

CANBY CITY COUNCIL

REGULAR MEETING

FEBRUARY 21, 1990

Mayor Nancy G. Kopelk presiding. Council members present: Scott Taylor, Shawn Carroll, Keith Stiglbauer, Terry Prince, Walt Daniels and Robert J. Smith.

Also present: Administrator Michael Jordan, City Attorney John Kelley, Police Chief Jerry Giger, Public Works Director Rusty Klem, Swim Center Director Scott Nelson, Librarian Beth Saul, City Recorder Marilyn Perkett, Don & Helen Benson, Walter & Jo Ebner, Clyde Pitts, David Ingalls, Mike Smith, Martin Monsey, A.F. Borge, Victor Palacios, Marv Dack, Angela Baker, George Raney, Bob Backstrom and D. Mitchell.

Mayor Kopelk called the regular 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 Carroll moved to approve as distributed the minutes of regular meeting, February 7, 1990, seconded by Councilman Smith and approved unanimously.

**CITIZEN INPUT ON NON-AGENDA ITEMS:** Marv Dack, 715 S.W. 13th Avenue, addressed the Council to inquiry about the status of the Canby Disposal at their current site on S. Berg Parkway. Mr. Dack felt they needed a Conditional Use Permit to operate. Attorney Kelley said they needed a DEQ permit and Rusty Klem noted that they had a pre-existing use under the zoning requirements. Mayor Kopelk requested that staff research the matter and inform Mr. Dack of the particulars.

**COMMUNICATION:** A letter from Myra Weston was read thanking the City for remembering her birthday and reminding the Council of the approaching 100th birthday of the City of Canby in 1993.

Administrator Jordan reviewed a letter from Carol Meeuwsen which submitted her resignation from the Planning Commission on April 1, 1990. Mayor Kopelk expressed her regrets upon accepting the resignation from Mrs. Meeuwsen and urged interested citizens to contact City Hall regarding volunteering for board or committee appointments.

**ORDINANCES & RESOLUTIONS:** Ordinance No. 840 was considered for final action for engineering services at the sewer plant. \*\*Councilman Carroll moved to adopt Ordinance No. 840, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER OF THE CITY OF CANBY, COUNTY OF CLACKAMAS, OREGON, TO EXECUTE A CONTRACT FOR ENGINEERING SERVICES IN CONNECTION WITH THE FACILITY PLAN AND RATE STUDY FOR UPGRADING THE CANBY WASTEWATER TREATMENT PLANT;

AND DECLARING AN EMERGENCY. Motion seconded by Councilman Stiglbauer and approved 6-0, by roll call vote.

Ordinance No. 841 was considered for final action on purchase of a 5/7 yard dump truck. \*\*Councilman Daniels moved to adopt Ordinance No. 841, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH PETERBUILT AND GMC, INC. FOR THE PURCHASE OF A 5/7 YARD DUMP TRUCK; AND DECLARING AN EMERGENCY. The motion was seconded by Councilman Prince and approved by roll call vote, 6-0.

**NEW BUSINESS:** \*\*Councilman Prince moved to authorized payment of accounts payable in the amount of \$47,087.50, seconded by Councilman Smith and approved 6-0 by roll call vote.

Adult Center PAB Appointment - Danya Grandmason, current PAB member for the Adult Center, has resigned and a member is needed to complete a couple months of her term, in addition to a four year term. Shirley Strong and Max Dresselhaus were both suggested. Mayor Kopelk appointed Shirley Strong to the Adult Center Advisory Board, with her term expiring in July, 1994. The Council gave an unanimous consensus for approval of the appointment.

State Grant-in-Aid Agreement - The City is developing a ballfield at the Canby Community Park (River Park) and have received a \$1,900 Grant-in-Aid from the Parks and Recreation Division of the Oregon Department of Transportation to purchase a backstop. The City's share of the backstop would be approximately 12% and the project is planned to be completed this year. The field will be used by citizens using the park and perhaps T-ball games. Attorney Kelley questioned the rationale of buying the "cadillac" of backstops for a ballfield that is not planned to be used for organized ball games. Mr. Kelley suggested a smaller backstop and perhaps fencing. In the interim, the Council suggested accepting the grant and requested that staff return to Council with a detailed proposal of what the project will entail.

\*\*Councilman Daniels moved to authorize signatures on an agreement with the Parks and Recreation Division of ODOT for \$1,900 for a backstop at the proposed ballfield at Canby Community Park. Motion seconded by Councilman Prince and approved 6-0.

Administrator Jordan noted that two agenda items had been removed from this agenda, (C) Open Letter to County Commissioners and (E) Contract Street Sweeping Proposal.

