

CANBY CITY COUNCIL  
REGULAR MEETING  
JULY 3, 1996

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

Also present: Assistant to the Administrator Sarah Jo Chaplen, Curt McLeod, Jack Martin, Representative Jerry Grisham, Beth Saul and Jerry Giger.

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

**ROLL CALL:** All members were present, representing a quorum.

**MINUTES OF PREVIOUS SESSION:** \*\*Councilman Prince moved to approve the minutes of the regular session, June 19, 1996 as distributed. Motion seconded by Councilman Harris and approved 6-0.

**CITIZEN INPUT ON NON-AGENDA ITEMS:** Representative Jerry Grisham - Mr. Grisham stated that he was present to update the Council on issues from Salem, and to answer any questions.

Mr. Grisham said one focus at this time was "welfare reform" and noted that Oregon often leads the nation with innovative programs in the welfare field. He added that \$7 million dollars has been forwarded by the Federal government to enhance the welfare work programs. Mr. Grisham said that Canby has 80-85 families on one of the welfare work programs.

Mr. Grisham stated that there may be a special session on education.

Mr. Grisham said the "vote by mail" issue was passed by the legislature and vetoed by the Governor, he urged comments from everyone on this matter. He reminded the Council of the low voter turn out at the last election.

Councilman Nolder said many people he communicated with were at ease with the mail-in vote, or used the absentee vote.

Mr. Grisham asked if all elections should be mail-in.

Councilman Nolder asked if there had been any negative reports regarding the mail-in votes.

Mr. Grisham said he didn't think so, even though an east coast newspaper referred to fraud in the system. He added that many constituents question the ease of the mail-in vote, verses the historical and tradition of going to the polls.

Councilman Harris praised the convenience of the mail-in vote, and said he would like to see all ballots be mail-in.

Councilwoman Stark agreed with the convenience with the mail-in ballot, specifically in Oregon's climates.

Councilman Daniels said he felt it should be all mail-in ballots to defer confusion on whether it is mail-in or poll vote.

Councilman Prince agreed with convenience aspect of voting by mail. He did express favorable concerns about voting at the poll because of the social aspect.

Mr. Grisham said he suspected that the future would dictate a complete mail-in vote.

Councilman Daniels asked if postage paid envelopes had been considered.

Mr. Grisham said pre-paid postage has been debated in the legislature, however, he did not think that it would happen in the near future.

DRUGS - Mr. Grisham said he noticed that Canby, and specifically Molalla, have made advances in the drug war with the youth, He said keeping drugs from the youth solves many other problems.

HIGHWAY 99 - Mr. Grisham stated that highway 99E from Redwood to South End Road is very dangerous. He said several weeks ago he received a petition with 560 signatures from Ackerman students regarding this dangerous area. Mr. Grisham said that an important part of safety is "education" and a September program has been suggested for the schools.

Chief Giger said the sharing of resources for education will be initiated, as well as a saturation of patrol.

Councilman Prince said the flashing light at Redwood and the left turn lanes have been helpful. He added that a signal at Territorial and Highway 99E is desirable.

Mr. Grisham reiterated that speed, especially coming out of the curves and off of the

hill is a problem and everyone needs to take individual responsibility in safe driving habits.

Councilman Nolder thanked Representative Grisham for his efforts in helping to obtain the signal at the fairgrounds exit.

Councilman Harris commented that a citizens group had actually campaigned to obtain a turn out lane between Redwood and Shooters. He added that it is possible for citizens to encourage increased safety.

Councilman Daniels agreed that speed appears to be the problem and education needs to be not only with youth but adults.

Councilman Prince asked if Mr. Grisham would be interested in pursuing the accelerated annexation process.

Mr. Grisham said his term expires in December, however he would be active on this matter.

