

CANBY CITY COUNCIL

REGULAR MEETING

FEBRUARY 20, 1985

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

Also present: City Administrator Bud Atwood, City Attorney John Kelley, City Recorder Marilyn Perket, Sgt. John Watts, Steve Frederick, Jim McKibbin, Dick Smith, Amy LaBare, Dan Wheeler, Linda McCarthy, Dorothy Knight, Betsy Ross, City Librarian Beth Saul, Rodney Fobert, Diana Van Boerum, Former Mayor Michael Gabrion, Fred Kahut, CUB Manager Stephan Lashbrook, Ed Buschow and Greg Gardner.

Mayor Pulver called the regular session to order at 7:30 p.m., followed by the flag salute and meditation.

Mayor Pulver welcomed some journalism students from Clackamas Community College. Councilwoman Brennan introduced Diana Van Boerum a new resident to the City of Canby.

Roll call of Council showed a quorum present.

**Councilman Anderson moved to approve as distributed the minutes of regular meeting, February 6, 1985, with the following correction: page 2, paragraph 3, S. Pine should be changed in two different areas to read N. Pine. Motion seconded by Councilwoman Kopelk and approved unanimously.

PUBLIC HEARING: Mayor Pulver instructed the audience in the procedure to be followed during the public hearing on the proposed 1985-86 Budget. Mayor Pulver opened the public hearing at 7:34 p.m. Administrator Atwood briefly reviewed the proposed 85-86 budget summary, noting the One Year Special Levy would be for \$707,097. During public testimony from proponents or opponents, nothing was voiced from the audience. Councilman Taylor expressed his concern to publicize the proposed budget. Mayor Pulver closed the public hearing at 7:39 p.m.

CITIZEN INPUT ON NON-AGENDA ITEMS: Former Mayor, Michael Gabrion addressed the Council applauding the recent decision to renovate the City owned Koehler Building for a new Police Department facility.

COMMUNICATIONS: Administrator Atwood read a letter from the Department of Environmental Services requesting the City submit a candidate to participate as representative of outlying cities on the County Economic Development Commission. Mayor Pulver suggested Gene Clift be nominated as a candidate, Council consensus was unanimous. The County will be notified of the Council's choice for the County EDS position.

Administrator Atwood read a letter from the Office of the Governor requesting names to be considered for upcoming vacancies on the Local Government Boundary Commission. In view of the fact that a HB may be submitted to eliminate Clackamas County from the Metropolitan Boundary Commission, the Council chose to table the issue at this time.

The Council had reviewed communications from Fred Kahut, Canby Disposal Company, requesting a garbage collection rate increase. Mr. Kahut addressed the Council and briefly explained his rationale for the requested rate increase to become effective March 1, 1985. Mr Kahut noted that due to the heavy equipment costs and maintenance and the major reason of the increased disposal fee to his firm he felt the request justified. Councilman Jordan questioned if such utility rate increases ever were subject to a public hearing and was advised that in the disposal aspect the Council approved or disapproved increases. Various Councilmembers spoke in support of Mr. Kahut's request.

Mayor Pulver informed the Council that regarding the recent letter from Senator Starkovich regarding the proposed sales tax issue and the fact cities would be required to pay the sales tax on materials, this decision had been reversed in the House and it was noted that the Senate would probably uphold that decision. Mr. Atwood pointed out that the proposed bill would limit elections to May and September with a provision for an emergency election if necessary.

ORDINANCES & RESOLUTIONS: **Councilman Sowles moved to adopt RESOLUTION NO. 366, A RESOLUTION AUTHORIZING A GARBAGE RATE INCREASE AND ESTABLISHING A NEW RATE SCHEDULE, and to become part of the laws of the City of Canby. Motion seconded by Councilwoman Kopelk and approved 6-0. Several Councilmembers commended Mr. Kahut for his community service, specifically in hauling of city debris and the annual free trash pick-up for yard maintenance in the community. Mayor Pulver suggested a special commendation be prepared to be presented to Mr. Kahut.

NEW BUSINESS: **Councilwoman Kopelk moved to approve accounts payable in the amount of \$94,783.25, seconded by Councilman Taylor and approved by roll call vote, 6-0.

The next order of business was a memo from Administrator Atwood suggesting the Council authorize installation of public bulletin

boards in various sites to display garage sale signs and also to have the Public Works crew build "sandwich board" directional signs to be loaned to citizens holding garage sales. Staff also suggested that both the City crew and Utility Board crew could remove any signs from utility poles whenever they saw them. Dick Smith, Line Foreman for CUB, addressed the Council voicing his concern regarding citizens that might injury themselves on the signs displayed on poles; questioning who was liable for any injuries; and also his concern over spending valuable time of his crew removing such signs. Council suggested that CUB Manager Lashbrook and Administrator Atwood collaborate on a policy regarding this issue of the unsightly signs on the poles. Councilman Anderson suggested that public bulletin boards be placed at the railroad crossing, and made in a fashionable manner and to eliminate the use of the directional sandwich boards. **Councilman Taylor moved to authorize the City Administrator Administrator and Utility Board Manager to establish another method for displaying garage sale signs and impementing a sandwich board loan program for directional signs; also to establish a process for removing signs on utility poles and procedure for enforcement of the relating ordinance. Motion seconded by Councilman Jordan. Councilman Anderson moved to amend the motion to eliminate the sandwich board signs until further investigation on the validity of such use. The amendment failed due to no second. Original motion carried 5-1, with Councilman Anderson voting nay. Steve Frederick suggested that the proposed sandwich boards could be used for other purposes, such as parade route signs.

