CANBY CITY COUNCIL
REGULAR SESSION
JUNE 17, 1998

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

Also present: City Administrator and City Recorder Michael Jordan, Recreation Services Director Beth Saul, City Attorney John Kelley, City Treasurer Chaunee Seifried, Susan Wood, Roy Hester, Dawn Thompson, Steven Amick, Curtis and Lila Gottman, Randy Carson, Paul Farrar, Mike Potter, Tom Vandehey, Owen R. Smith, Dale LeBarron, Craig Finden, Patrick E. Rogers, Irene Breshears, and Dave and Laurel Purdy.

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

CITIZEN INPUT ON NON-AGENDA ITEMS: None.

CONSENT AGENDA: **Councilor Daniels moved to adopt the consent agenda: minutes of the regular meeting, workshop, and executive session, June 3, 1998; workshop, May 27, 1998; and accounts payable in the amount of $149,556.72. Motion seconded by Councilor Strong and approved 5-0.

PROCLAMATION: Amateur Radio Week - Mayor Taylor read the proclamation. Representatives gave a brief summary of the work they did in emergency communications during times of disaster in communities. There were 80 amateur radio operators in Clackamas County. A few examples of their work was their support during the flooding a couple years ago and the wind storm last winter in Oregon City. Every year they got together to practice, and this was their second year to practice at Maple Street Park.

PUBLIC HEARING: State Revenue Sharing for 98-99 Budget -

STAFF REPORT: Mr. Jordan explained that the City had to hold a public hearing regarding the proposed uses of State Revenue Sharing for the 1998-1999 Fiscal Year. The Budget Committee recommended a budget which had $50,000 of State Revenue Sharing money budgeted in the General Fund. Those funds were used to defray general expenses of the City and they helped the City fund outside organizations like Canby Kids, OCTS, Community Schools, the Hispanic program, General Canby Day, Adult Center, etc. It was proposed that those funds be received into the General Fund.

Mayor Taylor opened the hearing at 7:42 p.m.

Mayor Taylor closed the hearing at 7:43 p.m.

Mr. Jordan said the associated legislative piece on the Agenda regarding this issue was Ordinance No. 997. He explained the Ordinance.

****Councilor Daniels moved to adopt Ordinance No. 997, AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUE FOR 1998-1999 FISCAL YEAR be posted and come up for final action on July 1, 1998. Motion seconded by Councilor Harris and passed 5-0 on first reading.**

<u>97-98 Supplemental Budget</u> -

STAFF REPORT: Mr. Jordan explained that this supplemental budget was requested by the City's auditor so the City could show that during the year they had done a significant refunding of debt, more specifically the sewer bonds that were originally issued in 1992 were refinanced. The interest rate had lowered enough since 1992 that it was an advantage to refinance and the auditor requested since it was not in the budget to receive the refinancing money in and then pay off the old bonds that they did a supplemental budget to show that.

Mayor Taylor opened the hearing at 7:45 p.m.

Mayor Taylor closed the hearing at 7:46 p.m.

Resolution No. 672 was the legislative action for this item.

****Councilor Harris moved to adopt Resolution No. 672, A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR THE 1997-1998 FISCAL YEAR. Motion seconded by Councilor Lucas and approved 5-0.**

<u>Proposed 98-99 City Budget</u> -

STAFF REPORT: Mr. Jordan explained that the Resolution laid out the expenditures for the next fiscal year for the City by fund and by department within the General Fund. The General Fund's total expenditures for next year would be $3,991,125 and the total budget would be $13,587,153. Of that amount, the City would levy in property taxes $1,930,444. Those taxes fell into two categories, the general property taxes that the City levied under the new permanent rate of Measure 50 which would amount to $1,858,052 and the City would also levy $72,392 that was excluded from the limit to pay general obligation bonds for the library which the City began in 1990.

Mayor Taylor opened the hearing at 7:50 p.m.

Councilor Nolder asked how the City could take in $1,900,000 and spend $13,587,000. He wanted to know how that worked.

Mr. Jordan explained that of the City's cash flow each year, the property taxes only represented 20% of the City's total cash. The City took in over $1,000,000 a year in sewer revenues just from monthly fees. The City also took in fees for building permits, land use permits, SDC's, court fines, etc. When the City budgeted, under local budget law, it budgeted all the money the City had. The City had a number of funds which were for other purposes than general operations. There were a number of capital funds, which were really savings accounts to accumulate funds to do large capital projects. They budgeted all the funds every year, including the money that had been saved from previous years. Also, money was often transferred between funds internally within the City, which showed up on the accounting as another dollar even though it was not another dollar coming from the outside.

