

REGULAR MEETING
MARCH 5, 1997

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

Also present: Finance & Administration Director Sarah Jo Chaplen, City Attorney John Kelley, Library and Parks & Recreation Director Beth Saul, City Recorder Marilyn Perkett, Police Chief Jerry Giger, Susan Payne, Curtis & Lila Gottman, Clint Chiavarini, Roy Hester and Bernard Levy.

Mayor Taylor called the regular 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 THE PREVIOUS SESSION: **Councilman Daniels moved to approve as distributed the minutes of regular session February 19, 1997. Motion seconded by Councilman Harris and approved 5-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: Susan Payne, 469 S.W. 4th Avenue, addressed the Council regarding the condition of housing in her neighborhood. Ms. Payne encouraged the Council to consider adopting a "Uniform Housing Code." to protect the property values of homes.

Ms. Payne informed the Council that the area neighbors are "scared" because of the gang activity in their neighborhood. She presented samples of contaminates that her teenage son collected in her yard. Ms. Payne stated that an attorney she consulted told her to move, and she has lived in Canby since the 6th grade and wanted to stay in this community.

Mayor Taylor explained that the City is hosting Community Policing Meetings to discuss these type of issues. He added that the City needed to obtain a copy of a Uniform Housing Code and review it.

Mayor Taylor asked that Code Enforcement Office Floyd, Police Chief Giger and Ms. Chaplen research the matter and return to the next meeting with an update on the issue.

Attorney Kelley suggested that the neighbors also unite in their approach to the activities. Ms. Payne explained that most of them are scared; or say they have been battling this issue for 20 years and don't want to become involved.

Mayor Taylor suggested that the Police Department could prioritize this issue and park in front of the site for periods of time to view activity at the site.

Bernard Levy, addressed the Council regarding his concern about possible closure or an extreme reduction of hours at the Public Library if the County-wide Library levy fails. Mr. Levy stated that only 3% of the City budget supports the library; he noted that only Mayor Taylor has been vocal in supporting the library in various meetings; and he implied that the Council members, who are in leadership roles in the City, have shown no support of the library levy. Mr. Levy stated that he had not seen Councilors at the library and questioned their interest in the facility. Mr. Levy reminded the Council that 50% of the registered voters must cast a ballot, due to Measure 47.

Mayor Taylor replied that as the spokesman for the governing body he usually speaks out for such issues, however, he assured Mr. Levy that the entire Council supports the Public Library and specifically this levy.

Councilman Gerber said he appreciated Mr. Levy's concern and enthusiasm for the library, but he "whole heartily" supported the library and the current levy; and he encouraged citizens to be sure and cast their votes.

Council Lucas concurred with Mr. Gerber and said the entire Council supported the library. He noted that he had personally spoke with several citizens and has often visited the library.

Councilman Daniels stated that presentations have been made at civic organization meetings and each Council person has their own "niche" where they have expressed their support.

Councilman Harris stated that perhaps Mr. Levy did not move in the same circles as he did, since he had annoyed many of his friends regarding his support of the library. He added that he is very supportive of the library, and not to assume that Councilors were not talking about it.

Mr. Levy interjected that he knew Mr. Harris was supportive, and noted his role of liaison to the library.

Councilman Nolder said he was disappointed in Mr. Lev's allegations of non-support by the Council of the library. He added that in his four years on the Council, the library has always been highly supported by the governing body.

Mr. Levy replied that as a citizen, all he had to rely on to indicate Council support was the local newspaper and local access TV, of which he had not seen any support. He added that the library serves a society need in this community and encouraged support.

Mayor Taylor stated that if a comparison were made of communities in the County regarding City financial support to each local library, Canby was on an equal basis, and in some cases provided more financial support than some jurisdictions. He added that the City budget committee will be making some very difficult decisions in the near future regarding financial support for various City services and organizations.

COMMUNICATIONS: Thank You Letter from Bob Root - Mayor Taylor reviewed a letter from Bob Root, N. Maple, who expressed appreciation for actions by Roy Hester, Public Works Supervisor. Mr. Root said he called Mr. Hester after hours to remove the carcass of a dead dog from N. Maple at a school bus site. Mr. Hester immediately removed it that evening.

Letter from Canby Business Revitalization Group - Mayor Taylor reviewed a letter from Heidi Henry, CBR, who requested use of the east end of the First Avenue parking lot for a Growers Market which will begin Saturday May 10th and continue each Saturday through the end of October. The event will be from 7:30 am to 1:30 pm each Saturday. Ms. Henry said the Chamber group would provide liability insurance, public restrooms and clean-up.

****Councilman Daniels moved to approve the request of the Canby Business Revitalization group to hold a Growers Market from May 10th through the end of October, blocking off a portion of the east end of the First Avenue Parking Lot; and to coordinate their activities with the Public Works and Police Departments. Motion seconded by Councilman Harris.**

DISCUSSION - Mayor Taylor asked that the Chamber set a specific zone or a definition of the specific area and number of vendors. Mayor Taylor said the far east end is less busy, easier for customers to move around and less traffic.

Councilman Daniels pointed out that the end nearest to City Hall is used for long term parking.

