

CANBY CITY COUNCIL

REGULAR MEETING

MARCH 3, 1982

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

Mayor Swayze called the regular meeting to order at 7:30 p.m., followed by the flag salute. At this point in the meeting, Mayor Swayze presented a brief eulogy in memory of Administrator Harold A. Wyman, who passed away at his home on Sunday, February 28, 1982. Roll call of Council showed a quorum present.

Mayor Swayze noted that Mr. Wyman had held both the City Administrator and City Recorder positions and in accordance with the City Charter, Chapter 7, Mayor Swayze is vested to appoint replacements. The Mayor appointed Marilyn Perkett as Acting Recorder or Clerk of the Council Pro Tem, The Council voted 5-0 in favor of the appointment with a raise of their hands.

**Councilman Anderson moved to approve as distributed the minutes of regular meeting February 17, 1982, with the following correction: page one, last paragraph, second sentence, the figure should have one more zero added and read, \$1,458,000. Motion seconded by Councilman Gabrion and approved unanimously.

CITIZEN INPUT ON NON-AGENDA ITEMS: Mayor Swayze welcomed the several students from North Marion High School who were present as a government class project.

**Councilwoman Funrue moved to approve as distributed the minutes of special meeting, February 23, 1982, seconded by Councilman Pulver and approved 5-0.

ORDINANCES & RESOLUTIONS: Attorney Bettis read for approval Resolution 310.

**Councilwoman Funrue moved that Resolution No. 310, A RESOLUTION DETERMINING THE ANNEXATION FEE FOR PMALGBC ANNEXATION ORDER NO. 1790 (SCHAEFER/FRAZ PROPERTY) be approved, seconded by Councilman Pulver and approved by roll call vote 5-0. Attorney Bettis advised that certified copies of the Resolution be sent to the property owners and Boundary Commission, he also reminded the Council of an overdue annexation fee and advised a letter be sent.

Ordinance No. 713, was read by title only for second reading by Attorney Bettis, Pro Tem Recorder Perkett presented the affidavit of posting. **Councilwoman Funrue moved that Ordinance No. 713, AN ORDINANCE PERTAINING TO THE CONSTRUCTION, ALTERATION, REPAIR AND MOVING OF BUILDINGS WITHIN THE CITY OF CANBY, OREGON; ADOPTING POLICIES OF FIRE SAFETY STANDARDS AND STANDARDS OF BUILDING CONSTRUCTION; PROVIDING PENALTIES FOR VIOLATIONS; REPEALING ORDINANCE NOS. 336 AND 684; AND DECLARING AN EMERGENCY be approved and become part of the laws of the City of Canby. Seconded by Councilman Pulver and approved by roll call vote 5-0.

COMMUNICATIONS: Mayor Swayze read a letter from Preston Wallis, Independence, Oregon, requesting temporary permission to park his trailer behind his service station until March 31, 1982. **Councilman Pulver moved to grant permission to Preston Wallis, 719 S. 7th Street, Independence, Oregon, to park his 1982 28 ft. Layton travel trailer behind the service station at 991 S.W. 1st Avenue for a period not to exceed beyond March 31, 1982, and that he be properly connected to sewer, water and lights. Motion seconded by Councilwoman Brown and approved unanimously.

March 3, 1982

Mayor Swayze read a letter from Attorney Bettis regarding the City/County Jail Agreement and also reviewed letters from the County Counsel and an article in the February 10, 1982, Canby Herald. Attorney Bettis noted that the City will be charged prisoner board on crimes committed only against City Ordinances and recommended signing the agreement. Councilman Pulver was requested to counsel with the Police Chief regarding this issue. Mayor Swayze also directed staff to direct a letter to the County Commissioners regarding the expenditures of the prisoner board fees. **Councilman Anderson moved to authorize signatures on the agreement between the City of Canby and the Clackamas County Jail on prisoner board fees, valid until July 1, 1982, seconded by Councilwoman Brown and approved 5-0.

Mayor Swayze read a letter from the Portland Metropolitan Boundary Commission regarding the assessments levied against cities, counties and districts to fund the operation of the Boundary Commission. **Councilwoman Brown moved to authorize payment of \$765.90 assessed to the City by the Boundary Commission. Seconded by Councilman Gabrion and approved 4-1, with Councilman Anderson voting nay. (NOTE: The City files show a payment of \$766 to the Boundary Commission in August, 1981, a copy of the check and a letter was sent to the Boundary Commission.)

Mayor Swayze read a letter from Attorney Bettis regarding revisions required in the City's Traffic Control Ordinance. Attorney Bettis requested Council authorization to proceed with the revisions and noted that this was work covered by his retainer agreement both current and in the ensuing fiscal year. **Councilman Gabrion moved that the City Attorney be authorized to proceed with ordinance revisions for the City Traffic Control, motion seconded by Councilman Anderson and approved 5-0.

A letter from Attorney Bettis regarding the bid process for the Sewage Treatment Plant Phase I Expansion for major equipment was read by Mayor Swayze. Attorney Bettis recommended accepting the low bid of Smith & Loveless, Inc., for Grit Removal Equipment at a bid price of \$38,750. Bids for the Primary Clarifier-Thickener Mechanism should be rejected due to irregularities in all three of the bids submitted. **Councilman Pulver moved to accept the low bid from Smith & Loveless, Inc., for Grit Removal Equipment in the amount of \$38,750, and the Attorney be directed to prepare the appropriate ordinance. Seconded by Councilwoman Brown and approved 5-0. Duane Lee, Lee Engineering, suggested to the Council that they table the second bid item, Primary Clarifier-Thickener Mechanism, until the next Council meeting when he will have further information for the Council. **Councilman Gabrion moved to table item number two, bids on the Primary Clarifier-Thickener Mechanism, of the Attorney's letter dated March 1, 1982. This being a motion of privilege, no second was required and the motion carried 5-0.

NEW BUSINESS: **Councilwoman Funrue moved to pay accounts payable in the amount of \$30,819.47 from the appropriate funds. Seconded by Councilman Gabrion and approved 5-0 by roll call vote.

**Councilwoman Funrue moved to pay bills pertaining to the water treatment expansion in the amount of \$19,409.88 from warrants issued by the Clackamas County Treasury on the 1979 Water Bonds. Seconded by Councilman Gabrion and approved by roll call 5-0.

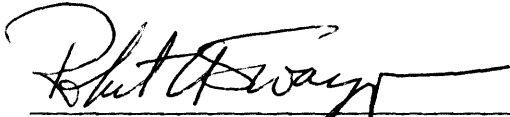
Mayor Swayze reviewed an application for a special event liquor license from the Clackamas County Fair Board for the Miss Clackamas County Fair & Rodeo Coronation Ball to be held March 27, 1982. **Councilman Pulver moved to grant the special event liquor license for beer and wine to the Clackamas County Fair Board for March 27, 1982, from 8:00 p.m. to 1:00 a.m. Seconded by Councilman Anderson and approved unanimously.

UNFINISHED BUSINESS: None was brought before the Council.

OTHER REPORTS AS REQUIRED OR NEEDED: Mayor Swayze dispensed with the remaining items on the agenda.

At this time, Mayor Swayze appointed Robert E. Rapp as Interim City Manager.
**Councilman Pulver moved to approve Mayor Swayze's appointment of Robert E. Rapp as Interim City Manager. Seconded by Councilwoman Brown and approved 5-0 by roll call vote.

Mayor Swayze adjourned the regular meeting at 8:27 p.m.


Robert A. Swayze, Mayor


Marilyn K. Perkett, City Recorder Pro Tem