Mayor Taylor closed the hearing at 7:52 p.m.

Resolution No. 674 was the legislative action for this item.

****Councilor Harris moved to adopt Resolution No. 674, A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS, AND CATEGORIZATION FOR THE 1998-1999 FISCAL YEAR. Motion seconded by Councilor Daniels and approved 5-0.**

Victim's Panel Program - Mayor Taylor explained that the Council set this public hearing at the request of a petition that was filed concerning operation of the City's Municipal Court in the management of 16-18 year old drivers and a Provisional License Law. At the last Council meeting there were citizens who gave the Council information and the Council had scheduled the rest of that discussion for tonight. The Mayor also commented that he had received a variety of responses about this issue through the mail.

Mayor Taylor opened the hearing at 7:55 p.m.

Mr. Farrar said he had offered all the information he had in writing to the Council already. He was waiting for the Council to hold a fact-finding hearing.

Mayor Taylor decided to discuss the factual information of Mr. Farrar's petition.

Mr. Kelley read from Mr. Farrar's petition, Paragraph I, which included the facts that Mr. Farrar asked the Council to verify.

Mayor Taylor was not sure the Council was equipped to answer number four, regarding insurance, except that they had a common belief that Mr. Farrar's statements about actuarial tables and rate structure were accurate according to the experiences they had in paying insurance bills. Regarding the piece about the provisional licenses, the Mayor agreed that there was no argument that it existed in the Oregon Revised Statutes. That it was, in fact, a law that was listed in the books, there was no disagreement that the law existed. Regarding the court practice, the only area he wanted clarification of was the way Mr. Farrar phrased it and what the Mayor understood the practice to be, which was that the court until the time they handed out a sentence had the ability to divert someone before they had that finding. If that was the point of the statement, that the Judge was taking steps instead of finding and sentencing someone, then that statement was accurate.

The Mayor felt the only other addition to the point would be if they successfully completed that step, then there was no conviction recorded on their record. Of the four facts, the only one the Mayor would have a disagreement or need for discussion would be the first point. He clarified that Mr. Farrar wanted the Council to acknowledge the facts to be accurate to the best of their knowledge.

Mr. Farrar said that reading a few more sentences from his petition might clarify the purpose of the petition.

Mr. Kelley read more of the petition. Mayor Taylor said if the Council determined that the statements made in the petition were accurate, that would meet one of Mr. Farrar's goals in what he hoped the Council would do.

Mayor Taylor asked the Council if they had seen any one of the four areas where they felt there were false or inaccurate statements made. The Council did not see any problems with the statements made by Mr. Farrar's petition. Mayor Taylor asked Mr. Kelley if the first point was true, since he was familiar with the workings of the court.

Mr. Kelley said that when a driver under the age of 18 appeared in court charged with a traffic violation, if it was their first time offense, the Judge offered them the option of attending the Victim's Panel before he took any kind of a plea from them. He arraigned them on the charge and explained what the maximum and minimum penalties were, and then asked the offender if they were interested in going to the Victim's Panel in Oregon City. There was a referral made to the people who administered the Victim's Panel, and those people sent back to the court a verification that the individual did in fact attend. Once that occurred, the Judge dismissed that citation. If they did not attend Victim's Panel, they were ordered to come back into court and then they entered a plea of guilty or not guilty to the underlying charge.

Mayor Taylor clarified that it was the first *known* conviction that the Judge offered them the option of Victim's Panel. Mr. Kelley said that was right.

Mr. Farrar asked if it would benefit the Council to find evidence of young people who have had more than one citation dismissed and that at least one was dismissed in Canby. Mayor Taylor said that it might be of interest, but he was willing to acknowledge that that situation could happen.

Mr. Farrar asked if it would be of benefit for him to offer an opinion of the consequences of such an action in view that he did not have any written materials with him, but was relying on his own memory. Mayor Taylor said he had sensed that the Council verified the facts of the petition as asked. The next step he intended to follow was to ask if the facts were true, what should the Council do about that?

