

CANBY CITY COUNCIL

REGULAR MEETING

JUNE 1, 1983

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

Also present: Administrator Doug Zenor, City Attorney Wade Bettis, Public Works Supervisor Bud Atwood, Deputy Recorder Marilyn Perkett, Myra Weston, Bob Godon, Ron Martin, Heather Hubbard, Mary Brock, David Bury, Steve Frederick and Jim Renner.

Mayor Gabrion called the regular meeting to order at 7:30 p.m., followed by the flag salute and meditation. Roll call of Council showed a quorum present.

\*\*Councilman Pulver moved to approve the minutes of the regular meeting of May 18, 1983, with the following correction: last page, second paragraph, Councilman Pulver did not second the motion regarding the CUB letter, he was out of town, COUNCILMAN SOWLES seconded the motion. Motion to approve minutes seconded by Councilman Sowles and approved unanimously.

CITIZEN INPUT ON NON-AGENDA ITEMS: Mayor Gabrion congratulated Marilyn Perkett on her Silver Wedding Anniversary. Mayor Gabrion welcomed the high school government students in attendance.

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ORDINANCES & RESOLUTIONS: Attorney Bettis read by title only, Resolution No. ~~337~~ 342. \*\*Councilman Sowles moved that Resolution No. ~~337~~ 342, A RESOLUTION ADOPTING BUDGET AND MAKING APPROPRIATIONS FOR 1983-84 FISCAL YEAR be approved and become part of the laws of the City of Canby. Motion seconded by Councilman Pulver and carried 6-0 by roll call.

Resolution No. 339 was read by title only by Attorney Bettis, \*\*Councilman Pulver moved that Resolution No. 339, A RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN BUDGET CONTINGENCY FUND TO LINE ITEMS FOR EXPENDITURES be approved and become part of the laws of the City of Canby. Motion seconded by Councilman Sowles and approved by roll call vote 6-0.

Attorney Bettis read Resolution No. 340 for Council consideration. \*\*Councilman Taylor moved to approve Resolution No. 340, A RESOLUTION CREATING AN ACCOUNT FOR A "BUILDING RESERVE" FUND. Motion seconded by Councilwoman Kopelk and carried 6-0 by roll call vote. Councilman Pulver questioned the dollar amount in the resolution and was reminded that this was set forth during the budget sessions.

Resolution No. 341 was read by title only by the City Attorney for Council consideration. \*\*Councilman Anderson moved that Resolution No. 341, A RESOLUTION AUTHORIZING A "SEWER RESERVE-DEPRECIATION" FUND: SPECIFYING WHICH MONIES ARE TO BE ALLOCATED TO THIS FUND; AND FOR WHAT PURPOSES THESE MONIES ARE TO BE UTILIZED be approved and become part of the laws of the City of Canby, seconded by Councilman Clift. Mr. Zenor explained the purpose of the fund was for anticipated replacement

June 1, 1983

of worn out sewer facilities and also creating a fund to accept additional future monthly rate money for those purposes. Motion passed by roll call vote, 6-0.

COMMUNICATIONS: Administrator Zenor read a letter from Eugene L. Cole, General Manager of Canby Telephone Association, accepting the cable television franchise. \*\*Councilman Anderson moved that the City acknowledge the letter of May 24, 1983, from the Canby Telephone Association, and the letter to become a part of the minutes of this meeting. Motion seconded by Councilman Pulver and approved unanimously.

Administrator Zenor read a letter from Richard Morse requesting the Council waive interest due on his annexation fee from property annexed in 1979. Mr. Zenor also explained that the City has an agreement signed by Mr. & Mrs. Morse dated March 6, 1983, which is similar to the Estate Eight Agreement allowing annual interest payments with the principal to be paid at time of property sale or construction permit. Mr. Morse addressed the Council giving a brief history of the issue, noting that he had gave the City a check for interest and it was returned to him in February, 1982, on advice of the City Attorney. Mr. Morse said he preferred to pay the entire annexation fee, \$15,216.05, and waive the accrued interest fees. Mr. Bettis informed the Council that the City Ordinance has no provisions for either accepting the interest fee only or the principal of the annexation fee and waiving of the interest. Councilman Sowles pointed out that interpretation of the Ordinance has two choices; payment of the annexation fee; or a penalty of 6% interest with no time frame as to payment. In view of the Estate Eight Agreement, resultant from litigation settlement, the Council concurred that they would prefer accepting the signed agreement of March 6, 1983, which Mr. Morse also agreed to accept. \*\*Councilman Anderson moved that the City accept the signed and offered agreement of Richard and Carol Lee Morse dated March 6, 1983. Seconded by Councilman Clift and approved 6-0 by roll call vote.

Mayor Gabrion called for a short recess at 8:35 p.m., reconvening the regular session at 8:46 p.m.

NEW BUSINESS: \*\*Councilman Sowles moved to approve accounts payable in the amount of \$60,508.79, seconded by Councilman Pulver and approved 6-0 by roll call ballot.

The official abstract of votes, as certified by the Clackamas County Clerk's office was reviewed by the Deputy Recorder for the May 17, 1983 election regarding the ballot measure on the CUB name change. \*\*Councilman Taylor moved to accept as read the abstract of votes from the May 17, 1983 election, and the original to be attached to the minutes of this meeting, seconded by Councilman Clift and approved unanimously.

The next agenda item was removed to allow more review time on the various banking proposals submitted for the City.

