EXECUTIVE SESSION
MARCH 18, 1998

PRESENT: Mayor Taylor, Councilors Daniels, Lucas, Nolder, Harris, and Strong, John Kelley, Pam Beery, and Mike Jordan (arriving at 7:10).

Mayor Taylor called the session to order at 6:30 p.m.

ORS 192.660 (1)(a) - The Council discussed hiring Pam Beery for franchise negotiations.

Mayor Taylor adjourned the session at 7:25 p.m.

CANBY CITY COUNCIL
REGULAR SESSION
MARCH 18, 1998

Mayor Scott Taylor presiding. Council members present, Dennis Nolder, Roger Harris, Shirley Strong, Walt Daniels, and Barry Lucas. Brad Gerber 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, Planning Director Aneta Synan, Susan Wood, Dan Nugent, Ian Gadberry, Brian Watson, Quinn Collett, Jordy Hambleton, John and Virginia Molamphy, Curtis and Lila Gottman, Steven Amick, Brooke Cates, Randy Carson, Roger Nelson, Roger Skoe, George Wilholm, Charles Chimento, and Art Piccilell.

Mayor Taylor called the session to order at 7:32 p.m., followed by the opening ceremonies.

CITIZEN INPUT ON NON-AGENDA ITEMS: Michael Jordan introduced the new Planning Director, Aneta Synan, who joined the City as of Monday, March 16, 1998.

Mayor Taylor announced that Councilman Gerber had resigned from the City Council, based on a change in his professional life and duties. He discussed how Gerber had worked hard for the past two years, both on the Planning Commission and Council, and how he had been an asset to the Council, especially in his approach to issues, questions, concerns, and making sure there was a full discussion on all items. Gerber's new job required that he miss too many meetings outside of the televised meetings, and he felt he could not keep up with the duties of the position. The Mayor presented a plaque to Councilman Gerber, thanking him for his dedication and service to the City of Canby.

****Councilman Lucas motioned to accept Councilman Gerber's resignation effective immediately, Councilman Harris seconded, and it passed 5-0.**

The Mayor said that the Council would discuss how to deal with the vacancy later in the meeting.

Mayor Taylor introduced four members of the Canby High School wrestling squad, and their Coach, Dan Nugent, who had come to be recognized for their outstanding job this year. Mark Croman, who was scheduled to come, was not able to attend. Jordy Hambleton, a Senior, was the State Greco-Roman champion this year. Quinn Collett was the State Champion at 160 pounds and won even with a broken hand. Ian Gadberry set a team record and finished 3rd in the state at 103 pounds and was also the Cadet Free-Style champion. Brian Watson was a three-time State Champion and won this year at 119 pounds and also set an Oregon All Time Win record over a four year period. Coach Nugent stressed that all of the team had a high GPA this year, accumulative of 3.8. Quinn Collett mentioned that it was hard work that got them where they were. Brian Watson stated that the reason their team excels is because of Coach Nugent, who stresses team unity. Ian Gadberry attributed his success to good Senior leadership and encouragement. Jordy Hambleton agreed with everything his teammates said. The Mayor thanked the team for coming to the meeting and for being outstanding representatives of the City.

CONSENT AGENDA: **Councilman Daniels moved to adopt the consent agenda: minutes of the regular meeting and workshop, March 4, 1998; accounts payable in the amount of $113,388.45; and a new liquor license for Puerto Vallarta restaurant. Motion seconded by Councilwoman Strong and approved 5-0.

PUBLIC HEARING: 1997-1998 Supplemental Budget - Mayor Taylor opened the hearing at 7:42 p.m.

STAFF REPORT - Mike Jordan explained that Oregon State law requires the council to hold a public hearing regarding the adoption of a Supplemental Budget for 1997-1998. He stated that the Budget Committee had previously reviewed and accepted the 1997-1998 Supplemental Budget and had passed on their recommendation for approval to the Council. The reasons for the supplemental budget were four fold: that there was cash carried over from the previous fiscal year; the City received or will be receiving unanticipated revenues, such as from the EID (Economic Improvement District); because of Measure 50 the City had budgeted for the worst-case scenario; and some of the previous reserve funds were now allocated for projects, such as in the Parks Development and Street Reserve funds. In the General Fund, the Supplemental Budget amounted to $485,209.00 and overall amongst all funds for the City, the total amount was $3,295,560.00.

