

CANBY CITY COUNCIL
WORKSHOP SESSION
SEPTEMBER 1, 1999

PRESENT: Mayor Scott Taylor, Councilors Harris, Prince, Lucas, Daniels, Strong, and Carson, City Administrator Mark Adcock, Community Development Director Jerry Pineau, City Planner Jason Kruckeberg, Recreation Services Director Beth Saul, City Attorney John Kelley, Police Chief Jerry Giger, Jeff Peterson, Jane Jung, Ryan Oliver, Rosemary Glutsch, Sherry Vosburg, Donna Traaen, David Traaen, Mavourn Stuart, Craig Finden, Tom Vandehey, Sandy Kendall, Dudley Gee, Peg Marson, Laurie Stuber, Sandra Gault, Charlie Brown, Dave Fisher, John Madden, Cam Sivesind, Diane Bronn, Donna Walker, Leonard Walker, James Goldan, Don Smeback, Sharon Kenagy, Norman Kenagy, Sharon Westcott, Bob Westcott, Curt McLeod, Martha Stewart, Nancy Wilmes, Craig Finden, Don Yoder, Del Foran, Jean Tallman, Rick Marson, Rick Bronn, Diane Bronn, Don Perman, Derek Bliss, Laurie Stuhr, and Curtis and Lila Gottman.

Mayor Taylor called the session to order at 6:10 p.m.

The purpose of the workshop was to discuss and exchange information, concerns and resolutions regarding the Oregon laws pertaining to sidewalks and bike paths, downtown core area parking, recap of 1% gas tax fund revenues and expenditures, Township Road option for striping of bike lanes, and traffic safety issues regarding sidewalks and bike paths.

Mayor Taylor adjourned the session at 7:21 p.m.

CANBY CITY COUNCIL
REGULAR SESSION
SEPTEMBER 1, 1999

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

Also present: City Administrator Mark Adcock, Community Development Director Jerry Pineau, City Attorney John Kelley, City Planner Jason Kruckeberg, Police Chief Jerry Giger, Sharon Tramel, Pat Johnson, Curt McLeod, Jay B. Mulkey, Jim Gibson, Marguariete Overholser, Steven Amick, Randy E. Tessman, Sandra Salmonson, Chuck and Betty Sandsness, Duane and Chris Kloser, Bea Hearn, Jeff and Connie Kirkman, Debbie Johnson, Shirley J. Tessman, Lyn McCarty, Sharon Hughes, Steven Hughes, Irene Breshears, Mike Breshears, Sunya Porter, Mr.

and Mrs. Wendell L. Evinger, Lyle Hilley, Bettie V. Postlewait, Robert Root, Susan Lind, Bill Pulver, Marty Hunter, Wayne Oliver, Nancy Wilmes, Jeff and Deanna O'Neil, Jeff Sandner, Duane Kloser, Clair Kuppenbender, Barbara Lanning, Steve and Carla Sather, Don Smeback, Jim Goldan, Marty Moretty, and Curtis and Lila Gottman.

Mayor Taylor called the session to order at 7:35 p.m., followed by the opening ceremonies.

Mayor Taylor stated there was a request from the appellants and their lawyers which the Council agreed on for an extension on the public hearing for the Casa Verde project. The appeal was going to be heard at the September 15, 1999 Council meeting which was going to be held at the Canby Adult Center.

CITIZEN INPUT ON NON-AGENDA ITEMS: Marty Hunter, who is the head coach for baseball at Canby High School, explained they were in the process of a project that they had been planning on for quite some time. The parents, kids, and coaches had put in a lot of time and effort into fund-raising. He said they had approximately \$5,000 for the project which was a concession stand, restrooms, clubhouse, and storage area that would go around the back of the existing bleacher area. Some of the problems that had arisen were wanting to put the funds into the building and not into paper. There were some individuals who volunteered to put their time in to help with the plans, and then had come back in five or six months and said they did not have time to help. He said they were at the point right now where they were looking for approval of the plans and were beginning to break ground. He said he was there this evening to ask for help in waiving the fees for the project. The facilities would be used throughout the Fall for anything that would be involved in the track, baseball, and football area.

