

**CANBY CITY COUNCIL
REGULAR MEETING
FEBRUARY 17, 1993**

WORKSHOP: The City Council, Administrator, City Recorder and representatives from the Adult Center met in workshop session at 6:00 p.m. in the Canby Utility Board Conference Room. The purpose of the session was to discuss the future of the Adult Center, specifically with the Loaves and Fishes organization.

Mayor Scott Taylor presiding. Council members present: Terry Prince, Maureen Miltenberger, Dennis Nolder, Cheryl Stark, Walt Daniels and Joe Driggers.

Also present: Administrator Michael Jordan, City Attorney John Kelley, Public Works Director Rusty Klem, Police Chief Jerry Giger, City Recorder Marilyn Perkett, Janet Paulson, Rev. Earnest Bell, Cam Sivesind, Keith & Francis Faber and Joanie Cramton.

Mayor Taylor called the regular session to order at 7:30 p.m., followed by the flag salute and a moment of focus.

Roll call of the Council showed a quorum present.

MINUTES OF PREVIOUS SESSION: **Councilman Daniels moved to approve as distributed the minutes of regular session, February 3, 1993. Motion seconded by Councilman Prince and approved 6-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: None presented.

PROCLAMATION: Helping the Homeless Month - Mayor Taylor proclaimed the month of March, 1993, as "American Legion Auxiliary Hand-Up For the Homeless Month."

Francis Faber, from the Legion Auxiliary, accepted the Proclamation and informed the Council that March 27th would be their intense day to collect food and clothing. She also reported that members would pickup donations if they were called.

COMMUNICATIONS: Letter from Sue Engels - Administrator Jordan read a letter from the Mayor of Aurora, Sue Engels, inviting everyone to their 100th Anniversary ceremonies this weekend.

Administrator Jordan informed the Council that we had received a letter from Mayor Mark Mullins, Mayor of Sandy, requesting Senator Bob Kintigh to submit a bill removing annexations within the urban growth boundaries from the Metro jurisdiction.

Administrator Jordan also reported a meeting on February 22, 7 to 9 pm at the Clackamas Town Center regarding Tri-Met services in Clackamas County.

Mayor Taylor expressed interest in supporting a proposed bill by Senator Kintigh in regards to withdrawing from the Boundary Commission. Administrator Jordan said he would like to first review the bill to make sure it did not transfer jurisdiction back to the Clackamas County Commission or another jurisdiction, rather than keeping it local. The general consensus of the Council was to send a letter of support for a proposed bill, providing it kept the process local.

NEW BUSINESS: Accounts Payable - **Councilman Prince moved to approve accounts payable in the amount of \$76,931.22. Motion seconded by Councilman Daniels and approved by roll call vote, 6-0.

Renewal of FOCUS Membership - Administrator Jordan reported that it was time to renew dues for the FOCUS group that was first organized last year. Dues for 1992 were \$525, this year they have a variable dues structure: project one, is related to the Metro Charter, which we are not involved; project two relates to government issues that impact the tri-county area, for example the Governor's Task Force on local services; and project three is related to legislative activities for the tri-county area. Mr. Jordan reminded the Council that this is the only government forum group in the metro area, however, last year was primarily a year of organization.

Councilman Driggers asked what other types of organizations like this did we pay dues; and he also noted that at this point he was not "sold" on the idea of renewing the membership without clear knowledge of benefits.

Councilman Daniels was undecided.

Councilwoman Stark felt that as in many cases, the first year is organizational and felt it would be to our advantage to try at least one more year as a member.

Councilman Prince noted that he was specifically interested in the Governor's Task Force issues.

Councilman Nolder suggested that we continue for one more year.

Councilwoman Miltenberger agreed with continuing.

****Councilman Daniels moved to approve the 1993 membership with the FOCUS group for the basic package and project three, for a total of \$525.00. Motion seconded by Councilman Prince and approved 6-0.**

ORDINANCES & RESOLUTIONS: Ordinance No. 882 - Administrator Jordan said this ordinance was to vacate the Old Knights Bridge Road, on second reading.

****Councilman Daniels moved to adopt Ordinance No. 882, AN ORDINANCE OF VACATING OLD KNIGHTS BRIDGE ROAD ALIGNMENT WITHIN THE PRESENT CANBY CITY LIMITS; AND DECLARING AN EMERGENCY. Motion seconded by Councilwoman Stark.**

Councilman Prince asked if we could require financial compensation for these type of transactions; and he was concerned with the process. Administrator Jordan said it was a land use issue and we had to follow that process, however, we did have some problems with notice publications on this particular vacation. Also, it is a state law that we return the property to the owner or assignees on a vacation.

****Ordinance 882 passed by roll call vote, 6-0.**

Ordinance No. 883 - Administrator Jordan reminded the Council that this ordinance was implemented to restrict the unloading time in the downtown area. He also informed the Council that the emergency clause had been removed to allow us to take the additional thirty days to notify the local businesses.

****Councilman Prince moved to adopt Ordinance No. 883, AN ORDINANCE AMENDING CERTAIN SECTIONS OF CANBY MUNICIPAL CODE 10.04 RELATING TO PROHIBITED PARKING ON CITY STREETS. Motion seconded by Councilwoman Miltenberger and approved 6-0, by roll call vote.**

Ordinance No. 884 - Administrator Jordan reported that this was essentially a housekeeping ordinance to keep in compliance with state building code requirements.

