

CANBY CITY COUNCIL
REGULAR MEETING
MAY 15, 1996

Mayor Scott Taylor presiding. Council members present: Dennis Nolder, Roger Harris, Terry Prince, Cheryl Stark, Shirley Strong and Walt Daniels.

Also present: Administrator Michael Jordan, Assistant to Administrator Sarah Jo Chaplen, City Attorney John Kelley, City Recorder Marilyn Perkett, Police Chief Jerry Giger, Library Director Beth Saul, Rick Maier and Scott Gustafson.

Mayor Taylor called the meeting 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 PREVIOUS SESSION: **Councilman Prince moved to approve as distributed the minutes of regular session May 1, 1996. Motion seconded by Councilman Harris and approved 6-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: None presented.

COMMUNICATIONS: Mayor Taylor read a letter from Scott Gustafson, Read-Bentz Insurance, commending Sarah Jo Chaplen for her risk management duties regarding the recent flood matters.

NEW BUSINESS: Accounts Payable - **Councilman Daniels moved to pay accounts payable in the amount of \$126,100.84. Motion seconded by Councilwoman Strong.

DISCUSSION - Administrator Jordan explained that line item number 45198 of a \$7500 payment to OEDD, should have been for \$2500. It was the City's share of a three way split for consultant hired to retain Johnson Controls as a business in Canby about a year ago.

**The accounts were approved by roll call vote, 6-0.

911 Intergovernmental Agreement - Chief Giger explained that one of the agreements was to close out an account and disperse funds from a trust that Clackamas County has held since 1982 for 911 money. He added that the second agreement is for "Computer Aided Dispatch" (CAD) equipment which will make the City equipment compatible with the Clackamas County equipment, giving each other backup capabilities.

Mayor Taylor asked Mr. Jordan if he still wanted to delay this process. Mr. Jordan replied that he did not believe the PSAP's would be consolidated in the near future and therefore the CAD equipment would be a good investment and advantageous to the Police Department.

****Councilwoman Stark moved to authorize the Mayor and City Recorder to enter into an Intergovernmental Agreement with Clackamas County to close out the 911 Trust Account. Motion seconded by Councilman Prince.**

DISCUSSION - Councilman Prince asked if the City will received 36% of the proposed \$334,000, and if the returned funds will be applied to 911 budget. Mr. Giger stated that the City would received cash funds of \$103,000. Mr. Jordan stated that the City has, in the past, used general funds for some 911 purposes and would seek a legal opinion regarding what the revenue can be used for.

Councilman Prince said he would like to see a complete study of the 911 needs and cost comparisons for the future.

****The motion was approved 6-0.**

****Councilman Harris moved to authorize the Mayor and City Recorder to enter into an Intergovernmental Agreement with Clackamas County for Computer Aided Dispatch equipment. Motion seconded by Councilman Nolder.**

DISCUSSION - Councilman Prince pointed out that page 11 states that the workstations will have 8 megs of RAM, and he felt 16 megs was the state of the art. Mr. Giger said he checked on that matter and found that 16 megs would be in the workstations.

****The motion was approved 6-0.**

Mayor Taylor asked Mr. Giger about the T-shirt he was wearing. Chief Giger explained that he had run in the Special Olympics Torch Run today. He stated that Oregon Law Enforcement groups had raised \$300,000 the last ten years for the Special Olympics in Oregon.

Planning Commission Appointment - ****Councilman Prince moved to appoint Vern Keller to complete the Planning Commission term of Carlin Jackson, which will expire in December, 1997. Motion seconded by Councilman Harris.**

DISCUSSION - Councilman Nolder pointed out that Mr. Keller had been a valuable member of the City Budget Committee for the past three years.

****The motion was approved 6-0.**

ORDINANCES & RESOLUTIONS: Ordinance No. 945 - Curt McLeod explained that the City opened bids on May 1, 1996, for the construction of a 30 inch storm drainage improvement project on N.W. 3rd and Baker Street. Mr. McLeod noted that the construction for this project will be very deep and he is comfortable with the low bid from 4 Rivers Construction.

