

**CANBY CITY COUNCIL
SPECIAL MEETING MINUTES
December 10, 2008**

Presiding: Mayor Melody Thompson.

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

Staff Present: Mark Adcock, City Administrator; John Kelley, City Attorney; Amanda Klock, Human Resources Director; Jorge Tro, Police Lieutenant; Frank Schoenfeld, Police Detective Sergeant; Scott Cunningham, Police Sergeant; Doug Kitzmiller, Police Sergeant; Tim Green, Police Sergeant; Chris Macom, Police Officer; Melissa York, Deputy City Recorder; Toni Tracy, Administrative Specialist; and Kim Scheafer, City Recorder Pro-Tem.

Others Present: John Henri, Robert Bitter, Jason Padden, Robin Adcock, Leonard Walker, Bob Backstrom, Mark & Dawn Depner, Nicholas Depner, Mary Depner, Greg Perez, and Dan Kelley.

CALL TO ORDER: Mayor Thompson called the Special Meeting to order at 6:20 p.m. in the City Council Chambers.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: None.

RESOLUTIONS & ORDINANCES: John Kelley, City Attorney, said the ordinance authorized the purchase of property on Territorial Road. It would allow for the future expansion of the wastewater treatment facility and future park land. The City had entered into an Earnest Money and Sale Agreement which authorized the City to have an environmental study done on the property to make sure it was clean. The study should be done prior to the second reading of the ordinance. If the environmental analysis came back and further investigation needed to be done, it would be determined if the City and sellers wanted to go forward with the purchase.

Ordinance 1301 - ****Councilor Carson moved to approve Ordinance 1301, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT FOR THE PURCHASE OF THIRTY-FOUR AND ONE-HALF (34.5) ACRES OF REAL PROPERTY FOR FUTURE EXPANSION OF THE WASTEWATER TREATMENT FACILITY AND FUTURE PARK LAND; AND DECLARING AN EMERGENCY to come up for second reading on December 17, 2008. Motion was seconded by Councilor Blackwell and passed 5-0 on first reading.**

ACTION REVIEW:

1. Approved Ordinance 1301 to come up for second reading on December 17, 2008.

Mayor Thompson adjourned the Special Meeting at 6:30 p.m.

**CANBY CITY COUNCIL
WORK SESSION MINUTES
December 10, 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; Amanda Klock, Human Resources Director; Jorge Tro, Police Lieutenant; Frank Schoenfeld, Police Detective Sergeant; Scott Cunningham, Police Sergeant; Doug Kitzmiller, Police Sergeant; Tim Green, Police Sergeant; Chris Macom, Police Officer; Melissa York, Deputy City Recorder; Toni Tracy, Administrative Specialist; and Kim Scheafer, City Recorder Pro-Tem.

Others Present: Jason Padden, Robert Bitter, John Henri, Mark & Dawn Depner, Nicholas Depner, Mary Depner, Dan Kelley, Bob Backstrom, Leonard Walker, Greg Perez, Rick & Melissa Reid, Bob Suleski, Richard & Florence Ball, Shelley Kadwell, Jackie Jones, Jack Pendleton, Squire M. Bozorth, Andrea McLean, Jerry Hunt, Ron & Gail Gamble, Robert & Nancy Traverso, John Hingson, Kevin Starrett, Peggy Savage, Maxine Bernstein, Lori Scott, and Lee & Janet Whitcomb.

Mayor Thompson called the Work Session to order at 6:30 p.m. in the Council Chambers. The Council met with residents of the Vine Meadows neighborhood development. The purpose of the work session was to discuss with the residents issues and concerns relative to their neighborhood.

Mayor Thompson reviewed the questions from the Vine Meadows Neighborhood members that had been given prior to the meeting. Staff had been asked to research and prepare answers to the questions.

Jorge Tro, Police Lieutenant, said four 911 calls had been received by Clackamas County Dispatch from the Vine Meadows neighborhood since January 1 of this year through two days ago. There were 11 total 911 and non-emergency calls from Vine Street and NE 19th. The City responded to every single call except one. They had arrived within seven minutes of all calls except one, but it was a parking complaint that took 35 minutes due to some other priority calls that police were dealing with. There was one call on October 2 which was a warrant service call that police did not respond to. They had received a call from the probation officer saying a neighbor saw a wanted person going into Mr. Traverso's residence. At that time, their detectives were working a case and they did not want to jeopardize their investigation. The warrant was issued because one of their officers contacted the probation officer about this person's activity. He was arrested three days later. They had received 55 total calls for service on Vine Street and that included self initiated stops by police officers and follow-up contacts.

