

**CANBY CITY COUNCIL  
REGULAR MEETING  
JUNE 21, 1995**

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

Also present: Administrator Michael Jordan, City Attorney John Kelley, City Recorder Marilyn Perkett, Library Director Beth Saul, Police Chief Jerry Giger, Jack Martin, Jerry Stanbery, Bob Hoffman, Nan Olson, Edith Pavlicek and Eric Johnson

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 was present..

**MINUTES OF PREVIOUS SESSION:** \*\*Councilman Prince moved to approve as distributed the minutes of regular session June 7, 1995. Motion seconded by Councilwoman Stark and approved 5-0.

**CITIZEN INPUT ON NON-AGENDA ITEMS:** None presented.

**PUBLIC HEARINGS:** Three public hearings regarding budgetary items were scheduled for this evening. Mayor Taylor opened the public hearing on the three items at 7:34 p.m.

1994-95 Supplemental Budget - Administrator Jordan noted that this procedure was done to balance the current budget. He pointed out that a Library donation was budgeted for expenditures; and the \$50,000 from cash carryover was budgeted for the S. Locust Street Park project; \$10,500 in grant money was budgeted for the Prevention Team Expenses from the Police Budget; and the Cemetery had a higher income this past year so money was budgeted for the Perpetual Care and additional funding for Personal Services since the PD Maintenance contract fee was raised in February.

Mayor Taylor asked if the audience or hearing body had any questions regarding the Supplemental Budget. None were voiced.

1995-96 State Revenue Sharing - Administrator Jordan explained that the City will receive approximately \$48,000 from State Revenue Sharing and this money has been designated for the 95-96 Police Department budget.

Mayor Taylor asked the audience and hearing body if there were any questions on the State Revenue Sharing budget. None were voiced.

1995-96 City Budget - Administrator Jordan briefly reviewed the proposed 95-96 City Budget, noting that the overall budget was lower by approximately one million dollars. Mr. Jordan explained that the slightly lower budget was due to a decrease in capital expenditures and the fact that money will go directly into individual funds, rather than transfers from the General Fund. He added that Personal Services is up slightly and Materials and Services has dropped slightly. The overall proposed budget is \$9,335,220.00.

Mayor Taylor asked the audience and hearing body for any questions they might have on the proposed 95-96 Budget. No one came forward.

Mayor Taylor closed the public hearings at 7:43 p.m.

**\*\*Councilman Harris moved that Ordinance 940, AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUE FOR 1995-96 FISCAL YEAR, be posted and come up for final action on July 5, 1995. Motion seconded by Councilman Nolder and approved 5-0.**

**\*\*Councilman Harris moved to adopt Resolution No. 587, A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR 1994-95 FISCAL YEAR. Motion seconded by Councilwoman Strong and approved 5-0.**

**\*\*Councilman Prince moved to adopt Resolution No. 588, A RESOLUTION ADOPTING THE BUDGET, AND MAKING APPROPRIATIONS FOR THE 1995-1996 FISCAL YEAR. Motion seconded by Councilman Harris and approved 5-0.**

Administrator Jordan commented that the Council and Budget Committee had worked very intensely on the budget since February.

**COMMUNICATIONS: Planning Commission Appointments** - Councilman Prince reported that Dan Ewert, Dennis Nolder and himself interviewed three candidates for the two open positions on the Planning Commission. He added that the decision was very difficult because all the candidates were excellent.

**\*\*Councilman Prince moved to appoint to the Canby Planning Commission John Larson to complete Tamara Mahar's term that expires in December 1995; and Brad Gerber to complete the term of Stan Elliot that expires in December 1997. Motion seconded by Councilwoman Stark and approved 5-0.**

Councilman Nolder commented that the candidates were excellent and commended them for stepping forward to volunteer for the Commission.

Block Party - Administrator Jordan reviewed a request from The Wiesehan's and The Oswald's of N.E. 14th for a street closure for the annual 4th of July Block Party.

Chief Giger reported that there have been no problems in the past years for this event.

**\*\*Councilman Nolder** moved to approve the request of the Wiesehan's and Oswald's to barricade N.E. 14th on July 4, 1995, between 3:30 and 10:00 PM for the annual Block Party. Motion seconded by Councilman Prince and approved 5-0.

Hispanic Recreation Program - Administrator Jordan stated that Eric Johnston, with the Mt. Hood Campfire Organization, submitted a program to create a Hispanic Youth Recreation League. The Canby Community School, Canby Kids, and ETBS will also be involved in this project, as stated in the letter of understanding regarding the issue. Mr. Jordan said the plan is to not only involve the Hispanic youth, but also the families, and to ultimately make the transition to the Canby Kids program.

