

CANBY CITY COUNCIL

REGULAR MEETING

JANUARY 20, 1982

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

Also present: Administrator Harold Wyman, City Attorney Wade Bettis, Public Works Supervisor Bud Atwood, City Treasurer Myra Weston, Secretary Marilyn Perkett, CUB Manager Stephan Lashbrook, Jim Brands, Steve Houseworth, Steve Frederick, David Bury, John Tatone, John and Virginia Hodges, Helen Albertson, Bob Westcott, Duane Lee, Walt Mintkeski, Neal Cournoyer, H.A. Bergman, Tom Tye, Earl Oliver and John Conley.

Mayor Swayze called the regular meeting to order at 7:32 p.m., followed by the flag salute, silent meditation and roll call of Council, which showed a quorum.

**Councilwoman Brown moved to approve as distributed the minutes of regular meeting, December 16, 1981. Motion seconded by Councilwoman Funrue and approved 6-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: Myra Weston, representing the Save the Depot Committee, addressed the Council, updating them on the progress of the committee. At this time, the committee has pledges totalling \$16,729 and plans for a benefit on Saturday, February 13th, at the American Legion Hall for a performance by the local Pitchpipers, are proceeding. Action to place the depot in the National Register of Historic Places are also under consideration. Mrs. Weston explained that they have two bids for moving the building and expect to have bids from contractors for the exterior restoration by Saturday, ~~December~~ *January* 23, at which time a committee meeting is scheduled.

Mayor Swayze addressed the audience, specifically those present concerned about the WPPS situation, explaining that the Council can offer no conclusive information at this time regarding WPPS. Mayor Swayze announced that the WPPS surcharge had been withdrawn, however, he encouraged those concerned to attend the meeting on Thursday, January 21, that the Utility Board has scheduled.

ORDINANCES & RESOLUTIONS: Attorney Bettis read Ordinance No. 712, in its entirety for first reading. **Councilwoman Brown moved to approve on first reading, ORDINANCE NO. 712, AN ORDINANCE REQUIRING BUILDING SETBACK REVIEW APPLICATIONS: AND PRESCRIBING PENALTIES FOR FAILURES TO FILE OR PAY FEES, and to be properly posted and scheduled for second reading on February 3, 1982, after 7:30 p.m. Motion seconded by Councilman Gabrion. During the discussion period, Attorney Bettis explained the necessity of this Ordinance in order to enforce the setback requirements set forth in Ordinance No. 690. Attorney Bettis also read a letter from Bud Atwood, Public Works Supervisor, and a letter from Bob Godon, Building Official, which initiated his preparing the Ordinance. Some Councilmembers voiced a concern about being able to enforce the Ordinance or perhaps to consider amending the setback requirements. **Councilman Anderson moved to table Ordinance No. 712. Mayor Swayze explained this was a motion of privilege and requested a roll call vote, voting yea, Anderson, Gabrion and Sowles, voting nay, Brown, Funrue and Pulver, Mayor Swayze cast the tie breaking vote, voting yea in favor of tabling. Mayor

January 20, 1982

Swayze requested the Council to review the Ordinance and contact city staff if they had questions and be prepared to reconsider Ordinance No. 712 at the February 3, 1982, council meeting.

COMMUNICATIONS: Administrator Wyman read a letter from Allen E. Smith, 860 N.W. 10th Avenue, concerning the speeding and hazardous driving in his area and requested safety signs be placed. Mr. Wyman explained that the Police Department has increased radar surveillance in that area and Mr. Smith will be notified.

A letter was read by Mr. Wyman from Deborah Baker, Director of Student Activities of Clackamas Community College, requesting city permission, in accordance with Ordinance 465 (noise ordinance), to hold a Timber Festival/Hoedown on May 22, 1982. **Councilwoman Funrue moved to grant permission to the Clackamas Community College to hold a Timber Festival/Hoedown on May 22, 1982, between 9:00 p.m. and 1:00 a.m., at the County Fairgrounds. Seconded by Councilman Gabrion and approved 6-0.

Mr. Wyman read a letter from George Smith, Librarian, resigning as Director of the Canby Public Library, effective February 7, 1982. Mr. Wyman explained that the Library Board, by ordinance, controls the library activities and have advertised for a new librarian.

Administrator Wyman read a letter from Joyce Laitiner, Secretary of Canby-Carus Girl Scout Troup, offering \$150 to be used for a city project. The money was raised by the girls specifically for a City benefit. Mayor Swayze asked the Council and staff to consider a worthwhile project and report back at a later meeting with suggestions.

Administrator Wyman read a letter from Tom Tye and Herman Bergman, representing Boy Scout Troup 258, requesting permission to use a parcel of land adjacent to the Zion Memorial Cemetery to raise Christmas trees as a money making project. Mr. Bergman explained that they are getting the trees from Crown Zellerbach. Mr. Tye also addressed the Council regarding their proposed project and gave assurance to the Council that they would work closely with city staff and the project would not become unsightly. **Councilman Pulver moved to grant permission to the Boy Scout Troup 258 to raise Christmas trees on approximately one acre of land adjacent to the Zion Memorial Cemetery and to coordinate the project with city staff, also, that a copy of their letter dated January 17, 1982, become a part of the minutes of this meeting. Seconded by Councilwoman Brown and approved unanimously.