Rick Reid said the problem had existed longer than the last year.

Lt. Tro said eight arrests had been made in relation to Mr. Traverso and associates related to him. The FBI had made two arrests and expected more. They also conducted eight search warrants based on their investigation.

Patrol officers were never told to not patrol the neighborhood. The FBI requested that the Detective Division not do an in-depth investigation on Mr. Traverso. The FBI wanted to concentrate on the investigation.

Dawn Depner asked when the Council was informed about problems in Vine Meadows.

Mayor Thompson said she had received a call from Mr. Depner asking why this guy was not arrested and that an officer had made an inappropriate comment. She had contacted the Chief about it. They did get a monthly report about police activity, but it was general and personnel issues were not the prevue of the City Council.

Ms. Depner said in the last Council meeting the Mayor had said they were recently made aware of the situation in Vine Meadows. When specifically were they made aware of the situation in Vine Meadows regarding the FBI investigations?

Mark Adcock, City Administrator, said when the Police Department let him know they had a major situation, then he alerted the Council. In this instance, he informed Council in July of 2008.

Councilor Helbling clarified that they didn't know the FBI was talking to the Vine Meadows neighborhood until shortly before the *Oregonian* article came out. They knew the FBI was conducting a former employee investigation. He said that professional staff was employed to manage these situations. When they couldn't handle it they went to the City Administrator. The City Administrator then would bring it forward to the Council.

Ms. Depner said they had first talked with the FBI in April. There was a lack of communication between April to July.

Mr. Adcock said the first time he knew anyone had been contacted by the FBI was in July.

Lieutenant Tro said the FBI did not report to the Chief of Police to tell them who they were talking to. They did not make this investigation common knowledge to even their police officers except the Detective Division. The FBI did not update them about the investigation.

Mr. Rick Reid thought Council should be more informed about personnel issues. He served on the Fire Board and they dealt with unions as well, but they were made aware of every single personnel issue.

Ms. Depner read a statement of purpose.

Mr. Reid said in November or December of last year he had been in contact with Jim Murphy of the Detective Division. Detective Murphy provided outstanding service, but Mr. Reid felt that the detective's efforts were being hindered by his immediate supervisor.

Councilor Blackwell asked Mr. Reid if he filed a complaint.

Mr. Reid said he had spoken to Chief Kroeplin about it and it felt like it was dropped.

Ms. Depner said her daughter witnessed men with guns outside their home in January of 2008. From that point forward they were diligent in watching things in the neighborhood. This incident was not reported.

Mr. Reid said the next incident was when they saw someone trying to break into the Depner's home.

Ms. Depner said they called the police and they did come. They told the officers three times he was trying to break into their house. The officers broke the drug paraphernalia they found on the suspect on the ground and they let the man go. She felt what the District Attorney's office received was an erroneous report because the officers didn't feel it was warranted for this guy to go to jail because there was no damage to her door. She had a bill of the repairs she had to have done on her door.

Mr. Depner said the police officers later transported the person to Salem where he committed more crimes. He was mentally unstable. It was disgraceful the way it was handled.

Mr. Adcock read an email he had sent to the Mayor regarding transporting Mr. Weston to Salem. It was a sanctioned practice to, on occasion, transport those individuals who were homeless without transportation or funds for transportation who would potentially be cause for future calls to the police as a nuisance potential, victim of a crime, etc. so long as the officer obtained supervisory approval. Officer Holstad had transported Mr. Weston to a church in Salem. No sergeant was on duty at the time, but he called Sergeant Cunningham on his day off and he approved the transport. Mr. Weston told the officer he had family at that location. They did not know that Mr. Weston was a person of interest in the Vine Meadows incident the previous evening.

Ron Gamble said they had been concerned about the livability in the neighborhood and on March 1, Sergeant Cunningham did an incredible job working with them establishing a neighborhood watch and contact list.

Ms. Depner said between March and April Sergeant Cunningham asked them to keep a log of cars coming in and out of the neighborhood, and they turned it in. One of the things they felt frustrated with was the fact they did what they were asked and there was no communication past that.

Mr. Reid said in April two police officers came to the neighborhood trying to make contact with one of the residents with their guns out and trying to see if someone was home.

Lori Scott said her son had not taken the bus in a year and a half. The bus stop was in front of Mr. Traverso's house. He would not walk in front of his house.