Eric Johnston stated that he has set up a program in Molalla and will be directing the Canby program. He is currently funded through the County. Mr. Johnston said that "at risk youth" are those involved in school drop-out, teen pregnancies and gangs, and, ultimately, are not involved in any type of organized activities.

**\*\*Councilwoman Stark** moved to authorize the City Administrator to sign the "Memorandum of Understanding" regarding the Hispanic Youth Recreation League. Motion seconded by Councilman Prince and approved 5-0.

Letter from General Canby Day - Administrator Jordan briefly reviewed the letter from the General Canby Day Committee which set forth the schedule of activities and assistance they will require. Mr. Jordan noted that a motion would be in order regarding the requested street closures around Wait Park.

**\*\*Councilwoman Stark** moved to assist the General Canby Day Committee as needed and to block off the following streets for the July 4th activities: Grant at NE Second through NE Fourth; NE Fourth from N. Holly to N. Fir; and NE Third from N. Holly through N. Grant. Motion seconded by Councilwoman Strong and approved 5-0.

Mayor Taylor thanked the committee for all the hard work in preparing for the event. He added that most of the committee members were new this year and have carried on the tradition of doing a superior job with the General Canby Day Event.

**NEW BUSINESS:** Accounts Payable - **\*\*Councilman Prince** moved to approve payment of accounts payable in the amount of \$172,406.78. Motion seconded by Councilman Harris and approved by roll call vote, 5-0.

**\*\*Councilman Harris** moved to authorize payment of the June 30, 1995, fiscal year end accounts, contingent upon approval by Councilman Daniels or Prince. Motion seconded by Councilwoman Strong and approved by roll call vote, 5-0.

Eco-Park Development Proposal - Administrator Jordan pointed out that Jack Martin, Parks Department employee, had worked very hard on his presentation regarding the proposed Eco-Park at 1470 N.E. Territorial Road near the City Shop Complex.

Jack Martin informed the City Council that this is the last "stand" of any size of trees within the City limits of Canby and this proposal is to save the 23 acre stand. Mr. Martin stated that the stand is basically regressing and many dead trees are within the stand. He added that the management plan that he proposes will preserve the eco-system, as well as the wildlife in the area.

Mayor Taylor thanked Mr. Martin for the thoroughness of his work and added that the report was very well done.

**\*\*Councilwoman Nolder moved to approved the Eco-Park System Proposal as submitted by Jack Martin and to proceed with the plans as described in the Council packet. Motion seconded by Councilwoman Stark.**

Discussion-Councilman Prince expressed a concern about security in the proposed area if trees are removed to open up the area; he added that timber prices have drastically dropped recently; and he felt we should advertise prior to proceeding in order for citizens can have input on the issue.

Councilman Nolder asked if "horse logging" could be considered to protect the area from being damaged. He added that he felt it would be a safety factor to remove the dead trees and also be an improvement by having more visibility to the area.

Mr. Martin informed the Council that last week five backhoe loads of garbage was removed from the site.

Councilwoman Stark agreed with Councilman Nolder on his comments.

Councilman Harris said he regularly walks through the area and felt we should make the citizens aware of our plans for logging off the necessary trees. He also expressed a concern for fire safety, with regard to the dead trees and debris.

Mayor Taylor suggested input in the newspaper to allow for public testimony at the next meeting. He also noted that some money from the sale of the timber should be used for maintenance and management, as well as any necessary help to bring this proposal on line.

Councilwoman Strong said she was very impressed with Mr. Martin's informational packets and she agreed with Councilman Harris regarding public comments.

**\*\*The motion to proceed with the Eco-Park, after proper newspaper coverage was approved 5-0.**

Contract Renewal for the Canby Adult Center - Administrator Jordan informed the Council that the City owns the Adult Center facility and the Friends of the Adult Center manage the operations. He pointed out a few new additions to the renewal contract between the City and the Adult Center:

- \* A Bookkeeping and Auditing services sections has been added which stated that the City will reimburse the Center for the services, once the fees are approved by the Council.
- \* The Legal Services section was new, with wording approved by Attorney Kelley.
- \* Under Duration of Agreement the City has the right to terminate the agreement immediately, if the terms of the agreement are not met.

Nan Olson, Adult Center Manager, said her Friends group had a problem with the portion of the contract that allows the City to terminate the agreement immediately; they wanted the same privilege.

Administrator Jordan said this was added to protect the City in the worst case scenario if the agreement is not met by the Friends, since we also contract with the County and he agreed to either write a memo regarding the City's position on the issue, or appear at one of the Friends' meetings.