**UNFINISHED BUSINESS:** FAU Project - N. Birch Street - Rusty Klem briefly reviewed the proposal and funding process, noting that only collector and arterial streets can use these funds for a prioritized list approved by the City and County. Mr. Klem said that N. Birch Street is next on the list to be eligible for the funds and it will be paved curb to curb with a sidewalk for a total of 50 feet within the 60 feet City's right-of-way. Citizens on N. Birch were sent letters regarding the project and told that some residents will lose some landscaping that is in

the right-of-way.

George Raney, 966 N. Birch, addressed the Council pointing out the need for street improvements, however, questioned the necessity of sidewalks.

Mayor Kopelk informed the audience that one of reasons for sidewalks is for pedestrian safety on busy streets and to comply with the City's Comprehensive Plan.

Bob Backstrom, 1395 N. Birch, informed the Council that N. Birch had many bikers and walkers and asked if the curbs would be wheelchair accessible.

Mr. Klem said the curbs would be handicapped accessible. At this time, Mr. Klem did not know if the bids would allow for a complete proposed project from Knights Bridge Road to Territorial. The City plans to go out for bids in May, at which time the full scope of the project should be known.

**\*\*Councilman Daniels** moved to approve the staff recommendation and authorize application on behalf of the City for FAU funds for improvements on N. Birch Street from Knights Bridge Road to Territorial Road, inclusive of street paving, curbs and sidewalks. Motion seconded by Councilman Taylor and approved 6-0.

Angela Baker, 945 N. Birch, expressed concern that an improved street would add to the current problem of excessive speeding on the street.

Councilman Taylor suggested that the Traffic Safety Committee review that area for traffic control.

Councilman Daniels suggested that citizens plan now to remove wanted shrubs and landscaping during the dormant time, however, the City will salvage whatever is possible when the project begins.

Intergovernmental Agreement for Pool - Mr. Klem explained that this was a "housekeeping" matter to amend the current agreement and allow the City \$50,000 that had previously been allocated for a South Side Park. **\*\*Councilman Taylor** moved to authorize signature on the Contract Amendment with the Clackamas County Department of Human Services for an additional \$50,000 from CDBG Funds for the pool project. Motion seconded by Councilman Smith and approved 6-0.

LGPI Agreement - Administrator Jordan informed the Council that the proposed agreement from LGPI was for a rate increase for labor negotiation and personnel issues. **\*\*Councilman Carroll** moved to authorize signature of approval between the City of Canby and LGPI for Agreement for Services, seconded by Councilman Smith. Councilman Taylor suggested that the City write a letter to LGPI and remind them that the City is locked into a budget year and unexpected expenses are detrimental to our budgeting

process. Attorney Kelley noted that LGPI is probably one of the cheapest labor negotiation contracts we could obtain. Vote on the motion was for approval, 6-0.

Administrator Jordan informed the Council that the next agenda would have a request from LGPI for financial assistance due to problems they are experience at this time. Also, they have recently had a management change.

**OTHER REPORTS OR ANNOUNCEMENTS:** Councilman Smith informed the Council he had attend the Eagle Scout Honor Court with Dan Tye last week and really enjoyed the evening.

Scott Nelson reminded the Council that the pool would be drained Friday and be closed for approximately six weeks, scheduled to re-open in April in time to celebrate the pool's twentieth anniversary.

Beth Saul reminded everyone that tax forms were available at the Library.

- ACTION REVIEW:**
1. Investigate land use for Kahut recycling site.
  2. Request Myra Weston prepare 100th birthday information.
  3. Implement contract for engineering services for the sewer plant with Brown and Caldwell.
  4. Order new dump truck.
  5. Send letters to Adult Center PAB interests.
  6. Prepare ballfield and backstop design for Canby Community Park.
  7. Request Traffic Safety Committee to review traffic control on N. Birch Street.
  8. Implement agreement with County for additional funding for pool project.
  9. Write to LGPI regarding budget concerns and sign contract.

**\*\*Councilman Taylor moved to go into Executive Session under ORS 192.660 (1)(d), labor negotiations and (1)(e), real estate transactions. Seconded by Councilman Carroll and approved 6-0.**

Mayor Kopelk recessed the regular session at 8:35 to go into Executive Session. The regular session was reconvened at 10:24 p.m. and immediately adjourned.

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EXECUTIVE SESSION  
FEBRUARY 21, 1990

Present: Mayor Kopelk, Councilors Carroll, Stiglbauer, Taylor, Prince, Smith and Daniels. Also, Attorney Kelley and Administrator Jordan.

Mayor Kopelk opened the session at 8:50 p.m.

The first order of business was to discuss real estate transactions under ORS 192.660 (1)(e).

Attorney Kelley and Administrator Jordan left the meeting at 9:50 p.m.

The next order of business was to discuss a contract for the City Administrator under labor negotiations, ORS 192.660(1)(d).

Mayor Kopelk adjourned the session at 10:23 p.m.

  
Marilyn K. Perkett, City Recorder

  
Nancy G. Kopelk, Mayor