

CANBY CITY COUNCIL

REGULAR MEETING

APRIL 7, 1982

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

Also present: Acting Administrator Robert E. Rapp, Public Works Supervisor Bud Atwood, Treasurer Myra Weston, Virginia Graham City Recorder Pro tem, Betsy Ross, Ellen Burbridge, John Wiley, Steve Frederick, Dan Anderson, John Tatone, Larry Housen, Earl Oliver, Roy Hester, Scott Taylor and Trish Neiworth.

Mayor Swayze called the regular meeting to order at 7:30 p.m., followed by the flag salute and silent meditation. and roll call, which showed a quorum present.

In the absence of Mrs. Perkett, City Recorder Pro Tem, Mayor Swayze appointed Virginia Graham City Recorder Pro Tem. \*\*Councilwoman Funrue moved to approve the appointment, seconded by Councilwoman Brown and approved unanimously.

\*\*Councilwoman Brown moved to approve as distributed the minutes of regular meeting March 17, 1982. Seconded by Councilman Gabrion and carried 6-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: Mayor Swayze complimented Acting City Administrator Robert Rapp on the fine job he was doing.

ORDINANCES & RESOLUTIONS: Attorney Bettis read by title only Ordinance 716 and the City Recorder Pro tem displayed the affidavit of posting. \*\*Councilman Sowles moved that Ordinance 716, AN ORDINANCE AUTHORIZING CONTRACT WITH SMITH AND LOVELESS, INC. FOR PURCHASE OF GRIT REMOVAL EQUIPMENT FOR SEWAGE TREATMENT PLANT; AND DECLARING AN EMERGENCY be approved and become part of the laws of the City of Canby. Councilman Pulver seconded the motion and roll call vote was 6-0 for approval.

Attorney Bettis read Ordinance 717 in full on first reading. \*\*Councilman Pulver moved that Ordinance 717, AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES FOR 1982-83 FISCAL YEAR be properly posted and scheduled for final reading on May 5, 1982 after 7:30 p.m. Seconded by Councilman Gabrion and approved 6-0.

Resolution 312 was read in full by Attorney Bettis. \*\*Councilwoman Funrue moved that Resolution 312, A RESOLUTION AUTHORIZING A GARBAGE COLLECTION RATE INCREASE AND ESTABLISHING A NEW RATE SCHEDULE be approved and become part of the laws of the City of Canby. Seconded by Councilman Sowles and approved 6-0 by roll call.

COMMUNICATIONS: Administrator Rapp read two letters, one from Myrtle Marshall, 1304 N. Maple, and one from the Chamber of Commerce regarding renaming Maple Street Park, Harry Wyman Park or renaming Championship Field 1, Harry Wyman Field. Mayor Swayze commented on the time, effort and love Mr. Wyman put into building the park and recommended renaming Championship Field 1, Harry Wyman Field. \*\*Councilman Pulver moved to name Championship Field 1 the Harry Wyman Field and that an appropriate sign be displayed. Seconded by Councilwoman Brown. During the discussion period, Larry Housen questioned if the Council wasn't moving to fast and

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perhaps to wait a year before a commitment. Earl Oliver also addressed the issue noting that Mr. Wyman did a good job and was paid for it, however, many other people have put a lot of efforts into the park and felt it was too hasty at this time. Councilman Pulver pointed out that long before Mr. Wyman's death, they had considered renaming the park after him. Councilman Anderson also recommended waiting a year and tabling the issue, with Councilman Sowles concurring. Attorney Bettis suggested soliciting the citizens for their ideas of an appropriate name. \*\*Councilman Sowles moved to table the motion to rename Championship Field One to Harry Wyman Field until the first meeting of September. This being a motion of privilege, no second is required and the motion carried 6-0.

