

**CANBY CITY COUNCIL
REGULAR MEETING
MAY 18, 1994**

WORKSHOP: Present: Mayor Taylor, Councilors Prince, Stark, Strong, Daniels, Nolder and Harris, County Commissioner Judie Hammerstad, Administrative Assistant Chaplen and Recorder Perkett.

Mayor Taylor opened the session in the Canby Utility Board conference room at 6:00 p.m. The purpose of the session was to discuss various issues with Clackamas County Commissioner Judie Hammerstad.

Mayor Taylor adjourned the workshop session at 7:00 p.m.

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

Also present: Administrative Assistant Sarah Jo Chaplen, City Attorney John Kelley, City Recorder Marilyn Perkett, Myra Weston, Alan Gallagher, Mary Pirkey, Shirley Beebe, Jodeen & Kelly Birkeland, Peggy Sigler, Neal Thompson, Cam Sivesind 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 the Council showed a quorum to be present.

MINUTES OF PREVIOUS SESSION: **Councilman Prince moved to approve as distributed the minutes of regular session May 4, 1994. Motion seconded by Councilman Harris and approved 6-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: Johnson Controls - Allen Gallagher, Attorney, addressed the Council as a representative from the Chamber Economic Development Committee. He first complimented the Council for several things including the sign and historic ordinance, as well as the general way the Council serves the public.

Mr. Gallagher reported that the Chamber met with Tom Kotzien of Johnson Controls to discuss their loss of contracts which will certainly affect their business and production. The Chamber is currently working with Mr. Kotzien to execute a letter of support and assist them in any way possible to preserve their role in the community. Mr. Gallagher noted that Johnson controls has been a "good employer and neighbor" and great Chamber member. He encouraged the Council to support the Chamber's effort to assist Johnson Controls.

Mayor Taylor received an unanimous consensus of the Council to approve Mr. Gallagher's request. Mr. Taylor said he was also looking forward to meeting with the plant manager and discussing the issue.

S. Ivy Homeowner - Mary Pirkey, 695 S. Ivy, requested City Council assistance with problems she has been having with neighbors property maintenance. Ms. Pirkey implied that the following problems exist with her neighbors, within view of her home:

- aliens lived in the garage
- more than five unrelated people residing in the same dwelling
- burning of garbage, as well as garbage piled around area

people living in an RV
cage of chicken
selling cars from neighbors property

Ms. Pirkey said that Steve Floyd, Code Enforcement Office, has done what he could, however she felt there was no "teeth" in the current ordinances to correct the current conditions.

Ms. Pirkey said there were other areas in town that were in deplorable condition, as well. She cited a portion of S.E. Second that needs to be cleaned up.

Attorney Kelley requested that Ms. Pirkey document all of her concerns in a letter as to specific violations. The City will attempt to address each of the documented problems.

Mayor Taylor agreed that Canby should be "pretty." He suggested that this issue be on the June 15th agenda.

Triangle Park - Peggy Sigler, 9392 S. Gribble Road, requested that Council consider setting aside a portion of the Triangle Park (N. Holly and Territorial) for a Camp Fire Memorial. Also, she requested that "Camp Fire" remain in the official name of the park. After reviewing some of the history of the park, Ms. Sigler noted that the City had promised a memorial plaque on the uniquely shaped rock that had been donated by Neal Thompson in memory of his Mother, who was the leader of the first Camp Fire club in Canby in June, 1933.

Myra Weston, 343 N.W. 3rd, reviewed the history of "Triangle Park" and specifically the connection with the Camp Fire organization. Mrs. Weston said Mrs. Thompson was the first woman elected to the school board and started the Camp Fire Girls organization in Canby. Mrs. Weston urged the City to place a plaque on the rock in the park as originally promised in the early 1960's, as a memorial to Mrs. Thompson.

