

**CANBY CITY COUNCIL
REGULAR MEETING
MARCH 3, 1993**

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

Also present: Administrator Michael Jordan, City Attorney John Kelley, Police Chief Jerry Giger, Public Works Director Rusty Klem, City Recorder Marilyn Perkett, Dan Mickelsen, Craig Pottratz, Matt Williams, Karen Cederquist and Kimberly Churchill.

Council President Prince called the 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 17, 1993. Motion seconded by Councilman Nolder and approved 6-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: Administrator Jordan informed the Council that Dan Mickelsen, City crew member in the audience, had made and installed the plaque in City Hall that holds the Council and Mayor's pictures. Mr. Jordan invited everyone to come view the very nice workmanship of Mr. Mickelsen.

SEWER PLANT PROJECT UPDATE: Curt McLeod, project engineer, informed the Council that bid opening for the project will be on March 16th, the first reading of the ordinance to award the bid will be March 17th, and second reading on April 7th. Mr. McLeod noted that the three weeks between readings will allow the City Attorney to review the contract before final action. Mr. McLeod said he expected between 8 and 10 bids to be submitted for the entire project, which has been estimated at 3.2 million dollars.

COMMUNICATIONS: None presented.

NEW BUSINESS: Accounts Payable - **Councilman Daniels moved to approve payment of accounts payable in the amount of \$97,459.42. Motion seconded by Councilwoman Stark and approved by roll call vote, 6-0.

In-Line Television Inspection Equipment - Mr. Klem reviewed the requested purchase, saying this is something that has been discussed for about four years. The in-line TV would allow for inspection inside underground sewer lines to check various potential problems, as well as assist in lateral locates.

Mr. Klem said that \$35,000 was budgeted for this system, with the proposal of Wilsonville participating with half of the purchase. However, since then, Wilsonville has bought other equipment and has opted not to participate in this purchase.

The proposal from Flexible Video System for \$95,000 is a 1981 van that has totally been rebuilt, including the engine and all new electronic equipment. Mr. Klem and the public works crew have inspected the three vans and preferred the more expensive for various reasons, as outlined in the February 26th memo.

Mr. Klem said the recommendation is to purchase the unit through a leasing firm with \$35,000 as a down payment and four \$18,000 annual payments. Mr. Klem said the intention is to offer this service to other communities for a fee that will provide an opportunity to earn the annual payments. Wilsonville has indicated they would spend \$10,000 a year for this service. Other communities that have been contacted are Molalla, Hubbard and Sherwood. Also, many communities charge a fee to developers to use in-TV systems to review the developers sewer systems.

Mr. Klem pointed out that Dan Mickelsen and Craig Pottratz, Public Works crew members, were in the audience to answer any questions.

Councilman Nolder asked how long the equipment is expected to last; and inquired about the fee to developers. Mr. Klem said the equipment is expected to last 10 to 12 years, or unless the technology becomes obsolete. Also, many other communities currently charge a fee to developers for this type of service.

Councilman Nolder commented that with a little effort, perhaps the equipment would pay for itself.

Councilwoman Stark asked if Canby personnel would operate the equipment for rental services and what the maintenance would entail. Mr. Klem said that we would provide one of our Public Works crew and the renter would provide one when they were on a project. Also, the crew will have a two day training course for operation and maintenance; and there will be a one year warranty on the equipment.

Councilman Daniels expressed a concern about competing with private business and also the fact that we could be short manpower if we were serving others too often. Mr. Klem replied that we would only send one of our crew men out on a rental job. Also, he agreed that there would be a certain amount of competition, however, our aim is not to hinder competition but just make enough money to cover our annual payment.

Councilman Driggers asked if Mr. Klem had done a cost analysis for our crew to do this work for the City. Mr. Klem said, using last year's salary and fringe benefits, it came to \$18.00 per hour.

Councilman Driggers asked if this service would be more or less than what developers currently pay for air testing. Curt McLeod reported that air testing is very minimal in cost and the in-TV service would be an additional cost to developers, which is a common testing device used in new developments.

Dan Mickelsen informed the Council that the proposed unit is very durable and should last a long time. He said that Gelco, the company we currently hire for this service, is worldwide and he didn't feel we would infringe on the private market.

