

**CANBY CITY COUNCIL
WORKSHOP SESSION
FEBRUARY 5, 1997**

PRESENT: Mayor Scott Taylor, Councilors Daniels, Harris, Nolder, Gerber, Strong and Lucas, Michael Jordan, Sarah Jo Chaplen, Virginia Biddle, Blaine Oswald, Dale Carter, Joe Haftorson, Ken Kuhns and Royce Hagelstein.

The workshop session was called to order at 6:00 pm in the Library Conference Room. A light dinner was served.

The purpose of the session was to review the annual City Audit for the 1995-96 year.

Mayor Taylor adjourned the session at 7:25 p.m.

**CANBY CITY COUNCIL
REGULAR SESSION
FEBRUARY 5, 1997**

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

Also present: Administrator Michael Jordan, City Attorney John Kelley, Assistant to Administrator Sarah Jo Chaplen, City Recorder Marilyn Perkett, Planning Director Jim Wheeler, Library and Parks Director Beth Saul, Police Chief Jerry Giger, Bob Kauffman, Jerry Barkman, Lance Lyon, Matt Malone, Jason Robertson, Alissa Hunter, Ken Kuhns, Royce Hagestein, Rebecca Gershow, Clint Chiavarini, Jun-chin Chen, Rick Maier, Heidi Henry, Lee Wiegand, Katsuna Wiegand and Paul Howard.

Mayor Taylor called the session to order at 7:30 p.m., followed by the flag salute and a moment of silence.

Roll call of the Council showed a quorum to be present.

MINUTES OF REGULAR SESSION: **Councilman Daniels moved to approve as distributed the minutes of regular session, January 15, 1997. Motion seconded by

Councilwoman Strong and approved 6-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: Heidi Henry, Manager for the Chamber Business Revitalization Project, introduced herself and briefly reviewed the proposed scope of the project. Ms. Henry said the first phase will be for acquisition and development of the Southern Pacific Parking Lot; second, there will be a vendor meeting on February 16 to promote the Farmers Market; and thirdly, she will visit with the business community and citizens to generate comments on beautification and funding sources.

Lee Wiegand, Pastor from the Baptist Church and School, introduced his daughter and noted that students from his school approach the Council annually to offer prayer for guidance, specifically with the addition of new Council members. Miss Wiegand passed out cards for the Council and staff to sign and write down any special requests.

COMMUNICATIONS: Audit Review - Ken Kuhns, introduced Royce Hagelstein from his firm and briefly reviewed the combined City of Canby/Canby Utility Board 1995-96 Audit Report.

Mr. Kuhn stated that City management has the responsibility to maintain accurate financial records for the City. He added that the City of Canby financial statement is "fairly presented" and is the best rating any entity can receive. Mr. Kuhn noted that there were a couple suggestions of concern that were pointed out to staff. Mr. Kuhn stated that there has been areas of improvement with the City financial statement, specifically since the City changed to the modified accrual accounting system. He pointed out that the City had complied with necessary rules regarding Federal grants.

Mayor Taylor explained that the Council and Budget Committee had an earlier workshop with the auditors to review the 95-96 audit.

Councilman Daniels commended staff, particularly City Treasurer Virginia Biddle, for outstanding work in maintaining the financial records.

Ken Kuhns agreed that Mrs. Biddle had done an excellent job in maintaining the records and said his firm looked forward to continuing to work with the City.

Mayor Taylor thanked Mr. Kuhns for his presentation.

Letter from Whiskey Hill Jazz Club - Administrator Jordan reviewed the request from the Whiskey Hill Jazz Club to use Wait Park for their annual festival on May 17, 1997, and for the appropriate street closures, as well as waiver of the reservation fee.

Mayor Taylor suggested that due to the reduction in the parks department, the City suggest that the organization recruit volunteers to clean up after the event and dispose

of any trash, in lieu of the usual rental fee.