Mayor Taylor asked the audience if they had any comments. There were none. The Mayor asked if any of the Council had questions. They had none. Mayor Taylor closed the hearing at 7:48 p.m.

****Councilman Harris moved to adopt Resolution No. 668, A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR THE FISCAL YEAR 1997-1998. Motion seconded**

by Councilman Daniels.

DISCUSSION: Councilman Harris, as Chairman of the Budget Committee, wanted to thank staff for preparing the budget and also to thank the Budget Committee for their work on the budget. The committee managed to squeeze out enough money to come up with a significant improvement for the Police Department, specifically for mobile computers built in the police vehicles to do immediate record checks. This will save a substantial amount of work and will bring the Canby Police Department into the modern age.

Mayor Taylor also stated that the new budget reestablishes some hours that had been cut back at the library and the pool.

The motion to adopt the Supplemental Budget for 1997-1998 passed 5-0.

COMMUNICATIONS: Traffic/Parking at SW 2nd and S. Elm - Chief Giger stated that in the last 4-5 years the Traffic Safety Committee had been confronted by traffic concerns on South Elm and SW 2nd. In 1993-94, the Committee did a workshop to discuss improvements to the narrow streets and increase of traffic in the area. They found that trucks and buses were the main concern to the residents. At that time this was the only route, other than 99E, that the buses had to get to the Trost, Lee-Ackerman complex (at that time there was no Redwood Street). The Traffic Safety Committee has proposed and recommended two options, A and B, for changing the traffic pattern. Option A would make SW 2nd a one way street going eastbound from S. Elm to S. Grant, allowing parking on both sides of the street. Option B would require no parking on one side of SW 2nd between Elm and 2nd and leaving the traffic two-way. The Chief stated the Traffic Safety Committee had not yet done a formal workshop on these findings, because the recommendation from the Committee was taken from citizen input already.

DISCUSSION: Councilman Harris said he remembered a few years ago that there was a group in the neighborhood who were opposed to losing parking on the street. He wanted to know if the attitude had changed.

Chief Giger agreed that was the attitude then, but the citizens decided that if the City got rid of the school buses, they were willing to sacrifice a little bit of parking. The Chief was not sure of the parking conditions for the residents, the houses and lots were small, but most had parking garages or areas around their house to park. He knew there were as many as 12 cars parked on the street in the evenings, and as few as 3-4 according to a survey done by the Police Department. The Chief said that somehow they needed to accommodate the heavier traffic and also relieve that area of school buses. Trucks also traveled that area to refuel at Pacific Pride.

Councilman Lucas asked if the residents of 2nd street knew that a decision on this issue would be made tonight.

The Chief said they were notified that at some point the Traffic Safety Committee would make a recommendation to the Council. The Committee had originally asked for a workshop, but the Council had wanted some kind of recommendation from the Traffic Safety Committee first.

Councilman Lucas asked if one option was brought about by the Traffic Safety Committee and one by the citizens.

The Chief said that both options were put together by the Traffic Safety Committee with input by citizens.

Councilman Lucas asked if the citizens were split between options.

The Chief said it was split in regards with what they wanted to do, but they were united in the desire to get the bus traffic off the street.

The Mayor clarified that what the Council needed to do was to choose one option and then hold a public workshop to show citizens where the Council was going and the citizens in turn could tell them why it was a good or bad idea.

Councilwoman Strong stated that her concern has always been 2nd street on down from Elm to McDonald's, which was not addressed in the two options. Was the Traffic Safety Committee going to look at that too?

The Chief said they didn't address the problems past the two driveways going into U.S. Bank. They were only looking at the school bus issue, but this other problem could be addressed.

Councilwoman Strong thought that there was more of a problem on 2nd than what was being proposed.

Mayor Taylor said the impetus for the proposal tonight was for the citizens who live on that street and their concern over their housing, whereas the other concern is more traffic related. The other issue could be a different discussion. Mayor Taylor wanted to break the discussion in two pieces and get more information on the second issue later.

The Chief said he could put that on the next Traffic Safety Committee agenda.

