

CANBY CITY COUNCIL  
WORKSHOP SESSION  
OCTOBER 21, 1998

PRESENT: Mayor Scott Taylor, Councilors Daniels, Lucas, Nolder, Harris, and Strong, City Administrator and City Recorder Mike Jordan, Nancy Wilmes, and Kurisawa Sister City delegates.

The purpose of this workshop was to meet with Canby's Sister City delegates from Kurisawa, Japan, for a tea/social at the Friendship Garden in Triangle Park.

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REGULAR SESSION  
OCTOBER 21, 1998

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

Also present: City Administrator and City Recorder Mike Jordan, City Attorney John Kelley, Project Planner Clint Chiavarini, Community Development Director Jerry Pineau, Todd and Susan Wood, Curt McLeod, Randy Carson, Curtis and Lila Gottman, Hoen Ray, Lory Usinger, Christine Ramey, Rick Wery, Carol Meeuwssen, Ken Palke, Bob Trappe, Nancy Wilmes, Larry Whitman, and Kurisawa Sister City delegates.

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

Kurisawa Sister City Delegation Introduction - Mayor Taylor said the Council had a very nice opportunity to join together with their Kurisawa Sister City delegates before the meeting at the Friendship Garden in Triangle Park. They had now been in this Sister City relationship with Kurisawa for 10 years. Both parties found it to be a very rewarding experience. Canby has housed a variety of students from Kurisawa and have always enjoyed them and they us. On occasion Canby citizens have gone over to Kurisawa. Kurisawa had been very honorable to Canby, they had a duplicate of the Canby ferry in one of their parks. They also had a rose bush that Canby gave them growing in their City. He also pointed out that Mayor Yamada's picture was on the front wall of the Council Chambers.

Mayor Yamada, Mayor of Kurisawa, said he was very happy to have an opportunity to speak to them that night. In December 1987, Mr. Cameron came to Kurisawa with brochures and pictures of Canby which fascinated the Kurisawan people. Four months later, he got a phone call that Canby City Council adopted exchange activities with Kurisawa. They were surprised the City government could make a decision so quickly in the States because it took them time to discuss the matter and make their decision. In October 1988, Mr. Cameron came to Kurisawa again with a large suitcase of slides, a guidebook of Canby, and a souvenir. In February 1989, Kurisawa

delegates came to Canby and were warmly welcomed. During their short stay, they went all around the City and had a wonderful time. Upon returning home, they presented their report to the town council and the Sister City relationship was accepted right away. In June 1989, they were honored to welcome nine Canby citizens to Japan. One month later, Kurisawa delegates came to Canby and the Sister City agreement was signed. In 1990, Kurisawa Junior High students started to visit Canby. This year was the ninth year of that program. He thanked them for the warm hospitality shown to the students and to the school teachers. He thought that this experience helped them learn something special that affected their future careers and life.

He was happy to see familiar faces from 10 years ago. Next month, November 24, a group of 18 Kurisawa students would visit Canby. He sincerely hoped this program would continue for years to come and their friendly relations would be further strengthened and their mutual understanding deepened. He wished all the Council good health and happiness.

Mayor Taylor said he and Mayor Yamada spoke before the meeting and he assured Mayor Yamada that the citizens of Canby would continue to value the opportunity to house the students and that we learned just as much from them as they learned from us. He always looked forward to seeing the students in town and they were always welcome in the City. He also said the Kurisawa delegates were over appreciating the cherry trees in Triangle Park and explained some of their traditions and Councilor Harris would help the Mayor with that this spring.

Exchange of Gifts - Mayor Yamada presented the City of Canby with a beautiful vase created by a famous Kurisawan pottery artist who made it particularly for the commemoration of the tenth anniversary of the Sister City relationship. The gift was a symbol of their friendly relationship.

Mayor Taylor presented gifts to all of the Kurisawa delegates. The City gave them the *Canby, The Early Years* book and each delegate received the Chamber of Commerce annual commemorative City Christmas ornament and Canby pin.

