

**CANBY CITY COUNCIL
REGULAR SESSION
May 19, 2004**

Mayor Melody Thompson presiding. Council members present: Walt Daniels, Georgia Newton, Wayne Oliver, Pat Johnson, Randy Carson, and Teresa Blackwell.

Also present: City Attorney John Kelley, Community Development and Planning Director John Williams, Transit & General Services Director Margaret Yochem, Library & Parks Director Beth Saul, Project Planner Matilda Deas, Public Works Supervisor Roy Hester, City Recorder Pro Tem Kim Scheafer, Irene Breshears, Ernie Graham, Bob & Sharon Root, Marlene Elmore, and David Howell.

Mayor Thompson called the regular session to order at 7:33 p.m., followed by the opening ceremonies.

PRESENTATION: Employee of the Month – Library and Parks Director Beth Saul presented Project Planner Matilda Deas an Employee of the Month certificate for April.

PROCLAMATION: World War II Veterans Recognition Day – Mayor Thompson presented Bob Root with a proclamation proclaiming May 29, 2004 as Word War II Veterans Recognition Day. Mr. Root said there would be a Candle Light Walk on May 28, 2004 from 8:00 – 8:30 p.m.

CITIZEN INPUT ON NON-AGENDA ITEMS: Marlene Elmore, resident of 1400 S Elm Street, was representing the Canby Police Bike Rodeo Committee. She said the rodeo was on Saturday and they had 142 participants. She wanted to thank the volunteers who came.

Irene Breshears, resident of 1000 NE 10th, thanked the Council for attending the Iwo Jima Flag Raising Ceremony on February 28th. She presented Council with an Iwo Jima dog tag and a postcard of the Vietnam Veterans Memorial. There would be memorials in town on Memorial Day.

Councilor Carson said they also needed to remember those who were currently serving in the military.

CONSENT AGENDA: ****Councilor Carson moved to approve the Minutes of the Regular Meeting and Executive Session of May 5, 2004 and Accounts Payable of \$318,126.04. Motion was seconded by Councilor Daniels and passed 6-0.**

COMMUNICATIONS: None.

NEW BUSINESS: None.

UNFINISHED BUSINESS: Findings, Conclusion and Final Order ZC 04-01 Netter –

****Councilor Carson moved to approve the Findings, Conclusion and Final Order for ZC 04-01 and direct staff to fill out the required information. Motion was seconded by Councilor Oliver and passed 5-1 with Councilor Blackwell opposed.**

Ordinance 1143 - ****Councilor Carson moved to approve Ordinance 1143, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON FOR TAX LOT 4500 OF TAX MAP 4-1E-4AA to come up for second reading on June 2, 2004. Motion was seconded by Councilor Johnson and passed 6-0 on first reading.**

RESOLUTIONS & ORDINANCES:

Resolution 858 - ****Councilor Daniels moved to adopt Resolution 858, A RESOLUTION ESTABLISHING NON-SALARY BENEFITS FOR MANAGEMENT LEVEL EMPLOYEES FOR THE CITY OF CANBY. Motion was seconded by Councilor Carson.**

Councilor Johnson thanked the Mayor for looking at City policies and getting them put in writing.

Motion passed 6-0.

Resolution 861 – Councilor Carson said this brought the stature of the Police Department up and improved the whole department. Mayor Thompson said it also helped with liability.

****Councilor Carson moved to adopt Resolution 861, A RESOLUTION ESTABLISHING THE RESPONSIBILITIES AND AUTHORITY OF THE CHIEF OF POLICE FOR THE CITY OF CANBY, OREGON. Motion was seconded by Councilor Blackwell.**

Councilor Daniels said the Chief would have an annual public review and evaluation of all department goals.

Motion passed 6-0.

Ordinance 1139 – Mayor Thompson asked why there were two ordinances to amend the same contract. Ms. Yochem explained it had to do with the insurance expiring and the contractor's insurance expiring on different dates.