Mayor Taylor wanted clarity on the amount of the fees. He asked if it were a specific request to have them waive the normal City fees for plan approval, inspection fees, etc.

Councilor Lucas said this would be a good opportunity to work in conjunction with the school district for the benefit of everyone.

Councilor Strong asked how much the fees were going to be.

Councilor Prince agreed with Councilor Lucas.

Councilor Carson said this would be an asset to the ball field.

Nancy Wilmes said there were three of Canby's youngest emissaries there this evening to tell the Council about their recent trip to Kurisawa, Japan. She passed around photos and a news article that was in their paper.

The emissaries said it was an experience of a lifetime. The people of Kurisawa gave them the red carpet treatment and they hoped to be able to go back some day.

Mayor Taylor thanked the emissaries for carrying the good will of Canby, and thanked them for coming this evening and sharing their experience.

Mayor Taylor asked if they had gotten the fee amount for the high school project yet. Mark Adcock said the fees came to approximately \$3,500.

The Council was in favor of waiving the fees.

****Councilor Lucas moved to waive the fees for the project at the Canby High School baseball field. Motion seconded by Councilor Daniels, and passed 6-0.**

PROCLAMATION: POW/MIA Remembrance Day - Mayor Taylor read the proclamation. Bill Pulver invited everyone to the ceremony which was going to be held on September 18, 1999. He said the Mayor or a representative from the City was welcome to say a few words at the ceremony.

PUBLIC HEARING: APP 99-01, Casa Verde Appeal -

Mayor Taylor opened the public hearing at 7:47 p.m.

Mayor Taylor said due to the request of the appellants and their attorneys, the meeting was scheduled for 7:30 p.m., September 15, 1999 at the Canby Adult Center.

Mayor Taylor closed the public hearing at 7:48 p.m.

CONSENT AGENDA: **Councilor Daniels moved to adopt the consent agenda: minutes of the regular meeting and executive sessions, August 18, 1999; accounts payable in the amount of \$66,177.99; Canby Lions Club request to use parking lot for annual Christmas tree lot; and agreement with DEQ regarding voluntary cleanup of proposed skate park site. Motion seconded by Councilor Harris.

Councilor Prince said he recalled the railroad's only concern was having the fireworks stands located in the parking lot area.

Motion to adopt the consent agenda passed 6-0.

NEW BUSINESS: CBR Presentation on Proposed Gateway Project - Kathy Henderson who was there this evening representing the Canby Area Chamber of Commerce and also the Canby Business Revitalization program spoke about the Gateway Project. Originally the grant was directed toward the skate park improvements but due to the time line, it did not allow Canby to pursue the funds toward that particular project. Former administration directed them to look into some gateway amenities in Canby. Gateways could be anything from monumental signage, greenery, or a covered bridge. She explained the City Planner Jason Kruckeberg had the

opportunity to rewrite the grant and resubmit it the Mount Hood Economic Alliance. She said since that time they had been able to bring in Canby Square Shopping Center and also 4th Quarter Sports Grill to commit financially to the project. They were also working through Jerry Pineau with the Clackamas County Corrections crew. That program would include those folks coming in and giving back something to the community they might have taken from. The City, Chamber, and Canby Revitalization were coordinating this effort for beautification on the southwest end of town. They were looking for more of a visual balance as you came through Canby.

She felt it was important to talk about enhancing the highway, not just downtown. She said Canby did not look good as you drove through it. She believed it was important to create an atmosphere along the highway where people traveling through town might want to stop and spend some time in Canby. They had redirected the funds toward the beautification effort and it would incorporate the properties which were in front of Canby Square on both sides of the entry point as well as the bank at 4th Quarter. She really appreciated the Council's support on these projects and would like to see an interactive exchange between the Council and Revitalization in the future, which she felt has happened and wanted to continue and build it from here.

