

**CANBY CITY COUNCIL
REGULAR MEETING
MARCH 4, 1992**

Mayor Shawn P. Carroll presiding. Council members present: Scott Taylor, Keith Stiglbauer, Maureen Miltenberger, Robert Smith, Terry Prince and Walt Daniels.

Also present: Public Works Director Rusty Klem (sitting in for Administrator Jordan), Attorney John Kelley, City Treasurer Virginia Biddle, Library Director Beth Saul, Swim Center Director Scott Nelson, Police Chief Jerry Giger, City Recorder Marilyn Perkett, Joe Gary and Cam Sivesind.

Mayor Carroll called the regular session to order at 7:30 p.m., followed by the flag salute and meditation.

Roll call of the Council showed a quorum to be present.

MINUTES OF PREVIOUS SESSION: **Councilman Daniels moved to approve as distributed the minutes of regular session, February 19, 1992. Motion seconded by Councilman Smith and approved 6-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: Mayor Carroll congratulated Bill and Myra Weston on their 60th Wedding Anniversary tomorrow.

COMMUNICATIONS: None presented.

NEW BUSINESS: Accounts Payable - **Councilman Prince moved to pay accounts payable in the amount of \$86,545.40. Motion seconded by Councilman Daniels and approved by roll call vote, 6-0.

Request to Use City Parking Lot for Dog Show - Rusty Klem reviewed a request from the Pudding River Dog Enthusiast Club asking permission to hold a demonstration on dog obedience in the City parking lot across from the Police Department on Saturday, March 28. Mr. Klem noted that they used the parking lot last year for the same event with no problems. The Council gave an unanimous consensus of approval for the event.

Review Telephone and Northwest Natural Gas Franchise Fees - Virginia Biddle asked the Council if they would like to contact Canby Telephone to enter into negotiations for raising the current franchise fee of 3.7% to 5%. Mrs. Biddle explained that Canby Telephone and Northwest Natural Gas are the only two franchises that have fees below 5%.

Councilman Taylor expressed concern about users rates rising in the event of raising the franchise.

Mayor Carroll informed the Council that he had spoken with Larry Cole of Canby Telephone Association, and he indicated that in April, 1993, when Canby changes to the "extended area service", which allows toll free calling to Portland, our franchise money should increase from two to three times what is currently collected.

Councilman Taylor asked if all franchise fees are a "city privilege tax"? He was informed that anything over 3.7% would show on billings as a city privilege tax.

Councilman Daniels asked when we last raised the telephone franchise. Mrs. Biddle indicated that it raised from 3% to 3.7% a year ago.

Attorney Kelley suggested we send a letter of intent to raise the fees to both Canby Telephone and Northwest Natural Gas, to start the 90 day required time frame.

The majority of the Council agreed to reset the issue until the March 18th meeting, and ask input from both agencies without actually starting the 90 day requirement for notification of fee increase.

ORDINANCES & RESOLUTIONS: None presented.

UNFINISHED BUSINESS: Police Personnel Assignment - Chief Giger reported that, as per Council request, the budget committee had been notified of his personnel request and all five had indicated approval, one with reservations.

Chief Giger reiterated the rationale for the request as being more cost effective to have additional patrol officers in lieu of narcotics officers. Mr. Giger said that all uniformed officers will be trained in drug detection activities.

****Councilman Taylor moved to adopt the proposal of Chief Giger to allow the previously budgeted officer to become a patrol officer as per his memo of February 11, 1992 (attached to the minutes of this meeting). Motion seconded by Councilman Stiglbauer and approved 6-0.**

Mobile Home at Community Park - Rusty Klem reminded the Council that November, 1991, upon staff request, the Council approved moving the mobile home unit from Canby Community Park that City employee Todd Gary owned. Todd was not able to sell the unit for relocation. However, Joe Gary, his father, has offered to purchase the unit if he can maintain the park residency. Staff recommended approving Joe Gary to reside in the park in the unit, noting he could continue the "watch dog" efforts for us.

Councilman Taylor requested that number two, under "Occupant Hereby Agrees To", be omitted, which referred specifically to a Canby Utility Board employee as the tenant, where Joe Gary is employed. Mr. Taylor felt the employment of the occupant was not pertinent, only that we had someone willing to act in a "caretaker" sense for the park. Mr. Taylor suggested some wording regarding occupancy of the mobile home could not change without City permission.

