

**CANBY CITY COUNCIL
REGULAR SESSION
MARCH 4, 1998**

Mayor Scott Taylor presiding. Council members present, Roger Harris, Brad Gerber, Shirley Strong, Walt Daniels and Barry Lucas. Dennis Nolder absent.

Also present: Administrator & City Recorder Michael Jordan, Recreation Services Director Beth Saul, Planning Associate Jason Kruckeberg, City Attorney John Kelley, Police Chief Jerry Giger, City Treasurer Chaunee Seifried, Susan Wood, Andrea Grusing, Cam Sivesind, Bud and JoAnn Fawver, Donna Vickers, Jerry Simnitt, Jerry Simnitt Jr., Thomas Postlewait, Paul S. Montecucco, Virgil Montecucco, Curtis & Lila Gottman, Randy Carson, Marilyn Karbaski, Eva Smith, Dan Ewert, Stan Amick, Derek Willis, Art Picerlell, Greg Winterowd, Corinne Sherton, Frank Charbonneau, Dana Tyler, George Wilhelm, Georgene Johnson, Les Johnson, David Biskar, Ed Montecucco, Chuck Chimento, and others.

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

CITIZEN INPUT ON NON-AGENDA ITEMS: None

CONSENT AGENDA: **Councilman Harris moved adopt the consent agenda: minutes of the regular meeting, February 18, 1998 and the Workshop, February 11, 1998; and accounts payable in the amount of \$97,313.20. Motion seconded by Councilman Daniels and approved 5-0.

PUBLIC HEARINGS: ANN 97-10, Simnitt (continued from February 4, 1998) - Mayor Taylor opened the hearing and read the criteria for the hearing procedure. A poll of the audience showed that ten people intended to testify as proponents and three as opponents.

Mayor Taylor, Council Members Strong, Lucas, Daniels, Harris and Gerber reported no conflicts and will participate.

Mayor Taylor asked the hearing body to declare any exparte contact on the hearing subject.

Harris - jogs by

Taylor - jogs by

Daniels - no contact

Lucas - drove by

Strong - no contact

Mayor Taylor asked if anyone in the audience wished to question the hearing body. No questions were asked.

STAFF REPORT-Jason Kruckeberg summarized the staff report.

APPLICANT - Attorney Corinne Sherton, 247 Commercial St NE, Salem, representing the Simnitt's, stated their surprise at the Planning Commission's denial of their annexation request. This was due to past decisions made regarding priority A property. The denial was based primarily on agricultural policies in the plan and on the accuracy of available land supply. These interpretations had never before been used to deny annexation. There is a Comprehensive Plan resources policy which encourages the urbanization of the least productive agricultural area. However the implementation measure for that policy makes it clear that annexations are to be reviewed, "in light of the growth phasing strategies of the urban growth element". Ms. Sherton stated that the Simnitt's will provide testimony as to why their nursery business requires the annexation of their property to continue their business for the next generations of their family.

Jerry Simnitt, 138 NE 22nd Avenue, said that he and his wife have lived in Canby for over 35 years. Their nursery started on three acres over 25 years ago. They had to buy land closer to city and make it farmable. Their land is now overused and surrounded by development on two sides. Mr. Simnitt's sons are partners also and they want to move land production to support three families. It is critical that a decision is made now as everything they do is in four year cycles, and a crop has just been planted on the land.

Jerry Simnitt, Jr., 168 NE 22nd Ave., Canby, grew up here and would like to remain here. His wife's family been farming here for over 65 years. They want to continue the nursery but the land is too small. They want to sell current land to be able to purchase other property outside the Urban Growth Boundary. Mr. Simnitt feels farmers should be allowed to make changes and that annexation promotes farming elsewhere.

Attorney Corinne Sherton, drew attention to the second reason for denial. That there is already an adequate supply of buildable land within the city. This reason has not been used before to deny annexation. The housing policy implementation measure 1(b) should be interpreted not to setting maximum limits on amount of buildable land but rather to setting minimum requirement as to how much land should be available. There is an inconsistency in the way it was applied in this application. About three months ago in another annexation request, an annexation was approved that created the same amount of buildable lands as the current annexation proposal. Our annex would raise from 3 years 4 months to the same figure.