Mayor Taylor wanted a public hearing where citizens could come and tell the Council what they thought should be done about this issue and the Council could decide what they thought they should do.

Mr. Farrar said that he felt the Council had already heard a lot of opinion and felt no need to invite a lot of people for that purpose. He wanted to make a few statements, however. Mayor Taylor felt that this issue could be put on the July 1st meeting.

Mr. Farrar also wanted the Council to consider the resolution included in his petition and make some decision on it. The Mayor said the process he wanted to follow was to have a discussion, come to a conclusion, and then ask the staff to prepare a resolution if that was appropriate.

Mayor Taylor closed the hearing at 8:15 p.m.

Mayor Taylor adjourned the session for a quick break at 8:15 p.m. and reconvened at 8:20 p.m.

UNFINISHED BUSINESS: Downtown Parking Plan - Police Chief Jerry Giger reminded the Council that they had requested a downtown parking plan two months ago and this was that plan. He gave some background information, such as the people who were involved in creating the plan and the process they took to create the plan. He showed on an overhead what the downtown parking was now, there were seven handicapped spaces, one 15 minute space in front of CUB, and the rest were two hour parking spaces. There were 1,060 parking spaces downtown.

The proposed downtown parking plan was placed on an overhead. The busiest areas downtown were 1st Avenue from Holly to Fir, 2nd Avenue from Holly to Fir, and Grant Street from 1st to 3rd. The plan took in a larger area that in the future would be incorporated.

Mr. Giger pointed out a few mistakes on the map. There would not be any timed parking, until it was necessary, in front of the school, residences, or the church, and especially on 2nd Street from Elm to Cedar.

Councilor Harris asked that across the board residences would not have any restricted parking? Mr. Giger said no, because almost all of the streets that had residences on them had no businesses.

Councilor Harris asked if the restricted parking was only during business hours and during business days? Mr. Giger said according to the Ordinance, after hours, Sundays, and holidays would have no restrictions. It applied on Saturdays, however.

Mr. Giger explained that the committee for this plan tried to get the best parking for all the businesses in downtown. The first thing they talked about was creating 20 minute parking spaces on the corners so that at any time during the day, one of those would be empty for customers. The object was to make all the 20 minute parking spaces the same throughout downtown. They looked at 10, 15, and 20 minute parking spaces and they found that 20 minute parking spaces were the most recommended. They did a survey of the 15 minute parking space at CUB and observed that 11 cars used that space during a one hour period, which showed that those spots were advantageous. They did talk to Rosemary Glutsch, owner of Francesca's, and the 20 minute spaces did maintain the 40-60 people an hour that she got in a two hour period in the morning.

The second thing the committee discussed was the need for handicap parking. They were required to have 21 handicap parking spaces and the plan had 11 on-street spaces around downtown, and the other 10 were placed in the Railroad parking lot. One reason for placing them there was that the State did not recognize parallel or diagonal handicap parking spaces painted at their requirements, 90 degrees. The parking lot was already there and it would be easy to cut the curbs and the spaces were larger for vans with lifts for wheelchairs. Another reason to place them at the Railroad parking lot was the future downtown development. When the new downtown development occurred, Roy Hester, the City's Street Supervisor, would most likely have to redo all of the parking spaces, because each ADA space took one and a half spaces, and he would have to use ADA money to repaint. If they were placed at the Railroad parking lot until the downtown development changes occurred, then they could all be repositioned, but would not have to be redone as they would if they were placed downtown.

Mr. Giger said the appeal process, according to Ordinance, would be that any changes would be submitted in writing to the City Administrator and he/she would make a decision or convene a downtown parking committee put together by the Chamber of Commerce to make a decision on that issue.

Mr. Giger stated that they also contacted Tri Met, who was willing to move the Park and Ride up to the Christian Church, which would free up more spaces. Vanpools would also be asked to park at the Christian Church lot during the day.

He said that the new downtown parking plan was approved by the Traffic Safety Committee. There was another parking proposal from the Bike & Ped Committee, which the Traffic Safety Committee had not seen.

Councilor Harris asked if Mr. Giger was confident that all the businesses downtown were aware that this process was going on and have had an opportunity to offer their input?

Mr. Giger said that the Chamber was in charge of contacting all of the businesses.

Councilor Harris asked if there had been objections to the plan.