****Councilman Daniels** moved to approve the request of the Whiskey Hill Jazz Club to use Wait Park on May 17, 1997, with closure of Grant and NE Fourth, to coordinate their activities with Beth Saul and to waive the fee if they commit to appropriate cleaning of the area. Motion seconded by Councilman Harris and approved 5-0.

Letter from Assembly of God Youth Pastor - Administrator Jordan explained that this was the third year the youth group from the Assembly of God Church had requested use of the parking lot for their fireworks booth as a fund raising project. Mr. Jordan pointed out that there have been no problems in the past regarding this request, and the R & S Marketing Services pays the City \$200 for use of the area.

Councilman Harris asked if this would interfere with the Chamber's Farmers Market Project. Mr. Jordan explained that the Farmers Market will be held at the other end of the parking lot near Elm Street.

****Councilman Harris** moved to approve the request of the Assembly of God Church for the use of the parking lot near N. Ivy Street for their fireworks booth. Motion seconded by Councilwoman Strong and approved 5-0.

NEW BUSINESS: Accounts Payable - ****Councilman Harris** moved to approve payment of accounts payable in the amount of \$146,147.96. Motion seconded by Councilwoman Strong and approved by roll call vote, 5-0.

Personal Services Agreement - Parks Master Plan - Administrator Jordan reminded the Council that the Parks Master Plan was implemented in 1991 and it needs updating so the SDC methodology can be updated.

Mr. Jordan said that the Community Planning Workshop, a group from the University of Oregon, met and discussed the matter prior to submitting a proposal to hold citizen meetings; update the Parks Master Plan document; and update the methodology for the Parks SDC fees. Mr. Jordan added that due to the number of meetings the group had planned the proposed budget for their services increased from \$12,972 to \$13,420.

Clint Chiavarini introduced the members present from the Community Planning Workshop group.

Mayor Taylor asked if the survey and information prepared by the Blue Heron group and information prepared by the visioning process could be used as a base. He questioned the need to hold the proposed public meetings.

Councilman Lucas stated that the Blue Heron group worked 5 to 6 years and completed several surveys, as well as evaluating the parks system. He noted that when the Blue

Heron group realized that the City Visioning group was doing some of the same research and documentation, they decided to join forces and work together.

Matt Malone informed the Council that part of their service included public meetings and surveys, however, if the necessary information was included in what has already been accomplished, they could use that information in their scope of work.

Councilman Lucas explained that the Blue Heron group hired a survey firm and utilized County staff. He said the surveys were very professional.

Councilman Harris asked if there was a time frame for completion of this project. Mr. Jordan replied that the Community Planning Workshop staff members were students and the time frame needed to coincide with the school year, which is near the end of June.

Councilman Harris also expressed concern that what is decided on the parks system now, could be a dream of the future if Measure 47 requires financial cuts. He asked if there is a requirement to do this now.

Administrator Jordan explained that there is no requirement, however, the SDC's for the park system needs to have the methodology updated, and to do this the Parks Master Plan must also be updated. He added that numerous changes have been made in the parks since 1991 when the plan was first implemented. Both the Eco Park and the South Locust Street Park have been created and this would make a difference in the methodology of the 60/40 split, whereby the City is obligated for the 60% match in improvements.

Councilman Gerber stated that the City was obligated to both the citizens and to developers who have provided SDC funds. He felt the proposal by the Community Workshop group was a reasonable fee for their scope of work.

Councilwoman Strong asked if the budget committee could choose not to fund the Park SDC's. Mr. Jordan said that could happen.

Councilman Harris expressed concern about being redundant in collecting information that the Blue Heron Committee had done, as well as the message it sent to the Blue Heron group.

Mr. Jordan asked if the Council would agree to authorize him to sign a contract so they can begin their work, and return to the next meeting with an amended contract.

Matt Malone said his group would be willing to review the Blue Heron documentation and revise their contract if necessary.

