

CANBY CITY COUNCIL  
REGULAR MEETING  
AUGUST 7, 1991

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

Also present: Administrator Michael Jordan, City Attorney John Kelley, City Recorder Marilyn Perkett, Police Chief Jerry Giger, Public Works Director Rusty Klem, Aquatics Director Scott Nelson, Jeff Wuorio, Chris Curren, Sue Cox, Nancy Wilmes, Mr. & Mrs. Ackerman, Jim Rourk, Officer Greg Kroepelin and several others which included, eight visiting students from Kurisawa, Japan, their two chaperones, an interpreter and several Canby host family members.

Mayor Carroll called the regular meeting 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 REGULAR SESSION:** \*\*Councilman Daniels moved to approve as distributed the minutes of regular session, July 17, 1991, and special session, July 31, 1991. Motion seconded by Councilman Smith and approved 6-0.

**CITIZEN INPUT ON NON-AGENDA ITEMS:** Mayor Carroll introduced the visiting students and their chaperones from Kurisawa, Japan. A reception to honor the visitors had been held prior to this meeting.

**COMMUNICATIONS:** Jim Rourk, 492 S.W. 11th, Director of the Canby Civic Theater, addressed the Council to inform them of the proposed plans for the organization and to ask the Council to consider a possible site for their performances. The Canby Community Park was suggested and Mr. Rourk was asked to work with the City Administrator on setting possible dates for their necessary performance space.

**NEW BUSINESS:** Accounts Payable - \*\*Councilman Prince moved to approve payment of accounts payable in the amount of \$212,286.37. Motion seconded by Councilman Daniels and approved by roll call vote, 6-0.

Traffic Safety Committee Mini-Grant - Chief Giger informed the Council that the Oregon Traffic Safety Program had \$10,000 allocated for mini-grants and up to \$2,000 for each application. The Canby Traffic Safety Commission wishes to apply for one of these grants.

Officer Greg Kroepelin told the Council that in his 12 years with the department, he felt that neighborhood speeding was a problem and that is why the commission had applied for the grant to purchase two hand held radar guns and four "Buckle Up" signs. The guns will be checked out to residents after they are instructed in the use. The Police Department hopes this will help identify problem areas to prioritize in traffic surveillance. Also, no specific area has been chosen for placement of the signs.

The Mayor and City Council gave unanimous approval to send a letter of support for the Traffic Safety Commission's Mini-Grant.

Deferred Compensation Retirement Funds - Administrator Jordan explained that the Bank of America, one of our current comp plan firms, will be discontinuing this service as of November 1, 1991. Therefore, we wanted to offer another option to employees, other than the PEBSO. Staff has reviewed the deferred plan of Clackamas Federal Credit Union

and felt it would be a good plan to offer.

**\*\*Councilman Daniels moved to authorize the Mayor and City Administrator to sign an agreement with Clackamas Federal Credit Union for a deferred compensation program for City employees. Motion seconded by Councilman Smith.**

Councilman Taylor asked about our other option with PEBSCO and Administrator Jordan briefly explained the plan which offers two options, one with a variable return and one with a fixed return.

**\*\*Motion on the floor passed 6-0.**

**ORDINANCES & RESOLUTIONS: Ordinance No. 864 - Administrator Jordan explained that this was the second reading for an ordinance that would amend the code to allow for a resolution to increase the annual business license fee.**

**\*\*Councilman Taylor moved to adopt Ordinance No. 864, AN ORDINANCE AMENDING PORTIONS OF CHAPTER 5.04 OF TITLE 5 OF THE CANBY MUNICIPAL CODE, ENTITLED BUSINESS LICENSES; AND DECLARING AN EMERGENCY. Motion seconded by Councilwoman Miltenberger and approved 6-0, by roll call vote.**

Ordinance No. 863 - Attorney Kelley reminded Council that this ordinance was drafted to address the issue of outside table service in front of local businesses. This ordinance allows for umbrellas with a minimum height of seven feet and an unobstructed passage on the sidewalk of four feet.