The next order of business was to review two memos from Bob Godon, Building Official. The first, an authorization request from the State to allow local inspection and enforcement of mobile home codes, for which Canby's Building Official is certified and authorized. The second,

an offer from Donald Brennan, Building Official of the City of Wilsonville, to enforce the plumbing codes in Canby. Mr. Brennan requested 75% of the permit fees, and the remaining 25% to be City income. Mr. Godon explained that he is not qualified for the plumbing inspection but will receive instruction from Mr. Brennan for his certification. \*\*Councilman Taylor moved to approve as outlined in the May 27, 1983 memo, approval to request State authorization for inspection and enforcement of Mobile Home Codes; and to approve a one year contract with Donald Brennan, Building Official of Wilsonville, for City of Canby plumbing inspections with a contract to be drawn up for Council approval. Motion seconded by Councilman Pulver and carried 6-0.

UNFINISHED BUSINESS: Mr. Zenor explained that before he could give an adequate report on dog licensing/control on a local basis he would need a computer print-out from the County, which is forthcoming at a later date.

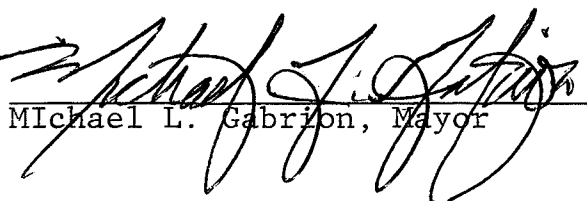
Administrator Zenor informed the Council that Mr. McEwen, applicant of a Special Animal Permit for Birds; had been in his office that afternoon and requested the Council revoke his permit, as he had received a job promotion that would take him out of town and he could no longer give them the proper care. \*\*Councilman Sowles moved to revoke the Special Animal Permit for Birds of Kirk McEwen, 1102 N.E. 13th Circle, giving him 30 days to remove all birds and cages. Motion seconded by Councilman Pulver and approved 6-0.

OTHER REPORTS AS REQUIRED OR NEEDED: Mayor Gabrion announced that a workshop was needed on the sewer rate/sewer development/depreciation study. Mr. Zenor and Mr. Atwood will bring a recommendation to the Council. The workshop was scheduled for 7:00 p.m., June 22, 1983, which has also been set as a Special Meeting for the Supplemental Budget Hearing.

Mayor Gabrion reminded Council of the workshop on goals and objectives to be held at CUB on Monday, June 6, 1983, at 7:00 p.m.

Administrator Zenor informed Council that the City had received a check from the Canby Lions Club in the amount of \$100 to purchase a barbecue for the Canby Community Park. Mr. Zenor is hoping to receive other donations and plans are to also have a large barbecue for groups to rent.

Mayor Gabrion adjourned the regular meeting at 9:07 p.m.

  
Michael L. Gabrion, Mayor

  
Marilyn K. Perkett, Deputy Recorder



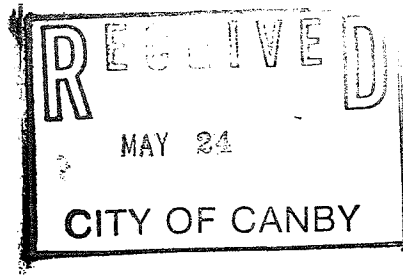
**CANBY TELEPHONE ASSOCIATION**

184 N. GRANT STREET - P.O. BOX 780 - CANBY, OREGON 97013

TELEPHONE 503-266-8111

May 24, 1983

EUGENE COLE, MANAGER



Marilyn K. Perkett, Deputy City Recorder  
City of Canby  
City Hall  
Canby, OR 97013

Dear Marilyn:

Canby Telephone Association hereby accepts the cable television franchise granted by Ordinance No. 732, and we look forward to providing the City a cost effective, flexible and imaginative cable television system geared to meet the communication needs of today and tomorrow.

Sincerely,

CANBY TELEPHONE ASSOCIATION

Eugene L. Cole  
General Manager

ELC:mm1

## STATEMENT OF VOTES CAST

5/18/83  
16:05CLACKAMAS COUNTY, OREGON  
SPECIAL ELECTION  
MAY 17, 1983

ISSUE 25

JUANITA N. ORR, COUNTY CLERK

\*\*\*\*\*  
\* I CERTIFY THAT THE VOTES RECORDED ON THIS ABSTRACT CORRECTLY \* BY :  
\* SUMMARIZE THE RESULT OF VOTES CAST AT THE ELECTION INDICATED. \*\*\*\*\*\*  
\* DATE OF ABSTRACT : \*

\* May 23, 1983 \*

CITY OF CANBY  
MEASURE 51  
CHAPTER AMENDMENT

YES

PRE	TOTAL	PRE	TOTAL	PRE	TOTAL	PRE	TOTAL
014	169	016	280	017	222	063	342

VOTES CAST = 1,013

NO

PRE	TOTAL	PRE	TOTAL	PRE	TOTAL	PRE	TOTAL
014	39	016	71	017	36	063	68

VOTES CAST = 214

OVERVOTES

PRE	TOTAL	PRE	TOTAL	PRE	TOTAL	PRE	TOTAL
014	0	016	0	017	0	063	0

VOTES CAST = 0

UNDERVOTES

PRE	TOTAL	PRE	TOTAL	PRE	TOTAL	PRE	TOTAL
014	6	016	5	017	7	063	14

VOTES CAST = 32

TOTALVOTES

PRE	TOTAL	PRE	TOTAL	PRE	TOTAL	PRE	TOTAL
014	214	016	356	017	265	063	424

VOTES CAST = 1,259