

**CANBY CITY COUNCIL
REGULAR MEETING
APRIL 19, 1995**

WORKSHOP: Present: Mayor Taylor, Councilors Nolder, Daniels, Prince, Strong and Stark, Administrator Jordan, Sarah Jo Chaplen, Bob Hoffman, Beth Saul, Marilyn Perkett and Karen Rider. Absent: Roger Harris

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

The purpose of the session was to discuss the Performance /Compensation Structure for City Management Personnel.

Mayor Taylor adjourned the session at 7:05 p.m.

REGULAR SESSION: 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, City Attorney John Kelley, Assistant to Administrator Sarah Jo Chaplen, City Recorder Marilyn Perkett, Mike & Irene Breshears, Herman Bergman, James Taylor, Jim & Darcy Rourke, Barb Kirwan, Herb Breshears, Leroy & Judy Newport, Dale Ronfeld, Amy Hammond, Dave Fisher, Arlene Monen, Keith Marquand, Rick & Jennifer Herigstad, Ray Baldwin, Mr. Morales, Tom Strittmatter, Titus and Angela Huso, Bill & Richelle Boettger and others.

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 as distributed the minutes of regular session, April 5, 1995. Motion seconded by Councilman Harris and approved 6-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: None presented.

PROCLAMATION: Bluegrass Saturday Night - Mayor Taylor proclaimed Saturday, April 22, 1995, as Bluegrass Saturday Night in the City of Canby and urged citizens to attend the concert at the Performing Arts Center at Canby High School.

Mr. Newport addressed the Council and noted that the Saturday Night performance will also include various types of music, dixieland, jazz, bluegrass, and gospel.

Leroy and Judy Newport, playing the banjo and spoons, entertained the Council with a short song and had a pizza delivered, such as will be served at the Saturday night event.

WORKSKHOP: Mayor Taylor recessed the regular session at 7:40 p.m. to go into a workshop session regarding a recommendation from the Traffic Safety Committee to limit parking on S.W. Second Avenue to one side of the street.

The workshop ended at 8:30 p.m. The regular session was reconvened at 8:42 p.m., followed a brief recess.

COMMUNICATIONS: World War II Commemorative Committee - Administrator Jordan

reviewed a letter from Michael Breshears, Chair of the World War II Commemorative Committee requesting the City of Canby sponsor the September 2nd parade and activities. The sponsorship was requested due to insurance coverage necessary for the event.

Mr. Breshears addressed the audience, noting that the planned events were in honor of our World War II heroes on the 50th Anniversary of the end of the war. Mr. Breshears introduced Murray Taylor, a World War II Veteran, and Herman Bergman, a Prisoner of War during World War II. Mr. Breshears also reminded the Council of the vast number of World War II Veterans who gave their lives to give us the "freedom" we enjoy today.

****Councilwoman Stark moved to grant the request of the World War II Commemorative Committee making the City of Canby the sponsor of the September 2, 1995 parade and activities. Motion seconded by Councilman Harris and approved 6-0.**

Councilman Nolder stated that it was an honor to sponsor the proposed WWII Commemorative Activities. However, he cautioned the Committee members to be sure of their own private coverage.

Councilman Prince commented that his father had been a Prisoner of War during World War II and he was pleased to see that these veterans were being honored.

Herman Bergman asked the Council to give consideration to the grant application that the World War II Committee had presented to the Budget Committee in the amount of \$2,710.

LOC Annual Dues - Administrator Jordan explained that the annual dues this year included the "voluntary" contributions of the past years. However, there is still a voluntary contribution of \$208.10 for Visioning grants.

Councilman Nolder asked if the Canby had requested any of the visioning grant money. Mr. Jordan replied that we had not requested any. Mayor Taylor stated that usually very small communities are the recipients of those grants, which are small amounts.

****Councilman Daniels moved to approve the request of the League of Oregon Cities for the annual dues and vision voluntary contribution for a total amount of \$4,489. Motion seconded by Councilwoman Stark and approved 6-0.**

Letter from Dave Hoover - Mayor Taylor read a letter from Dave Hoover, tendering his resignation from the Canby Utility Board due to business commitments.

Mayor Taylor commented that Mr. Hoover had done an outstanding job in his position on the Utility Board and would be difficult to replace.

