

**CANBY CITY COUNCIL
REGULAR SESSION
FEBRUARY 4, 1998**

Mayor Scott Taylor presiding. Council members present: Roger Harris, Barry Lucas, Walter Daniels and Shirley Strong. Absent: Brad Gerber and Dennis Nolder.

Also present: Administrator Michael Jordan, Finance & Administrative Director Sarah Jo Chaplen, City Attorney John Kelley, Library & Recreation Director Beth Saul, City Treasurer Chaunee Seifried, City Recorder Marilyn Perkett, Police Chief Jerry Giger, Douglas Kitzmiller, Steve Floyd, Tony Feters, Ken Pagano, Alicy Clymans, Harry LeeKwai, Georgia Newton, Kathy Henderson, Heidi Henry, David Camps, Ray Hoen, Vicki Adamson, Curtis & Lila Gottman, Rick Mair, Dan Wilcox, Steve Amick, Randy Carson and others.

Mayor Taylor called the regular session to order at 7:30 p.m., followed by the opening ceremonies.

CITIZEN INPUT ON NON-AGENDA ITEMS: None presented.

CONSENT AGENDA: **Councilman Harris moved to adopt the consent agenda as presented:

Minutes of regular session January 21, 1998 and workshop session January 22, 1998; and

Accounts Payables in the amount of \$503,719.20;

Annual renewal of 21 liquor licenses in the City of Canby; and

Authorization for the Assembly of God Youth Group to use the railroad parking lot near Ivy Street for their annual fireworks stand.

Motion seconded by Councilwoman Strong and approved 4-0.

PUBLIC HEARINGS: ANN 97-06, Faist, Oregon Development - Mayor Taylor announced that this annexation hearing has been continued, by request of the applicant, and has been rescheduled for February 18, 1998.

ANN 97-10, Simnitt, Winterowd Planning - Mayor Taylor announced that this annexation has been rescheduled, by request of the applicant. ANN 97-10 is continued to the March 4, 1998 agenda.

COMMUNICATIONS: Letter from the Department of the Air Force- Administrator Jordan noted that the City had received a letter from the Air Force acknowledging the City's support in allowing Roy Hester, Public Works Supervisor, to participate in

mandatory military duty. Mr. Hester is scheduled to go to Turkey February 26 thru March 15. Mr. Jordan noted that this is a hostile area near the combat zone in Iraq and wanted the Council to be aware that a City employee would be in this situation.

NEW BUSINESS: None presented.

ORDINANCES & RESOLUTIONS: Ordinance 983 - Attorney Kelley stated that this ordinance was drafted after the public hearing on the proposed Economic Improvement District was held last meeting. The ordinance sets procedures for collection and assessments.

****Councilman Daniels moved that Ordinance No. 983, AN ORDINANCE CREATING AN ECONOMIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH ORS 223.112-223.132, MAKING ASSESSMENTS, AUTHORIZING THE COLLECTION OF SAID ASSESSMENTS, ASSESSING THE COTS THEREOF AGAINST THE IDENTIFIED AND BENEFITTED REAL PROPERTY, DIRECTING AN ENTRY OF SUCH ASSESSMENTS IN THE DOCKET OF CITY LIENS, CLASSIFYING ASSESSMENTS AS NOT SUBJECT TO CONSTITUTIONAL LIMITS AND PROVIDING FOR NOTICE OF CLASSIFICATION be posted and come up for final action on February 18, 1998. Motion seconded by Councilwoman Strong.**

DISCUSSION - Councilman Harris noted that during the last Council meeting there was a vote of 3-3 on the EID, and then a 6-0 vote for approval after a short recess. He stated that there was "no back-room deal" and, in fact, he had always been in favor of the EID concept, but during testimony and after receiving letters of remonstrance he had valid concerns about the EID. Mr. Harris said he was striving to have the concerns of the citizens addressed. Councilman Harris personally switched to a yes vote, and he felt the Council was supportive of the EID concept.

Councilwoman Strong reiterated what Mr. Harris said and noted that she had wanted some questions answered about the EID. She added that she felt Mr. Gerber felt the same way too.

****Ordinance 983 was approved 4-0, on the first reading.**

Ordinance No. 984 - Attorney Kelley explained that Ordinance 982 was being amended because Section 1, B, 6 states that "*if mandatory, that the assessment **will** be considered a tax under the Oregon Constitution, Article XI, Section 11(b).*" The proposed Ordinance 984 amends that language and changes the word **will** to the word **may**, because according to our bond counsel, there is an argument that an EID assessment is exempt from the Constitution Article XI because it is so similar to a LID.