The third reason for denial was the adequacy of the street systems surrounding the property. As part of their application process the Simnitts can be required to develop the streets adjoining the Fawver's property. The Fawver's are working on the annexation of their own property and have no objections to this.

Greg Winterowd, Land Use Planning Consultant, 310 SW 4th Ave., Portland, had a preliminary Traffic Impact Study conducted. As a result, a five part condition is proposed which reads, " 1) the property owner sign an agreement to complete a traffic impact study prior to or in conjunction with the submission of any future subdivision application. 2) the applicant, the property owner, would not remonstrate against the formation of a local improvement district for future off-site

improvements to Maple Street between Territorial Road and 22nd Avenue. 3) To construct half street improvements along both Locust and 22nd Avenue. 4) We will agree to construct at our cost and as deemed appropriate by the city engineer that we'll make improvements to the intersection at 22nd Avenue and Locust. 5) Sign an agreement to pay our proportional share to any improvements to that intersection in the future should the city and O.D.O.T agree on what those improvements might be. He concluded by saying they have looked at the Planning Commission's concerns and have addressed them.

Attorney Corinne Sherton feels they have addressed all concerns.

PROPONENTS:

JoAnn Fawver, 10235 SW Lancaster Rd., Portland, owner tax lot 402, support this annexation and their intent is to have their property annexed.

Ed Montecucco, 3468 N Holly St., Canby, has a 500 acre farm. He served on an advisory committee to help with the Comprehensive Plan. Land must be annexed for Canby to grow. He fully supports the Comprehensive Plan and feels in this situation the Comprehensive Plan is being followed.

Tom Postlewait, 28923 S Barlow Rd., and has been a farmer for 28 years. He dealt with the problems of farming in town and understands their situation. He is all for saving farm land but says that homes need to be built and done so in correct places. Using Priority A properties is the right way to go. Is supportive of the Comprehensive Plan.

Virgil Montecucco, 4120 N Locust St., Canby, and supports annexation for previously stated reasons.

Georgene Johnson, 575 NE 22nd, feels strongly on this issue. There is an advantage to having police, speed limits, good roads, sidewalks, lighting, city water, sewers, and streetlights. There road is being used as a racetrack. They eventually want to develop their land too. She is very concerned about the safety of children in this area now and feels it would improve if developed

Paul Montecucco, 3610 n locust, Canby, is in favor for the prior reasons.

OPPONENTS:

Dana Tyler, 680 NE 20th Avenue, and her family came to Canby in 1939. She is concerned about the growth and feels children will not be safer due to more traffic. She disagrees that people are speeding on 22nd Avenue. Concern was expressed for where money will come from for extra city services. She is concerned about drainage and roads and thinks more improvements should be made first before more developments. Experts should be invited to discuss school issues and see if they feel the growth is harming the quality of teaching.

Marilyn Karboski, 670 NE 20th Ave., has been living in Canby for two years and is concerned that existing services/utilities are not being kept up. Canby is outgrowing its budget. She suggested contacting the city of Centralia Chehalis because she feels they were in the same situation.

David Biskar, 600 NE 20th Ave., expressed same concerns as Dana Tyler. He is concerned with traffic and quality of roads. He is concerned about schools and overcrowding.

Derek Willis, 545 NE 20th Ave., and is concerned about lack of schools and safety because of traffic.

REBUTTAL:

Corinne Sherton said that staff has found no deficiencies in services available here. Positive responses were received from the school district as they see no problem with this annexation. This property is already within the urban growth boundary and has been designated for Priority A. Please stick with your priority system and recognize this property is suitable for being annexed. They have offered to improve streets adjoining and will accept conditions to be part of solutions for off-site problems and feel their development would be part of the solution to problems.

Greg Winterowd added that when 20th and 21st were constructed it was planned that they would be extended to serve that land and it seems consistent with that past action to approve that annexation.

Mayor Taylor closed public testimony at 8:40 p.m.

QUESTIONS BY THE HEARING BODY - Councilor Harris questioned Jason about the recommendation for denial of the annexation. Harris noted that initially the recommendation to the Planning Commission was for approval. Was this change in recommendation just because of the planning commission's decision and not because of additional information? Jason Kruckeberg answered yes.