Administrator Jordan said we would advertise for letters of interest and initiate a sub-committee to interview applicants.

NEW BUSINESS: Accounts Payable - ****Councilman Daniels moved to approve payment of accounts payable in the amount of \$193,626.66. Motion seconded by Councilwoman Strong.**

Councilman Daniels noted that \$17,000 was for a sewer TV van; and Administrator Jordan pointed out that \$25,000 was for a State Revolving Fund Loan.

****The motion was approved by roll call vote, 6-0.**

Mayor Taylor adjusted the agenda to accommodate audience participation.

UNFINISHED BUSINESS: CTA Alarm Services Agreement - **Councilman Daniels moved to "remove from the table the contract between the City of Canby and CTA Communications to respond and dispatch to emergency alarms of CTA Communication customers." Motion seconded by Councilman Nolder and approved 6-0.

Dave Fisher, Assistant Manager of CTA Communications, informed the Council that his entity had contacted the Canby Police Department regarding having the Police dispatch center monitor their alarms for security reasons.

Councilman Daniels asked Mr. Fisher to be more specific regarding security. Mr. Fisher replied that CTA currently monitors all types of alarms needing high security and they feel the current vendor does not provide adequate security and that their insurance carrier expressed a concern. He added that some of their high security alarms are being monitored out of town at this time. Mr. Fisher added that if the Police Department does not take over the monitoring, then CTA will seek out-of-town and, perhaps, out-of-state assistance.

Mayor Taylor asked if CTA would maintain the alarms as their customers. Mr. Fisher stated that this was a correct assumption, they would deal with the customers.

Councilwoman Stark asked if CTA was the only firm in town that monitors alarms. Mr. Fishers said they were, although, there are local businesses that sell alarms. He stated that most dealers send their alarms out-of-state, but that CTA tries to keep the business and money local.

Mayor Taylor asked if this meant the City would be getting into private business or taking business away from other business. Mr. Fishers said there is no other place in Canby, due to security and insurance, that can handle their business. If the City does not accept the contract they will take the business out of town.

Arlene Monen asked if CTA was owned by Canby Telephone and was told it was. She asked if the Cable TV is owned by Canby Telephone. Mr. Fisher said he was not sure whethr the cable company was owned by Canby Telephone or a "sister" company.

Mrs. Monen reiterated that she felt the City was taking over private enterprise, and she questioned how there could be security if the business was awarded to a Texas entity. Mr. Fisher said that the Texas firm, or the Beaverton firm, are qualified answering stations. He added that it does not matter where you go by telephone anymore, the response time is the same. However, he said he does not want to take the business out of town.

Mayor Taylor stated that the City is qualified and it would not be competing with local businesses. Keith Marquand, said we currently monitor a portion of CTA alarms, and this merely adds to that process.

****Councilman Nolder moved to authorize the City of Canby to enter into a contract with CTA Communications for the alarm answering portion of their services. Seconded by Councilman Prince.**

Councilman Harris expressed a concern regarding competition with private business.

Arlene Monen stated that she felt the City would be in competition with private enterprise and ultimately it would be on the tax roles. She added that our police have enough to do, and if anything, we should add police personnel to protect our children and enhance drug enforcement.

Councilman Prince asked how the generated revenues would be spent. Mr. Marquand said they plan to computerize the dispatch system with the additional revenues received from the alarm monitoring. He added that CTA has purchased all the necessary equipment needed for this venture.

Councilman Daniels reiterated that the City is not setting up a new private business, as we already have the monitoring system, and if we don't take this business it will go out-of-town.

Councilman Nolder felt this decision was best for the citizens of Canby to have the alarm monitoring in Canby.

Councilwoman Strong reiterated that this was a good idea and she commended the Police Department for pursuing new revenue generating resources.

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

Mayor Taylor commended the Police Department for bringing in revenues on services we already supply.

ORDINANCES & RESOLUTIONS: Resolution 583 - Recorder Perkett informed the Council that the General Canby Day Committee had requested a reorganization in the number of committee members and the date of the terms, which they prefer to be effective in December.

