

CANBY CITY COUNCIL
REGULAR MEETING
MAY 20, 1992

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

Also present: Administrator Michael Jordan, City Attorney John Kelley, City Recorder Marilyn Perkett, City Planner Bob Hoffman, Public Works Director Rusty Klem, Cheryl Stark and Kathy Ellickson.

Mayor Carroll opened the session at 7:30 p.m., followed by the flag salute and meditation.

Roll call of the Council showed a quorum present.

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

CITIZEN INPUT ON NON-AGENDA ITEMS: None presented

PUBLIC HEARING: ANN 92-03, David Nelson - Mayor Carroll explained the procedure for the hearing process.

Mayor Carroll asked the Council to declare any conflict of interest. None was declared.

The Mayor asked if any Council person had any exparte contact regarding the matter. None was declared.

Mayor Carroll opened the hearing at 7:35 p.m.

STAFF REPORT - Bob Hoffman, City Planner, explained that the subject property located at the end of S. Elm Street was formally the Lingel property and consisted of 2.37 acres. Also, the Ellickson's adjacent property of 1.29 acres has been requested to be added to this annexation. The Ellickson's are willing to trade the City a portion of their property for a park and walkway/bikeway in return for utility services to their property. Mr. Nelson intends on making his portion of the request a five (5) unit manufactured home park.

Mr. Hoffman noted that the two subject Tax Lots have a slope area outside the Urban Growth Boundary and this area will not be developed, but be dedicated for public purposes.

The Planning Commission recommended approval of the requested annexation.

Mr. Hoffman said he had a letter from the Ellickson's that formally requested the annexation.

APPLICANT - Mrs. Ellickson chose not to address the Council, saying their letter requesting the annexation was sufficient.

PROPOSERS - None.

OPPOSERS - None.

Mayor Carroll closed the hearing at 8:41 p.m.

****Councilman Daniels moved to adopt Resolution No. 510, A RESOLUTION RECOMMENDING APPROVAL OF ANNEXATION TO THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON, (APPLICATION OF DAVID NELSON), OF APPROXIMATELY 2.37 ACRES LOCATED AT THE END OF S. ELM AND THE ADDITION OF 1.29 ACRES OWNED BY THE ELLICKSON'S and recommendation for annexation be forwarded to the Boundary Commission. Motion seconded by Councilman Smith and approved 6-0.**

Administrator Jordan pointed out that an Agreement between the City and the Ellickson's needed to be authorized for signature regarding the dedication of property.

****Councilman Taylor moved to authorize the Mayor to sign on behalf of the City of Canby, an Agreement between the City and the Ellickson's. Motion seconded by Councilman Prince and approved 6-0.**

COMMUNICATIONS: Administrator Jordan read a letter from Barry Lucas of the General Canby Day Advisory Committee requesting Council approval to hold a 6.2 mile run and 2.6 mile walk on July 4th. Mr. Lucas had included a map and gained earlier approval from Chief Giger.

****Councilman Daniels moved to approve the request from Barry Lucas of the General Canby Day Committee to hold the walk and run as outlined in his request and to coordinate the activity with the Police Department. Motion seconded by Councilman Prince and approved unanimously, 6-0.**

NEW BUSINESS: Accounts Payable - **Councilman Prince moved to authorize payment of accounts payable in the amount of \$97,164.62. Seconded by Councilman Smith and approved by roll call vote, 6-0.

Appointment to General Canby Day Committee - Administrator Jordan explained that Peggy Sigler, who was one of ten members originally appointed to the committee, could not serve and Patty Elliot has been suggested as a replacement.

****Councilman Taylor moved to appoint Patty Elliot to the General Canby Day Advisory Committee, replacing Peggy Sigler, for a three year term, expiring in July, 1995. Motion seconded by Councilwoman Miltenberger and approved 6-0.**

ORDINANCES & RESOLUTIONS: None.

UNFINISHED BUSINESS: None.