Councilor Gerber stated he was under the impression that the buildable lands issue was a minimum standard and not a maximum standard.

Jason answered that the Planning Commission's interpretation has been that it is a target to aim for more along the lines of maximum and not a minimum.

Mayor Taylor asked if any of the council remembers this discussion.

Councilor Harris doesn't remember whether or not this was discussed as a council. He would like more explanation of how each time annexations are discussed we try to have three years of buildable land. How much would this add to the three years we have now? And why do we have three years?

Jason Kruckeberg stated that based on the predominate development in that zone we would be looking at 71 lots on that piece which would be about five months worth at current building rate.

Councilor Harris asked why we are aiming for 3 years.

Councilor Gerber asked that if we deny this annexation could it be appealed to the boundary commission?

John Kelley said that they can take their own application directly to the boundary commission.

Councilor Gerber asked if buildable lands was a criteria for denial.

John Kelley referred to the criteria posted on the wall and said the criteria needed to be considered to decide if the Council wishes to make a recommendation of approval to the boundary commission.

Mayor Taylor asked if any other council members had a memory or opinion of a 2, 3, or 5 year buildable lands target inventory.

Councilor Daniels recalled the basis of establishing the figure was on going back on a 5 year average on the number of lots being built in a year.

Councilor Strong noted we were up to 3 years 9 months worth of buildable lands at one time.

Mayor Taylor remembers having a discussion about having the ability to have at least 3 years inventory available. It was a minimum so we could plan.

Councilor Lucas agrees with the Mayor's recollection.

Mayor feels planning commission has had a different understanding as the council has not concurred with them.

Councilor Gerber remembers it as a minimum or an "at least" figure. This would be a valid reason to not annex this land.

Councilor Harris agrees that it was a minimum and that a minimum goes in favour of annexation and not against it. The interpretation is different than that of the Planning Commission. The next concern is the use of farm land and trying to maintain it. He has not seen Priority A land denied. (Refers to page 20 of packet). It makes sense it's been designated Priority A but perhaps it should have been evaluated as Bor C for protection.

Councilor Lucas wonders about the five steps proposed by Mr. Winterowd

John Kelley informed that they cannot be conditions of annexation approval. When zone changes on annexation it can be sent to the Boundary Commission as a recommendation as part of the change from county zoning to R1. At that point it could be subject to those conditions. Mr. Kelley says he feels comfortable with the proposal.

Councilor Lucas asked what the half street improvements on Locust and 22nd would be.

Jason Kruckeberg explained the improvements.

Mayor Taylor stated the council has met with the School District and has shared documents showing the impact of growth in community. The School District has stated that the annexation will not overburden schools. The Council and the School Board are continuing conversations about this issue. The council is concerned and has engaged in that conversation.

Councilor Strong mentioned concern about following the plan of Priority A, B & C land.

Mayor Taylor stated that when listening to annexation conversations, these are the same conversations held when looking at the development. Actually, we are looking at basic property and deciding whether it is appropriate to come into the city. Then when time comes to what we're going to put on it, that's when we have another hearing process.

Jason Kruckeberg pointed out that four of the five conditions would automatically be conditions of any sub-division application. (a-d)

Councilor Daniels was concerned that balance is needed on soil issues. How much value is put on the soil.

Councilor Strong asked if all of 22nd Street is in the city limits? Administrator Jordan said that yes, the city will accept a road for maintenance if it has been brought up to our standard for development. This has been a continuing issue with the county.

Councilor Gerber brought up a school issue. He mentioned concern with overcrowding at schools. In 1994 or 1996 when State Legislature passed legislation that barred local governments from developing lands based on school capacities. Citizens should voice their concerns to State Legislature.

****Councilor Gerber moved to recommend approval to the Portland Metropolitan Boundary Commission for ANN 97-10 and request staff to bring back appropriate resolution. Motion seconded by Councilor Harris and approved 5-0.**

Jason Kruckeberg asked if the five conditions were to be a part of this resolution and the response was yes.

Mayor Taylor noted that this type of decision is one of the most difficult decisions for the council and the planning commission to make.

