

**CANBY CITY COUNCIL  
REGULAR SESSION  
JULY 17, 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 the Administrator Sarah Jo Chaplen, City Attorney John Kelley, City Recorder Marilyn Perkett, Police Chief Jerry Giger, Library Director Beth Saul, Jack Martin, Cam Sivesind, Mr. & Mrs. Robert Watson, Jorge Carrion, Mary Komlofske, Carl & Sarah Beddow, Julie Miramontes, Steve Hanson, Merrill Fourmond, Joe Burleson, Jared Taylor, Judy Story, Greg and Jeff Parker and Curt McLeod.

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 COUNCIL:** A quorum was present.

**MINUTES OF PREVIOUS SESSION:** The minutes from July 3, 1996, were not ready for approval.

**CITIZEN INPUT ON NON-AGENDA ITEMS:** FBLA National Competition - Mayor Taylor informed the Council that Canby had several students compete at Washington D.C. in national competition for the Future Business Leaders of America.

Judy Story, advisor for the FBLA, introduced Sarah Beddow, who placed fourth in the nation in Introduction to Parliamentary Procedure. Also, Canby had a team of five students that took a second place in the nation for Parliamentary Procedure. Members from the 2nd place team, Jared Taylor, Jeff Parker and Greg Parker were present. Jeff Parker is also the Oregon State President of the FBLA.

**COMMUNICATIONS:** Petition from S. Knott Residents - Administrator Jordan read a petition signed by approximately 20 residents of S. Knott Street, expressing their concerns about noise, drug dealing, and traffic in their area.

Chief Giger reported that Brian Howarth, will be working with the group for a Neighborhood Watch Program; Ray Fillis will be working traffic; and Steve Floyd the Code Enforcement Officer will be working in the area. He also noted that the Narcotic Officer will review the information regarding drug activity and work with the residents.

Julie Miramontes informed the Council that the police are aware of the problems and

admit the problems and say they will keep an "eye" on the area. She asked, "How can somebody not do something about this?"

Mayor Taylor asked Ms. Miramontes to allow the Police Department three weeks to work on the problems, and if there is no improvement to return to the Council with her concerns.

Oregon Department of Corrections is interested in input regarding establishing a prison in various areas of the State. Mayor Taylor noted that 200-350 acres needs to be made available and such a project would promote economic growth. The Council expressed no interest in such a project for the Canby area.

**NEW BUSINESS:** Accounts Payable - \*\*Councilman Daniels moved to approve payment of accounts payable in the amount of \$110,411.66. Motion seconded by Councilwoman Strong and approved by roll call vote, 6-0.

Appointments to the Library Board - Administrator Jordan noted that Beth Saul, Library Director, had submitted a memo recommending reappointment of current board members.

\*\*Councilwoman Strong moved to reappoint Dale Carter and Mavourn Stuart to the Library Advisory Board for terms running until June 30, 2000. Motion seconded by Councilman Harris and approved 6-0.

**ORDINANCES & RESOLUTIONS:** Ordinance No. 948 - Administrator Jordan explained that this ordinance was to implement construction of a Block Grant Project.

\*\*Councilman Harris moved to adopt 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. Motion seconded by Councilman Nolder and approved by roll call vote, 6-0.

Ordinance No. 949 - Administrator Jordan stated that this ordinance was to implement a project at the sewer plant for odor control in the amount of \$87,200.

\*\*Councilman Daniels moved to adopt Ordinance No. 949, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH RJ ENVIRONMENTAL; AND DECLARING AN EMERGENCY. Motion seconded by Councilman Harris and adopted by roll call vote, 6-0.

Ordinance No. 950 - Administrator Jordan explained that this ordinance permitted

purchase of screening equipment for the sewer plant in the amount of \$25,747.

**\*\*Councilman Harris moved to adopt Ordinance No. 950, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH VULCAN INDUSTRIES; AND DECLARING AN EMERGENCY. Motion seconded by Councilwoman Strong and approved 6-0, by roll call vote.**

**Resolution No. 621** - Steve Hanson, reported that the City is required to review discharge limits every five years for businesses. He said that new discharge limits were established after testing and this resolution sets the limits and permits criteria.

**\*\*Councilman Prince moved to adopt Resolution No. 621, A RESOLUTION SETTING INDUSTRIAL WASTE DISCHARGE LIMITS, DEFINING NORMAL WASTEWATER POLLUTANT CONCENTRATIONS, REQUIRING INDUSTRIAL WASTEWATER DISCHARGE PERMITS, AND ESTABLISHING FEES AND CHARGES FOR THE TESTING OF INDUSTRIAL WASTEWATER. Motion seconded by Councilman Harris.**

**DISCUSSION** - Councilman Harris asked if the limits are standard and if everyone is within the limits. Mr. Hanson said in 1987 an EPA audit established the permits for the plant compliance order and currently some limits are up and some are down. He added that Johnson Controls is the largest industry in Canby and they have no problems with the discharge limits. He further added that this resolution sets standards that are defensible in a court of law.