Office Fillis addressed the Council and informed them of a jeep that has been added to the department fleet. He added that Canby is involved in Community Policing and he will be involved in this as the Traffic Officer, as well as traffic enforcement, DUI enforcement and teaching. Mr. Fillis said the jeep is equipped with a video and has additional equipment area. Officer Fillis is a member with the Clackamas County Crash Team and said it responds to one fatality a week on the highways, and speed is a problem.

Councilman Nolder asked how Officer Fillis will respond in major accidents. Officer Fillis said the high visibility of the jeep will be used for traffic control during an accident.

Councilman Harris asked how Officer Fillis' schedule would be affected with him being the one person trained with the crash team. Mr. Fillis said he would be on a flexible schedule.

Councilman Harris asked about response in Canby for major accidents. Officer Fillis said there are 10-15 accidents per month, none which are serious, and he would respond as available.

Councilman Harris commented that hopefully records will be kept regarding the new proposed flexible schedule.

Office Fillis said he will be training others in the department utilizing the training he will

receive.

Councilman Harris stated that Clackamas County has a very skilled accident reconstruction program.

Office Fillis added that a Clackamas County speed reader board will be used in Canby on a schedule along with other county communities. He added that radar guns that can be loaned to citizens who think they have a traffic problem in their area.

ECO-SYSTEM - Jack Martin, Parks Department, first commented that he has noticed that a reader board has made a big difference on Third when it was recently used. He added that the Police Jeep appears to be a valuable vehicle for the City.

Mr. Martin said that 70% of the eco-park project is complete and the firm that is clearing the trees are a good group to work with. He noted that a fence around the eco-park will be built with some of the timber. This project will start the first of August. Revenue from the timber sales was more than expected.

Parks - The pond expansion will resume in two weeks and the pond will be restocked with fish when it is filled.

The road into Community Park was damaged by the flood and that project will soon be submitted.

Mr. Martin said picnic tables will be put in Willow Creek, off of Territorial near Redwood, which is a woodlands area with wildlife.

Mayor Taylor said he has been through the eco-park several times and is impressed with the project. He added that he is very impressed with the work the extremely limited parks crew accomplishes. Mr. Martin said the part time staff has added some major skills needed in the parks department. He added that the crew has worked hard getting Wait Park ready for General Canby Day and hopes to see everyone there.

**COMMUNICATIONS:** Request from Ace Wehus - Ms. Chaplen reviewed the request from Mr. Wehus for a block party on July 28th in front of his home at 1024 S. Elm Court. Also, Brian Hearth will be present at that event,

**\*\*Councilman Daniels moved to approve the request from Ace Wehus to hold a Block Party at 1024 S. Elm Court on July 28th from 2:30 to 5:30 pm and to coordinate the event with the Police and Public Works Departments. Seconded by Councilwoman Stark.**

**DISCUSSION** - Councilman Harris questioned the staff alternative and was informed

the choice to deny was only a choice.

Chief Giger noted that only part of the street will be closed due to the configuration of the street,

**\*\*The motion to approve the Wehus Block Party was 6-0, for approval.**

**NEW BUSINESS:** Accounts Payable - Councilman Daniels noted that he was in City Hall Friday to review the year end accounts.

**\*\*Councilman Daniels moved to approve the final accounts payable for the fiscal year 1995-96, in the amount of \$207,148.25. Motion seconded by Councilwoman Strong and approved by roll call vote, 6-0.**

**ORDINANCES & RESOLUTIONS:** Ordinance 946 - **\*\*Councilman Harris moved to adopt Ordinance No. 946, AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUE FOR 1996-97 FISCAL YEAR. Motion seconded by Councilwoman Stark and approved 6-0, by roll call vote.**

Ordinance No. 947 - **\*\*Councilman Harris moved to adopt Ordinance No. 947, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH MILLER & SONS GENERAL CONTRACTORS FOR SANITARY SEWER CONSTRUCTION ON TOWNSHIP ROAD; AND DECLARING AN EMERGENCY. Motion seconded by Councilwoman Strong and approved by roll call vote, 6-0.**

Ordinance No. 948 - Curt McLeod informed the Council that Roy Hester had been working with Clackamas County to secure a block grant to improve N. Cedar and complete the last block of S. Fir. Mr. McLeod displayed some drawings that showed the parameter of the project.