****Councilman Harris moved to adopt Resolution No. 583, A RESOLUTION ESTABLISHING AN ADVISORY COMMITTEE FOR GENERAL CANBY DAY FOR THE PURPOSE OF COORDINATION OF THE ANNUAL EVENT WITHIN CANBY; AND TO BE KNOWN AS THE GENERAL CANBY DAY ADVISORY COMMITTEE. Motion seconded by Councilwoman Stark and approved 6-0.**

Mayor Taylor recommended the following appointments: one year terms, expiring in December 1995 - Dorothy Remington, Scott Taylor, Luana Hill and Dirk Borges; two year terms expiring in December 1996 - Gay Kuykendall, Betsy Ross, Joel Spaulding, Tersesa Spaulding and Chris Stutes; and three year terms expiring in December 1997, Jim Mickelson, Jack Musser, Janice Weeks and Dario Hernandez.

****Councilman Prince moved to authorize the General Canby Day appointments as recommended by Mayor Taylor. Motion seconded by Councilwoman Stark and approved 6-0.**

Ordinance No. 933 - Administrator Jordan reminded the Council that this ordinance was drafted to purchase a 1995 one-half ton utility truck for the Sewer Department.

****Councilman Daniels moved to adopt on final reading Ordinance No. 933, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH COURTESY FORD, PORTLAND, OREGON FOR A 1995 ONE AND ONE-HALF TON UTILITY TRUCK; AND DECLARING AN EMERGENCY. Motion seconded by Councilman Harris and approved by roll call vote, 6-0.**

Ordinance No. 934 - ****Councilman Prince moved to adopt Ordinance No. 934, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH BRAD'S COTTAGE GROVE CHEVROLET, COTTAGE GROVE, OREGON, FOR THREE (3) CHEVROLET CAPRICE POLICE CARS; AND DECLARING AN EMERGENCY. Motion seconded by Councilwoman**

Stark and approved by roll call vote, 6-0.

Ordinance No. 936 - **Councilman Harris moved to adopt Ordinance No. 936, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH PARKER NORTHWEST PAVING FOR STREET AND SIDEWALK IMPROVEMENT TO NORTH JUNIPER STREET; AND DECLARING AN EMERGENCY. Motion seconded by Councilman Prince and approved 6-0, by roll call vote.

Ordinance No. 935 - **Councilman Harris moved to adopt Ordinance No. 935, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT CANBY EXCAVATING FOR THE REHABILITATION OF THE KNIGHTS BRIDGE ROAD PUMPING STATION; AND DECLARING AN EMERGENCY. Motion seconded by Councilwoman Strong and approved by roll call vote, 6-0.

Ordinance No. 937 - Attorney Kelley reminded the Council that there were two major concerns regarding this ordinance that were voiced at the workshop: the noise level at the County Fairgrounds of Fair sponsored events; and the business activity noises. These concerns resulted in the exceptions listed in Section 5 A (9) and (10), which specifically excluded the industrail, commercial and Fairgrounds activities from the ordinance.

**Councilman Nolder moved that Ordinance No. 937, AN ORDINANCE ESTABLISHING NOISE CONTROL PROCEDURES, PROHIBITING CERTAIN ACTS, CREATING EXCESSIVE NOISE LEVELS, ESTABLISHING MAXIMUM SOUND LEVELS, CREATING EXCEPTIONS AND VARIANCES, ESTABLISHING PENALTIES; AND DECLARING AN EMERGENCY be posted and come up for final action on May 3, 1995. Motion seconded by Councilwoman Strong.

Councilman Prince suggested that Table 1 be adjusted to eliminate the commercial and industrial criteria since those to sources are exempted.

Councilman Daniels asked if businesses were subject to DEQ standards. Mr. Kelley said they were subject to the DEQ criteria; however, DEQ does not enforce any regulations.

Councilman Harris said he had a problem with the section regarding model airplanes and motor boats. The final analysis was to strike out the section regarding motor boats and set a 75 dBA reading for model airplanes.

Councilman Prince stated that if a new and noisy industry moves into the City, there would be no recourse.

Councilwoman Stark commented that staff put together a good ordinance and the main reason for developing this ordinance was to keep the noise levels down in residential neighborhoods.

**The motion on Ordinance No. 937 was approved 6-0.

OTHER REPORTS OR ANNOUNCEMENTS: Administrator Jordan reminded everyone of the Clackamas Cities meeting on April 27th at Estacada.