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

**UNFINISHED BUSINESS:** Mobile Home Temporary Hardship Permit Review - Jim Wheeler reported that this temporary mobile home permit at 623 N.W. Territorial was permitted last year with a condition of an annual review. He stated that there has been no medical changes with the applicant and staff recommends approval.

**\*\*Councilman Daniels moved to approve the mobile home hardship permit at 623 N..W. Territorial with an annual review in July 1997. Motion seconded by Councilwoman Stark.**

**DISCUSSION** - Councilman Nolder asked if there had been any complaints and asked if neighbors were notified. Mr. Wheeler said there has been no response at all, and neighbors were only notified when the permit was initially requested last year.

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

**Beckstrom Letter Response (N. Birch)** - Chief Giger explained that N. Birch Street is the direct route from the northeast section of town to the freeway. Chief Giger stated that safety concerns were reviewed several months ago and at that time the "STOPS" and

"25 MPH" were painted on the street, as well as placing the small bumps at the intersection of Territorial and N. Birch. He also pointed out that recently a speed reader board and marked police vehicles were used in the area and this appeared to have a positive effect on speed and safety. However, the turning point at the intersection and speed problems still exist on that street.

Councilman Prince reported that Roy Hester informed him that larger bumps could be purchased for \$8.00 each, and they are a couple inches higher and would have a greater affect at the intersection in question. He added that Portland uses these larger bumps to define bike lanes. Mr. Prince also reported that Gresham utilized 25 MPH speed ramps as a speed deterrent.

Chief Giger reported that a resident from N. Birch made a video of the things Councilman Prince suggested as speed deterrents.

Jorge Carrion, 12th & Birch, reported that his vehicle was parked on N. Birch and was hit by a speeding car and totaled. He stated that kids use the street to see how fast they can go.

Bob Watson, 1205 N. Birch, stated that on two occasions family members were almost struck by a speeding vehicle as they were turning into his driveway. Mr. Watson encouraged speed bumps every two blocks.

Bruce Haphey, 1185 N. Birch, stated that speed and traffic has increased significantly on that street. He asked if the City could promote the video speed checks that have recently been used.

Attorney Kelley explained that the video speed programs are only pilot programs in Multnomah County and are not legal for use other than the pilot programs.

Mr. Haphey encouraged the Council to consider the speed bumps and any other alternatives.

Councilman Daniels asked if the County would cooperate in the matter since Territorial is a County Road.

Attorney Kelley said that in Happy Valley the County would not put in the requested speed deterrents so Happy Valley took ownership of the roads and put in speed bumps.

Councilman Prince noted that Roy Hester said the County was reluctant to put in a speed sign in the area of Territorial.

Pat Haphey, 1185 N. Birch, asked if signs could be placed on Territorial to declare

speed bumps ahead. Mayor Taylor said they would negotiate with the County on the matter.

Ms. Haphey asked when action could be expected on this road since many residents are concerned about the safety of their grandchildren.

Mayor Taylor said he would like the Traffic Safety Committee to review the various alternatives for this street and return to the Council with a recommendation.

Councilman Nolder stated that since the previous recommendations have not worked it is time to try the speed bumps and larger circles at the intersection.

Councilman Daniels suggested that the Safety Committee and the Fire Department both review any proposed alternatives. Chief Giger reported that the Safety Committee will meet next Tuesday, July 23rd.

Mayor Taylor suggested that we take the time to make sure we really know what should be implemented for the safety of N. Birch citizens. He suggested that staff and Council review the video or travel to other communities to see what they have implemented.

Councilman Nolder said that Happy Valley ramps were \$2,500 each and we owe it to the citizens to implement safety measures.

The Traffic Safety Committee will review the alternatives, and N. Birch residents were invited to attend their meeting. Also, committee members will make an effort to meet at an alternative time with area residents. Mayor Taylor suggested that September be a feasible time when this problem be placed on the Council agenda with recommendations for safety measures.

Organizational Review Discussion - Administrator Jordan handed out a memo outlining three options for the organizational review process.

The suggested facilitator was Ken Layden. Option one included::

- Mr. Layden will conduct focus groups with 25-30 opinion leaders;

- Mr. Layden would interview department heads in one or two groups and interview Councilors and Mayor individually;

- the City Council, Mayor and Administrator will develop role, mission purpose service levels and inventory with facilitator;

- Western Attitudes would conduct phone survey;

- and finally the Council, Mayor, City Administrator and facilitator would review public input and discuss organizational structure to best meet established role, mission, service level, etc.