Councilwoman Strong wanted to make sure it was addressed, because when they originally told the trucks where to park, there were not the same problems as there were now.

Mayor Taylor clarified Option B, asking if there would be no parking on the side of the street at all.

The Chief explained that there would be no parking on either the south <u>or</u> north side, the Council needed to pick which side there would be no parking. The Chief suggested that the Council pick the side with the most usable parking, because there were more driveways on one side than the other.

The Mayor asked if they chose Option A, making the street a one-way, if all the homes could continue to park where they had been, between Elm and Grant.

Councilman Lucas stated that this would be the only one way street in town except for the alleys.

****Councilman Harris moved to adopt Option B, with no parking on the North side of SW 2nd and the street would remain two way traffic. Councilman Lucas seconded.**

DISCUSSION: Mayor Taylor said Option A seemed to offer people the same parking capability and free up the movement of traffic. However, would there be a concern with people getting confused because the street would be the only one way street in town?

Councilman Lucas wondered how many people would be going down the street the wrong way.

Councilwoman Strong asked how much room would be gained by moving the traffic to a one way street?

The Chief said they would roughly be 10 foot travel lanes.

The motion to adopt Option B, with no parking on the North side of SW 2nd and the street would remain two way traffic passed 4-1.

Councilwoman Strong reemphasized that the Traffic Safety Committee would come back with a report on the second part of the street.

Mike Jordan clarified that there would be a Public Hearing at the next council meeting and all the impacted parties would be notified of the Council's decision.

NEW BUSINESS: Extension of a special permit for the CTA Service Corporation - Jason Kruckeberg gave a report on the location and history of the permit previously given to CTA Services. The CTA Corporation wanted an extension for one more year. Mr. Kruckeberg stated that the Council had to verify the need for the extension. The permit will expire March 20, 1998. The CTA Corporation needed additional time to submit building permits and begin the building process. The staff recommendation was to allow the extension request only if the Council felt the extension was necessary. The applicant, John Molamphy, Director of Operations for Canby Telephone, was at the meeting to explain the need for the extension.

Mayor Taylor asked why there had not been any building permits requested yet.

Mr. Molamphy said it was mostly financial reasons for the delay, but their plans were still going forward.

Councilman Nolder asked if there was a construction date established. Mr. Molamphy said there was not.

Councilman Nolder asked if there would be a construction date established in the next few months. Mr. Molamphy said he would hopefully have those dates in the next few months.

Councilman Lucas asked if they were ready to apply for a building permit? Mr. Molamphy said they had to finalize the plans first.

Mayor Taylor wanted to establish a check-back-in date after six months to look at their progress. Mr. Molamphy said he could not start construction in that amount of time, because the permit process is long, but applying for the permit would prove they were going through with the plans.

Mayor Taylor reiterated that he wanted a tickler review, where Jason Kruckeberg would bring back a report and if there was no reasonable action going on, then the Council had the ability to change the one year grant.

Councilman Lucas asked if it would just be easier to make it a six month extension.

Mayor Taylor said it could be done, but then CTA Services would have to come back and go through the process again. If it was done the other way, the Council could just ask Mr. Kruckeberg how things were going and if they are going well, they would just continue with what they had already done or if they were not doing anything, the Council could pull it.

Jason Kruckeberg said the Council could put any time limit on the extension that they wanted.

Councilman Nolder was concerned that the tickler system might not work and they would forget about it.

****Councilman Nolder moved to extend the special permit to utilize a temporary office building for CTA Service Corp. (SP 97-01) at 221 S.E. 2nd Avenue in Canby for a period of six months. Motion seconded by Councilman Harris.**

DISCUSSION: Councilman Daniels asked what if CTA came in before six months and said they had not started yet and needed another six month extension. Could they keep on coming back for extensions?

Mayor Taylor said yes they could, but the Council always had the option to say no.

Councilman Harris said that in six months they could anticipate that Mr. Molamphy would be back because the building would not be built that quickly. Mr. Molamphy said they would be lucky to have the permit application started by then. It will take at least six months and they can't start anything until the permit is approved.

Councilman Harris said the Council wanted to do six months instead of a year to keep CTA accountable. Mr. Molamphy said each time they reapply for an extension, they have to mail out an address list, title search, and provide mailing labels, which takes time. There is also a $100.00 application fee each time.

