

CANBY CITY COUNCIL

REGULAR MEETING

JUNE 16, 1982

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

Also present: Acting City Administrator Robert E. Rapp, City Attorney Wade Bettis, Public Works Superintendent Bud Atwood, Treasurer Myra Weston, Recorder Pro Tem Marilyn Perkett, Kathi Myron, Steve Frederick, Jerry Mickelson, Jon Henricksen, Roger Reif, Roy Hester, Chief Richard Seigler, Mrs. Wade Bettis, Stan Ely and Don Schaefer.

Mayor Swayze called the regular meeting to order at 7:35 p.m. followed by the flag salute, meditation and roll call of Council which showed a quorum present.

\*\*Councilwoman Brown moved to approve as distributed the minutes of regular meeting, June 1, 1982, and special meeting, June 9, 1982. Seconded by Councilman Gabrion and approved unanimously.

CITIZEN INPUT ON NON-AGENDA ITEMS: None was voiced.

PUBLIC HEARING: Mayor Swayze recessed the regular meeting at 7:37 p.m. to go into a public hearing on the proposed 1982-83 City Budget. The Mayor explained the procedure of the hearing to the audience.

STAFF REPORT- Administrator Rapp reviewed the financial summary of the proposed budget.

PROPOSERS- None were voiced.

OPPOSERS- Kathi Myron, 158 S.W. 11th, representing the citizens interested in the Swim Pool voiced a concern over the cut of hours at the Swim Center. Mayor Swayze requested the concerned group of Swim Pool supporters to return to the Council when they had some viable proposals for increasing revenues without tax dollars. Councilman Anderson also suggested a workshop session with the pool supporters. Mr. Frederick, Canby Herald Editor, apologized if his article in any way was misleading regarding the statements of the pool supporters. Mayor Swayze noted his discouragement of holding several meetings for proposed budgets and having no interested citizens attend. Mayor Swayze closed the public hearing at 8:00 p.m.

\*\*Councilman Pulver moved that the Council accept the proposed 1982-83 City Budget as prepared and submitted by the Budget Committee, seconded by Councilwoman Funrue and approved 6-0 by roll call vote.

ORDINANCES & RESOLUTIONS: Attorney Bettis read Resolution No. 316 for Council approval. \*\*Councilman Sowles moved that Resolution No. 316, A RESOLUTION DESIGNATING TRUCK ROUTES; PROHIBITTING USE GENERALLY OF OTHER STREETS, ROADS AND HIGHWAYS FOR OPERATION OF TRUCKS, MACHINERY OR HEAVY VEHICLES; AND PRESCRIBING PENALTIES FOR VIOLATIONS be adopted, seconded by Councilman Gabrion. Councilman Pulver questioned size, weight and also trucks brought home to residential areas. Attorney Bettis explained that the ORS ruling applied for size and weight and suggested that if complaints were made to the Police Department regarding trucks parked in residential areas that a warning be issued and if the problem continued then a citation could be issued. Mr. Atwood pointed out that one-ton trucks, or more, were to utilize the proposed truck route, however, deliveries could still be made within the City. Motion was approved by roll call vote 6-0.

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Resolution No. 317 was read by Attorney Bettis. \*\*Councilwoman Funrue moved that Resolution No. 317, A RESOLUTION AUTHORIZING AWARD OF REROOFING CONTRACT FOR SWIMMING POOL OFFICE AND DRESSING ROOM AREA be approved and become part of the laws of the City of Canby, seconded by Councilman Pulver and approved 6-0 by roll call. Attorney Bettis submitted the contract for signatures at this time.

Attorney Bettis read Resolution No. 318 for Council action. \*\*Councilman Gabrion moved that Resolution No. 318, A RESOLUTION APPROVING ANNEXATION TO CITY OF CANBY, CLACKAMAS COUNTY, OREGON (APPLICATION OF GEORGE AND CECILIA ARNOLD FOR TAX LOT 2201, SEC. 27C, T.3S., R1E,) OF 1.27 ACRES OF CANBY GARDENS be adopted and become part of the laws of the City of Canby. Seconded by Councilwoman Brown and carried 6-0 by roll call vote.

Resolution No. 319 was read by Attorney Bettis for Council approval. \*\*Councilman Sowles moved that Resolution No. 319, A RESOLUTION REQUESTING THE BOARD OF COUNTY COMMISSIONERS OF CLACKAMAS COUNTY OREGON TO SURRENDER JURISDICTION OVER A PORTION OF KNIGHTS BRIDGE ROAD be approved and become part of the laws of the City of Canby. Seconded by Councilman Pulver and approved 6-0 by roll call vote. Attorney Bettis noted that after the County approves the City's request by County Resolution that we will need another Resolution of acceptance, making a total of three resolutions necessary to complete the transaction.

