

CANBY CITY COUNCIL

REGULAR MEETING

APRIL 19, 1989

(Televised live on Channel 5.)

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

Also present: City Administrator Michael Jordan, City Attorney John Kelley, Police Chief Jerry Giger, Library Director Beth Saul, Swim Center Director Rusty Klem, City Recorder Marilyn Perkett, David Anderson, John Regan, Mitch Lies, and Marvel Eberly.

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 Daniels moved to approve as distributed the minutes of regular session April 5, 1989, seconded by Councilman Carroll and approved unanimously.

CITIZEN INPUT ON NON-AGENDA ITEMS: None presented.

COMMUNICATIONS: Administrator Jordan informed the Council that we had received a letter from Vern and Carol Halsten, 458 S.W. 13th Avenue, stating their opposition to the proposed skateboard area in their neighborhood.

NEW BUSINESS: **Councilman Carroll moved to approve payment of accounts payable in the amount of \$37,937.50, seconded by Councilman Stiglbauer and approved 6-0 by roll call vote.

The Council considered an application for a liquor license, to serve beer and wine, by Marvel Eberly of Marvel's Pizza House. The location is at 207 S.W. First, Suite 106, in the Hiway Market building. Mrs. Eberly stated that they intended to open by May 15th. **Councilman Carroll moved to approve the liquor license application of Marvel's Pizza House. Motion seconded by Councilman Prince and approved 6-0.

ZONE CHANGE APPLICATION: An application for a zone change by David Anderson for phase two of Township Village was next considered and the decision was to be made based upon the record.

Rusty Klem noted that the application for the zone change of approximately 33 acres was contingent upon two conditions:

1. the adjacent 30 acres be annexed to the City prior to consideration of the phase three development; and 2. the next phase of development is to come before the Planning Commission only after development of a new Master Plan.

David Anderson, 641 N. Baker Drive, informed the Council that phase one had 42 lots and were 50% sold out; phase two will have 32 to 33 lots which will be 15% bigger lots. Mr. Anderson said, "We're proud of what we have and feel it is a real asset to the City".

John Regan, Livermore, California, the owner, told the Council that the adjacent 30 acres which will be annexed will be put into Christmas trees and harvested in 4 to 5 years.

Council members expressed concern regarding the condition set on phase one of implementing another access to S. Ivy Street. Mr. Klem noted that the developers were not able to obtain the right-of-way for the access. However, the Planning Commission decided that an alternative access on N.E. 13th Avenue and Township would be acceptable. The alternative access will be addressed through the required annexation and new Master Plan.

**Councilman Taylor moved that Ordinance No. 832, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY, COUNTY OF CLACKAMAS, OREGON; AND DECLARING AN EMERGENCY, APPLICANT BY DAVID ANDERSON, be approved on first reading and come up for final action on May 3, 1989. Motion seconded by Councilman Daniels and approved 6-0.

The Council next reviewed the abstract of votes from the March 28, 1989, election. **Councilman Daniels moved to accept the abstract of votes for the March 28, 1989, election on the Two Year Serial Levy for Emergency Services, as presented by the Clackamas County Elections Department. Motion seconded by Councilman Carroll and approved 6-0.

ORDINANCES & RESOLUTIONS: **Councilman Carroll moved to adopt Resolution No. 422, A RESOLUTION ADOPTING BUDGET AND MAKING APPROPRIATIONS FOR THE 1989-90 FISCAL YEAR. Seconded by Councilman Prince and approved 6-0.

Ordinance No. 828, another budget "housekeeping" document was next considered. **Councilman Daniels moved to adopt Ordinance No. 828, AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUE FOR 1989-90 FISCAL YEAR, seconded by Councilman Smith and approved by roll call vote, 6-0.

The next two ordinances were considered on final reading regarding implementing new sign enforcement regulations.

**Councilman Carroll moved to adopt Ordinance No. 829, AN ORDINANCE AMENDING THE CANBY MUNICIPAL CODE, SECTION 15.04.10, REGARDING THE CONSTRUCTION OF SIGNS, AND DECLARING AN EMERGENCY. Motion seconded by Councilman Prince and approved 6-0, by roll call.

**Councilman Carroll moved to adopt Ordinance No. 830, AN ORDINANCE AMENDING PROVISIONS OF TITLE 16 OF THE CANBY MUNICIPAL CODE REGARDING CONSTRUCTION, MAINTENANCE, ENFORCEMENT, AND PENALTIES FOR SIGN REGULATION AND DECLARING AN EMERGENCY. Motion seconded by Councilman Daniels and approved 6-0, by roll call vote.

UNFINISHED BUSINESS: None presented.

OTHER REPORTS OR ANNOUNCEMENTS: Councilman Carroll questioned why there was such a strong odor from the sewer plant, which he noticed at his home. Mr. Klem said that the plant personnel are working on the problem, however, the "young sludge" that has been stored and is now being transported was probably the problem. Several complaints had been received regarding this matter, and staff is working on the problem. Mayor Kopelk instructed staff to return to Council with options and cost estimates to solve the problem.

Mr. Klem reminded Council to be sure and review Ordinance No. 831, the pretreatment document, before the next meeting.

Administrator Jordan informed the Council that the City is considering contracting with ADP, of Portland, for payroll services starting July 1, 1989.

Councilman Carroll volunteered to attend a City staff meeting and lunch on Tuesday, April 25.