Councilman Harris didn't know it was that involved and stated he was now inclined to the tickler system and having Mr. Kruckeberg bring back a progress report.

Mayor Taylor clarified that the Council had the ability to give a one year extension with the condition that they would review CTA's progress in six months and if it was unsatisfactory, they would terminate the application at that time.

Councilman Harris withdrew his second. The motion died for lack of a second.

****Councilman Harris moved to grant a one year extension for the special permit to utilize a temporary office building for CTA Service Corp. (SP 97-01) at 221 S.E. 2nd Avenue for a one year period on the condition that the Council will review the progress in six months and if a building permit application is filed within that six months. Councilman Daniels seconded.**

Mayor Taylor reiterated that failure to have applied for the permit will terminate the authorized temporary special permit.

Councilwoman Strong made sure that the Council would not forget to check back in six months.

The motion to grant a one year extension to CTA Service Corp. passed 4-1.

<u>Mayor Taylor</u> reminded the Council that they had accepted the resignation of Councilman Gerber. How did the Council want to deal with that vacancy? Would they like to finish off the year with only five councilors or appoint someone who would run for reelection in November. The Council had the ability to operate with only five Councilors and still have a Quorum.

Mr. Kelley stated that if they appointed someone, that person would only fill the position for the rest of the term, not necessarily run for reelection.

Councilman Daniels thought it would be difficult to bring in another Councilor at this time and was concerned that the public would not have a choice of councilors.

****Councilman Daniels moved that the Council not fill the vacancy of Brad Gerber and operate with five Councilors until the next election in November. Motion seconded by**

Councilwoman Strong, and passed 5-0.

Mayor Taylor asked if there was anyone in the audience who came to discuss Ordinances or Resolutions. Brooke Cates was there to discuss the Trost Track and Trail. The rest were there for the amending of the land use map on Wright's Nursery.

ORDINANCES AND RESOLUTIONS: Ordinance No. 988 -

****Councilman Lucas moved to adopt Ordinance No. 988, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF CANBY AND THE CANBY SCHOOL DISTRICT FOR THE CONSTRUCTION OF A TRACK AND TRAIL AT TROST ELEMENTARY SCHOOL TO BE USED BY THE STUDENTS AND STAFF OF TROST SCHOOL AND THE PUBLIC AT LARGE; AND DECLARING AN EMERGENCY be posted and come up for final action on April 1, 1998. Motion seconded by Councilman Nolder.**

DISCUSSION: Mike Jordan stated that the City was trying to work with the National Guard to do a substantial amount of the excavation, and in fact, the Guard would be here to do this project, which would save substantial money.

Brook Cates, P.E. teacher at Trost Elementary, had worked on this project for many months and was hoping the Council would vote yes.

Mayor Taylor said he did not notice a limit in the Ordinance. Mr. Jordan said the limitations were in the Intergovernmental Agreement, limited at $15,000.
Councilwoman Strong asked if this track would figure into the new parks Master Plan.

Ms. Saul said it was mentioned in the plan. Mr. Jordan stated that open space school properties were part of the Parks Master Plan.

Mayor Taylor asked if this project qualified for SDC money. Mr. Jordan said it did not.

Councilman Harris asked where the money came from. Mr. Jordan said the City put $50,000 from the General Fund into the Parks Development fund for purposes such as these.

The motion to adopt Ordinance No. 988 passed 5-0 on first reading.

Councilman Lucas thanked Ms. Cates for her hard work on this issue.

Mayor Taylor hoped the school would have a dedication run when the trail was finished.

UNFINISHED BUSINESS: Findings CPA 97-01 - Councilman Nolder asked if they were going to run through the Public Hearing portion again, because he was absent at the last meeting.

Mayor Taylor said there were some Councilors who were interested in a reconsideration. If that happened, he believed they would be back to ground zero and they would have another Public Hearing.

John Kelley said the zone change was on a record appeal, so the public hearing on the zone change could not be opened, and the comp plan amendment was not a public hearing, it was a review of the action of the planning commission and needed to be agreed or disagreed with. The Council could get back into discussion, ask questions, and further arguments on the zone change record. To proceed, there needed to be one motion and one second from the Councilors who were on the prevailing side.