****Councilor Daniels moved to approve Ordinance 1139, AN ORDINANCE AMENDING ARTICLES 15 AND 16 OF TRANSIT CONTRACT DATED JUNE 19, 2002, BETWEEN CITY OF CANBY, HEREINAFTER REFERRED TO AS "CITY" AND OREGON HOUSING AND ASSOCIATED SERVICES, INC. (OHAS), dba WHEELS COMMUNITY TRANSPORTATION, HEREINAFTER REFERRED TO AS "CONTRACTOR" REGARDING INSURANCE PROVISIONS BETWEEN THE PARTIES, AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Johnson and passed 6-0 by roll call vote.**

Ordinance 1140 - ****Councilor Blackwell moved to approve Ordinance 1140, AN ORDINANCE AMENDING ARTICLES 10, 12 & 13 OF TRANSIT CONTRACT DATED JUNE 19, 2002, BETWEEN CITY OF CANBY, HEREINAFTER REFERRED TO AS "CITY" AND OREGON HOUSING AND ASSOCIATED SERVICES, INC. (OHAS), dba WHEELS COMMUNITY TRANSPORTATION, HEREINAFTER REFERRED TO AS "CONTRACTOR" EXERCISING THE OPTION TO EXTEND CURRENT CONTRACT FOR ANOTHER TWO (2) YEAR TERM AND ESTABLISHING COMPENSATION THEREFORE. Motion was seconded by Councilor Carson and passed 6-0 by roll vote.**

Ordinance 1141 – Ms. Yochem said Tri Met had been gone since May 3 and their lift client roster was growing. When they set up the contract two years ago it was based on the service hours then, not now. They needed to enhance the services, and the Ordinance stated they could spend up to \$400,000, but they should only spend \$387,000. Another ride record had been broken the day before with 732 rides for the day. Councilor Carson asked for an update on what hours they picked up when Tri Met left. Ms. Yochem said there were 48 riders on the first day of the express routes and buses were running every 15 minutes between Canby and Oregon City.

****Councilor Blackwell moved to approve Ordinance 1141, AN ORDINANCE AMENDING ARTICLE 10 OF TRANSIT CONTRACT DATED JUNE 19, 2002, BETWEEN CITY OF CANBY, HEREINAFTER REFERRED TO AS "CITY" AND OREGON HOUSING AND ASSOCIATED SERVICES, INC. (OHAS), dba WHEELS COMMUNITY TRANSPORTATION, HEREINAFTER REFERRED TO AS "CONTRACTOR" REGARDING THE MAXIMUM OBLIGATION TO BE PAID TO CONTRACTOR, AND DECLARING AN EMERGENCY to come up for second reading on June 2, 2004. Motion was seconded by Councilor Johnson and passed 6-0 on first reading.**

Ordinance 1144 – Mr. Williams said this was a proposed contract with Blackline Inc. to seal coat Township Village. This would be done for under \$45,000. Public Works Supervisor Roy Hester said if the weather held, this project would start on Monday. Mr. Hester said they had money in the street maintenance fund and money from OTIA and they did not have to go out for bids because they were piggybacking with the City of Gresham. He read a list of streets that would be closed during the application.

****Councilor Carson moved to approve Ordinance 1144, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH BLACKLINE, INC., OF VANCOUVER, WASHINGTON FOR SEAL COATING OF APPROXIMATELY 45,607 SQUARE YARDS OF STREET ASPHALT WITHIN THE CITY OF CANBY; AND DECLARING AN EMERGENCY to come up for second reading on June 2, 2004. Motion was seconded by Councilor Johnson and passed 6-0 on first reading.**

Councilor Johnson asked Mr. Hester how much money they were short for the project? Mr. Hester said \$6,000. Mr. Williams said they would see if they could get it done in the next budget year. The City street system is more than 50 miles long. This amount of maintenance needs to be done every year.

Ordinance 1145 – Mr. Williams said the City currently had two 30 year old dump trucks that were undersized and falling apart. They proposed with the extra OTEA money and money left from this year to purchase a new 12 yard dump truck. They went out to bid, and got one response. Staff recommended to purchase it. The total cost would be \$92,317. When you have small trucks you are back and forth to the site all the time. If you could have one person doing to the truck driving and filling it less frequently, you would have much more efficient work on the site. They looked at purchasing a used vehicle, but there was not a great savings to do so. There was extra money for street maintenance for next year even after this purchase.

Councilor Daniels asked if they could use it for hauling asphalt, and staff said it could.

Councilor Newton said she was anticipating reactions that would be asked. She thought one of the things that might come up is since they weren't doing a lot of street maintenance, why should they purchase a dump truck. Mr. Williams said they contracted out the street maintenance, but the dump truck was used for such projects as 13th Avenue Park. Mr. Hester said the reason 13th Avenue Park was taking so long was that the two dump trucks he currently had were broken down at the same time. It would take 60 trips to pave it. The dump truck would free someone to work on other projects. Mayor Thompson asked how often they used the dump trucks. Mr. Hester said during the summer they used the dump trucks everyday.

