

CANBY CITY COUNCIL

SPECIAL MEETING

JANUARY 18, 1982

Mayor Robert A. Swayze presiding. Councilmembers present: David Anderson, Lee Funrue, Beryl Brown, Michael Gabrion, Bill Pulver and Gary Sowles.

Also present: Administrator Harold Wyman, City Attorney Wade Bettis and Fire Chief Smith French. The following people arrived later in anticipation of an Executive Session: Robert Rapp, Stephan Lashbrook, Richard Mosier, Robert Westcott, Jack Hammond, John Conley and Steve Frederick.

Mayor Swayze called the Special Meeting to order at 7:12 p.m., followed by the flag salute and roll call of Council.

Administrator Wyman addressed the Council regarding the recent City Audit. Mr. Wyman noted that it was a good audit, however, some disclosures were ~~wrote~~^{written} up and would briefly discuss them. The first item being to strengthen the area of fixed assets and bank reconcilements, this is "in house" cleaning up and was discussed with Mr. Wyman by the auditor, Harry Culp. Mayor Swayze requested that when the recommendations of the auditor were implemented that the Council be made aware. Mr. Wyman pointed out two other problems under Budget and Legal Compliance. The first being expenditures exceeding appropriations and that a Resolution to transfer funds had been overlooked and the State would probably write the City up on this issue. The second item, the Sewer Reserve fund made an interfund loan of \$9,909 of which \$7,909 has not been repaid. Law requires that the interfund loan be repaid or budgeted for in the ensuing fiscal year. Mr. Wyman had been budgeting \$1,000 per year plus interest for repayment, however, we must now repay the balance according to law. He noted that the contingency fund could be used to pay it back rather than put it on the tax roll. In conclusion, Mr. Wyman noted that the auditor did a good job and the delay was due to problems with the Utility Board.

The next item of business was to discuss the proposed new bay at the Canby Fire Hall. Councilpersons Pulver and Funre had attended a meeting with the fire department regarding this issue. Smith French, Fire Chief, was present and addressed the Council regarding their plans for construction. Mr. Smith explained that the existing building is 60' x 82' and the proposed addition would be 40' x 60'. Two years ago an architect estimated block construction to be \$60,000. However, they have a maximum estimate of \$40,000 and a possible savings if they use wood construction instead of block. The estimates do not include electrical or plumbing details which the department plans to put in later themselves. The City would be responsible for half of the cost of which we have \$12,000 in reserve at this time. The Fire Department has the entire amount now, including our \$12,000, so the City's remaining balance would not have to be made available immediately. Mayor Swayze asked the Council to consider the project, talk with Mr. French or Mr. Wyman if necessary and be prepared to make a decision at the regular meeting next Wednesday, January 20th.

Councilman Pulver asked Attorney Bettis if he had any input regarding the recent Supreme Court ruling in reference to cities giving Cable TV Franchises. Mr. Bettis was not aware of the ruling. Councilman Pulver said he thought it was basically

January 18, 1982


that cities are non-exempt from the anti-trust law and therefore cannot give an exclusive franchise on CATV. Mr. Bettis said he'd look into this, he also noted that his office had several suggestions regarding the draft ordinance and RFP. Mayor Swayze requested that Attorney Bettis get together as soon as possible with the Cable TV Committee regarding the Attorney's suggestions.

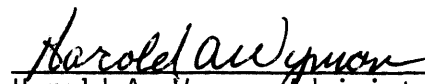
At this time **Councilman Pulver moved to go into Executive Session under ORS 192.660, subsection l, subsection h, to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. Motion was seconded by Councilwoman Funrue and approved 6-0 by roll call vote.

Mayor Swayze requested that the City Attorney stay for the Executive Session, also the press was invited. The Mayor recessed the special meeting at 7:45 p.m. to go into Executive Session.

Mayor Swayze reconvened the special meeting at 9:48 p.m. At this time the following motion was made by Councilman Pulver, **I move that the City of Canby reaffirm its position of trust, faith and mutual working relationship with the Canby Utility Board and its members. Secondly, the Canby City Council and the Canby Utility Board members continue working together at all times to find a satisfactory solution and financial relief from the problems created by involvement in WPPS 4 and 5 on behalf of all the citizens of the City of Canby. Councilwoman Funrue seconded the motion and it was passed on roll call ballot, 6-0.

Mayor Swayze adjourned the special meeting at 9:55 p.m.


Robert A. Swayze, Mayor


Harold A. Wyman, Administrator/Recorder