

CANBY CITY COUNCIL

REGULAR MEETING

MAY 4, 1988

(This meeting televised live on Channel 5.)

Mayor William Pulver presiding. Council members present: Nancy Kopelk, Shawn Carroll, Walt Daniels, Terry Prince, Scott Taylor, and Michael Jordan.

Also present: Administrator Stephan Lashbrook, City Attorney John Kelley, Public Works Director Rusty Klem, Library Director Beth Saul, Police Chief Jerry Giger, City Recorder Marilyn Perkett, CUB Manager Don Godard, Attorney Jack Hammond, Robert Westcott, Adrienne Mills, Fred Kahut, Jim McKibbin, Burt Lindsay and Charles Lam.

Mayor Pulver 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 session April 20, 1988, seconded by Councilman Daniels and approved unanimously.

CITIZEN INPUT ON NON-AGENDA ITEMS: Robert Westcott, Chairman of the Canby Utility Board, addressed the Council to inform them of the WPPSS lawsuit settlement. Mr. Westcott noted that Canby's share of the settlement, \$1,850,000 was largely paid for by insurance companies. Mr. Westcott introduced their Attorney, Jack Hammond, who was very instrumental in reaching this settlement. Mr. Hammond noted that WPPSS is the largest class action suit every to be filed in the "world". He stated that 70% are still involved in the case and Canby's settlement was the lowest rate per ratio share. Mr. Hammond said that if we had went to trial, which could have been two years in duration, it would have possibly cost another 4 million in legal fees. A total of 300 million dollars has been paid to date; claims total 1.4 billion dollars plus punitive damages; of the 88 entities involved, Canby has the largest amount of shares per ratio except for two other agencies. Mayor Pulver thanked the CUB representatives and said it was a "relief" to have this issued ended.

PROCLAMATION: Mayor Pulver proclaimed May 8 - 14, as "Just Say No Week" and urged citizens to become involved in the Just Say No March on May 12.

COMMUNICATIONS: Administrator Lashbrook read a letter from the Blue Ribbon Committee requesting Canby to submit a name to serve

on the Technical Advisory Committee and to pay \$1,010 for additional consulting fees. Mr. Lashbrook noted that Chief Giger will serve on the Technical Committee and he recommended that Council approve the requested fee. Also, since we had been involved for a year he felt it was best to continue so we don't lose our "gripe rights". Mr. Lashbrook said we could end up paying more if other agencies drop out of the program.

**\*\*Councilwoman Kopelk** moved continue in the Blue Ribbon Committee program and pay the \$1,010 amount in two installments, but pay no more without further Council approval, motion seconded by Councilman Prince. Administrator Lashbrook explained that the Blue Ribbon Committee was created to review the Sheriff's levy and specifically Cities perhaps paying more than their share for services; and the quality of services. Matt Knoblauch from Canby serves on the committee. Council approved the motion 6-0.

Administrator Lashbrook read a letter from the Planning Commission Chairman, Fred Kahut, requesting that Council provide funding for a City Planner to help with duties and specifically in the process of updating the Comp Plan. Mr. Kahut addressed the Council explaining that the Comp Plan is the guideline for our future growth for the next 20 years and we need considerable documentation for proposed changes. Mr. Lashbrook explained that funds are minimal and we have signed a contract with the County to provide some assistance in the Planning area and he also has contacted Portland State University to provide student interns to assist in the Comp Plan revision. Mayor Pulver agreed that we do need a full-time planner, however, at this time we do not have the funding since we are locked in to a two year levy but it will be considered for the next budgeting process.

**ORDINANCES & RESOLUTIONS:** **\*\*Councilman Jordan** moved to adopt Resolution No. 410 A RESOLUTION VERIFYING THAT THE CITY OF CANBY HAS MET THE REQUIREMENTS TO RECEIVE REVENUES FROM CIGARETTE, GAS AND LIQUOR TAXES, seconded by Councilman Carroll and approved unanimously.

**NEW BUSINESS:** **\*\*Councilman Daniels** moved to pay accounts payable in the amount of \$29,711.48, seconded by Councilwoman Kopelk and approved 6-0, by roll call vote.