****Councilman Daniels moved that Ordinance No. 945, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH 4 RIVERS CONSTRUCTION FOR STORM DRAINAGE IMPROVEMENTS TO NW 3RD AVENUE; AND DECLARING AN EMERGENCY be posted and come up for final action on June 5, 1996. Motion seconded by Councilman Prince.**

DISCUSSION - Councilman Harris asked when the construction would take place and how long it would take. Mr. McLeod said the contractor would like to do it June 8 and 9, and will keep one lane of traffic open on the street. Mr. McLeod added that the soil is very sandy and they anticipate loosing the curb due to "sloughing," the contractors plans to get in and out in a quick manner.

Mayor Taylor asked why the storm line was being put in the street. Mr. McLeod said it was due to the limited property owned by the City.

Councilwoman Strong asked where the funding would come from. Mr. Jordan explained it would come from the sewer and street reserves.

Councilman Prince reiterated that he didn't want to see the streets closed or the citizens inconvenienced.

****Ordinance 945 was approved on first reading, 6-0.**

Resolution No. 609 - Ms. Chaplen explained that the City currently has all of its insurance coverage through the City/County Insurance Services on staggered three year contracts. The proposed resolution is for property insurance for an additional three years.

Administrator Jordan informed the Council that the City had received a refund today from CIS for \$21,000.

****Councilman Prince moved to adopt Resolution No. 609, A RESOLUTION REGARDING MEMBERSHIP IN CITY/COUNTY INSURANCE SERVICES TRUST PROPERTY SELF-INSURANCE POOL. Motion seconded by Councilwoman Strong.**

DISCUSSION - Councilman Nolder stated that he would abstain on this matter since he has a financial interest in the insurance coverage.

****Resolution No. 609 was approved 5-0.**

Resolution No. 910 - Administrator Jordan explained that this is an annual requirement during the budgeting process to verify that the City is eligible to receive revenues from cigarette, gas and liquor taxes.

****Councilman Harris moved to adopt Resolution No. 610, A RESOLUTION VERIFYING THAT THE CITY OF CANBY HAS MET THE REQUIREMENTS TO RECEIVE REVENUES FROM CIGARETTE, GAS AND LIQUOR TAXES. Motion seconded by Councilman Prince.**

DISCUSSION - Administrator Jordan commented that the City receives approximately \$150,000 annually in cigarette and liquor taxes; and another half million dollars from gas taxes.

Councilman Prince commented that the City also provides water services.

****The resolution was approved 6-0.**

Resolution No. 611 - Administrator Jordan reminded the Council that they had approved the annexation application for Mark & Karen Callahan, located at 1478 N. Locust, after a public hearing on May 1, 1996.

****Councilman Harris moved to adopt Resolution No. 611, A RESOLUTION RECOMMENDING TO THE PORTLAND METROPOLITAN AREA LOCAL GOVERNMENT BOUNDARY COMMISSION APPROVAL OF THE ANNEXATION TO THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON, OF TAX LOT 1101 OF TAX MAP 3-1E-28DC, LOCATED ON THE EAST SIDE OF N. LOCUST STREET, NORTH OF N.E. 14TH AVENUE (1478 N. LOCUST STREET). Motion seconded by Councilman Daniels.**

DISCUSSION - Councilman Daniels asked about the dedication referred to in the recommendation of the staff report. Mr. Wheeler replied that this was an error, for both of the annexations to be considered tonight.

****Resolution No. 611 was approved 6-0.**

Resolution No. 612 -Administrator Jordan explained that this annexation of 38.11 acres, applicant of Paulisch Duncan Homes, was approved at the May 1, 1996 public hearing.

****Councilwoman Stark moved to adopt Resolution No. 612, A RESOLUTION RECOMMENDING TO THE PORTLAND METROPOLITAN AREA LOCAL GOVERNMENT BOUNDARY COMMISSION APPROVAL OF THE ANNEXATION TO**

THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON, OF TAX LO 2200 OF TAX MAP 4-1E-3, LOCATED ON THE SOUTH SIDE OF S.E. 13TH AVENUE, EAST OF S. IVY STREET AND EST OF S. REDWOOD STREET. Motion seconded by Councilman Nolder.

