

CANBY CITY COUNCIL
REGULAR MEETING
September 21, 1994

WORKSHOP: Present: Council President Terry Prince, Councilors Harris, Nolder, Stark and Daniels; Administrator Jordan, Assistant to the Administrator Chaplen, Clerk Moretty, Librarian Saul; Betsy Ross, Patty Elliot, Susan Cazier, Dirk Borges and Janice Weeks.

The workshop was held in the Canby Utility Board Room from 6:00 to 7:20 p.m. to discuss the future and structure of the General Canby Day Committee.

REGULAR SESSION: Council members present: Council President Terry Prince presiding. Councilor members present: Walt Daniels, Dennis Nolder, and Cheryl Stark; Councilor Shirley Strong arrived at 9:21 p.m. Absent: Mayor Scott Taylor and Councilor Roger Harris.

Also present: City Administrator Michael Jordan, Assistant to the City Administrator Sarah Jo Chaplen, City Planner Bob Hoffman, Assistant Planner Jim Wheeler, Chief of Police Jerry Giger, Parks & Recreation Director Scott Nelson, Canby Municipal Court Judge Jon Hendricksen, City Clerk Marty Moretty, Dan Seeman and associate from Kittelson & Associates, Marcia and Mike Zagya, Connie Lloyd, Lynn Olsen, Kirsten Lloyd, Carol Beck, Pamela Scherling, Kurt Schrader, David Anderson, Dana Tyler, Cheryl Steinke and Carol Stanfield.

Council President Prince called the session to order at 7:40 p.m., followed by a moment of silence.

Roll call of the Council showed a quorum to be present.

MINUTES OF PREVIOUS SESSION: **Councilor Nolder moved to approve as distributed the minutes of regular session September 7, 1994 with Council President Prince noting the following correction on page 7 to reflect that the Council adjourned for a break at "8:20 p.m." and reconvened at "8:25 p.m." and not at 7:20 and 7:25 p.m. respectively. The correction was so noted and the motion was seconded by Councilor Daniels and approved 4-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: None.

COMMUNICATIONS: None.

NEW BUSINESS: Accounts Payable - **Councilman Daniels moved to approve payment of accounts payable in the amount of \$313,265.35. Motion was seconded by Councilor Stark. Mr. Daniels pointed out that a Logging Road Industrial Park scheduled payment to Parker Northwest Paving for \$184,000.00+ was included in this payable amount.

Motion was approved by roll call vote, 4-0.

Annual Municipal Court Report to Council - Council President Prince introduced Canby Municipal Court Judge Jon Hendricksen. Judge Hendricksen pointed out that this is the City's fifteenth annual Court report and it was once again an efficient and successful year. In the 93-94 fiscal year ending June 30, 1994, 2,227 cases were filed of which 159 were major traffic crimes, the majority being Driving Under the Influence of Intoxicants cases; 1789 were minor traffic infractions; other including theft, disorderly conduct, bad checks, other misdemeanors, etc. totaled 224; and City Ordinance violations totalled 55. Cases closed during the same time period totalled 2,259 showing an excellent efficiency rating with the State of Oregon. 189 cases were pending at the end of the fiscal time period; average opening monthly cases is 185 showing that the court is timely with opening and closing well within the 90 day time period in accordance with Oregon Supreme Court directives.

The budget was exceeded in all respects; expected revenues were exceeded by \$8,000; assessments for the City by \$2,000; the \$4,000 court-appointed attorneys' fees reimbursement program was not met but \$3,200 was received; State assessed traffic taxes were forwarded in the amount of \$30,750; and Clackamas County was forwarded \$10,000+ to assist in jail project. Revenue disbursements amounted to \$160,454 to the City and requisite departments and collected was \$16,505 more than disbursed which could go, in the Judge's opinion to partially fund an additional police officer which would be good for the court system and the community. 242 hours of overtime was spent by the police department through the Court system equalling \$6,200.

Ron Russ, our local Canby interpreter for the past two years has done an exemplary job devoting countless volunteer hours with our Spanish community. Weekly he works with an average of 20 cases; and a letter to Ron on behalf of the community and the Council would be much appreciated. "He expects nothing and gives a lot back to the community."

