

CANBY CITY COUNCIL

REGULAR MEETING

OCTOBER 5, 1988

(Televised Live on Channel 5.)

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

Also present; Police Chief Jerry Giger, City Attorney John Kelley, City Attorney John Kelley, Library Director Beth Saul, Public Works Director Rusty Klem, Swim Center Director Scott Nelson, City Recorder Marilyn Perkett, Milt Dennison, Bob Westcott, Karen Oliver, Patty Longstreet, Jon Eyman, Hank Scouten, Max Sommer, and Tim Sommer.

Mayor Pulver called the regular session to order at 7: 30 p.m., followed by the flag salute. Mayor Pulver requested a few moments of meditation in memory of the late Laura Atwood, wife of the former City Administrator, Bud Atwood.

\*\*Councilman Carroll moved to approve as distributed the minutes of regular session, September 21, 1988. Seconded by Councilman Daniels and approved unanimously.

At this time, Mayor Pulver performed the swearing-in ceremony for the new Canby Police Officer, Tim Sommer.

Mayor Pulver proclaimed the week of October 9 through 15, 1988 as Fire Prevention Week.

COMMUNICATIONS: Chief Giger read a letter from the office of Mark Hatfield inviting government official from our area to a meeting on October 25, 2:30 to 4:00 p.m. at the Sunnyside Inn. The meeting is to discuss concerns with the Senator.

A letter from Dorothy McCormick, Canby Adult Center was read by Chief Giger, suggesting the name of Julie Bighouse for the advisory board, to take the place of Leta Belleque.

Mrs. Perkett read a thank you letter from Stephan Lashbrook, regarding his going away reception and gifts.

ORDINANCES & RESOLUTIONS: Chief Giger explained that Resolution No. 415, was a required procedure since the City of Canby had one former employee involved in the ICMA Retirement Program.

\*\*Councilman Taylor moved to adopt Resolution No. 415, A RESOLUTION RELATING TO A DEFERRED COMPENSATION PLAN WITH THE ICMA RETIREMENT CORPORATION, seconded by Councilman Carroll and approved 6-0.

NEW BUSINESS: \*\*Councilman Daniels moved to approve payment of accounts payable in the amount of \$138,655.35, seconded by Councilman Carroll and approved 6-0, by roll call vote.

The Council considered a liquor license application a proposed new restaurant, The Country Cupboard. The request was for a full service license by the owners Patty Longstreet and Karen Oliver. \*\*Councilwoman Kopelk moved to approve the liquor license application for the Country Cupboard as presented. Motion seconded by Councilman Carroll and approved unanimously.

Rusty Klem reviewed the request from the Elementary School District to waive the sewer connection fee on the Lee School addition. The school district maintained that there would be no actual connection since there was no plumbing facilities; the increased usage would be reflected in monthly statements; the student ratio of 90 students at one time would not be allowed; and the concern of one tax supported entity collecting fees from another tax supported entity. Mr. Klem reviewed his research with other cities and districts for their practices for such sewer connections. Mr. Klem also pointed out that the connection fees are a source of money for the Sewer Reserve Fund for line and plant improvements as needed for growth. Mr. Klem's recommendation was to change the existing Resolution for a rate change, leave the single-family connection fee at \$1,200 and for the elementary school change the enrollment from 25 to 40 students enrolled.

Milt Dennison briefly addressed the Council reiterating their reasons for the request.

Councilman Jordan suggested that a "room to adjust formula" be established and stay with the design capacity and not the enrollment ratio.

\*\*Councilman Taylor moved to table the request from the Elementary School District on the connection fee waiver and instruct staff to draft a new resolution changing the connection fee formula for the elementary school to an enrollment ratio of 40 students. Motion seconded by Council Daniels. Councilor Jordan urged the members to vote against the motion and consider the design capacity since it would be easier to track. He also noted that the infrastructure should be considered and the fact that the school district actually is responsible for the largest portion of property taxes levied which makes it difficult for other taxing entities to approve levies. The motion passed 3 to 2, with Councilmen Jordan and Prince voting nay.

The Council reviewed a time schedule for starting the RFP process for City auditing. The general consensus of the Council was to start the process right away starting next week. However, the staff will wait until the Canby Utility Board meets on October 11th to review the issue before publishing the notice of RFP. Councilman Carroll volunteered to serve on the review committee.

The Council next considered an agreement with the County

regarding CDBG funds for Swim Center improvements. Scott Nelson explained that the agreement provides a working relationship between the City and County for the expenditure of the \$62,000 CDBG funds, of which the City must match \$12,400. Mr. Nelson noted that to control humidity and help preserve the building structure the design and improvements must be done. The CDBG grant will provide for the engineering of the project. Councilwoman Kopelk asked if the engineering process would be for the entire project or for only the \$62,000. Mr. Nelson noted that the design would be for the entire scope of the project, however, it could be done in phases if this become necessary. \*\*Councilman Taylor moved to authorize the Mayor to sign the Intergovernmental Agreement between Clackamas County and the City of Canby for design and construction of improvement to the Canby Swim Center. Motion seconded by Councilman Prince and approved 6-0.