**\*\*Councilman Prince moved that Ordinance No. 948, AN ORDINANCE AUTHORIZING THE CITY OF CANBY TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH CLACKAMAS COUNTY DEPARTMENT OF HUMAN RESOURCES, COMMUNITY DEVELOPMENT DIVISION FOR STREET IMPROVEMENTS ON NORTH CEDAR AND SOUTH FIR STREETS; AND DECLARING AN EMERGENCY be posted and come up for final action on July 17, 1996. Motion seconded by Councilman Harris.**

**DISCUSSION** - Councilman Harris requested that the sketch be displayed again so he could review it thoroughly. He questioned whether a short section of N. Cedar would be a part of the project. Mr. McLeod said some right-of-way problems have occurred and there is discussion of continuing N. Cedar through to First Avenue. Councilman

Harris commented that this would take pressure off of N.W. Second if Cedar were to be completed through to First.

Mayor Taylor asked about the truck traffic in that area. Mr. McLeod replied that they have considered gaining additional right-of-way in that area for realignment, however, the intersection of Cedar and N.W. Third is awkward, at best. Mr. McLeod noted that they would review that area, specifically for the truck traffic.

Councilman Daniels asked how the project would progress, including the bid process. Mr. McLeod said his firm would do the engineering as the City's in-kind service and the City would pay the difference to the County for the minimum match of \$37,500. He added that funds will be available in mid July, however, it might be a Spring project, depending on the schedule.

Councilman Prince expressed a concern about sidewalks. Mr. McLeod said they are striving to do sidewalks, even though right-of-way acquisition is in question. At this time, the plan is a sidewalk on one side, but the goal is to have sidewalks on both sides.

Mayor Taylor suggested that Council members view the area for input regarding their concerns. Mr. McLeod said they may just "bite the bullet" and negotiate for additional right-of-way and removal of trees to expand the project.

Councilman Prince stated that it is critical to improve the area for safety factors due to the commercial truck traffic.

Councilwoman Strong asked if the proposal is to complete all of S, Fir, and removal of a large tree. Mr. McLeod said it would be from the Pitts addition to S.W. 6th, however, he was not aware of a tree that might need to be removed.

Councilman Harris, Councilman Prince and Councilman Nolder urged that right-of-way issues be pursued for this area for realignment and safety considerations.

QUESTION - \*\*The motion to approved Ordinance no. 948 on first reading was 6-0.

Ordinance No. 949 - \*\*Councilman Harris moved that Ordinance No. 949, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH RJ ENVIRONMENTAL; AND DECLARING AN EMERGENCY be posted and come up for final action on July 17, 1996. Motion seconded by Councilman Prince and approved 6-0.

Ordinance No. 950 - Mr. McLeod noted that this ordinance is to install a compactor in the sewer plant headworks screen and Vulcan Industries supplied that screen in 1995,

they can modify the panel. He added that the second bidder dropped out.

**\*\*Councilman Daniels moved that Ordinance No. 950, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH VULCAN INDUSTRIES; AND DECLARING AN EMERGENCY and to come up for final action on July 17, 1996. Motion seconded by Councilman Harris.**

DISCUSSION - Councilman Nolder asked what a screen compactor is, and was told that it screens out any debris that flows into the plant and this equipment compacts it, washes it and a dry by-product goes to the landfill.