Mayor Taylor requested a five minute recess at 9:10 p.m., reconvening the regular session at 9:15 p.m.

Mayor Taylor introduced the new director for El Programa Hispano, Irma Llanes.

Irma Llanes, 444 N. Holly Street, assumed the role as Program Manager in October. Canby's Hispanic population has increased by over 350% since 1980. Ten percent of Canby's population is made up of Hispanics. Their mission is to increase self-sufficiency, to empower individuals to achieve a better quality of life, and to promote mutual respect and better understanding between cultures. They have served over 100 clients, and over 50% have utilized services more than once. Their Youth Employment Project is to prepare for job readiment and placement. They also have a home ownership program to help give guidance and direction in this area. In April there will be a new class.

Mayor Taylor made mention that while this program is designed primarily for Hispanics anyone can benefit from those programs.

Mayor Taylor asked Chief Giger to explain Resolution No. 666. Chief Giger explained that we have youth service teams to supervise community service work projects through cooperative effort involving various community service organizations that work with at risk Hispanic youths. The Canby Police Department is assisting by finding locations for the youth to be able to complete their work.

****Councilor Lucas moved to adopt Resolution No. 666, A RESOLUTION IN SUPPORT OF THE COMMUNITY SERVICE TEAM FOR THE SUPERVISED STRUCTURED WORK ENVIRONMENT FOR HISPANIC YOUTH. Motion seconded by Councilor Harris and approved 5-0.**

PUBLIC HEARING:

CPA 97-01, Amending Land Use Map for Wright's Nursery - John Kelley advised that a public hearing is not required as it was held before the Planning Commission. The Planning Commission then makes a recommendation to the council through findings and conclusions. The Council would then review these and determine whether or not it meets the comprehensive plan and policies.

George Wilhelm, of Wilhelm Engineering is representing the applicants and said they are prepared to make a presentation or answer any questions if necessary.

Mayor Taylor asked the Council if they would like additional information.

****Councilor Lucas moved to recommend approval CPA 97-01 to the Planning Commission. Motion seconded by Councilor Daniels.**

Councilor Gerber is opposed as it makes no sense to decrease or increase our density to meet Metro's plan of density for this parcel of land. Why zone to put houses on a postage stamp size of land.

Councilor Harris asked if there was a minimum lot size.

Jason Kruckeberg answered that there is a minimum of 6,000 but most are over 6,000 square feet.

Councilor Gerber is opposed to this as the houses will be too close together. There is a better way to meet density requirements than having homes so close together.

Jason Kruckeberg pointed out that two phases of Township Village are already built at this density.

****The motion to approve CPA 97-01 passed 3-2 with Councilors Harris and Gerber being opposed.**

PUBLIC HEARING:

ZC 97-03, Zone Change for Wright's Nursery - John Kelley stated this is the second pass of the Comprehensive Plan zone change for the same piece of property. It's the actual zone change to comply with the comprehensive plan amendment that you have previously approved.

Mayor Taylor announced there would be a hearing on the matter and there was no new evidence.

Mayor Taylor and Council Members Strong, Lucas, Daniels, Harris and Gerber reported no conflicts or ex parte contact and will participate.

Mayor Taylor asked if anyone in the audience wished to question any of the hearing body. No one came forward.

STAFF REPORT - Jason Kruckeberg summarized the staff report.

Councilor Gerber noted that almost twice as many properties adjoining the subject property are zoned R1 than are R1.5.

Jason Kruckeberg stated that in the comprehensive plan the entire block of Township Village was designated for medium density residential. A lot of it was not developed at that density but it was designated for that density.

Councilor Gerber asked then on subsequent developments they developed at a lower density. Jason Kruckeberg confirmed this.

