

CANBY CITY COUNCIL
REGULAR MEETING
JULY 18, 1990

(This meeting was televised live on Channel 5.)
Council President Scott Taylor presiding as Acting Mayor.
Councilors present: Shawn Carroll, Keith Stiglbauer, Terry Prince, Robert Smith and Walt Daniels. Absent: Mayor Nancy Kopelk.

Also present: Administrator Michael Jordan, City Attorney John Kelley, City Recorder Marilyn Perkett, Police Chief Jerry Giger, Public Works Director Rusty Klem, Library Director Beth Saul, Swim Center Director Scott Nelson, Mitch Lies, Sue Cox, John & Donna Jean McManamon, George Wilhelm, Joseph & Shirley Regan, David Anderson and John Falkenstein.

Council President Taylor 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 Carroll moved to approve as distributed the minutes of special session, June 27, 1990, seconded by Councilman Stiglbauer and approved unanimously.

CITIZEN INPUT ON NON-AGENDA ITEMS: Councilor Daniels commented on the nice job the new street sweeping service is doing in the City.

PROCLAMATIONS: Council President Taylor proclaimed July 19, 1990, as Kurisawa Day in honor of the first anniversary of the signing of the Sister City Agreement. Also, a commemorative tree will be planted at City Hall Thursday morning.

July 22 through 28, 1990, was proclaimed Sister City Week by President Taylor.

COMMUNICATIONS: Administrator Jordan read a letter from Milt Dennison, Superintendent of the Elementary School District, expressing their approval of the City workmanship and the recent sidewalk project on S. Ivy. Also, the City employee cooperative attitudes were commended.

Administrator Jordan read a letter from the new Superintendent of the High School District, Stephen Miller, thanking the City for support of the Community School "Slice of Summer" programs.

PUBLIC HEARING: Council President Taylor reviewed the hearing procedures and asked the Council for any conflict of interest or exparte' contact, none was voiced.

President Taylor opened the hearing on the Regan Annexation at 7:30 p.m.

Staff Report - Rusty Klem briefly reviewed the staff report for Ann 90-02, Joseph Regan & Amato Brothers Enterprises to annex 30.32 acres off Township Road to S.E.13th Avenue. Mr. Klem pointed out that prior to Phase III consideration, this 30 plus acres had to be annexed; and a second access is to be implemented. The three conditions of approval were outlined: 1. a complete subdivision application must be submitted to the Planning Commission for approval; 2. the property zoned R-2 throughout the northern 220 feet, R-1.5 throughout the middle 1,210 feet, and R-1 throughout another 1,210 feet; and 3. adequate and significant allocations for park land and open space as part of the revised Township Village Master Plan.

Applicant - George Wilhelm, engineer, felt the staff report was adequate and noted that Mr. and Mrs. Regan and Dave Anderson were present to answer any questions.

Proponents - None voiced.

Opponents - None voiced.

President Taylor closed the hearing at 7:46 p.m.

Discussion - Councilor Prince questioned the sewer capacity. Mr. Klem noted that the subject area would utilize Locust street sewer line.

Mr. Klem also noted that the eight standards and criteria of code Section 16.84.040 have been met.

Councilor Carroll questioned if an access to S. Ivy was considered and was informed that property acquisitions could not be obtained and the option was for another Township access.

****Councilman Carroll moved to adopt Resolution No. 455, A RESOLUTION APPROVING ANNEXATION TO THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON (APPLICATION OF JOSEPH & SHIRLEY REGAN AND JOHN & RUTH REGAN AND AMATO BROS. ENTERPRISES, INC.) FOR TAX LOT 1800 OF TAX MAP 4-1E-3 CONSISTING OF APPROXIMATELY 30.32 ACRES and adopting the Planning Commission's Findings, Conclusions and Order of ANN 90-02, dated June 11, 1990. Motion seconded by Councilman Daniels and approved 6-0.**

NEW BUSINESS: Accounts Payable - **Councilman Prince moved to approve payment of accounts payable in the amount of \$92,375.70, seconded by Councilor Smith and approved 6-0 by roll call vote.

Community School Annual Report - John Falkenstein first reported on the success of the first concert at Wait Park last Sunday. Mr. Falkenstein noted that participation for the Community School was increased over the past year and he briefly reviewed some of the programs and activities. John reported that the Canby Community School Program has been singled out as exemplarily and is one of three schools in Oregon to be published in a national publication as such.

Coopers & Lybrand Audit Contract - Administrator Jordan informed the Council that the contract proposal is up about 5% this year and that City staff has been very pleased with the past year service of the firm. **Councilman Daniels moved to authorize the City Administrator to enter into a contract with Coopers & Lybrand in the amount of \$9,590 for auditing service. Motion seconded by Council Carroll and approved 6-0.

