

**CANBY CITY COUNCIL
REGULAR MEETING
SEPTEMBER 5, 1990**

(Televised live on Channel 5.)

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

Also present: Administrator Michael Jordan, City Attorney John Kelley, Public Works Director Rusty Klem, Police Chief Jerry Giger, City Recorder Marilyn Perkett, Earl Oliver, Mitch Lies and Jeff Wuorio.

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 Daniels moved to approve as distributed the minutes of regular session August 15, 1990, seconded by Councilman Smith and approved 4-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: None presented.

PROCLAMATION: Mayor Kopelk proclaimed the month of September as National Dahlia Month. In honor of the proclamation, Swan Island Dahlia Farm of Canby, the United States largest dahlia garden, had sent a beautiful arrangement of dahlias to the Council.

COMMUNICATIONS: Administrator Jordan read a letter from North Willamette Telecom advising the Council of their second annual Canby Communication Classic. Chief Giger said he would be participating in the run.

Administrator Jordan read a letter from John Falkenstien, Community School Director, thanking the City for their contribution to the Slice of Summer performance at Wait Park, and specifically the help of Chief Giger and Administrator Jordan in their set up activities. Mr. Jordan noted that plans are under way for a similar event next year.

NEW BUSINESS: Accounts Payable - **Councilman Prince moved to approve payment of accounts payable in the amount of \$352,224.01, seconded by Councilman Carroll and approved by roll call vote, 4-0.

Birch Street Design Contract - Rusty Klem requested permission to implement a contract with Curran-McLeod for engineering on the Federal Aid Urban (FAU) project on N. Birch Street. Mr. Klem noted that the 120 review period is under way at this time and we could possibly break ground next March if we get the design completed and the bid documents prepared.

Councilor Daniels asked how wide the proposed street would be and Mr. Klem said it would be 40 feet.

Councilor Carroll questioned if sidewalks were included and was told that sidewalks are planned for both sides of the street.

Councilor Prince asked how far back from the curb sidewalks would be, so we could advise

residents that needed to move plants or shrubs. Mr. Klem noted that it would be about five feet and most residents have already moved their foliage.

It was also noted that letters were sent two weeks ago to residents of the project area informing them of the progress of the project and the projected time frame for construction.

****Councilman Daniels** moved to instruct staff to enter into a contract with Curran-McLeod Engineers for the Birch Street Improvements for an amount not to exceed \$19,420.00. Motion seconded by Councilor Carroll and approved 4-0.

ORDINANCES & RESOLUTIONS: Ordinance No. 848, Design Review - Mr. Klem briefly review some of the background of the proposed ordinance and pointed out two significant areas of concern: the Design Review Board will be the Planning Commission, as per their request; and this will be a quasi-judicial ordinance. Mr. Klem said the staff recommended adoption of the ordinance and proposed another position in the Public Works Department to assist in the added workload that will be generated by the ordinance.

****Councilor Smith** moved that Ordinance No. 848, AN ORDINANCE FOR THE CITY OF CANBY, COUNTY OF CLACKAMAS, OREGON, SETTING STANDARDS FOR THE SITE AND DESIGN REVIEW AND AMENDING CHAPTER 16.10 OF THE CANBY MUNICIPAL CODE TO PROVIDE A PROCESS AND DEFINABLE STANDARDS TO IMPROVE THE AESTHETIC QUALITY OF THE CITY'S PHYSICAL DEVELOPMENT, AND THEREBY DECLARING AN EMERGENCY, be posted and come up for final action on September 19, 1990. Motion seconded by Council Prince.

Councilor Carroll questioned if we could contract planning services with the County. Administrator Jordan said that this proposal is already being pursued and, in fact, a planner has been assigned to our needs if necessary.

****The motion on the floor** was approved by a vote of 4-0.

UNFINISHED BUSINESS: None presented.

OTHER REPORTS OR ANNOUNCEMENTS: Administrator Jordan reminded the Council of the annual Chamber of Commerce Dinner to be held on September 18th at the Cottage Kitchen. Council members wishing to attend should make arrangements with Recorder Perkett.

Rusty Klem requested permission to remove the temporary stop signs in the middle of the street on Grant and Holly. The Council consensus was to remove the signs.

Councilor Carroll reminded everyone of the dedication ceremony at the new library on Saturday, September 8th, at 10:00 a.m.

ACTION REVIEW:

1. Implement engineering contract for the Birch Street Project with Curran-McLeod.
2. Post Ordinance No. 848.

****Councilman Prince** moved to go into Executive Session under ORS 192.660 (1)(b), to consider discipline or dismissal of a public employee; and (1)(h), regarding pending litigation. Motion seconded by Councilor Carroll and approved 4-0.

Mayor Kopelk recessed the regular session at 8:00 p.m. The regular session was reconvened at 9:02 p.m. and immediately adjourned.

EXECUTIVE SESSION
SEPTEMBER 5, 1990

Mayor Kopelk presiding, Councilors present: Carroll, Daniels, Prince and Smith. Absent: Stiglbauer and Taylor.

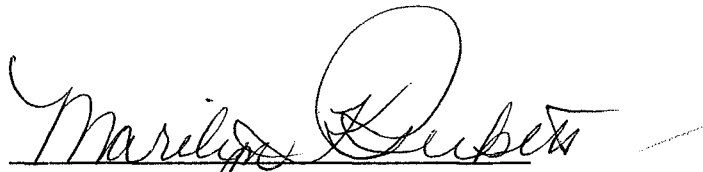
Also present: Administrator Jordan, City Attorney Kelley and Jeff Wuorio, Oregonian Reporter.

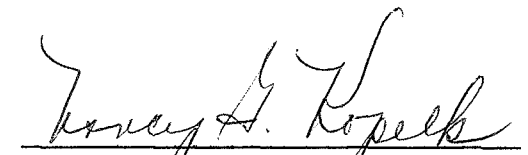
Mayor Kopelk opened the session at 8:14 p.m., in the Canby Police Department Conference Room.

ORS 192. 660 (1)(h), the Council discussed pending litigation cases, Torgeson and Rinkes.

ORS 192.660 (1)(b), the Council discussed the dismissal or discipline of a public employee.

Mayor Kopelk adjourned the session at 9:02 p.m.


Marilyn K. Perrett, City Recorder


Nancy G. Kopelk, Mayor