****Councilman Gerber moved to authorize staff to negotiate a contract with the Community Planning Workshop to update the Parks Master Plan and SDC methodology. Motion seconded by Councilman Harris and approved 4-1, with Councilwoman Strong voting nay.**

Mayor Taylor asked the Council for a brief recess at 8:33 p.m., reconvening at 8:38 p.m.

Intergovernmental Agreement -ADA Project - Administrator Jordan reminded the Council that the City had received a Community Development Block Grant for the ADA Project in the amount of \$45,000. The funds were to pay for installation of handicapped curb cuts in the downtown core area; provide handicapped accessible glass doors at City Hall, Council Chambers, Police Department, Community Services and Swim Center; and provide handicapped accessible door knobs in various areas throughout City facilities..

****Councilman Daniels moved to authorize the Mayor to sign an Intergovernmental Agreement between Clackamas County and the City of Canby for Community Block Grant Funds for the Americans with Disability Act (ADA) improvements in the city for the amount of \$45,000. Motion seconded by Councilman Harris and approved 5-0.**

Mayor Taylor made an adjustment in the agenda to accommodate visitors in the audience.

Resolution No. 633 - Jerry Barkman, Director of HOPE Village, addressed the Council requesting support for their endeavors with the Oregon Housing and Community Service Department to receive tax credits for low-income housing. He pointed out that there is a need in the community for the low income housing, and this development would supply 50 units.

****Councilman Harris moved to adopt Resolution No. 633, A RESOLUTION TO SUPPORT H.O.P.E. VILLAGE LOW INCOME ELDERLY APARTMENT DEVELOPMENT. Motion seconded by Councilman Daniels and approved 5-0.**

Councilman Gerber commented that this is a wonderful project, and thanked them for their efforts in this development.

Annual Liquor License Renewals - Administrator Jordan stated that all liquor licenses, including package, which is for sales only; and service, for consumption on the site, are renewable each year with a recommendation from the governing body.

****Councilman Gerber moved to authorize approval to the O.L.C.C. for the liquor licenses as listed on the January 16, 1997 memo. Motion seconded by Councilman Harris.**

DISCUSSION - Councilman Harris asked about the Texaco Station license, which was recently approved, and was informed it was a name and owner change from Lan's Country Landmark.

Councilwoman Strong asked if Quarters Diner near the high school had experienced any problems. Chief Giger reported that there have been no problems with Quarters Diner or any of the applications.

****The motion for approval of the liquor licenses passed, 5-0.**

ORDINANCES & RESOLUTIONS: Ordinance No. 964 - Administrator Jordan reminded the Council that this ordinance was drafted for the purchase of a sludge truck for the sewer plant.

****Councilman Harris moved to approve Ordinance No. 964, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH NORTHSIDE FORD TRUCK SALES, INC. FOR THE LEASE/PURCHASE OF A NEW 66,000 GVW CAB AND CHASSIS WITH DROP AXLE; AND DECLARING AN EMERGENCY. Motion seconded by Councilwoman Strong and approved by roll call vote, 5-0.**

UNFINISHED BUSINESS: Findings on Appeal of SUB 96-02, Maple Street - This item was canceled.

Proposed Indigent Fee Schedule - Mr. Wheeler presented two proposed schedules for indigent fee reduction in land use applications. One was a short schedule which did not provide a reduction for fees \$100 or less or for activities related to businesses; and a second option which included all applications at the level of 50%. Mr. Wheeler also noted that a resolution would be prepared for adoption of the fees.

****Councilman Daniels moved to adopt the short list of land use fees for indigent applications as presented on page 72 of the January 28, 1997 memo. Motion seconded by Councilman Harris and approved 5-0.**

Hardship Mobile Home Permit - Jim Wheeler informed the Council that a request has been made to waive the \$100 Special Permit application fee for a mobile home that will be in place longer than seven days.

Mayor Taylor suggested that the applicant pay \$50 now, and the remaining \$50 within six months.