Mr. Giger got one that day about 2nd Street parking in front of residences. That was just an oversight and timed parking would not be assigned or enforced there.

Councilor Harris said the catalyst for a new parking plan was a disagreement about parking on the corner of 1st and Grant, had that been resolved? Mr. Giger said the plan was taken over to those businesses, but they had not heard anything from them.

Councilor Harris asked that since there had not been a demand for 15-20 minute parking spaces, was the City answering or creating a problem by putting so many in?

Mr. Giger said that the plan was good because enforcement was a big issue. This plan was a better way to enforce parking. He did not know if it would create a problem.

Councilor Harris wondered what the consensus was regarding 20 minute parking spaces on so many corners. Were people anxious to see that happen?

Mr. Giger said there had not been much discussion on that topic.

Mayor Taylor complemented Police Chief Jerry Giger and the Chamber for creating this plan and the process they took in creating it. He wanted to walk through the key issues of the plan, more specifically the number and location of the 20 minute parking spots, the number and location of the handicap spots, concerns with resident parking, and the appeal process.

DISCUSSION OF 20 MINUTE PARKING SPOTS: Mayor Taylor said he liked the spots as proposed. He received a safety question, which was that by putting those spots on the corners, when cars pulled out, would it be unsafe or would the middle of the block be a better location for those spots?

Mr. Giger said that was not discussed, they were put on corners to remain consistent. Currently there was not a problem with pulling in and out of diagonal parking.

Mayor Taylor asked if it was safe with the volume that would be using those spaces. Mr. Giger said consistency had been the key issue, and volume had been a secondary concern.

Councilor Harris said he assumed the angles, size, and distance of the parking spaces conformed to some standard. Mr. Giger said yes, there was a standard that they conformed to.

Councilor Harris said they were standardly safe, the only problem would be an increase in volume.

Councilor Strong asked if the 20 minute time limit would be enforced seven days a week. Mr. Giger said not on Sundays, holidays, and after 6 p.m.

Councilor Strong asked if a 20 minute parking space would be placed at 4th and Holly, right by the Christian Church. Mr. Giger said one would probably not be placed there at this time and the one at Washington Mutual would not be placed there either.

Councilor Nolder asked if the two 20 minute parking spaces at residences on Holly and 4th Street would be placed there at a future date. Mr. Giger said that was outside their enforcement area at this time. They would be future parking spaces.

The Council recommended that the 20 minute spots be placed on the corners and the remainder of the block stay at two hour parking.

Councilor Strong asked about the parking around Wait Park and the fact that cars could only park there for two hours now. Did the businesses know that their employees were going to lose that parking? Mr. Giger said the Chamber notified all businesses about the new plan. They wanted the parking around Wait Park to be more for public use rather than business owners and employees. There were some areas where employees could park that were not timed, such as 4th Street between Grant and residences between 3rd and 4th, and 1st Street between 2nd and 3rd.

Councilor Strong asked if there were enough parking spaces down at the Railroad parking lot for those people. Mr. Giger said that there was enough and they could also park on 2nd, 4th, and 1st Streets. The plan was to have the parking spaces around businesses available for customers and to have employees park somewhere else.

DISCUSSION OF HANDICAP PARKING: Lila Gottman, Chairman of the Bike and Pedestrian Committee, voiced her concern over the placement of the handicap parking spaces in the Railroad parking lot. She believed that handicapped citizens were not safe crossing that street. She also believed that the parking lot was too far from the downtown businesses.

Irene Breshears, resident of 1000 NE 10th, commented that the proposed ADA parking at the Railroad parking lot was not safe because of the three way stops on Ivy and NW 1st and Elm and NW 1st. She was a mail carrier and it was hard for her to get across, even with her mail van, and she was highly visible. It would be even more unsafe for handicapped people. Parking at the Railroad lot was good because there were less people who would impede car doors. However, the curb cuts definitely needed to be modified.

Mayor Taylor said he did not like the handicap parking at the Railroad lot. He thought that with a handicap sticker, a person could park anywhere and the time limit did not apply. Mr. Giger said that was true, except for any space marked for less than 30 minutes.

Mayor Taylor said he had gone to Hope Village that day and was reminded of how many folks were handicapped and how there was a need to figure out how to best utilize downtown for them. He suggested that maybe some handicap spaces be placed near the alleyways to give enough room for ramps.