Mayor Taylor stated that the far end of the parking lot, near Elm Street would be more desirable for the City.

Councilman Harris requested that they coordinate the location with City Administration.

****The motion to authorize the Farmers Market was approved 5-0.**

NEW BUSINESS: Accounts Payable - **Councilman Harris moved to approve payment of accounts payable in the amount of \$341,146.86. Motion seconded by Councilman Nolder.

DISCUSSION - Councilman Harris pointed out that \$240,000 was payment for water bonds.

**The accounts payable was approved by roll call vote, 5-0.

Liquor License Application-Space Age Station/Mini Mart - **Councilman Gerber moved to forward a recommendation to the O.L.C.C. for approval of a Package Store Liquor License for the Mini Mart located at 891 SE First Avenue. Motion seconded by Councilman Harris.

DISCUSSION - Councilman Harris pointed out that this same location, under a previous ownership, had a similar liquor license in the past. Also, the application was reviewed by Chief Giger and approved..

**The motion to recommend approval to the OLCC for the liquor license was approved 5-0.

ORDINANCES & RESOLUTIONS: Ordinance No. 965 - Clint Chiavarini informed the Council that he had met with a group of interested citizens who wanted to create an advisory committee to the Council regarding bicycle and pedestrian pathways for the City. He said their organizational meeting was February 12th, and eight citizens attended. Mr. Chiavarini said he had three applications for the committee and expected more.

**Councilman Harris moved that Ordinance No. 965, AN ORDINANCE ESTABLISHING A BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE, DETERMINING THE RESPONSIBILITIES OF THE COMMITTEE AND ITS AUTHORITY; AND DECLARING AN EMERGENCY be posted and come up for final action on March 19, 1997. Motion seconded by Councilman Nolder.

DISCUSSION - Councilman Daniels suggested that this group coordinate and communicate with the Traffic Safety Committee in their endeavors.

Mayor Taylor said he visualized this committee as an actual sub-committee of the Traffic Safety Committee. He asked if committee members would have any residency requirements; and noted that there is some philosophy that only city residents and tax payers should be on City advisory committees.

Lila Gottman reminded the Council that this committee will advise on how to best spend state funds generated from gas taxes which are dedicated to bike and pedestrian pathway projects. Mrs. Gottman agreed that the Traffic Safety Committee and the proposed Bike/Pedestrian Committee should work closely together. She added that a Traffic Safety Committee member should be a liaison to all of the Bike/Ped meetings as a non-voting member.

Councilors Nolder and Harris agreed that residents both in and out of the City limits could contribute to the proposed committee.

Ms. Chaplen pointed out that grants may become available.

****Ordinance No. 965 was approved on first reading, 5-0.**

Ordinance No. 966 - Sarah Jo Chaplen informed the Council that the City Hi-Ranger vehicle is in need of a manufacture rebuild, which should be done on a five year schedule. She reported that there is only one company in the area that does this work, which makes it a single source service and exempts it from the bidding process. The projected cost will be \$23,470 and possibly more, depending what is found during the servicing.

Ms. Chaplen noted that the Canby Utility Board has offered a proposal regarding use of their hi-ranger unit. They suggested a CUB contract for street light maintenance; they would provide the service for community events of installing banners at no cost to the City, with the assistance of one City crew member; and they suggested the City research contracting with a private entity for tree trimming as CUB does. Ms. Chaplen noted that the City does use the hi-ranger for emergency situations, specifically, when trees are down.

Mayor Taylor asked Roy Hester to respond to the proposal from CUB, and he was asked if the City every contracted the hi-range for private use. Mr. Hester said the City trims tree in the City right-of-way in a more ornamental fashion then CUB does for electrical purposes; we did remove a tree that was on a home during the December 95 storm; street lights are replaced once a week, about 200 per year; the City does not offer to contract privately due to the Private Industry concerns; and he expressed a time frame concern asking CUB to do either street lights or place banners.

Councilman Nolder asked if the 5 year check was a safety measure. Mr. Hester said it is required by the state. Also, there is one company in the Portland area and one in Eugene, which he expressed a concern due to possible travel time in case of warranty issues.

Councilman Gerber asked if the unit would be resaleable. Mr. Hester said it would still need the repair work done, or it would only bring a "scrape metal" price.

Ms. Chaplen explained that the cost would be shared by the Parks and Street department, however, it would deplete the reserve account in the Parks department.

Councilman Daniels asked the condition of the vehicle, other than the lift mechanism. Mr. Hester said it was in good condition and had low mileage.

****Councilman Nolder moved that Ordinance No. 966, AN ORDINANCE AUTHORIZING THE MANUFACTURES'S REBUILD OF THE HI-RANGER UTILITY VEHICLE BY PACIFIC UTILITY; AND DECLARING AN EMERGENCY be posted and come up for final action on March 19, 1997. Motion seconded by Councilman Harris.**

DISCUSSION - Mayor Taylor said he would be more comfortable if there were at least two bids, and suggested obtaining a bid from the Eugene agency.

Councilman Gerber said the cost concerned him and suggested a research for additional maintenance agencies for a cost comparison.

