

CANBY CITY COUNCIL

REGULAR MEETING

MAY 7, 1986

(NOTE: This meeting was televised live on NWT Channel 5.)

Mayor William Pulver presiding. Councilmembers present: David Anderson, Nancy Kopelk, Scott Taylor, Gary Sowles, Helen Brennan and Michael Jordan.

Also present: Administrator Bud Atwood, City Attorney John Kelley, Public Works Director Rusty Klem, Swim Center Director Scott Nelson, City Recorder Marilyn Perkett, Terry Prince, Sheila Adams, Dorothy Ellingboe, Bob Root and Hank Schouten.

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 present.

**Councilman Sowles moved to approve as distributed the minutes of regular session April 16, 1986, seconded by Councilwoman Brennan and approved unanimously.

CITIZEN INPUT ON NON-AGENDA ITEMS: None voiced.

COMMUNICATIONS: Administrator Atwood read a letter from Sheila Adams, regarding a "Kid's Day In the Park", sponsored by local churches and scheduled for June 14th. Council consensus was to grant the use of the Gazebo and Wait park for the day; to provide parade assistance; and to request that the committee provide their own supervision for the children in lieu of blocking off any street for the day.

A request from the Hometowne Bakery for outside seating in front of their business at 224 N.W. First Street was reviewed by the Council. Councilman Taylor voiced a concern as to setting a precedent for other City merchants to do business on the City owned sidewalks. **Councilman Sowles moved to grant the request of the Hometowne Bakery for outside seating, in compliance with conditions set forth in the staff memo dated April 28, 1986 (a memo is attached to these minutes); and the request that the Hometowne Bakery provide proof of insurance for liability with the City of Canby as an additional insured. Motion seconded by Councilman Anderson and approved 5-1, with Councilman Taylor voting nay.

Administrator Atwood read an invitation from the Elementary School District inviting Council and City staff to a retirement party for Superintendent Ed Miller on May 18th.

Attorney Kelley informed the Council that he had received a letter from Attorney Caldwell regarding the ESD District vs. Clackamas County, in which the City of Canby is a member of the class action suit. ESD won the suit regarding back interest on investment monies, however, Clackamas County has thirty days to appeal the case prior to any disbursement of money. Mr. Kelley noted that if the case is appealed it may be in litigation for two years.

ORDINANCES & RESOLUTIONS: Administrator Atwood explained that Ordinance No. 786 was drafted so the City and CUB could sign a contract with Eldon Edwards for architect services on the proposed new shop facility. **Councilwoman Kopelk moved that Ordinance No. 786, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER OF THE CITY OF CANBY, COUNTY OF CLACKAMAS, OREGON TO EXECUTE A CONTRACT FOR ARCHITECTURAL SERVICES IN CONNECTION WITH THE CONSTRUCTION OF A JOINTLY OWNED PUBLIC WORKS AND CANBY UTILITY BOARD SHOP FACILITY, AND DECLARING AN EMERGENCY, be properly posted and come up for final action on May 21, 1986, at approximately 7:37 p.m. Motion seconded by Councilman Taylor and approved 6-0.

Administrator Atwood requested that Council review the proposed Intergovernmental Cooperative Agreement between the City and CUB and refer any questions to his office prior to the next meeting when it will be on the agenda for action.

NEW BUSINESS: **Councilman Taylor moved to approve payment of accounts payable in the amount of \$47,740.93, seconded by Councilwoman Kopelk and approved by roll call vote, 6-0.

Council next considered a deed for ten feet of property for street purposes. **Councilman Anderson moved to accept for recording the warranty deed from James L. and Betty P. Millar for a ten foot strip of land on lot number 37 of N.E. 10th Avenue. Motion seconded by Councilman Jordan and approved unanimously.

Councilman Taylor questioned if the City had been served papers on a law suit by former Police Chief Seigler and was informed that the City had not been served with papers at this time.

Councilman Sowles noted that two accidents had happened over the weekend at N. Territorial and N. Holly Street and asked if any actions had resulted. Mr. Atwood noted that citizens had inquired as to what action to take regarding the intersection and we advised them to contact Clackamas County and suggested that a 35 mile per hour zone be placed on N. Holly from N.E. 22nd Avenue to the City limits. Also, Mr. Atwood advised the concerned citizens that if they needed City support that we would help their cause.

Councilman Anderson questioned when the S. Elm Street project would start and was informed by Rusty Klem, Public Works Director, that the State would let bids the end of this month and it would be approximately one more month before work started. However, due to the restricted specifications of the State of

Oregon, we would be very limited as to the actual scope of the project. Also, the City crew had installed the drywells as a savings on the proposed project.

UNFINISHED BUSINESS: The Council next considered adopting a proposed "City of Canby Book of Policy". The Council suggested to major changes:

- relatives not be allowed to work in the same department or under the director supervision of another relative; and

- page 22, section 3, change the wording regarding sanctions and punitive reasons.

Councilman Jordan also questioned if the policy would preclude the City from negotiating directly with an individual on wage negotiations and was informed it would not affect the issue.

**Councilwoman Kopelk moved to adopt the proposed "Book of Policy" with the accepted changes as discussed and to authorize the City Administrator to make any necessary changes with notification to the City Council. Motion seconded by Councilman Taylor and approved 6-0.

OTHER REPORTS OR ANNOUNCEMENTS: Mayor Pulver asked the Council to recruit a new member for the Canby Utility Board, since Dick Mosier will be resigning and moving out of state. Names should be submitted to the Administrator so staff can contact the individuals prior to the next meeting. John Walrod and Joe Driggers were suggested as possible candidates.

Councilman Taylor gave a brief report on the progress of the budget committee's promotion campaign for the May 20th election.

Rusty Klem informed the Council that Clackamas County is seeking members to serve on an ad hoc committee to research funding for county road maintenance. The Council suggested that Earl Oliver and Fred Stafani be contacted as possible candidates.

Administrator Atwood informed the Council that due to a conflict of a Planning Commission meeting on May 12th, Sue Cox of the Adult Center PAB would represent the City at the school board meeting. Also, the City has had several citizens voice their concerns and opposition regarding the proposed exit onto S. Ivy on the expansion of the parking lot, and the City does not feel that exit is critical to the proposed plan.

Councilwoman Brennan gave a brief report on a League of Oregon Cities conference she attended on April 26th with a focus on "Know your Community". Several suggestions were made for the City to pursue in the scope of better community relationships.

Mayor Pulver adjourned the regular session at 8:48 p.m.



Marilyn K. Perkett, City Recorder



William F. Pulver, Mayor