Mr. Giger said he could work with the Street department and get a better idea of locations where handicap parking would be appropriate.

Councilor Harris wondered if they were assuming that everyone who parked in the Railroad parking lot parked there to go across the street to the downtown businesses. Didn't people go there to catch the bus or carpool?

Mayor Taylor said there was a one hour bus stop there. Mr. Giger said during the day, people who wanted to ride the bus would be encouraged to park at the Christian Church. Carpools would also be encouraged to park there.

Mayor Taylor said they could still park in the lot if they wanted to because they had a handicap sticker, but they should have places reserved downtown so they could park there if they wanted.

Councilor Harris asked Patrick Rogers, a handicapped member of the audience, if he would like to see handicap designated parking in the Railroad parking lot or was it better to put them in the actual business district?

Patrick Rogers, a member of the Oregon Disabilities Access Committee, felt that there was a safety issue in parking at the Railroad parking lot, especially in crossing the traffic. Most handicapped people in Canby were Seniors who had ambulatory problems, there were not that many wheelchair types. He would like to see more handicapped parking in the downtown area, so that Seniors with ambulatory problems were not out going across the streets or going long distances.

Mayor Taylor said that the primary use of a handicap parking space might not be a van with a fold out ramp as they had assumed, that actually there may be a much larger group where that would not be required.

Mr. Rogers had no objection to have parking at the Railroad lot, but he thought the majority of the handicap parking should not be there. He also commented on the curb cuts as being a problem.

Councilor Lucas thought that there needed to be a few spaces in the Railroad parking lot and more in the downtown area. He wondered if the committee could look at this issue again.

Mr. Giger said the parking in the Railroad lot was for larger vans specifically for wheelchairs, but there may not be the need for that. Maybe those could be cut in half and have five handicap spaces there and distribute the other five in the downtown area.

Councilor Daniels agreed that there should be more ADA parking downtown.

Mayor Taylor said the Council would like a reduced number of handicapped parking in the

Railroad parking lot, still retaining a few, while they endorsed an increase in spots downtown, and wanted the committee to research to find the best places to put them.

DISCUSSION OF THE APPEAL PROCESS: Mayor Taylor did not want to put Mr. Jordan in the role of dealing with appeals for downtown parking. He felt that the final decision should rest with the Council, but Mr. Jordan would be the main citizen contact. Appeals could go through staff, but they would be resolved by the City Council. The Council agreed with this suggestion.

Mayor Taylor said they would move forward with the basic plan, 20 minute parking spots on the corners, an increase in handicap spots in the downtown core area, reserving some in the Railroad parking lot, and they would wait for actual placing of the handicapped spots in downtown, and the appeal process would be modified so that the decision be brought to the City Council.

Councilor Daniels moved to adopt the basic downtown parking plan, 20 minute parking on the corners as designated, two hours on the rest of the block, more handicapped spaces in the downtown, and five or less in the Railroad parking lot. Motion seconded by Councilor Harris, and passed 5-0.

Mayor Taylor requested that when they brought back the other handicap placements, that they bring a clean map as well.

Mayor Taylor adjourned the session for a break at 9:30 p.m. and reconvened at 9:37 p.m.

COMMUNICATIONS: None.

NEW BUSINESS: Amendment to Walker & Macy Contract - Beth Saul stated that when they contracted with Walker & Macy for the feasibility study for the Regional Park, they wanted a topographical map to use as part of their study. The one the City had was from 1971 and since then, the topography of the land had changed. The report she offered was asking that the contract be expanded so they could get a current topographical map.

Mayor Taylor asked if the City would keep the map. Ms. Saul said yes, they would.

Councilor Daniels moved to approve the amendment to the Walker & Macy contract adding a topographical map not to exceed $4,000 in cost, and authorizing the City Administrator to sign off on such an amendment. Motion seconded by Councilor Lucas, and passed 5-0.

Councilor Harris asked if $4,000 was a reasonable map price. Ms. Saul said it was reasonable judging by the different amounts that were offered, which ranged from $2500 to $6000.

Councilor Lucas mentioned that the people who offered $2500 said they weren't sure what it would take to get it done. He thought it was a very good price.

Ms. Saul said what made it more of a $4000 job was that some areas still had a lot of brush and it was difficult to draw the lines with brush in the way.