Judge Hendricksen commended the efficiency of the Court staff; the training and presentation of the police officers in court; and City Attorney John Kelley in handling of criminal matters. And once again "no" to night court although Mayor Taylor is not present to ask the question.

Input to the League of Oregon Cities discouraging the "powers that be in Salem" from doing away with the local municipal court system, including Justice of the Peace powers that the City of Canby has chartered, would be appreciated. Monies is bottom line; revenues collected to stay in the local community would be greatly reduced.

Council President Prince adjourned the regular council meeting at 7:55 p.m. and moved into the public hearing portion.

PUBLIC HEARING - Transportation Systems Plan: Council President Prince reviewed the public hearing process and asked audience how many would be testifying. He set a five minute limit for the six persons wishing to speak.

Staff Report - City Planner Bob Hoffman introduced Dan Seeman of Kittelson & Associates to make a brief presentation of the Plan. The \$70,000 contract with Kittelsons culminates tonight with eight months of work. To summarize the process used to this reach this point, a contract and work program was designed, a technical steering committee was established, and drafts were periodically brought to Planning Commission and City Council. The plan was designed to implement the land use pattern in the comprehensive plan and to evaluate the transportation element of the comp plan, proposed improvements and maintenance efforts necessary for our transportation system and proposed financing methods for any maintenance and improvements necessary.

Dan Seeman, Director of Transportation Planning with Kittelson & Associates, summarized by saying that this is an interim transportation system plan. A further study of access issues on 99E still needs to be incorporated into the plan; at that point it will be considered final. This multimodal transportation plan inventoried the condition of all the systems, primarily vehicular travel, but also including sidewalks, pedestrian, transit, bicycle, rail, water pipelines and pavement conditions to restore as well as maintain. The level of service had to be determined; most critical traffic operations are on 99E and conditions are at a marginal level during critical p.m. peak hours. Today they are marginally acceptable but near capacity.

Today's population of 9500 people was projected to 20,000; employment levels for retail jobs would grow from 1000 to 2000 and service and manufacturing from 785 jobs to 10 times that in the future. Considering this growth as well as through traffic on 99E, "hot spots" were identified especially on the highway. S.Ivy & Township Road intersection and S.Ivy & 13th Avenue would be at overcapacity without signalization in the future. Roadway projects were then identified according to the comp plan. Capacity improvements at or across 99E would help bring the system to an acceptable level; a crossing to west at Berg Parkway would relieve 99E crossings at Elm and Ivy; improved alignments at Redwood Street connecting north and south street system as well as a traffic signal at the location and five new traffic signals of which three are on 99E, and one overcrossing in the 20 year plan.

The streets were examined to see if they met a minimum standard and a set of standards was established considering roadway width, curbs, gutters and sidewalks. A bike plan was also developed; all arterial streets & 99E and all collectors over a 3000 vehicle volume daily should have separate bike lanes. Schools and parks were considered major bicycle generators and should be connected with a signed system. Improvements were prioritized into 5 year increments over a 20 year period with the most urgent projects into the 0-5 year, Phase 1. Pavement deficiencies were also addressed, improvements as well as maintenance. The current level spent is \$150,000 annually and is recommended to be increased to \$250,000 to improve the conditions over time. 12% of today's roads are in failed or very poor condition.

Funding for the \$31.4 proposed improvements would come from various entities outside the City first. Other funds would come from the State, Clackamas County, developers, and the proposed SDC for transportation improvements whose purpose is to pay for

the increased capacity needed to accommodate the future growth within Canby. A hearing on this will be considered in two weeks.

Councilor Prince questioned if N. Ivy had been considered since the traffic from Grant and Holly has shifted onto that street with the placement of stop signs on the other two streets; Mr. Seeman felt the problem would alleviate itself when additional crossings at 99E would relieve Ivy.

The public hearing was opened for testimony at 8:20 p.m.

