

**CANBY CITY COUNCIL
REGULAR MEETING
AUGUST 7, 1996**

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

Also present: Administrator Michael Jordan, Assistant to Administrator Sarah Jo Chaplen, City Recorder Marilyn Perkett, City Attorney John Kelley, Library Director Beth Saul, Public Works Supervisor Roy Hester, Sewer Plant Supervisor Steve Hanson, Ken Hagen, Ron Hester, Emily Neway, Kathy Layton, Nancy Wilmes and six students and two adult chaperons from Sister City Kurisawa, Japan.

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 SESSIONS: **Councilman Prince moved to approve as distributed the minutes of regular session July 3, 1996, and workshop and regular sessions of July 17, 1996. Motion seconded by Councilman Harris and approved 6-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: None presented.

COMMUNICATIONS: Mary Anne Hardy - Ms. Hardy, with Clackamas County Healthy Start, addressed the Council to share information regarding the various services available through the Healthy Start program for families, and specifically young children. She explained that they have a state-wide evaluation process and funding is provided by the Oregon Commission on Children and Families. Ms. Hardy left pamphlets in English and Spanish to be distributed.

NEW BUSINESS: **Councilman Daniels moved to approve accounts payable in the amount of \$261,827.03. Motion seconded by Councilwoman Strong.

Councilman Daniels pointed out that some of the outside agency grants were and insurance premiums were paid in this pay period.

**Roll call vote for accounts payable was 6-0, for approval.

Appointments to Traffic Safety Committee - Recorder Perkett informed the Council that two positions were being considered for appointment to the Traffic Safety Commission. Chief Giger's recommendation was to replace Andy Ditommaso and Butch Neff with Marlene Elmore and Jamie Porter.

****Councilman Daniels moved to accept the recommendation from Chief Giger and appoint Marlene Elmore and Jamie Porter to a three year term, expiring in July, 1999, to the traffic Safety Committee. Letters of thanks to be sent to Andy Ditommaso and Butch Neff. Motion seconded by Councilman Prince and approved 6-0.**

Sister City Visitors - At this time, Nancy Wilmes, introduced the six students and two adult chaperones from Sister City Kurisawa, Japan. Mrs. Wilmes explained that the students placed commemorative rocks in the "Friendship Garden." One of the visiting adults addressed the Council bringing greetings from Kurisawa Mayor Yamada.

Mayor Taylor handed out a small gift to each visitor and extended a welcome from our community to the Sister City visitors.

Appointment to Budget Committee - Recorder Perkett reported that Mark O'Shea has volunteered to serve another term on the Budget Committee and Andy Ditommaso submitted an application to serve on the committee. She noted that two positions still need to be filled.

****Councilman Daniels moved to reappoint Mark O'Shea and appoint Andy Ditommaso to the City Budget Committee for a three year term, expiring in July, 1999. Motion seconded by Councilwoman Stark.**

Councilman Daniels encouraged anyone interested in this committee to contact City Hall since two more members are needed.

****The motion to appointment Budget Committee members was passed, 6-0.**

ORDINANCES & RESOLUTIONS: Ordinance No. 952 - Roy Hester, Public Works Supervisor, informed the Council that he was proposing the purchase of a street sweeper due to the continuing increase in the contract fees. Mr. Hester said the proposed piece of equipment has a twelve year life span.

Mayor Taylor asked about the life span of the equipment since the City would use it for fewer hours than normal, and who would staff the sweeper. Mr. Hester said the life span should be much longer since the City would schedule it for a limited amount of time and he had proposed a line item for part time personnel during peak sweeping times.

Mr. Hester also noted that ODOT makes a reimbursement to the City each month for highway sweeping service in an approximate amount of \$245.00.

Councilman Nolder questioned the bid process for audience information. Mr. Hester stated that he "piggy-backed" with the City of Portland on the bid process which is legal under the Oregon Revised Statute.

Councilman Prince thanked Mr. Hester for his attention to this matter and his suggestion for a

cost savings.

****Councilman Harris moved that Ordinance No. 952, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH BEN KO MATIC, PORTLAND, OREGON, FOR A STREET SWEEPER, be posted and come up for final action on August 21, 1996. Motion seconded by Councilman Nolder and approved, 6-0.**

Ordinance No. 953 - Steve Hanson, Sewer Plant Supervisor, informed the Council that the proposed Ordinance provides for a contract for a System Master Plan to allow inventory of the existing system; allow for future planning of capacity; and provide the ability for financial planning for capital improvements. A contract proposal for Curran-McLeod is a budgeted amount of \$41,860.