Year End Accounts Payable - Mayor Taylor explained that a Councilor needed to go down to City Hall on June 30th around 3 p.m. to approve the year end accounts payable. Councilor Harris volunteered.

Councilor Daniels moved to officially approve the accounts payable for the year end fiscal year 1997-1998 after review by Councilor and Budget Committee Chairman Roger Harris. Motion seconded by Councilor Lucas, and passed 5-0.

ORDINANCES AND RESOLUTIONS: Ordinance No. 996 - Mr. Jordan explained the Ordinance.

****Councilor Harris moved to adopt Ordinance No. 996, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF CANBY AND CANBY TELEPHONE ASSOCIATION TO EXTEND THE CURRENT NON-EXCLUSIVE FRANCHISE AGREEMENT. Motion seconded by Councilor Strong and passed by roll call vote, 5-0.**

Ordinance No. 998 - Mr. Jordan explained that at the last meeting, the Council made a decision regarding Zone Change 98-01 from light industrial to heavy industrial. That change would be in compliance with the City's comprehensive land use map. This was the Ordinance that would implement that decision.

****Councilor Daniels moved to adopt Ordinance No. 998, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY, COUNTY OF CLACKAMAS, OREGON FROM A LIGHT INDUSTRIAL TO A HEAVY INDUSTRIAL ZONE DISTRICT FOR A PORTION OF TAX LOT 407 OF TAX MAP 4-1E-5 be posted and come up for final action on July 1, 1998. Motion seconded by Councilor Strong.**

Councilor Harris said he would be abstaining from this vote because of his absence at the last Council meeting.

The motion to adopt Ordinance No. 998 passed 4-0 on first reading. Councilor Harris abstained.

Mayor Taylor thanked Roy Hester for his service to his country and welcomed him back. Mr. Hester explained his role in the Northern Watch in Turkey with the Oregon Air Guard. They were flying in a no-fly zone over Iraq. He commented about the history of the country and some of the things he saw over there.

Ordinance No. 999 - Roy Hester explained why they wanted to purchase this piece of machinery.

They had three demonstrations, and this piece of equipment cleaned the dry wells in the storm system the best and sucked all the water and debris out in half an hour on a 28 foot dry well. Right now to clean a dry well without contracting out, they physically had to go down in the dry well and dig and pull it out with five gallon buckets. They needed to advance themselves and service the City better.

Mayor Taylor asked how long it took them with their five gallon buckets. Mr. Hester said it took 12 hours.

Councilor Nolder asked if it could be contracted out, it would cost about $1120 a day to hire a contractor. How many dry wells were in the City? Mr. Hester said there were 230 to 235.

Councilor Nolder asked if there was any money in the storm water drain systems program for this truck. Mr. Hester said that money was coming from the Wastewater Treatment Plant for the lease of this equipment.

Mr. Jordan said they had budgeted for a lease payment for this piece of equipment in the upcoming year's budget that was just approved by the Council. In the last rate analysis that the City did with Ray Bartlett and after adjusting the City's rates and doing the last piece of bond debt, they consolidated the Sewer system, the needs for the sanitary system, and storm system. One of the issues around the storm system was an equipment issue that was consolidated into that rate analysis. In acquiring those kind of pieces of equipment, this was just an example, the City was trying to pay for them as they went, not incurring a liability. At least in the Sewer system that was what they were trying to do.

Councilor Nolder asked when did they clean the dry wells, every year? Mr. Hester said some had never been cleaned. With the size of the storm system budget, he could only do a few a year. He picked the worst ones and did them, usually 7 or 8 a year.

Mr. Jordan asked what the optimum rotation of cleaning the dry wells was? Mr. Hester said it depended on the area as to how often they were cleaned. Over in the North West section, they tried to clean them every three years because of all the vegetation that got into the street. The South East and South West were on a five year rotation. Certain areas of the North East were on a five and three year rotation. It all depended on the vegetation on the street.

Mayor Taylor asked how long a truck like the Vactor 2100 lasted. Mr. Hester said they could get 20 years out of it. Mayor Taylor asked if the technology would stay consistent for at least the next 10 years. Mr. Hester said yes.

Mr. Jordan said the storm water master plan had three phases. The first two were fairly inexpensive regarding upgrading some small deficiencies. Phase two dealt with monitoring stations, and Phase three was if the regulatory issue changed to where the City had to collect storm water and do some degree of treatment, which would be a big ticket item. They had that in the System Development Charge methodology, but have not implemented collections for that.

