

CANBY CITY COUNCIL  
REGULAR SESSION  
SEPTEMBER 17, 1986

(This meeting televised live on Channel 5.)

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

Also present: Administrator Bud Atwood, City Attorney John Kelley, Police Chief Jerry Giger, Public Works Director Rusty Klem, Swim Center Director Scott Nelson, City Recorder, Marilyn Perkett, CUB Board Members, Larry Housen, Robert Westcott, Robert Swayze, George Hudson and Neal Cournoyer, CUB Manager Stephan Lashbrook, Bob Root, Steve Frederick, Lynda Hines, Mr. & Mrs. C.C. Sheppard, Betty Weiss, Betsy Ross, Barbara Menkel, Vera Hulbert, Roy Hester, Bob Rapp, Earl Oliver, Ken Triplett, Gene Welk, Hank Schouten, Ed Buschow and Walt Daniels.

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, with Councilman Jordan absent.

\*\*Councilwoman Kopelk moved to approve as distributed the minutes of regular session, August 20, 1986. Motion seconded by Councilman Sowles and approved unanimously.

CITIZEN INPUT ON NON-AGENDA ITEMS: Mr. C.C. Sheppard, 240 N. Holly, addressed the Council regarding the bad condition of the Zion Memorial Cemetery and requested that staff consider raising the fee for burials of non-residents and letting the citizens decide whether they wanted to allocate tax dollars to maintain the cemetery. Mayor Pulver explained that the cemetery is at this time self-supporting and not using tax levy dollars and that further investigation of revenues will be considered. Administrator Atwood noted that in the past when the fees were raised the number of burials went down, therefore defeating the purpose in raising revenues. Councilman Sowles suggested that staff review the issue and set it for an agenda in the near future.

Scott Nelson, Swim Center Director, presented six month swim passes to Jean Garre, Ken Hagen and Tony Feters for their volunteering the many hours in the past six months to televise the City Council meetings. Mr. Nelson also noted that the Swim Center is in the final phases of renovation and will reopen next week and invited everyone to attend.

PROCLAMATION: Mayor Pulver read a Proclamation declaring the week of September 17 through September 23, 1986, as Constitution Week.

COMMUNICATIONS: Administrator Atwood read a letter from Linda Hines, project chairman for the Harvest Festival. Mrs. Hines requested permission to use Wait Park for the September 20th event. \*\*Councilman Anderson moved to grant permission to the Retail Trade Committee to use Wait Park on September 20th for the annual Harvest Festival and to allow closure of N.W. 3 and N. W. 4th Avenues between N. Holly and N. Grant, using the City pickup to deliver barricades. Motion seconded by Councilwoman Brennan and approved 5-0.

Administrator Atwood read a letter from Craig Shinn, declaring his resignation from the Planning Commission due to the fact he will be out of town most weeks for the next several years. Mr. Shinn suggested that Mr. Wes Nicholson, 1449 N. Locust Street, be considered as a Planning Commission member. Mayor Pulver suggested that Council contact Mr. Nicholson and also submit any other names they wished for a decision at the next meeting.

Administrator Atwood read a letter from Mark Triebwasser, Canby Swim Board, thanking the Council for support that provided the recent renovation and inviting the Council to the Open House on Saturday, September 27th, at 10:00 a.m.

Attorney Kelley informed the Council that he had received a letter regarding the Class Action law suit that Clackamas County ESD had filed against the County for interest on tax dollars. The Judge had granted in favor of the summary class action suit, however, County has appealed the decision and it may be next April or May before a decision on the appeal is reached. Mr. Kelley noted that the City of Canby had between \$4,000 and \$5,000 as a benefit if the appeal is over ruled.

At this time, Mayor Pulver read a letter he had written to Canby Public Works Supervisor, Roy Hester. Mr. Hester had been the recipient of a commendation medal presented by the Oregon Air National Guard for performance beyond the call of duty. Mayor Pulver extend the City's congratulations.

ORDINANCES & RESOLUTIONS: Ordinance No. 796, was considered for final action. \*\*Councilman Sowles moved that Ordinance No. 796, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY RECORDER OF THE CITY OF CANBY, OREGON TO EXECUTE AN AGREEMENT WITH PARKER NORTHWEST PAVING, INC. FOR IMPROVING A PORTION OF SOUTH ELM STREET IN THE CITY OF CANBY, AND DECLARING AN EMERGENCY be approved and become part of the laws of the City of Canby. Motion seconded by Councilwoman Brennan and approved by roll call vote, 5-0.

\*\*Councilman Sowles moved to adopt Resolution No. 393, A RESOLUTION REQUESTING LEGISLATIVE CHANGES REGARDING JUVENILE OFFENDERS, seconded by Councilman Anderson. Councilman Taylor, a parole officer with County, took exception to the proposed resolution and pointed out several areas he felt did not apply to our community or County. Councilman Sowles requested further study on the proposed resolution and therefore, \*\*moved to table the motion on the floor, seconded by Councilman Anderson. This being a "motion of privilege" and vote was not needed.

