

## AGENDA

### CANBY CITY COUNCIL MEETING

March 1, 2006, 7:30 P.M.

Council Chambers

155 NW 2<sup>nd</sup> Avenue

*Mayor Melody Thompson*

*Council President Teresa Blackwell*

*Councilor Randy Carson*

*Councilor Walt Daniels*

*Councilor Roger Harris*

*Councilor Wayne Oliver*

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### WORK SESSION

6:00 P.M.

City Hall Conference Room

182 N Holly

The City Council will be meeting in a work session to discuss a new police facility.

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### CITY COUNCIL MEETING

#### 1. CALL TO ORDER

- A. Pledge of Allegiance and Moment of Silence
- B. Swearing In Ceremony for three Police Department Reserve Officers
- C. Promotional Ceremony for Greg Kroeplin, Police Chief
- D. Underage Drinking Awareness Proclamation

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#### 2. COMMUNICATIONS

#### 3. CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS

*(This is an opportunity for visitors to address the City Council on items not on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Each citizen will be given 3 minutes to give testimony. Citizens are first required to fill out a testimony/comment card prior to speaking and hand it to the City Recorder. These forms are available by the sign-in podium. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter.)*

#### 4. MAYOR'S BUSINESS

#### 5. COUNCILOR COMMENTS & LIAISON REPORTS

#### 6. CONSENT AGENDA

*(This section allows the City Council to consider routine items that require no discussion and can be approved in one comprehensive motion. An item may be discussed if it is pulled from the consent agenda to New Business.)*

- A. Approval of Accounts Payable \$192,602.88
- B. Appointment to Traffic Safety Commission
- C. Canby Shell Change of Ownership Liquor License Application

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Pg. 3

**7. RESOLUTIONS & ORDINANCES**

- A. Ord. 1202, Authorizing Contract with Curran-McLeod, Inc. for Engineering Services on SE 2<sup>nd</sup> Avenue Street and Utility Improvements (2<sup>nd</sup> Reading) Pg. 5
- B. Ord. 1203, Authorizing Change Order No. 1 with HCI Industrial and Marine Coatings, Inc. for Coating Repairs to the WWTP Secondary Clarifier (2<sup>nd</sup> Reading) Pg. 6
- C. Ord. 1204, Authorizing Contract with Curran-McLeod, Inc. for Engineering Services on Hazel Dell Way Pumping Station Project (2<sup>nd</sup> Reading) Pg. 8
- D. Ord. 1205, Authorizing Contract with G.R. Morgan Construction Company of Portland, Oregon for the Installation of Play Equipment for Legacy Park Pg. 9

**8. NEW BUSINESS**

**9. CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS**

**10. CITIZEN INPUT**

**11. ACTION REVIEW**

**12. EXECUTIVE SESSION: ORS 192.660(2)(h) Pending Litigation**

**13. ADJOURN**

\*The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Kim Scheafer at 503.266.4021 ext. 233. A copy of this Agenda can be found on the City's web page at [www.ci.canby.or.us](http://www.ci.canby.or.us). City Council and Planning Commission Meetings are broadcast live and can be viewed on OCTS Channel 5. For a schedule of the playback times, please call 503.263.6287.

*A reception will be held immediately following the City Council Meeting in the Canby Utility Board Room in recognition of Chief Kroeplin.*





Office of the Mayor

# Proclamation

“Underage Drinking Awareness”

WHEREAS, nearly 46% of Clackamas County 11th graders and 29% of 8th graders report drinking alcohol in the last 30 days;

WHEREAS, a quarter of Clackamas County 11th graders report having five or more drinks on at least one occasion in the last 30 days;

WHEREAS, alcohol is by far the most commonly used drug among students in Clackamas County and Oregon youth in general;

WHEREAS, the total cost of youth alcohol use is \$697 million annually in Oregon and over \$4.3 million in Clackamas County;

WHEREAS, over 76% of Clackamas County 11th graders say that it is easy to get alcohol if they want it; and

WHEREAS, Clackamas County and Oregon teens report getting alcohol both by purchasing it and by getting it from friends, family members, and acquaintances.