Option two and three were a variation of option one .

The proposed costs were from \$14,000 to \$6,000, depending upon the selected option.

Several Councilors expressed concern about the amount of money projected for this process.

Councilman Nolder said it was "ridiculous" that the City was concerned about spending \$2,500 for safety of citizens and considered the amount of money involved for the projected facilitator and services.

Councilman Harris expressed concern about the cost. He said the City should be researching ways to conserve expenditures, and this was his option, number four.

Councilwoman Strong said she was shocked at the costs, and was not sure it was warranted.

Councilman Daniels said the process needed a facilitator.

Councilman Prince suggested a local, less expensive facilitator.

Councilwoman Stark asked if the Chamber had any facilitators associated with the Leadership Canby program. She suggested that the City could spend less money and do it ourselves.

Mayor Taylor said the process should be done right and suggested that in trying to save money it might ultimately cost more to get to where the City wants to get.

Councilman Daniels said he hated to be driven by cost on this project, and he was in favor of plan two.

Councilman Prince stated that the budget process was completed without a facilitator and he suggested that the Council was ready to move on this process.

Administrator Jordan encouraged the use of a facilitator and noted that the Council can select any option and at a lessor dollar amount.

Councilwoman Strong asked if there was money in the budget for this process. Mr. Jordan stated that the material and services money in reserve could be used and all department would contribute.

The Council was polled on what option and the amount of money they wanted to spend on this process:

- Option one - NO
- Option two - yes 4 and 3 no
- Option three - yes
- Option four - NO

Councilman Harris stated that he did not mind looking like a "skin-flint", however, he felt the Council should look for ways to conserve money, and questioned why consultants and facilitators need to be hired so often.

Mayor Taylor stated, "Penny wise and pound foolish."

The Council agreed to not spend more than \$4,500 and less if possible.

Administrator Jordan said they would get started right away on the process.

**MANAGER'S REPORT:** Downtown Revitalization - Administrator Jordan informed the Council that the Chamber of Commerce had received the grant they applied for in the amount of \$90,000. They will hire someone to proceed with the Downtown Revitalization Project.

Tax Measures - Administrator Jordan briefly reviewed proposed tax measures 30 and 67. He stated that measure 30 would require a majority of registered voters to vote positive on any tax increase measure. Since 1993 there have been 166 bond issues and under the premises of the new proposal only one of the issues would have passed.

Measure 67, the "Cut and Cap" bill, rolls back property taxes to the lower 94-95, or 90% of the 95-96 amount. This is a third property tax limitation: 1) the 6% limitation on tax base increases each year; 2) measure 5 is the rate limitation; 3) this is the third limitation on the actual size of the tax bill to the tax payer.

Mr. Jordan stated that there is no way to predict the impact on the City, however, at this time the projection is a 20-25% loss of property tax revenue.

Mr. Jordan encouraged everyone to pay particular attention to Section 3A, Voter Override, the proponents of the measure say the intent is actually not an override, it is for bonded debt only for capital construction.

Again, Mr. Jordan noted that it is very difficult to predict what will happen in Canby.

**COUNCILORS ISSUES:** Councilman Nolder reminded the Council that he had presented a plaque to Mackey Hanson at their ground breaking on behalf of the City. He passed around some samples of certificates generated by Joyce Faltus that could be used for this type of ceremony, as well as other occasions, at a more reasonable cost. Mr. Nolder noted that these type of gestures creates "goodwill".

Mayor Taylor asked if the Council was favorable of an award suggested by Councilman Nolder for residents/businesses who "go above and beyond" in beautifying the City. The Council concurred on this idea. Mr. Nolder said it could be the "Mayor's Award for Outstanding Beautification." Mayor Taylor said we would move forward with this

project.

Mayor Taylor noted that the Sister City, Kurisawa, will send a group of students to Canby in the middle of August, and home-stay cites are needed for the student program.

Mayor Taylor informed the Council that the CREG program will have their proposal for a county-wide communication system on the September ballot. Additional information will be at the next meeting.

- ACTION REVIEW:**
1. The Police will work with S. Knott residents on area problems.
  2. Send letters to Carter and Stuart regarding reappointment to the Library Board.
  3. Implement Ordinance's 948, 949 and 950 for various construction projects.
  4. Implement Resolution 621, setting new sewer discharge permits and fee regulations.
  5. Approve the Mobile Home Hardship request.
  6. Work with the Traffic Safety Committee and N. Birch residents regarding safety in that area.
  7. Start Organizational Review Process.

**\*\*Councilman Prince moved to go into Executive Session under ORS 192.660 (1)(d) regarding labor negotiations; (1)(e) regarding real property; and (1)(i) regarding the performance of a public employee. Motion seconded by Councilwoman Stark and approved 6-0.**

Mayor Taylor recessed the regular session at 9:32 p.m. to go into Executive Session. The regular session was reconvened at 10:30 p.m.

