

**CANBY CITY COUNCIL
JOINT WORKSHOP WITH BUDGET COMMITTEE
January 19, 2005**

Presiding: Mayor Melody Thompson

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

Staff Present: City Administrator Mark Adcock, Community Development & Planning Director John Williams, Finance & Court Services Director Chaunee Seifried, Public Works Supervisor Roy Hester, Office Specialist Suzan Duffy and City Recorder Pro Tem Kim Scheafer.

Others Present: Budget Committee Members Ron Berg and Sandra Field, and Cemetery Sexton Ken Robinson.

Mayor Thompson called the session to order at 6:30 p.m. A light dinner was served.

The Council met in a workshop session to discuss the cemetery fund. Community Development and Planning Director John Williams reviewed cemetery funding. Mr. Williams said that costs for operating the cemetery were currently being supplemented by the general fund. The contract for K R Maintenance was explained. Mr. Robinson's contract provided for 10% of sales above \$60,000 per year. Approximately two thirds of Mr. Robinson's time was spent maintaining the areas that were already built. One third of this time was spent with actual sales, and openings and closings.

The way the City currently charged fees for the cemetery was when one bought a plot of land, they paid for the perpetual care of the plot forever. Standard grave lots were sold the most. The total cost when purchasing a standard lot was \$550 which included \$100 for perpetual care. Fees for perpetual care were not enough to cover annual costs. Mr. Williams suggested looking at recovering the cost of service, or going beyond that and putting money away for perpetual care. Advertising costs and sales staff had not been addressed. He suggested other options might be to divide up and contract out services, privatize, or continue to subsidize from the general fund.

Mayor Thompson suggested the City consider the sale of the cemetery as a long term solution.

The Council directed staff to return with options for increasing cemetery rates, to provide Council with additional information on how many plots were left for marketing purposes, and move forward with an RFP for cemetery maintenance services. The Council agreed that the fee increases were the highest priority.

Mayor Thompson adjourned the session at 7:29 p.m.

**CANBY CITY COUNCIL
REGULAR SESSION
January 19, 2005**

Presiding: Mayor Melody Thompson

Council Present: Roger Harris, Walt Daniels, Georgia Newton, Wayne Oliver, Teresa Blackwell and Randy Carson

Staff Present: City Administrator Mark Adcock, City Attorney John Kelley, Community Development & Planning Director John Williams, Finance & Court Services Director Chaunce Seifried, Library & Parks Director Beth Saul, Police Chief Ken Pagano, Transit & General Services Director Margaret Yochem, Office Specialist Joyce Peters, and City Recorder Pro Tem Kim Scheafer.

Others Present: Greg Marshall, Brian Marshall, Scott Marshall, Jim Rennard, Roger Reif, Keith Galitz, Ron Berg, Bob Cavanaugh, Michelle Bighouse, and David Howell.

CALL TO ORDER: Mayor Thompson called the regular session to order at 7:36 p.m., followed by the opening ceremonies.

Employee of the Month – City Administrator Mark Adcock said that Urban Renewal Office Specialist Joyce Peters was chosen as the Employee of the Month for December.

MOM's Club Presentation to Parks Department – Michelle Bighouse presented a check for \$755 from cookbook sales to the Canby Parks Department. Councilor Oliver accepted the check on behalf of the Parks Department.

Proclamation - Barbershop Singing Week – Mayor Thompson presented Bob Cavanaugh with a proclamation proclaiming January 30 – February 5, 2005 as Barbershop Singing Week. Mr. Cavanaugh said this was their 39th year and they had sold almost all of the tickets for their concerts.

COMMUNICATIONS: None.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: None.

MAYOR'S BUSINESS: Mayor Thompson thanked the Canby Chamber of Commerce for hosting the State of the City Address on January 4. She thanked Chief Pagano and Lieutenant Kroeplin for sitting in on a conference call with the Chairman of SR Smith regarding concerns about theft. She met with the Mayor of Oregon City to discuss Urban Renewal projects and at a North Clackamas Chamber function she spoke with some legislators regarding potential projects. She also reminded the Council about the Clackamas Cities Dinner next week.

Mayor Thompson welcomed Councilor Blackwell who had accepted the position as Council President.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Harris said he had presented a list of items at the last Council meeting and he had gotten answers on one. He met with Chief Pagano and Lieutenant Kroeplin who talked about the changes in the Canby Police Department since he was last on the Council. They had made good use of the space and training available and achieving certification. It was very apparent that the Police Department needed new facilities.