APPLICANT - George Wilhelm, of Wilhelm Engineering, P. O. Box 561, Woodburn, represents the applicants. This is a request for a zone change. The property was recently annexed and came into the city under the comprehensive plan zoning which is R2 for the northerly 275 feet and R1 for the southerly 1,090 feet. They reviewed the staff report and feel it adequately addresses all issues and criteria for approval. Due to the rising cost of property developers need to use available land efficiently. This land allows a maximum of 98 units. Mrs. Sharon Wright's property will keep approximately half an acre for their residence. Then the maximum density could be reduced down to about 90 units. They've tried to do a density transfer to eliminate the multi-family on the north side and provide a residential neighbourhood that fits into the area a little closer and yet maintain Comprehensive Plan density. The best use of this property is a transition area between the high density multi-family to the north and northwest and Industrial to the north and northeast and the medium and low density to the south and west. The applicant believes the best way to provide this transition is with the zone change to R1.5 for the entire parcel. This proposal was approved unanimously by the planning commission.

REBUTTAL: none due to no opponents

QUESTIONS FROM THE HEARING BODY:

Councilor Gerber asked that with Sharon Wright's residence being in the middle, was any consideration given as to how you would configure the R2 density buildings? How would that configure on the property that was zoned R2? Does not her residence take a large chunk of that 2.3 acre? Would it be some sort of apartment complex?

George Wilhelm stated her property would be right in the corner and there would be a substantial amount of property that is zoned R2 that could be utilized. They did not look into design options for this, however.

Mayor Taylor said that as we continue to look at annexation and the growth of the city at some point we need to look at increased density. Also affordable housing is an issue. This plan looks like a net loss of housing. The city loses at least six units. Why wouldn't we as a city use the full parcel of land?

George Wilhelm feels they have achieved 93% of maximum Comprehensive Plan density with their proposal. All of Township Village had the same situation initially. A 275 foot strip that came into the city zoned R2 and the first 40 acres we re-zoned the entire area to R1.5. Whereas initially it was R2 and R1.5 and R1. In the current situation maintaining single family residential on this side of Township road fits in better with the community.

****Councilor Daniels moved to approve Ordinance No. 987, AN ORDINANCE**

SUBMITTING THE ZONING MAP OF THE CITY OF CANBY, COUNTY OF CLACKAMAS, OREGON FROM A MIX OF LOW AND HIGH DENSITY RESIDENTIAL TO A MEDIUM DENSITY RESIDENTIAL ZONE DISTRICT FOR TAX LOTS 502 AND 700 OF TAX MAP 4-1E-3BB AND TAX LOT 4401 OF TAX MAP 4-1E-3BC. Motion seconded by Councilor Strong.

Councilor Gerber noted that he understood the compromise on density that was being proposed in the application, but felt that the City did not have to compromise on density. He felt that the City was being pressured into certain density decisions and that we didn't have to give in to that pressure. He also noted that he was not in favor of apartments on the south side of Township, and that even without apartments in that area we could still have R1 zoning. He also had a concern about the effect that increased density in this area would impact schools.

Councilor Harris noted that if someone were to build apartments in the existing R2 zoning that densities would be equal or greater than this proposal. He went on to comment that he was concerned about the appearance of housing on 6,000 square foot lots. That they began to look like "cracker box" neighbourhoods. His inclination was to keep the current zoning in the area.

Councilor Daniels spoke of discussions held with the school district regarding the low population of students in lower grades. The problems is the lack of affordable housing in Canby for young couples starting out. Having smaller lots is a way to make that possible.

Councilor Harris said that argument works in the other direction too. If the R2 portion is an apartment complex or condominiums that people who can't afford to buy homes can afford to live in. Apartments are in short supply here.

Councilor Gerber says that is exactly what we don't want. Our school are becoming overcrowded.

Councilor Lucas disagreed saying that was not what the school board had. They said they had room. Councilor Strong added that they had said they had some classrooms not being used.

Councilor Gerber said that Trost has 589 students and 600 capacity.

Councilor Lucas said that when they had the meeting with the school board that wasn't what they said. Children can be moved to other schools. We need high density housing. We are doing it because we need it not because it's what Metro wants us to do. "I don't understand the argument that you're going to get if you leave it R2 you're going to get more in there if that's not what they want to build in there."

Councilor Daniels said he thinks that comes from the numbers that Jason gave us that the R2 is 17 units per acre. "And 2.3 acres so thirty or forty roughly. And then the R1 spills in the other so the total number comes out to ninety whereas the total number of this comes out to 84. That's the

difference. That's where the six comes from."