****Councilor Daniels moved to approve Ordinance 1145, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH NORTHSIDE TRUCKS AND SCHLOTH TRUCKING FOR THE PURCHASE OF A TRUCK CAB, CHASSIS, AND TWELVE-YARD DUMP BODY; AND DECLARING AN EMERGENCY to come up for second reading on June 2, 2004. Motion was seconded by Councilor Newton and passed 6-0 on first reading.**

MANAGER'S REPORT: Library and Parks Director Beth Saul said the Wait Park restroom was complete and would be open for the Jazz Festival that weekend. It was a community built bathroom that was finished for \$55,000.

CITIZEN INPUT: None.

COUNCILOR'S ISSUES: Councilor Newton said Beth Saul was instrumental in getting things done. Swan Island Dahlias donated 300 tubers and those would be planted in the boxes around downtown. Last Saturday they did some clean up and she presented Ms. Saul with a new trowel. Councilor Blackwell said she was at the Tax Assessors Office in Oregon City planting bedding plants and Ms. Saul gave her some seeds. Councilor Newton thanked the businesses that were taking care of the planters.

Councilor Blackwell said she was at a Call Takers training session at C-Com and Canby's Citizen Emergency Response Team was there. The team had an open house on May 11. She was going to see what they could do to see that those citizens got some recognition and so that they could meet them.

Councilor Daniels said the Kiwanis Thrift Store addition was now completed.

ACTION REVIEW:

1. Approving the consent agenda.
2. Approving the Findings, Conclusion and Final Order for ZC 04-01.
3. Approving Ordinance 1143 to come up for second reading on June 2, 2004.
4. Approving Resolution 858.
5. Approving Resolution 861.
6. Approving Ordinance 1139 on second reading.
7. Approving Ordinance 1140 on second reading.
8. Approving Ordinance 1141 to come up for second reading on June 2, 2004.
9. Approving Ordinance 1144 to come up for second reading on June 2, 2004.
10. Approving Ordinance 1145 to come up for second reading on June 2, 2004.

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

Mayor Thompson read the executive session format and recessed the regular session at 8:29 p.m.

Mayor Thompson reconvened the regular session and immediately adjourned at 9:16 p.m.

CANBY CITY COUNCIL EXECUTIVE SESSION May 19, 2004

Present: Mayor Melody Thompson, Councilors Walt Daniels, Georgia Newton, Wayne Oliver, Patrick Johnson, Randy Carson, and Teresa Blackwell, City Attorney John Kelley, Library & Parks Director Beth Saul, Project Planner Matilda Deas and David Howell.

Mayor Thompson called the session to order at 8:35 p.m.

ORS 192.660(2)(e) – The Council discussed an offer to purchase City property.

Mayor Thompson adjourned the session at 9:15 p.m.

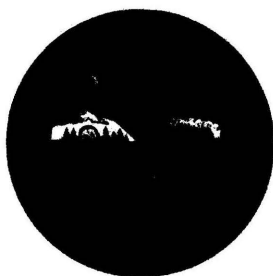


Kimberly Scheafer
City Recorder Pro Tem



Melody Thompson
Mayor

Assisted in Preparation of Minutes - Susan Wood



Office of the Mayor

Proclamation

“WW II Veterans Recognition Day”

WHEREAS, on December 7, 1941, the largest war of all time and the most defining event of the 20th Century began; and

WHEREAS, Americans, devoted to liberty and to this country courageously answered the nation's call to arms summarized by President Franklin D. Roosevelt by the words: “You bear with you the hope, confidence, the gratitude and the prayers of your family, your fellow-citizens and your President”; and

WHEREAS, we still believe today that the blessings of liberty require constant vigilance and sacrifice; and

WHEREAS, every man, woman, and child in this great Nation owes a debt of gratitude to those who served their country so selflessly in an event that reshaped the world; and

WHEREAS, these brave soldiers, sailors, airmen, Marines and Coast Guardsmen were the beloved sons and daughters of our land; and

WHEREAS, more than 400,000 Americans made the supreme sacrifice, laying down their lives so others could live free; And be it further

RESOLVED, that May 29, 2004, as the National World War II Memorial is dedicated in our nation's capital, I declare this day World War II Veterans Recognition Day in our community; and be it further

RESOLVED, that all citizens are asked to celebrate the contributions and sacrifices of these men and women who placed their lives in harms way protecting American values and preserving democracy for the world, and those who toiled in war-related jobs on the home front; and be it finally

RESOLVED, the observances of World War II Veterans Recognition Day appropriately commemorates the historical events and express gratitude to those who gave so much for their fellow citizens.

Given unto my hand this 19th day of May, 2004.

Melody Thompson
Mayor