Recognition of S.R. Smith - Mayor Taylor also wanted to give a special certificate of appreciation to S.R. Smith company who had contributed over the years to the City Swim Center. There was no representative that evening to receive the certificate.

**CITIZEN INPUT ON NON-AGENDA ITEMS:** Ken Palke, member of the Canby Business Revitalization Group, CBRG, came to share with the Council the plans for Cutsforth's Plaza near Holly Mall, the parking lot, and by Murphy's Mall, which would be the first revitalization project. They finally had the first artist design for the project. There was brick, public seating, lighting, etc., and a lot more trees. They received a grant from the Mount Hood Economic Association and Mr. Cutsforth was going to donate some money. They were receiving guidance from City staff as well. He brought different street view drawings of the proposal, which would include more greenery and become more of a gathering spot with hook-ups to electricity and water for vendors.

Mayor Taylor said he noticed the benches and trash receptacles and that the lights looked similar to the new ones put in at Wait Park. Were they carrying this theme throughout the City? Mr. Palke said yes, they hoped to have cobblestone style pavers that would give it a Pioneer Square look to take it a notch above just a parking lot and be user friendly. There were a lot of shrubs and greenery and a lot of amenities for users. They also appreciated all of the City support for the project. The CBRG wanted to invite everyone to their annual meeting on Tuesday night, October 27, upstairs at Cutsforth's. They would be showing this and other CBRG projects and explaining their vision for the Canby commercial areas. The drawings they showed the Council that night would be available at the Chamber CBRG office at Murphy Mall.

Lori Usinger, who ran a daycare called Loving Spoonful Daycare on SW 6th Place, said she was throwing a Halloween party for the children in Canby and had put flyers out. She requested the street to be closed for the party. She talked to the Fire Department and so far they were sending out a fire truck. She also talked with Jerry Giger about noise control and he said at this time there was no problem. There would also be fencing placed halfway up from her house into the street so there would be local access for the cars on the street to get by.

Mr. Jordan said that the Council should include in their motion that there would be coordination with the Police Department, Fire Department, and Public Works for this party.

Mayor Taylor asked the hours they wanted to do this. Ms. Usinger said it would be from 5 to 10:30 p.m.

Councilor Harris asked what the cross-street was on 6th Place. Ms. Usinger said it was Ivy.

Mayor Taylor said they were not barricading any of Ivy. Ms. Usinger said only 6th Place would be barricaded.

**\*\*Councilor Daniels moved to grant the request to block off SW 6th Place and that they coordinate with the Police Department, Fire Department, and Public Works for the party on October 31 from 5 to 10:30 p.m. Motion seconded by Councilor Strong, and passed 5-0.**

Mayor Taylor said usually when they got this type of request, people submitted a plan and memo to the Council and that the Council would like that process to be followed in the future.

**CONSENT AGENDA: \*\*Councilor Daniels moved to adopt the consent agenda: minutes of the workshop, regular meeting, and executive session, October 7, 1998; accounts payable in the amount of \$670,988.23; and formalizing a data exchange procedure with Clackamas County GIS Department. Motion seconded by Councilor Harris.**

Councilor Daniels explained the large accounts receivable this time: \$141,000 was for a Storm Drain project, \$43,000 was for City projects around town, and \$10,000 went to the Regional Park.

**The motion to adopt the consent agenda passed 5-0.**

Mayor Taylor moved to the SW 2nd issues under Unfinished Business.

South Side Parking/SW 2nd, Birch to Elm - Mayor Taylor said Chief Jerry Giger gave the Council a map as they requested of SW 2nd between Elm and Birch. The map showed curb spaces, the layout of those, and where the parking would be.

Mr. Jordan said there were two issues before them, one was the South 2nd parking issue and the other was the traffic issue at S. Elm and S. 2nd. The Council requested a much more definitive map of the area which showed exactly where the parking, no parking, and restricted parking areas were going to be. Ms. Lila Gottman prepared the map they had and was there to answer any questions.

Councilor Nolder asked if the numbers on the map reflected the footage. Ms. Gottman said that was correct.