Mike Zagya, 1063 S. Fir, Canby spoke as the principal of Ackerman Middle School, parent of Ackerman student and resident of SW Canby concerning the placement of the transportation draft's proposed traffic signal in the intersection of S. Ivy & 13th Avenue and for the immediate need for some kind of traffic control at that intersection directly in front of Lee Campus. Repeated requests by the PTA and appeals of concern to County by the Council are appreciated. Between the peak a.m. hours of 7:00-7:30, 1000 students, plus parents, buses and commuter traffic all travelling on Ivy at the same time create dangerous conditions before daylight during the winter months. The traffic light is not being considered until Phase 2 in the plan; the immediacy of the situation requires it to be moved into Phase 1 and installed as quickly as possible. The proposed new Berg Parkway intersection would only add to the congestion at Ivy & 13th. A short term solution is required and complicated by the fact that Ivy is a County arterial.

Connie Lloyd, 24220 S. Skylane Drive, Canby and Chairman of the Ackerman Local School Committee addressed inability of students to cross Ivy to reach the campuses, the excessive speeds and the congestion at the multiple entrances and exits of the Ackerman Middle School, Lee Campus, the sporting fields, Municipal Swim Center and Canby Adult Center, as well as general traffic just passing through. Comparing last year's statistics with this year, there has been a 200% increase in accidents at that intersection. What signage there is either isn't enough or is just ignored. Please don't wait until someone gets killed at the intersection. The traffic signal must become a Phase 1 priority; improve the safety conditions immediately.

Lynn Olsen, 1063 N. Locust, Canby and President of Ackerman PTA represents 968 students and a group whose chartered function has been concern for the care and protection of youth. Several instances of personal experiences were cited and the fact remains that the problems that exist in this area can do nothing but continue to get worse since these institutions and these factors will always be present there. Foot traffic must be protected; the traffic signal needs to be an immediate Phase 1 action priority.

Pat Sherman, 495 NW 22nd Avenue, Canby as parent of an Ackerman student stated that the plan focused on the traffic passing through and p.m. peak flow times only but failed to analyze the pedestrian-vehicular interface. She sees a 4-way red blinking light at the intersection as an immediate solution.

David Anderson, 641 Baker Drive, Canby expressed the need for the traffic light at S. Ivy and 13th, but feels that the school district needs to be approached to participate since students and taxpayers outside the city limits add to the use of the intersection and therefore the cost of the light should not be solely born by the City. His main concern was funding of street maintenance. Are the revenues collected from the new subdivisions and residences responsible for maintaining the existing less-than-adequate streets? Previously built homes were never asked for money to maintain their streets and it's easy to access the new houses. He was also concerned as a real estate agent representing properties in the Logging Road Industrial Park that the fees accessed through the proposed street SDC are excessive and will tend to discourage businesses from coming in to Canby.

Kurt Schrader, 2525 N. Baker Drive, Canby expressed concern that the proposed traffic impact fees for businesses are quite high and not "user friendly". With 23% generated from residences and 75% from business, commercial and industrial, the load on commercial businesses will deter them coming into the community. Most have been businesses relocating rather than new businesses coming in; could they have the ability to pay on a scheduled basis? He also felt that the residential rates were lower than the surrounding communities and yet we are enjoying the fastest population growth with residential development in the county; reorient our thinking and refine the SDC and to reflect the historical trend so there is money in the bank to work with; work with the Economic Development Committee at the Chamber of Commerce, not just importing the City of Sarasota, Florida overlay model onto the City of Canby.

Councilor Stark expressed concern for new businesses coming into Canby; we need business and industry in our town and don't want fees to discourage them.

Ms. Olsen wanted to make sure that the Councilors would be able to express their opinions on the traffic light and was assured that they would come in the discussion portion after the public hearing.

Public Hearing was closed at 8:44 p.m. and immediately returned to the Regular City Council session.

DISCUSSION: Councilor Nolder questioned Mr. Seeman as to why the traffic light at the Ivy and 13th intersection had not been put in the 0-5 year time frame.