Mayor Swayze called for a short recess at 8:20 p.m. The regular meeting was reconvened at 8:36 p.m.

NEW BUSINESS: **Councilwoman Funrue moved to pay accounts payable in the amount of \$84,553.57 (payable from January 15, 1982, and December 31, 1981). Seconded by Councilman Pulver and approved 6-0 by roll call vote.

**Councilwoman Funrue moved to pay bills pertaining to the water expansion project in the amount of \$35,051.84 (January 15, 1982, and December 31, 1981) from warrants drawn from the Clackamas County Treasury on the 1979 Water Bonds. Motion seconded by Councilman Gabrion and approved by roll call vote 6-0.

Walt Mintkeski, Lee Engineering, addressed the Council regarding bid calls on aeration equipment. Mr. Mintkeski explained that on the basis of price increases,

exceptions to the specifications, and only one bid submitted, they recommended the award go to Richards of Rockford, Inc, located in Illinois, however, a representative of that firm is located in Lake Oswego and they have done business with them before.**Councilwoman Funrue moved to accept the bid of Richards of Rockford, Inc., in the amount of \$35,735 for two 25 hp Oxy Jet Units, 40 hp positive displacement blower (760 SCFM) and miscellaneous equipment; 50 hp Hoffman centrifugal blower (835 SCFM); and electrical controls for Oxy Jet and blower and that the City Attorney be authorized to prepare the appropriate contract ordinance. Motion seconded by Councilwoman Brown and approved 6-0. Mr. Lee explained that he would notify the company that they were awarded the contract so they could start their paper work proceedings in anticipation of the ordinance which could possibly have a second reading on February 23, at a Special Meeting.

Duane Lee briefly addressed the Council in regards to calling for bids for Grit Removal and Primary Clarifier Equipment for the sewage plant expansion project. The intent is to get the equipment on order prior to actual award of the contract and to eliminate delay in construction. Also, this may help save costs due to inflation. **Councilman Pulver moved to grant staff permission to call for bids for Grit Removal and Primary Clarifier equipment. Seconded by Councilwoman Brown and approved unanimously.

Administrator Wyman briefly reviewed the Clackamas County Agreement for Base Refund and Equalization Grant, noting this is an agreement entered into each year with the County for library funding. **Councilwoman Brown moved to authorize Mayor Swayze to sign the contract with Clackamas County for Base Refund money in the amount of \$20,739 and Equalization Grant money in the amount of \$38,385 for a total of \$59,124 for Library funding. Seconded by Councilwoman Funrue and approved 6-0.

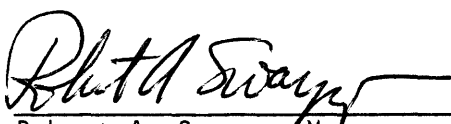
UNFINISHED BUSINESS: Mayor Swayze noted that two positions on the Planning Commission needed appointments and the two retiring Commissioners had indicated a desire to continue serving. **Councilman Anderson moved to reappoint Craig Shinn and Kurt Schrader to three year terms on the City of Canby Planning Commission. Seconded by Councilwoman Brown and carried 6-0.

Administrator Wyman explained that the Fire Chief was not able to obtain the figures requested by the Council regarding the Fire Hall expansion, however, he should have the necessary information by the February 3, Council meeting.

OTHER REPORTS AS REQUIRED OR NEEDED: Mayor Swayze reminded the Council of the first scheduled budget meeting on Tuesday, January 26, 1982, at 7:30 p.m.

The Mayor also reminded everyone of the public hearing that CUB has scheduled on Thursday, January 21, 1982, 7:30 p.m. at the Knight Elementary School, regarding WPPS 4 and 5.

Mayor Swayze adjourned the regular meeting at 8:58 p.m.


Robert A. Swayze, Mayor


Harold A. Wyman, Administrator/Recorder

BOY SCOUT TROOP 258
CANBY, OREGON

January 17, 1982

Hon. Robert Swayze, Mayor,
Members of City Council,
City of Canby,
Canby, Oregon

Greetings,

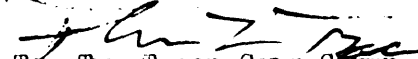
The Personnel and Leaders of Boy Scout Troop 258, at Home in Canby's Community Park, are actively and sincerely seeking the use of a small plot of vacant land, not to exceed one acre, on which we desire to plant a batch of Xmas trees. Xmas trees would be for sale to the public at some future date.

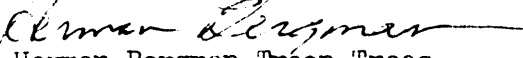
It has been brought to our attention that some acres of vacant land are to be found adjacent to Zion Memorial Cemetery, is owned by City of Canby and is not scheduled to be developed into "in use" Cemetery plots for some years to come.

We have been informed that a crop of Xmas trees would come off in five, not to exceed six years, at which time land would be returned in same or better condition than in which it is presently. If City found immediate use of plot for "Cemetery" or other City use, we would immediately vacate.

Boy Scout Troop 258 is adequately covered by Liability insurance and by Health and Accident insurance covering group activities. Our members are at all times supervised by trained Adult personnel.

Sincerely;


Tom Tye, Troop Comm. Chmn.


Herman Bergman, Troop Treas.