**** Ordinance 966 was approved on first reading, 4-1, with Councilman Gerber voting in opposition and declaring he was interested in a second bid.**

UNFINISHED BUSINESS: Findings, Appeal INT 96-01, Pahlish Duncan Homes -

****Councilman Gerber moved to adopt the Findings, Conclusion and Final Order for Appeal of INT 96-01, Pahlish Duncan Homes. Motion seconded Councilman Harris and approved 5-0.**

13th & Ivy Traffic Signal Update - Roy Hester reported that the bids were opened on February 28th, six bids were received, the low bid was awarded on March 3, 1997. Mr. Hester said the bids ranged from \$397,583 to the low bid from Parker Northwest Paving of \$310,977.05. The ordinance will be submitted at the next Council meeting.

Mayor Taylor asked what the engineering estimates were for the project. Mr. Hester said from \$250,000 to \$300,000. Mr. Hester said \$150,000 will come from the street budget line item set aside for this project, and the remaining funds from the Transportation SDC's.

Councilman Daniels asked about the engineering expenses. Mr. Hester reported that the engineering cost was \$40,000.

Mr. Hester informed the Council there would be an additional fee paid to the Canby Utility Board of \$30,900 for removal of a power pole and underground wiring.

The project will be started on April 3, and the projected completion date is July 3, 1997.

Mayor Taylor noted that the entire cost of the street light project is approximately \$380,000.

Surface Transportation Project - Mr. Hester reported that he had applied and been awarded a federal grant of \$52,000 for a project on N.W. 9th between N. Holly and N. Ivy. The project will include sidewalks on both sides of the street, curbs, a new sewer main and laterals to four homes that are currently not on the sewer, storm sewer improvements and paving.

Mr. Hester was commended for his endeavors in locating, applying and receiving grant funds for City projects.

MANAGER'S REPORT: Sarah Jo Chaplen reported on the following issues:

- the Columbia Basin Swim League will hold a championship meet on March 8 & 9 and will bring approximately 1,000 visitors into the City. RV parking has been approved for overnight parking in the pool parking area. The Pool also thanked SR Smith Company for refurbishing six starting blocks for this event.
- the Police Department recently held a fingerprint clinic for children with over 200 attending, another one is planned for the near future.
- the Chamber and Traffic Safety Committee will be working together regarding the downtown parking concerns.
- Jim Wheeler has requested to schedule workshop sessions for March 19 and April 2 regarding the Highway 99 Access Management Plan

Mayor Taylor commented that future workshops need to be considered with the Planning Commission, School Board and CUB.

COUNCILORS' ISSUES: Roger Harris commented that public safety, and specifically gang activity in the community appears to be an issue. He suggested this become an agenda item with proposals or concrete suggestions on how to better control this activity.

Councilman Daniels commented that Brian Howarth, Canby Police Department, held a Community Policing meeting on February 25th at the Adult Center and no citizens attended. He stated that citizens need to become involved in this issue.

Chief Giger said at least two hours needs to be dedicated to this topic and suggested a televised workshop.

Councilman Lucas said it was alarming that citizens, such as the lady who appeared early in the meeting, were afraid in their own homes. Chief Giger said these problems become a dilemma. Often the perpetrators comply with the law to meet the legal limits which keep them from prosecution. Chief Giger pointed out that during the construction of a house, the Uniform Building Code is followed. However, once a house is occupied usually the City is "stuck."

Mayor Taylor suggested the police pursue various types of surveillance, including parking for a period of time in front the subject house.

Chief Giger added that the Police Department is trying to address the gang activity in its "beginning" stages before it escalates to the type seen on the national news. Chief Giger said he would prepare a workshop on this matter for late April.

Chief Giger was recently on the news as a member of the Board of Directors for the Oregon Special Olympics. He has participated in the Law Enforcement Torch Run for 10 years.

Councilman Daniels commented that minutes from the Adult Center PAB were handed out and it was nice to review minutes of various committee meetings.

Several Council members echoed their support of the Canby Public Library and urged citizens to vote on the County-wide Library. Ballots can be turned into the Canby Public Library.

Memory - At this time, Mayor Taylor informed the Council that a member of our community who has donated countless hours in a highly energetic and positive manner has suffered the recent loss of her husband and daughter. He stated that our prayers and positive thoughts are with Donna Jean McManamon.

- ACTION REVIEW:**
1. Chief Giger and Steve Floyd will review possible solutions for problems on S.W. 4th Avenue, including housing code.
 2. Work with Chamber for specific area to hold Farmers Market.
 3. Obtain additional quote for hi-ranger rebuild.
 4. Post Ordinance No. 965 and 966, prior to second reading on March 19, 1997
 5. Forward approved Findings for Appeal INT 96-01 to applicant.

6. Schedule March 16th and April 2nd workshops for Highway 99 E Access Management Plan
7. Forward recommendation of approval to OLCC for the Mini Mart at 891 N.E. First liquor license.

Mayor Taylor adjourned the meeting at 9:39 p.m.



Marilyn K. Perkett
City Recorder



Scott Taylor
Mayor