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

Resolution No. 620 - **\*\*Councilman Prince moved to adopt Resolution No. 620, A RESOLUTION AUTHORIZING THE MAYOR & CITY RECORDER TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT ON BEHALF OF THE CITY OF CANBY WITH CLACKAMAS COUNTY FOR A SAFETY IMPROVEMENT PROJECT (TRAFFIC SIGNAL) AT THE INTERSECTION AT SOUTH CANBY/MARQUAM/IVY STREET ROAD NUMBER 61010 AND SOUTH 13TH AVENUE ROAD NUMBER 41002. Motion seconded by Councilman Daniels.**

DISCUSSION - Councilman Prince thanked all the citizens who were involved in promoting this project and seeing it through.

**\*\*The Resolution was approved 6-0,**

**UNFINISHED BUSINESS:** Discussion of Organizational Review - Mayor Taylor said they would proceed with this project and proposed that the public be allowed an opportunity for comments.

Councilwoman Strong asked about a time schedule.

Mayor Taylor said the process would require several meetings starting in August or September with a final stage in October. He added that a facilitator selection is now being considered. The Mayor suggested that a chart be available for the next meeting regarding the schedule.

Councilman Daniels suggested August 21st as the first meeting. Mayor Taylor asked that staff try to aim for that date or the first meeting.

Councilman Nolder asked if one department at a time will be reviewed. Mayor Taylor said that 2 or 3 departments should be reviewed at each pre-meeting session in order to maintain a time schedule as earlier suggested.

**MANAGER'S REPORT:** City Hall - Ms. Chaplen said that the City Hall painting and new carpet was completed this past weekend, as a result of the recent fire. She added that the Planning Department painting and new carpet will be installed the weekend of July 13-14, and by mid July most of the project should be completed.

Ms. Chaplen said an Eagle Scout has offered to do his community project by cleaning up the City Hall basement.

**COUNCILORS' ISSUES:** Councilwoman Stark reminded citizens of the leash law for pets and keep pets in their own yard.

Councilman Harris asked about a complaint from a citizen on Knights Bridge Road regarding an abandoned vehicle in his driveway. Chief Giger briefly reviewed the ordinance saying that proper notification must first be made to the owner. Any vehicle that is on private property and is unlicensed, inoperative, rusted, wrecked or junked would be in violation of the ordinance and could trigger the penalty procedure. He said the Code Enforcement Office first sends a letter, then the City Administrator and City Attorney are consulted prior to actual action.

Councilman Prince added that there has been citizen concern that the ordinance is not uniformly applied to all violators.

Councilman Nolder reported that the Canby Rotary Club members cleaned Highway 99E from the Logging Bridge to the Molalla River Bridge. He noted there was not a lot of trash along the road side.

Councilman Prince invited residents from the N. Birch Street area to the next Council meeting regarding the speed of traffic on Birch.

Mayor Taylor reminded everyone of the General Canby Day celebration the next day, July 4th, and briefly reviewed the schedule of events.

**OTHER REPORTS OR ANNOUNCEMENTS:** Chief Giger reminded the Council that he would be addressing the Council on Police Department shifts and other agency and assisted investigations.

Mayor Taylor noted that Roy Hester, Public Works Supervisor, would also address the Council.

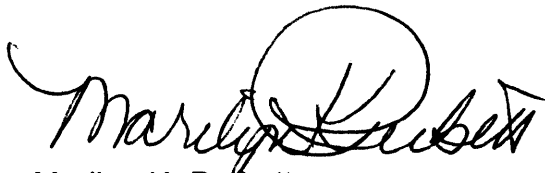
**ACTION REVIEW:**

1. Representative Grisham will be invited back in October.
2. Inform Ace Wehus of the approval of the requested Block Party.



3. Implement Ordinance 946 to receive state revenues and Ordinance 947 to execute a contract for sanitary sewer construction.
4. Post Ordinance's 948, 949 and 950 prior to second reading.
5. Implement Resolution 620 for the 13th Avenue Traffic Signal Project.
6. Prepare time schedule for organizational review..

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



Marilyn K. Perkett  
City Recorder



Scott Taylor  
Mayor