Administrator Jordan asked the Council if anyone wanted to attend the PGE Timothy Lake Conference in July with himself and Mayor Kopelk, notification should be given to the business office within a week.

Also, Mr. Jordan reminded Council that some remodeling will probably need to be done to make room for a new City Planner.

Administrator Jordan attended a South Clackamas Recreation District meeting on April 12, and will keep the Council updated as to their future plans.

The Council reviewed a memo from Steve Hanson, Sewer Plant Supervisor, regarding a request from a Mulino firm to transport their wastewater discharge to our plant. Councilman Stiglbauer questioned who would monitor their pretreatment requirements and each truck load. The Council was specifically concerned about the metal discharge and wanted more information before approving the request.

- ACTION REVIEW:
1. Report back on the Mulino ECD request to use the City sewer plant.
 2. Report back to Council about the recent sewer odors from the young sludge.

3. Post Ordinance No. 832.

**Councilman Taylor moved to go into Executive Session under ORS 192.660 (1)(d), to discuss labor negotiations; and (1)(e), to negotiate real property transactions. Seconded by Councilman Prince and approved 6-0.

Mayor Kopelk recessed the regular session at 8:30 p.m., to go into Executive session in the City Administrator's office.

The regular meeting was reconvened at 10:15 p.m., and the following business was presented.

Administrator Jordan presented his recommendations for an equity raise for four employees, based on the completed and accepted Classification/Compensation Study done by LGPI. Mr. Jordan explained the process he used on evaluating each department head, based on performance and how long the employee has been in the present position. The process would then put all of the staff in a range where they belong. The four employees in the low salary range and recommended for an equity increase were Beth Saul, Adriene Mills, Virginia Biddle and Marilyn Perkett. Administrator Jordan also noted that he planned on doing performance appraisals in June and merit increases in July.

Councilman Prince questioned if another 3% increase would be given these four employees in July, and was told yes, if they meet with a merit recommendation.

Mayor Kopelk felt we needed all employees in a range where they belonged before actually implementing the LGPI study.

**Councilman Taylor moved to grant the equity pay adjustments for the four employees as recommended by the City Administrator to bring all administrative staff into the comparison with the LGPI study. Motion seconded by Councilman Carroll and approved 6-0, by roll call vote.

Mayor Kopelk reiterated the fact that future raises are on merit and must be earned.

Mayor Kopelk adjourned the regular session at 10:44 p.m.

EXECUTIVE SESSION
APRIL 19, 1989

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


Also present: Administrator Jordan, Chief Giger, and Don Schaefer.

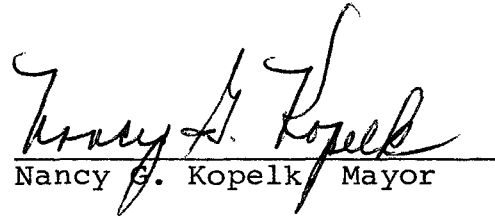
The Council first discussed police labor negotiations under ORS 192.660 (1)(d), in the Administrator's office. After this session, Don Schaefer and Jerry Giger left the meeting and the

rest of the Council and Administrator returned to the City Council Chambers.

The Council discussed possible purchase of real property under ORS 192.660 (1)(e). Councilor Daniels declared a conflict of interest and sat in the audience until the regular session was reconvened.

Mayor Kopelk adjourned the Executive Session at 10:15 p.m.


Marilyn K. Perkett, City Recorder


Nancy G. Kopelk, Mayor

P R O C L A M A T I O N

WHEREAS, this week was established by the Oregon State Legislature to encourage tree planting and tree care; and

WHEREAS, Oregon is the Nation's leading timber producing state; and

WHEREAS, trees have always been an important part of our community and enhance the beauty of Canby; and

WHEREAS, it is important that our citizens understand and appreciate the trees and forest that surround them.

NOW, THEREFORE, I, NANCY G. KOPELK, Mayor of the City of Canby, Oregon, do hereby proclaim the week of April 2 - 8, 1989, as

OREGON ARBOR WEEK

and call upon the citizens of Canby to observe this time by planting a tree, seeking education about trees and forests or visiting local forestry industries.

IN WITNESS WHEREOF, I hereby set my hand and the seal of the City of Canby to be affixed on this fifth day of April in the year of our Lord, One Thousand Nine Hundred Eighty-Nine.

Nancy G. Kopelk, Mayor

SUMMARY OF VOTES CAST
3/29/89
11:41

CLACKAMAS COUNTY, OREGON
SPECIAL ELECTION
MARCH 28, 1989

JOHN F. KAUFMAN

* I CERTIFY THAT THE VOTES RECORDED ON THIS ABSTRACT CORRECTLY * BY :
* SUMMARIZE THE RESULT OF VOTES CAST AT THE ELECTION INDICATED. *

John F. Kaufman

CITY OF CANBY
MEASURE 3-4
TWO YR SERIAL LEVY FOR EMERGENCY SERVICE

CANDIDATE KEYS:

- CAND-01 = YES
- CAND-02 = NO
- CAND-97 = OVSERVOTES
- CAND-98 = UNDERVOTES
- CAND-99 = TOTAL VOTES

POLL PRE	CAND-01	CAND-02	CAND-97	CAND-98	CAND-99
124	397	245	0	28	670
125	363	244	0	14	621
126	403	291	1	21	716
TOTALS	1,163	780	1	63	2,007

RECEIVED
MAR 6 1989
CITY OF CANBY

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