**\*\*Councilman Taylor moved that Ordinance No. 863, AN ORDINANCE AMENDING MUNICIPAL CODE CHAPTER 12.12 DEALING WITH SIDEWALK DISPLAYS; AND DECLARING AN EMERGENCY, be posted and come up for final action on August 21, 1991. Motion seconded by Councilman Smith.**

Councilman Taylor suggested that we change the penalty in Section 3, from \$500.00 each day to \$100.00.

Councilman Smith asked if the four foot criteria would allow for a seeing-eye dog and person to have clear passage.

Councilwoman Miltenberger asked if sidewalk sales would be affected.

The penalty figure will be changed and the other two questions will be researched.

**\*\*The motion on the floor passed 6-0, with the amended fine being changed from \$500 to \$100.**

Resolution No. 480 - This is the accompanying resolution that sets the new monthly fee and delinquency charge for business licenses.

**\*\*Councilman Prince moved to adopt Resolution No. 480, A RESOLUTION INCREASING BUSINESS LICENSE FEES AND DELINQUENCY CHARGES ASSOCIATED WITH SUCH FEES, seconded by Councilman Daniels and approved 6-0.**

Resolution No. 481 - Chief Giger explained that the Traffic Safety Commission has been operating since 1970 and has become very active since 1980. However, there has never been an ordinance or resolution that officially designated the commission. A criteria to receive the mini-grant is the adoption of this resolution.

**\*\*Councilman Daniels moved to adopt Resolution No. 481, A RESOLUTION CREATING AND ESTABLISHING A COMMISSION FOR THE PURPOSE OF DEVELOPMENT AND IMPLEMENTATION OF COORDINATED TRAFFIC SAFETY PROGRAMS WITHIN CANBY TO BE KNOWN AND DESIGNATED AS THE CANBY TRAFFIC SAFETY COMMISSION, second by Councilman Smith.**

Councilman Taylor suggested that in Section 2, (C), add the word "recommendations", regarding project applications since they are to act in an advisory capacity.

**\*\*The motion was approved with the amended wording, 6-0.**

**UNFINISHED BUSINESS: Judge's Contract** - Administrator Jordan pointed out a misprint on the proposed salary that had been corrected and initialed by Judge Henricksen. The monthly salary would be \$1,600 and the City would pay the PERS contribution.

Councilman Taylor felt that Section 4, (1) should specifically refer to the fact that the Judge would conduct all court scheduled matters. Also, Section 4, (1)(e), be amended to read, "approved by the budget committee".

**\*\*Councilman Taylor moved to approve a contract with Judge Jon Henricksen, as amended. Motion seconded by Councilman Prince and approved 6-0.**


**OTHER REPORTS OR ANNOUNCEMENTS:** Mayor Carroll reminded everyone of the last "Slice of Summer" performance to be held Sunday with the Woody Hite Band performing at Wait Park.


Rusty Klem announced that Birch Street paving had been delayed due to a problem of the state approving the gravel and paving would be next Tuesday, August 13. Cedar Ridge is scheduled for paving on August 22, Township Village paving on September 1, and Willow Creek will be scheduled for paving in late September.

Chief Giger informed the Council that two officers had been conducting traffic counts in the City. On N. Maple the count showed an average of 1,200 cars a day and on S. Ivy in the 1000 block the count was 9,000 cars a day.

- ACTION REVIEW:**
1. Plan with Jim Rourk for proposed Civic Theater performance areas.
  2. Write letter of support for Traffic Safety Commission Mini-Grant.
  3. Implement deferred comp program with Clackamas Federal Credit Union.
  4. Implement Ordinance 864, raising business license fees.
  5. Do additional research on Ordinance 863 regarding sidewalk sales and handicap access.
  6. Establish Traffic Safety Commission.
  7. Amend Judge Henricksen's contract prior to signing.

Mayor Carroll adjourned the regular session at 8:33 p.m.

  
Marilyn K. Perkett  
City Recorder

  
Shawn P. Carroll  
Mayor