NOW, THEREFORE, I, Melody Thompson, by virtue of the authority vested in me as the Mayor of the City of Canby, do hereby proclaim and support a policy of zero tolerance regarding alcohol made available to young people of Canby under the age of 21 years. We want all of the laws involving youth access to, possession and use of alcohol, and laws related to furnishing alcohol to minors, to be enforced. We commend merchants, parents, and all Canby citizens who refuse to sell or give alcohol to young people under the age of 21 years.

Given unto my hand this 1<sup>st</sup> day of March 2006 in the City of Canby, Oregon.

Melody Thompson  
Mayor

**CITY OF CANBY  
APPLICATION  
BOARD/COMMITTEES/COMMISSIONS/COUNCIL**

**RECEIVED****FEB 03 2006****CITY OF CANBY**

Date: Feb. 3<sup>rd</sup>, 2006  
 Name: Dalena Clawson Occupation: School Bus Driver  
 Home Address: Canby, Or. 97013  
 Employer: 1st Student Position: Driver  
 Daytime Phone: \_\_\_\_\_ Evening Phone: Same  
 E-Mail Address: alabasterbox37@hotmail.com  
 For which position are you applying? Traffic Safety Committee

What are your community interests (committees, organizations, special activities)?  
Current student of Canby Citizens Police Academy  
Future Plans to Join C.E.R.T. next course available.  
Church Member - Bethany Evangelical Free - Youth Sponser

Experience and educational background: Within the past 10 years my skills as a driver has provided experience as a School Bus driver, courier, limo driver. I have had some EMT Basic training.

Reason for your interest in this position: I desire to be an example to the children I am raising... to take responsibility for the community you live in. I am in traffic of Canby from 6-8 hrs every day and wish to learn and contribute to the safety of our streets.

List any other City or County positions on which you serve or have served: None

Information on any special membership requirements: None

Referred by (if applicable): Barbara Kirwain (1st Student)  
(Committee Member)

Feel free to attach a copy of your resume and use additional sheets if necessary

**THANK YOU FOR YOUR WILLINGNESS TO SERVE CANBY**

Please return to: City of Canby  
 182 N Holly Street  
 PO Box 930  
 Canby, OR 97013

Phone: 503.266.4021 Fax: 503.266.7961

**Note: Please be advised that this information may be made available to anyone upon a public records request and may be viewable on the City's web site.**

9-30-05



# Memo

**To:** Mayor Thompson & Members of City Council  
**From:** Chief Greg A. Kroeplin  
**CC:** Judi Christiansen, General Administration  
**Date:** February 15, 2006  
**Re:** Liquor License / Ownership Change (Canby Shell)

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I have reviewed the attached liquor license application completed by the applicant, Steven Harrison. In addition I met with Mr. Harrison at the business (293 SW 1<sup>st</sup>) where we discussed laws involving the sale of alcoholic beverages. Mr. Harrison told me that he would be working closely with OLCC as it relates to training for his employees on pertinent laws involving alcohol related violations and crimes.

I recommend that the Canby City Council recommend approval of this application to the Oregon Liquor Control Commission.

Reg 90 day

Payment Rec'd  
JC 2.8.06 #14583

RECEIVED

FEB 08 2006

CITY OF CANBY



OREGON LIQUOR CONTROL COMMISSION  
LIQUOR LICENSE APPLICATION

PLEASE PRINT OR TYPE

Application is being made for:

LICENSE TYPES

- ☐ Full On-Premises Sales (\$402.60/yr)  
☐ Commercial Establishment  
☐ Caterer  
☐ Passenger Carrier  
☐ Other Public Location  
☐ Private Club  
☐ Limited On-Premises Sales (\$202.60/yr)  
☒ Off-Premises Sales (\$100/yr)  
☒ with Fuel Pumps  
☐ Brewery Public House (\$252.60)  
☐ Winery (\$250/yr)  
☐ Other: \_\_\_\_\_

ACTIONS

- ☒ Change Ownership  
☐ New Outlet  
☐ Greater Privilege  
☐ Additional Privilege  
☒ Other CITN