Mr. Seeman expressed that the engineers had been sensitive to the issue but that the basic standards as measured by basic traffic signal "warrants" had not been met. The State of Oregon has adopted the "Manual of Uniform Traffic Control Devices" and every jurisdiction in the country goes by this. Minimum volumes must be met before a traffic signal can be installed and those have not been met at that intersection based on these warrant measurements. Three are vehicular volume warrants so when the threshold is reached a traffic light would be installed for safety purposes. There are also warrants for minimum number of pedestrian crossings and for traffic purposes when one should be installed. Finally, there are safety warrants when accidents exceed a certain number per year for a certain number of years. The City has appealed to Clackamas County

for the signal and when they apply these warrants to that intersection, it falls short of consideration. Conditions might have changed since then and certainly it should be pursued. Kittelson did not consider the pedestrian warrants in their study based on their observations; if the conditions are at a level warranting a signal, only then can one be installed.

Councilor Nolder was told that the Kittelson observations were done in the school year although only in the p.m. peak traffic time period; it was not at the threshold then. Based on volumes, it would fall into the 6-10 year future.

City Attorney Kelley questioned whether the State and the County have complete control over where and when these signals go in and how do our citizens deal with this problem.

Mr. Seeman said although "an honorable thing to do is to put the intersection of 13th and Ivy as a high priority one to five year project, the County and the State of Oregon won't allow you to install a traffic signal until those warrants are met", a traffic signal won't go in. Reason being, in the past lights were put in for political reasons rather than being based strictly on volume or safety reasons.

Councilor Nolder questioned if one were not installed when the criteria had been met. Mr. Seeman answered that professional judgment enters in when volume warrants have been met, and the first priority is safety; if it weren't installed, the City, County and State would open themselves for a libelous situation. Further study could certainly be done at that intersection; a detailed count of the pedestrian crossing based on the eighth hour volume indicator. Mr. Nolder would like to notify the County now and let them know that they will need a signal there in five years to get it on their budget and get it planned. School involvement as Mr. Anderson suggested it a good idea.

Councilor Daniels also feels the need for the light to be in the 0-5 year phase and is well aware of problems dealing with government agencies. It's frustrating to think that someone has to get killed before any action is taken. He is concerned with making sure it gets in the correct time frame considering the County's methods of funding.

Kittelson & Associates did their plan under certain budget constraints necessitating the study of p.m. peak hour conditions only; midday and a.m. peak hour conditions study may be called for to get more data so that an accurate determination can be made in this instance (13th and Ivy).

Councilor Stark questioned whether the PTA could make a concerted effort together on this one issue. Ms. Olsen stated that they would once again bring it to Clackamas County's attention. Perhaps when they were approached again, there may be a changed wording to "meeting criteria" rather than saying "wait until the traffic light is warranted". The PTA feels it is warranted now; make sure all the peak times of the day are considered. If parents and people of the community are going to try to make it happen, they will need to be supplied with accurate information from the City. She was informed that Ivy Street from 99E south was under County jurisdiction; and there is no

plan for them to hand the street over to the City. All signage is provided for by the County.

Mr. Daniels reaffirmed that public opinion matters and the more voices that County hears from and the more pressure that is brought to bear, the better the chances are that they will listen.

City Administrator Jordan confirmed a meeting would be held on October 5, 1994, with Ackerman Principal Zagya and Chief of Police Giger and anyone interested in strategizing on this issue and bringing pressure to bear in the proper places for some kind of immediate action. Certainly a shift to the 0-5 phase can be done by the Council. He will call Clackamas County Department of Transportation and Development about this issue.

Councilor Prince questioned a possible "flaw" in the study because only p.m. studies were done and in response Mr. Seeman felt that another study would be possible although the eighth highest hour criteria would still hold up with the a.m. and midday included. If an intersection were counted for 24 hours, the seven highest hours would be discounted and the eighth hour's volumes would be looked at and compared to the criteria. All eight hours must be above that threshold for the warrants to be met.

Mr. Prince would like the pedestrian warrants to be considered and Mr. Seeman felt that it could be looked at to see whether that warrant is met. Mr. Prince also feels it should be moved up to the 0-5 year plan anticipating that there will be an effort made to put this before the County. He would like a letter drafted by the Council to the County Roads Department and the County Commissioners to reemphasize the importance of a traffic light at that intersection.

Mr. Seeman made it clear that based on the data he has, that a signal is not warranted. But, it is the City's plan so when it's adopted modifications can be made above and beyond what is called for. Before going to County, make sure that it is in the Plan and called for in the immediate future because those are the questions they will ask and it would not even be considered if both of those criteria were not met.