Councilor Daniels asked if they were on a maintenance schedule. Mr. Hester said they were on a maintenance schedule as long as the equipment worked.

Councilor Lucas asked if they could maintain the truck in the City shop. Mr. Hester said they could and the truck was under a two year warranty.

Councilor Nolder asked according to the numbers Mr. Hester gave them, if they could clean 46 dry wells a year? Mr. Hester said that they could with this kind of a machine.

****Councilor Daniels moved to adopt Ordinance No. 999, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH BEN KO MATIC OF PORTLAND, OREGON, FOR THE LEASE-PURCHASE OF A VACTOR 2100 MODEL SEWER WASHER AND CATCH BASIN CLEANER; AND DECLARING AN EMERGENCY be posted and come up for final action on July 1, 1998. Motion seconded by Councilor Harris.**

Mayor Taylor asked that since they were joining with Washington's contract, was there anyone else who sold these trucks. Mr. Hester said no one else sold a vactor truck, other companies sold different models and they had seen demonstrations from those other companies.

Mr. Jordan said another vendor came and wanted to demonstrate their equipment, which was substantially less expensive and could be delivered in 60 days. They could not get the City a truck to look at until June 29. Mr. Hester had looked at their literature and the truck did not appear to meet the City's specifications. They would look at the truck on the 29th and if the truck would be better than the Vactor, they would advise the Council at the next meeting and start the process over. Mr. Hester was pretty confident that the Vactor 2100 was the most conducive to their needs.

Councilor Daniels asked what Portland used. Mr. Hester said they used the Vactor 2100.

Councilor Nolder asked if piggy-backing with Washington satisfied the bidding requirements. Mr. Jordan said it did and Mr. Kelley had researched it.

Mayor Taylor asked if Portland was using all of their machines, or was there a way to lease from them? Mr. Hester said they used all their machines every day.

Mr. Hester had also talked about this to the Fire Department and they supported the purchase because it would work in emergency trench excavating on cave-ins.

The motion to adopt Ordinance No. 999 passed 5-0 on first reading.

Resolution No. 671 - Mr. Jordan explained that this was something the City had to do every year. Under Oregon Revised Statutes, if a city was in a county over 100,000 inhabitants, which Canby was, the city was required to declare to the State that it provided four of the six services listed in Section 1. Canby provided more than four of those services. The Council was required to declare that to the State to receive those revenues.

****Councilor Harris moved to adopt Resolution No. 671, A RESOLUTION VERIFYING THAT THE CITY OF CANBY HAS MET THE REQUIREMENTS TO RECEIVE REVENUES FROM CIGARETTE, GAS, AND LIQUOR TAXES. Motion seconded by Councilor Lucas and approved 5-0.**

Resolution No. 673 - Mr. Jordan explained that this was another budget house keeping issue for this fiscal year, 1997-1998. He said that when the City appropriated funds, they appropriated within the General Fund by department. With all other funds, they appropriated by section, such as personal services, materials and services, capital, transfers, and debt service. The City was required to balance by the appropriation level, so within the General Fund, it was required to balance those departments by department, so the total expenditures must balance or be within the budgeted allotment. Within those other funds, when they appropriated by section, they must balance on each section, and keep expenditures within the appropriations for each section. At the last budget session for this fiscal year, they created a computer service fund to take care of the City's computers on an on-going maintenance basis. They thought they would hire someone to do that service for this year. What ended up happening was the City utilized a contract service rather than an employee. The funds were appropriated during the budget process in the personal services section, and they needed to be moved to the materials and services section where they paid for contracts, which was what this Resolution did.

****Councilor Lucas moved to adopt Resolution No. 673, A RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN BUDGET LINE ITEMS TO BALANCE THE 1997-1998 BUDGET. Motion seconded by Councilor Harris and approved 5-0.**

Mayor Taylor thanked Councilor Harris, the Budget Committee, and the City Staff for their work on the budget this year.

MANAGERS REPORT:

Mr. Jordan introduced Dawn Thompson, a graduate of the master's program in Public Administration from Lewis & Clark, who was doing an internship with the City to get some experience. She helped manage the recruitment process for the Community Development Director and had tried to standardize the process to help the City with future recruitments. She would also start working with Clint Chiavarini on the Buildable Lands Analysis.

