

Canby City Council
Regular Meeting
September 7, 1978

Present: Mayor Rapp, Councilmen Westcott, Swayze, Giger, Nichols, and Knight

Others Present: Administrator Wyman, City Attorney Bettis, City Treasurer Weston, Gene Newton, Canby Utility Board Chairman, S.W. "Bud" Dresen, Canby Utility Board Member, Howard Barlow, Canby Utility Board Member, Al Schwartz, Canby Herald, Ken Ferguson, Supt. of Public Works, Bud Atwood, Supr. of Public Works, Dave Bury, and Thomas A. Welch

The meeting was called to order at 7:31 p.m. followed by the traditional flag salute.

Mayor Rapp then called for additions or corrections to the minutes of August 17, 1977. Councilman Swayze moved the minutes be approved as distributed, seconded by Councilman Nichols. The motion was passed unanimously.

Mayor then called for citizens input on non-agenda items at which time Dave Bury stood and asked that a letter of congratulations be sent to Neal Butler, a former police officer, on his promotion with the Clackamas County SWAT Team. The clerk will see that a letter is written.

Ordinance No. 628; AN ORDINANCE AUTHORIZING EXECUTION OF A CONTRACT FOR CONSTRUCTION OF IMPROVEMENTS TO MAPLE STREET PARK; was then read by title only by the City Attorney. Councilman Swayze moved to pass Ordinance No. 628; An Ordinance Authorizing Execution of a Contract for Construction of Improvements to Maple Street Park on final reading, seconded by Councilman Giger and passed by roll call vote with 5 ayes and 0 nays.

Ordinance No. 631; AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY. (Application and Property of David Anderson-Ritter Realty Known as Tax Lot 802, Section 33DA, T3S, R1E); was read on final reading by title only by the City Attorney. Councilman Giger moved to pass Ordinance No. 631; An Ordinance Amending the Zoning Map of the City of Canby. (Application and Property of David Anderson-Ritter Realty Known as Tax Lot 802, Section 33DA, T3S, R1E); on final reading, seconded by Councilman Swayze. The motion passed by roll call vote with 5 ayes and 0 nays.

Ordinance No. 633; AN ORDINANCE REPEALING BICYCLE ORDINANCE NO. 581; was then read by the City Attorney on first reading in its entirety. Councilman Swayze moved to pass Ordinance No. 633; An Ordinance Repealing Bicycle Ordinance No. 581, with second reading to be held on October 5, 1977, seconded by Councilman Giger. Discussion followed. The motion passed with Councilman Nichols voting no.

Resolution No. 231; A RESOLUTION CERTIFYING ELIGIBILITY FOR STATE CIGARETTE TAX REVENUE, STATE HIGHWAY FUND ALLOCATIONS AND STATE LIQUOR REVENUE FUNDS; was then read in its entirety by the City Attorney. Councilman Giger moved to adopt Resolution No. 231 after properly corrected. After a brief discussion the motion was passed unanimously.

Next was a letter from Ken Ferguson in reference to Certificate of Occupancy under Ordinance No. 621 which Mr. Ferguson read to the Council. Discussion followed. Ordinance No. 634; AN ORDINANCE REQUIRING CERTIFICATE OF OCCUPANCY; PROVIDING FOR ENFORCEMENT; REPEALING ORDINANCE NO. 621 AND DECLARING AN EMERGENCY; was then read in its entirety by the City Attorney on first reading. Councilman Westcott moved to pass Ordinance No. 634, An Ordinance Requiring Certificate of Occupancy; Providing for Enforcement; Repealing Ordinance No. 621 and Declaring an Emergency, with second reading to be held on October 5, 1977 at 7:30 p.m., seconded by Councilman Swayze. Discussion followed. The motion was then passed unanimously.

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Next was a letter from the Canby Utility Board in reference to Forwarding of Notification to Apply for Federal Aid which Administrator Wyman read. Discussion followed. It was the consensus of the Council to table this matter until the Utility Board has received word from FmHA. Councilman Nichols declared a conflict of interest. More discussion followed. The City Attorney will write a proper motion for the next meeting. More discussion followed with no further action needed.

Next was a letter from Donald Kelley, Attorney for Martin Clark, in reference to an occupancy certificate for Martin Clark. Discussion followed. Administrator Wyman will notify Mr. Kelley of the new Ordinance No. 634 and if he still want to appear before the Council the matter will be brought up at the next meeting. More discussion followed with no further action needed at this time.

Next was a letter from the Canby Library Board in reference to the appointment of a Board Member. The Library Board requested that Mrs. Charlotte Eide be reappointed. No action was taken at this time.

Next on the agenda was a letter from Sugar 'n' Spice Baton Corp thanking the City of Canby for their support this year. No action was called for.

Next was a letter from the Canby Loaves and Fishes in reference to an award dinner that will be held on September 9, 1977 at 11:30 a.m. After a brief discussion, Councilman Westcott volunteered to attend the luncheon representing the City. No further action was needed.