Councilor Strong said that this was just a recommendation, for instance they could ask that there be more or less no truck parking signs or they could decide to move the signs. Ms. Gottman said yes, that was right.

Mayor Taylor thanked Ms. Gottman for the map. He asked if Mr. Baldwin wanted to add anything to this discussion.

Mr. Baldwin asked the Council if they knew about the setbacks of the signs before they were done? Mayor Taylor asked if he wanted to know who authorized the streets to be painted? Mr. Baldwin wanted to know how many Councilors knew that it was going to transpire before it did. Mr. Jordan asked if Mr. Baldwin was referring to the curbs being painted at the corner of 2nd and Elm. He explained that the issue before the Council at this moment was a different issue.

Mayor Taylor asked if the Council agreed with the map. Councilor Strong said she wanted to see more "no truck parking" signs so people knew it was no truck parking on the whole street. Her concern was from Elm down to Pacific Pride.

Councilor Lucas asked what the signs said, no parking on this block, or just no truck parking? Mr. Jordan said if the intent was for the entire block, they often put that on the sign, "no parking on this block." Ms. Gottman said the wording was not yet established and that it would indicate it was for the entire length of the street. Tina Leber, the City's Code Enforcement Officer, measured the street and the sign would be placed at the very first spot available that would be big enough for a truck to park in.

Councilor Strong wanted to know what type of truck they meant. Ms. Gottman said the big, semi trucks.

Mayor Taylor said Councilor Strong wanted a few more signs to make it clear that they included the entire length of the block.

Councilor Harris asked if semis ever parked up there and was Councilor Strong concerned about tractor trailer rigs or just tractor parking by itself? Councilor Strong said she was not concerned about the tractor trailers because they usually didn't park there, that was why she was asking what type of truck they meant.

Ms. Gottman said they were prohibiting large semi trucks or trailers.

Mr. Jordan said the intent for no semi trucks parking on the whole block would be followed and they would make sure it was very clear. Councilor Harris said he did not want to specifically say where the signs should go, other people who had more knowledge than they did could do that. Mr. Jordan said if that was their intention and in the motion, they would make sure that the signage was clear for that intent.

**\*\*Councilor Daniels moved to accept the Traffic Safety Committee's recommendation for no parking between Elm and Birch on SW 2nd and to instruct staff to put up appropriate signs to eliminate semi truck and trailer parking. Motion seconded by Councilor Harris, and passed 5-0.**

Parking Restrictions/SW 2nd & S Elm - Mr. Jordan said this was brought back because of the Council's request for David Kelly, the City's traffic engineer, to take a look at the restrictions on parking that had been painted on the curb and the signage placed. Mr. Kelly's report was in the Council packet.

Mr. Baldwin went back to his previous question, how many Councilors knew that the signs and setbacks were going to be done before they were done? Councilor Daniels said they made a decision and instructed staff to put them up.

Mr. Baldwin said they did that even after the workshop at the Library. Did they make the recommendation at that workshop?

Mayor Taylor said he thought that at the workshop they had given instructions to adjust the parking to resolve that issue, so if the staff took that as direction, he could see how they would have gotten there. They did not take an official vote, however.

Mr. Jordan said they could not take an official vote in a workshop, but the topic of the workshop was primarily bus traffic on 2nd Street between Elm and Grant. The resolution of the issue was to move bus traffic off of 2nd Street and not implement any of the other alternatives, which were one way traffic or no parking on one side of the street. The issue was to get the buses off of 2nd as much as possible and to create the turning radiuses for that size of a vehicle at 2nd and Elm which was, he believed, the reason the parking restrictions were put in place. He was not sure the

Council knew they were going out and painting curbs specifically where they did and put signs specifically where they did at 2nd and Elm.

Mr. Baldwin asked if they knew what percentage of buses were going down 4th Street as opposed to 2nd Street and turning on Elm? Councilor Lucas said at that workshop the neighborhood was glad to hear that they were going to take 42 buses a day off of 2nd Street and turn them and go further down on Elm Street.

Mayor Taylor said he did not know the exact percent, but he thought it was a high percentage that would be adjusting their route.

