

CANBY CITY COUNCIL

REGULAR MEETING

JUNE 20, 1984

Mayor Michael L. Gabrion presiding. Councilmembers present: David Anderson, Gary Sowles, Scott Taylor and Nancy Kopelk. Absent: Bill Pulver and Eugene Clift.

Also present: Acting City Administrator Bud Atwood, City Attorney John Kelley, Chief of Police Jerry Giger, Deputy Treasurer Virginia Graham, Deputy Recorder Marilyn Perkett, Mr. & Mrs. Wade Bettis, Jon Gannon, Chris Miller, Brian Misso, Michael Fuller, Chris Rzenicsek, John Gibson, Jeff Ellis, Carlatta Hoffart, Jennifer Warren, Sheila Butcher, Todd Knepper, Aaron Heuberger, Keith Kordenat, Mark Pizzuti, Esther Fuller, Mrs. Elna Green, Betty Crawford, Linda McCarthy, John Wiley, Michael Butcher, Teresa Butcher, Brenda Butcher, Robert Root, Eugene L. Cole, Beth Saul, Jack and Helen Hollenbeck, Dan DeRego, Cheryl Anderson, Jim McKibbin, Steve Frederick, Ed Buschow, Dan Wilcox and Tony Crawford.

Mayor Gabrion 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.

**Councilwoman Kopelk moved to approve as distributed the minutes of special meeting, June 1, 1984; and regular session, June 6, 1984. Motion seconded by Councilman Anderson and approved 4-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: At this time Mayor Gabrion displayed the framed certificate, signed by the Oregon Governor, for the completion of the City Comprehensive Plan and Implementing Ordinance. Stephan Lashbrook, who had been primarily responsible for the completed documents, was called forward to be thanked, at which time Mayor Gabrion presented Mr. Lashbrook with a framed caricature drawing of Mr. Lashbrook working on the plan.

At this time, Mayor Gabrion read and signed a Proclamation, proclaiming July 8, 1984, Olympic Torch Day in the City of Canby. The Mayor explained that this proclamation had been composed by students of Mr. Tony Crawford's sixth grade class and commended the students for the excellent proclamation. Mayor Gabrion called for a short recess at 7:39 p.m., so he could go into the audience and personally thank the students.

The regular session was reconvened at 7:44 p.m.

COMMUNICATIONS: Administrator Atwood read a letter from the Chamber of Commerce requesting permission to block off a portion of 4th and Grant Street on Tuesday evening, July 3rd, in preparation for "duck races" to be held on General Canby Day. Jim McKibbin, chairman of the event, was present and presented a drawing of his proposed project.

**Councilman Sowles moved to grant permission to Jim McKibbin, chairman of the General Canby Day Duck Races, to block off a portion of 4th and Grant Street on Tuesday, July 3, 1984, in the evening, to prepare for the proposed duck races. Motion seconded by Councilman Taylor and approved 4-0.

Administrator Atwood read a letter from OSPIRG, Oregon Student Public Interest Research Group, requesting permission to canvass in the Canby area, noting they will update their activities with the Police Department. Chief Giger said they have been in the area before and presented no problems. Council gave consensus to the request.

Steve Frederick informed the Council that plans for General Canby Day are on schedule, as is the construction of the proposed gazebo.

ORDINANCES & RESOLUTIONS: Resolution No. 359 was presented for Council consideration. **Councilman Anderson moved to adopt Resolution No. 359, A RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN BUDGET LINE ITEMS TO BALANCE YEAR END ACCOUNTS, seconded by Councilwoman Kopelk and carried 4-0.

Council considered Resolution No. 360. **Councilman Sowles moved to adopt Resolution No. 360, A RESOLUTION DEFINING POLICY FOR BURIALS IN BAKER PRAIRIE CEMETERY, PROHIBITING FUTURE BURIAL PLOT SALES, PROVIDING CRITERIA FOR APPROVING TITLE TO PRESENTLY OWNED PLOTS AND ESTABLISHING FEES AND REGULATIONS GOVERNING BURIALS AND GRAVE MARKERS, seconded by Councilman Taylor. Harley Blanchard addressed the Council giving details of relatives and friends buried in the cemetery, noting he realized there are problems with unmarked graves and offered no solutions to the problems. Mr. Blanchard was thanked for his concern and input. Motion carried 4-0.

Mayor Gabrion suggested we reschedule the proposed business license ordinance after reviewing it at a workshop on July 11th, at 7:00 p.m.

NEW BUSINESS: **Councilwoman Kopelk moved to approve accounts payable in the amount of \$69,885.07, seconded by Councilman Taylor and approved by roll call vote, 4-0.

Administrator Atwood requested that Council authorize payment of purchase orders for June 27 and June 30, 1984, due to the cancelled July 4th meeting. The regular purchase order list for the month will be dated June 27th and the annual close-out for the fiscal year will be June 30th. Mr. Atwood explained that it would be a courtesy to our vendors, so they wouldn't have to wait for approval at a later meeting, and also expedite office procedure in the City business office. **Councilwoman Kopelk moved to authorize payment of the June 27 and 30, 1984 accounts payables, with prior approval of Mayor Gabrion. Motion seconded by Councilman Anderson and approved 4-0, by roll call ballot.

