

CANBY CITY COUNCIL

REGULAR MEETING

JULY 7, 1982

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

Also present: Acting City Administrator Robert Rapp, City Attorney Wade Bettis, Public Works Supervisor Bud Atwood, Treasurer Myra Weston, Recorder Pro Tem Marilyn Perkett, Attorney Roger Reif, Attorney Michael Clancey, Carolyn Russ, Janet Haskins, Roy Hester, Trish Heiwath, Harry Helesen, Steve Frederick and John Falkenstein.

Mayor Swayze called the regular meeting to order at 7:34 p.m., followed by the flag salute, meditation and roll call of Council.

**Councilwoman Brown moved to approve the minutes of regular meeting June 16, 1982, with the following correction, page 3, paragraph 4, the name of Scheer, should be spelled SHEARER. Motion seconded by Councilman Gabrion and approved unanimously.

CITIZEN INPUT: None was voiced.

ORDINANCES & RESOLUTIONS: Attorney Bettis read Resolution 320 for Council approval.

**Councilman Gabrion moved that Resolution 320, A RESOLUTION ADOPTING BUDGET AND MAKING APPROPRIATIONS FOR 1982-83 FISCAL YEAR be adopted and become part of the laws of the City of Canby. Seconded by Councilwoman Brown and approved 5-0 by roll call ballot.

COMMUNICATIONS: Administrator Rapp read a letter from the Canby Telephone Assoc., relinquishing their first right of refusal in regards to CATV in accordance with Ordinance No. 668, Section 12, and therefore requesting that the entire Section 12 be removed from that ordinance.

Administrator Rapp read a letter from the Oregon Swim a Lap for the Handicapped congratulating the three top fund raisers for the Canby Pool. They raised in excess of \$2300. Mr. Rapp also passed around a plaque that the Albertina Kerr Center for Children had presented to the Canby Pool.

NEW BUSINESS: **Councilwoman Funrue moved to pay accounts payable in the amount of \$33,863.98. Seconded by Councilman Gabrion and approved 5-0 by roll call.

**Councilwoman Funrue moved to pay various bills pertaining to the water treatment expansion in the amount of \$3,870.00, to be paid from Clackamas County Treasury warrant on the 1979 Water Bonds. Motion seconded by Councilman Gabrion and approved by roll call vote 5-0.

Administrator Rapp read the Proclamation of the results of the June 29, 1982 City Election, which had been posted since June 30, 1982, and also the official abstract from the Clackamas County Elections Department. **Councilman Gabrion moved to complete the required canvass by the City of Canby election on June 29, 1982, that the Council accept the results as presented by the Clackamas County Elections Department and the original abstract become a part of the minutes of this meeting. Seconded by Councilwoman Funrue and approved unanimously.

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Administrator Rapp read an editorial from the June 22, 1982, edition of the Enterprise Courier of Oregon City, praising the efforts of the Canby Public Works crew for their prompt response during the sewage plant malfunction the week before.

Attorney Bettis read a letter he had addressed to the Mayor and Council regarding Social Security/FICA Withholdings for the office of Municipal Judge and City Attorney. Mr. Bettis recommended that the Council approve the withholdings effective July 1, 1982. Mr. Bettis had also spoke by phone to Mr. Hoelscher, Assistant Attorney General, who would attempt to avoid any prior penalty regarding this issue. The Council felt some questions should be asked, including that fact that the Judge doesn't devote over 600 hours per year and may be exempt from the public employees retirement account. Staff will contact Salem for more information before implementing the deductions.

UNFINISHED BUSINESS: In regards to the recommended sewer fees for the Clackamas County Fairgrounds, City Staff and the City Attorney had secured the proper documents of easements regarding the issue. **Councilwoman Funrue moved to approve the recommendation of City staff for the sewer charges for the Clackamas County Fairgrounds as set forth in a memo dated July 2, 1982, and that memo to become part of the minutes of this meeting. Seconded by Councilman Anderson and approved 5-0.

John Falkenstein, Community School Director, addressed the Council giving a detailed report on the summer schedule and activities of the Community School Program. Mr. Falkenstein commented on the success of the first General Canby Day, sponsored by the Arts Squad, and reported that it is planned to become an annual event. Councilman Anderson questioned a letter that Community School had directed to the Gelbrich Foundation. Mr. Falkenstein explained that the foundation offered to grant them 1/4 of their request if the Community School would raise the remainder and due to the economic times they decided not to try to raise the money at this time.

OTHER REPORTS AS REQUIRED OR NEEDED: Mr. Atwood had pursued the return of right-of-way to property owners and found it would cost approximately \$500 per piece of property for each owner or at the City expense for return, approximately 1/3 of 2,800 pieces of property it would be about a half a million dollars. Due to the expense, Mr. Atwood suggested that Ordinance 690, be reviewed regarding narrowing the right-of-way.

At this time, Mr. Bettis read a short statement, which will appear in the Canby Herald, regarding the dissolution of the partnership of Bettis and Reif.