Chief Giger presented a memo to the Council informing them that in lieu of purchasing one patrol vehicle, they will be buying two used vehicles with the current money budgeted. The two vehicles will be used for administrative duties and will purchased for \$13,000 currently budgeted funds. The vehicles are a 1986 Buick Century 4 door for \$6,000 and a 1986 Chevrolet for \$7,000. The Council agreed to the purchase request.

\*\*Councilwoman Kopelk moved to appoint Julie Bighouse to the Adult Center Advisory Board to fulfill the unexpired term, until July, 1991. Seconded by Councilman Carroll and approved 6-0.

UNFINISHED BUSINESS: Rusty Klem reviewed his memo to the Council regarding the request for a handicapped parking site in the Graham parking lot. Mr. Klem recommend against the request for the following reasons: a new handicapped parking site on N.W. Second near the Graham building will be established and this will mean two sites in that block; the parking lot is small and spaces tight; and about half of the 23 available spaces are taken up by downtown employees. The Council agreed with Mr. Klem's recommendation. Councilor Taylor encouraged citizens to let City staff know if the handicapped parking sites in the City is adequate. Chief Giger noted that the Traffic Safety Committee will be studying the downtown core area parking issues and specifically the time limit areas.

Mayor Pulver requested permission from the Council to confer with Bud Atwood to act as an Interim City Administrator until a new one is hired. Councilman Taylor suggested that we outline what duties he would be expected to do. Council agreed to have Mayor Pulver discuss the issue with Mr. Atwood.

Mrs. Perkett reminded Council of the scheduled League of Oregon Cities Convention, November 12 through 15, and the City would need a voting delegate. Mayor Pulver suggested that the newly elected Mayor be the delegate and Councilman Jordan volunteered to be an alternate.

Rusty Klem advised the Council that the Elementary School District Board meeting has changed their agenda and the

discussion of the parking lot for the Adult Center and Swim Center has been rescheduled to October 17th, Councilors are encouraged to attend this meeting.

Mr. Klem informed the Council that vandalism has increased in Wait Park and a 10:00 p.m. closure of the park had been suggested. Chief Giger noted that the trouble is during the hours right after school and his officers will be increasing surveillance during those hours.

Chief Giger thanked the Council for attending the annual Chamber of Commerce dinner.

Mr. Giger informed the Council that he would not be present at the next Council meeting since he will be attending the International Chiefs Association Convention in Portland.

Mr. Klem reported that a final inspection had been done on the Fir Street Project and the asphalt has been approved, however, the concrete contractor will have to make some changes in areas that were found to be unsatisfactory.

Attorney Kelley noted that he will be sending a letter to the owners of the house 380 S. Fir setting forth a time frame for the owners to clean up the abandoned house before the City is forced to take action.

Shawn Carroll informed the Council that he had attended a CUB meeting and commended the Utility Board on their good report from the auditors.

ACTION REVIEW: 1. Prepare a resolution for the sewer connection fees with appropriate changes.  
2. Sign and agreements for the Swim Center Project.  
3. Proceed with RFP for audit service.

\*\*Councilwoman Kopelk moved to go into Executive Session under ORS 192. 660 (1)(i), to review and evaluate, pursuant to standards, criteria and policy directives adopted by the governing body, the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member unless the person who's performances is being reviewed and evaluated requests an open hearing. Motion seconded by Councilman Jordan and approved 6-0.

Mayor Pulver recessed the regular session at 9:09 to go into Executive Session. The regular session was reconvened at 11:40 p.m. and immediately adjourned.

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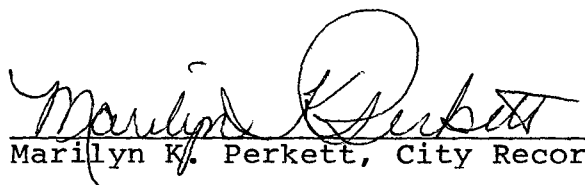
EXECUTIVE SESSION  
OCTOBER 5, 1988

Mayor Pulver presiding. Councilors present: Kopelk, Carroll, Daniels, Taylor, Prince and Jordan.

Also present: Rusty Klem and Jerry Giger, only during their review process.

Mayor Pulver called the session to order under ORS 192.660 (1)(i). The first part of the meeting was set aside to review the performance of Rusty Klem, Public Works Director. Jerry Giger, Chief of Police, was set for the second portion of the meeting for job performance review.

Mayor Pulver adjourned the Executive Session at 11:40 p.m.

  
Marilyn K. Perkett, City Recorder

  
William F. Pulver, Mayor