Mayor Taylor asked if the TV Van is used to inventory the lines. Mr. Hester said it is utilized extensively and has provided the City with the location of several problem areas.

Curt McLeod stated that the scope of his work will calculate the capacity of each line and include problem areas as well as project land use for the area.

****Councilman Prince moved that Ordinance No. 953, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH CURRAN-MC LEOD, INC. FOR ENGINEERING SERVICES FOR THE WASTEWATER COLLECTION SYSTEM MASTER PLANNING; AND DECLARING AN EMERGENCY be posted and final action on August 21, 1996. Motion seconded by Councilwoman Strong, approved 6-0.**

Resolution No. 622 - Steve Hanson informed the Council that Sewer SDC fees were last set in 1991, and this is an update for those rates. Ray Bartlett provided the technical assistance.

Curt McLeod pointed out the last update was prior to the Wastewater Plan improvements and the fees will be a transfer from an improvement fee to a reimbursement fee; also the assessment methodology will be changed and the developers will have a mechanism allowing refund for building future capacity.

Ray Bartlett added that there have also been changes in the law since 1991; when the last SDC assessment was set, the sewer plant was not improved and the treatment plant capacity has been expanded. Those fees can be converted to reimbursement fees, to both recover capital costs of capacity building and to prepare for future improvements made necessary by growth. Mr. Bartlett explained that the update costs are based on the Dwelling Unit Equivalent for all residential units and meter size for commercial/industrial connection. He added that CUB has updated their meter usage data to more accurately assess water usage.

Councilman Prince asked if the reimbursement fee were based on the fact that the plant is at 53%, and the fee is based on the unused 47%. Mr. Bartlett said that was correct and added that an SDC is an equitable charge for the next development for the amount of capital improvements

required of the City to serve that development.

Mr. Bartlett pointed out that on page 3 of the resolution, the reimbursement and improvement fee tables need to have the word “unit” eliminated under the “3/4 Meter Equivalent” section, the charges are based on size of meter or number of housing units built.

Councilman Daniels asked if a regular schedule would be set to update the SDC fee. Mr. Bartlett replied that it depends on changes in the plant or if required by legislative sessions.

Councilman Prince asked for clarification on the credit policy. Mr. Bartlett stated that legislation set this credit criteria and it applies only for the improvement fee, or projects to be built. The conditions necessary for credit are: the improvements must be on the list of capital improvements for SDC funding; the City must specifically state to the developer that unless the developer builds the improvement, the City will deny the permits to build; and the public improvement must either be off-site of the development, or on-site with excess capacity.

Councilwoman Strong asked if the City would find themselves in the same situation as with the Parks and Street SDC fees, regarding the City’s contribution set in the City budget.

Administrator Jordan stated that SDC’s are not designed to build 100% of a project in any master plan, only to reimburse the community for past investments or capacity for future development. He added that the sewer Department has a revenue source, designed around “rates” and “needs.” The rate system helps to pay for the City share of SDC funding.

****Councilman Daniels moved to adopt Resolution No. 622, A RESOLUTION ESTABLISHING SANITARY SEWER SYSTEM DEVELOPMENT CHARGES BASED ON EQUITY WATER METER SIZE AND MULTI-FAMILY DWELLING UNITS METHODOLOGY. Motion seconded by Councilman Harris.**

Councilman Prince amended the motion to “**remove the word units from the two tables on page 3 of the resolution.**” Councilors Daniels and Harris agreed to the amendment.

****Resolution No. 622 was approved 6-0.**

UNFINISHED BUSINESS: Computer Update - Sarah Jo Chaplen introduced three members of the group that look after the City computer system, Ken Hagen, Steve Hanson and Beth Saul. She said there are three reasons to implement a computer network: to protect data, for which the City has a backup system with off-site storage; to allow each department the ability to share files and communicate with each other; and the third reason is to gain information from external sources, such as the Internet.

Beth Saul reminded the Council that the World Class Library was created by a grant and is attached to the Internet, which was donated by Canby Telephone Association. She added that their network is connected to the City network, as well as other reference resources. The library has four stations for public use for the Internet, two stations with public PC’s and additional

access at the reference desk; such as, America on Line or Compu Serve. She said that an average of 55 people a month use the Internet and 50 people a month use the PC's. Future connections will be to the public schools, Chamber of Commerce, and Adult Center.

