

**CANBY CITY COUNCIL  
REGULAR MEETING  
OCTOBER 17, 1990**

(Televised live on Channel 5.)

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

Also present: Administrator Michael Jordan, City Attorney John Kelley, Police Chief Jerry Giger, Public Works Director Rusty Klem, Swim Pool Director Scott Nelson, City Clerk Susan Reznicek and Earl Oliver.

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, with Councilman Smith absent.

**CITIZEN INPUT ON NON-AGENDA ITEMS:** None presented.

**PROCLAMATION:** Mayor Kopelk proclaimed the week of October 14-20, 1990, as National Business and Professional Women's Week.

**COMMUNICATIONS:** None presented.

**NEW BUSINESS:** Accounts Payable - \*\*Councilman Carroll moved to approve payments of accounts payable in the amount of \$59,754.23. Motion seconded by Councilman Stiglbauer and approved by roll call vote, 5-0.

LOC Convention - The Council was reminded of the League of Oregon Cities Convention on November 10-12, 1990. The Council selected Administrator Michael Jordan as LOC voting delegate and Mayor Kopelk as the alternate.

**ORDINANCES & RESOLUTIONS:** Ordinance No. 849 - Administrator Jordan reviewed the proposed N. Manzanita Street project and noted there was only one bidder and staff recommended accepting that bid.

Mr. Klem noted that CUB has laid new water lines in that street and N. Manzanita is the only street on the priority list for this year, other than N. Birch Street.

\*\*Councilman Carroll moved that Ordinance No. 849, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE A CONTRACT WITH PARKER-NORTHWEST PAVING COMPANY FOR THE OVERLAY OF N. MANZANITA STREET FROM N.E. 10TH TO N.E. 16TH AVENUES; AND DECLARING AN EMERGENCY, and not to exceed \$34,991.00; be posted and come up for final action on November 7, 1990. Motion seconded by Councilman Daniels and approved 5-0.

Ordinance No. 850 - Administrator Jordan explained that this ordinance would allow the City to set land use development fees by resolution. \*\*Councilman Taylor moved to adopt Ordinance No. 850, AN ORDINANCE AMENDING SECTION 16.880.030 OF THE CANBY MUNICIPAL CODE, SETTING APPLICATION FEES; AND DECLARING AN EMERGENCY. Seconded by Councilman Carroll.

Councilman Prince suggested that in the future, instead of doubling fees, the City should review fee schedules more often, so as not to put such a burden on developers.

Motion for approval of the ordinance was passed by roll call vote, 5-0.

Resolution No. 462 - Administrator Jordan explained that this is the accompanying resolution to the above that sets the development application fees.

Mr. Klem explained that 11 cities were surveyed as their fee schedules for the subject fees. Currently, Canby is low in most fee areas. Mr. Klem suggested that we review the fee schedule every two years and noted that even at 100% increase, the City of Canby fees are still quite low in respect to the other 11 cities. Staff recommended adopting the schedule, effective immediately, and set the new fee for the Design Review process at \$250. Even at the suggested new fees rate, we are still subsidizing some of the costs, however, it is unfair to increase the fees anymore than the suggested 100%. Mayor Kopelk said the Council should consider whether the tax payers should have to share the burden of subsidizing the fees or to require this to be the developers burden.

**\*\*Councilman Taylor moved to adopt Resolution No. 462, A RESOLUTION SETTING FEES RELATED TO ASSORTED DEVELOPMENT APPLICATIONS, seconded by Councilman Carroll and approved 5-0.**

Resolution No. 461 - Administrator Jordan briefly reviewed the impact of State Ballot Measure #5, it separates education from local government for the purposes of property tax assessment. It put a \$15 per thousand limit on schools and \$10 per thousand limit on the rest of local governments. This creates a substantial burden on local governments and the ability to raise revenues. Any given entity can go out for a levy for revenues, however, if a levy passes, then other entities must drop their rate to remain with in \$10 limit, creating a competition.

**\*\*Councilman Carroll moved to adopt Resolution No. 461, A RESOLUTION OPPOSING BALLOT MEASURE NO. 5, seconded by Councilman Taylor and approved 5-0.**

**UNFINISHED BUSINESS: SPRR-LID Assessment** - Administrator Jordan explained that the two tax lots in zone 3 had been overlooked in the first assessment roll and in adding them, he realized an error in the formula regarding the parking space credit. Again, the formula was to be as fair and equitable, while not over burdening anyone, as possible. If you accept this amended report, we will again advertise in the paper for two weeks and mail notices to all properties owners ten prior to the hearing, giving them time to remonstrate.