Neal Thompson, S. Carus Road, and former long-time Canby resident, informed the Council that he had found the unique rock at Camp Sherman and brought it to Canby to place in the park as a memorial to his mother. He said that he and his wife would help defray some of the cost of a plaque. Mr. Thompson reviewed some past history of Canby, noting that he originally owned the property which is now the Molalla State Park. Initially, he had initially planned a PUD for 1200 residents in that area; however, the State of Oregon initiated the Willamette Greenway and halted his project. He urged the Council to put a memorial plaque on the rock, not only for his Mother, but in recognition of the Camp Fire Girls.

Sarah Jo Chaplen read a letter from Nancy Wilmes, Sister City Association President, encouraging the City to proceed with the Japanese Friendship Garden in Triangle Park. She agreed that a plaque should be placed on the large rock denoting the history of the park. However, Ms. Wilmes does not agree that the park was or is a Camp Fire Park.

Councilman Prince commented that it was unfortunate that the Council was not aware of the history of Triangle Park. He felt the City should see that a memorial plaque is placed on the rock and an area set aside for the Camp Fire organization.

Councilwoman Stark agreed with Mr. Prince, adding that if we had been aware of the issue, accommodation could have been made for both the Camp Fire and Japanese Garden.

Councilman Nolder asked how big an area the Camp Fire wanted. Ms. Sigler responded that no specific size was contemplated, just a small area for recognition. Mr. Nolder felt the City could accommodate both organizations in the park. Further, Ms. Sigler informed

the Council that the Camp Fire group had raised slightly more than \$100.00 that could be used toward a memorial.

Mayor Taylor said he felt the City could find a way to incorporate both the Japanese Friendship Garden and Camp Fire recognition area. Mr. Taylor said if the City promised a memorial plaque, then we should follow through and see that the memorial plaque for Mrs. Thompson is placed appropriately.

Councilman Daniels suggest that Scott Nelson, Parks and Recreation Director, coordinate these projects. Mayor Taylor agreed with the suggestion.

Councilman Harris asked if the Camp Fire Girls would also receive some space. Mayor Taylor said there would be a usable area for the Camp Fire group. Ms. Sigler suggested a small area for flowers or perhaps a bench.

Councilwoman Strong suggested that the Camp Fire group agree to maintain the area. Ms. Sigler said there is not the continuity in the organization at this time to make a future commitment. Mayor Taylor asked if the Camp Fire Girls, and other civic organizations, were planning to help maintain the Friendship Garden. Ms. Sigler said that was what they had intended.

Historic Advisory Board - Mayor Taylor encouraged citizens interested in serving on the Historic Review Board to contact City Hall. Seven members are needed, and to date, there have been only three applications submitted.

Tree Survey - Bob Hoffman reported that a city-wide street tree survey was going to be coordinated. He requested that volunteers interested in helping count the trees, as well as those interested in marking tree locations and types on map, contact the Planning Department.

Park Covered Area Fee - Councilman Harris noted that he had strong reservations about the fee that was approved for use of Maple and Community Park covered areas. He suggested we refund the fee, if the area is left clean.

****Councilman Harris moved to make the Maple Street and Community Park reservation fees for the covered areas, refundable. Motion seconded by Councilman Prince.**

Councilman Daniels asked what the refund was based on. Mr. Harris felt it didn't cost the City that much money to go through the reservation process and felt it was an additional tax for citizens to use the park facility. Councilman Harris said he proposes that after two days, the money be refunded if staff determines it has been cleaned appropriately.

Councilman Prince spoke in favor of the motion, specifically for those who could not afford to reserve the covered areas.

Mayor Taylor said he was opposed to the motion. He noted that this was an initiative from the park staff in the reinventing government concept.

Councilwoman Stark agreed with the Mayor, saying that a reservation refund would create bookkeeping problems.

Councilwoman Strong stated that this type of fee would limit access to the new park being developed on the south side of town.

Mayor Taylor reminded the Council that a financial hardship waiver was available.

Councilman Daniels reiterated that this was only for Maple Street and Community Park.

