

**CANBY CITY COUNCIL  
WORK SESSION MINUTES  
November 19, 2008**

**Presiding:** Mayor Melody Thompson

**Council Present:** Wayne Oliver, Walt Daniels, Randy Carson, and Tony Helbling. Councilors Paul Carlson and Teresa Blackwell were absent.

**Staff Present:** Mark Adcock, City Administrator; John Kelley, City Attorney; and Kim Scheafer, City Recorder Pro-Tem.

**Others Present:** Jason Padden and John Henri.

Mayor Thompson called the Work Session to order at 6:06 p.m. in the City Hall Conference Room. A light dinner was served. The Council met to discuss proposed changes to the City Charter.

Mr. Adcock, City Administrator, said following the second defeat of the proposed revisions to the City Charter, they had a work session for citizens to give feedback about their concerns. There were four primary issues: allowing the Mayor to vote, residency of the City Administrator, misunderstanding relating to the positions of City Treasurer and City Recorder, and increasing the purchase limit from \$15,000 to \$50,000 for what would require an ordinance. Council decided to come back in November and decide when and if they wanted to take the Charter revisions back to the voters.

Councilor Helbling thought they needed to break it down into pieces if they hoped to get it passed because it was too much at once. They should take all the State issues and get the Charter legal first. Then in November go after the more sensitive issues.

There was discussion about the citizen concerns and which ones to leave off the ballot. There was also discussion about wording for these issues. Council discussed citizens' desire to have each change listed as separate measures.

Mayor Thompson said they should create a political action committee to campaign and explain these changes.

Council consensus was to bring revisions to the charter before the voters at the May 19, 2009 Special Election. Changes that were conforming to State law would be listed together and other changes would be listed as separate measures.

Mayor Thompson adjourned the Work Session at 6:40 p.m.

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**CANBY CITY COUNCIL  
REGULAR MEETING MINUTES  
November 19, 2008**

**Presiding:** Mayor Melody Thompson.

**Council Present:** Paul Carlson, Teresa Blackwell, Wayne Oliver, Walt Daniels, Randy Carson and Tony Helbling.

**Staff Present:** Mark Adcock, City Administrator; John Kelley, City Attorney; Jorge Tro, Acting Police Chief; and Kim Scheafer, City Recorder Pro-Tem.

**Others Present:** Jason Padden, John Henri, Bob Cornelius, John Baker, Ray Hughey, Leonard Walker, Greg Perez, Bob Backstrom, Bev Doolittle, Clint Coleman, Mark & Dawn Depner, Mary Depner, Eric & Kaye Baldwin, Rick & Melissa Reid, and Ron & Gail Gamble.

**CALL TO ORDER:** Mayor Thompson called the Regular Meeting to order at 7:30 p.m. followed by the opening ceremonies.

**COMMUNICATIONS:** None.

**MAYOR'S BUSINESS:** Mayor Thompson read a statement regarding an *Oregonian* article that alleged criminal violations and misconduct of two members of the Canby Police Department. There were two separate allegations. One was the alleged criminal activities of a former Canby Police Officer that was being investigated by the FBI. The other was the alleged misconduct of Chief Kroeplin. If citizens had information regarding the on-going FBI investigation they should contact the FBI. The Council could and should not comment on an on-going Federal investigation. The City Attorney had been directed to obtain an independent investigator who was unaffiliated with the Canby Police Department or City Administrative staff to conduct the investigation into the misconduct allegations against Chief Kroeplin. A thorough and expeditious investigation was their goal. The facts were not always as they appeared in the newspaper. The Canby Police Department had enough information about the alleged activity of the former police officer in question that on February 21, 2008, Chief Kroeplin contacted the FBI. This fact was reported to the *Oregonian* prior to their article on Sunday. She did not know why this information was not reported. It was inappropriate for them to comment any further on the other allegations that were made regarding Chief Kroeplin and they needed to let the City investigation take its course. If and when, now or in the future, they discovered malfeasance or corruption it would be dealt with under the law accordingly.

**CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:** Dawn Depner said she was Bill Traverso's neighbor. She read a statement on behalf of the residents on N. Vine Street. When they called 911 they expected a police officer to come to their neighborhood. They were requesting a meeting with all City Council members so they could discuss their concerns.

Mayor Thompson asked for them to provide information ahead of time so they could have the appropriate people at the meeting to answer questions. A staff person would contact Ms. Depner with a date.

Greg Perez handed Council a map. He said that sidewalks needed to be completed from the new Cutsforth parking lot to the Fairgrounds. There were several people who visited the Fairgrounds throughout the year, and it needed to be a priority because it was a major part of the infrastructure of Canby.

Mr. Adcock said that he would meet with Mr. Barnes and Mr. Perez to discuss the issue.

**COUNCILOR COMMENTS & LIAISON REPORTS:** Councilor Carlson said the Canby Adult Center was sending out letters for contributions and he hoped people would consider it.

Councilor Blackwell thanked citizens for supporting the library levy and the OSU Extension Agency which provided several children's programs.

Councilor Daniels said the Historical Society was selling calendars highlighting then and now pictures of Canby. They were continuing to work on the transit routes.

