

CANBY CITY COUNCIL

REGULAR MEETING

FEBRUARY 17, 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, Attorney Wade Bettis, Public Works Supervisor Bud Atwood, Treasurer Myra Weston, Secretary Marilyn Perkett, CUB Manager Stephan Lashbrook, County Commissioner Ralph Groener, Bob Westcott, Steve Frederick, Steve Nousen, John Falkenstein, David Buckley, Sam Crosby, David Bury, Dan Anderson, John Tatone, Richard and Phyllis Nichols, Robert Rapp, Jack and Lois Murray, Miriam Bettis, Clarence and Helen Potampa, Dorothy McCormick, Jim Renner, Jane Tomlin, Walter Dohrman, Larry Cole, Cheryl and Kim Anderson and Les Page, Cable TV Consultant.

Mayor Swayze called the regular meeting to order at 7:32 p.m. followed by the flag salute. During the silent meditation, Mayor Swayze read a memorial to former Councilman Leonard Taylor that had been sent by his family.

**Councilwoman Brown moved to approve as distributed the minutes of regular meeting February 3, 1982, seconded by Councilman Gabrion and approved 6-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: At this time in the meeting, Mayor Swayze presented former Councilmen Richard Nichols and Robert Westcott with engraved desk sets in honor of their years of service to the City. Former Mayor Robert Rapp was presented with a plaque in appreciation of his service to the City. Mr. Rapp also presented a gift to Mayor Swayze from he and his family, which he noted was most appropriate, "pumpkin seeds" and "gourd seeds".

Sam Crosby, Canby resident and Student Body President of Clackamas Community College, was present and explained the proposed Timber Festival/Hoe Down event that the college will hold at the County Fairgrounds on May 22, 1982. David Buckley, College Activity Chairman, also addressed the Council and urged the City to participate in the event in any way they wished. The revenue from the event will go towards student activities.

Ralph Groener, Clackamas County Commissioner, addressed the Council regarding the proposed Three Year Senior Services Serial Levy in the amount of \$1,458,000. The levy will provide health and in-home care for senior county residents. A formula, using senior population and assessed value, allocates money to eleven County cities and areas. Canby would receive a 3 year total of \$206,306. Mr. Groener urged the Council to support the levy in the form of a resolution, noting the election will be March 30, 1982. Jane Tomlin, Loaves and Fishes Director, explained the budget process and control of the money. In essence, the levy would be very much like the special Library Levy which gives each City funding in addition to the local budget funding. In explaining the levy, Mr. Groener noted that this levy would save money in institutional care for seniors. Mayor Swayze requested the Council to review the proposal and direct question to the County if necessary and be prepared to make a commitment at the next regular meeting on March 3, 1982.

Myra Weston thanked Mr. Groener for his participation in the fund raising event for the "Save the Depot", held on Saturday, February 13th, and noted they earned \$3,500.00.

Mayor Swayze called for a short recess at 8:20 p.m. and reconvened the regular meeting at 8:30 p.m.

ORDINANCES & RESOLUTIONS: Attorney Bettis read in full for the first reading, Ordinance No. 715. **Councilwoman Funrue moved that Ordinance No. 715, AN ORDINANCE VACATING ENTRY STREET TO WILLAMETTE VALLEY COUNTRY CLUB IN THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON; AND DECLARING AN EMERGENCY, be properly posted and come up for final reading after 7:30 p.m. on Wednesday, March 17, 1982. Motion seconded by Councilman Pulver. Councilman Anderson declared a conflict of interest as he has done in the past on this issue. Mayor Swayze questioned the fee paid by the Country Club for the vacation. Mr. Bettis said he would prepare a cost summary and they would either be billed or refunded, which they understood. Motion passed 5-0, with one abstaining.

Administrator Wyman read a letter from Mercury Development, Inc., requesting permission to hold an african lion show in the Canby Square Shopping Center from June 23rd to June 27th. **Councilman Gabrion moved to approve the request of Mercury Development Inc., to hold the Chovanic African Lion Show at the Canby Square Shopping Center from June 23rd to June 27, 1982, with a copy of the letter attached to the minutes of this meeting. Motion seconded by Councilman Anderson and approved 6-0.