Mr. Jordan reminded the Council that he wanted to have a workshop the third full week in July regarding urban renewal and tax increment financing. The only date he could get the speakers was July 21. The Council had other obligations on that day and Mr. Jordan would try to reschedule. He did schedule the next 5 year strategic plan for Community Development on July 22.

Mr. Jordan announced that OTAK and the City Staff had a meeting last week with property owners in the Industrial Park Master Plan area at the direction of the Planning Commission because they were having some difficulties coming to grips with some issues surrounding SW 1st or the Haines Road intersection. Their concern was the transition when the Graymore development occurred and the intersection was built out and the major boulevard through the Industrial Park began to develop, how that connection with 1st Street would occur. The meeting was very good and he felt it resolved all of the issues. The Planning Commission would again hear that plan on July 13 and hopefully would be able to make a recommendation to the Council for adoption of that plan. That recommendation would come to the Council with a request that the Council look at financing of the public infrastructure within that area prior to adoption of the plan. That was a big concern to the property owners.

Mr. Jordan thought there was a strong possibility that the ISTEA project for bike paths along Territorial Road and Holly Street would be delayed another year. The original project had the overpass over Township Road in the project, but the requirements of ODOT and the Federal requirements would have been so stringent for the building of that overpass that they pulled it out of the project and applied the grant money to the rest of the project to get as far as possible towards Molalla River State Park. That amendment has caused a paper chase that may be the cause for delay for another year.

Mr. Jordan also wanted the Council to know that the discussion about adding 99E intersection signalization to the Capital Improvement Plan for System Development Charge consideration would be on the July 1 agenda.

COUNCILORS' ISSUES: Councilor Nolder discussed some houses on 4th and Fir which were deteriorating and were a real eye sore and he wanted to get them cleaned up. Mr. Jordan said the first step was to have the City Attorney and Code Enforcement Officer inspect them and see what the City's authority would be currently to deal with them, and if they did not have the ability under the current code to deal with those issues, they might be able to make some suggestions.

Mayor Taylor said at a minimum, they should clean the lot and bill the owner for that. Mr. Jordan said there was a fairly set pattern or process they had to go through regarding taking care of nuisances and if it was declared a nuisance, the City did have some abilities to take care of those issues if the property owner did not.

Mayor Taylor said before the Council meeting, he stopped by at the meeting of El Programa Hispano and was very impressed with the lady who was running that program, what they had accomplished, and the services they provided. Mr. Jordan also said it was commendable that the Canby Christian Church allowed them use of their facilities.

Mayor Taylor asked about General Canby Day. Councilor Nolder and Mr. Jordan said that all projects were on task. The Mayor also reminded everyone that next Tuesday, June 23, at the Adult Center there was another public meeting regarding the Regional Park.

ACTION REVIEW:

1. Bringing back Ordinances 997, 998, and 999 for second reading.
2. Implementing all of the budget actions that the Council had taken as per Resolutions and Ordinances.
3. Amending Walker & Macy contract to include a topographical map.
4. Extending the franchise with CTA until the end of the year as per Ordinance No. 996.
5. Bringing back the Victim's Panel issue at the next Council meeting.
6. Scheduling a discussion on signalization on the highway for capital improvement listing at the next Council meeting.
7. Looking at housing issues on the corner of SW 4th and Fir.
8. Implementing the Downtown Parking Plan, and bringing back the ADA component for the Council's review.

****Councilor Daniels moved to go into Executive Session under ORS 192.660 1(d) labor negotiations and 1(h) pending litigation. Motion seconded by Councilor Harris and approved 5-0.**

Mayor Taylor recessed the regular session at 10:25 p.m.

Mayor Taylor reconvened the regular session at 11:10 p.m. and immediately adjourned the session.

EXECUTIVE SESSION
JUNE 17, 1998

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

Mayor Taylor called the session to order at 10:35 p.m.

ORS 192.660 (1)(d) - The Council discussed police labor negotiations.

ORS 192.660 (1)(h) - The Council discussed Rinkes litigation.

Mayor Taylor adjourned the session at 11:05 p.m.

Michael J. Jordan
City Recorder pro tem

Scott Taylor
Mayor

Prepared by Susan Wood,
Office Specialist