****Councilman Gerber moved to authorize David Neurieth to pay \$50 at this time for a Special Permit application for a mobile home hardship fee, and the balance to be paid within six months. Motion seconded by Councilman Lucas and approved 5-0.**

MANAGERS' REPORT: Industrial Park - Mr. Jordan reported that a meeting has been scheduled for March 3, 1997, at 7:00 p.m., to discuss phases two and three of the Industrial Park. He noted that a detailed plan for the area needs to be considered.

A meeting has also been scheduled for February 18th, inviting property owners of the Industrial Park. Councilman Lucas suggested that abutting property owners be invited to this session.

COUNCILORS' ISSUES: Councilman Gerber thanked the Planning staff for their efforts in preparing the reduced fee schedule, noting they have a great deal of activity in their office at this time.

Councilman Lucas noted that Officer Brian Howarth has arranged a meeting on February 25th, 7:00 p.m., at the Canby Adult Center for a community-wide Focus Group on Community Policing.

Mayor Taylor reported that the traffic signal for 13th and Ivy has a proposed completion date of July 3, 1997.

The Mayor invited interested citizens to contact City Hall if they were able to host a "neighborhood meeting" for City staff and elected officials to come into their home and discuss Measure 47 implications.

Beth Saul reminded everyone of the County-wide Library Levy election in March that will need 50% of the registered voters to cast a ballot. She noted that the City of Canby relies heavily on those funds.

Mayor Taylor reminded the Council that the Parks Department has been operating with only a part time employee. The two full time employees, Jack Martin and Jerry Stanbery are no longer with the City. The Mayor asked the Council if they wished to extend full time employment to the current part time person, or wait until Measure 47 matters are debated.

A verbal poll of the Council was to hire the current part time person as a full time employee at this time.

Jim Wheeler passed out a staff report and audio tapes for an appeal that will be on the next Council agenda.

- ACTION REVIEW:**
1. Negotiate with the Whiskey Hill Jazz Club for use of Wait Park.
 2. Forward Blue Heron documentation to the Community Planning Workshop Group for their review.

3. Proceed with Intergovernmental Agreement for ADA Project.
4. Approve Resolution 633, Supporting HOPE Village Low-Income Housing Application.
5. Forward recommendation to OLCC for City-wide liquor license renewals.
6. Approve sludge truck purchase for sewer plant.
7. Approve Special Permit fee of \$50 with the Additional \$50 balance to be paid in 6 months.
8. Prepare resolution for indigent land use fee schedule
9. Forward approval for use of the Southern Pacific Parking Lot to the Youth Group of the Assembly of God Church.

Mayor Taylor reported that a Council liaison was needed for the General Canby Day Committee.

**Councilwoman Strong nominated Councilman Nolder, seconded by Councilman Gerber and approved 5-0.

Mayor Taylor recessed the regular session at 9:25 p.m. to go into Executive Session. The regular meeting was reconvened at 9:51 p.m.

Sarah Jo Chaplen informed the Council of a communication with a citizen regarding feral cats at the Community Park. Ms. Chaplen reported that the citizen has been caring for the cats with the aid of a cage and will be on Channel 5 News Tuesday, February 11th to discuss the issue and request citizens to adopt the cats.

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

EXECUTIVE SESSION FEBRUARY 5, 1997

PRESENT: Mayor Taylor, Councilors Gerber, Harris, Daniels, Strong and Lucas, Mr. Jordan, Ms. Chaplen and John Kelley.

Mayor Taylor called the session to order at 9:35 p.m.

ORS 192.660 (1)(h) - The Council discussed the following litigation cases:

Rinkes vs. City of Canby
Bruce Broetji vs. City of Canby
North Maple Street Development
Meza vs. City of Canby

General Canby Day horse case.

Mayor Taylor adjourned the session at 9:50 p.m.

A handwritten signature in cursive script, reading "Marilyn K. Perkett". The signature is written in black ink on a light background.

Marilyn K. Perkett
City Recorder

A handwritten signature in cursive script, reading "Scott Taylor". The signature is written in black ink on a light background.

Scott Taylor,
Mayor