Bruce Powers, the landscape architect, introduced himself to the Council. He worked for a company called CIDA and had worked in the state for seven to eight years. He got involved in this project by a consultant they worked with. He said it was a real opportunity to be able to turn the highway into Canby's main street. He said what they were trying to do was to take the extremely large undeveloped areas and utilize a lot of drought flower and plant material that would require less maintenance if installed at the right time of year. The slope that went up to the restaurant would be planted with low growing grass and flower mix which was very drought tolerant. On the slope would be a variation of ground cover that would help maintain the slope and keep it from eroding, but would provide a low water requirement. Above that would be additional planting of shrubs, street or parking lot trees adjacent to 4th Quarter parking lot. He also suggested they might want to do some sort of monumentation out of stone, perhaps some signage or banners saying welcome to Canby. As you went down the highway, they tried to set up some sort of rhythm of trees that would set up a street tree pattern. He said there was a large drainage culvert in the middle which they recommended some sort of rock drainage basin that would collect water. He also explained it would be all ground cover and there would be no turf at all. They would have a variety of ground cover to give interest but reduce the requirement for a high maintenance project.

Councilor Daniels asked if they would be doing anything on the east side. Mr. Powers said they did not have the right to go into the private peoples' property at this time.

Kathy Henderson stated the majority of the property belonged to ODOT.

Councilor Carson asked where the current sign was for the shopping center. Mr. Powers said it sat by the Hoi Tin Restaurant.

Councilor Strong asked what kind of trees were they going to be. Mr. Powers said it was a deciduous tree which was light and airy and would not become a massive and overwhelming tree. He said the people located in the shopping center were concerned about the view being blocked by the trees. He explained if the trees were trimmed properly at ten feet, they would be framing the shopping center as opposed to blocking it.

Kathy Henderson said the City came out with some preliminary drawings and they opened it up to the stakeholders, the tenants at Canby Square, the property management firm which represented the owners, and Hank Jarboe who owned 4th Quarters Sports Grill. She wanted people to know that there was a shopping center there and also a center for commerce as well.

Councilor Strong said they had said something about tying it in with the parking lot. Were they planning on putting in trees and greenery too?

Bruce Powers said they had worked on a feasibility study for the property management company. They did a preliminary design that showed how they could reconfigure the parking lot to add the islands to put in trees and plant material without losing any parking spaces.

Councilor Strong said she was excited to see this happen.

Mark Adcock said his philosophy was when they brought the Council a capital project, they also needed to know what the maintenance impact would be.

Beth Saul said Jeff Snyder, the park maintenance supervisor, looked over the entire project. His estimate would be approximately \$10,000 per year to maintain it. Even though this was a low maintenance plan, there would still be shrubbery to be pruned and weeding to be done. She said they did have another estimate which came out to be approximately the same, which would need to be considered in next year's budget and in all future budgets.

Mark Adcock said they would bring back at the next meeting the enabling ordinance to execute the contract with the County for the grant funds and get that flowing.

Mayor Taylor said he did not think there was anyone on the Council that did not want both entries and the back entry to have a beautiful place to come into town and he did not think anyone was opposed to beautification on the most traveled road in Canby. He thanked Kathy Henderson and the Staff for pursuing the grant.

PUBLIC HEARING: N. Ivy Street Construction Advance Financing District -

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

Curt McLeod explained in 1996, N. Ivy from 14th to Territorial was first contemplated being developed by a private developer. The project sat dormant for a year or so. In 1998, the City

began re-evaluating the transportation plan and concluded that Ivy street functioned better as a main arterial that provided a straight shot from Territorial Road all the way to 99E and on south through Highway 170. At that time, they began to work with the property owners to jointly determine how they could develop the street. In 1998, the property owner and the City concluded that they would request the Council to form an advance financing district, complete the public improvements necessary and allocate the cost back to the benefitted properties. In March of 1999, the Council took action and approved the preparation of the report. Tonight they were bringing the advance financing district engineering report back to the Council for review and to accept an informational public testimony and then come back with a resolution to adopt the advance financing district at the next Council meeting.

He explained the total project cost was \$250,000. The total project was broken into three different cost components. The first was oversized utility cost which SDC's paid for. Secondly, they took what was left and split it down the middle to where the half street cost went to the east side and the other half street cost went to the church property. In exchange for the dedication, the City of Canby paid for the church property side. The City's funding came from ODOT to be able to improve N. Ivy Street which is a six or a seven-year program through the fund exchange program. The last component was the street department capital improvement line item. The total cost being allocated to the advance financing district was \$92,490 and that cost was broken into two components. One was the sanitary sewer which benefitted eight different properties and the street improvement which benefitted the vacant lot behind the house plus the six lots in the subdivision.