Dedication of Right of Way for MLP 90-04 - Mr. Klem explained that the requested dedication was required for the Miriam Larson Minor Land Partition request and was part of the plan to connect Township with 99E near Pine Street. Mr. Klem said that several other land dedications will be necessary as time goes on to complete the street. **Councilman Carroll moved to approve the right-of-way dedication for the MLP 90-04 as outlined in the Findings, Conclusions and Order of MLP dated June 25, 1990. Motion seconded by Councilor Daniels and approved 6-0.

Abstract of June 26, 1990 Election - **Councilman Daniels moved to accept the abstract of the June 26, 1990 election as submitted by Clackamas County. Seconded by Councilman Smith and approved 6-0.

Set Workshop for Cash Carryover - Administrator Jordan explained that the budget had a cash carryover in from the 1989-90 budget in the amount of \$140,000 and a workshop might be scheduled to consider funding for several projects. The Council set Wednesday, August 22nd, 7:00 p.m. and to invite the Budget Committee to participate in the workshop.

ORDINANCES & RESOLUTIONS: Resolution No. 450 - Mr. Jordan explained this was a "housekeeping" document to implement our new workers' comp insurance. **Councilman Prince moved to adopt Resolution No. 450., STATE OF OREGON WORKERS' COMPENSATION DEPARTMENT GROUP SELF-INSURANCE RESOLUTION, seconded by Councilman Carroll. President Taylor questioned wording regarding the City's liability if we were to terminate this insurance. Mr. Jordan said the intent was that City/County Insurance would cover liabilities, less the deductible, that occurred while under their coverage. Motion carried, 6-0.

Resolution No. 454 - This was also a "housekeeping" resolution that enabled our volunteers to be insured. **Councilman Carroll moved to adopt Resolution No. 454, STATE OF OREGON WORKERS' COMPENSATION DEPARTMENT GROUP SELF-INSURANCE RESOLUTION FOR VOLUNTEERS, seconded by Councilman Smith. The Council decided to add the word "**respectively**" after the figure \$200 in the resolution. The motion passed, as amended, 6-0.

UNFINISHED BUSINESS: Library Change Order - Administrator Jordan explained the need for a library change order due to the new design to drop the ceiling. The primary part of the requested change order is for new lighting. **Councilman Carroll moved to approve the requested change order for the library construction project in the amount of \$33,366, to Tenant Improvement Services Corporation. Motion seconded by Councilman Prince and approved 6-0.

OTHER REPORTS OR ANNOUNCEMENTS: Beth Saul informed the Council of the Friends of the Library Book Sale on Friday and Saturday, 10:00 am to 6:00 pm.

Scott Nelson reported that the Swim Center had a "new toy" on loan from a sales company, an inflatable submarine. He reported that Tualatin has a similar inflatable toy and the children really like to play with it.

Rusty Klem reminded people that the new stop signs on Holly and Third; and Grant and Third are in place.

Councilman Prince congratulated Chief Giger on being honored by the Special Olympics.

ACTION REVIEW:

1. Forward the approved annexation resolution to Metro.
2. Execute the Coopers & Lybrand contract.
3. Accept abstract of June 26, 1990 election.
4. Schedule a workshop with the Budget Committee for August 22, 1990, 7:00 pm.

**Councilman Prince moved to go into Executive Session under ORS 192.660 (1)(d), labor negotiations; (1)(e), negotiate real property; and (1)(h), discussion on litigation or pending litigation. Motion seconded by Councilman Carroll and approved 6-0.

President Taylor recessed the regular session at 8:30 p.m.. to go into Executive Session in the Police Department.

The regular session was reconvened at 10:00 p.m.

**Councilman Carroll moved to approve for the non-bargaining unit of employees of the City, the health benefit program as stated in the memo dated July 12, 1990, showing a cap for department heads as specified: \$248, single; \$543, married; and \$708, family. Also, pickup the ortho option at 50 cents per single, \$1.05 for married and \$5.90 for a family. Motion seconded by Councilor Smith and approved 6-0.

President Taylor adjourned the session at 10:03 p.m.

EXECUTIVE SESSION
JULY 18, 1990

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


President Taylor opened the session at 8:45 p.m., in the Police Department conference room

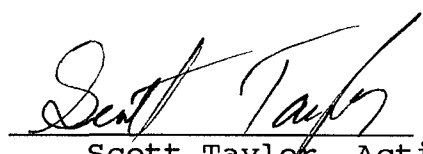
ORS 192.660 (1)(d) - the Council discussed labor negotiations.

ORS 192.660 (1)(e) - the Council discussed the high school request to change language in the resolution regarding S.W. 13th Avenue.

ORS 192.660 (1)(h) - the Council discussed possible pending litigation involving Mr. Rinkes and the storm water outfall.

President Taylor adjourned the session at 10:00 p.m.


Marilyn K. Perkett, City Recorder
Mayor


Scott Taylor, Acting