**\*\*Councilwoman Strong moved to accept the contract between the City of Canby and the Canby Adult Center, as presented. Motion seconded by Councilman Prince.**

Discussion-Councilors Nolder and Strong expressed concern regarding the immediate termination of the agreement. Mr. Jordan said he would address this issue in memo form to the Friends and they have the option whether or not to sign the agreement.

Mayor Taylor expressed a concern about the auditing process. He wanted to be sure that the Adult Center was able to receive the best price available for that service. Mr. Jordan noted that the City auditor had submitted a bid which was much higher than the bid the Center accepted by a person who also does the County audits.

**\*\*The motion for the Adult Center Contract was 5-0 for approval.**

Contract Renewal for Canby Kids Inc. - Administrator Jordan noted that the only change in this contract was the rental fee of \$425.00 per year, which was \$1.00 last year and is essentially the annual cost of maintaining their pick-up truck.

**\*\*Councilman Harris moved to authorize the signing of the contract between the City of Canby and Canby Kids Inc, with the one change regarding the \$425 annual fee. Motion seconded by Councilman Nolder and approved 5-0.**

Amendment to Neighboring Cities Study Contract - Bob Hoffman pointed out that this is an amendment to the contract we have with Neighboring Cities. He said the only change is in order to pay the North Plains consultant who serves on the Project Management Team . Mr. Hoffman said it does not affect Canby, as our contribution is non-cash in regards to this contract.

**\*\*Councilman Prince moved to authorize the Mayor to sign the contract amendment to the Neighboring Cities Study Contract, specifically regarding North Plains. Motion seconded by Councilman Harris and approved 5-0.**

**ORDINANCES & RESOLUTIONS:** Resolution No. 586 - Administrator Jordan noted that the City had requested proposals for Worker's Compensation insurance and two bids were received. He stated that the City/County Insurance bid was substantially lower than the SAIF bid. Mr. Jordan added that this is a three year contract.

**\*\*Councilman Harris moved to adopt Resolution No. 586, A RESOLUTION REGARDING MEMBERSHIP IN CITY/COUNTY INSURANCE SERVICES TRUST WORKER'S COMPENSATION GROUP. Motion seconded by Councilman Prince.**

Discussion - Councilman Harris asked how the price compared with the previous contract. Mr. Jordan said the base price has not increased much and that is because the trust is doing quite well. Also, our "experience rating" due to few claims, is very good and, therefore, we receive annual refund checks. In fact, Mr. Jordan pointed out that we just received another check this week for over \$10,000.

**\*\*The motion to approved Resolution No. 586, was 5-0.**

Administrator Jordan noted that Beth Saul has been responsible for a lot of the City's past safety practicez which is why our rating is so good. Mayor Taylor thanked Beth for her efforts in this field.

**UNFINISHED BUSINESS:** None presented.

**OTHER REPORTS OR ANNOUNCEMENTS:** Meetings - Administrator Jordan reminded the Council of the Clackamas Counties City meeting on Thursday in Gladstone.

The Management Compensation Committee has set a meeting for Monday, June 26th at 7:00 p.m. in the Library.

The Blue Heron group will have an Open House workshop at the Adult Center at 7:00 p.m. on Thursday, June 22.

Two budget committee meetings have been schedule, July 12 and August 9.

Governor Kitzhaber has been scheduled to appear at a ground breaking ceremony for a new business on N.W. Third and Baker on Wednesday, June 28th.

Councilman Prince asked if the Management Compensation issue could be resolved by the end of August, rather than in September. He felt it was important to have the conclusion prior to the City levy election.


The consensus was to wait and see what happens after the first Management Compensation committee meeting.

Bob Hoffman passed out the updated Land and Development Planning Ordinance, Chapter 16..


- ACTION REVIEW:**
1. Implement the 94-95 Supplemental Budget.
  2. Approval of the 95-96 Revenue Sharing Budget and City Budget.
  3. Approve General Canby Day activities and street closures.
  4. Approve street closure for NE 14th Block Party.
  5. Sign the Memorandum of Understanding for the Hispanic Recreation Youth League.
  6. Proceed with Eco-Park System after advertising for citizen input.
  7. Renew contracts for Canby Kids Inc. and Canby Adult Center.
  8. Renew City/County Insurance Agreement
  9. Management Compensation Committee Meeting planned for June 26th.

Chief Giger informed the Council that he would be leaving on Friday for New York City to run in the Special Olympics Fund Raiser as the Oregon Law Enforcement Representative.

Mayor Taylor adjourned the session at 8:55 p.m.



Marilyn K. Perkett  
City Recorder



Scott Taylor  
Mayor