****Councilman Taylor moved to approve the agreement between the City of Canby and Joe Gary to occupy a mobile home in the Canby Community Park, striking number two of "Occupant Hereby Agrees To" and instructing the City Attorney to adjust the agreement to clarify that no other tenant, other than Joe Gary, may reside in the unit at the park. Motion seconded by Councilman Daniels and approved 6-0.**

Mayor Carroll informed Mr. Gary that he knew the Boy Scouts would be grateful to have an occupant in the mobile home next to their building in the park.

Joe Gary thanked the Council for the approval of his occupancy request.

Budget Committee - Mayor Carroll read a letter from Shirley Strong, 260 S.W. 9th, a long time resident of Canby, offering to serve on the budget committee. Mrs. Strong indicated that she has been in the banking business for 20 years, and is eager to serve in the municipal capacity.

****Councilman Daniels moved to authorize the Mayor to appoint Shirley Strong to the City Budget Committee, to complete the unexpired term of Ed Miller to July, 1994. Motion seconded by Councilman Smith and approved 6-0.**

OTHER REPORTS OR ANNOUNCEMENTS: Library Update - Beth Saul briefly reviewed recent happenings at the library:

- the roof has not leaked since last Fall.
- a suggestion box has been set up and they are receiving many ideas that let them know what areas they are strong in and what areas are weak.
- they have applied for a couple grants. They have been awarded one from the State Library and National Endowment for Humanities: they will work with Community Education on providing discussion groups for older adults, in April and May, with a facilitator and books provided by the grant. The other grant is for a basic collection in Spanish and English as a second language. Their proposal has been approved and the application is due by May 1; this grant appears to be likely.
- the Latch Key problem has improved since Peggy Wickwire sent a letter to the parents of many of the children. The library is currently trying to recruit a volunteer from RSVP to assist with an afternoon program for these children.
- Camp Library was a success with between 25-30 parents and children in attendance.
- the library has several Spring programs available and Mrs. Saul suggested people stop by the library to review the list.
- a meeting to plan Canby's Centennial has been scheduled for March 12, 7:30 pm, at the library.

Councilman Taylor commended Mrs. Saul on the excellent services our library provides and said he always hears "good things" about the library.

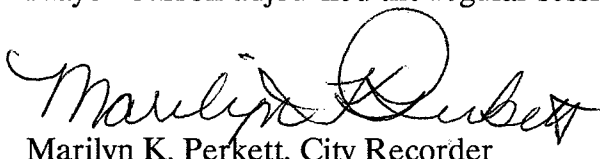
Mr. Klem informed the Council that a Mr. Herman had contacted City Hall regarding the stone setting on his father's grave. It appears that the stone had been delivered to the cemetery a few months ago and not set in a timely manner. Mr. Klem said normal procedure was to set the stone within two week of delivery, weather permitting. This appears to be a personnel issue which is being addressed by Mr. Klem, however, Mr. Herman wanted the Council to be made aware of the matter. A letter of apology will be sent to the Herman's.

Scott Nelson announced that the South Clackamas Recreation District and the Parks Committee will meet on March 10th, 7:00 p.m., at the Adult Center to review the results of the recent survey. Mr. Nelson indicated that they sent out 10,000 surveys and received back approximately 1 1/2%.

- ACTION REVIEW:**
1. Send letter of approval to Pudding River Dog Enthusiast.
 2. Contact Canby Telephone and Northwest Natural Gas regarding fact finding on franchise fees for March 18 meeting.
 3. Replacing Drug Officer with a Patrol Officer in Police Department.
 4. Amend and sign Mobile Home Agreement for Community Park.
 5. Inform Shirley Strong of her appointment to the City Budget Committee.
 6. Send letter of apology to Mr. Herman.

Mayor Carroll reminded everyone that ballots for the March 24 election will be mailed on March 6th and he urged everyone to vote.

Mayor Carroll adjourned the regular session at 8:20 p.m.


Marilyn K. Perkett, City Recorder


Shawn P. Carroll, Mayor