Mr. Prince would like to pursue joint funding with the school to make it more viable to the County.

Mr. Jordan requested a proposal from the Council to find out what the costs and logistics would be for a more detailed in-depth study of that intersection. Mr. Nolder also requested getting a price quote for a study focusing on the pedestrian as well as the 7:00-7:30 am. traffic.

Mr. Zagya clarified the peak morning arrival times to be: buses start arriving between 7:00-7:10 though 7:25 a.m.; walkers between 7:00-7:20; parents are dropping students off during the same times; and commuter traffic is passing through at the same time.

In the afternoon, peak time is between 2:20-2:45 p.m. although the volume is not as

high without the commuter traffic.

Councilman Nolder thanked all those who came and shared their concerns; input is always valuable.

It was noted that there is a continued hearing on the System Development Charge so that issue will be discussed in more detail at that time. Mr. Seeman pointed out that the Sarasota Model is a widely used methodology; including jurisdictions in Washington County, Clackamas County, Clark County, Gresham, Salem, Lake Oswego and Marion County. To answer Mr. Anderson's concern about who pays for the existing maintenance; only those capacity improvements and future volume that would be created by future growth would be paid for by the SDC's. If no growth were involved, existing funds would have to pay for the improvements.

Mr. Seeman addressing the concern that the fees for residential might be too low and the business fees might be too high, across the board Canby's proposed plan is lower with the exception of Eugene's residential fee out of a study done with eight other communities or cities in the region. This is Canby's plan so a reweighing of different land uses based our value system is our option. Kittelson's study represents technical application and not weighted by "political purposes"; if residential were valued over commercial, those fees could be changed to reflect that.

Mr. Anderson wanted to make sure that he understood that maintenance on the older, existing streets in the City was not a capital improvement and came out of the street maintenance fund and not the proposed SDC fees. This was agreed to be the case.

Mr. Schrader posed a problem with the methodology concerning trip generated counts; that it's the business's fault that it is handy for people to drive there rather than travel to shop further distances away. Could the rationale reflect altering the fees so that the businesses bear the brunt of the supplier traffic that impact the roads in a more serious manner and yet the residences who avail of the businesses in their immediate locale bear some of the brunt also.

Mr. Seeman felt that the most important thing about the way it was written was that it had to be "defensible"; there must be a strong technical basis. Revisions and factors that add to the level of complexity make it harder to defend so consider defensibility when and if changes are made.

Councilwoman Strong entered the meeting at 9:21 p.m.

Administrator Jordan pointed out that there were already reductions for commercial businesses in the methodology and to respond to Dr. Schrader's comments about increased residential trips as commercial establishments grow, what kind of "trigger" could be used to collect money from the residences for the SDC? A number of hooks are possible when collecting from new developments on building permits but how could we collect from an existing resident who is going to make more trips because a new commercial development is put in. To reiterate, it would be "possible, but complex"; a

utility would be more of a maintenance tool rather than an expansion of capacity kind of tool. There would need to be policy considerations to adjust and not weaken the SDC's defensibility; there is a need to be prudent to adjust. If we can't backfill those changes, we would be subject to legal challenge. The Parks SDC was cited as an example; there is still a 40% backfill to come up with from this community to make sure that the SDC is defensible over the long term, within the next twelve years.

Mr. Hoffman indicated that the methodology already accounts for a good portion of the number of trips a resident makes to the commercial businesses with the single family detached homes being allocated 9.55 trips per day, some of which are to stores.

Dave Anderson felt that competition from surrounding areas for new businesses and cost of building should be a consideration.

Kurt Schrader said the question was simple; do we want more commercial and industrial or more residential development in Canby right now.

The meeting was adjourned for a break at 9:32 p.m. and reconvened at 9:42 p.m.

It is hopeful that the adoption of the SDC methodology resolution can be accomplished before November 2, 1994. The SDC ordinance would need to be amended and second reading by November 2, 1994. The Master Plan needs to be adopted in conjunction with or before the methodology so the time line is tight for the next three meetings. The study and possible changes involving the traffic light at the 13th and Ivy intersection moving to the 0-5 year phase and moving funds in our methodology wouldn't have an impact on the Plan or the SDC and the further study would serve as "ammunition" in talking to the County.