DISCUSSION - Councilman Harris noted that this was a significant amount of property that was being annexed, however, it did meet all the necessary requirements.

Councilman Prince stated that a traffic signal would be installed at 13th and Ivy this year, prior to development of the subject property.

Mayor Taylor pointed out that both Resolution 611 and 612, had an error of the date of the public hearing. The error was noted for correction.

****Resolution 612 was approved 6-0.**

UNFINISHED BUSINESS: Canby by Design, Education Task Force - Ms. Chaplen introduced Rick Maier a member of the education summit that recently completed their benchmarks for the education portion of the Canby by Design Project.

Mr. Maier stated that their group held a final meeting on April 10th, and the following considerations were made:

- *are the benchmarks consistent with the goals
- *do revised goals generate new benchmarks
- *does specific language trigger ways to collect data

Councilman Harris stated that he appreciated all the work done by the Education Task Force, however, he expressed concern about gathering the data. Mr. Maier said the group felt that most of the data could be obtained from schools or police records. Chief Giger stated that the Police Department would be willing to aid the task force in data collection. Mr. Jordan added that counties are collecting data regarding alcohol and tobacco use among youth.

Councilman Harris commented that the Portland Police Department used names when working in gang related matters and had to destroy those records. He said they were now following a new method of handling the gang issues and suggested that Canby follow whatever method is necessary to comply likewise.

Councilwoman Stark asked if all children would be considered in the goals process. Mr. Maier stated that the goals are for 100% student involvement.

Councilman Nolder asked if this Education Task Force conclusion will be presented to the school board. Ms. Chaplen said she assumed it would. Mr. Maier added that the two entities should work together.

Councilwoman Strong asked why the adult center was cited as an area of use. Mr. Maier said it was easy place to collect data and the facility could be marketed for use.

Councilman Daniels suggested the Council give some type of endorsement for the document.

Councilwoman Stark asked if the committee had considered the dollar cost attached to the document. Mr. Maier said considering the cost was one thing the task force decided not to do, since it limits creativity in setting goals and benchmarks. He added that the task force tried to consider what was "reasonable" in collecting data.

Mayor Taylor suggested there is some expertise around the state to draw upon in the process, however, he noted that the process "drives itself."

Councilman Daniels suggested that the committee use the same format as other agencies in collecting data, which makes the process easier.

****Councilman Daniels moved that the City Council support the Education Task Force document and encourage the school district to review and accept the benchmarks. Motion seconded by Councilman Prince and approved 6-0.**

Growth Management Task Force - Councilman Prince asked the Council to review the document submitted by the "Growth Management II Group" and be prepared to review it at the next Council meeting.

Ms. Chaplen said she would review both group one and group two recommendations for a comparison for the next Council session.

Councilman Prince pointed out that the Canby by Design task force documents may change as the process continues.

MANAGER'S REPORT: S. Ivy & 13th Signal - Mr. Jordan reported that in September, the S. Ivy and 13th signal will be installed using City Transportation SDC funds. He noted that during this process left turn lanes for widening will be done and an additional 8 feet of current property is needed. He added that the needed property is City right-of-way, however, once the process starts, the City will no doubt be hearing from property owners about the process.

County Transportation Policy - Mr. Jordan noted that the County Transportation Policy is to be considered for adoption and the maintenance of County roads inside City limits is a major concern of most cities. He added that a group of policy level decision makers will get together to discuss the County Transportation plan.

L.O.C. Regional Meetings - Administrator Jordan reminded the Council that numerous

meetings regarding several issues have been scheduled throughout the state by the LOC, if anyone wishes to attend one please let the business office know.

Clackamas County Charter Committee - Three public hearings have been scheduled for the proposed new County Charter, May 30th, Milwaukie; June 6th at West Linn; and June 13 in Molalla.