Mayor Swayze called for a short recess at 8:32 p.m., reconvening the regular meeting at 8:47 p.m.

COMMUNICATIONS: Administrator Rapp read a letter from Judith and Ron Heyerly regarding a parking citation they received at Maple Street Park. The Heyerly's protested due to the inadequate parking and signing of the area, however, they did pay the fine. Mayor Swayze commented that the Council should not interfere with the judicial system or Police Department in such issues. Administrator Rapp noted that the Public Works Department will be painting the curbs yellow and also try to initiate more parking spaces.

Administrator Rapp read a letter from Pastor Phillip Rose of the Neighborhood Assembly of God Church requesting permission to have a work party clean up the Community Park on September 4th, prior to a planned picnic of theirs on September 6th. \*\*Councilman Gabrion moved to grant permission to the Neighborhood Assembly of God Church to hold a work party at the Canby Community Park on September 4, 1982, and to coordinate their effort with Mr. Atwood, Public Works Supervisor. Seconded by Councilman Anderson and approved unanimously. Mayor Swayze noted this was an excellent community effort and requested a thank you letter be sent.

A letter from Martha Schrader, Secretary of the Library Board, was read by Administrator Rapp requesting the Council to consider permitting an out-of-city membership on the Library Board and also to consider appointing Mr. Scott Wiesehan to replace Virginia MacKenzie whose term expires at the end of June. The Council consensus was that out of city residents had in the past served on the Library Board and saw no problem with this issue. (NOTE: After reviewing the Library Ordinance NO. 596, we will need an amendment to allow non residents of the City to serve on the board.) \*\*Councilman Anderson moved to accept the recommendation of the Library Board and appoint Mr. Scott Wiesehan to the Canby Library Board, effective July 1, 1982, for a four year term to replace Virginia MacKenzie. Seconded by Councilman Pulver and carried unanimously.

Administrator Rapp read a letter from Kathi Myron, requesting the Council to consider appointing her to the City Budget Committee. Mayor Swayze replied that the Council is not ready to appoint anyone to that position at this time and that the City has had several interested citizens willing to serve on the committee. Mrs. Myron was thanked for her interest and told she would be notified of Council decision on budget appointments at a later date.

NEW BUSINESS: \*\*Councilwoman Funrue moved to pay various bills from the appropriate line items in the amount of \$123,633.97, seconded by Councilman Sowles and approved 6-0 by roll call vote. Councilman Anderson questioned the Lee Engineering payment and was informed that they are paid to-date. Mayor Swayze requested Councilman Anderson to serve as the Council liaison on the sewer expansion project.

\*\*Councilwoman Funrue moved to pay various bills pertaining to the water treatment plant expansion from warrant drawn from the Clackamas County Treasury on 1979 Water Bonds in the amount of \$69,856.06. Seconded by Councilman Sowles and carried 6-0 by roll call ballot.

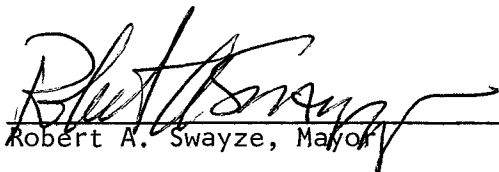
UNFINISHED BUSINESS: The Council considered sewer fees for the fairgrounds. Stan Ely, Fair Board Member, addressed the Council and explained he had spent two days researching records and could find no easement recorded. Mr. Ely had talked with Ed Blinkhorn and Gilbert Scheer, former Fair Board Members at the time of installation of the sewer main, and they both recalled that the City received the sewer easement in lieu of sewer charges. Jon Henricksen, Fair Board Member, also addressed the Council, noting that the City should indeed secure a recorded easement. Members of the Council felt the intent of the Council when this action first occurred in the 50's was for that time and not to be an indefinite waiver of fees. Mayor Swayze requested staff to research records for some form of written documentation on the issue and then return with a report.

\*\*Councilman Pulver moved to go into Executive Session under ORS 192.660, Subsection 1, sub. D and A. Seconded by Councilwoman Funrue and approved 6-0 by roll call.

Mayor Swayze recessed the regular meeting to go into Executive Session at 9:25 p.m. The regular meeting was reconvened at 10:49 p.m.

At this time \*\*Councilwoman Funrue moved that the application of Officer Tom Vetter for a two-step salary increase be denied in lieu of the financial position of the City and recent budget cuts. Seconded by Councilman Sowles and approved 6-0.

Mayor Swayze adjourned the regular meeting at 10:55 p.m.



Robert A. Swayze, Mayor



Marilyn K. Perrett, City Recorder Pro Tem