Mr. Rapp informed the Council that the Swim Pool has revised their summer schedule and will be open from 1:00 to 3:00 in the afternoons on Tuesday and Thursday for Public Swim.

**Councilwoman Funrue moved to go into Executive Session under ORS 192.660 Subsection 1, sub. A, motion seconded by Councilman Sowles and approved 5-0 by roll call.

Mayor Swayze recessed the regular meeting at 8:45 p.m. to go into Executive Session, the regular meeting was reconvened at 9:55 p.m.

**Councilman Anderson moved that the Canby City Council appoint Attorney Wade P. Bettis as City Attorney through December 31, 1982, to be paid on a pro-rata basis on current budget figures and also reserving the right of approval by Mayor Swayze for any associate that may represent the City during this period of time. Seconded by Councilwoman Funrue and approved 5-0.

**Councilwoman Funrue moved to go into Executive Session under ORS 192.660, Subsection 1, sub. D. Motion seconded by Councilman Sowles and approved 5-0 by roll call of Mayor Swayze.

Mayor Swayze recessed the regular meeting at 9:57 p.m. to go into Executive Session. The regular meeting was reconvened at 10:28 p.m.

**Councilwoman Funrue moved to approve for each City Department Head a 5% salary increase plus maintenance of benefits. Seconded by Councilwoman Brown and approved unanimously.

Mayor Swayze adjourned the meeting at 10:29 p.m.



Robert A. Swayze, Mayor



Marilyn K. Perkett, Recorder Pro Tem

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STATEMENT OF RESULTS OF VOTES CAST
SPECIAL ELECTION -- CLACKAMAS COUNTY
TUESDAY, JUN 29, 1982

XXX
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
XXX
X
X SIGNATURE OF COUNTY CLERK: X DATE OF ABSTRACT: X
X GEORGE D. POPPEN, COUNTY CLERK X
X BY: *John F. Caulman, Deputy* X JULY 2, 1982 X
XXX

CITY OF CANBY ONE YEAR SPECIAL LEVY

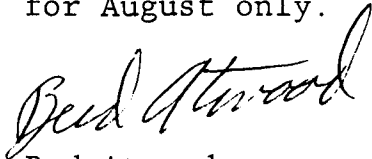
POLLING PLACE	YES	NO	OVER VOTES	UNDER VOTES	TOTAL CAST
014 <i>City Hall</i>	35	95	1	0	231
016 <i>Free Hall</i>	219	113	0	5	337
017 <i>Methodist Church</i>	179	87	0	4	270
063 <i>Knight</i>	295	155	0	7	457
	828	450	1	16	1,295

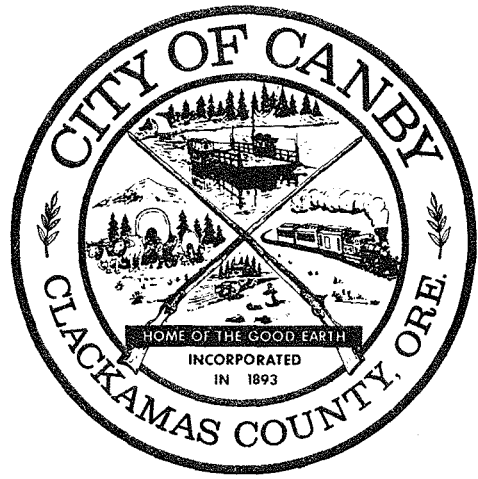
DATE: July 2, 1982
TO: Honorable Mayor and City Council
FROM: Bud Atwood
Public Works Supervisor
SUBJECT: Sewer Fees for Fairgrounds

I have checked the fairground facilities with the groundskeeper. The following list of units we assume are connected to the City sanitary sewer system. A use factor is listed for each facility, with proposed rates for regularly used units.

Unit	Use	Proposed Rate
Caretaker House	Fulltime	6.80
Business Office	Fulltime	6.40
Arena Restrooms	Fulltime	6.40
Pavillion Restroom/Kitchen	Twice mo. + Fair	6.40
4 Kitchens	Fair Only	17.00 (Aug. only)
2 Public Restrooms		No Charge
Barbecue Building	Fair Only	6.40 (Aug. only)

In addition, they wish to connect Horning Hall to the sewer system. I would recommend a \$600.00 connection fee and \$17.00 service charge for August only.


Bud Atwood



P R O C L A M A T I O N

WHEREAS, the City of Canby, County of Clackamas, Oregon held an Election on June 29, 1982, to consider a ONE YEAR SPECIAL LEVY for Fiscal Year 1982-83.

WHEREAS, the Clackamas County Election Department offers the following as an official count of votes:

YES - 828

NO - 450

WHEREAS, the ONE YEAR SPECIAL LEVY was passed by a majority of 378 votes.

NOW, THEREFORE, I, ROBERT A. SWAYZE, Mayor of the City of Canby, County of Clackamas, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting.

Dated this 30th day of June, 1982

Robert A. Swayze
Robert A. Swayze, Mayor