Councilor Lucas said on the west side of the street, the reason the church did not have to pay into the AFD was because they donated the property for N. Ivy. Curt McLeod said yes that was correct.

Mayor Taylor closed the public hearing 8:25 p.m.

****Councilor Strong moved to direct Staff to bring back Resolution 711 for action at the September 15, 1999 Council meeting. Motion seconded by Councilor Harris, and passed 6-0.**

COMMUNICATIONS: Mayor Taylor said he received a very nice letter from Carol Meeuwsen regarding the 10th annual Slice of Summer Concerts. She thanked everyone for their additional income to make the season such a success. She went on to say she appreciated the Parks Supervisor Jeff Snyder because he was willing to do anything to get things right.

Mayor Taylor read another letter from Kay VanSickle with ODOT. The letter thanked the community of Canby for developing access management policies for 99E through Canby. Mayor Taylor said their recognition of local involvement and control was a very positive step.

Mark Adcock said he received communication from the Holland Company which was in

response to the City's request that they take some action on the abandoned gas station. With regards to the weeds and some of the loose debris that had been removed, they were in the process of taking soil samples from some of the various piles of dirt to see if it were contaminated. They were also in the process of removing the rest of the debris from the site and hoped to have the building demolished by September 30, 1999.

ORDINANCES & RESOLUTIONS:

Ordinance No. 1030 -

****Councilor Daniels moved to adopt Ordinance 1030, AN ORDINANCE AUTHORIZING AMENDING THE AGREEMENT BETWEEN THE CITY OF CANBY AND KEN ROBINSON, D.B.A. K & R MAINTENANCE, FOR THE OPERATION AND MAINTENANCE OF THE ZION MEMORIAL CEMETERY; AND DECLARING AN EMERGENCY. Motion seconded by Councilor Harris, and passed by roll call vote, 6-0.**

MANAGER'S REPORT: Verbal Report on Periodic Review Process - Jason Kruckeberg said there was an article in the newspaper to ask for interest from citizens to be on a periodic review citizen involvement committee. He sent out a mailer to those who showed interest in being on this committee. He had received five or six applications already and expected more to come in. He asked the Council how they wanted to create this process whether going through an interview process or put them on the consent agenda.

Councilor Lucas said if they took everyone who wanted to be on the committee, couldn't they branch off into little groups and work on different projects and then report back to the main group. He felt the more people the better.

Jason Kruckeberg said the way they originally envisioned it was to be a citizen involvement committee which meant they would set strategy for involving the public in the processes would be their main task.

Councilor Harris said it would be better to draw from a large pool of interested people, but most importantly not to turn anyone away.

Councilor Daniels asked if they were going through the regular process of filling out an application. Jason Kruckeberg said yes they were.

Councilor Prince wanted to see everyone get involved. They could always split the committee up.

Jason Kruckeberg said he would try to maintain a constant presence updating where they were going. He felt this committee would be the kickoff group that would set the scope on what they would be working on first and prioritize projects.

Mr. Kruckeberg also mentioned they had a couple new employees in the building and planning department. The new office specialist was Carla Ahl, and the new project planner was Matilda Deas.

Mark Adcock stated Beth Saul had received a request from the Director of Parks for Clackamas County asking that the City submit a letter of support for a grant application to get the Logging Road Trail paved outside of the City limits from 13th Avenue to the river.

Beth Saul said Mike Jordan was excited about the prospect of the trail being extended farther out. He directed the Park Staff of the County to go ahead and look for any grants that might be available for paving of that trail. She explained it was a Federal type grant and it would be going through a long process before getting to approval.

Mark Adcock said the Urban Renewal Task Force had completed the work in regards to the Urban Renewal report and the plan that was currently with the consultant. The final recommendations were being incorporated. He asked Jerry Pineau to prepare a very brief presentation as to what the next steps in the process would be.