Councilor Newton said that the Friends of the Library would be having a book sale this Friday. She encouraged anyone who didn't belong to join the Friends of the Library. Circulations were up and the volunteer hours continued to rise.

Councilor Oliver said the rededication of the Community Park happened earlier in the month and there were soon to be improvements to Maple Street Park.

Councilor Blackwell asked to receive an updated Council liaison list.

Councilor Carson said that both K-9 officers attended the Rotary meeting and gave a demonstration on their benefit to the community.

CONSENT AGENDA: **Councilor Blackwell moved to approve Accounts Payable of \$394,468.01; Minutes of the December 11, 2004 City Council Workshop; Minutes of the January 5, 2005 City Council Executive Session and Regular Meeting; Minutes of the January 5, 2005 Special Meeting; and Reappointment of Andrew Kahut to the Canby Utility Board for a term to expire February 29, 2008. Motion was seconded by Councilor Carson and passed 6-0.

RESOLUTIONS & ORDINANCES:

Ordinance 1167 – ****Councilor Daniels moved to approve Ordinance 1167, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH LANDSCAPE OREGON, INC, OF TUALATIN, OREGON FOR THE INSTALLATION OF IRRIGATION EQUIPMENT FOR THE MAPLE STREET PARK RENOVATION PROJECT; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Blackwell and passed 6-0 by roll call vote.**

Ordinance 1168 – Community Development and Planning Director John Williams said this came about from an application by Ed Netter to change a piece of property on S. Township Road to high density, but after the public hearing process he changed the plans for what would be better for the neighborhood. The Planning Commission thought they should change the rest of the south side of Township. They and the neighborhood felt it was no longer appropriate for high density zoning and should be changed to medium density. The current zoning was a mix of low, medium, or high and any of the low or medium could be upzoned to high. This amendment

would require that all of the properties be changed to medium density residential. It would only affect a few lots as most of it had been built out. There was one property outside the City limits that would be included as well. The Planning Commission recommended approval.

****Councilor Carson moved to approve Ordinance 1168, AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN AND CURRENT ZONING DESIGNATION FOR VARIOUS LOTS LOCATED ON THE SOUTH SIDE OF S. TOWNSHIP ROAD IN THE CITY OF CANBY FROM HIGH AND LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL to come up for second reading on February 2, 2005. Motion was seconded by Councilor Daniels.**

Councilor Harris asked if this was unanimous by the Planning Commission and if there had been any public opposition? Mr. Williams said that was correct.

Motion passed 6-0 on first reading.

Ordinance 1169 – City Attorney John Kelley said they had been in negotiations with Canby Telephone Association regarding a franchise agreement for a new cable television service over the existing phone lines since it used the City right of way. It was a 12 year non-exclusive franchise agreement.

Mr. Jim Rennard from Canby Telephone said three years ago they sold their cable television operations to Willamette Broadband. They were providing telephone and internet service and internet and cable service over different infrastructures until they learned they would be able to supply those services over both types of infrastructure. This franchise agreement would allow for a range of services in the City including digital television over the telephone lines. Canby Telephone Association would be providing additional financial support to OCTS and it would stem the decline of franchise fees. This put Canby on the leading edge of technology and helped with economic development. There was strong citizen support and it would bring competition.

Councilor Carson asked if it would be over the current phone lines and would all of Canby be set up for it? Mr. Rennard said yes and when they rolled it out, it would be available to almost everyone.

Mayor Thompson thanked them for helping fund OCTS.

****Councilor Daniels moved to approve Ordinance 1169, AN ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE TO CANBY TELEPHONE ASSOCIATION TO PROVIDE CABLE TELEVISION SERVICE WITHIN THE CITY OF CANBY to come up for second reading on February 2, 2005. Motion was seconded by Councilor Newton and passed 6-0 on first reading.**

NEW BUSINESS: Request to Remove the Pedestrian Pathway Connecting S. Township Rd. and SE 6th Place - Mr. Adcock said that the Planning Commission heard testimony in 2004 from area residents regarding this pathway and they made the recommendation to close the walkway because of crime. Mr. Williams passed around photos of the pathway. The Planning

Commission recommended to remove the pathway because it wasn't designed right and the property owners requested the City build a brick wall to close the area. The property owners would do the interior fencing. If approved, they would send a letter to the properties with easements saying they were not going to exercise their right for a pedestrian pathway. They did not want to vacate it because there were utility lines under it.