Attorney Kelley questioned the interest that we would pay on the annual balance.

ORDINANCES & RESOLUTIONS: Ordinance 885 - Concern was expressed by the Council about the contractual arrangements. Therefore, the following correction was suggested for the ordinance: Section 1. eliminate "or their designated leasing agent" and "and the listed terms."

****Councilman Daniels moved that Ordinance No. 885, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH FLEXIBLE VIDEO SYSTEMS FOR THE ACQUISITION OF IN-LINE TELEVISION INSPECTION EQUIPMENT; AND DECLARING AN**

EMERGENCY, as corrected, be posted and come up for final action on March 17, 1993. Motion seconded by Councilwoman Stark and approved 6-0.

UNFINISHED BUSINESS: Administrator Jordan reviewed a letter from Larry Townsend of Wallflowers, requesting a change in the placement of their proposed mural that will be painted on the Police Department. Since the north wall of the building is not suitable, they requested painting a mural of the Canby Train Depot and a vintage train on the First Street area of the building. Also, a second, larger mural, facing Holly Street will be a montage of early Canby scenes. The Council was presented with a drawing of the proposed mural for the First Street painting.

Chief Giger indicated that the Canby Arts Association will fund the \$1,800 for the first painting and be reimbursed later after fund raising efforts. Also, the painter has scheduled to start working on the mural in about two weeks.

The Council gave an unanimous consensus to grant permission for the requested mural sites, as well as, the proposed contents of the murals.

OTHER REPORTS OR ANNOUNCEMENTS: None presented.

ACTION REVIEW: 1. Negotiate with Flexible Video Systems for a leasing agent contract to purchase an in-line television inspection system.

2. Authorize Wallflowers to proceed with their mural project for the Police Department building.

Administrator Jordan reported that Mayor Taylor had requested that he periodically update the Council on various County issues that he has been working on:

- * the Law Enforcement Committee will be presenting a differential rate levy on the March ballot for Sheriff's services, this was proposed because of a tax equity problem county-wide on law enforcement.
- * Mr. Jordan is also working on the Emergency Communications Future Committee regarding dispatching. Currently, C-Com bands are all full and their equipment is not state of the art. A board will soon evaluate the organizational, financial governance of the county-wide communications.
- * Mr. Jordan has also been on a committee to evaluate the equity of a county-wide library levy that supports Clackamas County Libraries. In June, 1994, the present levy will expire, and perhaps another differential tax proposal will be made at that time.

Rusty Klem informed the Council that Doug Gingerich, Principal for Trost Elementary, had applied for county money for a sidewalk project on a portion of the area near the new school site and was awarded the grant.

******Councilwoman Stark moved to go into Executive Session under ORS 192.660 (1)(h), regarding pending litigation and (1)(i), to evaluate a public employee. Motion seconded by Councilman Daniels and approved 6-0.

Council President Prince recessed the regular session at 8:32 p.m. to go into Executive Session. The regular meeting was reconvened at 9:40 p.m. and immediately adjourned.

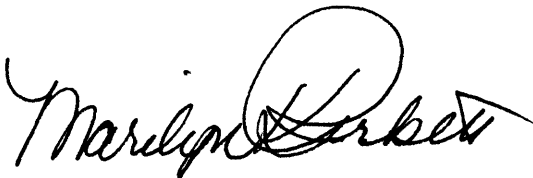
EXECUTIVE SESSION
MARCH 3, 1993

Present: Council members Prince, Miltenberger, Nolder, Stark, Daniels and Driggers, Attorney Kelley and Administrator Jordan.

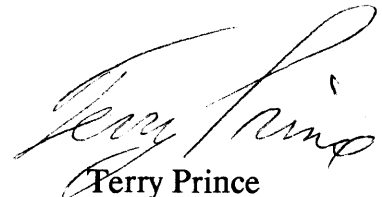
Council President Prince opened the session in the Police Department Conference Room at 8:41 p.m.

ORS 192.660 (1)(i) - the Council reviewed the evaluated the performance of a City employee.

ORS 192.660 (1)(h) - the Council first discussed the pending Rinkes litigation Case and then the litigation involving CUB/City of Canby and Watson.



Marilyn K. Perkett
City Recorder



Terry Prince
Council President