

**CANBY CITY COUNCIL
REGULAR MEETING
MARCH 1, 1995**

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, Police Chief Jerry Giger, City Planner Bob Hoffman, Dave & Suzie Fisher, Bill & Phyllis Morris, Neil Erickson, John Pursley, B.P. Krytenberg, Lee Wiegand, Steve Floyd, Bob Traverso and Barbara Lawrence.

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 PREVIOUS SESSION: **Councilman Prince moved to approve the minutes of regular session February 15, 1995. Motion seconded by Councilwoman Stark and approved 6-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: Lee Wiegand, 613 S. Holly, reminded the Council that he had appeared before them during the Historic Preservation Ordinance review. He advised the Council that the Oregon Legislature had overturned a veto of Governor Roberts, therefore giving property owners rights in historic preservation options. Mr. Wiegand informed the Council that the students at the First Baptist School prayed on various issues for a short period every Wednesday. He asked the Council to fill out index cards, which four of his students handed out, with their name on the card and any particular issue they would like the students to consider in their prayers. Mr. Wiegand stated that he appreciated the hard decision making job the City government officials undertook.

Dave Fisher, from Fisher's Old Fashioned Meats, informed the Council that he had seen a machine in Portland that would take verbal dictation and print out reports. He felt that many hours are spent in the Police Department doing reports and this machine could save money in man hours.

COMMUNICATIONS: Annual City Audit Review - Neil Erickson, from the auditing firm of Grant Thornton, reviewed the City's annual audit for the year 1993-94. Mr. Erickson stated that the City's financial position is "correct," and complies with the appropriate and generally accepted accounting principals. He stated that the City has liabilities of almost 7.8 million dollars and equities of 19.6 million dollars.

After a brief overview of the audit report, Mr. Erickson referred to the management letter which stated that one of the recommendations that the City poses an inherit risk in not adequately segregating duties for financial responsibilities, and with our growth pattern, even with our small number of employees this needs to be considered. He also recommended bank deposits be made on a daily basis. A modified accrual accounting method was recommended by the auditor verses the current cash-basis accounting method. A recommendation was made to check on the inter-fund transfers so they are equal, and fund balances are closely monitored. Mr. Erickson said the vacation, sick time and comp time should be carefully monitored so no employee hours are lost. He said the fixed assets program should be reviewed

Finally, Mr. Erickson pointed out some internal control issues to make sure everyone is aware of some of the conditions of internal control.

Mayor Taylor asked if the City was in good solid financial shape, and if the discussion of internal controls is made for us to keep a "tight watch" as we continue to grow and in no way is the management of the funds in question? Mr. Erickson said that is a proper statement.

Councilman Prince referred to the inter-agency transfers and said he would like to see further suggestions on this issue so the budget doesn't show such an inflation. Mr. Erickson said discussions could be arranged for this matter.

WORKSHOP: Noise Ordinance - Mayor Taylor recessed the regular session at 8:05 p.m. to go into workshop session on a proposed "Noise Ordinance."

The regular meeting was reconvened at 9:31 p.m. after a brief recess following the workshop session.

NEW BUSINESS: Accounts Payable - **Councilman Daniels moved to approve accounts payable in the amount of \$72,546.80. Motion seconded by Councilman Harris and approved by roll call vote, 6-0.

Liquor License Application, Lan's Country Landmark - Recorder Perkett reported that Lan Davis has had a business located on Highway 99 E and S. Pine for a couple years, he will be moving his business and mini-mart grocery to the current Texaco Station site on S. Grant and 99 E. He is asking for a liquor license to sell beer and wine at the new location.

Councilman Prince said that he "wished him well" in the new location and remarked that Lan had made a lot of improvements at the current location.

**Councilman Prince moved to recommend approval to the OLCC for a Package Store liquor license for Lan's Country Landmark at his new business site at the Texaco station on Grant and 99 E. The motion was seconded by Councilman Harris and approved 6-0.

ORDINANCES & RESOLUTIONS: Ordinance No. 931 - Administrator Jordan reminded the Council that this ordinance was drafted to authorize the purchase of the property next to the City Hall parking lot that houses Canby House of Trophies.

**Councilman Daniels moved to adopt Ordinance No. 931, AN ORDINANCE AUTHORIZING PURCHASE OF REAL PROPERTY FOR FUTURE MUNICIPAL BUILDING COMPLEX; AND DECLARING AN EMERGENCY. Motion seconded by Councilwoman Strong and approved by roll call vote, 6-0.

Ordinance No. 932 - Attorney Kelley reminded the Council that he was asked to draft an ordinance regarding graffiti and most of the proposed ordinance is based upon the City of Gresham's ordinance, with some modifications. Mr. Kelley also noted that Section 6, (C) of the proposed ordinance should be amended to read: "Violating parental responsibility under this section is a civil infraction punishable by a maximum fine not to exceed Five Hundred dollars (\$500.00).

