

CANBY CITY COUNCIL

REGULAR MEETING

MARCH 16, 1983

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

Also present: Administrator Doug Zenor, City Attorney Wade Bettis, Bud Atwood Public Works Director, Marilyn Perkett Deputy Recorder, David Bury, Steve Frederick, Kim Anderson, Bob Westcott Chairman of Canby Electric Board, Myra Weston, Dan Onion, Neil Cournoyer, Beth Saul Librarian, Earl Oliver, Chief of Police Jerry Giger, Terry Prince, Melody Viol and Kristi Lindig.

Mayor Gabrion called the meeting to order at 7:32 p.m., followed by the flag salute and meditation.

Roll call of Council showed a quorum present.

**Councilman Clift moved to approve as distributed the minutes of regular meeting March 2, 1983, seconded by Councilman Anderson and approved unanimously.

CITIZEN INPUT ON NON-AGENDA ITEMS: Myra Weston informed the Council that she had spoke with Archie Markee, former Canby Mayor, and he extended his thanks to the City for remembering him on his birthday. Mrs. Weston also pointed out that a sign had been erected that day at the site for the relocation of the Train Depot at N.E. 4th Avenue.

ORDINANCES & RESOLUTIONS: None were presented.

At this time in the meeting, Mayor Gabrion moved on to an Unfinished Business item, "Onion's request for name change of Canby Electric Board". Chairman Westcott, Canby Electric Board, addressed the Council and noted that they preferred to keep the name Canby Utility Board, pointing out the word "utility" is singular in meaning. Also, explaining that CUB's attorney had researched a DBA and found they could not do this process. Dan Onion, addressed the Council and explained that a week before the election he notified Robert Swayze and Robert Rapp about the incident, he also noted that his business was first to have the name Canby Electric Co., and at this economic time he could not participate in paying for an election to have a Charter change. Mr. Westcott said that CUB could help share the cost with the City for a Charter change election, providing it was not to costly. **Councilman Clift moved that the City of Canby and the Canby Electric Board share expenses to return to the voters with a measure to change the name back to Canby Utility Board, at the next available special election date that would be economically feasible. Motion seconded by Councilman Anderson and approved 3-1, with Councilman Taylor voting nay.

March 16, 1983

COMMUNICATIONS: Mr. Zenor read a memo regarding requests from the high school to use Maple Street Park tennis courts for tournaments and the ball fields for girls softball also, Ackerman Jr. High requested use of the tennis courts for tournaments and practice on a five day schedule, including Saturdays. It was the consensus of the Council, after considerable debate, not to tie up the public tennis courts on a regular schedule, however, permit reservations for tournament play. **Councilman Pulver moved to allow Ackerman Jr. High the use of the Maple Street tennis courts, however, with no reservations, on a "first come, first served basis" and also to allow reservations for tournament play upon written request. Seconded by Councilman Clift and approved 4-0. **Councilman Pulver moved to grant permission to Canby Union High School for use of the ballfields for girls softball from March 1 to May 21, 1983, from 3:00 to 6:30 p.m., providing City Hall receives no complaints. Also, to grant permission to use the tennis courts for tournaments from 3:00 to 5:30 p.m. on the following dates: March 17, 18, 29, 31; April 4, 7, 12, 21; and May 3 and 4, from 9:00 a.m. to 4:00 p.m. Motion seconded by Councilman Taylor and approved 4-0.

Bud Atwood, Public Works Director, noted that he felt we should have, official action to permit Canby Kids, Inc. to continue to schedule our ballfields as they have done in the past, noting that we do budget funds to help pay the salary of the secretary for Canby Kids. **Councilman Pulver moved to authorize the Canby Kids, INC. to schedule the Maple Street Park ballfields, seconded by Councilman Anderson and carried 4-0.

NEW BUSINESS: **Councilman Pulver moved to pay City financial obligations in the amount of \$39,536.01, seconded by Councilman Taylor and approved by roll call vote 4-0. **Councilman Pulver moved to direct the County Treasurer to draft warrants from the 1979 Water Bonds to pay bills in the amount of \$4,116.33. Seconded by Councilman Clift and approved 4-0 by roll call ballot.