Mr. Baldwin thought 4th Street had a bigger turning radius than at 2nd and Elm. His issue with the City Council was that the City created a traffic and pedestrian hazard. This was evident by the films he had taken which indicated that at the corner of 2nd and Elm many cars ran the stop sign or did "California" stops, where they did not actually stop, but slowed down. He also observed pedestrians and found they could not cross the street in the morning. He wondered why there were no crosswalks at that intersection. He had many issues that needed to be dealt with, such as the Environmental Protection Agency with regards to the air quality, the no truck signs that the residents would like at each end of 2nd Street, the issue of no crosswalks, etc. He also said that when Rusty Klem was the City Planner, he suggested that they take a road off of 13th Street and run it behind the high school and dump it out at the end of Roth's. The City never made provisions for that and now there was all the development up on 13th Street without any good way for the traffic to filter through the City, and which put an undue stress on Elm Street.

Mayor Taylor said the City did have a long term plan to run the traffic around the City as Mr. Baldwin described. They did not currently have the land or the funding to make that happen, but that was a long term plan.

Mayor Taylor said he specifically wanted to address the parking restrictions. The other safety concerns were very relevant, especially the crosswalk issue, but they wanted the people who they gave that charge to, such as the Traffic Safety Committee, to look at those kind of issues and bring them to the Council.

Mr. Baldwin reminded the Council that he was asking for one more parking spot on 2nd Street and 4 more feet on Elm Street. He measured the curb and according to the letter he received from Mr. Kelly, they needed 40 feet from the turn of the curb. At this particular time they had it painted down 2nd Street to 51 feet and they could take 11 feet off of there. On Elm, it was 45 feet and they could take 5 feet off of that. He also wanted them to remove some of the signs and to straighten them out. He measured the signs and took pictures, and the signs were eight inches out of plumb. He also called the City Planning Department and they said in order to have sidewalks, they had to have five feet to the outside of the curb. The sidewalks on 2nd and Elm were four feet and six inches. By the time they put the signs in there, there was only 40 inches of clearance, which was not adequate for wheelchairs or conducive to Canby's codes. He asked the

Council to move the line back 11 feet on 2nd Street and 4 feet on Elm Street and to take care of the signs.

Councilor Harris said for the audience's sake, he explained that City staff went out and measured to see what they thought should be restricted to accommodate parking, and for buses and trucks to make those turns. Mr. Baldwin made his presentation in wanting to maintain the parking that he had. David Kelly was referred to this issue, he was a registered, professional traffic engineer, to give the Council his recommendation. Councilor Harris read the final paragraph of Mr. Kelly's report that said the existing parking restrictions were necessary and recommended. What the Council tried to do was to make sure the buses could make those turns and to accommodate citizens who wanted parking close to the intersection. He thought they had gone through the steps and paid an outside expert to review it and they should go by his report as much as they would like to accommodate everyone who wanted parking. He did not know about the signs, but felt that someone knew how the signs were supposed to be and if they could do without the signs, that was fine with him, but he felt they needed to stick with the measurements.

Councilor Lucas agreed with Councilor Harris, and so did Councilor Daniels.

**\*\*Councilor Harris moved to accept the recommendations as stated by David Kelly, the City's traffic engineer, that the current restrictions remain in place. Motion seconded by Councilor Lucas and passed 5-0.**

Mayor Taylor said they needed to check how many signs needed to be there and if they could work with less, then they should work with less.

**PUBLIC HEARING: Updating of Transportation and Parks SDC Methodologies -**

Mr. Jordan explained that the Council had adopted a Parks Master Plan which had a number of projects within it and they also made some modifications to the Transportation System Plan and Methodology and the items in the new methodology were in the plan currently. If they were going to adjust the System Development Charge to collect monies for those projects, they were required under state law to modify the methodology and the levels by Resolution. Mr. Ray Bartlett, who was a consultant for the City and who did System Development Charge Methodologies for the City, was there to discuss these issues.

**Transportation SDC Methodology -**

Mayor Taylor opened the hearing at 8:27 p.m.