Councilman Prince asked that the criteria for a proposed staff vacancy include the directive that the applicant live in the City. After discussion by the Council, the remaining Council members said they would like to leave the residency issue as it currently is, i.e., leave residency an open matter.

- ACTION REVIEW:**
1. Work with the Traffic Safety Committee regarding traffic/parking issue on SW 2nd, between Grant and Elm.
 2. The City will sponsor the September 2, 1995 World War II parade and activities.
 3. Approve payment of LOC annual dues.
 4. Letter thanking Dave Hoover for his service on CUB.
 5. Initiate contract with CTA Communications to do their alarm monitoring.
 6. Appoint General Canby Day Committee members.
 7. Approve purchase of 1 1/2 Ton Utility Truck for the Sewer Plant.
 8. Approve purchase of 3 police cars.
 9. Approve a contract for the Knights Bridge Lift Station.
 10. Approve a contract for improvements on N. Juniper Street.
 11. Post the Noise Ordinance for second reading on May 3, 1995.

****Councilman Prince moved to go into Executive Session under ORS 192.660 (1)(d), regarding labor negotiations; (1)(h), regarding pending litigation; and (1)(i) regarding the performance of a City employee. Motion seconded by Councilman Harris and approved 6-0.**

Mayor Taylor recessed the regular session at 10:06 p.m. to go into Executive Session. The regular meeting was reconvened at 11:15 p.m.

(NOTE: The tape was not audible after the meeting was reconvened. The following minutes reflect notes from Sarah Jo Chaplen and comments from Councilman Nolder.)

Administrator Jordan informed the Council that the City had solicited all of the local real estate offices to see if they were interested in listing the City's piece of property located near S. Pine. We received only one reply. The Council decided to list it, exclusively, again with Pat Harmon.

Administrator Jordan reported that there continues to be conflict between Canby Builder Supply and Cutsforth's Thriftway regarding the short street in front of their mutual business, parallel to the railroad tracks. The Council agreed that the matter is of concern and suggested that Administrator Jordan act as a mediator/facilitator for the two businesses.

Mayor Taylor said he had received inquiries regarding parking issues in the Ceder Ridge area. He was informed that this is a PUD and therefore the streets are not public. This allows for the PUD to set their own parking criteria.

Councilman Prince asked about the mobile homes parked on the highway at the south end of town. He was informed that they would be moved on Monday, or citations would be issued to the owner, Mr. Lovell.

The Mayor adjourned the session at 11:20 p.m.

**EXECUTIVE SESSION
APRIL 19, 1995**

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


Mayor Taylor called the session to order at 10:15 p.m. in the conference room at CUB.

ORS 192.660 (1)(h) - The Council discussed the Kahut Transfer Site issue.

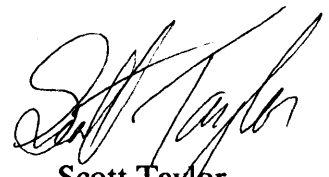
ORS 192.660 (1)(d) - The Council discussed the Police Association Contract.

ORS 192.660 (1)(i) - The Council evaluated the performance of Robert Hoffman.

Mayor Taylor adjourned the session at 11:12 p.m.



Marilyn K. Perkett
City Recorder



Scott Taylor
Mayor

PROCLAMATION

WHEREAS, the study, listening and performance of music is basic to the complete individual, provides a platform for individual expression, engages citizens in individual and group activity, develops creativity, problem-solving, and critical and evaluative skills; and

WHEREAS, Bluegrass music is an indigenous American Musical Art form; and

WHEREAS, Bluegrass music helps individuals acquire skills in production and performance of music, as well as an understanding of America's history and culture; and

WHEREAS, Canby's Bluegrass Saturday Night is concerned with maintaining and improving the quality of life for all individuals regardless of their socio-economic status or their abilities.

NOW THEREFORE, I, Scott Taylor, Mayor of the City of Canby, Oregon hereby proclaim Saturday, April 22, 1995 as

BLUEGRASS SATURDAY NIGHT

and urge citizens to support the Bluegrass Saturday Night by attending an evening of fun and revisiting our roots of indigenous folk music.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Canby to be affixed this 19th day of April in the year of our Lord One Thousand Nine Hundred and Ninety-Five.

Scott Taylor, Mayor