Mayor Taylor asked if a central library for the City might be considered within the next 5 to 10 years. Mrs. Saul noted that this was a strong possibility.

Mrs. Saul added that the library has trained approximately 63 people on the Internet.

Councilman Harris asked if there had been any equipment problems or if any consultants have been involved.. Ken Hagen explained that he had done most of the work at the library with no other consultants involved, and the CD ROM tower had been worked on recently.

Steve Hanson informed the Council that in 1994 the sewer plant facility was automated with a remote control capability and a stand-alone network. He pointed out that the success has been tremendous and a network consultant and electrical engineer have been involved in the development of that system. Mr. Hanson said the first year the computer system paid for itself in the savings of additional employees, specifically with the remote control capabilities.

Mr. Hanson explained that with his experience, he had some talents to offer and they essentially rebuilt the entire City network structure. He added that the majority of the departments have experienced minor problems. He stated that Virginia and Marilyn in the business office have experienced problems. He added that because of the fire all of the machines in the business office had to have the internal parts replaced, and this provided an upgrade for the machines to current levels. Mr. Hanson said the basic network is "rock solid - backup - and reliable." He noted there are some issues with the finance program and they have been in contact with the software providers to remedy this problem.

Mr. Hanson commented that the night before the fire he had backed up the entire City Hall files on a tape at the treatment plant. Both Mr. Hanson and Mr. Hagen commented on the importance of backing up files which cannot be replaced and the cost of retrieving data.

Mr. Hanson said that 70% of the departments are problem free, and by the end of next week most of the problems should be resolved. He added that the E-Mail integration should start next Thursday and end Friday. Mr. Hanson said no additional funds have been spent on consultants and they have stayed within the money authorized by the budget committee.

Councilman Prince stated that he was getting a different message from the staff, specifically the down time, loss time, and lack of productivity. Councilman Prince outlined some specific problems that some staff members had shared with him. He added that some staff members report they are as low as 65% in productivity, however, some staff members are concerned about reliability, confidence in the system and individual stress factors. Councilman Prince stated that many of the problems were happening before the fire, and only intensified since the fire. He said that it was time to call a consultant that could handle the problems.

Mr. Hanson said many of the issues are with the accounting program and the fire was a major reason for the problems. He added that the problems are at the workstation level.

Mr. Hanson stated that the software provider for the finance program eluded to the fact that there was a problem using a "higher end computer" which the City Treasurer has, and this is part of the problem. He added that he is confident in what they are doing. However, funding is at an end and there is no money to hire consultants. He reiterated that of all the departments only one department and three workstations are experiencing problems.

Councilman Prince noted that at one time the City used a consultant, Charlie Lam. He recommended that Mr Lam be contacted, and that staff trusted him. He added that Mr. Lam set up a state of the art system in West Linn with twice the workstations Canby uses. Again, he suggested that the City return to Mr. Lam's services.

Mr. Hanson said it would be wise to check the compatibility issues, since what the City has is different from most systems, due to the network. He added that the certification level for the City's system must be met.

Councilman Nolder asked who was doing Mr. Hanson's duties as Sewer Plant Manager. Mr. Hanson replied that he has put in overtime on his own.

Councilman Nolder asked for a time frame as to the satisfaction of staff regarding computer problems. Mr. Hanson said that he could safely say that the front office computer would be stabilized in a week..

Mayor Taylor cautioned Mr. Hanson about the time frame, and suggested a month. Mr. Hanson agreed, a month would be a "fair" time frame to have the system sound.

Councilman Nolder said he has heard some grumbling about the consultant and he said he wondered why Charlie Lam suddenly disappeared from the scene. Sarah Jo Chaplen reported that Charlie Lam had worked with the City for ten years and helped the system grow and expand. However, she said the plan was to "stand back and take a look at where we were," and this was done with a neutral consulting firm, which was Polar. She added that Polar also helped put a plan together and wrote the specifications for equipment. Ms. Chaplen stated that ultimately the plan was to go out for bids for a City computer consultant. However, at the last budget session the funds were cut and only internal consulting and depreciation was feasible. She said that external consulting was no longer a possibility due to funding constraints.

