

CANBY CITY COUNCIL

REGULAR MEETING

FEBRUARY 15, 1989

(Televised Live on Channel 5.)

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

Also present: Chief of Police Jerry Giger, City Recorder Marilyn Perkett, City Attorney John Kelley, Public Works Director Rusty Klem, Public Works Supervisor Roy Hester, Library Director Beth Saul, Swim Center Director Scott Nelson, City Treasurer Virginia Biddle, Kathy Keyser, Dave Dalley, Dan Robinson, Tim Blecka, Aaron Starr, and Curt McLeod.

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.

**Councilman Taylor moved to approve as distributed the minutes of regular session February 1, 1989; and special meetings February 6, 1989 and January 28, 1989. Motion seconded by Councilman Prince. Councilor Daniels noted to correct the minutes of February 6, 1989, he was not present at that meeting. Motion carried 5-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: Recorder Perkett introduced Kathy Keyser, the new receptionist that was hired for the front office.

PUBLIC HEARING: Mayor Kopelk instructed the audience as to the procedure for the public hearing process for the 1989-90 City Budget and State Revenue Sharing. Mayor Kopelk opened the public hearing at 7:37 p.m.

STAFF - Chief Giger briefly reviewed the State Revenue Sharing and proposed 1989-90 City Budget. Total revenue sharing budget was \$29,800 and the proposed levy was \$792,935, the levy is for two years.

PROPOSERS - None voiced.

OPPOSERS - None voiced.

REBUTTAL - None.

Mayor Kopelk closed the public hearing at 7:40 p.m.

**Councilman Daniels moved to accept as presented the proposed City Budget for 1989-90, along with the State Revenue Sharing Budget. Motion seconded by Councilman Taylor and approved 5-0.

COMMUNICATIONS: None presented.

ORDINANCES & RESOLUTIONS: None presented.

NEW BUSINESS: **Councilman Prince moved to approve payment of accounts payable in the amount of \$185,361.82, seconded by Councilman Stiglbauer and approved by roll call vote, 5-0.

The Council next considered the annual renewal of liquor licenses for all the agencies in the City of Canby. **Councilman Smith moved to approve the renewal of liquor licenses for the following: Vagabond Saloon, Gold Dragon, 7-11 Store, Country Cupboard Restaurant, TNT Market, Fultano's Family Pizza, Cutsforth's Thriftway, Roth's IGA Foodliner, Willamette Valley Country Club, American Legion Post 122, and Canby Bowl. Motion seconded by Councilman Daniels and approved unanimously.

Dan Robinson, Eagle Scout, addressed the Council regarding a project he wanted to do for his Eagle Scout ranking. The project was to build an amphitheater at the Canby Community Park. The project will have six rows of seats, 24 feet long and each row will be two feet higher than the next. Mr. Robinson indicated this was a very large project, however, he has support of the adult leaders and entire troop. He also noted that he did not intend to build the stage, only to level the area off where the stage is to be located. The project is designed to be due west of the existing Boy Scout building. Councilman Smith, a former Eagle Scout, volunteered to assist with this project.

**Councilman Taylor moved to approve the proposed Eagle Scout project of Dan Robinson to build an amphitheater at the Canby Community Park with the understanding that the Public Works staff will assist and advise the project along with Councilman Smith. Motion seconded by Councilman Daniels and approved 5-0.

The Council next considered a request to authorize a design for a mausoleum at the Zion Cemetery. The Council had two options: to request RFP's through the Daily Journal of Commerce; or contract with Milne Construction since they have helped with the preliminary design and cost estimates; this project will be under the \$15,000 Charter minimum for bid requirement. **Councilman Daniels moved to authorize staff to contract with Milne Construction for design of a mausoleum, not to exceed \$8,200. Seconded by Councilman Taylor and approved 5-0.

Mayor Kopelk informed the Council that due to Michael Jordan's acceptance of the City Administrator position, he would resign his recent appointment to the Canby Utility Board. Mayor Kopelk appointed Bud Atwood, former City Administrator, to the Canby Utility Board. **Councilman Taylor moved to approve the Mayor's appointment of Bud Atwood to the Canby Utility Board for a three year term. Motion seconded by Councilman Prince and approved 5-0.

UNFINISHED BUSINESS: **Councilman Daniels authorized the Mayor to sign a contract with LGPI for services for contract negotiations and labor contract consulting. Seconded by Councilman Taylor and approved 5-0. The Council requested that staff call to make certain Don Schaefer would be the person doing the negotiations since he was not specifically named in the

contract, however, it was noted that the contract could be terminated by written notice at any time.