High Speed Rail - Administrator Jordan handed out a copy of a FAX that was received today regarding the future of high speed rail in the Willamette Valley. He added that the Oregon Business Coalition for High Speed Rail is seeking a pledge for 5 years of allocations of money from the Transportation Equity Fund from rural jurisdictions. Canby's portion would be approximately \$31,000 starting in 1999, for the first five years of a projected ten years of receiving the funds. Administrator Jordan said the urgency of this issues is because Senator Hatfield will soon be leaving office at the end of this year, and Senator Hatfield may be the best person to secure matching federal funds for this issue. He added that if everything falls into place, the federal match requested could be 31 million dollars. Mr. Jordan asked if the Council wanted to hear from someone on the coalition regarding this matter.

Councilman Prince expressed concern regarding the impact of high speed rail to our community. He requested more information on the ramifications to Canby.

Councilman Harris asked what the advantage would be to Canby.

Administrator Jordan said he had no answer for Mr. Harris or Mr. Prince.

The general consensus from the Council was to request that someone from the coalition address the Council regarding the issue at the next meeting.

COUNCILORS' ISSUES: Councilman Nolder asked how the DEQ Test Station was doing. Administrator Jordan reported that they still are doing about 80 cars on their one day, Saturday.

Councilman Prince said he had talked to Commissioner Lindquist regarding the proposed County Transportation Plan and noted that they will be meeting Wednesday, May 22nd at 7:30 a.m. at the Cottage Kitchen.

Councilwoman Strong requested a workshop session be held by the City Council on May 22nd, regarding some budget committee decisions and management salary decisions. The workshop was set for 7:00 p.m. in the Council chambers.

Councilman Daniels again thanked the budget committee for their many hours of work and noted that the Public Hearing on the proposed budget will be June 19th.

Mayor Taylor thanked the students from the Baptist Church who had sent cards to the governing body with the times and dates they had prayed for each of them.

The Mayor also informed the Council that he recently submitted the name of Canby Kids for the Oregon Governor's Council on Physical Fitness and Sports Fitness Leadership Award Mayor's Certificate Category. Canby Kids will be awarded this honor at a luncheon on May 21st.

Administrator Jordan informed the Council that the June 10th joint meeting between the Council and school board will be rescheduled.

ACTION REVIEW : 1. Clackamas County Cities meeting will be in Oregon City on May 23.

2. Implement the 911 Trust and CAD equipment installation with the Intergovernmental Agreements with Clackamas County.

3. Inform Vern Keller of his appointment to the Planning Commission and thank Carlin Jackson for his service.

4. Post Ordinance No. 945, for second reading on June 5th.

5. By Resolution 609, approve 3 year CIS Property Insurance Coverage.

6. By Resolution 610, verify requirements to receive cigarette , liquor and gas taxes.

7. By Resolutions 611 & 612, send recommendation of annexation approval to PMBC for Callahan and Tofte properties.

8. Prepare information on Growth Management for the next session.

9. Set workshop on Wednesday, May 22nd regarding budget.

****Councilman Prince moved to go into Executive Session under ORS 192.660 (1)(h), regarding pending litigation. Motion seconded by Councilman Harris, approved 6-0.**

Mayor Taylor recessed the regular session at 9:30 p.m. to go into Executive Session. The regular session was reconvened at 9:56 p.m. and immediately adjourned.

EXECUTIVE SESSION

May 15, 1996

Present: Mayor Taylor, Councilors Prince, Harris, Nolder, Stark, Strong and Daniels, Mr. Jordan, Ms. Chaplen, Mr. Kelley and Mr. Wheeler.

Mayor Taylor called the session to order at 9:40 p.m.

ORS 192.660 (1)(h) - The Council discussed a possible litigation regarding Bruce

Broetje and one regarding the Johnson's on Baker Drive.

Mayor Taylor adjourned the session at 9:55 p.m.



Marilyn K. Perkett
City Recorder



Scott Taylor
Mayor