Mr. Wyman read a letter from the Housing Authority of the County of Clackamas from Nicholas Knapp, requesting the City to enter into a Cooperation Agreement with the County on housing for low and moderate income residents. The Council requested more information on this matter, a copy of the agreement and also a request of Mr. Knapp to address the Council on the issue.

A letter from the Rural Fire District No. 62, was read by Administrator Wyman, regarding the fire station addition. The proposed structure will be block and the estimated cost is \$35,000 with a 10% overrun figure of \$3,500. The Council discussed various approaches in which the City will pay their share of the proposed project. **Councilman Anderson moved that the Board of the Canby Fire Protection District No. 62 be advised that, the Council acknowledges receipt of the advice letter of February 11, 1982, on the fire station addition; the Council is agreeable to contribute half of the cost of the proposed project, not exceeding \$19,525; and we anticipate that the District can handle the financing until the project is basically completed, at which time the Council will enact an appropriate ordinance authorizing transfer of its share of funds for the cost. Councilman Gabrion seconded the motion which carried by roll call vote, 6-0.

Administrator Wyman read a letter from the State Housing Division regarding a proposed project of 35 units, Gloria Belle Apartments, at 497 N.W. Cedar. The proposed project comes under the Section 8 Housing Assistance Payments Program and is housing for the elderly. The letter indicated that the City has the opportunity to object to the proposed project. The Council consensus was for no objections and to send a letter indicating this to the Housing Division.

NEW BUSINESS: **Councilwoman Funrue moved to pay accounts payable in the amount of \$48,415.92. Seconded by Councilman Gabrion and approved 6-0 by roll call vote.



MERCURY DEVELOPMENT, Inc.

Development • Management

338 N. W. 5th Avenue

P. O. Box 5487

Phone (503) 223-2108

Portland, Oregon 97228

February 5, 1982

Mayor Swayze and Council
P.O. Box 930
Canby, Or. 97013

Dear Mayor Swayze and Council;

This letter is regarding the Chovanic African Lion Show which Canby Square would very much like to have at the Shopping Center this year.

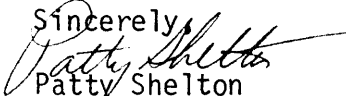
The Show is based in Flushing, New York. It is booked around the United States each year according to climate. The Chovanic's have had the show now for seven years. They are Federally licensed and abide by any and all inter-state regulations. They have a \$1,000,000.00 insurance policy which will add Canby Square and A & Z Development Co. as additional insured for the dates they would be on the Center. They also provide 24 hour uniformed security and a maintenance crew.

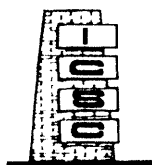
As the show has never been in Oregon and was unknown to me I asked for and received several names and phone numbers of Mall Managers whom had had the show on their malls in the past. Of the names supplies I selected two who had the show on five different malls each. Upon calling the references I was very pleased to find that both, one in Idaho and one in Pennsylvania raved about the show. They said it was very clean and professional, and it was thoroughly enjoyed by everyone. They both intend to have the show back as soon as possible.

The show plans to set up on June 23rd and stay on location for five full days. They will tear down and clean up late Sunday, June 27th. We are all very excited about being the first people to have the Lion Show in the State of Oregon. I have booked the show now at five of our malls, the first show to be held at Canby Square. We sincerely hope there will be no serious problems or objections in obtaining permission, the appropriate licence and the support of Mayor Swayze and his Council.

If you require any further information, please don't hesitate to contact me at 223-2108 in Portland. I have enclosed an information sheet on the show provided by the Chovanic's.

cc: Chief of Police

Sincerely,

Patty Shelton
Agent for the Owners



Member, International Council of Shopping Centers



**Councilwoman Funrue moved to pay various bills pertaining to the water expansion project in the amount of \$116,896.94, to be drawn from warrants from the Clackamas County Treasury on 1979 Water Bonds. Seconded by Councilman Gabrion and approved by roll call vote 6-0.