Larry Cole, Canby Telephone Association Manager, addressed the Council regarding several issues about cable TV. Mr. Cole first gave a brief history of the cable program since they started construction in August, 1983, up to present time. The City recently received a check from North Willamette Telecom for the first two quarters of franchise fees,

which is 5% of the gross revenues of the system. Mr. Cole explained that under FCC regulations the City can only receive 3% and must file for permission for the additional 2%. The additional 2% will be set in a fund for non-basic services, local access, for such things as purchasing equipment, promotion of local access, etc. Mr. Cole indicated that he will contact the FCC to find out what exactly the City must do to be authorized the additional 2% franchise fee. Mr. Cole strongly urged the City's support of a non-profit Local Access Promotion Group. He noted that the proposed organization could be made up of business and City leaders, schools, churches, etc. Mr. Cole said he would bring more information on the access promotion group to the Council. He also requested that the Council amend the ordinance regarding the video tape, the ordinance requires 3/4 inch and Mr. Cole would like to purchase 1/2 inch, at a considerable savings. Mr. Cole indicated that the 1/2 inch tape is as good or better than the 3/4 inch. He will also provide more information on this request. Mayor Gabrion requested that Mr. Cole provide all the needed information prior to the July 11th Special Meeting so Council can review it in the workshop session. Mayor Gabrion also requested that the City Attorney prepare the necessary document for the ordinance amendment on the requested tape change for Council consideration.

The next order of business was a request from the Chief of Police, Jerry Giger, to accept a bid recommendation and purchase of a logging recorder, state mandated, for the Police Department. Mr. Giger had received two bids, one from Dictaphone and one from Magnasync, however, the later bid not meet the specifications. Staff recommendation was to purchase the Dictaphone recorder. **Councilman Taylor moved to accept the bid from Dictaphone in the amount of \$17,681 for the logging recorder, using 911 funds. Motion seconded by Councilwoman Kopelk and approved 4-0, by roll call vote.

The annual agreement between the City and Canby Rural Fire District was next considered by the Council. Mr. Atwood pointed out that it had some changes in the equipment list. **Councilman Anderson moved to approve authorization of signatures for the Agreement between the City of Canby and the Canby Rural Fire District, effective July 1, 1984 until July 1, 1985. Seconded by Councilman Taylor and carried 4-0.

Council next considered an agreement submitted by George Douglass, CPA for accounting services for the City. Both a one year and two year agreement were submitted. Virginia Graham, Deputy Treasurer, informed the Council that if the City accepted the two year agreement, Mr. Douglass would seek software for the IBM PC's, of which the City could benefit in knowledge and experience before purchasing an in-house computer. The Council discussed amending the termination clause to read, "by mutual agreement" and to add the use of the IBM PC's. Councilman Taylor felt we should not lock ourselves into a two year agreement, but to continue to pursue an in-house computer. **Councilman Sowles moved to accept the two year agreement from George Douglass, CPA, for City of Canby accounting services; and to amend the agreement by adding the "mutual agreement" to the termination clause, also, to add language regarding whereby, the firm will use the IBM PC's. Motion seconded by Councilman Anderson and approved 3-1, with Councilman Taylor voting nay.

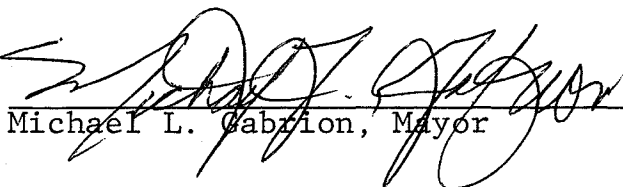
Administrator Atwood briefly outlined some of the projected work that the City is responsible for, by agreement, for the proposed Adult Center. Mr. Atwood also requested waiver of fees and noting that we must provide Clackamas County with a written agreement of our procedures. **Councilman Sowles moved to waive the following fees for the proposed Adult Center: building permit, \$750; plan check, \$485; mechanical, \$75; and sewer connection fee based on the proper ERU; also, the extension of the sewer line in the approximate amount of \$4,250 be funded back in the the 1985-86 Sewer Fund from budgeted 1985-86 Adult Center Fund monies. Motion seconded by Councilman Taylor and approved 4-0.

Administrator Atwood requested permission to call for bids for roof repair and dehumidifier machinery for the Swim Center, in compliance with the recent energy audit. Council consensus was to wait until after the bids were received to determine budgeting procedures. **Councilman Anderson moved to authorize staff to call for bids for the Canby Swim Center as per the memo of June 11, 1984, which is a part of the minutes of this meeting. Seconded by Sowles and approved 4-0.

Council next considered the recommendation of the Auditor Selection Committee, with the recommendation of a contract with the firm of Coopers and Lybrand for the 83-84 combined City and Utility Board audit. Dan Wilcox, Kent and Snow Auditing firm, addressed the Council and questioned why his firm was not given a reason for not being one of the finalist out of the seven firms. Councilman Taylor noted that he had personal experience with the Coopers and Lybrand firm and was very dissatisfied and would not approve a contract with them. Councilwoman Kopelk informed Council that the committee had been aware of Mr. Taylor's concerns and made personal checks, she questioned as to what criteria the Council wished the committee to pursue. **Councilman Taylor moved to send the auditor selection project back to the committee for review of the applicants and if Coopers and Lybrand is still recommended, then the Council would like to see some convincing facts regarding the firm. Motion seconded by Councilman Sowles. Mayor Gabrion set Thursday, June 28th, 7:00 p.m. at the CUB meeting room for a Special Meeting to discuss the issue. Motion carried 4-0.

**Councilman Taylor moved to go into Exeuctive Session under ORS 192.660, (1) (a); (1) (e); and (1) (h). Motion seconded by Councilman Sowles, motion carried by roll call vote 4-1.

Mayor Gabrion recessed the regular session at 9:45 p.m. to go into Executive Session. The regular session was reconvened at 10:21 p.m. and immediately adjourned.



Michael L. Gabrion, Mayor



Marilyn K. Perkett, Deputy Recorder