Councilor Gerber, "I, at the very least would rather see a compromise on going R1.5 up to 7th street and R1 from there on out if you want to keep consistency with the surrounding neighbourhoods. It doesn't have to be either approved or disapproved. It never has to be something all or nothing and there's other ways to look at this."

Councilor Daniels asked what size lots we have in Tofte Farms. Jason Kruckeberg answered that there was a 7,000 minimum but many were 8, 9, or 10 thousand. He added that there are some in this subdivision that are 10,000.

Councilor Lucas asked if we knew how many lots are 6000 square feet. Jason Kruckeberg responded he wasn't sure and would have to count. Councilor Gerber asked if there was a map they could look at. A map was produced and shown to all Council Members. John Kelley said that if the map was displayed at the prior hearing on the board as an exhibit then it was part of the record. It was determined that it had been displayed.

Mayor Taylor asked if with that design the numbers would still be accurate. Jason Kruckeberg said the numbers are based on the design.

The council looked at the map.

Councilor Strong asked that if it was left as R2 they could put apartments on it. Could they put apartment on R1.5? Michael Jordan said no, that there is a maximum density allowed. Triplexes and fourplexes would be allowed in R1.5. Councilor Strong said then that we would have no guarantee that they would build apartments there if we left it as R2. Michael Jordan said this was correct.

Mayor Taylor noted that if you had an R2 zone you could still build a single family dwelling. So if we went to R2 and R1 and the developers decided they wanted huge lots we could actually have a lower count. Jason Kruckeberg said that we could but that it would go through subdivision approval process and there may be a way to deny that. John Kelley said that could be a possibility.

QUESTION - **The motion to approve Ordinance 987 fails 4-1 with Councilor Daniels voting in favour.

Jason Kruckeberg stated that by denying Ordinance 987 the council effectively had disallowed a development at the density that they had previously approved through CPA 97-01.

****Councilor Lucas moved to reconsider CPA 97-01. Motion seconded by Councilor Strong and approved 5-0.**

Councilor Gerber's findings for the motion are that it's inconsistent with the comprehensive plan in that it goes against our goal of density. Our goal is to increase density and this particular CPA 97-01 would actually decrease density.

****Councilor Gerber moved to deny CPA 97-01. Motion seconded by Councilor Harris.**

Mayor Taylor stated his concern over reaching a different decision than the Planning Commission. These two were approved unanimously by the Planning Commission.

QUESTION-The motion to deny CPA 97-01 passed 4-1.**

Mayor Taylor confirmed that Jason Kruckeberg would bring back the findings for CPA 97-01.

COMMUNICATIONS: - none

NEW BUSINESS: Downtown Bike Parking - Lila Gottman, 10381 S. Mulino Rd., Chairman to Bike & Pedestrian Advisory Committee drew attention to the documentation about downtown parking. There was a demonstration of the use of the rack. Each unit would cost \$65.00. It was explained that according to State regulations bike parking is supposed to be less than 50 feet from the entrance of the stores but that cannot be accommodated and offered alternatives.

Councilor Lucas thanked them for all their hard work and research.

****Councilor Lucas moved to recommend approval of placement of bicycle racks as proposed. Seconded by Councilor Harris.**

Councilor Gerber asked what the racks were made of and was told they were made of galvanized steel. Mayor Taylor asked if they would all be purchased at once and Lila Gottman said it would depend on what was more cost effective. Councilor Strong asked where the funding would come from. Lila Gottman said it would come from the 1% gas tax fund. Michael Jordan confirmed it was available.

QUESTION-The motion to approve the placement of bicycle racks passed 5-0.**

Councilor Lucas asked if cars are being ticketed in bike paths and both Michael Jordan and Chief Giger confirmed that they were.

****Councilor Daniels moved to recommend that the City Council's stipend be increased to \$100.00 per month. Motion seconded by Councilor Lucas.**

Mayor Taylor noted that he was very much in favour of this as the members spend a minimum of 35-40 hours per month. Councilor Daniels noted that the time council members are spending with meetings and workshops has increased greatly especially due to annexation issues. Councilor

Gerber stated his support of this.

QUESTIONThe motion to increase the city council's stipend be increased passes 5-0**

ORDINANCES & RESOLUTIONS: Ordinance No. 985 - Administrator Jordan explained the ordinance.