The public hearing will be continued to the October 5th 1994 City Council meeting.

ORDINANCES & RESOLUTIONS: Ordinance No.926 - Parks & Recreation Director Scott Nelson stated that six bids from contractors on the South Locust Street Park construction had been received and specifications were met according to Curran-McLeod, the engineering firm working on behalf of the City. Curran-McLeod recommended 2KG Contractors, the low bidder for the project, in the amount of \$158,400. A further consideration was the alternate bid of sod rather than seeding because the project would be coming up against the winter months. With the addition of the \$5,300 bid for sod, the project total would be \$163,700. The first construction meeting is scheduled for October 6, 1994, the day after adoption of the Ordinance.

Councilor Stark noted the big spread between high and low bidder but Mr. Nelson did not have the analysis available although they all had the same specs to arrive at their bids. The three lowest bids were very close to the engineer's estimate of \$155,000. Councilor Nolder questioned whether any consideration was given to local contractors noting that Canby Excavating was second lowest bidder. City Attorney Kelley did not know of a provision that would allow that kind of consideration; the purpose of low bidder is to keep it strictly as a cost issue to the advantage of the taxpayer and do

away with preferential treatment. A points system might be possible but in this instance, the bidders were not notified initially and no deviations were found in the low bid.

****Councilman Daniels moved that Ordinance No.926, AN ORDINANCE TO EXECUTE A CONTRACT WITH 2KG CONTRACTORS IN THE AMOUNT OF \$163,700 FOR THE PURPOSE OF CONSTRUCTION A CITY PARK ON S. LOCUST STREET; AND DECLARING AN EMERGENCY be posted and come up for final action on October 5, 1994. Motion seconded by Councilwoman Strong and approved 5-0.**

Ordinance No.927 - Administrator Jordan discussed the acquisition of a backhoe for the Public Works Department and Public Works Supervisor Roy Hester recommends the Hessel Tractor bid be accepted. Low bidder did not meet bid specifications. Although there was an option to acquire this equipment under a lease-purchase option for five years, interest would have been in the \$10,000 range. It was recommended to internally finance this through the internal equipment replacement fund in the capital reserve portion of the budget. The monies are in the budget this year for repayment on a five-year payment plan, so adequately budgeted for the acquisition and save the City the finance charges.

****Councilor Nolder moved that Ordinance No.927, AN ORDINANCE TO EXECUTE A CONTRACT WITH HESSEL TRACTOR IN THE AMOUNT OF \$46,603.00 FOR THE PURCHASE OF ONE NEW WHEEL TRACTOR BACKHOE LOADER; AND DECLARING AN EMERGENCY be posted and come up for final action on October 5, 1994. Motion seconded by Councilor Stark and approved 5-0.**

UNFINISHED BUSINESS: Intergovernmental Agreement with Clackamas County, Community Development Block Grant for Adult Center - City Attorney Kelley pointed out that the City's portion will be no less than the 20% match of the total cost of the project; at this point it amounts to \$34,000 of the \$170,000 project.

Parks & Recreation Director Scott Nelson wanted the Council to be aware of other costs connected with the project; the RFP will also include two alternates, the airlock doors for the front entry which the Friends of the Adult Center will fund and the authorizing the architect to look into the roof problem. It will be patched for this winter for a short term solution but the long term structural change might be in order. Estimates from roofing contractors are in the area of \$30,000; next step would be to have an architect look at the situation.

****Councilor Daniels moved that the Council AUTHORIZE THE CITY ADMINISTRATOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT BETWEEN CLACKAMAS COUNTY AND THE CITY OF CANBY FOR IMPROVEMENTS TO THE CANBY ADULT CENTER, THE COUNY PORTION TO BE \$170,000 AND THE CITY PORTION TO BE \$34,000 MINIMUM OR NO LESS THAN 20% OF THE TOTAL PROJECT. The motion was seconded by Councilor Nolder and approved 5-0.**

OTHER REPORTS OR ANNOUNCEMENTS: Meeting with METRO to present their

Preferred Option 20-40 Plan, set for Tuesday, October 11, 1994 at 7:30 p.m. at the Canby Adult Center.

