

CANBY CITY COUNCIL

REGULAR MEETING

DECEMBER 16, 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, City Treasurer Myra Weston, Public Works Supervisor Bud Atwood, Secretary Marilyn Perkett, David Bury, John Conley, John Tatone, Larry and Virginia Whitman, Stephan Lashbrook, Deputy Attorney Roger Reif, Fred Stefani, Earl Oliver, Walt Mintkeski, Duane Lee, Don Schaeffer and Robert Gean.

Mayor Robert Swayze called the regular meeting to order at 7:33 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 December 2, 1981, seconded by Councilman Gabrion and approved unanimously.

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

ORDINANCES & RESOLUTIONS: Attorney Bettis read Resolution No. 308 for Council action, however, requested Council postpone action until Fred Stefani arrived with the \$300.00 check for costs incurred for the proposed street vacation.

COMMUNICATIONS: Administrator Wyman read a letter from Renato Dulay, DEQ, confirming DEQ's agreement to consider interim measures to accommodate the City's sewerage needs. The department has no objections to the implementation of Phase I plant modifications providing operations are within the existing permit limits. The City is also requested to submit to DEQ, technical and financial plans and a time schedule for final compliance with the basin standards. (A copy of the letter is attached to these minutes.)

Administrator Wyman read a letter from Vern Hess, President of the Canby Youth Soccer Association, expressing their thanks and appreciation to the City for the use of Maple Street Park fields and lights. Mr. Wyman and Mayor Swayze commented on the control and good job of caring for the fields that the soccer commission did this past year.

At this time, Fred Stefani was in attendance and presented a check of \$300.00 to the Council on behalf of the Willamette Valley Country Club to cover City costs for the street vacation process. Attorney Bettis noted that after a final tally of costs money may be refunded or billed for if necessary. **Councilman Pulver moved that upon receipt of the \$300.00 fee from the Willamette Valley Country Club the Council adopt Resolution No. 308, A RESOLUTION APPROVING THE PETITION AND FIXING A TIME FOR A FORMAL HEARING UPON THE PETITION FOR THE VACATION OF THE ENTRY STREET INTO WILLAMETTE VALLEY COUNTRY CLUB. Motion seconded by Councilwoman Funrue and approved 6-0, Councilman Anderson questioned abstaining since he was a member of the subject club, however, Attorney Bettis noted that at this time for the Resolution it was not necessary.

December 16, 1981

NEW BUSINESS: **Councilwoman Funrue moved to pay accounts payable in the amount of \$52,464.88. Motion seconded by Councilman Pulver and approved by roll call ballot 6-0.

**Councilwoman Funrue moved to pay various bills pertaining to the water treatment plant expansion in the amount of \$123,710.51 from warrants drawn on the 1978 Water Bond from the Clackamas County Treasury. Seconded by Councilman Pulver and approved 6-0 by roll call.

Administrator Wyman read a staff memo from Bud Atwood, Public Works Supervisor, recommending accepting the bid from Wiegand Associates for a scum pump. Five quotes were received and although the recommended quote was higher, staff felt it was more durable and the local service would justify the extra expense. **Councilman Pulver moved to accept the staff recommendation to purchase from Wiegand Associates a Wemco Model 3S2 scum pump for \$2,025. Motion seconded by Councilwoman Brown and approved unanimously.

UNFINISHED BUSINESS: In the opinion of Attorney Bettis, as expressed in his letter of December 15, 1981, Mr. Whitman's taxi and towing businesses were to be considered two separate business and in accordance with Ordinance 533, both required a City business license. Mr. Bettis also supported competitive bidding process for the taxi franchise. He felt that Mr. Whitman should make a decision as to whether he wants to continue a taxi business within the City, and if so, for how long and the most that he would consider paying for a permit fee. Mr. Whitman addressed the Council and noted that he could not bear additional expenses since his taxi business has been operating at a loss and therefore, would try to sell the business. Mayor Swayze asked Mr. Whitman if he wished to apply for a franchise at this time and Mr. Whitman replied, "No."

OTHER REPORTS AS REQUIRED OR NEEDED: Administrator Wyman introduced Don Schaffer, Cascade Employees Association of the Pacific Northwest, who had been recommended by Dave Blair as a labor negotiator. Mr. Schaffer gave a brief history of his company and explained the prospective program to the Council. The City would be required to make a two year commitment with a one time initiation fee of \$250.00. Annual fees are based on the number of employees with the only other fee being a \$35.00 per hour at the bargaining table. Mr. Schaffer explained that his service included all labor related matters and he would work very closely with the Council. **Councilwoman Funrue moved that the City of Canby engage the services of Cascade Employees Association of the Pacific Northwest for a two year period for labor negotiations. Motion seconded by Councilwoman Brown and approved 6-0 by roll call.

Mayor Swayze recessed the regular meeting at 8:40 p.m. to go into workshop session with Lee Engineering regarding the sewer rate study.



The regular meeting was reconvened at 10:03 p.m. At this time Mayor Swayze announced the need to appoint a member for the Canby Utility Board, Richard Mosier's term expired December, 1981. Mr. Mosier's term as board member was fulfilling the unexpired term of Howard Giger. In accordance with the Canby City Charter, Mayor Swayze appointed Richard Mosier to another three year term as a Canby Utility Board member. **Councilman Anderson moved that the Council approve

Mayor Swayze's appointment of Richard Mosier to a three term on the Canby Utility Board. Seconded by Councilwoman Brown and approved unanimously.

Mayor Swayze also reminded the Council to be thinking about appointments to the Planning Commission after the first of the year, two positions will be due for appointments.

**Councilman Pulver moved to go into Executive Session under ORS 192.660, Subsection 1, Sub. 8, to consult with Counsel concerning litigation likely to be filed. Motion seconded by Councilwoman Funrue and approved 6-0 by roll call vote. Mayor Swayze recessed the regular meeting at 10:07 p.m. to go into Executive Session.

Mayor Swaze reconvened the regular meeting at 10:31 p.m. and immediately adjourned.


Robert A. Swayze, Mayor
Harold A. Wymen, Administrator/Recorder