Next was the Swim Pool bids which Ken Ferguson explained to the Council. A lengthy discussion followed. Councilman Westcott moved that the low bids of H2O Sandblasters - \$9,560, ASB Construction - \$16,252 and \$9,787, Beck Electric - \$4,728 be accepted for the total low bid of \$40,327 and an appropriate Ordinance be prepared to bind the contract with the monies to be provided from the Bond Issue \$19,622 and the remainder to come from Revenue Sharing monies, seconded by Councilman Giger. A brief discussion followed. The motion was then passed unanimously.

Next on the agenda was the Accounts Payable. Councilman Giger moved to approve the Accounts Payable in the amount of \$42,724.54, seconded by Councilman Knight. The motion was passed by roll call vote with 5 ayes and 0 nays.

Next was a letter from Ken Ferguson in reference to sludge hauling trucks which Mr. Ferguson read to the Council. Councilman Giger moved that Public Works be authorized to purchase the 1966 Ford Sludge Removal Truck in the amount of \$4,950 to be taken out of the Sewer Reserve Fund, seconded by Councilman Nichols. More discussion followed with the motion passing unanimously.

Next was a request to purchase a new bluepring machine for the Engineering Department from Ken Ferguson. Councilman Giger moved that the GAF Model 176FL be purchased by the Public Works Department in the amount of \$1,295 to come out of Revenue Sharing Funds, Development and Equipment, seconded by Councilman Swayze. The motion was carried. Councilman Swayze then moved that sealed bids be called for on the old bluepring machine, seconded by Councilman Giger. The motion carried.

Next was State Revenue Sharing Monies to be reviewed and appropriated - 1st quarter, \$6,289. This will entail a Supplemental Budget. No action was needed at this time.

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Next on the agenda was an invoice from Robert Perron in the amount of \$406.06. Councilman Swayze moved the \$406.06 be approved for pay to Robert Perron, seconded by Councilman Giger. The motion was carried.

Next was the City Shop provision proposal for a restroom at the City Shop. Discussion followed. It was the consensus of the Council that the Public Works crew will do the work for \$1,940.54.

The North Oak Street, LID #8 was then discussed with Thomas Welch of 900 N.E. 10th Avenue, speaking on behalf of the proposed LID. Mr. Welch stated he does not care to have sidewalks in front of his property and that he questions the Engineering Report concerning the drainage to come to 10th Avenue. More discussion followed with Ken Ferguson excusing himself to get Ordinance No. 393.

Mayor stated that while Mr. Fergusn had gone after the Ordinance we would move on to the Planning Commission and Library Board appointments. Councilman Giger moved that the appointments of Elsie Cutsforth and Robert Shaw to the Planning Commission be renewed, seconded by Councilman Swayze. The motion passed unanimously.

Discussion then followed concerning the appointment of a Library Board Member. Councilman Swayze offered the name of Candice Wilson and Councilman Knight offered the reappointment of Mrs. Charlotte Eide. After a brief discussion, Councilman Westcott moved that the appointment be made at the Regular Meeting on Wednesday, September 21, 1977, seconded by Councilman Giger, and passed.

The discussion then returned to LID #8. Councilman Westcott moved to approve the Engineer's Report as final on LID #8, but delete the cost of sidewalk assessments to benefited properties, seconded by Councilman Swayze. The motion passed unanimously. Councilman Westcott then moved that the City Recorder be directed to publish and mail the required notices as outlined in Ordinance No. 393, Section 4 and that the hearing on remonstrances be held at the regular Council Meeting commencing at 8:00 p.m. on Wednesday, October 5, 1977, seconded by Councilman Swayze. The motion was carried. Councilman Giger moved that the City Recorder call for bids on the Street Improvement on LID #8, to be opened on Tuesday, October 4, 1977 at 2:00 p.m. at City Hall, seconded by Councilman Westcott. The motion was carried.

Mayor Rapp then announced there would be a Special Meeting of the Council on Monday, September 12, 1977 at 7:30 p.m.

The animal ordinance and the report from the City Facilities Study Committee will be carried over.

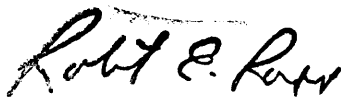
Mayor then appointed a committee to look into the Weber property. The committee named was Councilman Giger, Howard Barlow, and Wade Bettis. This will be a sub-committee of the City Facilities Study Committee.

Mayor then announced there will be a workshop with the Grade School Board, Wednesday, September 14, 1977, 7:30 p.m. at Lee School.

A brief discussion then followed concerning BYB Automotive. The City Attorney will prepare a letter to BYB demanding the street be cleaned so traffic could get through in front of the business until the business is moved.

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The meeting adjourned at 10:22 p.m.



Robert E. Rapp, Mayor

Harold A. Wyman, City Administrator

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