Councilman Taylor questioned if the assessment was for business' only and was told it was.

The tentative date for a public hearing is November 21st.

**\*\*Councilman Taylor moved to approve the LID assessment as presented and that we schedule it for a public hearing on November 21, 1990. Motion seconded by Councilman Prince and approved 5-0.**

Parking Time Limits - Chief Giger explained that since the new Code Enforcement Officer, Charles Tooley, has been enforcing parking, he has received many comments both pro and con. Chief Giger recommended that long term parking and new compact vehicles spaces be marked along the back of the parking lot; and the front row on First Street become three hours and the rest of the City parking left as posted. The Christian Church has a "park and ride" area for Tri-Met users and it will be encouraged to use this lot. Chief Giger said that Mr. Graham, owner of the Graham Building, requested that his parking lot be left at two

hour parking. The Holly Mall parking lot is a private lot and we do not govern this lot.

Councilman Taylor requested clarification on the Graham Building lot. Chief Giger explained that the City owns some of the property and Graham's own some. The Graham Building allows two spaces per business for customer use, and the remaining area will be two hour parking at the owner's request.

Chief Giger also noted that all street parking is two hours.

Councilman Carroll asked why ten spaces for compact cars.

Administrator Jordan said it was due to the width of the lot being less because of the Tri Met bus that has a layover at that site. Mr. Jordan said the biggest complaint is that employees have to walk a few extra blocks because of no long term spaces. Administrator Jordan said that we will try to get Tri Met riders to park other than in the core area, specifically at the park and ride on N. Holly.

The general consensus of the Council was to approve the parking time limits plans as outlined by Chief Giger.

Swim Center Roof Project - Scott Nelson, reported that only one of the three bids submitted at the October 11, 1990 bid opening was for the complete roof project, the other two were for skylights only. The one complete bid was much higher than the anticipated budget. The architect suggested that all bids be rejected and reschedule the bid process in the early spring. They also feel that they will receive more bids at that time. The entire cost estimate from the architect was \$30,000 and the only bid was for \$65,000.

**\*\*Councilman Taylor moved to reject all bids received for the Canby Swim Center Roof and Skylights and staff consider rescheduling the bid call in the spring of 1991. Motion seconded by Councilman Daniels and approved 5-0.**

**OTHER REPORTS OR ANNOUNCEMENTS:** Administrator Jordan noted that Clackamas County Cities meeting will be next Friday, October 26th, reservations are required tomorrow. Councilor Taylor suggested that Planning Commission members be invited to attend.

Administrator Jordan reminded Council of the workshop session on Saturday, October 27th.

- ACTION REVIEW:**
1. Registration for LOC Conference.
  2. Ordinance 849, will be set for final action.
  3. Implementing Ordinance 850 & Resolution 462.
  4. Issue Resolution 861, Opposing Measure 5.
  5. Publish & sending notices for LID on SPRR.
  6. Resetting some parking limits.
  7. Rejected all of the swim center bids.

**\*\*Councilman Taylor moved to go into Executive Session under ORS 192.660 (1)(e), to negotiate real property. Seconded by Councilman Carroll and approved 5-0.**

Mayor Kopelk recessed the regular session at 8:25 p.m. to go into Executive Session.

The regular session was reconvened at 9:00 p.m. and immediately adjourned.

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EXECUTIVE SESSION  
OCTOBER 17, 1990


Mayor Kopelk presiding. Councilor's present: Taylor, Prince, Daniels, Stiglbauer and Carroll. Also present: Administrator Jordan and Attorney Kelley.

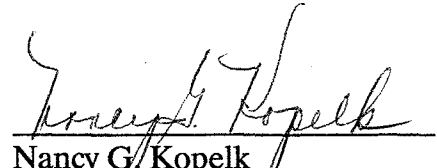
Mayor Kopelk called the session to order at 8:37 p.m., in the Police Department Conference room.

ORS 192.660(1)(e) - The Council first discussed the SPRR parking lot property.

The Council discussed the road dedication of property from Canby High School.

The session was adjourned at 9:00 p.m.

  
Marilyn K. Perkett  
City Recorder

  
Nancy G. Kopelk  
Mayor