

CANBY CITY COUNCIL

REGULAR MEETING

OCTOBER 4, 1989

(Televised live on channel 5.)

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

Also present: Administrator Michael Jordan, City Attorney John Kelley, Police Chief Jerry Giger, Librarian Beth Saul, Public Works Director Rusty Klem, Swim Center Director Scott Nelson, City Recorder Marilyn Perkett, Fred Kahut, Pam Brinkley, Steve Hanson and Don Godard.

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 Carroll moved to approve as distributed the minutes of regular sessions September 6 and 20, 1989. Motion seconded by Councilman Prince and approved 5-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: None presented.

PROCLAMATION: Don Godard, CUB Manager, addressed the Council saying that the proclamation was a tribute to City predecessors that created the utility in 1922. Mayor Kopelk proclaimed the week of October 8-14, 1989, as Public Power Week.

COMMUNICATIONS: Administrator Jordan read a thank you from Douglas Onion and Randee Pienovi for allowing them to hold a tennis tournament at Maple Street Park for which they raised \$280 for the Oregon Federation of Parents for Drug Free Youth.

Administrator Jordan read a letter from the Automobile Club of Oregon announcing that Canby had been awarded a three year safety award for no pedestrian fatalities.

Deanna Thom, Wilsonville Administrative Assistant, is organizing the First Annual United Way Golf Tournament on October 14th, at the Lake Oswego Municipal Golf Course. Administrator Jordan invited Councilors, as well as staff, to participate. He is trying to set up a couple Canby teams for a the benefit.

NEW BUSINESS: \*\*Councilman Carroll moved to approve payment of accounts payable for September 6, 1989 in the amount of \$97,279.06 and for September 20, 1989 in the amount of \$447,597.45. Motion seconded by Councilman Smith and approved by roll call vote, 5-0. Mayor Kopelk noted that the larger

amount was due to the purchase of the Ace Hardware Building for the future library facility.

ORDINANCES & RESOLUTIONS: Rusty Klem noted that the sewer ordinance had two primary changes, pretreatment regulations and a deferred payment plan for connection fees. \*\* Councilman Carroll moved that Ordinance No. 835, AN ORDINANCE DECLARING THE INTENTION OF THE CITY OF CANBY, OREGON, TO OPERATE AND MAINTAIN A SEWAGE COLLECTION AND TREATMENT SYSTEM; ESTABLISHING AND IMPOSING JUST AND EQUITABLE CHARGES; PROVIDING FOR THE MANNER OF PAYMENT AND COLLECTION, ENFORCEMENT AND DISBURSEMENT OF SUCH CHARGES; REGULATING THE DISCHARGE OF WASTES TO THE SANITARY AND STORM SEWER SYSTEMS OF THE CITY, LIMITING SUCH DISCHARGES ONLY TO THOSE ACCEPTABLE TYPES, CHARACTERISTICS, OR CONCENTRATIONS; ESTABLISHING A SYSTEM OF WASTE DISCHARGE PERMITS AND PROVIDING FOR ENFORCEMENT; REPEALING ORDINANCE NO. 566, ENACTED FEBRUARY 19, 1974, ORDINANCE NO. 618, ENACTED APRIL 1, 1977; ORDINANCE NO. 679, ENACTED AUGUST 6, 1980; ORDINANCE NO. 727, ENACTED DECEMBER 1, 1982; AND DECLARING AN EMERGENCY, be posted and come up for final action on October 18, 1989. Motion seconded by Councilman Prince. Councilor Carroll questioned a few areas of the ordinance and was satisfied with staff remarks. Councilor Smith found a typo on page 14 to be corrected. Motion was voted on and approved 5-0.

Ordinance No. 836, was drafted as a housekeeping document to update our methods for retention of records, in compliance with ORS regulations. \*\*Councilman Prince moved that Ordinance No. 836, AN ORDINANCE AMENDING CHAPTER 2.24 OF THE CANBY MUNICIPAL CODE RELATING TO RECORDS OF THE CITY OF CANBY; PROVIDING FOR THEIR RETENTION; AND PRESCRIBING TIME PERIODS, be posted and come up for final action on October 18, 1989. Motion approved 5-0.

