

CANBY CITY COUNCIL

REGULAR MEETING

DECEMBER 2, 1981

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

Also present: Administrator Harold Wyman, City Attorney Wade Bettis, Public Works Supervisor Bud Atwood, Duane Lee, Stephan Lashbrook, Fred Kahut, Mr. and Mrs. Larry Whitman, David Bury, Earl Oliver, John Conley, Forest Mills, Deputy Attorney Roger Reif and Secretary Marilyn Perkett.

Mayor Robert Swayze called the regular meeting to order at 7:33 p.m., followed by the flag salute and meditation. Roll call of Council showed a quorum.

**Councilwoman Brown moved to approve as distributed the minutes of regular meeting November 18, 1981, seconded by Councilman Gabrion and approved unanimously.

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

ORDINANCES & RESOLUTIONS: In the absence of Attorney Bettis (who arrived immediately after the Ordinance reading), Administrator Wyman read by title only Ordinance No. 711 and displayed the affidavit of posting. **Councilwoman Funrue moved that Ordinance No. 711, AN ORDINANCE AMENDING THE ZONE MAP OF THE CITY OF CANBY (APPLICATION OF HENRY FAIRBROTHER FOR ZONE CHANGE FROM R-1 TO R-1.5PUD) be approved and become part of the laws of the City of Canby. Motion seconded by Councilman Sowles and approved 6-0 by roll call vote.

COMMUNICATIONS: Administrator Wyman read a letter from Jan Mantei, Canby Swim Club Secretary, advising the Council of the recent appointment of Mark Maxwell, Ackerman Jr. High School teacher, as the new coach for the Swim Club. Mayor Swayze requested staff to send a congratulations letter to Mr. Maxwell.

Administrator Wyman read a letter from Larry Whitman requesting the City to renew his Taxi Franchise which expired on March 15th, 1981. **Councilwoman Brown moved to approve the request of Mr. Larry Whitman and renew his Taxi Franchise by Ordinance. Motion seconded by Councilman Pulver. Mayor Swayze asked for discussion at which time Mr. Whitman informed the Council that he was making approximately 10 taxi calls in a 24 hour period and his insurance ran \$1,000.00 per month and he therefore needed the franchise to insure his private service. Mr. Wyman noted that Mr. Whitman had two businesses and only one business license which was in violation of the Ordinance, also the fact that the franchise fee of \$10.00 per year had not been received for several years. Mr. Whitman also contested that he was not notified that his Franchise had expired in March, except for verbally in August by staff and also, that several years ago Mr. Richardson, City Recorder at that time, waived the franchise fee of \$10.00 in lieu of the city business fee of \$25.00. The Council concurred that the City did need the service, however, Mr. Whitman explained that if he did not get some sort of commitment from the City toward a franchise he would curtail his services at the end of the month. Mayor Swayze suggested tabling the issue until the December 16th,

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regular Council meeting and requested Mr. Whitman to have all necessary information to the business office by 5:00 p.m. on December 10th. Councilwoman Brown withdrew her motion with the agreement of the second of the motion, Councilman Pulver. Mayor Swayze requested Council to review Ordinance No. 484, Section 4, regarding business licenses and also consider the contents of a new franchise ordinance including fees and term of franchise.

Administrator Wyman read a letter from City Attorney Bettis approving a termination lease with Southern Pacific Industrial Development Company for property located on N.W. 3rd Avenue. **Councilman Sowles moved that the termination lease agreement with Southern Pacific Industrial Development Company, No. SPID-796 be approved and signed by Mayor Swayze and attested by the City Recorder (regarding storm drain line easements on N.W. 3rd Avenue). Motion seconded by Councilman Pulver and approved 6-0.

NEW BUSINESS: **Councilwoman Funrue moved to pay accounts payable in the amount of \$29,950.94. Seconded by Councilman Sowles and approved 6-0 by roll call vote.

**Councilwoman Funrue moved to pay various bills totalling \$1,635.00 pertaining to the water treatment expansion and drawn from warrants from the Clackamas County Treasury issued on the 1978 Water Bond. Motion seconded by Councilman Sowles and carried by roll call vote in favor 6-0.

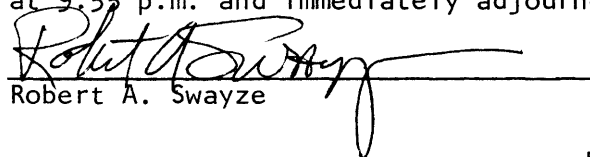
The next agenda items was a request to call for bids for a scum pump. Duane Lee, Lee Engineering, was present and explained the need of a new scum pump since the existing pump was in a state of unrepair. Mr. Lee suggested ordering the new scum pump now and having the city crew install it, noting that it was a portion of the Phase I sewage plant expansion. The total projected cost is approximately \$4,085, he noted that only two or three people in the region can provide this equipment. **Councilman Pulver moved to grant the request for City staff to call for quotes for a scum pump for the secondary clarifier for the sewage treatment plant. Motion seconded by Councilman Gabrion and approved unanimously.

Mr. Lee informed the Council of the outcome of a meeting with DEQ held on December 1st, for the purpose of discussing the need to obtain EQC approval before proceeding with plant expansion. The basic conclusions drawn was that it is not necessary to obtain EQC approval before continuing Phase I expansion since their policy will basically recognize that many cities will have to develop local plans to fund the cost of construction at local levels and future federal financial assistance is unlikely. DEQ will submit a letter to the City indicating their support. (The memorandum concerning this issue is attached to these minutes.) Mr. Lee also noted that additional equipment will be requested at the next Council meeting. Mr. Wyman indicated a workshop session for December 16, on the financial plans for expansion.

UNFINISHED BUSINESS: None was voiced.

OTHER REPORTS AS REQUIRED OR NEEDED: Mayor Swayze announced that Ralph Hulbert is seriously ill in Willamette Falls Hospital and would appreciate hearing from his friends.

Mayor Swayze recessed the regular meeting at 8:35 p.m. to go into workshop session on a proposed Forestry Ordinance and Cable TV. The regular meeting was reconvened at 9:55 p.m. and immediately adjourned.


Robert A. Swayze


Harold A. Wyman, Administrator/Recorder

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