Canby By Design Kick-Off meeting will be Saturday, October 1, 1994 in the Canby High School, Commons Area. All are encouraged to attend and please contact City Hall for more information, and R.S.V.P. for lunch.

First Quarter Budget Committee Meeting, scheduled Monday, October 17, 1994 at 7:00 p.m. the the Library Conference Room.

Workshop for Funding Plan for Road Maintenance is scheduled within the context of the next October 5, 1994 Council Meeting. If the Council wishes to implement a utility to cover funding costs and after the November 8th election this year, a special election will possibly have to be scheduled. The time line would have disappeared if Measure 5 passes on November 8, 1994. If a utility were decided upon and it were to be implemented before November 8th, it would have to be up for first reading October 19, 1994. A public hearing would be recommended although not required.

Police Advisory Meeting is scheduled on the first Thursday, October 6, 1994 at 7:30 p.m. per Council President Prince.

Workshop with the Police Administration is scheduled at the Mayor's request to discuss the issue of the CSOs at 6:00 p.m. prior to the next Council Meeting, October 5, 1994. A light meal will be provided.

Pavement Inventory and Management Plan is available for anyone interested with City Planner Bob Hoffman. It will not be discussed at any great length because of it's complexity unless anyone has any questions.

Noise Ordinance - Council Nolder wanted to pass on the Clackamas County Fair Board's wishes to be involved in giving us some input on the ordinance. They should be following up their request with a letter. John Kelley also said that Steve Miller with the School District has also contacted him and wants to be kept up-to-date on the ordinance as well.

**Councilwoman Stark moved to go into Executive Session under ORS 192.660 (1)(d), regarding labor negotiations, and (1)(e) regarding real property. Seconded by Councilman Daniels and approved 5-0.

Council President recessed the regular session at 10:26 p.m. to go into Executive Session. The regular session was reconvened at 10:58 p.m.

Assistant to the Administrator Chaplen requested that each Councilor take five names and ask to the next Canby By Design meeting. Any amount of time that anyone can come is appreciated.

Council President Prince spoke of his attending a Police Advisory Meeting; he felt it

apparent that they had some concerns on the visioning process, goals and measurements, specifically that they are unmeasurable. They feel that patrol time is the best measurement; if officers are booked on their shift just going from call to call with no discretionary time that is an indicator that more personnel is needed. Their main focus is more manpower and the possibility of going to an election process.

Councilor Strong encouraged the councilors if at all possible to ride on patrol with one of the officers. She observed a lot of paperwork and felt maybe there could be some solutions removing some. Councilor Prince felt that cameras could relieve in some areas.

Councilor Stark feels a need to be clear on how and what to measure. Administrator Jordan stated that the measures are indicative of what is going on in a department and they should prompt questions. When there is an advisory board formed, it is easy for that group to become an advocate for that department.

Hopefully the measures will change for the Police Department after the visioning process indicates its benchmarks. The City should be changing its benchmarks if the visioning proves to be a successful process.

The meeting adjourned at 11:30 p.m.

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EXECUTIVE SESSION
September 21, 1994

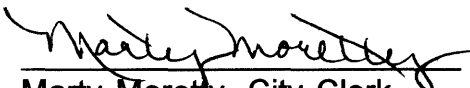
Present: Council President Prince, Councilors Stark, Nolder, Strong and Daniels, Administrator Jordan, and Assistant to the Administrator Chaplen.

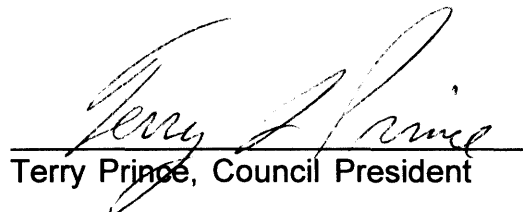
Council President Prince called the session to order at 10:30 p.m. in the Utility Board conference room.

ORS 192.660(1)(e) - The Council discussed labor negotiations with the Police after the first of the year.

ORS 192.660(1)(d) - The Council discussed property acquisitions.

Council President Prince adjourned the session at 10:55 p.m.


Marty Moretty, City Clerk


Terry Prince, Council President