Administrator Rapp read a letter from Ellen Burbridge, Community Schools, requesting to hold a family oriented arts festival with local talent at Wait Park on July 3, 1982. Ellen explained a need to block off some of the side streets for some of the events and they would inform the Police and Public Works Department. She also pointed out that the Community School insurance covered the event. \*\*Councilman Gabrión moved to grant permission to the Community School to hold an arts festival at Wait Park on July 3, 1982, and blocking off N.W. 3rd and N.W. 4th between Holly and Grants streets. Seconded by Councilman Anderson. Mayor Swayze pointed out that the committee will be responsible for the clean up of the area after the event. Motion carried unanimously.

Administrator Rapp read a letter from the Canby Swim Club thanking the Council for their support during the recent Championship meet.

Mayor Swayze called for a short recess at 8:01 p.m. and reconvened at 8:17 p.m.

NEW BUSINESS: \*\*Councilwoman Funrue moved to pay accounts payable in the amount of \$21,422.65, seconded by Councilman Sowles and approved 6-0 by roll call vote.

\*\*Councilwoman Funrue moved to pay various bills pertaining to the water treatment expansion in the amount of \$4,274.23 from warrants drawn from the Clackamas County Treasury on 1979 Water Bonds. Motion seconded by Councilman Pulver and approved 6-0 by roll call ballot.

Four special event liquor license applications were the next agenda item: Canby Bowl Cafe for a three man tournament on May 1, 2, 8, 9, 15 & 16; J.C.'s at the fairgrounds during the Clackamas Community College Timber Festival Hoedown on May 22, 1982; Joe Davis for Senate Committee for a wine license on April 17, 1982 for a campaign fund drive at Old Town Hall; and St. Patrick's Men's Club on April 17, 1982 for Casino night. \*\*Councilman Anderson moved that the above four applicants be approved, seconded by Councilman Pulver. Councilwoman Funrue declared a conflict of interest since she was one of the applicants. Councilman Gabrión requested an individual vote for each applicant. 1) St. Patrick's Casino night - vote was 5-1 with Councilman Gabrión voting nay; 2) Canby Bowl Cafe for 3-man tournament - 6-0 approval; 3) J.C.'s Timber Festival - 6-0 approval; and 4) Joe Davis Senate Committee - 5-0 with Councilwoman Funrue declaring a conflict of interest.

The Council discussed the need of an "in-house" City Planner along with maintaining the Consultant, Robert Mahoney. Administrator Rapp recommended Bud Atwood for the position. \*\*Councilman Sowles moved to appoint Bud Atwood, City Planner. Seconded by Councilman Anderson and approved unanimously.

The next agenda item, Sewer Installation and Maintenance Agreement with Canby Village Apts. and Canby West Apts., was briefly explained by Attorneys Bettis and Reif. The agreement is basically that the sewer system in the subject P.U.D. would be subject to City inspection, however, the maintenance and repair would be the sole responsibility of the developers. \*\*Councilman Anderson moved to approve the Sewer Installation and Maintenance Agreement between the City of Canby and Canby Village Apts. and Canby West Apts. and the appropriate City officials be authorized to sign the documents. Seconded by Councilwoman Brown and approved 6-0 by roll call vote. Attorney Bettis requested a check for recording fees for the two documents.

Attorney Bettis informed the Council that he had ordered 50 inter-office manilla envelopes at 11¢ each and a bill would be forthcoming.

Mayor Swayze explained that in the past it has been a custom of the Council to make a memorial donation to a special fund in memory of a City official. \*\*Councilman Sowles moved to approve a donation to the Canby Ambulance Fund in memory of former Councilman Leonard Taylor in the amount of \$100 and also \$100 in memory of Harold A. Wyman, City Administrator, to be paid from the contingency fund. Seconded by Councilwoman Funrue and carried 6-0.

UNFINISHED BUSINESS: The Council discussed the need of a Book of Policy statement regarding sidewalks in commercial zones. \*\*Councilman Sowles moved that the City adopt for the Book of Policy, also to be incorporated into the next appropriate ordinance change, a requirement that newly constructed sidewalks in front of property being used for commercial purposes and in a commercial zone be eight (8') feet in width, unless existing building locations or street width indicates the need for a variance on the judgement of the Public Works staff. Seconded by Councilman Anderson and approved 6-0.