Councilman Prince said that, in his opinion, the use of State parks is decreasing due to the fees that have been initiated for day use of those parks.

****The motion was approved 4-2, with Councilman Daniels and Stark voting nay.**

COMMUNICATIONS: Letter of Thanks to PW - Mayor Taylor read a letter from Jason & Jeanne Bristol, 163 NW 4th, commending the Public Works Department for the nice work done on N.W. 4th between Holly and Ivy.

Cutsforth's Thriftway - Mayor Taylor informed the Council of the successful day at Cutsforth's on Saturday with the children drawing their vision of "Canby's future." Mayor Taylor said that the Cutsforth's staff were extremely helpful and he appreciated their assistance. Prizes will be awarded at a later time for various age groups.

NEW BUSINESS: Accounts Payable - ****Councilman Daniels moved to approve payment of accounts payable in the amount of \$140,707.66. Motion seconded by Councilwoman Stark.**

Mr. Daniels noted that Slayden Construction, the Sewer Plant contractor, had a payment of \$53,000 in this pay period.

****Accounts payable were approved by roll call vote, 6-0.**

Agreement with Canby Kids - Scott Nelson explained that the proposed Canby Kids proposed one-year contract is very similar to the ten (10) year contract that expires this month. The agreement primarily covers the concession building and also addresses the use and maintenance of the athletic field.

Mayor Taylor asked if this limited us from allowing others to use the concession building if Canby Kids does not use it. He asked if it is used during soccer, season and was told it probably was not.

Attorney Kelley said the contract basically says Canby Kids has the concession rights for the entire year.

Councilwoman Stark pointed out that Canby Kids now pays people to run the stand, so they must make sure they make a profit. Also, the Canby Kids office is located upstairs.

****Councilman Daniels moved to enter into an Agreement with Canby Kids Inc., authorizing the Mayor to sign the agreement for the Maple Street concession building, vehicle use and maintenance of the park. Motion seconded by Councilwoman Strong and approved 6-0.**

ORDINANCES & RESOLUTIONS: Ordinance No.917 - ****Councilman Prince moved to adopt Ordinance No. 917, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH PARKER NORTHWEST PAVING CO., AND DECLARING AN EMERGENCY for the Logging Road Industrial Park. Motion seconded by Councilwoman Strong and approved by roll call vote, 6-0.**

Ordinance No. 919 - ****Councilman Harris moved to adopt Ordinance No. 919, AN ORDINANCE FOR THE CITY OF CANBY, OREGON AUTHORIZING A LOAN FROM THE SPECIAL PUBLIC WORKS FUND BY ENTERING INTO A LOAN CONTRACT WITH THE OREGON ECONOMIC DEVELOPMENT DEPARTMENT;**

AND DECLARING AN EMERGENCY. Motion seconded by Councilman Prince and approved 6-call vote.

Resolution No. 557 - Recorder Perkett explained that departments were encouraged to research options for generating more revenue and, in fact, the proposed \$5.00 increase for business licenses had been accounted for in the budgeting process for the next fiscal year.

****Councilwoman Stark moved to adopt Resolution No. 577, A RESOLUTION INCREASING BUSINESS LICENSE FEES** in the amount of an additional \$5.00 annually. Motion seconded by Councilwoman Strong.

Councilman Prince said he was in favor of the lessor amount of increase, instead of a large amount.

Mayor Taylor suggested that this proposal be reviewed by the Chamber of Commerce membership.

****Councilman Daniels moved to TABLE THE MOTION ON THE FLOOR UNTIL JUNE 15, 1994.** Motion seconded by Councilman Harris and approved 6-0.

Resolution No. 558 - Ms. Chaplen explained that the Library Information Network of Clackamas County (LINCC) requested that we consider approving the appointment of a committee to study the future needs of County libraries. City Administrator Jordan would be a member of this committee, she added.

****Councilman Daniels moved to adopt Resolution No. 558, A RESOLUTION SUPPORTING THE ESTABLISHMENT OF A LIBRARY FUTURES COMMITTEE.** Motion seconded by Councilwoman Strong and approved 6-0.

