

CANBY CITY COUNCIL

REGULAR MEETING

AUGUST 4, 1982

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

Also present: Acting City Administrator Robert E. Rapp, City Attorney Wade Bettis, City Recorder Pro Tem Marilyn Perrett, Treasurer Myra Weston, Public Works Supervisor Bud Atwood, Steve Frederick, Gary Falkenbury, Betsy Ross, Lyle Pierce, Francis Garmire, Lyle and Joyce Read, Ted Ellingboe, Curtis and Leone Johnson, Ida Frum, Caroline Hovland, Trish Heiworth, P.R. Stuermer, Harry Enyart, Gladys Satter, Sheri Ferrigno, Earl Oliver, Maxine Jones and Mike Harmon.

Mayor Swayze called the regular meeting to order at 7:37 p.m., followed by the flag salute. During silent meditation, Mayor Swayze asked those present to remember Fred Eastlick, former Canby Police Officer who was killed in an airplane crash in Alaska on July 29, 1982.

\*\*Councilwoman Brown moved to approve as distributed the meeting of the regular meeting, July 21, 1982. Seconded by Councilman Gabrion and approved 6-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: Myra Weston apologized to Mayor Swayze for the recent Canby Herald article which stated he had served on the City Council for two years, he served four years, taking appointed office on February 2, 1977.

ORDINANCES & RESOLUTIONS: Attorney Bettis read Resolution No. 321 for Council approval. \*\*Councilwoman Funrue moved that Resolution # 321, A RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN BUDGET CONTINGENCY FUND TO POLICE FRINGE BENEFITS LINE ITEM FOR REIMBURSEMENT OF MEDICAL EXPENSES TO CANBY POLICE OFFICER KIM WALLIS be adopted. Seconded by Councilwoman Brown and approved by roll call vote 6-0.

COMMUNICATIONS: Administrator Rapp read a letter from David and Mary Patterson commending the Police Department for the nice job of watching their home while they were on vacation and also the neighborhood patrol.

NEW BUSINESS: \*\*Councilwoman Funrue moved to pay accounts payable in the amount of \$92,122.74, seconded by Councilman Gabrion and approved 6-0 by roll call vote.

Administrator Rapp read a letter from Harry Enyart, Pacific Wildlifers, Inc., requesting the City to reinstate Ordinance No. 591, allowing gambling in compliance with the ORS. Mr. Enyart addressed the Council explaining that his organization has about 150 members and they raise funds for the Oregon Fish and Wildlife Authority in pursuance of purchasing public property for public domain. Mr. Enyart explained that his members wished to have a club facility in Canby and be allowed to pursue their activities, some of which are poker games.

Lyle Read addressed the Council, noting that he respected the clubs attitude however, wished they would seek another community for their activities. Francis Garmire, noted that he approved of fishing, however, felt Canby did not need gambling. Others speaking in opposition to the reinstatement of Ordinance No. 591 were Gary Falkenberg, Betsy Ross, Mike Harmon, Lyle Pierce, Caroline Hovland and Ted Ellingboe. Mr. Rapp also indicated that he would relay the feeling of Mrs. George Belton, who he had spoke with on the telephone, as being against the proposal.

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Mayor Swayze commented that he had received perhaps a dozen phone calls on the issue all being opposed. He also noted that in January, 1980, when Ordinance 591 was repealed, there was a great deal of citizen interest against the gambling. Mr. Enyart noted that their intent was for a poker game of members once or twice a week like the Elks and local American Legion, however, due to the public outcry he said he would withdraw his request.

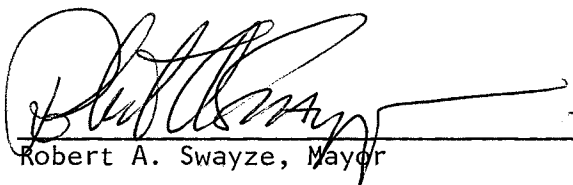
Mayor Swayze called for a short recess at 8:00 p.m., reconvening at 8:10 p.m.

UNFINISHED BUSINESS: Regarding the withholdings on the Judge and Attorney, Councilman Pulver noted that he had spoke with a gentleman in the Attorney General's Office who suggested we contact the League of Oregon Cities on the issue. Mr. Bettis noted that he had already done this and Ms. Arp, their attorney, suggested that he contact an attorney in Bend, Oregon who has been having problems with this issue for the last three years. Mr. Rapp explained that he had talked with Bob Andrews, from PERS, and he explained that Canby was picked at random and that they must comply with federal law under the Social Security Act to do these collections. Mr. Andrews said Canby had signed an agreement in 1951 for the PERS, Social Security Administration. Mr. Bettis will pursue the issue and return with more information to the Council.

OTHER REPORTS AS REQUIRED OR NEEDED: Mayor Swayze reminded the Council that we will have two issues on the November ballot, tax base and Charter Revision, the ballot titles are due at the County on September 2, 1982, however, we still can hold a workshop after this date on the Charter.

Mayor Swayze reminded the Council of the nominating caucus to be held on Thursday, August 5, at 7:30 p.m.

Mayor Swayze adjourned the regular meeting at 8:25 p.m.



Robert A. Swayze, Mayor



Marilyn K. Perkett, Recorder Pro Tem