Administrator Zenor reviewed a request from a Volunteer Fireman regarding transient business licenses, specifically the mobil veterinary unit. Steve Frederick suggested a blanket license for events such as General Canby Day and the proposed Farmer's Market. Earl Oliver noted that it is hard to catch contractors and transients now and felt we should spend more time enforcing the licenses as they now stand. Mr. Zenor explained that staff will spend more time reviewing the matter and also noted that he does have sample ordinances from other communities regarding transient business licenses.

Mr. Atwood requested permission to start acquisition of street right-of-ways on S. Elm, in anticipation of Federal Aid Urban System funds which the City will be receiving. The funds are to be used on arterial or collector streets and in order to benefit and proceed, the City would first need to acquire several right-of-ways on that street. **Councilman Anderson moved to authorize the Public Works Director to start acquisition of street right-of-ways on ~~S. Elm Street~~ as per request by the memo of March 9, 1983. Seconded by Councilman Pulver and approved unanimously.

Mr. Atwood requested authorization to make changes at the Zion Cemetery to better utilize land and provide approximately 1,120 additional burial spaces for \$250,000. **Councilman Pulver moved to authorize vacating of three roads running north and south in the new section and changing the width of three roads running east and west from 43 feet to 26 feet, implementing one-way traffic, for the purpose of developing future burial spaces. Motion seconded by Councilman Taylor and approved 4-0.

Two requests for special event liquor applications were reviewed by the Council, both previously approved by the Police and Fire Departments. **Councilman Anderson moved to authorize the following special liquor applications: United Gold Wing International, at the Canby Fairgrounds on July 12, 13 and 14, 1983, from 5:00 to 11:00 p.m.; and the St. Patrick's Men's Club at the Parish Center for an Auction on April 16, 1983, from 6:00 to 11:00 p.m. Seconded by Councilman Taylor and approved 4-0.

Administrator Zenor requested Council authorization to adjust the Swim Center hours to provide the best activity and generation of revenue. **Councilman Anderson moved to authorize the Administrator's request, as set forth in the memo of March 11, 1983, to adjust the pool schedule hours to provide the best activity, service and revenue. Motion seconded by Councilman Clift and carried unanimously.

The annual agreement between the City and County for Base Refund and Equalization Grant money for the Library was reviewed for approval. **Councilman Taylor moved to approve and authorize signatures of the agreement between the City and Clackamas County for Base Refund and Equalization Grant money in the total amount of \$57,081.00. Seconded by Councilman Anderson and carried 4-0.

Mayor Gabrion requested a short recess at 8:48 p.m., reconvening the regular session at 8:57 p.m.

UNFINISHED BUSINESS: Administrator Zenor announced that emergency lighting had been installed at the Swim Center. One in the office, both dressing rooms and in the pool area. The Public Works Department installed the emergency lighting, which is automatic during a power outage and run on batteries, for considerable savings to the City for an approximate cost of \$300.

Council once again reviewed street selection for improvement with the CBG funds. Mr. Zenor noted that he was in concert with the proposed streets Mr. Atwood suggested and was hoping to start work when the weather permits. Terry Prince, 1115 N.E. 13th Circle, requested street improvement for N. Pine Street. He was informed that Pine St. was a County road and also out of the strategy area for available funding at this time. **Councilman Taylor moved to approve the following streets for full improvement with CDBG funds: S. Juniper from 99-E to S.E. 2nd Avenue (200'); S. Knott St. from 99-E to S.W. 2nd Avenue (200'); and S.W. 2nd Avenue from S. Ivy to S. Grant Sts. (725'), for a total project estimate of \$75,750.00. Seconded by Councilman Pulver and approved unanimously.

Mr. Zenor announced that he had talked with Mr. Wicks, County Animal Control, and was informed that the County anticipated no reduction in animal control for the Canby area. Mr. Zenor asked the Council to review the two draft ordinances regarding dog and animal control.