NEW BUSINESS: \*\*Councilman Anderson moved to pay accounts payable in the amount of \$93,974.88, seconded by Councilwoman Kopelk and approved by roll call vote, 5-0.

Mr. Kelm, Public Works Director, presented for Council consideration a proposal to help with the problem of the truck route on S.E. Second and S. Juniper. Mr. Klem informed the Council that the mentioned streets were in very bad condition due to the truck traffic and would not make it through another winter. An ideal solution would be to widen the radii on 99E and S. Ivy, which would take cooperation from the State of Oregon, that owns 99E; County, that owns S. Ivy; and property owners on that intersection. Mr. Klem recommended having S.E. Second and S. Juniper repaired by Parker Northwest Paving for approximately \$11,692. Councilwomen Brennan and Kopelk both noted that many truck do not use the designated truck route. However, it was noted that the truck route is for east bound trucks only. \*\*Councilwoman Kopelk moved to authorize expenditure of \$11,692 to repair the truck route on S.E. Second Avenue, from S. Ivy to S. Juniper and S. Juniper to 99E; and that a large "truck route" sign be installed on S. Ivy. Seconded by Councilman Taylor. Councilman Anderson requested that staff check around on another price quote before contracting the expenditure. Motion passed 5-0.

UNFINISHED BUSINESS: The Council next considered the bid results for the proposed Public Works/Canby Utility Board Shop Facility. (CUB Board Chairman Robert Westcott declared CUB into session at 8:28 p.m. to consider bid results on the proposed joint City/CUB facility.) Robert Rapp, project coordinator, informed the Council that four bids had been received and the apparent low bidder did not meet the specifications on the roofing system. Staff reviewed the bids and considered several options, including self-contracting the project which possible due to lack of personnel and the time factor. Staff recommend contracting with Elliott-Jochimsen Construction, Inc., including alternate "A" which was the deleting of paving. The bids received were much greater than anticipated and the additional funds are to be shared equally in the amount of an additional \$122,500 each for the City and CUB. Several Council members felt that the project should continue. Mr. Atwood informed the Council that the additional funding needed would be taken from the Building Reserve account. (\*\*CUB member Robert Swayze moved that the Canby Utility Board accept the low bid submitted by Elliott-Jochimsen Construction, with Alternate "A", for construction of a joint shop facility with the City of Canby for the amount of \$457,500; and authorize drafting of the appropriate ordinance. Motion seconded by CUB member George Hudson and approved unanimously.) \*\*Councilman Sowles moved that the City of Canby accept the low bid submitted by Elliott-Jochimsen Construction, with Alternate "A", for construction of a joint shop facility with the Canby Utility Board for the amount of \$387,500; authorize the City Attorney to draft the implementing ordinance; and authorize the Mayor to sign a contract. Motion seconded by Councilman Taylor and

approved 5-0. (CUB Chairman Westcott adjourned the CUB session at 8:44 p.m.)

OTHER REPORTS OR ANNOUNCEMENTS: Administrator Atwood informed the Council that the committee that will be preparing the video production to promote the tax base for the November election will meet on September 24th and a video shoot is scheduled for October 13th at the Canby Adult Center. Members of the committee are Bob Rapp, Mayor Pulver, Councilors Brennan, Taylor, Kopelk, and Budget members Sue Cox and Doug Poppen.

Administrator Atwood invited the Council to attend the County Mayor/Manager's meeting that Canby will host on Monday, September 22nd at the Cottage Kitchen.

Administrator Atwood informed the Council that the City had four vehicles that they were putting in the County auction, a sludge truck, back hoe, street sweeper and water truck.

Mr. Atwood announced that a Planning Commission meeting would be held on October 13, for an annexation. This is the first meeting that has been held since early June.


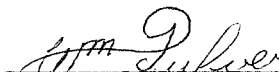
\*\*Councilman Sowles moved to go into Executive Session under ORS 192.660 (1)(a), to consider employment of a public officer. Motion seconded by Councilman Taylor and approved 5-0.

Mayor Pulver recessed the regular session at 8:50 p.m. to go into Executive Session. The regular session was reconvened at 10:48 p.m.

\*\*Councilman Taylor moved to adjust the Public Works Director's salary to \$29,174 annually, effective October 1, 1986. Seconded by Councilwoman Brennan. The Council discussed a performance evaluation to be set in the future after setting goals. Motion carried 3-2, with Councilman Sowles and Councilwoman Kopelk voting nay.

The Council discussed the issue of paying traveling expenses to City Administrator applicants. Councilman Sowles suggested paying a portion of traveling expenses for any applicant traveling over 300 miles. The Council agreed to this suggestion.

Mayor Pulver adjourned the regular session at 10:55 p.m.

  
Marilyn K. Perkett, City Recorder  
William F. Pulver, Mayor