Councilman Prince said he felt that the internal computer staff has had ample time to have the computer system in place. He asked if the \$28,000 budgeted was already used. Ms. Chaplen said half of Ken Hagen's annual salary is paid from that line item, and a monthly fee of \$230 is paid to Canby Telephone for the Ethernet. She noted that half of Mr. Hagen's salary is \$17,000, plus benefits.

Councilman Prince said he did not believe a quick-fix could happen in a month and was in favor of returning to the first consultant.

Councilman Nolder said that the staff members should be given a chance, and another 30 days will not make that much difference.

Mayor Taylor commented that most of the staff is comfortable and confident in the system and we should give Ken and Steve a month to prove themselves.

Councilman Prince agreed to allow staff a month to get the computer system up and running smoothly.

The Council was polled and they all agreed to allow Mr. Hanson and Mr. Hagen one month to bring the City computer system up to a stable working level.

Councilman Prince reiterated that this was a "confidence issue" regarding the computer problems.

Mayor Taylor thanked Mr. Hanson and Mr. Hagen for their work thus far.

Ken Hagen explained that the new Novell network system allows for the Library and Sewer Plant systems to connect to the network and they could not do that on the old network system. He added that this is a time consuming project to synchronize all of the servers.

Councilwoman Strong asked about the E-Mail program and asked if everyone has been trained. Ms. Chaplen explained that money in last year's fiscal budget provided training for one day in Beginning Window/Word Perfect 6.1 and one day in GroupWise, our new E-Mail. She added that for a six month period after the initial training, it can be repeated at no additional fee. However, the GroupWise additional training is not an option, but a training disk has been supplied for staff use..

Councilwoman Stark suggested that a note go into the Council packet in a month to update the Council on the computer issues.

Canby Business Revitalization Update - Administrator Jordan reminded the Council that the Chamber of Commerce received a \$90,000 grant from the Rural Investment Fund for a downtown development project for approximately 18 months. Mr. Jordan noted that he had attended a meeting regarding the administration of the grant, and at this time the County and State officials prefer that the City of Canby provide the administration for the grant. Mr. Jordan said that through an Intergovernmental Agreement, the City and County will agree on receiving and administering the funds, then the City will sub-contract with the Chamber of Commerce for the service. This is similar to the City's working agreement with the Canby Adult Center.

Councilman Nolder asked how much time it would take to administer. Mr. Jordan said it would be nearly zero in regards to receipting and dispersing funds. He added that most of the work

would be done in his office.

Councilman Daniels asked if this would continue after the initial 18 month period. Mr. Jordan said it probably would not; however, the project was essentially invented so a mechanism could be worked out to perpetuate the project and funding on its own with various "revenue streams."

The general consensus of the Council was to allow the City to administer the Chamber of Commerce Rural Investment Grant.

Birch Street - Councilman Prince asked about progress on Birch Street traffic concerns.

Administrator Jordan reported that the neighborhood group has met once; the Traffic Safety Committee has met and discussed their issues; Officer Fillis and a member of the neighborhood group have been conducting some intensive traffic studies. Another meeting is scheduled very soon.

Mr. Jordan noted that he has asked for an analysis regarding the cost and safety measures that will be proposed. He added that all neighborhoods appear to have speed issues. Mr Jordan said a recommendation should be ready by the first meeting of September.

Councilman Prince expressed concern about a possible permanent reader board, and the possible issuance of traffic citations for 5-10 miles over the speed limit. Mr. Jordan said there is a tolerance level regarding speed when it comes to issuing tickets.

Councilman Harris complimented the Police Department on their quick response in this matter. He added that he attended a Traffic Safety Meeting regarding the issue, and he pointed out that Officer Fillis will be suggesting other ideas regarding speed control and as a last resort, speed bumps may be considered.

Administrator Jordan added that the City has met with the County and they have agreed to post the speed on Territorial Road. The County is also looking into a solution of the problem at Birch and Territorial regarding the problem of "cutting the corner" at that intersection.

Councilman Nolder asked if there was a criteria necessary to establish a speed problem in a given area. Mr. Jordan said one of the things used in the Birch Street solution is, "What kind of OBJECTIVE CRITERIA do we use to implement a solution?" He added that all citizens believe their neighborhood has a speeding problem. Hopefully, Officer Fillis and the neighborhood group will help with the objective.