In regards to the bid call on Contract #2 in Phase I Construction of the sewage plant, Mr. Atwood noted that the bids have <sup>gone</sup> out as reviewed and approved. Councilman Pulver questioned the overage in spending of about 21%. Mayor Swayze explained that himself, Mr. Lee, Mr. Rapp and Mr. Atwood will be meeting next week on this issue and return to the Council with further information.

A request to call for quotes on a new sidewalk and ramp at City Hall was read by Administrator Rapp. Staff recommended the low quote from Duane Tiller, General Contractor of Aurora, in the amount of \$2,345. \*\*Councilwoman Brown moved to accept the quote of \$2,345 from Duane Tiller, General Contractor, for a sidewalk and ramp at City Hall and the appropriate contract be prepared by the City Attorney. Seconded by Councilman Sowles, carried 6-0.

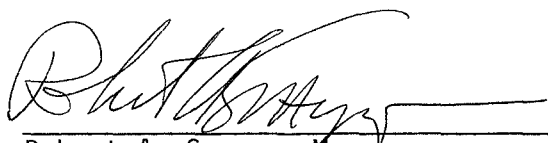
The Council discussed the bid quotes from EIMCO Division of Envirotech on the Primary Clarifier-Thickener for the sewage plant in the amount of \$51,975 which is \$1,250 lower due to the fact some work will be done by the general contractor under Contract #2 now out for bids. \*\*Councilman Sowles moved to accept the bid quote from EIMCO Division of Envirotech for the Primary Clarifier-Thickener in the amount of \$51,975, and the City Attorney be directed to prepare the proper ordinance. Seconded by Councilwoman Funrue, carried 6-0 by roll call vote.

OTHER REPORTS AS REQUIRED OR NEEDED: Administrator Rapp informed the Council that the League Regional Meeting Workshops for municipalities will be held on April 13th at Lake Oswego, information is available in the business office.

Budget Committee Chairperson Funrue explained that the decision of the Budget Committee was to resubmit the same budget for the May 18, 1982 election, they felt it was already a "skelton" budget. \*\*Councilman Pulver moved to notify the County of the City's intent to hold a budget election on May 18, 1982 in the amount of \$656,385 outside of the tax base, seconded by Councilwoman Funrue and carried 6-0.

Administrator Rapp read a letter from Les Page, CATV Consultant, requesting an additional fee above the original \$2,000 so he could procede in calling for franchise bids. The maximum fee he is requesting is \$10,000 inclusive of work already done, however, part of his fee will be recovered by the franchise bid fees. Mr. Page estimated that once he has received the "go-ahead" from the Council it will be seven months until actual construction begins. Administrator Rapp will first investigate the budget to find a source for the proposed fee before authorizing Mr. Page's request.

There being no other business to come before the Council, Mayor Swayze adjourned the regular meeting at 9:30 p.m.

  
Robert A. Swayze, Mayor

  
Marilyn K. Perrett, City Recorder Pro tem

STATEMENT OF RESULTS OF VOTES CAST  
SPECIAL ELECTION -- CLACKAMAS COUNTY  
TUESDAY, MARCH 30, 1982

XX  
X  
X I CERTIFY THAT THE VOTES RECORDED ON THIS ABSTRACT CORRECTLY. X  
X SUMMARIZE THE TALLY OF VOTES CAST AT THE ELECTION INDICATED. X  
X  
XX  
X  
X SIGNATURE OF COUNTY CLERK: X DATE OF ABSTRACT: X  
X  
X *Kellen Smith* X  
X  
X APRIL 2, 1982 X  
XX

CITY OF CANBY LEVY

PULLING PLACE	YES	NO	OVER VOTES	UNDER VOTES	TOTAL CAST
014	129	137	0	4	270
016	192	213	0	14	419
017	130	145	0	7	282
063	253	252	1	9	515
704	747		1	34	1,486