STAFF REPORT: Ray Bartlett said the increase of the Transportation SDC would go from \$86 to \$99 per trip and would be applied the same way it was initially adopted in the Transportation SDC. There were two changes, one was to create a reimbursement fee for the first time ever in the SDC, for the 13th & Ivy signal project that had been completed. The adjustment in the

improvement fee went from \$86 to \$96 per trip and that took care of three things. One, the increased cost of signalization. Two, the increased share of the cost that the state wanted to have the City participate in on projects that before were identified as state only funded. The state was also running out of money for improvements and asked other cities and counties to share costs on improvements to state highways. And three, that it also accounted for the fact there was a change in the plan that moved the arterial designation from Holly to Ivy Street, which eliminated some projects and added others. One other adjustment they made was in the original calculations. Previously the SDC was based on a future cost that tended to over time decrease what the SDC would be in future years. They adjusted it back to a current value that they could adjust for inflation each year and in the long run he felt would more accurately reflect the cost of providing transportation services.

Mayor Taylor explained for the audience that an SDC was a System Development Charge that was only for new construction and development in the City and was a payment for the infrastructure that was required to be put in place for the new development.

There was no public testimony, either opponents or proponents, on this issue.

Mayor Taylor closed the hearing at 8:30 p.m.

Resolution No. 684 -

**\*\*Councilor Harris moved to adopt Resolution No. 684, A RESOLUTION AMENDING THE METHODOLOGY FOR A TRANSPORTATION SYSTEM DEVELOPMENT CHARGE. Motion seconded by Councilor Strong and passed 5-0.**

Parks SDC Methodology -

Mayor Taylor opened hearing at 8:33 p.m.

STAFF REPORT: Ray Bartlett said the Parks SDC would increase from \$295 per sleeping unit as defined by the City's current codes to \$347 per sleeping unit. This was an SDC for parks improvements that applied to only new residential development within the City. It also, in part, depended on the success of the Blue Heron Recreation District applying a SDC that would also apply to the unincorporated urban growth boundary area of the City. The BHRD was expected to carry forward and begin assessing and charging that unincorporated area to help pay for parks that would be built in Canby, but benefit the larger region. If that did not happen, in some future date they may be back to again increase the Canby SDC, because they could only charge that within the boundaries of the City.

Councilor Harris asked if a sleeping unit referred to a room in a house used as a bedroom. Mr. Bartlett said that was correct, it counted bedrooms, and the larger the housing unit, the larger the SDC for parks.

There was no public testimony, either opponents or proponents, on this issue.

Mayor Taylor closed the hearing at 8:35 p.m.

Resolution No. 685 -

**\*\*Councilor Lucas moved to adopt Resolution No. 685, A RESOLUTION AMENDING THE METHODOLOGY FOR A PARK'S SYSTEM DEVELOPMENT CHARGE. Motion seconded by Councilor Harris and passed 5-0.**

Mayor Taylor recessed the meeting for a short break at 8:36 p.m. Mayor Taylor had to leave the meeting early on business and Council President Walt Daniels presided over the rest of the meeting. Councilor Daniels reconvened the meeting at 8:40 p.m.

3rd and Baker Commercial/Industrial LID Public Hearing -

Councilor Daniels opened the hearing at 8:41 p.m.

STAFF REPORT: Curt McLeod said they were in the middle of an LID procedure for 3rd and Baker Commercial/Industrial park area. In December, the Council approved the engineer's report that identified what they were going build and at that time they requested to go out to bid and to come back when they had the cost of construction so they would not be working on estimated cost. Now they were at the stage that night where they made the proper publications in the Canby Herald and have delivered the staff report, LID report, cost estimates, etc., to all of the affected property owners and that night they were having a remonstrance hearing to see if there were any objections to proceed with the project. They also needed to review the bids and have the Council award the contract to the lowest bidder.

There was no public testimony, either opponenets or proponents, on this issue.

Councilor Daniels closed the hearing at 8:45 p.m.