Ms. Depner said in May they had the second meeting with the FBI. They had been told by the FBI that everyone in Canby knew they were investigating the Canby Police Department. She had called the police department the day of the raid and the Police Department denied the raid. Lt. Tro said not everyone in the Police Department knew when raids were happening. It was

also procedure not to let the neighbors know when a raid was going to happen because it would take away the element of surprise. The raid occurred on July 30.

Mr. Gamble said on their second meeting with the FBI, there were two agents and it was a status update. The investigation was still underway and their focus was 100% with the steroid use of a Canby Police Officer. They also indicated at that time that most of the Canby Police Department investigations had been somewhat suspended and when they completed their investigation they still might be faced with the ongoing problem they had.

Mr. Reid requested a second neighborhood meeting from Chief Kroeplin to have Sergeant Cunningham address additional neighborhood issues. The Chief had said they could not have a second meeting.

Mr. Depner said on September 17 Chris Mead and another officer came to his place of employment and told him his neighborhood was the Chief's top priority and they wanted to be given any information he might have. He heard nothing further about it.

Sergeant Schoenfeld said they had the information Mr. Depner had given them and much more information. They were in the process of identifying all of the people entering the suspect's house. He did not personally make it a point to talk about an investigation so it wouldn't jeopardize the investigation.

Ms. Depner said they were asking for communication. They didn't know what was happening with the information they were giving or if it was falling upon deaf ears.

Lieutenant Tro said he talked with Mr. Reid often, and he had been told about nuisances in their area and concerns about Mr. Traverso's residence. He had never received a complaint regarding one of their officers. This was the first time he heard of these complaints besides the Weston incident. They investigated every written complaint they received.

Ms. Depner said there was a car break in that happened across the street from their house. Before the police came, Michael Johnson got in his car and left. There was a warrant out for his arrest. The police did handle this correctly.

Ms. Depner said on September 30, a call went to Canby Police Department to report Mr. Johnson was across the street, but nobody came.

Lieutenant Tro said they had no record of that call. He gave the background regarding Michael Johnson. If it wasn't a valid warrant, dispatch did not give the information to the local police officers. When they called the police, they got dispatch in Oregon City not the Canby Police Department.

Squire M. Bozorth asked what the current situation was today. Until the threat in the neighborhood went away, the residents were expecting exquisite service and communication because they were frightened.

Ms. Depner said on November 26, they were walking across the street and William Traverso was standing outside and he started swearing at them and was agitated. It took 17 minutes for an officer to respond.

Sergeant Green said he was on duty that night and they got the call from Dispatch at 8:42 p.m. and they responded at 8:48 p.m.

Mayor Thompson asked if they could find out the reason for the delay.

Mr. Gamble thanked them and thought it was a productive work session. They needed to establish accountability, credibility, and communication to all of these issues. They were concerned about the livability in Canby and that this wouldn't happen to any other neighborhood.

Councilor Carson said every one of these complaints came down to communication and the Council needed to work with staff to try to bring it to everyone's attention and make sure that they got feedback in the future. He apologized that Council didn't know the neighbors were feeling like this.

Councilor Helbling thanked Ms. Depner for her work. They wanted this community to be safe and understood their concerns. The Police were working hard and patrolling other neighborhoods. They had to make priority decisions and maintain a tactical advantage. They were not told everything that was going on as it could jeopardize a police officer's life.

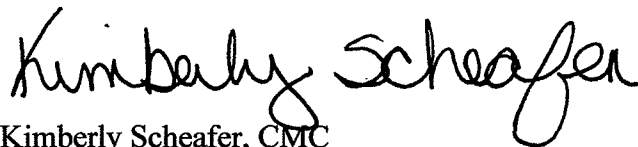
Councilor Daniels said Canby was not unique in having these problems. They needed to work together and put pressure on these people so they would leave.

Councilor Blackwell said they could be sure that this would not go unheard and unresolved.

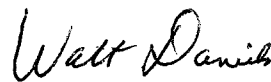
Mayor Thompson said the feedback was good because they had complaints and commendations. They heard some things they could improve on in terms of communication on all sides. She thought the neighborhood should continue to have meetings with the police to create strategies and options.

Lieutenant Tro said he thought they should have a neighborhood meeting with Sergeant Cunningham who was the assigned contact person for that area of the City to discuss what they could do. He assured them they were not ignoring the neighborhood and would continue to work with them to resolve this issue.

Mayor Thompson adjourned the Work Session at 8:50 p.m.



Kimberly Scheafer, CMC
City Recorder Pro-Tem



Walt Daniels
Council President

Assisted with Preparation of Minutes – Susan Wood