

CANBY CITY COUNCIL

REGULAR MEETING

MARCH 7, 1990

Mayor Nancy G. Kopelk presiding: Council members present: Shawn Carroll, Keith Stiglbauer, Terry Prince, Walt Daniels and Robert J. Smith. Scott Taylor arrived during the regular session at 8:04 P.M.

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, acting City Recorder Kathy Keyser, Fred Kahut, Ron Tatone, Mitch Lies, Earl Oliver, Tony Durant, Michael Luger and Mavourn Stuart.

Mayor Kopelk called the regular session to order at 7:30 P.M., followed by the flag salute and meditation.

Roll was called and a quorum was present.

**MINUTES OF PREVIOUS SESSION:** \*\*Councilman Carroll moved to approve the minutes of the previous meeting, February 21, 1990, seconded by Councilman Prince and approved 5-0 by roll call vote.

**CITIZEN INPUT ON NON-AGENDA ITEMS:** Mayor Kopelk called for any input on items that were not on the agenda and there was none.

**COMMUNICATION:** A letter was read by City Administrator Jordan from Mayor Yamada of Kurisawa, thanking Mayor Kopelk for a book of photographs of Oregon.

**NEW BUSINESS:** \*\*Councilman Prince made a motion to accept and pay the accounts payable in the amount of \$26,055.50, seconded by Councilman Smith.

LGPI - LGPI is a extension of the League of Oregon Cities. The City pays yearly dues of approximately \$400.00, with special hourly rates for labor negotiations. LGPI is asking for a one time assessment of 50% of annual dues or \$197.50. \*\*Councilman Smith made a motion that a check in the amount of \$197.50 be sent to LGPI, seconded by Councilman Daniels. Councilman Daniels suggested that a letter be included with the check regarding concerns about future assessments and fund raisers.

ROPE SWING FOR SWIM CENTER - Swim Pool Director Scott Nelson discussed installing a rope swing at the swim center. He said it  
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is a very popular item as is the diving board, it's a lot of fun and safe. It would be in operation in mid April when the swim center is reopened if approved. The swing would be installed from a roof beam in the deep end of the pool with a life guard stationed at the rope swing at all times when it is in operation to break a fall if the person using the swing decides not to let go. The rope swing is no problem if operated correctly as reported by other pools that have them in operation. Councilman Carroll wanted to know how long the rope is and if there would be padding on the walls in case the life guard failed to catch the person who neglected to let go. Mr. Nelson answered that the rope will be 16' long and that it would not be necessary to pad the walls because where the rope would be positioned, it would not reach the walls. David Biskar will be testing the rope swing when installed. Either the swing or the diving board will be used at one time but not both at the same time. Mavourn Stuart of the Swim Center Advisory Board said that she felt it would be "fabulous fun". Mayor Kopelk said she will not be the person to initiate this new rope swing. It was the consensus of the Council to install the rope swing at the swim center.

NORTHWOOD ESTATES - LCDC was given time to comment and at this time there has been no formal response regarding the 120 day limit. City Attorney John Kelley commented that Jim Sitzman has had contact with City Planner Hank Skinner. City Council has three (3) options. Staff recommended a public hearing be held on the matter on the 18th of April if the applicant would be willing to extend the 120 day limit. It would not be possible to hold this public meeting on March 21, 1990 as there would not be time to do the necessary publication. \*\*Councilman Carroll made a motion to have a public hearing on April 18, 1990 if it could not be held at a earlier date, seconded by Councilman Daniels and approved 5-0. Councilman Daniels recommended that the 120 day period be checked into to see when it is up.

UNFINISHED BUSINESS: Street Sweeping - Rusty Klem said that a union contract for street sweeping can't be fulfilled until the City Council ratifies a contract, according to Jim Younger of AFSCME. Mr. Klem said that they are receiving complaints from the public because the street sweeping is not up to standard because the man hours are just not there. If we would use Midstate street sweeping the quality would be much better as they would have the time and the newer equipment to do a better job. Councilman Stiglbauer mentioned that Molalla uses Midstate and that they do a good job and it is less expensive to contract with them if you can't afford to buy your own equipment. Councilman Carroll asked if it would be possible to have a six (6) month contract. Mr. Klem said that it could be reevaluated in six (6) months but that the contract would have to be for one (1) year. Councilman Daniels wondered if it would be possible to negotiate a six (6) month contract. Mr. Klem didn't feel that this would be possible. The time schedule of sweeping would be one-fourth of the

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town each week and one-half of town twice a month during the leaf season. The sweeper Midstate has sweeps a eight (8) of nine (9) foot path compared to our sweeper that only sweeps a four and one-half (4 1/2) foot path. \*\*Councilman Daniels made a motion that the City contract for one year street sweeping with a review of services in six (6) months, seconded by Councilman Carroll and approved 5-1.

City Drug Policy/Procedure - The policy on drug testing came before the City Council on January 3, 1990. City Administrator Jordan made some additions in the wording of some of the procedures. The first addition is on #5, to read: If the second sample is positive, the applicant will be rejected. The second addition is on #8, to read: Records shall be kept for three (3) years at which time the information shall be destroyed. Councilman Taylor would like to see applicants sent at a moments notice since advance notice would give the applicants time to get the substances out of their system. Councilman Prince suggested that in the future, perhaps it would be wise to have present employees drug tested. City Administrator Jordan said that would have to be something that would come up in union negotiations. \*\*Councilman Taylor motioned that the drug policy be accepted, seconded by Councilman Carroll and approved 6-0.

**ACTION REVIEW:**

1. Letter to LGPI requesting more information on fundraisers.
2. Install rope swing at swim center.
3. Public hearing on Northwood Estates on 3/21/90 or later.
4. Implement contract for street sweeping.
5. Adopt drug testing policy on new hires.

\*\*Councilman Taylor moved to go into Executive Session under ORS 192.660 (1)(d)-labor negotiations; (1)(e)-real property transactions; and (1)(i)-employee evaluations. Seconded by Councilman Smith and approved 6-0.

Mayor Kopelk recessed the regular session at 8:27 P.M. to go into Executive Session. The regular session was reconvened at 11:49 P.M. \*\*Councilman Carroll moved to approve Performance Appraisals, seconded by Councilman Daniels and approved 6-0. Regular session was adjourned at 11:52 P.M.

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

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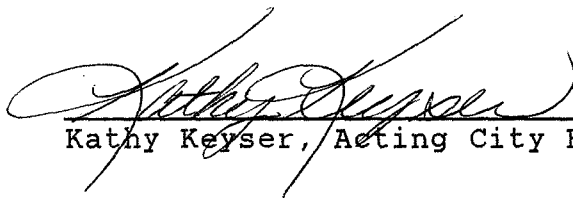
Mayor Kopelk opened the session at 8:45 P.M.

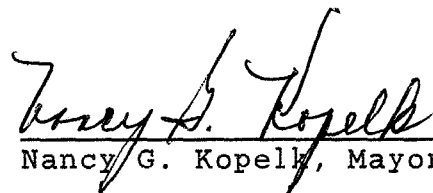
The first order of business was to discuss real property transaction.

Attorney Kelley left the meeting at this point.

The next order of business was performance appraisals on Staff.

Mayor Kopelk adjourned the session at 11:49 P.M.

  
Kathy Keyser, Acting City Recorder

  
Nancy G. Kopelk, Mayor

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