****Councilor Carson moved that the City of Canby cease to exercise its right to a pedestrian access easement between SE Township Road and SE 6th Place and direct City staff to prepare a letter to that effect for the benefit of adjacent property owners. Furthermore, the City of Canby shall construct a permanent section of wall to formally close the access way, with funds taken from the City's general fund contingency up to \$1,000.00. Motion was seconded by Councilor Harris.**

Councilor Oliver said it was too bad there was not a homeowners association to take care of the wall expense. He thought that once they removed the pathway it would eliminate the problem and he did not think they should pay for the wall. Councilor Daniels did not think the City should be obligated to pay for it, as there were other areas in town that had the same problem. Councilor Harris agreed the City was not obligated to pay for it.

Motion failed 5-1 with Councilor Carson voting in favor.

****Councilor Oliver moved that the City of Canby cease to exercise its right to a pedestrian access easement between SE Township Road and SE 6th Place and direct City staff to prepare a letter to that effect for the benefit of adjacent property owners. Motion was seconded by Councilor Daniels.**

Councilor Harris asked if the property owners were going to rip up the blacktop, and Mr. Williams said yes. Councilor Carson said they could build whatever kind of wall or fence they wanted. Councilor Blackwell said it was up to the property owners to take care of it.

Motion passed 6-0.

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: Presentation of City of Canby Customer Service Manual – Library & Parks Director Beth Saul said this was in response to one of the Council goals and a committee was created to raise awareness of customer service and how to do it in every department. They came up with best practices and general information which were put in the manual. They would also do training on the manual.

Ms. Saul said that the Park & Recreation Board decided to call the new park on 13th Street Legacy Park because they planned to develop the park through donations and dedicate them with plaques.

Mayor Thompson said that the County set aside money to do engineering work on the Arndt Road Project. Commissioner Schrader said they would wait on this and contact them after the meeting with the Urban Renewal and City budget committees.

CITIZEN INPUT: None.

ACTION REVIEW:

1. Approving the consent agenda.
2. Approving Ordinance 1167 on second reading.
3. Approving Ordinance 1168 to come up for second reading on February 2, 2005.
4. Approving Ordinance 1169 to come up for second reading on February 2, 2005.
5. Agreeing to cease exercising pedestrian access in walkway between Township and 6th Place.

****Councilor Blackwell moved to go into Executive Session pursuant to ORS 192.660(2)(e) real property. Motion was seconded by Councilor Carson and passed 6-0.**

Mayor Thompson recessed the regular session at 8:50 p.m.

Mayor Thompson reconvened the regular session and immediately adjourned at 9:20 p.m.

**CANBY CITY COUNCIL
EXECUTIVE SESSION
January 19, 2005**

Presiding: Mayor Melody Thompson

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

Staff Present: City Administrator Mark Adcock, City Attorney John Kelley, and Community Development & Planning Director John Williams.

Others Present: None.

Mayor Thompson called the Executive Session to order at 9:00 p.m.

ORS 192.660(2)(e) – The Council discussed a request from LDS to purchase a piece of property.

Mayor Thompson adjourned the Executive Session at 9:15 p.m.


Kimberly Scheafer
City Recorder Pro Tem


Melody Thompson
Mayor

Assisted in Preparation of Minutes – Valerie Kraxberger & Susan Wood



Office of the Mayor

Proclamation

"Barbershop Singing Week"

WHEREAS, the Canby-based Oregon Trail Pitchpiper Chorus is presenting their 39th Annual Barbershop Singing Show in Canby; and

WHEREAS, the Oregon Trail Pitchpiper Chorus will be performing in this great event at the Richard R. Brown Fine Arts Center and will be joined by other musical groups including "HMMMM", the "Peanut Butter Conspiracy", "Rescue" and the 2004 International Top 20 Barbershop Quartet - "Sold Out"; and

WHEREAS, this year's Annual Barbershop Singing Show will be held on February 5th, 2005 with two performances starting at 2:00 P.M. and 7:30 P.M. respectively; and

WHEREAS, the City of Canby, by virtue of this proclamation recognizes the wholesome entertainment and outstanding contribution to American music made by barbershop singers everywhere over the course of our nation's history.

NOW, THEREFORE, I, Melody Thompson, by virtue of the authority vested in me as the Mayor of the City of Canby, do hereby proclaim January 30th through February 5th, 2005 as

BARBERSHOP SINGING WEEK

In the City of Canby and urge all citizens to attend one of the two performances of the 29th Annual Barbershop Singing Show at the Richard R. Brown Fine Arts Center on February 5th, so that this form of musical entertainment and its rich heritage may be enjoyed by all.

Given unto my hand this 19th day of January, 2005 in the City of Canby, Oregon.

Melody Thompson
Mayor