Charlie Lam, the City's computer consultant, addressed the Council to let them know of the status with our systems. Mr. Lam provides consulting, programming, maintenance and purchasing of computer equipment for the City. He stated that we are "in fine shape" and need not make any expenditures at this time. Mr. Lashbrook noted that Mr. Lam and Jim Krieghauser, from Clackamas County, have been working on a program to set up a tax roll program for our office which will be very valuable. Mayor Pulver thanked Mr. Lam for his continued assistance.

At this time the Council considered an appointment to the Traffic Safety Committee. Councilor Jordan submitted the name of Sharon Smith, a long time resident and Oregon State graduate. Mayor Pulver appointed Sharon Smith to the Traffic Safety Committee. **\*\*Councilwoman Kopelk** moved to approve Mayor Pulver's appointment

of Sharon Smith to the Traffic Safety Committee, seconded by Councilman Carroll and approved 6-0.

UNFINISHED BUSINESS: Administrator Lashbrook announced that the City of Aurora had rescinded their request for dispatching services from the Canby Police Department. Aurora has decided to stay with the City of Woodburn.

Curt McLeod, from our consulting engineer firm of Curran-McLeod, reviewed two projects with the Council. The first, the Fir Street Project for which we have a 1985 Community Development Block Grant of \$65,000. Mr. McLeod explained that the entire project was \$154,000, so they had to scale it down to meet our financial status. He presented two options, one for \$80,000 and one for \$100,000. In both options, some in-kind services will be provided to cover some of the expenses and we have currently paid \$10,000 in engineering fees. The first option was without sidewalks and would cost us "out of pocket" about \$5,000; the second option would cost "out of pocket" about \$17,500 and included sidewalks. Funds are scarce now, and Councilor Jordan requested a couple weeks to review the budget before making a final decision before calling for bids.

The next project Mr. McLeod reviewed was the South Side Sewer project. Mr. McLeod noted that they had realigned the line to go down the highway instead of through some private properties. This was primarily due to the fact the City was having a problem getting easements for the proposed line. The actual construction cost will be about \$650,000 plus 15% for administration and contingency, bringing the total to \$750,000. Construction could begin in July. Administrator Lashbrook noted that our sewer reserve fund might be a little short, however, after the bids come in we will know for sure how much money will be needed as to our exact reserve funding available. \*\*Councilman Daniels moved to approve the request to advertise for bids on Monday, May 9th, as outlined by Mr. McLeod with the realigned design. Motion seconded by Councilman Taylor and approved 6-0.

OTHER REPORTS OR ANNOUNCEMENTS: Administrator Lashbrook informed the Council that the City did not receive the \$41,000 grant from the National Park Service for the Swim Center improvement project. Additional funding sources will be discussed for the project at a latter date.

Beth Saul informed the Council that the Friends of the Library made over \$400 on their annual book sale.

ACTION REVIEW:

1. Call for bids on South Side Sewer project.
2. Return with financial data for Fir Street Project.
3. Advise Sharon Smith of appointment to the Traffic Safety Committee, and pending meeting.
4. Advise Blue Ribbon Committee of approval of \$1,010 consultant fee.
5. Arrange for student intern to assist in Comp Plan revision.

\*\*Councilwoman Kopelk moved to go into Executive Session under ORS 192.660 (1)(d), to carry on labor negotiations; and (1)(h), to discuss pending litigation. Motion seconded by Councilman Carroll and approved 6-0.

Mayor Pulver recessed the regular session at 8:55 p.m. to go into Executive Session, and allowing a few minutes for the camera crew to remove equipment.

Mayor Pulver reconvened the regular session at 10:13 p.m. and immediately adjourned the regular session.

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#### EXECUTIVE SESSION

Mayor Pulver called the Executive Session to order at 9:06 p.m.

PRESENT: Mayor Pulver, Councilors Kopelk, Jordan, Prince, Taylor, Daniels, and Carroll, and Administrator Lashbrook.

ORS 192.660 (1)(h), the Council briefly reviewed the pending stress claim against the City by former employee Dan DeRego.

ORS 192.660 (1)(d), the Council reviewed the contract proposals by the Office Employees and Public Works Association.

Mayor Pulver adjourned the Executive Session at 10:12 p.m.

  
Marilyn K. Perrett, City Recorder

  
William F. Pulver, Mayor