordinance.

Councilor Harris said he did not want to change the ordinance, but whatever the rule was, they should put it on the signs so people would know.

Councilor Daniels said if it was a decal or something like that added to the sign, so it would cost less, he would like to see it also. The Council agreed.

Jerry Pineau said they would remove the signs first, but leave the posts. They would do this as fast as they could. Removing the signs would take two weeks. Mayor Taylor said they would have a few weeks where they would notify people of these changes anyway. However, if they could find volunteers to take the signs down, would Mr. Pineau object if they took them down sooner? Mr. Pineau said he had the tools for them if they wanted.

John Kelley said if it was the Council's desire not to have time limits on Saturday, they would need to amend the ordinance, because the ordinance included time limits from 8 a.m. to 6 p.m. on all days except on Sundays and holidays. Councilor Harris said he didn't want to change the ordinance, because businesses were open on Saturdays as they were on weekdays and probably needed the parking limitations. He wanted to have a decal placed on the signs letting people know the time limit was valid except on Sundays and holidays.

Councilor Lucas asked if they would also get the posts down as soon as possible. Jerry Pineau said it would take 30 days to get those down. Some of the signs were going to change, so the posts around Wait Park would stay.

Mayor Taylor said the only signs they needed to take down were the 20 minute ones around the corners, and around Wait Park. The three hour parking signs in the Railroad parking lot did not need to come down until they moved the park and ride.

****Councilor Daniels moved to accept the results of the straw poll from the Downtown Parking Workshop on April 14, 1999, as well as making sure that all the signs include the days of enforcement, they would re-examine the ADA parking spots by an official ADA representative, and they would remove the reference to taking the ADA parking out of the Railroad parking lot for now. Motion seconded by Councilor Harris, and passed 6-0.**

MANAGER'S REPORT: Ms. Saul said they were about to advertise for a person to be on the Parks & Recreation Advisory Board and one on the Budget Committee, that would be in the Herald next week. She also mentioned that several other committees would have positions opening in July.

COUNCILORS' ISSUES:

Councilor Lucas said when the Bike & Pedestrian Committee did their report regarding striping of bike lanes on Grant, the Council decided to go ahead and do that. He wanted to know when that was going to be done. Jerry Pineau passed out a Public Works April/May schedule of when the projects would be done. Regarding the N. Grant bike lanes from NW 1st to Knights Bridge Road, once they got the re-paving and repairing done, they would be doing that part. They were finalizing how they were going to go across the Railroad tracks from 1st to 99E, and Ms. Gottman was helping with how they were going to do them on the other side of 99E. They would be starting on those projects the week of May 3rd.

Councilor Daniels wanted Mr. Pineau to mention something about the paving machine and the new way they were patching. Jerry Pineau said he had not personally seen it yet, but Mr. Hester and his crew had the problem of always patching and re-patching the roads. When they had to get a contract and get a paver, it was expensive. This was a machine that they could put pavement in and pave about an 8 foot swath and make nice overlays on the streets. This method should last longer as well.

Councilor Strong thanked Mr. Pineau that S. Fir was finally paved.

Councilor Harris said back in December they mentioned putting in crosswalks in places such as S. Elm where a lot of school kids crossed and N. Elm, where business people crossed over to the Post Office. Those projects were not on the schedule Mr. Pineau passed out. Jerry Pineau said that would happen sometime in June or July.

Mayor Taylor said he was out on the Logging Road and the crew had paved from 13th up to the new bridge. Ms. Saul said it was over 99E now. Mayor Taylor also reminded everyone that on May 22, 1999, they would be having the bridge ceremony.

ACTION REVIEW:

1. Placing food out for the National Association of Letter Carriers Food Drive on May 8 and keeping an eye out for the Poppy donation cans around town.
2. Continuing the Public Hearing on N. Redwood Advanced Financing District to May 19 and attaching Ms. Franz's testimony to the report.
3. Implementing Resolution 699, the Periodic Review Work Plan.
4. Implementing Ordinance 1019, amending Title 16 of the Municipal Code.
5. Bringing back Ordinances 1020 and 1021 on May 5 for second reading.
6. Implementing the Downtown Parking Plan.
7. Calling Ms. Saul or Ms. Seifried if there were any questions regarding the new Budget book.

Mayor Taylor complimented all of the department heads and staff, who had been going through a very difficult time with Mr. Jordan leaving and in the process of hiring a new City Administrator. They did an outstanding job on the budget and the teamwork they had shown was excellent.

Mayor Taylor also reminded them that there would be interviews on May 8, 1999, for a new City Administrator and they had prepared a variety of exercises for that and would line up citizens to join them in that process.

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

Mayor Taylor recessed the regular session at 9:32 p.m.

Mayor Taylor reconvened the regular session and immediately adjourned the session at 11:05 p.m.

EXECUTIVE SESSION

April 21, 1999

PRESENT: Mayor Scott Taylor, Councilors Daniels, Lucas, Carson, Harris, Strong, and Prince, Acting City Administrator Beth Saul, Community Development Director Jerry Pineau, and Mike Swanson.

Mayor Taylor called the session to order at 9:35 p.m.

ORS 192.660 1(d) - Mike Swanson discussed the Comp Study in terms of labor negotiations with AFSCME.

ORS 192.660 1(e) - Mr. Pineau discussed the Cutsforth project.

Mayor Taylor adjourned the session at 11:02 p.m.



Chaunee Seifried,
City Recorder pro tem



Scott Taylor,
Mayor



Prepared by Susan Wood,
Office Specialist