

**CANBY CITY COUNCIL**

**REGULAR SESSION**

**OCTOBER 16, 1985**

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

Also present: Administrator Bud Atwood, City Attorney John Kelley, Police Chief Jerry Giger, Public Works Director Rusty Klem, City Recorder Marilyn Perkett, Jim Renner, Steve Frederick, Dorothy Knight, Hazel Adams, Robert Westcott, Betsy Ross, Myra Weston, Vickie Adamson, Evelyn Madsen, Duane Lee and others.

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

Roll call of Council showed a quorum present.

\*\*Councilman Sowles moved to approve as distributed the minutes of regular meeting, October 2, 1985, seconded by Councilwoman Brennan and approved 5-0.

**CITIZEN INPUT ON NON-AGENDA ITEMS:** Myra Weston addressed the Council regarding the recent vandalism at Baker Prairie Cemetery. Mrs. Weston suggested the staff seek ways to either secure or make more visible the 1863 cemetery. Administrator Atwood noted that staff is aware of the problem and will repair the damages as time allows. Mayor Pulver, once again, pleaded with the public to help the City in stopping vandalism.

Mayor Pulver read a proclamation, proclaiming the week of October 20-26, 1985, as "National Business Women's Week".

**COMMUNICATIONS:** Administrator Atwood read a letter from U.S. Congressman Jim Weaver regarding his intent to disapprove of the proposal to take away the deduction for state local taxes.

Administrator Atwood read a letter from Gary K. Davis, Canby Christian Church, regarding their disapproval of serving alcoholic beverages at private functions at the Canby Adult Center, and restricting the use of the center to community activity.

Mayor Pulver reported that he had received notice from the League of Oregon Cities regarding proposed bills before the U.S. Senate to exempt government entities from the current FLSA decision on the Garcia case. Mayor Pulver requested that staff prepare a letter to be sent to federal legislators urging support of S.1570 for exemption.

Mayor Pulver read a letter from Governor Victor Atiyeh, requesting nominations for the 1985 Governor's Corporate Excellence Award, an award recognizing businesses. Nominations are due by Friday, November 1st.

Another letter from the Governor's Office was read, requesting recommendations for candidates to represent our area in the Tri-Met Mass Transit District. Mayor Pulver noted that we should have a "voice" in this and asked the local newspaper to request interested parties to contact City staff.

Mayor Pulver also requested that the Council or staff consider nominations to the Chamber of Commerce Hall of Fame. Two people will be selected this year.

**ORDINANCES & RESOLUTIONS:** Administrator Atwood explained that Resolution No. 376, was drafted in order to allow the Canby Utility Board to dispose of the water tank. The tank was constructed in 1922 and is no longer used and in need of repair. Bob Rapp informed the Council that CUB is hoping to sell the tank; however, he estimated it would cost between \$5,500 to \$8,500 if we had to dispose of it ourselves. \*\*Councilman Anderson moved to adopt Resolution No. 376, A RESOLUTION OF THE CANBY CITY COUNCIL DECLARING AN ELEVATED WATER TANK SURPLUS PROPERTY AND AUTHORIZING THE CANBY UTILITY BOARD TO DISPOSE OF SAME. Motion seconded by Councilman Taylor and approved 5-0.

**NEW BUSINESS;** \*\*Councilwoman Brennan moved to approve payment of accounts payable in the amount of \$33,509.64, seconded by Councilman Taylor and approved 5-0, by roll call vote.

Administrator Atwood explained his recommendation to assess City owned enterprise departments 3%, to go into the General Fund. Mr. Atwood explained that CUB management had approached the City last year regarding the issue, CUB now pays 5% in lieu of taxes for the electricity and water departments. However, since the water department is now City owned, it was suggested that this department pay 3% along with the sewer and cemetery departments, which at this time pay none. Bob Rapp addressed the Council explaining that in 1972, when CUB needed the assistance of the City to help pay a bond payment, the 3% was raised to 5%. Mr. Atwood further explained that this was in essence a political philosophical decision, a way to insure some revenue other than through property taxes. Several Council members expressed a need to further study the issue, with a decision at the November 6th meeting.

**UNFINISHED BUSINESS:** The Council next considered the purchase contract between the City and Parkson Corporation for equipment for the sewage plant. Mr. Atwood noted that another oxyjet was out and it is important to receive the new equipment as soon as possible. Mayor Pulver requested that the plant keep a record of the performance of the new equipment and keep the Council informed. \*\*Councilman Sowles moved to authorize the proper signatures for the purchase contract between the City of Canby

and Parkson Corporation for the Biolac System for wastewater treatment. Motion seconded by Councilman Anderson and approved 5-0.

The Council next considered the selection of an engineering firm, from the five final applicants, for the proposed Sewer Trunk Line Project. \*\*Councilman Taylor moved that the City of Canby contract with Curran-McLeod, Inc. of Tigard for engineering services for the proposed sewer trunk line project, not to exceed \$25,400, seconded by Councilwoman Brennan. Councilman Taylor explained that he had made his decision due to their presentation, reputation and price range. Councilman Anderson noted that Zarosinski-Tatone were approximately \$2,000 lower in their bid; they did the 1973 sewer line project; and were very capable and familiar with the City. Vote on the motion was for approval 3-2, with Councilmen Sowles and Anderson voting nay.

Myra Weston reminded the Council of the open house at the Depot Museum on October 26 and 27, 1:00 to 4:00 p.m.

Mayor Pulver explained that until a full Council was present, they would not discuss ORS 192.660 (1) (a), consider employment of a public officer, employee, staff member or individual agent, as previously advertised on the agenda. \*\*Councilman Sowles moved to go into Executive Session under ORS 192.660, (1) (d), deliberations with persons designated by the governing body to carry on labor negotiations; and (1) (h), consultation with counsel concerning legal rights and duties with regard to current litigation or litigation likely to be filed. Motion seconded by Councilman Taylor and approved 5-0.

Mayor Pulver recessed the regular meeting at 8:37 p.m. to go into Executive Session. The regular meeting was reconvened at 9:45 p.m. and immediately adjourned by Mayor Pulver.



Marilyn K. Perkett, City Recorder



William F. Pulver, Mayor