****Councilman Daniels moved that Ordinance No 984, AN ORDINANCE AMENDING**

ORDINANCE 982 REGARDING PROCEDURES FOR THE CREATION OF AN ECONOMIC IMPROVEMENT DISTRICT, AND DECLARING AN EMERGENCY be posted and come up for final action on February 18, 1998. Motion seconded by Councilman Harris and approved 4-0.

PROCLAMATION : At this time, Mayor Taylor proclaimed the week of February 8-14, 1998 as National Future Business Leaders of America-Phi Beta Lambda in the City of Canby. Mayor Taylor reported that the FBLA competes nationally and places very high during the competitions.

UNFINISHED BUSINESS/REPORTS OR ANNOUNCEMENTS: Regional Park Design Process - Administrator Jordan reminded the Council that a discussion has been held regarding establishing a Regional Park at the end of NW Second, commonly called the Rinkes property, and the Blue Heron group has been working with the City in supporting this concept.

Beth Saul explained that she has been working on an RFP to obtain professional architect and engineering services in preparing a conceptual plan and construction specs for the Regional Park.

Ms. Saul introduced Rick Mair and Randy Carson of the Recreation Policy Advisory Board.

Randy Carson addressed the Council urging them to approve the RFP for the "honda pits-Rinkes" Regional Park. He said an RFP will identify specific needs for the multi-use facility.

****Councilman Lucas moved to proceed with the RFP process for a feasibility study for the Regional Park. Motion seconded by Councilman Daniels.**

DISCUSSION - Councilman Harris pointed out that many years ago, part of the site for the proposed park was a landfill dump and asked if this request was to do soil research on the site.

Administrator Jordan said the first priority for the park was to provide a skate park facility. He agreed that a portion of the site was a landfill and a geotechnical study will be made on that area.

Councilman Lucas noted that the City can't move forward until a study is done. Also, the City is not eligible for grants or assistance from the National Guard until a plan is in place.

Councilman Harris asked if the cost would be \$100,000. Ms. Saul it would be probably

half that amount, \$50,000.

****Councilman Lucas moved to amend his motion to add that the limit set on the RFP will be \$50,000. Approved by the second, Councilman Daniels.**

SDC funds will be used for the regional park project RFP and currently there is approximately \$325,000 in that fund.

****The regional park RFP was approved 4-0.**

POLICE OFFICER OATHS: Judge Jon Henrickson introduced three new police officers for the City of Canby and administered their oath of office. The officers were Tony Feters, Douglas Kitzmiller and Steve Floyd.

Chief Giger congratulated the new officers and noted that they were all excellent candidates for the City of Canby Police Department and will soon be attending the Police Academy.

MANAGER'S REPORT: Schedule- Mr. Jordan reminded the Council of the annual Chamber of Commerce Dinner, Saturday, February 7th and urged people to attend.

Wednesday, February 11th, 7:00 p.m., a workshop will be held in the Library with the budget committee to continue setting standards and goals.

Wednesday, February 18th, regular Council session.

Thursday, February 26th, 7:00 p.m. a budget committee meeting will be held in the Library regarding the supplemental budget.

Friday, February 20th a technical meeting regarding the Industrial Park Master Plan will be held and open house is tentatively set for early in March.

Personnel - Mr. Jordan announced that background checks are being completed prior to making an offer for the Planning Director position.

Background checks are being made for three office positions, one in community services and two in City Hall.

Mr. Jordan announced that Recorder Marilyn Perkett will retire after 19 years employment on February 27th. Sarah Jo Chaplen has resigned, effective February 20, and has taken a position with the City of Hillsboro.

COUNCILORS' ISSUES: Councilman Daniels noted that the Traffic Safety Committee

has requested that a workshop session be held regarding SW Second traffic issues.

Councilman Lucas said he was under the impression that there was to be a specific plan developed by the neighbors in that area prior to a workshop with the Council. Administrator Jordan suggested that a recommendation be made from the Traffic Safety Committee prior to meeting with the Council. Mayor Taylor asked staff to confirm the specifics for a workshop and what should be in place prior to setting a date.

