

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
May 21, 2008**

Presiding: Mayor Melody Thompson

Council Present: Paul Carlson, Teresa Blackwell, Walt Daniels, Randy Carson and Tony Helbling. Councilor Wayne Oliver was absent.

Staff Present: Mark Adcock, City Administrator; John Kelley, City Attorney; Beth Saul, General Services Director; Dwayne Barnes, Public Works Director; Sue Engels, Interim Finance Director; and Melissa York, Office Specialist.

Others Present: Bob Cornelius and Jason Padden.

CALL TO ORDER: Mayor Thompson called the Regular Meeting to order at 7:32 p.m. followed by the opening ceremonies.

Introduction of Interim Finance Director – Mark Adcock, City Administrator, introduced Sue Engels as the new Interim Finance Director.

COMMUNICATIONS: None.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: None.

MAYOR'S BUSINESS: Mayor Thompson said she had spoken with Councilor Carlson, Traffic Safety Commission liaison and Councilor Carson, Bike and Pedestrian Committee liaison. They wanted the Council and Matilda Deas, Project Planner, to have a work session soon to discuss the Traffic Safety Commission.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Daniels reported that Canby Area Transit ridership was up 1% in March and 11% in April.

Councilor Carson said he attended the Canby Historical Society's 40th Anniversary party. He also attended a French Prairie forum group that met to discuss concerns about Metro moving into the Langdon Farms area near the I-5 corridor.

Councilor Helbling said there were still two Planning Commission seats available. He said that the Downtown/99E design standards final hearing was scheduled for May 27. He also had citizens ask him about the construction of sidewalks on the corners of NW 2nd and 3rd where they crossed Elm.

Dwayne Barnes, Public Works Director, explained the history behind the project and that it was done under a Community Development Block Grant.

Councilor Helbling said the budget meetings would soon start and were open to the public.

CONSENT AGENDA: **Councilor Daniels moved to approve the minutes of the May 7, 2008 City Council Regular Meeting. Motion was seconded by Councilor Carson and passed 5-0.

RESOLUTIONS & ORDINANCES: Resolution 975 – Mr. Adcock said this would meet the Council's goal of selling the property adjacent to Maple Street Park and using the proceeds for future park improvements.

****Councilor Carson moved to adopt Resolution 975, A RESOLUTION DECLARING CERTAIN REAL PROPERTY KNOWN AS THE MARSHALL PROPERTY LOCATED AT 1504 N. MAPLE STREET IN CANBY NOT NEEDED FOR PUBLIC USE. Motion was seconded by Councilor Daniels and passed 5-0.**

Resolution 980 – Mr. Adcock said this would accelerate the payment of the bonds and save \$320,000 to the rate payers.

****Councilor Daniels moved to adopt Resolution 980, A RESOLUTION AUTHORIZING THE REDEMPTION OF THE CITY'S SEWER REVENUE BONDS, SERIES 1998. Motion was seconded by Councilor Carson and passed 4-0 with Councilor Carlson abstaining.**

Resolution 981 – Mr. Adcock said this would change the designated person authorized to file and certify these programs from the former finance director to the City Administrator.

****Councilor Daniels moved to adopt Resolution 981, A RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION, AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY 49 U.S.C. CHAPTER 53, TITLE 23, UNITED STATES CODE AND OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION. Motion was seconded by Councilor Blackwell and passed 5-0.**

Ordinance 1274 – ****Councilor Carson moved to adopt Ordinance 1274, AN ORDINANCE AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH P.C.R. INC. OF BEAVERCREEK, OREGON TO CONSTRUCT IMPROVEMENTS AT LEGACY PARK FOR THE CANBY PARKS DEPARTMENT; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Blackwell.**

Beth Saul, General Services Director, said this project would complete Legacy Park. She explained what would be done.

Councilor Carson asked if there would be a way to add swings for older children.

Ms. Saul said there were safety rules regarding the proximity of different play equipment and it would have to be looked at.

Motion passed 5-0 by roll call vote.

Ordinance 1276 – John Kelley, City Attorney, said the Willamette Falls contractor did the City's portion of the road improvements to save money and as a result they received a bill from Willamette Falls requesting reimbursement, which was the City's share of the improvements.