Administrator Zenor announced that the first official negotiation meeting on CATV would be on Thursday, March 17th, 8:00 a.m. and a access origination recommendation would be made. The Public Hearing will be scheduled for April 6, 1983. Mr. Westcott inquired about cross collateralization regarding the utility. Councilman Anderson noted that the issue was being addressed.

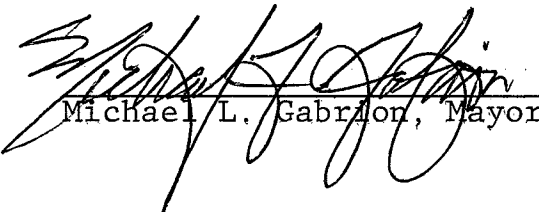
Mayor Gabrion reminded Council of the Goal Setting/Objectives Workshop scheduled for Wednesday, March 23, 7:00 p.m. Also, a workshop scheduled for March 30th, with the Planning Commission regarding the Comprehensive Plan amendments and following a session regarding the Utility Board contract on the water department.

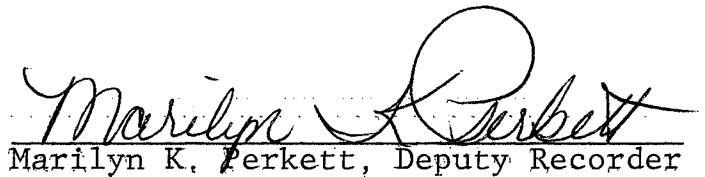
Attorney Bettis noted that he had spoke with Lyle Read regarding liability insurance for the successful bidder on CATV.

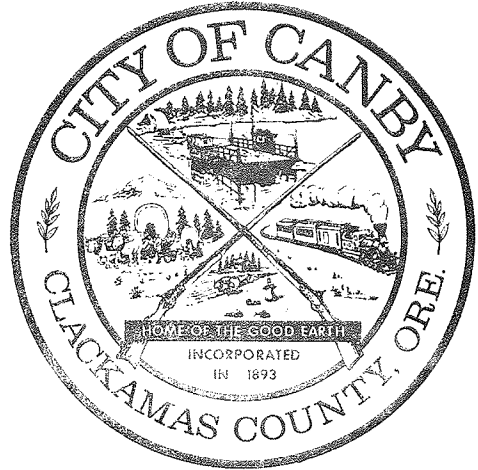
OTHER REPORTS AS REQUIRED OR NEEDED: Administrator Zenor addressed the Council regarding the Informational Memo he presented to the Council. This will hopefully become a monthly memo to keep the Council better informed. Mr. Zenor asked the Council to comment on the memo for future consideration.

Wade Bettis informed the Council that he had been in contact with the Estate Eight Attorney, and hoped to have the agreement back within a week to ten days.

Mayor Gabrion adjourned the regular meeting at 9:25 p.m.


Michael L. Gabrion, Mayor


Marilyn K. Perkett, Deputy Recorder



P R O C L A M A T I O N

WHEREAS, the City of Canby, County of Clackamas, Oregon, held an Election on Tuesday, MARCH 29, 1983, to consider a ONE YEAR SPECIAL LEVY for operation of the City facilities.

WHEREAS, the Clackamas County Elections Department offers the following as an unofficial count of votes as of 8:00 a.m., Wednesday, MARCH 30, 1983:

MEASURE 51

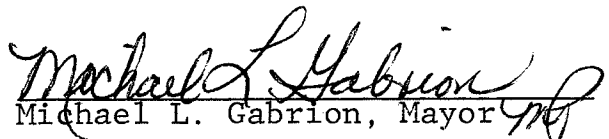
ONE YEAR SPECIAL LEVY

YES 600

NO 515

NOW, THEREFORE, I, MICHAEL L. GABRION, Mayor of the City of Canby, County of Clackamas, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting.

Dated this 30th day of March. 1983


Michael L. Gabrion, Mayor