**Councilman Nolder moved that Ordinance No. 932, AN ORDINANCE AMENDING TITLE 9 OF THE CANBY MUNICIPAL CODE BY ADDING A NEW CHAPTER RELATING TO DEFAACEMENT OF PROPERTY, IMPOSING PARENTAL CIVIL LIABILITY, CREATING PENALTIES FOR VIOLATION THEREOF; AND DECLARING AN EMERGENCY, as amended in Section 6, be posted and come up for

final action on March 15, 1995. Motion seconded by Councilwoman Strong.

Councilman Prince asked how soon the clean-up of graffiti was to be accomplished. Attorney Kelley said that timeliness was not addressed in the ordinance at this time.

Councilman Harris stated that, in his recollection, the offender was to clean-up the graffiti as quickly as possible. Attorney Kelley informed the Council that the City cannot strictly impose community service, they must offer the option of paying a fine.

Councilwoman Stark stated that she thought it was important to have the graffiti removed quickly; however, court could delay this process.

Administrator Jordan reported that the Code Enforcement Officer, Steve Floyd, is in the process of setting up a program which will utilize volunteers who would assist in some of these clean-up matters. However, he stated that as convictions are made, we will build a "pool" of offenders to do community service, who would not necessarily be cleaning up their own graffiti.

****The graffiti ordinance was approved, 6-0.**

UNFINISHED BUSINESS: None presented.

OTHER REPORTS OR ANNOUNCEMENTS: Bob Hoffman showed the Council a copy of a flyer that had been distributed in this weeks Canby Herald regarding growth in Canby and specifically inviting citizens to a March 6, 1995 meeting at the Canby Adult Center to review the Metro 2040 plan.

Mr. Hoffman also reminded the Council that the Sign Ordinance had a "sunset clause" which will be due for consideration on April 6th. Staff was instructed to return to the Council on April 5 th with a resolution regarding the sign ordinance and a staff report.

Chief Giger reported that this week marks the end of a 17 week D.A.R.E. program for approximately 400 students in the Canby School district.

Mayor Taylor informed the Council he would not be here for the March 6th meeting at the Adult Center regarding the METRO 2040 plan.

Mayor Taylor reported to the Council that he was a member of the CREG Policy Board, a group established to review the county-wide dispatch system. The Mayor informed the Council that the consultants have a plan they will present and the City will be expected to pay our share of \$1,000. Mayor Taylor asked the Police Chief, Jerry Giger and Lieutenant Jim Scharmota to attend the March 8th Management review of the proposal. He also said the City of Canby's total investment will be approximatley \$11,000.

Councilman Daniels reminded the Council of two scheduled budget meetings, March 8 and March 13, both at 7:00 p.m.

Mayor Taylor informed the Council that he had made a presentation at a recent school board meeting regarding the goals and outcomes for education from the Canby by Design Visioning process. The school board has agreed to a "summit" meeting to further review this information. Sarah Jo Chaplen will be scheduling the meeting.

ACTION REVIEW:

1. Recommend to the OLCC approval for Lan's County Landmark liquor license.
2. Revise the noise ordinance to eliminate industry and

- commercial businesses at this time.
3. Implement Ordinance No. 931, to purchase real property.
4. Post Ordinance No. 932, regarding graffiti for second reading at next meeting.
5. Return to the Council on April 5th with a Resolution regarding the Sign Ordinance.
6. Police Department to preview a Dictaphone machine that transcribes verbal commands.

Administrator Jordan reminded the Council that the next meeting, on March 15th would be at the Canby Adult Center, when the Kahut Transfer Station will be the subject matter.

**Councilman Prince moved to go into Executive Session under ORS 192.660 (1)(d), labor negotiations, (1)(e), to negotiate real property, and (1)(i), the performance of an employee. Motion seconded by Councilman Nolder and approved 6-0.

Mayor Taylor recessed the regular session at 9:55 p.m. to go into Executive Session. The regular session was reconvened at 11:02 p.m. and immediately adjourned.

EXECUTIVE SESSION
MARCH 1, 1995

PRESENT: Mayor Taylor, Councilors Nolder, Prince, Harris, Stark, Strong and Daniels, Attorney Kelley, Administrator Jordan and Sarah Jo Chaplen.

Mayor Taylor called the session to order at 10:04 p.m. in the conference room at the Utility Board.

ORS 192.660 (1)(d) - The Council discussed Police Department labor negotiations.

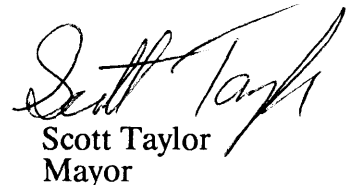
ORS 192.660 (1)(e) - The Council discussed the possible real property transaction of the City owned Kraxberger property.

ORS 192.660 (1)(i) - The Council evaluated the performance of Administrator Michael Jordan.

Mayor Taylor adjourned the session at 11:02 p.m.



Marilyn K. Perkett
City Recorder



Scott Taylor
Mayor