MANAGER'S REPORT: 13th & Ivy - Administrator Jordan reported that the 13th and Ivy traffic signal project has been rescheduled by Clackamas County with design work bids in mid-August, construction should start around November 1st and energization of the signal by the first of the year. Mr. Jordan stated that the costs for this project could be as much as \$100,000 over the projected, however the money is available.

Commercial/Industrial Property - Mr. Jordan reported that the City is getting several inquiries regarding industrial or commercial property, specifically 20-30 acre parcels.

FEMA - Sarah Jo Chaplen informed the Council that the City will be receiving \$39,000 from FEMA, which 75% of the \$50,000 deductible. She added that Mr. Martin is working with the CIS insurance adjustor on bids for the work at Community Park.

FIRE - Ms. Chaplen said that the bill from Kennedy Construction, who did the work at City Hall after the fire, was \$89,000. She added that \$17,000 was the amount of money spent on computer problems after the fire.

COUNCILORS' ISSUES: Councilman Nolder reported that the Canby DEQ Test Station has had a total of 1,178 vehicles go through the test station, and this is definitely good usage of the facility.

Councilman Harris read a brief newspaper article regarding an Estacada Ordinance to prohibit adult book stores, theaters, cabaret and paraphernalia shops from locating near a public or private school.

Mayor Taylor commented that he recently attended the Mayors Conference and these issues were discussed and the basic message was that the ordinance suggested by Mr. Harris is not enforceable, due to the Oregon Constitution.

Attorney Kelley agreed with the Mayor and said the advice he receives at many seminars in these obscenity matters are that they are not enforceable and will not withstand Oregon Constitutional analysis.

Councilman Daniels and Councilman Prince both suggested that the Legislature needs to be contacted to change these issues.

Councilman Harris said a recent local newspaper article eluded to the fact that there are a limited number of teenage activities in the community and a suggestion was made that a committee develop some activities for young people.

Mayor Taylor said the visioning group will reconvene and various discussion will be held regarding community involvement, community policing, etc., and out of these discussions there might be some ideas generated regarding activities for youth.

Mayor Taylor suggested that Councilman Harris "spearhead" a community involvement group to review activities for the youth. Mr. Harris said he liked the idea of starting such a committee.

Councilman Prince noted that he has had conversations with Canby Kids and most of the Canby fields are "maxed out" in regards to scheduled activities. Mr. Prince said there is property next to Ackerman School which needs to be cleared, and CUB would set up a sprinkler system. The only

problem is the SDC for the water meter in that area. Mr. Prince asked staff to work on this so there could be additional fields next Spring.

Administrator Jordan said Jack Martin is working on the issue, and actually the school district is involved in discussions about the area. Plans are to grade it and put in grass, and hopefully it can be used for something next Spring. A fence will be up prior to the school year.

Councilman Daniels suggested that the needs of the youth be reviewed prior to starting such projects.

Councilman Nolder reminded the Council that the Police Department recently made a presentation to the Council regarding their shift schedules. He added that the information supplied to the Council was that the four shifts of ten hours appears to be a better shift for the department in regards to morale and better service to the community, even though it is slightly more costly. Councilman Nolder said he agreed with the current police shift schedule and asked the Council for input.

The entire Council supported the Police Department in staying with the current four day ten hour shift schedule.

Councilwoman Strong pointed out that the overtime should be monitored. Councilman Daniels agreed and suggested that the overtime be reported on a monthly basis.

Councilwoman Strong asked if additional packets have been picked up for citizens interested in running for the City Council. Recorder Perkett said three more packets have been distributed and the deadline for returning the petitions is August 15th.

Mayor Taylor reported that the "Growth 2 ½" group is working on their goals and will have a product for the September 10th Vision Meeting

Mayor Taylor encouraged everyone to attend the November League of Oregon Cities Conference this year if possible, since many ideas are gleaned from the various communities. The Mayor noted that a hand-out he supplied for this evening was in regards to the Silverton ordinance that allows a parent to be responsible when a child under the age of 18 commits a crime. Parents are encouraged to attend parenting classes and a fine can be levied.

Attorney Kelley stated that there is currently a proposal for this subject to be a state law, and the City by reference incorporates state law.

Mayor Taylor suggested this be placed on the next agenda.

OTHER REPORTS OR ANNOUNCEMENTS: Administrator Jordan stated that Commissioner Ed Lindquist has asked to address the Council regarding Transportation/Air Quality. Mr. Jordan said this will be scheduled for a future agenda.