QUESTIONS: Councilor Lucas asked if the tax rate passed for the Blue Heron Recreation District, and they built the Regional Park, there would be a pump station down in that park, was that part of this? Mr. McLeod said the pump station they were building was incorporated into the Parks plan and it showed where it was to go. They coordinated with the consultant doing the Parks plan so they knew what needed to be built.

Councilor Harris asked if they were aware of any opposition to this? Mr. Jordan said there had been no calls or any public input on this issue. The notices were required to include the assessments for the property owners so they understood what the assessments would be and the total costs.

Councilor Strong asked if they extended the road, where did that go in relationship to this? Mr. Jordan clarified she was asking about Baker to the highway. He said it followed roughly the property line between the future park property and the property Mr. Rinkes owned. That line between was roughly the alignment of the road if it were to go in.

Mr. Jordan said there were two issues before them that night, one was the LID itself and this hearing was only for remonstrance and the Council would by motion move forward with the project. Previously the Council moved for the engineer's report and then moved to send out the notices of the project.

Mr. McLeod said the procedure was Council approval acknowledging that the remonstrance hearing did not have sufficient objection to stop the project and for the Council to proceed with the improvements. There were two options to proceed, either they could elect to pass an Ordinance assessing the cost to each individual property owner now, based on what they knew was the bid cost, or elect to wait until the construction was completed, which they recommended the Council to do, and then they would come back with an Ordinance that would assess each property and after the Ordinance was approved, it would be filed as a lien. They would then provide an opportunity for the property owners to request that the City fund the improvements through bonds or other funding. He felt all they needed that night was an acknowledgment that the remonstrance was not sufficient to stop the project and it was the Council's intention to proceed with the project.

**\*\*Councilor Harris moved to acknowledge the insufficient opposition in the remonstrance hearing and that they proceed with the LID improvements. Motion seconded by Councilor Strong, and passed 5-0.**

**COMMUNICATIONS:** None.

**NEW BUSINESS:** None.

**ORDINANCES & RESOLUTIONS:**

Ordinance No. 1010 -

Mr. McLeod said they advertised for bids and received 12 bids for the project. The lowest bid was \$20,000 under the engineer's estimate. They just completed a large job with Dirt & Aggregate Interchange and was pleased with their work. They had no qualms about recommending they proceed with the contract.

**\*\*Councilor Lucas moved to adopt Ordinance No. 1010, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH DIRT & AGGREGATE INTERCHANGE, INC. FOR CONSTRUCTION OF THE 3RD & BAKER COMMERCIAL/INDUSTRIAL LOCAL IMPROVEMENT DISTRICT;**

**AND DECLARING AN EMERGENCY be posted and come up for final action on November 4, 1998. Motion seconded by Councilor Harris and passed 5-0 on first reading.**

Resolution No. 683 -

Clint Chiavarini said that the City was working with the consultant group OTAK to put together a long range buildable lands inventory and housing needs analysis. This was the first step into Periodic Review of the City's Comprehensive Plan. Part of the requirements to doing a project like this was to have a coordinated population projection with the designated coordinating body, which was Clackamas County. OTAK, more specifically Todd Chase of OTAK, put together some population projections for the year 2020, which if adopted would be used for the remainder of the Periodic Review process. They did not use a straight line projection, but tried to use historic trends, not the last couple years of rapid growth, but to build in some slow down in the process. The population projection the staff, OTAK, and the citizens advisory committee were recommending was 21,000 for the year 2020.

**\*\*Councilor Harris moved to adopt Resolution No. 683, A RESOLUTION ADOPTING POPULATION PROJECTIONS FOR THE PURPOSES OF LONG-RANGE PLANNING. Motion seconded by Councilor Lucas and passed 5-0.**

**UNFINISHED BUSINESS: Findings for Amendment to the Comprehensive Plan (CPA 98-03) -** Clint Chiavarini said at the last meeting they had a public hearing about Comprehensive Plan Amendment 98-03 which was a request for an amendment to the plan to include a 1.5 acre parcel into the City's Urban Growth Boundary. That parcel was adjacent to Village on the Locks directly to the east and north of the City street S. Elm. At the last meeting the Council asked staff to prepare findings and these had been presented to the Council.