Administrator Jordan explained that the City recently had a minor land partition between N. Grant and Holly, and the street involved is N.W. 7th which is unimproved with no sidewalks, no curbs, and is graveled. It appears to be more of an alley than an actual street. During the partition the Planning Commission required sidewalks for both lots as standard practice and there is no curb to build a sidewalk to. Mr. Hester wrote a letter to the commission pointing out that this condition does not make sense and asked that the condition be removed since the street will not be improved in the near future.

Mr. Jordan suggested that the City could take cash, in lieu of improvements as has been done in the past, and when improvements are made in the future, the City would build the sidewalk. The amount of money suggested was \$500.00 to be placed in the street reserve.



A lien was suggested, however, it was decided that it was too cumbersome and the Council agreed that taking the money would be advisable at this time.

Councilman Harris requested that a computer update, specifically expenditures, be provided for the near future. Ms. Chaplen will prepare an update for the next meeting.

Mayor Taylor adjourned the session at 10:40 p.m.

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EXECUTIVE SESSION  
JULY 17, 1996

Present: Mayor Taylor, Nolder, Harris, Prince, Stark, Daniels, Strong, Mike Jordan, Sarah Jo Chaplen and Cam Sivesind.

Mayor Taylor called the session to order at 9:40 p.m. in the CUB conference room.

ORS 192.660 (1)(e) - The Council discussed the property that the City leases for the Adult Center and Swim Center.

ORS 192.660 (1)(d) - The Council discussed both the Police Union and AFSCME Union contract proposals.

ORS 192.660 (1)(i) - The Council discussed and administrative decision regarding appointing the Assistant to the Administrator to supervise a City Department.

Mayor Taylor adjourned the session at 10:27 p.m.

  
Marilyn K. Perrett  
City Recorder

  
Scott Taylor  
Mayor

**CANBY CITY COUNCIL  
REGULAR MEETING  
July 17, 1996**

**WORKSHOP - 6:00 PM -CUB BOARD ROOM  
AGENDA - 7:30 P.M.**

1. CALL TO ORDER:
2. FLAG SALUTE:
3. ROLL CALL OF COUNCIL:
4. MINUTES OF PREVIOUS SESSION:
  - A. Regular Sessions, July 3, 1996 (not ready)
5. CITIZEN INPUT ON NON-AGENDA ITEMS:
6. COMMUNICATIONS:
  - A. Petition from S. Knott Residents p. 1
7. NEW BUSINESS:
  - A. Accounts Payable - \$110,411.66
  - B. Appointments to Library Board p. 2
8. ORDINANCES & RESOLUTIONS:
  - A. Ord # 948, Cedar Street Contract (2nd rdg) p. 8
  - B. Ord # 949, Authorizing Contract with RJ Environmental (2nd rdg) p. 9
  - C. Ord #950, Authorizing Contract with Vulcan Industries (2nd rdg) p. 10
  - D. Res. # 621, Industrial Wastewater Discharge Limits p. 11
9. UNFINISHED BUSINESS:
  - A. Mobile Home Temporary Hardship Permit Review p. 17
  - B. Backstrom Letter Response (N. Birch) p. 20
  - C. Organizational Review Discussion
10. MANAGER'S REPORT:
11. COUNCILORS' ISSUES:
12. OTHER REPORTS OR ANNOUNCEMENTS:
13. ACTION REVIEW:
14. EXECUTIVES SESSION: ORS 192.660 (1)(d) regarding labor negotiations; (1)(e), regarding real property; and (1)(h) regarding pending litigation.
15. ADJOURN:

CANBY CITY COUNCIL  
WORKSHOP SESSION  
JULY 17, 1996

Present: Mayor Taylor, Councilors Nolder, Prince, Harris, Stark, Strong and Daniels, Mr. Jordan, Ms. Chaplen, Jerry Giger, Roy Hester, Steve Page, Tim Skipper, Ray Fillis, Chris Mead, Ken Pagano, John Watts, and Cam Sivesind.

Mayor Taylor called the session to order at 6:00 p.m. in the CUB conference room.

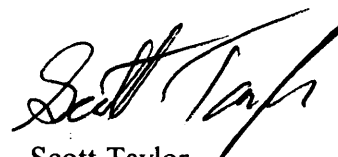
Police Chief Giger reviewed the police department scheduling and various shifts.

Roy Hester reviewed the street department goals and maintenance program.

Mayor Taylor adjourned the workshop at 7.25 p.m.



Marilyn K. Perkett  
City Recorder



Scott Taylor  
Mayor

July 17, 1996