****Councilor Harris moved to adopt Ordinance No. 985, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH CURRAN-MCLEOD, INC. FOR ENGINEERING SERVICES FOR IMPROVEMENTS TO TOWNSHIP ROAD; AND DECLARING AN EMERGENCY. Motion seconded by Councilor Strong and approved by roll call vote, 5-0.**

Ordinance No. 986 - Administrator Jordan explained the ordinance.

****Councilor Harris moved to adopt Ordinance No. 986, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH CURRAN MCLEOD, INC. FOR ENGINEERING SERVICES PROPOSED PUBLIC IMPROVEMENTS TO THE AREA OF NW 3RD AVENUE AND BAKER STREET, REFERRED TO AS THE 3RD AND BAKER LOCAL IMPROVEMENT DISTRICT; AND DECLARING AN EMERGENCY. Motion seconded by Councilor Lucas and approved by roll call vote, 5-0.**

Resolution No. 665 - Administrator Jordan explained the resolution.

****Councilor Daniels moved to adopt Resolution No. 665, A RESOLUTION TO THE PORTLAND METROPOLITAN AREA LOCAL GOVERNMENT BOUNDARY COMMISSION RECOMMENDING APPROVAL OF THE ANNEXATION TO THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON, OF TAX LOT 300 OF TAX MAP 4-1E-4D, LOCATED ON THE SOUTHEAST CORNER OF SE 13TH STREET AND S. IVY STREET (Hanlin Property). Motion seconded by Councilor Strong and approved 5-0.**

UNFINISHED BUSINESS/REPORTS OR ANNOUNCEMENTS:

Mayor Taylor announced the appointment of Michael Jordan as the City Recorder pro tem.

MANAGER'S REPORT: Schedule - Mr. Jordan listed the following events for meetings:

1. Thursday, March 5th, Open House at the Adult Center, 7:00 p.m. for the public to view and hear about the Industrial Park Master Plan.
2. Wednesday, March 11th, Canby Adult Center, 7:00 p.m., meeting with the School Board and Planning Commission.

3. Thursday, March 12th, Chambers, 7:00 p.m., Council workshop with the Police Department for a five year strategic plans.
4. Monday, March 16th, Chambers, 7:00 p.m., Planning Commission meeting regarding system development charges
5. Wednesday, March 18th, Regular meeting and 6:30 Executive Session regarding franchise fee negotiations.
6. Wednesday, April 8th, Library, 7:00 p.m., Budget Committee Meeting.

Mr. Jordan also informed the Council that Canby Utility Board will soon be replacing a water main on the south side of 99E between Birch Street and Locust Street. They will also be putting in a sidewalk. This will be starting within the next couple of weeks and continue for approximately 120 days.

Also, there is a special election. It's the first vote on annexation. The ballots are due by March 10th, at 8:00 p.m. Ballots can be dropped off at the library.

COUNCILORS' ISSUES:

Councilor Gerber announced he was resigning from the position of being the liaison with the Planning Commission.

Mayor Taylor volunteered to be the new liaison with the Planning Commission. He also announced that they were searching for a new Planning Commissioner as there was now a vacancy.

****Councilor Harris moved to appoint Mayor Taylor as the liaison between the City Council and the Planning Commission. Motion was seconded by Councilor Gerber and approved 5-0.**

ACTION REVIEW:

1. Prepare resolution approving ANN 97-10 for Simnitt.
2. Raising City Council stipend to \$100.00 per month.
3. Returning with findings to deny CPA 97-01 and ZC 97-03.
4. Implementing downtown Bicycle Parking Plan.
5. Implementing Ordinances 985 and 986.
6. Passing along recommendation for ANN 97-09, to the Metropolitan Boundary Commission.
7. Working with the Hispanic Services Organizations regarding supporting Community Services Project.

EXECUTIVE SESSION: was cancelled.

Mayor Taylor adjourned the session at 10:44 p.m.

A handwritten signature in cursive script, appearing to read "Michael J. Jordan".

Michael J. Jordan
City Recorder

A handwritten signature in cursive script, appearing to read "Scott Taylor".

Scott Taylor
Mayor