**\*\*Councilor Harris moved to approve the amendment to the Comprehensive Plan to include the 1.5 acre parcel in the City's Urban Growth Boundary including the findings, conclusions, and final order of CPA 98-03. Motion seconded by Councilor Lucas.**

Councilor Harris said he went to the site the other day and there was some land that was flat and bordered the Village on the Lochs and then there was a cliff next to it. He asked if the acreage they were talking about was just the flat part or did it include the slope as well? Mr. Chiavarini said it did not include the slope, it was only the flat part at the base of the bluff.

Mr. Jordan added that the steep slope was owned by the City. Mr. Chiavarini said that technically the Urban Growth Boundary would extend to include that land.

**The motion to adopt the findings for CPA 98-03 passed 5-0.**

John Kelley gave a brief update on the daytime curfew issue. The Council received a packet of information and since that time he had a conversation with two organizations, one with the

Juvenile Court Director in Clackamas County, Doug Poppen, and they discussed the validity of police officers taking curfew violators into custody in lieu of an apparent discrepancy in the curfew ordinance in the state of Oregon. Mr. Poppen agreed with Mr. Kelley, as did the District Attorney's office representative, that there was a problem with that state statute. There was an issue whether or not juveniles could be taken into custody outside of the state statute, which was between the hours of 12 to 4 a.m. only. He was going to discuss with the juvenile judge, Judge Darling, whether they would be amenable to issue an order remanding curfew violations to the City of Canby and under that authority Canby would be able to take at least residents of Clackamas County into custody for curfew law violations. The point of this was they were finding that there were other issues out there that they weren't aware of before and based upon Lieutenant Scharmota's request to actually study over this next school year the issue, they were holding off making any decisions.

Mr. Kelley also received a phone call from a lady with the school district who wanted to schedule a meeting with him, representatives from the Police Department, and the school to discuss the matter in more detail in the next couple of weeks. For all of these reasons, they had pulled the matter off the agenda for that night and he wanted more direction from the Council to see if they wanted to look into this matter further. If that was their intention, they would monitor the contacts of the high school over the school year and also monitor the legal cases, particularly the one in California, and talk with the criminal judge in Clackamas County and also the school district.

Councilor Harris said he appreciated innovative ideas for solving problems that the City and Police Department were dealing with, but besides the people who had spoken to the Council at previous meetings, there had been many people who were in opposition to this. Besides that, he felt this wasn't the answer to the problem. His inclination was to table the daytime curfew issue totally and consider other possible options if there continued to be a problem with kids on the streets in the daytime.

Councilor Lucas appreciated John Kelley and Brian Howarth for the packet they put together for the Council. Since they had a meeting with the school board, and the school board was going to work on some new things, he would like to see the same thing as Councilor Harris, to sit back and see what the school board does and see how it develops.

Councilor Daniels said it was the consensus of the Council that they appreciated all of the efforts City staff had made regarding this issue.

John Kelley asked if they wished to have Lieutenant Scharmota monitor the data concerning juveniles as either victims or perpetrators of crimes during school hours during this next school year.

Councilor Nolder said he would like the Lieutenant to continue, it would give them a basis to work off of in the future. Councilor Daniels agreed.

Councilor Lucas asked if it was a time consuming job. John Kelley said he did not think so, the problem with it now was it was not categorized properly for them to go back and get the data they needed, but if they set up the system from the beginning, they could do it without too much of a problem.

**MANAGERS REPORT:** Mr. Jordan announced that the new Information Services person would be starting on October 28th and the new Associate Planner would start on the 2nd of November. They were conducting a final interview tomorrow for the Office Specialist position at the City shops. At that point, they would have implemented all of the positions that were in the budget for this year.

Councilor Lucas asked if this filled most of the holes in the City and when those people started, could the Council get a new organizational chart? Mr. Jordan said he would make sure they received one.