UNFINISHED BUSINESS: Administrator Atwood reviewed the steps that had been taken regarding relocation of the Public Library from the Graham Building to the Masonic Lodge Building on N.W. First. Mr. Atwood noted that the Lodge had offered, through Attorney Bettis, to give the City two weeks for renovation, two months free rent and the lodge will paint the exterior of the building. Mr. Bettis had indicated in a recent letter that the proposed lease was in order and they would like to have it become effective March 1, 1985. Mr. Atwood suggested the effective date be March 15, 1985. Attorney Kelley cautioned that the status of existing Graham lease had not been determined yet, noting that in his opinion the lease was month to month, however, it could be interpreted as being valid until April 30, 1985. **Councilman Sowles moved to authorize a 30 day notice of termination, effective April 1, 1985, be sent to Mr. Graham; and also an offer to execute a lease on the Masonic Lodge Building, 288 N.W. First Avenue, for the Public Library effective April 1, 1985. Seconded by Councilman Anderson. Councilman Sowles amended the motion to include that it be contingent upon approval of the proposed lease by the City Attorney, Councilman Anderson seconded the amendment. Motion carried by a vote of 6-0.

Council next considered advertising for the position of Public Works Director/Economic Development Coordinator. Staff suggested authorizing the position on a contract basis, specifically to draft the Public Facility Plan and prepare the Comprehensive Plan review; and also, for economic development duties. Mr. Atwood noted that duties for a Public Works Director were very limited at this time. Mayor Pulver pointed out that he felt some of Mr. Atwood's duties and hours should be relieved, also before his retirement, some of his knowledge and expertise needs to be passed on to a capable employee. Councilman Taylor expressed going for the full time position since it had been budgeted. Councilman Jordan noted that he visualized the person hired for the proposed position to eventually become the City Administrator. **Councilman Taylor moved to authorize advertising for a full time position of Public Work Director/Economic Development Coordinator, motion seconded by Councilman Jordan and approve unanimously.

Administrator Atwood advised the Council that an administrative decision had in the past allowed patrons to pay for a Swim Center Membership in three monthly installments instead of full payment and it seems to be causing some problems, specifically in bookkeeping and he would like permission to reverse that decision and set a policy for payments for pool memberships to be paid in full. Council consensus was for approval.

Councilman Jordan advised the Council that he had been appointed to an advisory committee for the League of Oregon Cities on procedure for lobbying on various legislative bills. He will keep the Council advised as to the activities of this committee.

Mayor Pulver informed the Council that the Police Department would welcome members of the Council to attend their monthly staff meetings. Also, Mayor Pulver invited Council to attend the Chamber Forum meetings whenever possible.

Mayor Pulver directed a letter be sent to the County Commissioners regarding the anticipated street improvement on 13th Street, advising them that if the street were improved to City standards the City would be willing to accept maintenance or title of the street. Mr. Atwood also pointed out that the City was still waiting for a dedication from the Elementary School District.

Councilman Taylor suggested a workshop session be set for Thursday, March 14, 1985, 7:00 p.m. with the Budget Committee to formulate plans for promoting the 85-86 Budget. Administrator Atwood also advised that the same evening a workshop session will be held on the proposed sewer project for the south side. Notices will be mailed

****Councilman Sowles moved to go into Executive Session under ORS 192.660 (1) (h), to discuss possible litigation. Motion seconded by Councilman Anderson and approved 6-0.**


Mayor Pulver recessed the regular meeting at 9:15 p.m. to go into Executive Session. The regular session was reconvened at 9:45 p.m.

At this time Mayor Pulver informed the Council that Duane Weeks, Canby Realty & Associates, had made an appraisal on the City shops and property. The appraisal for the land was \$105,000 and for land and buildings, \$145,000. A meeting to discuss possible sale and financing for a proposed new shop will be set with Mayor Pulver, Administrator Atwood, CUB Manager Lashbrook, Bob Rapp and Bob Westcott. At a later date, the Cutsforth's will be invited to sit in on a review committee regarding this issue. Recommendations will be brought back to the Council.

Mayor Pulver adjourned the regular meeting at 9:52 P.m.



William F. Pulver, Mayor



Marilyn K. Perkett, City Recorder