UNFINISHED BUSINESS: Mr. Wyman informed the Council that blue prints to replace the picnic shelter at the Canby Community Park have been prepared by Mr. Godon, Building Official, with a projected project cost of \$4,407.13, which included City employee labor. Money in the amount of \$10,000 from Federal Revenue Sharing has been budgeted for this year, however, pending the current Legislative Session regarding revenue sharing money, the City will wait before proceeding with the project. Mayor Swayze suggested that the donation of \$150 from the Girl Scout Canby/Carus Troop offered a few weeks ago be used in the proposed picnic shelter and an appropriate plaque could be placed noting their sharing in the expenses. **Councilman Sowles moved that City staff proceed with plans for constructing a new picnic shelter at the Canby Community Park out of 1982-83 revenue funds, pending the current outcome of the Legislature Session regarding revenue cuts. Seconded by Councilwoman Brown and approved unanimously.

OTHER REPORTS AS REQUIRED OR NEEDED: John Falkenstein, Community School Director, was present to review the Community School Fall Quarter with the Council. He also noted that John Kylo, local resident, was hired as the new assistant director. Mr. Falkenstein also pointed out that slightly over 50% of the participants are from within the city limits of Canby.

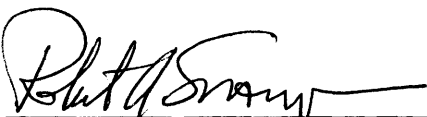
Bud Atwood gave a short oral report on the sidewalk improvement project. A survey of 60 downtown property owners were contacted, only two showed interest in forming an LID. Most owners preferred to fix or replace their sidewalk. Mr. Wyman also indicated that City Hall needs both sidewalk repair and a ramp entrance. Future reports will be forthcoming.

Mayor Swayze recessed at 9:20 p.m. to go into workshop session with Les Page, Cable TV consultant. Mayor Swayze reconvened the regular meeting at 10:20 p.m.

Attorney Bettis presented three documents for recording from Mr. Garmire as a result of conditions on a recent minor land partition. **Councilwoman Funrue moved to approve for recording the following documents from Francis M. & Charlotte H. Garmire: Consent to Local Improvement and Waiver of Remonstrances; Warranty Deed; and Offer of Dedication of Real Property. Motion seconded by Councilman Gabrion and approved unanimously.

**Councilman Sowles moved to go into Executive Session under ORS.192.660, Subsection 1, 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, seconded by Councilwoman Funrue and approved 6-0 by roll call.

Mayor Swayze recessed the regular meeting at 10:24 to go into Executive Session. Mayor Swayze reconvened the regular meeting at 10:43 p.m. and immediately adjourned.


Robert A. Swayze, Mayor


Marilyn K. Perkett, City Recorder Pro Tem



Lovable Lions

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AND MUCH, MUCH MORE!!

This act features He & She African Lions, five in all, on exhibit during shopping hours between shows.

The act is presented in a new aluminum arena, using aluminum props and cages, which are large, immaculate and secure - for the comfort and safety of the animals and the public. We carry our own PA system with a back up unit, music, etc. We are completely self-contained. You just supply the electricity and space -- then stand back and enjoy. No job is too big or too small. We make it work for you. We know of no other lion act in the world that has such elaborate equipment, and all custom built for presentation in shopping malls and centers. The act is performed twice a day - 25 minute shows are standard. The total cost of a five day engagement is Of course, One Million Dollars insurance coverage is provided.

Also traveling with the show is a cub exhibit which carries a Polaroid Special Events Instant Camera whereby photos of the public holding a lion cub may be taken. A percent of net proceeds are returned to the center. This, of course, will help to offset the cost of the Lion Act.

We are licensed by the Federal Government.

We are available for 3 - 5 day engagements.

Twenty-four hour security...uniformed staff...set up for indoors or out