Councilor Helbling said the Planning Commission was still working on the Sign Ordinance and they would have a commission opening at the beginning of January.

Mayor Thompson read an email from Pat Johnson, the Principal at Canby High School, regarding homeless youth and Operation Snuggle. The annual Planning and Building Customer Survey would be on the City's website tomorrow.

Dawn Depner said that \$1,150 had been raised for Operation Snuggle. One hundred eighty six students in the Canby School District were homeless.

**CONSENT AGENDA: \*\*Councilor Daniels moved to approve the minutes of the November 5, 2008 City Council Regular Meeting; reappointment of Jan Milne to the Planning Commission for a term to expire on December 31, 2011; and appointment of Cathleen Whiting to the Library Board for a term to expire on June 30, 2012. Motion was seconded by Councilor Carson and passed 6-0.**

**RESOLUTIONS & ORDINANCES:** Ordinance 1298 –

**\*\*Councilor Carson moved to approve Ordinance 1298, AN ORDINANCE AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH EAGLE MAILING SERVICES OF SALEM OREGON TO PROVIDE SEWER AND STREET MAINTENANCE FEE PRINTING AND MAILING SERVICES; AND DECLARING AN EMERGENCY to come up for second reading on December 3, 2008. Motion was seconded by Councilor Daniels and passed 6-0 on first reading.**

**NEW BUSINESS:** Request for Social Gaming Ordinance – Mr. Adcock said the Council had received a letter from Donald Smith requesting the ordinance.

John Kelley, City Attorney, named several cities that had such an ordinance. The definition of social gaming was a game other than the lottery between players in private businesses, private clubs, or place of public accommodation where no house player, bank, or odds exist and there

was no house income from the operation of the game. He said that Mr. Smith was asking to be able to play at the Legion Hall.

Councilor Helbling said he would like to see other city ordinances and what limits could be placed on this kind of gaming.

Jorge Tro, Acting Police Chief, said that the State Police did not monitor social gaming so it would mean more time for the local law enforcement to make sure the ordinance was being followed.

Councilor Oliver said he would like information about licensing and limiting the types of games.

Bob Cornelius asked what happened if the City didn't have an ordinance and people did it anyway.

Mr. Kelley said citizens could still have games in private homes but not in private businesses. Other than that it was illegal.

Community Mini Grants Program – Mr. Adcock said staff had prepared an application and criteria for the mini grant program.

Councilor Helbling thought it made sense and was fair. His only concern was once they opened it up, the applicants would come in quickly and people who came in later would not get it.

Ms. Kim Scheafer, City Recorder Pro-Tem, said half of the grant funds would be awarded in each cycle, half in November and half in April. Those who received the funds would have to report back about how they used it. The Council would approve each application. The first applications would be due in March and be awarded in April 2009.

Councilor Carson brought up purchasing Historical Society calendars.

Mayor Thompson thought they bought those to be gifts not necessarily as part of a grant.

**\*\*Councilor Carson asked to have \$500 taken from the Contingency Fund to purchase Canby Historical Society calendars. Motion was seconded by Councilor Daniels and passed 6-0.**

Mr. Adcock said he would bring back a transfer resolution at the time they did the supplemental budget.

Councilor Blackwell said the Council needed to think about giving the Historical Society money in next year's budget.

Councilor Carson said they could apply for mini grant money for specific projects.

**\*\*Councilor Helbling moved to adopt the mini grant program as submitted by staff. Motion was seconded by Councilor Blackwell and passed 6-0.**

**CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS:** None.

**CITIZEN INPUT:** None.

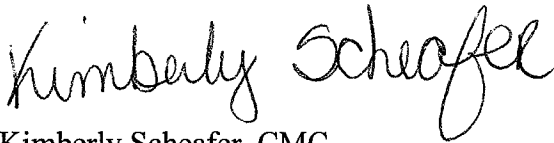
**ACTION REVIEW:**

1. Approved the Consent Agenda.
2. Approved Ordinance 1298 to come up for second reading on December 3, 2008.
3. The City Attorney would bring back additional information regarding the proposal for a social gaming ordinance.
4. Approval of mini-grant program.
5. Authorized \$500 to be spent for Historical Society calendars.
6. Staff would set up a special meeting with the Council and citizens from N. Vine Street

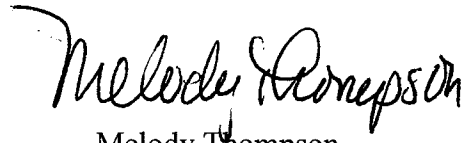
**\*\*Councilor Daniels moved to go into Executive Session pursuant to ORS 192.660(2)(e) Real Property and ORS 192.660 (2)(h) Pending Litigation. Motion was seconded by Councilor Carson and passed 6-0.**

Mayor Thompson read the Executive Session format and recessed the Regular Meeting at 8:31 p.m.

Mayor Thompson reconvened the Regular Meeting at 9:02 p.m. and immediately adjourned.



Kimberly Scheafer, CMC  
City Recorder Pro-Tem



Melody Thompson  
Mayor

Assisted with Preparation of Minutes – Susan Wood