Administrator Jordan reviewed a resolution which set up an option for employees as a benefit. The benefit is for a deferred compensation program which is strictly voluntary and at no cost to the City. \*\*Councilman Taylor moved to adopt Resolution No. 438, A RESOLUTION AUTHORIZING PARTICIPATION IN A DEFERRED COMPENSATION PROGRAM OFFERED BY THE UNITED STATES CONFERENCE OF MAYORS (USCM), seconded by Councilman Carroll. Councilman Taylor suggested a generic resolution that would cover several types of plans without specifically naming them and requested that other plans be reviewed. Attorney Kelley felt this was not in the best interest of the City to have a "general" resolution. Administrator Jordan noted that other plans had been reviewed and felt this was a good plan. Also, the City will continue to keep the current Benjamin Franklin deferred compensation plan. Motion carried 4-1, with Councilman Taylor voting nay.

Resolution No. 439, is a companion to Ordinance No. 835, it sets forth limits and fees for industrial sewer discharges. \*\*Councilman Prince moved to adopt Resolution No. 439, A RESOLUTION SETTING INDUSTRIAL WASTE DISCHARGE LIMITS, REQUIRING INDUSTRIAL WASTE DISCHARGE PERMIT FEES, AND ESTABLISHING FEES AND CHARGES FOR THE TESTING OF INDUSTRIAL WASTE, seconded by Councilman Carroll. The Council decided that Section 5, should

not set definite fees or name the laboratory and suggested this section be revised and returned to the next meeting. The motion failed to pass, with five (5) nays.

Administrator Jordan explained that Resolution No. 440, was implemented due to an error on the garbage rate schedule on the second can, this was made by the Disposal Company's counsel. \*\*Councilman Taylor moved to adopt Resolution No. 440, A RESOLUTION AUTHORIZING A GARBAGE COLLECTION RATE INCREASE FOR PASS-THROUGH OF INCREASED DISPOSAL FEES AND ESTABLISHING A NEW RATE SCHEDULE, seconded by Councilman Smith and approved 5-0.

UNFINISHED BUSINESS: Administrator Jordan explained that the Police Association had finalized their three year contract and authorization was needed for signatures. Also, since the Council had not seen a final document, all the revisions that the Council had requested were approved. \*\*Councilman Carroll moved to authorize the Mayor and staff to sign the final document for the Police Association contract which expires June 30, 1992. Motion seconded by Councilman Taylor and approved 5-0. Mayor Kopelk requested that a thank you letter be sent to Don Schaefer for his services during the negotiations.

OTHER REPORTS OR ANNOUNCEMENTS: Councilman Carroll questioned the progress of the sign ordinance. Administrator Jordan said that letters would be mailed out on October 13. Attorney Kelley explained that the letters would explain the history of the ordinance, requirements and compliance. Also, a second letter would be mailed to violators explaining the specifics of the violation and setting a compliance date. Councilor Prince noted that this issues was implemented primarily for safety reasons and that either maps or diagrams be included in the letters to better explain the visual hazards on the corners.

Mr. Klem reminded the Council of the October 10th Economic Development Workshop at the Adult Center and encouraged everyone to attend.

Beth Saul requested that the Council approve changing the hours at the Library on Monday and Tuesday. Closing one hour earlier would enable staff to do daily tasks. The Council gave a general consensus of approval.

Scott Nelson informed the Council that the renovation project at the Swim Center has been set for February 23, 1990, and the pool will be closed from five to seven weeks. The new schedule will not adversely affect the swim teams. Bids for the project will close October 15 or 17.


Mayor Kopelk asked about the progress of the tree committee. Mr. Klem noted an ordinance is being drafted and some replacement trees will be planted before the end of the month.

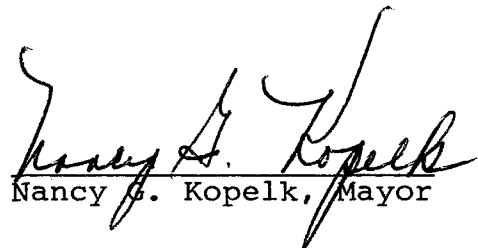
Administrator Jordan asked that Council advise the business office of their intent to attend the League of Oregon Cities Convention in November so hotel reservation can be made.

Recorder Perkett informed the Council that she had checked with the Southern Pacific train master about the box cars that have been setting on the tracks in the center of town for about a month and was told they had an abundance of equipment and this was the only way to store the box cars.

- ACTION REVIEW:
1. Post Ordinances 835 and 836; and revise Resolution No. 439 and return to the next meeting.
  2. Send a thank you letter to Don Schaefer.
  3. Letters will be mailed on the sign ordinance, inclusive of maps or diagrams.

Mayor Kopelk adjourned the regular session at 8:43 p.m.

  
Marilyn K. Perkett, City Recorder

  
Nancy G. Kopelk, Mayor