Curt McLeod, engineer from Curran-McLeod, addressed the Council regarding the completion of the Redwood Interceptor Project. The project was essentially completed the end of January and will handle sewerage for the complete Urban Growth Boundary projection for the City. The bid cost for the project was \$532,000 and the final cost with the change orders was \$594,000. Mr. McLeod reviewed the change orders and the most costly was due to requirements on the permit from Southern Pacific for additional case pipe. Mayor Kopelk questioned using native fill vs. crushed rock and was told that this matter was closely supervised and a lot of native fill was used and tested to make sure it would last. Mr. McLeod noted that everything on the "punch list" is essentially done except some things that must wait for weather changes and he suggested holding \$5,000 until that is accomplished. Mayor Kopelk also asked about a piece of private property near the Rip City Pub that had asphalt on it; the asphalt will be removed as per the owners request. Mr. McLeod informed the Council that he felt Redwood Street was in better condition now than before the work was started. Also, that they had requested funding from the County for additional paving on this road to make it even better and were denied the funding. Councilman Taylor noted that he was pleased with the project as a whole, however, for future projects he wanted the Council to be made aware of any decisions regarding improvements on roads. Mr. McLeod noted that the contractor was liable for the project for one year and that his firm will do an eleven month inspection. Mayor Kopelk thanked him for his presentation.

The Council next considered sewer connection fees. Mr. Klem presented data collected from various agencies on how they calculate these fees. Also, Mr. Klem was asked to set a fee for the connection fee for the new restaurant, The Country Cupboard. Mr. Klem recommended using six seats as an ERU for the full service restaurant and with this formula the fee for The Country Cupboard would be \$24,000 less \$3,660 for capped services. Mr. Klem felt using a bond method would be an "administrative nightmare" for the City since we have limited staff. Mr. Klem noted that using 6 seats in calculating the ERU's was very close to actual use to date. Michael Jordan addressed the Council and cautioned that the connection fee may seem like a lot of money now, however, when the City expands the sewer plant it will take millions. The Council consensus was to wait another two months and then check the amount of water usage to see if our formula of six seats is close to the actual usage before setting a final formula. Mr. Kelm was directed to write a letter to Mrs. Oliver and Mrs. Longstreet regarding this issue.

The Council was informed that the Swim Center had received eight proposals for design on the Swim Center improvements. Three applicants will be interviewed and a recommendation will be made at the March 1, meeting. This project is under County authority since it is using CDBG funds.

OTHER REPORTS OR ANNOUNCEMENTS: Mr. Klem informed the Council that the Planning Commission had requested a joint workshop session on March 20th to start work on revisions of the Comprehensive Plan and implementing ordinance.

Beth Saul, Safety Committee Chairman, informed the Council that all but two employees received an award for the last six months for safety. These employees were considered from the "high risk" group.

Chief Giger informed the Council of a labor dispute at Johnson Controls and said the Police Department would be in that area a lot, however, they do not expect the issue to become much of a problem.

Councilman Taylor reported on the Blue Ribbon Committee public hearing that he and Chief Giger attended. Councilor Taylor said that most of those present voiced a concern about City's being taxed for only their fair share or actual services.

ACTION REVIEW:

1. Eagle Scout Robinson will work with staff and Councilor Smith on his amphitheater project.
2. Check on LGPI contract regarding Don Schaefer.
3. Letter to Bud Atwood on CUB appointment.
4. Continue to monitor water usage at Country Cupboard.

**Councilman Taylor moved to go into Executive Session under ORS 192.660 (1)(h), to discuss pending litigation. Seconded by Councilman Prince and approved 5-0.

Mayor Kopelk recessed the regular session at 9:13 p.m., to go into Executive Session. Mayor Kopelk reconvened the regular session at 9:41 p.m.

**Councilman Stiglbauer moved to authorize the City Attorney to file an appeal in the Clackamas County District Court in the case of City of Canby vs. Paniaqua. Motion seconded by Councilman Prince and approved 5-0.

Mayor Kopelk adjourned the regular session at 9:45 p.m.

EXECUTIVE SESSION
FEBRUARY 15, 1989

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

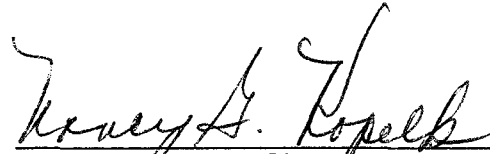
Also present: City Attorney John Kelley and Police Chief Jerry Giger.

Mayor Kopelk opened the Executive Session at 9:19 p.m., in the conference room in the Police Department.

The session was held under ORS 192.660 (1)(h), to discuss a Municipal Court Case that Attorney Kelley wished to appeal in Clackamas County District Court.

Mayor Kopelk adjourned the Executive Session at 9:41 p.m.


Marilyn K. Perkett, City Recorder


Nancy G. Kopelk, Mayor