Mayor Taylor asked that the Planning Commission be invited to a workshop on February 18th prior to the regular meeting to discuss relations.

Mayor Taylor asked if action was to be taken on painting the curbs yellow on S. Pine-Redwood along the bike lanes. Mr. Jordan said he needed to discuss this matter with Roy Hester prior to taking action.

Councilman Lucas said he attended the Neighboring Cities Forum hosed by the Mayor on January 27th and it was suggested that additional meetings will be scheduled. Mr. Lucas said that most of the other cities are experiencing the same growth concerns Canby is experiencing while trying to maintain a quality of life.

Mayor Taylor said the next meeting has been tentatively set for April 21st in Dundee.

- ACTION REVIEW:**
- 1.. Continued ANN 97-06 to February 18th and ANN 97-10 to March 4th.
 2. Post Ordinances 983 and 984 prior to final reading on February 18th.
 3. Research setting a workshop for the SW Second traffic concerns.
 4. Set 6:00 p.m. February 18th workshop with Planning Commission.
 5. Discuss painting of curbs on bike path on S. Pine and Redwood.

Administrator Jordan stated that a citizen, Betsy Ross, has been missing for over a week. Ms. Ross has been very active as a volunteer in the community. He read Ms. Ross's vital statistics and urged anyone that knows of her whereabouts to contact the City.

Mayor Taylor asked Mr. Jordan to schedule a computer system update for the next agenda.

****Councilman Daniels moved to go into Executive Session under ORS 192.660 (1)(d) regarding labor negotiations; (1)(e) to negotiate real property; and (1)(l) to**

evaluate the performance of a public officer or employee. Motion seconded by Councilman Harris and approved 4-0.

Mayor Taylor recessed the session at 8:30 p.m. to go into Executive Session. Mayor Taylor reconvened the Session at 10:56 p.m.

****Councilman Daniels moved to adopt the salary schedules and steps as proposed for Office Specialist I, II, and III and Finance Office Specialist I, II and III. Motion seconded by Councilman Harris and approved 4-0.**

****Councilman Harris moved to authorize the City Administrator take the next pay raise step in the structure for his position. Motion seconded by Councilman Daniels and approved 4-0.**

Mayor Taylor adjourned the session at 11:03 p.m.

**EXECUTIVE SESSION
FEBRUARY 4, 1998**

PRESENT: Mayor Taylor, Daniels, Lucas, Harris and Strong, and Mr. Jordan.

Mayor Taylor called the session to order at 8:45 p.m. in the CUB conference room.

ORS 192.660 (1)(l) - The Council reviewed the performance of the City Administrator.

ORS 192.660 (1)(d) - The Council reviewed the various positions and organizational chart for the City of Canby.

Mayor Taylor adjourned the session at 10:55 p.m.



Marilyn K. Perkett
City Recorder



Scott Taylor
Mayor

PROCLAMATION

WHEREAS, the City of Canby, Oregon, recognizes the importance of the youth of our nation; and

WHEREAS, the City of Canby, Oregon, recognizes that the continued vitality of the business structure of America is dependent upon the development of these young men and women; and

WHEREAS, Future Business Leaders of America - Phi Beta Lambda represents over 200,000 secondary, postsecondary and college students interested in preparing for careers in business and business education; and

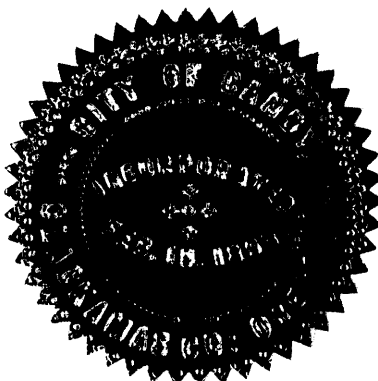
WHEREAS, FBLA-PBL provides the valuable service of developing leadership, encouraging cooperation, promoting good citizenship, teaching up-to-date business information and inspiring patriotism among its members.

NOW, THEREFORE, I, Scott Taylor, Mayor of the City of Canby, Oregon, do hereby designate the week of February 8-14, 1998 as

NATIONAL FBLA-PBL WEEK

and encourage the citizens of Canby to recognize the efforts of this organization which is working to prepare the future business leaders of American business.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Canby to be affixed this 4th day of February in the year of our Lord One Thousand Nine Hundred and Ninety-Eight.



Scott Taylor
Scott Taylor, Mayor