P21424  
L63599

Applying as:

- ☐ Individuals ☐ Limited Partnership ☒ Corporation ☐ Limited Liability Company

FOR CITY AND COUNTY USE ONLY

The city council or county commission:

City of Canby  
(name of city or county)

recommends that this license be:

Granted ☐ Denied ☐

By: \_\_\_\_\_  
(signature) (date)

Name: Melody Thompson

Title: Mayor

OLCC USE ONLY

Application Rec'd by: JA

Date: 1/23/06

90-day authority: ☒ Yes ☐ No

1. Applicant(s): [See SECTION 1 of the Guide]

① Harrison Holdings Incorporated ③ \_\_\_\_\_  
② \_\_\_\_\_ ④ \_\_\_\_\_

2. Trade Name (dba): Canby Shell

3. Business Location: 293 SW 1st Ave Canby Clackamas OR 97013  
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 1929 NE 75th Ave Portland OR 97213  
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 858-220-0178 (phone) (fax)

6. Is the business at this location currently licensed by OLCC? ☒ Yes ☐ No

7. If yes to whom: Therese Youssef Inc Type of License: off-Premises Sales

8. Former Business Name: Canby Shell T+m mart

9. Will you have a manager? ☐ Yes ☒ No Name: \_\_\_\_\_  
(manager must fill out an individual history form)

10. What is the local governing body where your business is located? Canby  
(name of city or county)

11. Contact person for this application: Steven Harrison 858-220-0178  
(name) (phone number(s))  
1929 NE 75th Ave, Portland, OR 97213  
(address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① Steven Harrison Date 12/12/2005 ③ \_\_\_\_\_ Date \_\_\_\_\_  
② \_\_\_\_\_ Date \_\_\_\_\_ ④ \_\_\_\_\_ Date \_\_\_\_\_

1-800-452-OLCC (6522)  
www.olcc.state.or.us

4

**ORDINANCE NO. 1202**

**AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CURRAN-MCLEOD, INC. CONSULTING ENGINEERS FOR ENGINEERING SERVICES ON THE SE 2<sup>ND</sup> AVENUE STREET AND UTILITY IMPROVEMENTS; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the CITY OF CANBY has heretofore advertised and received proposals for municipal engineering services, completed oral interviews and selected CURRAN-McLEOD, INC. for the City's Engineer of Record; and

**WHEREAS**, CURRAN-McLEOD, INC. has previously provided facility planning, pre-design reports, preliminary engineering and cost estimates for engineering and construction for the SE 2<sup>nd</sup> Avenue street and utility improvement project; and

**WHEREAS**, the CITY OF CANBY anticipates the need to complete construction of the SE 2<sup>nd</sup> Avenue street and utility improvements within calendar year 2006; Now therefore,

**THE CITY OF CANBY ORDAINS AS FOLLOWS:**

Section 1. The Mayor and City Administrator are hereby authorized and directed to make, execute, and declare in the name of the CITY OF CANBY and on its behalf, an appropriate contract with CURRAN-MCLEOD, INC for engineering services in an amount not to exceed \$62,100 (Attached as Exhibit "A").

Section 2. Inasmuch as it is in the best interest of the citizens of Canby, Oregon, to complete this project as soon as possible, an emergency is hereby declared to exist and this ordinance shall therefore take effect immediately upon its enactment after final reading.

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, February 15, 2006; ordered posted as required by the Canby City Charter and scheduled for second reading on Wednesday, March 1, 2006, after the hour of 7:30 pm at the Council Chambers at the Canby City Hall, 182 N. Holly, Canby, Oregon.