Organizational Review - Administrator Jordan asked that the Council schedule a time to continue with the organizational review process. The Council suggested August 27, 28 or 29.

- ACTION REVIEW:**
1. Send letters to the new Traffic Safety and Budget Committee members, as well as thank you letters.
 2. Ordinances 952 & 953 will be scheduled for final action on the next agenda.
 3. Implement Sewer SDC Fees by Resolution No. 622,
 4. Report in monthly reports on computer issues.
 5. Draft an IGA and sub-contract for the Chamber of Commerce regarding Downtown Revitalization Grant.
 6. Aiding Councilman Harris with a Teen Task Force.
 7. Chief Giger will report monthly on overtime.
 8. Schedule a discussion regarding the Silverton Ordinance.
 9. Work with Canby Kids regarding the Ackerman field facility.

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

Mayor Taylor recessed the regular session at 10:15 p.m. to go into Executive Session. The regular session was reconvened at 10:58 p.m.

Councilman Daniels encouraged the Council to recycle budget binders.

Mayor Taylor informed the Council that he and Mr. Prince had a conversation regarding clarification of a policy between Council and staff communications. The Mayor said the policy is that Council members can call staff and ask questions at any time, unless the request requires a great deal of staff time, and in that situation Mr. Jordan should be consulted. The Mayor reiterated that the type of request to staff from Council that require time consuming action, such as a request to fix a pothole, are not the type of requests that are permissible. Mayor Taylor also stated that the policy for staff members is that they shall act as public employees and not conduct campaigning during City work time.

The Council agreed to the scenario and policy the Mayor discussed.

Councilman Prince noted that the concern about communications with Council members came from a City staff meeting when a conversation led City staff to believe they should not contact City Council or give opinions about various things.

Administrator Jordan stated that was not the intent of the conversation at the staff meeting. He reiterated that he did not try to change the policy at any time, however, he did warn staff that there has not been a political race in several years and as professional public employees he asked that staff stay "immune" as possible from the political race. Mr. Jordan said it was never stated

that staff could not talk with City Council members. He said staff should provide whatever information a Councilor needs. He said he did tell staff that "once you cross the line from professional staff to political player, you can't go back." He said that was the intent behind the June 15th meeting, and it was a misinterpretation if staff felt they could not talk to Councilors.

Councilman Prince said this policy should be clarified in writing. Mayor Taylor said he would draft a statement and have the Council review it and sign it.

Administrator Jordan reiterated that in a community this size it is difficult for staff members not to be involved in the political race, and they have a right to be involved. However, as public employees there are laws that "heavily scrutinize" actions in regards to political campaigns. Mr. Jordan said prior to Labor Day he will issue a memo regarding the law. Administrator Jordan said he has already had a complaint regarding a public employee taking a position on a political campaign on public time and on public equipment, using the telephone. He added that those type of complaints will be pursued vigorously for everybody. He added that he is committed to the fact that public employees cannot be viewed as biased while working.

Councilman Prince asked that this be made clear to staff members with warnings and then a dated memo so staff know where they stand. Mr. Jordan said in regards to the one incident, he issued a warning and gave the employee all material noting it is against the law and a fine can be levied.

Councilman Prince noted that discussions were made last year regarding open dialogue with staff and he was eager to maintain that agreement.

Mayor Taylor adjourned the session at 11:10 p.m.

EXECUTIVE SESSION
AUGUST 7, 1996

Present: Mayor Taylor, Councilors Nolder, Harris, Prince, Stark, Strong, and Daniels, Mr. Jordan, Ms. Chaplen and Mr. Kelley.

Mayor Taylor called the session to order at 10:25 p.m. in the CUB conference room.

ORS 192.660 (1)(h) - The Council discussed the Rinkes case and the cleanup process.

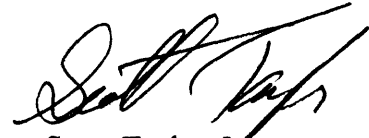
ORS 192.660 (1)(d) - The Council discussed the AFSCME labor negotiations process and noted it was finished.

The Police labor negotiations is still being pursued.

Mayor Taylor adjourned the session at 10:57 p.m.

A handwritten signature in cursive script, appearing to read "Marilyn K. Perkett". The signature is written in black ink on a white background.

Marilyn K. Perkett, City Recorder

A handwritten signature in cursive script, appearing to read "Scott Taylor". The signature is written in black ink on a white background.

Scott Taylor, Mayor