

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
April 15, 2009**

Presiding: Mayor Melody Thompson.

Council Present: Walt Daniels, John Henri, Jason Padden, Walt Daniels, Robert Bitter, and Tony Helbling.

Staff Present: Mark Adcock, City Administrator; John Kelley, City Attorney; Dwayne Barnes, Public Works Director; and Kim Scheafer, City Recorder Pro-Tem.

Others Present: Bob Cornelius.

CALL TO ORDER: Mayor Thompson called the Regular Meeting to order at 7:38 p.m. followed by the opening ceremonies.

COMMUNICATIONS: None.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: None.

MAYOR'S BUSINESS: None.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Padden said the Library Board met the previous night and discussed how they would be moving forward with the library levy.

Councilor Daniels said ridership on CAT had been down. A lot of people were using the Westside Express Service in Wilsonville so ridership was going up to Wilsonville. The Community Concert series would be coming up and they had four singers that would be performing.

Councilor Bitter attended the Canby Utility Board meeting the previous night. A recommendation would be coming from the BPA this Friday. A best guess for the wholesale rate increase was 5% each the next two years in the Fall. He discussed the Share the Warmth program and thanked the community for their contribution. He also discussed the challenges Canby Utility was facing with collections in the business community.

CONSENT AGENDA: ****Councilor Daniels moved to approve the minutes of the April 1, 2009 City Council Work Session and Regular Meeting and reappointment of Ron Berg to the City Budget Committee for a term to expire on June 30, 2011. Motion was seconded by Councilor Henri and passed 6-0.**

RESOLUTIONS & ORDINANCES: Resolution 1023 – John Kelley, City Attorney, said this authorized the settlement of the condemnation case involving Canby and the widening of Walnut Street across from Zion Cemetery. It would result in the payment of \$175,500 for the right-of-way that was purchased of which \$125,500 was paid at the time the City took immediate possession and the balance of \$50,000 would be paid no later than April 30, 2009.

****Councilor Helbling adopted Resolution 1023, A RESOLUTION AUTHORIZING SETTLEMENT OF CITY OF CANBY vs. JANICE AND ONNI BUGNI, CLACKAMAS COUNTY CASE NO. CV08030420, BASED UPON A STIPULATED GENERAL JUDGMENT ENTERED INTO BETWEEN ALL PARTIES AND APPROVED BY THE COURT. Motion was seconded by Councilor Padden and passed 6-0.**

Ordinance 1305 – **Councilor Helbling moved to adopt Ordinance 1305, AN ORDINANCE AUTHORIZING THE CANBY URBAN RENEWAL AGENCY TO EXECUTE A CONTRACT WITH NORTHWEST EARTHMOVERS, INC. FOR NE 2ND AVENUE RECONSTRUCTION AND PARKING LOT IMPROVEMENTS; AND AUTHORIZING THE CITY TO REIMBURSE THE URBAN RENEWAL AGENCY FOR A PORTION OF THE PROJECT COSTS FOR PUBLIC STREET IMPROVEMENTS ON SE 2ND AVENUE; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Daniels and passed 6-0 by roll call vote.

Councilor Helbling said this project would be affecting the traffic on 2nd Avenue and the block in front of Thriftway would be closed for four months.

NEW BUSINESS: Discussion Regarding Measures 3-338 and 3-339 – Mr. Kelley reviewed Measures 3-338 and 3-339. Measure 3-338 would bring the Charter into compliance with Oregon law. They were currently out of compliance in several chapters of the Charter due to changes in Oregon laws over the years. He discussed each of the chapters that needed to be changed and how it impacted staff to be in noncompliance. Measure 3-339 would revise the limit for contract approval by ordinance. Currently any expenditure of budgeted funds in excess of \$15,000 needed to be approved by ordinance. The proposed change was to raise the amount to \$50,000.

Councilor Henri said it needed to be clear that the budget was decided by the City Council. It seemed redundant to have to pass an ordinance every time they had to spend money they already budgeted.

Councilor Bitter said the cost of goods had gone up over the years.

Councilor Helbling said he didn't think it was going to pass especially in this economic environment because citizens did not understand the increase. He thought they should rewrite the Charter to say the expenditures would be allowed to be made at a rate of \$15,000 in 1984 dollars adjusted for the rate of inflation. The value of that \$15,000 now was \$35,000 to \$38,000 and the reason they went to \$50,000 was to move it up ahead of where they needed to be so that 20 years from now, Councilors weren't trying to work backwards.

Mr. Kelley said they were too late for the voter's pamphlet deadline to make that change.

There was discussion about the reasons behind this measure and how it could be presented to the public.

Selection of Rural Reserves PAC Liaison – Mayor Thompson said she attended the Reserves Steering Committee as the alternate, and the Neighboring Cities committee. The map had not contained Canby's map area designation. That generated many conversations and they resolved the issue. There was some concern from the farming community about where they were

proposing to grow. The County would be taking this out to the public and then come back and have more discussions over the summer with the cities and affected parties. It would be important that the Council's delegate attend the PAC meeting and go forward with the Council's vision.

Councilor Henri said he would agree to be the PAC Liaison.

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: Mark Adcock, City Administrator, said with the resignation of the Police Chief there were several approaches for filling that vacancy. The first approach would be for the City to do the recruiting, and the advantages were that the City had an HR professional on staff. The disadvantage to that was time. He thought the position needed to be filled as soon as possible. They needed to have some component that would allow citizens to weigh in on the kind of individual they would like to see as the next Police Chief. Advantages of using an executive search firm as recruitment were objectivity to the process, they could customize the recruitment so it was exactly what they wanted, and they had people they were trying place. The disadvantage was the cost. He estimated the cost to be in the \$30,000.00 range.

Councilor Henri thought it was important to have a third party because it was a high exposure situation.

Mr. Adcock said staff would select a firm and bring them in to have a discussion with the Council and develop a profile. The goal was not to exclude any candidate but to cast the widest net and get the best candidate available.

Councilor Helbling said they had outstanding people in their Police Department and the *Oregonian* did not want to report that. Internal candidates would be able to apply for the position.

Councilor Bitter said he was concerned about this moving forward in an expeditious fashion and by using a firm it would be done quicker and better. He gave suggestions for including citizens in the process.

Council consensus was to move forward with a third party recruitment.

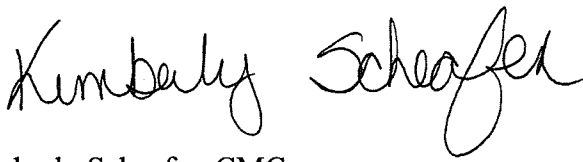
CITIZEN INPUT: None.

ACTION REVIEW:

1. Approved the Consent Agenda.
2. Adopted Resolution 1023.
3. Adopted Ordinance 1305.
4. Appointed Councilor Henri as the Council Liaison to the Political Action Committee.
5. Provided direction on the Police Chief recruitment.

There was not an Executive Session.

Mayor Thompson adjourned the regular meeting at 8:34 p.m.

Handwritten signature of Kimberly Scheafer in cursive script.

Kimberly Scheafer, CMC
City Recorder Pro-Tem

Handwritten signature of Melody Thompson in cursive script.

Melody Thompson
Mayor

Assisted with Preparation of Minutes – Susan Wood