Jerry Pineau explained the task force had given the City all the input and information and now they were finalizing the documents. He said by the first of January it would be in effect and then they could decide on how they wanted it to operate. He said initially what they were going to be doing was to bring an ordinance to have the initial Urban Renewal Agency be the City Council. In order to make the schedule they would be bringing forth an ordinance on September 15, 1999 to commence the process. The one thing the Task Force wanted the opportunity to do was say they had a recommendation on how they would like to have the composition of the agency and what the organization was going to be.

Mayor Taylor said basically what they would be doing would be to bring the ordinance back to the next meeting and if the Council agreed with it after discussion, the Council would pass the ordinance and would become the Urban Renewal Agency. They would be the agency until January or February and at that time the advisory group would have some thoughts on other things the Council might consider. He explained they needed to develop the agency because the agency would be the one to make the presentation to the City Council under State Law.

Mark Adcock said the Urban Renewal Task Force would pick an option they preferred then Staff would support the Council to make a decision on how to format the agency and would also give the Council an analysis of those alternatives.

Councilor Carson said since he has been the liaison for the Task Force, they have had a lot of discussions and going back and forth but not making any decisions on what the Council was going to do.

COUNCILORS' ISSUES:

Councilor Harris asked if the City had an ordinance relating to how many people could live in an apartment. John Kelley said they had an ordinance that defined a family as five unrelated persons that could reside in a dwelling unit.

Councilor Lucas asked if Staff had found anything out about the trucks parking on NW 3rd. Mark Adcock said they would have something for the next Council meeting.

Councilor Daniels thanked the Council for sending him to Kurisawa for the Sister City 10th anniversary. The Mayor sent his regards to the Council. He said at the next Council meeting he would like to have a short slide presentation. They were very happy with the rock the City gave them.

Councilor Harris thanked Staff for the progress they made on getting the crosswalks painted.

Councilor Strong asked if the maps on the wall could be reproduced smaller so they could have them at their place.

ACTION REVIEW:

1. Execute agreement with DEQ regarding the voluntary cleanup program on the skate park site.
2. Set the Casa Verde appeal to September 15, 1999, at 7:30 p.m. in the Canby Adult Center.
3. In regards to the N. Ivy Street Advance Financing District, Staff will bring back Resolution 711 for action on September 15, 1999.
4. Bringing back the enabling ordinance for the City to execute the agreement with the County for the Gateway Project grant money.
5. Jason Kruckeberg will be working on the Periodic Review process.
6. Submit a letter of support to the County for the Molalla River Pathway phase.
7. Will be giving copy of the ordinance relating to how many people could live in a dwelling.
8. Will facilitate the waiving of fees relating to Mr. Hunter's request.

Mayor Taylor asked Jerry Giger if there was a vision clearance capability because when you got to the end of Pine Street and it intersects with Territorial, you could not see to the left. Jerry

Giger said if the property was within the City there would be, but the property was in the County. Mayor Taylor asked if the County had any rules on that. Jerry Giger said he could get some information regarding that.

****Councilor Daniels moved to go into Executive Session under ORS 192.660 1(f) exempt public records, and 1(h) pending litigation. Motion seconded by Councilor Prince, and passed 6-0.**

Mayor Taylor recessed the regular session at 9:08 p.m.

Mayor Taylor reconvened the regular session and immediately adjourned the session at 9:23 p.m.

EXECUTIVE SESSION
SEPTEMBER 1, 1999

PRESENT: Mayor Scott Taylor, Councilors Prince, Harris, Prince, Lucas, Daniels, Strong, and Carson, City Administrator Mark Adcock, Community Development Director Jerry Pineau, City Attorney John Kelley, and Pat Johnson.

Mayor Taylor called the session to order at 9:12 p.m.

ORS 192.660 1(f) - The Council discussed negotiations regarding the telecommunications franchise.

ORS 192.660 1(h) - The Council discussed settlement offer in matter of Moore Excavation vs. City of Canby and Curran-McLeod.

ORS 192.660 1(h) - The Council discussed N. Redwood Storm water AFD.

Mayor Taylor adjourned the session at 9:23 p.m.

Chauncey F. Seifried

Chauncey Seifried,
City Recorder pro tem

Walt Daniels

Walt Daniels,
Council President

Sharon Tramel

Prepared by Sharon Tramel,
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