****Councilman Daniels moved to adopt Ordinance No. 884, AN ORDINANCE ADOPTING THE 1991 EDITION OF THE UNIFORM BUILDING CODE STANDARDS, OTHER UPDATE SPECIALTY CODES; AND DECLARING AN EMERGENCY. Motion seconded by Councilman Prince and approved by roll call vote, 6-0.**

Resolution No. 531 - Rusty Klem reviewed the proposed utility easement reduction and noted that this process needed to be recorded. Mr. Klem said that twelve foot easements are required for utility purposes. In this case, there was twelve feet on one parcel and six on the adjoining parcel, giving eighteen feet. The developer of the property requested the reduction for better placement of his proposed building.

****Councilman Daniels moved to adopt Resolution No. 531, A RESOLUTION APPROVING A REDUCTION OF SIX FEET IN THE TWELVE FOOT UTILITY EASEMENT LOCATED ALONG THE WEST PROPERTY LINE OF TAX LOT 2101 OF TAX MAP 3-1E-33DD. Motion seconded by Councilwoman Miltenberger.**

Councilman Nolder asked how often these types of requests occur and was told only 2 or 3 times per year. Also, Mr. Nolder asked if this gave the developer any financial gain. Mr. Klem said that the rental units that were proposed would generate revenue, however, the property is not the City's and if we don't use it we must turn it back to the owner.

Councilman Driggers asked if letters from other agencies regarding their position on the issues were kept on file. Mr. Klem told him they were filed.

Councilman Prince asked if twelve feet is enough for the easement. Mr. Klem reported that it is.

****Resolution No. 531 was approved 6-0.**

UNFINISHED BUSINESS: CDBG Applications - Rusty Klem reminded the Council that they had reviewed and prioritized the proposed CDBG projects at the last meeting.

Councilman Prince asked if there were any other streets that could be considered for a CDBG application. Mr. Klem said none came to mind that would qualify.

****Councilman Daniels moved that the City of Canby submit Community Development Block Grant applications for the 1991-93 funding cycle as follows: 1. Canby Adult Center Addition, 2. South Locust Park, 3. North Cedar Street Improvements, 4. Knott Street Community Center, and 5. Geographic Information Plan. Motion seconded by Councilwoman Stark and approved unanimously, 6-0.**

OTHER REPORTS OR ANNOUNCEMENTS: Administrator Jordan explained that Scott Nelson, Aquatics Director, was quite ill, therefore his department update would be rescheduled.

ACTION REVIEW:

1. Send letters to Kintigh and Shiprack, if it is in the best interest for the City.
2. Renew FOCUS membership for another year.
3. Implement Ordinances 882 & 884.
4. Send letters to local businesses implementing Ordinance No. 883.
5. Record Resolution 531.
6. Submit the CDBG applications.

Mayor Taylor commented on the youth center, "The Zoo", noting that Chief Giger, Lieutenant Scharmota and his wife, and Steve Landis did a great deal of work to ready the

center for the opening last Saturday. He also encouraged citizens to volunteer to staff the center.

****Councilman Prince moved to go into Executive Session under ORS 192.660(1)(h), regarding pending litigation. Motion seconded by Councilman Daniels and approved 6-0.**

Mayor Taylor recessed the regular session at 8:36 p.m., to go into Executive Session. The regular session was reconvened at 9:25 p.m.

At this time, the Council briefly reviewed the proposed City Charter change by the OCA, without making any final Council decisions on support or non-support of the issue.

Mayor Taylor adjourned the regular session at 10:06 p.m.

**EXECUTIVE SESSION
FEBRUARY 17, 1993**

Present: Taylor, Prince, Nolder, Miltenberger, Stark, Daniels, Driggers, Mike Jordan, John Kelley and Cam Sivesind.

Mayor Taylor called the session to order at 8:45 p.m. in the Police Department Conference Room.

ORS 192.660 (1)(h) - The Council discussed the pending litigation filed by Mr. Watson against CUB and the City.

Mayor Taylor adjourned the session at 9:20 p.m.



Marilyn K. Perkett
City Recorder



Scott Taylor
Mayor

PROCLAMATION

THE AMERICAN LEGION AUXILIARY 1992-93 NATIONAL FOOD DRIVE

HELPING THE HOMELESS

WHEREAS, our nation has a continuing responsibility to assist those who are homeless; and

WHEREAS, every needy individual deserves a "hand-up" when they are down; and

WHEREAS, the American Legion Auxiliary acknowledges the growing problem of homelessness in communities nationwide; and

WHEREAS, the American Legion Auxiliary and this community recognize their responsibility to assist the homeless; and

WHEREAS, the American Legion Auxiliary is dedicated to helping the homeless, especially homeless veterans, nationwide.

THEREFORE, the Canby American Legion Auxiliary and the City of Canby join the nation in working to eliminate the problem of homelessness.

NOW, THEREFORE, by virtue of the authority vested in me as the Mayor of the City of Canby, Oregon, I hereby proclaim that March 1993, be known as

AMERICAN LEGION AUXILIARY HAND-UP FOR THE HOMELESS MONTH

I urge all citizens to participate in the American Legion Auxiliary National Food Drive, to donate their canned goods and packaged food, and offer a "hand-up" to those who are homeless in our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Canby to be affixed this 17th day of February in the year of our Lord One Thousand Nine Hundred and Ninety-Three.

Scott Taylor, Mayor