Councilman Nolder wished to abstain from the proceedings because of his absence and the fact that he did not have the information from the last meeting.

****Councilman Lucas moved to reconsider CPA 97-01, amending the land use map for Wright's Nursery. Councilman Harris seconded. Motion passed 4-0 (Councilman Nolder abstained).**

Mayor Taylor clarified that the Council was now back in consideration of amending the land use map.

Mr. Kruckeberg gave a "reader's digest" version of the amendment, which would change the property to medium density residential. The Planning Commission and staff had recommended approval for this change.

****Councilman Daniels moved to accept the recommendations of the Planning Commission on CPA 97-01 and instruct the staff to come back with a final report. Councilman Lucas seconded. Motion passed 4-0 (Councilman Nolder abstained).**

Mayor Taylor explained to the audience that the Council decided to change their vote and they had to reconsider the comp plan before they could reconsider the zone change to make it effective.

<u>Findings ZC 97-03</u> -

****Councilman Harris moved to reconsider the findings on ZC 97-03, Zone Change for Wright's Nursery. Councilman Lucas seconded. Motion passed 4-0 (Councilman Nolder abstained).**

Mr. Kelley said the Council needed to decide if they wanted another public hearing.

Mayor Taylor wanted to reopen the public hearing so that Councilman Nolder and the public could hear the information again.

Mr. Kelley said the safe thing to do if they were to re-open the public hearing would be to re-notify everyone of that fact. If the Council did not want to take further public testimony, then the Council would not be required to re-notify them. The Council was not required to re-open the public hearing.

Councilman Harris said he didn't need more public hearing. At the last meeting, he voted on his initial response to the information he had heard and read. But considering the information overnight and the next morning and thinking about it, not based on additional input from the public, he felt he made the wrong decision. He wanted to discuss the information everyone already had, not necessarily hear more public hearing.

Mayor Taylor said there was no public hearing on the night it was first discussed, so it was not one where there were many public testimonies.

Councilman Lucas felt the same as Councilman Harris, he did not need any public hearing.

Mayor Taylor stated that Councilman Nolder would be abstaining because he did not participate in the last meeting. The Council would move forward without a public hearing, however, they would be allowed to ask questions.

DISCUSSION: Councilman Lucas stated that he looked at some 6,000 square foot lots during the week after the meeting and thinking back to the meeting, realized that Mr. Kruckeberg did his best to explain that there were many lots around that size and they weren't creating any slums. He felt that the zone change should be reconsidered.

Councilman Harris said that Councilors occasionally make mistakes, and he had based his decision on a wrong assumption. Even though in the past they had determined that a 6,000 square foot lot was acceptable in the comprehensive plan, he was picturing something other than what that lot size really was. He asked Mr Kruckeberg for a map to find some lots in town of that size and found them to be reasonably attractive. The decision they had made long ago in the comprehensive plan was still a reasonable decision and he wanted to correct the vote.

Councilwoman Strong also looked at some 6,000 square foot lots and came up with the same conclusion, that they are attractive and the Council had made a wrong decision.

****Councilman Daniels moved to adopt Ordinance No. 991, AN ORDINANCE AMENDING 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 be posted and come up for final action on April 1, 1998. Motion seconded by Councilman Lucas.

DISCUSSION: Councilman Daniels asked if plot plans of the properties could be included in the future. Mr. Kruckeberg said they were not typically part of the file.

Councilman Harris wanted to add a comment to the public that occasionally it looks like the Council flip-flops on decisions, and that is true, and sometimes it looks like they muddle through some things, but he is glad that if they do make mistakes, they are able to undo those decisions.

Mayor Taylor also said that all the information on these properties goes through the Planning Commission, which is very rigorous, and they voted unanimously in favor of this particular zone change.

The motion to adopt Ordinance No. 991 passed 4-0 on first reading (Councilman Nolder abstained).

Mayor Taylor stopped the meeting for a break at 9:00 p.m., and reconvened at 9:10 p.m.