**PASSED** on second and final reading by the Canby City Council at a regular meeting thereof on the 1<sup>st</sup> day of March, 2006, by the following vote:

YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

\_\_\_\_\_  
Melody Thompson, Mayor

ATTEST:

\_\_\_\_\_  
Kim Scheafer, City Recorder Pro-Tem



## **ORDINANCE NO. 1203**

**AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE CHANGE ORDER NUMBER 1 WITH HCI INDUSTRIAL AND MARINE COATINGS, INC FOR COATING REPAIRS TO THE WASTEWATER TREATMENT PLANT SECONDARY CLARIFIER; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Canby has heretofore solicited and received bids for the Wastewater Treatment Plant Clarifier Coating Repairs; and

**WHEREAS**, bids were received and opened on December 13, 2005 at 2:00 pm in the Canby Planning Department Conference Room with the low responsive bid being that of HCI Industrial & Marine Coatings, Inc; and

**WHEREAS**, the Canby City Council finds that OAR 137-047-0800(1)(a)(B)(i) allows contract amendments without additional competition to add additional services within the scope of the original bid process when the price was based on unit prices and the price of the additional services is not increased; and

**WHEREAS**, the Canby City Council, acting as the City's Contract Review Board, met on Wednesday, January 4, 2006, and awarded a construction contract to HCI Industrial & Marine Coatings, Inc; and

**WHEREAS**, the Canby City Council met on Wednesday, January 18, 2006, and approved execution of a contract with HCI Industrial & Marine Coatings, Inc;

**WHEREAS**, the Canby City Council met on Wednesday, February 15, 2006 and considered reports and recommendations on Change Order Number 1, including the recommendation of the Wastewater Treatment Plant Supervisor that Change Order Number 1 be approved; now therefore

### **THE CITY OF CANBY ORDAINS AS FOLLOWS:**

**Section 1.** The Mayor and City Administrator are hereby authorized and directed execute, and declare in the name of the City of Canby and on its behalf, the attached Change Order Number 1 with HCI Industrial & Marine Coatings, Inc. A copy of a Change Order Number 1 with HCI Industrial & Marine Coatings, Inc. is attached hereto and marked as Exhibit "A" and by this reference incorporated herein.



Section 2. Inasmuch as it is in the best interest of the citizens of Canby, Oregon, to complete this project as soon as possible, an emergency is hereby declared to exist and this ordinance shall therefore take effect immediately upon its enactment after final reading

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, February 15, 2006; ordered posted as required by the Canby City Charter and scheduled for second reading on Wednesday, March 1, 2006, after the hour of 7:30 pm at the Council Chambers at the Canby City Hall, 182 N. Holly, Canby, Oregon.

\_\_\_\_\_  
Kimberly Scheafer  
City Recorder Pro-Tem

**PASSED** on second and final reading by the Canby City Council at a regular meeting thereof on the 1st day of March, 2006, by the following vote:

YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

\_\_\_\_\_  
Melody Thompson  
Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Scheafer  
City Recorder Pro-Tem

**ORDINANCE NO. 1204**

**AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CURRAN-MCLEOD, INC. CONSULTING ENGINEERS FOR ENGINEERING SERVICES ON THE HAZEL DELL WAY PUMPING STATION PROJECT; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the CITY OF CANBY has heretofore advertised and received proposals for municipal engineering services, completed oral interviews and selected CURRAN-MCLEOD, INC. for the City's Engineer of Record; and

**WHEREAS**, CURRAN-MCLEOD, INC. has previously provided facility planning, pre-design reports, preliminary engineering and cost estimates for engineering and construction for the Hazel Dell Way Pumping Station project; and

**WHEREAS**, the CITY OF CANBY anticipates the need to complete construction of the Hazel Dell Way Pumping Station project within calendar year 2006; Now therefore,

**THE CITY OF CANBY ORDAINS AS FOLLOWS:**

Section 1. The Mayor and City Administrator are hereby authorized and directed to make, execute, and declare in the name of the CITY OF CANBY and on its behalf, an appropriate contract with CURRAN-MCLEOD, INC for engineering services in an amount not to exceed \$32,800 (Attached as Exhibit "A").

Section 2. Inasmuch as it is in the best interest of the citizens of Canby, Oregon, to complete this project as soon as possible, an emergency is hereby declared to exist and this ordinance shall therefore take effect immediately upon its enactment after final reading.

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, February 15, 2006; ordered posted as required by the Canby City Charter and scheduled for second reading on Wednesday, March 1, 2006, after the hour of 7:30 pm at the Council Chambers at the Canby City Hall, 182 N. Holly, Canby, Oregon.