OTHER REPORTS OR ANNOUNCEMENTS: Administrator Jordan explained that Chief Giger was not available for his scheduled department update, due to a conflict regarding a baseball game.

Recorder Perkett reminded the Council of the Clackamas County Cities meeting next week and asked those interested in attending to sign up with her.

Recorder Perkett asked the Council to review the informational memo in their packet regarding July vacancies in various committees. Mrs. Perkett indicated that the Library had two vacancies and there was interest in those positions; the Adult Center has one vacancy with interest indicated; the Swim Pool Advisory Committee and City Budget Committee each have one vacancy, and no interest has been indicated; and the Traffic Safety Committee has one vacancy, which may be a reappointment. Mrs. Perkett reported

that last week's Canby Herald had a story regarding these committee appointments, asking citizens with interest to contact City Hall.

- ACTION REVIEW:**
1. Forward Resolution No. 510, to the Boundary Commission, recommending annexation approval.
 2. Send Patty Elliot a letter regarding her appointment to the General Canby Day Committee.

**Councilman Taylor moved to go into Executive Session under ORS 192.660 (1)(d), regarding labor negotiations; (1)(h), to discuss pending litigation; and (1)(i), to evaluate job performances of employees. Motion seconded by Councilman Prince and approved 6-0.

Mayor Carroll recessed the regular session at 7:51 p.m. to go into Executive Session. The regular session was reconvened at 10:20 p.m.

Councilman Prince brought up the problem of too many meetings being scheduled consecutively, specifically three in one week, he said he is getting close to "burn out".

Councilman Taylor asked if perhaps we could commit to fewer meetings and make them longer to complete necessary items.

Administrator Jordan apologized about the meeting tomorrow night, explaining it was because the necessary notice in the paper was not published in time to hold the meeting before tomorrow night. He said with neighborhood meetings, budget meetings, etc., it has become a scheduling problem.

Councilman Taylor asked if staff members that spend time at night meetings, take time off? Mr. Jordan explained that there is an "informal" policy to leave early on meeting nights or come in late the next morning. Mr. Jordan said he tries to be at the office from 8 to 5, however, there are times he is not, for example for his children's activities. Mr. Hoffman often takes advantage of the informal policy of coming in late in the morning after an evening meeting. Mr. Jordan said most of the staff does not take advantage of leaving, he specifically noted that Marilyn and Virginia are there from 8 to 5.

Mr. Taylor pointed out that with so many meetings scheduled for staff, there sometimes becomes a "burn out" problem with them. Also, Mr. Jordan said he tries to keep the staff attendance minimal at various meetings.

Mr. Jordan said he would not be at the meeting tomorrow night, he would be at the Willamette Green neighborhood meeting.

Mr. Jordan explained that the workshop for tomorrow evening involved the County Commissioner's reviewing the hotel-motel tax issue, which most cities and Chamber of Commerce's are not in favor of, specifically the money allocations.

Mayor Carroll adjourned the session at 10:30 p.m.

**EXECUTIVE SESSION
REGULAR MEETING**

Present: Mayor Carroll, Councilor's Stiglbauer, Miltenberger, Taylor, Prince, Daniels and Smith, Administrator Jordan, Attorney Kelley, Bob Hoffman and Don Schaefer.

Mayor Carroll opened the session at 8:01 p.m. in the Police Department Conference Room.

ORS 192.660 (1)(h) - The Council discussed the following pending litigation cases:

Code Enforcement, regarding Butch Olson.

Rinkes vs the City of Canby.

Bolen & Jeans vs. City of Canby.

LUBA case regarding the Elementary School District.


City vs. John Torgeson

City vs. Tony Pizzuti.

The Council had a brief recess at 9:00 p.m. and were back in session at 9:07 p.m. Attorney Kelley and Bob Hoffman left at this time. Don Schaefer joined the meeting.

ORS 192.660 (1)(d) - the Council discussed Police labor negotiations.

Mayor Carroll adjourned the meeting at 10:20 p.m.



Marilyn K. Perkett
City Recorder



Shawn P. Carroll
Mayor