Councilman Nolder wanted to make a statement about the snickering going on about the supposed flip-flop in this decision. He wanted to remind people that the decisions the Council makes are very difficult and a great deal of thought and energy go into them. Even the best legal minds we have available still are in question at times. People should respect the Council and the time and effort they put in and not make light of the decisions they make. He thought it showed a great amount of courage to go back and correct something that they perceived to be wrong.

Mayor Taylor agreed and said he knew a variety of Councils throughout the state that if they made a bad decision, due to political concerns, would not acknowledge that and just live with bad decisions to keep from public embarrassment. It takes a lot of political courage to go back and revisit an issue.

ORDINANCES & RESOLUTIONS: Ordinance No. 989 - John Kelley clarified that at the last meeting, the Council agreed to consider the raise. He found that the previous raise was implemented by an Ordinance, number 831.

****Councilman Daniels moved to adopt Ordinance No. 989, AN ORDINANCE FIXING COMPENSATION FOR THE SERVICES OF CITY COUNCILPERSONS AND REPEALING ORDINANCE NO. 831 be posted and come up for final action on April 1, 1998. Motion seconded by Councilwoman Strong.**

DISCUSSION: Mayor Taylor clarified that because of the amount of time and energy the Council spends in meetings, review of information, etc., this money is an effort to compensate them for the hours and time they invest in the City.

The motion to adopt Ordinance No. 989 passed 5-0 on first reading.

Resolution No. 667 - Jason Kruckeberg stated that there was a minor change to the resolution on the fourth WHEREAS from the bottom: "Whereas the Canby City Council having fully considered the record and file of this matter, and," the added text is: "including information submitted by the applicants represented." This change was requested by the applicant.

****Councilman Harris moved to adopt Resolution No. 667, 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 400, 500 & 800 OF TAX MAP 3-1E-28DB, LOCATED ON THE EAST SIDE OF N. LOCUST STREET, SOUTH OF NE 22ND AVENUE (Simnitt Property). Motion seconded by Councilman Daniels.**

Councilman Nolder said he would abstain from the vote because he was absent at the last meeting.

The motion to adopt Resolution No. 667 passed 4-0 (Councilman Nolder abstained).

Proclamation of Measure 3-6 - Mayor Taylor presented the abstract for the vote on Measure 3-6 which indicated a yes vote of 2,358 and no vote of 1,313.

****Councilman Daniels moved to accept the abstract on the last election on Measure 3-6 as provided by the Clackamas County Elections Department, yes vote of 2,358 and no vote of 1,313. Motion seconded by Councilman Harris. The motion passed 5-0.**

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

1. Wednesday, April 1- Regular Council Meeting
2. Wednesday, April 8 - Budget Committee Meeting at 7:00 in the Library
3. Thursday, April 9 - Goal Setting for Recreation Services at 7:00 in the Council Chambers

Mr. Jordan announced that the City will be beginning the process for the Industrial Park Master Plan formal adoption. He will be giving the DLCD their 45 day notice and is scheduling the first hearing in front of the Planning Commission on their April 27 regular meeting. When the Planning Commission makes their recommendations, it will be brought before the Council for the final adoption. He hopes to complete the process by the end of June.

Mr. Jordan stated he was currently discussing with Andy Mortensen, who was the original consultant for the Transportation Master Plan, to make a series of amendments to that plan and to make a conclusion to the Access Management component of the plan. The last action on that component was to adopt some ground rules regarding a Citizen's Advisory Committee. That process will involve some discussions with the Planning department and Council regarding a system development charge for the inclusion of the Industrial Park Master Plan, focusing primarily on transportation, changes in arterials, and inclusion of signalization along 99E. This process will start soon.

Mr. Jordan also announced that the proposals for the Regional Park feasibility and engineering studies were in. It closed on March 16th, and the City received 11 proposals. A review group will be put together to choose a consultant soon.

COUNCILORS' ISSUES: Mayor Taylor recognized the OCTS cameramen who come out a few nights a month to run the cameras for five hours, setting them up and breaking them down, without getting paid. He thanked them for the hours they spent putting things together for the council meetings.

Mayor Taylor wanted to know when two projects, paving the bike path and building the bridge, were going to happen and if it was going to happen this summer?

Mr. Jordan couldn't give him an exact date of completion. There were no proposals on the bridge itself yet, but getting it done this summer was doable.

