

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
September 20, 2006**

Presiding: Mayor Melody Thompson

Council Present: Roger Harris, Walt Daniels, Wayne Oliver, Teresa Blackwell, Randy Carson, and Tony Helbling.

Staff Present: John Kelley, City Attorney; Beth Saul, Library & Parks Director; John Williams, Community Development & Planning Director; Greg Kroeplin, Chief of Police; Jorge Tro, Police Lieutenant; Tony Feters, Police Detective; Chris Mead, Police Officer; Doug Kitzmiller, Police Sergeant; Don Hemstreet, Property & Evidence Technician; Darvin Tramel, WWTP Supervisor; and Valerie Kraxberger, Office Specialist.

Others Present: Ray Bartlett, Mindy Prater, Jim Prater, Julie Prater, Michelle Williams, Scott and Pat Gallant, Darrin Christiansen, Curtis and Lila Gottman, Lee Wiegand, and Richard and Florence Ball.

CALL TO ORDER: Mayor Thompson called the Regular Meeting to order at 7:32 p.m., followed by the opening ceremonies.

Chief's Citizen Award – Greg Kroeplin, Chief of Police recognized Michelle Williams for taking an active part in assisting a crime victim. Her efforts led to an arrest and allowed the victim to go home safely.

Employee of the Month Presentation – Chief Kroeplin presented Tony Feters, Police Detective, with an Employee of the Month Certificate for August.

COMMUNICATIONS: John Kelley discussed a letter sent to Willamette Broadband regarding a delinquency in their quarterly payment. They were going through a process of refinancing the company and asked for an additional 45 days before Council took any action. Mr. Helbling wanted language stating that they did not want this to continue to happen. Mr. Kelley said he told them that the next time they would take action. He would reiterate that again. Council consensus was to grant a 45 day extension.

Mr. Kelly also discussed receipt of \$28,216.67 from the estate of Vesta Mark. It was money intended for the Library.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: Lee Wiegand stated his appreciation for what the Council was doing and asked for Council's requests for prayer.

MAYOR'S BUSINESS: None.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Harris said there was a joint meeting with the Riverside Neighborhood Association and the Northeast Neighborhood Association tomorrow at 7 p.m. at the Willamette Commons. He thanked those in Molalla for

their involvement in protecting the river. Unfortunately, the measure was voted down, but he thanked their efforts. A URD work session was held a few days prior regarding building a new Police Station. It would be a combination of URD money and a bond. He also discussed the intersection on Township and Redwood near the new school, there appeared to be a need for a four-way stop. John Williams, Community Development & Planning Director said he would bring back more information on the issue.

Councilor Oliver said that the Park and Recreation Advisory Board met last night and would be coming to Council with recommendations in October.

Councilor Carson discussed the URD work sessions they had regarding downtown and the Industrial Park, how to get more land and more businesses in town.

Councilor Helbling said CBD was moving forward with their projects. He also met with the chair of the Planning Commission and they discussed how the Commission and CBD could work together in creating downtown design standards. He had written an article for the *Canby Herald*, which reflected their views on closing the pool should the levy fail.

CONSENT AGENDA: **Councilor Blackwell moved to approve Accounts Payable of \$403,737.96, Minutes of the September 5, 2006 City Council Work Session, and Minutes of the September 6, 2006 City Council Regular Meeting and Executive Session. Motion was seconded by Councilor Carson and passed 6-0.

PUBLIC HEARING: ZC 06-02 Canby Fire Department – Mayor Thompson opened the public hearing at 8:15 p.m.

****Councilor Harris moved to continue the Public Hearing for ZC 06-02 to October 4, 2006. Motion was seconded by Councilor Daniels and passed 6-0.**

RESOLUTIONS & ORDINANCES:

Resolution 935 – Ray Bartlett of Economic and Financial Analysis said the last time they updated the SDC was 2001. The projects they planned came in at cost and there were no major changes. The final SDC for 2006 was 1.59% higher at \$2,235. He discussed how they came up with the numbers and that they had planned for a 2.8 million gallon capacity, currently they served 2 million gallons.