UNFINISHED BUSINESS: FOCUS Dues - Councilman Nolder, who has been the City's representative and attending the FOCUS meetings, felt the City of Canby did not gain much from its membership in this organization as most of the meetings were relevant to "special districts." He recommended that we not pay the \$3,300 membership fee for the coming year.

****Councilman Daniels moved to not renew the membership in the FOCUS organization.** Motion seconded by Councilman Harris.

Councilman Harris said he had attended one of the FOCUS meetings and, in his opinion, "it was a waste of time and money to the City."

****Motion was approved 6-0.**

Mayor Taylor asked that a letter be sent to the FOCUS organization advising them that the City did not intend to participate for the ensuing year.

OTHER REPORTS OR ANNOUNCEMENTS: Police Department Update - Lieutenant Jim Scharmota briefly reviewed the Police Department activities:

- * Officer Tim Sommer was recently injured during a foot pursuit and will be off work another 3-4 weeks. However, he did apprehend the suspect.
- * The Department has processed 18 liquor licenses under the new ordinance guidelines.
- * The Department is preparing for the Uninsured Vehicle Ordinance that will soon be in effect. He noted that an amendment will be presented to the Council so the Police can serve the driver of the vehicle, at the time of tow. Recorder Perkett

noted that the CUB newsletter will have an article in it, both in English and Spanish, regarding the towing of uninsured vehicles.

- * Tim Sommer, who was injured, will be rotating to the Detective position in July.
- * The K-9 program has been very successful since it started in April. The dog was used in 16 situation, and on 9 occasions drugs and approximately \$6,000 in assets were seized. Also, the dog has been used 3-4 times for other agencies.
- * Officer Jerry Gustaveson worked with the Reserve Unit to produce a Bicycle Safety Rodeo this past weekend. There were 60 participates. Also, Officer Gustaveson spent time reviewing bicycle safety in all first through fourth grade classrooms.
- * Office Landis has completed the DARE curriculum for the elementary students and will be starting the high school curriculum shortly.
- * The Department has had several student tours already this year.
- * Three officer have been working with businesses in the southwest section of town regarding student behavior. They are working on a "Zero-Tolerance Project" that they hope the entire business community will participate in.

Chief Giger said the Police Department passed an inspection by the Department of Corrections. However, a once a year inspection of the sprinkler system in the holding cells is needed.

Chief Giger informed the Council that the Law Enforcement Run was held today for Special Olympics, which was why he was wearing the t-shirt. He said the run was very successful.

Councilman Nolder asked when the bicycle helmet law would go into effect. Chief Giger said on July 1st.

June 8th - Mayor Taylor set June 8th, 7:00 p.m., as a workshop session with the Planning Commission, School Board and Council to discuss growth.

Jazz Festival - Recorder Perkett reminded the Council of the May 21st Annual Junior Jazz Festival in Wait Park.

**Councilman Prince moved to go into Executive Session under ORS 192.660 (1)(i), to evaluate employee performance. Motion seconded by Councilwoman Stark and approved 6-0.

Mayor Taylor recessed the regular session at 9:25 p.m. to go into Executive Session. The regular session was reconvened at 10:01 p.m. and immediately adjourned.

EXECUTIVE SESSION& MAY 18, 1994

Present: Mayor Taylor, Councilors Prince, Nolder, Harris, Stark, Strong and Daniels, Administrative Assistant Chaplen and Chief Giger.

Mayor Taylor called the session to order at 9:37 p.m. in the Utility Board conference room.


ORS 192.660 (1)(i) - The Council first discussed the employee evaluation of Jerry Giger. (Mr. Giger left the session after this was discussed.)

The Council next discussed the employee performance of Kathy Keyser.

Mayor Taylor adjourned the session at 9:58 p.m.



Marilyn K. Perkett
City Recorder



Scott Taylor
Mayor