****Councilor Helbling moved to approve Ordinance 1276, AN ORDINANCE AUTHORIZING REIMBURSEMENT OF FUNDS NOT TO EXCEED \$41,063.25 FROM THE TRANSPORTATION SYSTEM DEVELOPMENT CHARGE FUND TO WILLAMETTE FALLS HOSPITAL FOR THE COMPLETION OF CERTAIN SEQUOIA PARKWAY IMPROVEMENTS AT THE INTERSECTION OF 1ST AVENUE AND SEQUOIA PARKWAY AND DECLARING AN EMERGENCY to come up for second reading on June 4, 2008. Motion was seconded by Councilor Carson and passed 5-0 on first reading.**

NEW BUSINESS: Appointment of City Recorder Pro-Tem for May 21-23, 2008 – Mr. Adcock said because Resolution 980 required the City Recorder's signature and Ms. Scheafer was absent, they were requesting to temporarily appoint Mr. Adcock City Recorder Pro-Tem.

****Councilor Helbling moved to appoint Mark C. Adcock as City Recorder Pro-Tem during the absence of Kim Scheafer from the office for the period of May 21-23, 2008. Motion was seconded by Councilor Daniels and passed 5-0.**

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: Update on IGA with Canby Fire District – Mr. Barnes said he would like to contact the Fire Chief and renegotiate the IGA. Currently the cost the Fire District was paying was not covering the actual cost of services the City was providing and that had been the case for several years. He gave the Fire Chief until June 1 to respond. The new IGA would be renewed annually during budget time. The labor rate should be changed from \$50 an hour to \$64 an hour. He would like to change from a quarterly billing to monthly billing for parts and materials and charge 15% parts mark up. He also wanted clarity on which vehicles were priority.

Mr. Adcock recommended drafting a new IGA and they would track over the next year what the maintenance costs were and, at the end of the year, they would have a precise shop rate.

Mr. Kelley wanted to know if they were going to amend the contract or create a new agreement. A contract amendment required the mutual consent of both parties. If they did not agree, they could invoke a 30 day termination. If the Fire District did not want to amend the contract, Council wanted it brought back to consider their next step.

There was Council consensus to approach the Fire District with a proposed amendment that Mr. Barnes recommended in his staff report and if the amendments were acceptable, they would bring back an amended agreement for Council's approval. If they were not in agreement, it would be brought back to Council to discuss the next steps.

CITIZEN INPUT: None.

ACTION REVIEW:

1. Approved the consent agenda.
2. Adopted Resolution 975.
3. Adopted Resolution 980.
4. Adopted Resolution 981.
5. Adopted Ordinance 1274 on second reading.
6. Approved Ordinance 1276 to come up for second reading on June 4, 2008.
7. Appointment of Mark C. Adcock as City Recorder Pro-Tem for the period of May 21-23, 2008.
8. Staff to bring back any concerns or update on the IGA with Canby Fire District.

****Councilor Daniels moved to go into Executive Session pursuant to ORS 192.660(2)(e) Real Property, ORS 192.660(2)(h) Pending Litigation and ORS 192.660(3) Labor Negotiations. Motion was seconded by Councilor Carson and passed 5-0.**

Mayor Thompson read the Executive Session format and recessed the Regular Meeting at 8:15 p.m.

Mayor Thompson reconvened the Regular Meeting at 9:45 p.m. and immediately adjourned.

**CANBY CITY COUNCIL
EXECUTIVE SESSION
May 21, 2008**

Presiding: Mayor Melody Thompson

Council Present: Paul Carlson, Teresa Blackwell, Wayne Oliver, Walt Daniels, Randy Carson, and Tony Helbling. Councilor Wayne Oliver was absent.

Staff Present: Mark Adcock, City Administrator and John Kelley, City Attorney

Others Present: None.

Mayor Thompson called the Executive Session to order at 8:17 p.m. in the City Hall Conference Room.

ORS 192.660(2)(e) Real Property – The Council discussed real property transactions.
ORS 192.660(2)(h) Pending Litigation – The Council discussed a pending litigation matters.
ORS 192.660(2)(3) Labor Negotiations – The Council discussed labor negotiations with the City Attorney.

Mayor Thompson adjourned the Executive Session at 9:45 p.m.



Kimberly Scheafer, CMC
City Recorder Pro Tem



Walt Daniels
Council President

Assisted with preparation of minutes – Melissa York & Susan Wood