****Councilor Blackwell moved to approve Resolution 935, A RESOLUTION AMENDING THE METHODOLOGIES FOR A SANITARY SEWER SYSTEM DEVELOPMENT CHARGE. Motion was seconded by Councilor Daniels.**

Councilor Harris wanted to make sure home builders were notified about this change and if they had any comments. Mr. Bartlett said this meeting was noticed 90 days ago and they received no comment.

Motion passed 6-0.

Ordinance 1221 – ****Councilor Carson moved to approve Ordinance 1221, AN ORDINANCE AUTHORIZING THE PURCHASE FROM WESTERN POWER & EQUIPMENT OF PORTLAND, OREGON FOR ONE (1) JOHN DEERE 6420 4 WD TRACTOR WITH A TIGER TBF-50RS BOOM FLAIL MOWER; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Blackwell and passed 6-0 by roll call vote.**

Ordinance 1222 – ****Councilor Harris moved to approve Ordinance 1222, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH AAI WEATHERIZATION, INC. OF OAKRIDGE, OREGON FOR RECOATING THE FOAM ROOF AT THE CANBY SWIM CENTER; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Daniels and passed 6-0 by roll call vote.**

Ordinance 1223 – Ms. Saul said the van would be purchased for no more than \$18,000 and over \$15,000 of the cost was supported by the sale of drug forfeited vehicles and old detective cars. The rest would come from the fleet reserve. Mr. Kelley said they were doing this differently because they were past the time when they could order vehicles and they were buying off the lot. They were authorizing the City Administrator to solicit the three written bids and not to exceed \$18,000 from three Ford dealerships once the Council approved the purchase of the vehicle.

****Councilor Daniels moved to approve Ordinance 1223, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT FOR THE PURCHASE OF ONE (1) 2006 FORD ECONOLINE E250 CARGO VAN FOR THE CANBY POLICE DEPARTMENT; AND DECLARING AN EMERGENCY to come up for second reading on October 4, 2006. Motion was seconded by Councilor Harris and passed 6-0 on first reading.**

NEW BUSINESS: Findings, Conclusion & Final Order on Remand MOD 05-07 & APP 05-01 Krishchenko – Mr. Kelley said the original decision in the Krishchenko vs. City of Canby case was remanded back to the City by LUBA on the basis that they had inadequate findings to support denial of the application. They did not need to open public record for further evidence, and he recommended adoption of the findings. The findings did not change the Council's decision to deny the application.

****Councilor Carson moved to adopt the Findings, Conclusions & Final Order on Remand MOD 05-07 and APP 05-01. Motion was seconded by Councilor Blackwell and passed 5-0, with Councilor Helbling abstaining.**

Defibrillator for Adult Center – Councilor Carson said he was asked by the Adult Center to request help with purchasing a defibrillator for the Center. The Fire Department would donate the other half of the funds.

****Councilor Carson moved to approve the expenditure of \$500.00 to contribute to the purchase of a defibrillator on the condition that the additional \$500.00 was contributed, with the money to come from contingency at the discretion of the City Administrator. Motion was seconded by Councilor Blackwell and passed 6-0.**

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: Mayor Thompson said regarding the street maintenance funding project, they had a change in consultants and they were creating a detailed pavement condition database. They should start working on it again in October.

CITIZEN INPUT: None.

ACTION REVIEW:

1. Agreed to give Willamette Broadband an additional 45 days for payment.
2. Received the Vesta Mark estate check and the Library Board would make recommendations for its use.
3. Asked Staff input for a four way stop at Township and Redwood.
4. Approved Resolution 935.
5. Approved Ordinance 1221 on second reading.
6. Approved Ordinance 1222 on second reading.
7. Approved Ordinance 1223 to come up for second reading on October 4, 2006.
8. Approved Findings, Conclusion & Final Order on Remand for MOD 05-07 & APP 05-01.
9. Approved \$500.00 donation for a defibrillator for the Adult Center.

There was no Executive Session.

Mayor Thompson adjourned the Regular Meeting at 8:41 p.m.



Kimberly Scheafer
City Recorder Pro Tem



Melody Thompson
Mayor

Assisted with Preparation of Minutes – Valerie Kraxberger & Susan Wood