Mayor Taylor had received a letter from CTA that they were no longer going to be having the annual run they have in the community, which is quite popular. So instead, he wanted to have an event for walkers and runners in September using the new bike path and bridge.

Mr. Jordan reminded the Council that the City would be doing a project with Clackamas County to put bike lanes on Territorial Road from the beginning of the logging road to Holly Street and from out Holly Street to Molalla River State Park. If those could be completed as well, the Mayor's event would be quite an event. Mr. Jordan will get back with what he can do.

ACTION REVIEW:

1. Implementing the Supplemental Budget as per Resolution 668.
2. Returning with a Public Hearing on 2nd Street traffic changes.
3. Extending special permit 97-01 regarding CTA for one year with a 6 month tickler inquiring if an application has been filed for a building permit.
4. Post Ordinance 988, regarding the Trost Track & Trail project, Ordinance 991, regarding zone change 97-03, and Ordinance 989, regarding councilor compensation to bring back to the April 1 meeting for final reading.
5. Passing along the Council's recommendation as per Resolution 667 on the Simnitt annexation.
6. Informing Councilor Gerber regarding acceptance of his resignation and passing along his

plaque.

****Councilman Daniels moved to go into Executive Session under ORS 192.660 (1)(a) considering the employment of an individual agent; (1)(d) regarding labor negotiations; (1)(e) real property transactions; and (1)(h) pending litigation. Motion seconded by Councilman Harris and approved 5-0.**

Mayor Taylor recessed the regular session at 9:30 p.m. to go into Executive Session.

Mayor Taylor reconvened the regular session at 10:45 p.m. and immediately adjourned the session.

EXECUTIVE SESSION
MARCH 18, 1998

PRESENT: Mayor Taylor, Councilors Daniels, Lucas, Nolder, Harris, and Strong, John Kelley, and Mike Jordan.

Mayor Taylor called the session to order at 9:45 p.m.

<u>ORS 192.660 (1)(a)</u> - The Council discussed hiring Pam Beery for franchise negotiations.

<u>ORS 192.660 (1)(d)</u> - The Council discussed police labor negotiations.

<u>ORS 192.660 (1)(e)</u> - The Council discussed the Mangus building and Cutsforth property.

<u>ORS 192.660 (1)(h)</u> - The Council discussed Rinkes litigation.

Mayor Taylor adjourned the session at 10:40 p.m.

Michael J. Jordan
City Recorder pro tem

Scott Taylor
Mayor

PROCLAMATION

WHEREAS, the City of Canby, County of Clackamas, Oregon, held a Special Election on MARCH 10, 1998, to consider the following measure:

MEASURE NO. 3-6

Shall 31 acres located between East Molalla Forest Road, Highway 99E and Walnut Street be annexed into Canby city limits?

WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes as of 8:00 A.M., MARCH 11, 1998.

YES - 2,358

NO - 1,313

NOW, THEREFORE, I, Scott Taylor, Mayor of the City of Canby, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting as presented.

Dates this 11th day of March, 1998.

Scott Taylor, Mayor

182 N. Holly P.O. Box 930 Canby, OR 97013 (503) 266-4021 FAX (503) 266-1574

MAR 1 1998

** OFFICIAL CANVASS WITH OVER AND UNDER VOTES **

CLACKAMAS COUNTY
SPECIAL ELECTION
MARCH 10, 1998

****
* I, JOHN KAUFFMAN, COUNTY CLERK, CERTIFY THAT THE VOTES * BY : John Kauffman * DATE OF ABSTRACT : *
* RECORDED ON THIS ABSTRACT CORRECTLY SUMMARIZE THE * * *
* RESULT OF VOTES CAST AT THE ELECTION INDICATED. * * MAR 11 1998 *
****

CITY OF CANBY MEASURE 3-6 ANNEXATION OF 31 ACRES INTO CITY
A -- YES
B -- NO

Precinct	A	B	over	under	total
0122	461	224	0	3	688
0123	225	159	0	0	384
0124	619	403	0	1	1,023
0125	464	245	1	3	713
0126	589	282	1	2	874
TOT[illegible]	2,358	1,313	2	9	3,682
CI[illegible] CANBY	2,358	1,313	2	9	3,682