**PASSED** on second and final reading by the Canby City Council at a regular meeting thereof on the 1<sup>st</sup> day of March, 2006, by the following vote:

YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

\_\_\_\_\_  
Melody Thompson, Mayor

ATTEST:

\_\_\_\_\_  
Kim Scheafer, City Recorder Pro-Tem

2nd Reading



**DATE: February 21, 2006**

**MEMO TO: Honorable Mayor Thompson and City Councilors**

**FROM: Beth Saul, Library and Parks Director**

**Through: Mark Adcock, City Administrator**

**RE: Ordinance 1205 to hire a playground installer for Legacy Park**

**Issue:** In order to install the new play equipment being purchased from Recreation Resource in a manner that satisfies warranty and liability standards, a professional play equipment installer must be hired for Legacy Park through approval of Ordinance 1205.

**Background:** Through a public process with Project Planner Matilda Deas in 2003 the City established and adopted a master plan for the development of the new park adjacent to the Ackerman Middle School complex. This master plan calls for phasing in development as maintenance and funding become available, and phase I included a parking lot and tot lot. In addition, Hazel Dell Nursery donated several large trees to the park, which were watered by Kiwanis volunteers, and the MOMS club of Canby has also donated funds and volunteer effort to this new park. The City Street crew completed the new parking lot for the park, and the tot lot was completed in summer of 2004. The play equipment for the second playground for older children has now arrived and we have solicited quotes from certified installers and selected a vendor as set forth in Ordinance 1205. In order to fulfill the Council goal to finish the park this year staff will also be allocating funds in this year's budget process to complete the basic amenities for Legacy Park during the 2006-2007 fiscal year.

**Recommendation:** *Staff recommends that Ordinance 1205 be approved so that the responsive vendor can be hired in a timely manner to complete the installation of the second playground.*

**Fiscal Impact:** Funds are available and budgeted for this task in the Park Development Fund.

**ORDINANCE NO. 1205**

**AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH G.R. MORGAN CONSTRUCTION COMPANY OF PORTLAND, OREGON FOR THE INSTALLATION OF PLAY EQUIPMENT FOR LEGACY PARK; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Canby wishes to install play equipment that has been purchased for Legacy Park; and

**WHEREAS**, the City has prepared a solicitation including BOLI wage rate provisions and a timeline that is required for the successful installation that will meet all liability and professional installation requirements; and

**WHEREAS**, this solicitation was sent to those companies that install this type of equipment with the following results:

- |   |             |
|---|-------------|
| 1. G.R. Morgan Construction Company, Portland, OR | \$34,034    |
| 2. Ro-Lyn Construction, Vancouver, WA             | no response |
| 3. Precision Commercial Contractors, Portland, OR | \$49,227    |

**WHEREAS**, the City of Canby Park Department has reviewed this quote and believes it to be in the best interest of the City of Canby to accept the low bid from G.R. Morgan Construction Company of Portland, Oregon, now therefore

**THE CITY OF CANBY ORDAINS AS FOLLOWS:**

Section 1.     The Mayor and City Administrator are hereby authorized and directed to make, execute and declare in the name of the City of Canby and on its behalf, an appropriate contract with G.R. Morgan Construction Company of Portland, Oregon for installation of play equipment for Legacy Park for the quoted amount of \$34,034.

Section 2.     Emergency Declared.

It being necessary for the health, safety and general welfare of the citizens of Canby, that these public improvements be completed as soon as possible, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon its enactment after final reading.

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, March 1, 2006 and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on Wednesday, March 15, 2006



commencing at the hour of 7:30 P.M. in the Council Meeting Chambers at Canby City Hall in Canby, Oregon.

\_\_\_\_\_  
Kimberly Scheafer  
City Recorder Pro-Tem

**PASSED** on second and final reading by the Canby City Council at a regular meeting thereof on the 15<sup>th</sup> day of March, 2006, by the following vote:

YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

\_\_\_\_\_  
Melody Thompson, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Scheafer  
City Recorder Pro-Tem