Mr. Jordan gave an update on different construction projects. South Fir had the first lift of asphalt on it and the final lift was supposed to go on next week. Knights Bridge Road still had the base to be completed, most of the base was down, but they needed the final grades placed and next week they were going to be paving. Knights Bridge Road was top priority this fall and was one of the most heavily traveled blocks in the entire City. North Ivy was not a top priority, the extension from 14th to Territorial, the coring was done, the underground work was done, and he thought curbs and sidewalks would be formed very soon. Regarding Township Road, the City was out acquiring right of way. They were going to postpone the project till next year, but the Community Development Block Grant folks asked that they accelerate it as quickly as possible. The Mayor had asked at the last meeting about the overpass over Township Road and they would be soliciting bids on November 3 for that project and they expected to construct the abutments for the bridge to set on by December 10 and install the bridge in mid December.

They had been meeting with ODOT regarding Access Management. It was getting a bit circular and they were going to try to get more focused on some of the more specific issues the property owners were particularly concerned about, like median treatments on the highway and what triggered the changing of an access permit for individual properties, etc. They had been talking in very broad terms what kind of core area they were looking for in the commercial district.

Councilor Harris asked about the bridge over Township Road, he thought they already had a contract for the bridge. Mr. Jordan said they had a contract for the delivery of the bridge itself, but the contract did not include the piers or the abutments. Mr. McLeod said they originally bid for the bridge as a design construct with the bridge, the piers, and landings, there were two landings and two piers that held the three sections of the bridge up. As the bridge quotes came in, they called to say they did not think this design construct was a good idea, they were getting prices back that were over \$60,000 for the concrete support, yet the bridge was only in the low \$50,000 price range. They elected to pull the support construction out of that contract. They still had Western Wood design the piers, however. They decided to solicit contractor prices after they

had the design complete as opposed to bidding it design construct. He requested that since they would not have the bid results in time for the Council packets, could he bring the bid results to the Council on their November 4th meeting without publishing them in the packet? It would come up for first reading on that night, second reading on the 18th and give the contractors a few weeks to build it and they would be setting the bridge in mid December. He was not sure if they wanted to have a ribbon cutting this year or wait until next year. CUB was in the process of installing some water lines and some electric conduits that would not be finished until January and the paving would not be done until the first of the year.

Councilor Harris said the bridge was pre-made elsewhere and delivered in tact, and they were going to carry the bridge over here to us. Would Mr. McLeod know in advance when that would happen, because he wanted to be there to see it. Mr. McLeod said he would know exactly when it would happen and he would let them know.

Councilor Daniels said that it would be fine to bring the bids back at the meeting instead of in the packets.

**COUNCILORS' ISSUES:** None.

**ACTION REVIEW:**

1. Working with the folks at SW 6th Place for their Halloween party, having Police Department, Public Works, and Fire Department work with them.
2. Implementing the arrangement regarding parking along 2nd between Birch and Elm and placing signage so that it is very clear that semi trucks are not allowed to park in that entire area.
3. Checking the signage at the corner of 2nd and Elm to make sure that it is the minimum amount of signage necessary to do the job.
4. Implementing the Systems Development Charges as per Resolutions 684 and 685.
5. Bringing back Ordinance No. 1010 for second reading.
6. Taking the Population Projections in Resolution 683 to the County for their approval.
7. Implementing Comp Plan Amendment 98-03 for the 1.5 acres on S. Elm.
8. Bringing the crosswalks issue to the Traffic Safety Committee, looking at crosswalks both on 2nd and 3rd.

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

Councilor Daniels recessed the regular session at 9:15 p.m.

Councilor Daniels reconvened the regular session at 9:35 p.m. and immediately adjourned the session.

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**EXECUTIVE SESSION**  
**OCTOBER 21, 1998**


PRESENT: Councilors Daniels, Lucas, Nolder, Harris, and Strong and City Administrator and City Recorder Mike Jordan.

Councilor Daniels called the session to order at 9:16 p.m.


ORS 192.660 (1)(d) - The Council discussed Police Negotiations.

The Council did not discuss Pending Litigation.


Councilor Daniels adjourned the session at 9:29 p.m.



Michael J. Jordan,  
City Recorder pro tem



Scott Taylor,  
Mayor



Prepared by Susan Wood,  
Office Specialist