

CANBY CITY COUNCIL

REGULAR MEETING

APRIL 1, 1981

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

Also present: Administrator Harold Wyman, City Attorney Wade Bettis, Public Works Director Ken Ferguson, Public Works Supervisor Bud Atwood, City Planner Stephan Lashbrook, Secretary Marilyn Perkett, John W. Parsley, Mr. and Mrs. Clifford Lane, Police Chief Richard Seigler, David Bury, Jim Renner, Canby Herald Editor Steve Frederick and John Tatone.

Mayor Swayze opened the regular meeting at 7:32 p.m. followed by the flag salute and a moment of meditation, asking those present to remember President Reagan who was wounded on Monday, March 30, 1981. Roll call of Council showed a full roster of six members and the Mayor.

At this point, Mayor Swayze requested Mr. Lashbrook to start the recording of the first reading of Ordinance No. 690, Land Use and Development Ordinance which will implement the Comprehensive Plan.

\*\*Councilwoman Brown moved to approve as distributed the minutes of Special Meetings March 9 and 16 and of the Regular Meeting March 18, 1981. Seconded by Councilman Gabrion and approved unanimously.

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

ORDINANCES & RESOLUTIONS: Attorney Bettis read Ordinance No. 695 by title only for second reading. \*\*Councilman Pulver moved that Ordinance No. 695, AN ORDINANCE AUTHORIZING CONTRACT FOR PURCHASE OF VACUUM SWEEPER be approved and become part of the laws of the City of Canby. Seconded by Councilwoman Funrue and approved 6-0 by roll call vote.

Ordinance No. 698 was read in full for first reading by Attorney Bettis. \*\*Councilman Pulver moved that Ordinance No. 698, AN ORDINANCE AMENDING THE ZONE MAP OF THE CITY OF CANBY (APPLICATION OF SHARON D. IMHOLT PROPERTY; R-2 (MEDIUM DENSITY RESIDENTIAL) TO C-2 (HIGHWAY COMMERCIAL) Zone come up for second reading on May 6, 1981, after the hour of 7:30 p.m. and be properly posted. Seconded by Councilwoman Funrue. Mayor Swayze questioned when the Waiver of Remonstrance should be accepted. Attorney Bettis noted that Attorney Reif will be working with the applicant on the wording of the Waiver of Remonstrance and it will be ready before the second reading. Motion carried 6-0.

Attorney Bettis read Ordinance No. 697 in full for first reading. \*\*Councilman Pulver moved that Ordinance No. 697, AN ORDINANCE AMENDING THE ZONE MAP OF THE CITY OF CANBY (APPLICATION OF JUHR & SONS RE: JACK & KENNETH FISHER PROPERTY; R-1 (LOW DENSITY RESIDENTIAL) TO R-2/PUD (MEDIUM DENSITY RESIDENTIAL/PLANNED UNIT DEVELOPMENT) be properly posted and second reading be May 6, 1981, after 7:30 p.m. Seconded by Councilman Gabrion and approved 6-0.

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Ordinance No. 699 was read in full on first reading by Attorney Bettis. \*\*Councilman Pulver moved that Ordinance No. 699, AN ORDINANCE AUTHORIZING EMPLOYMENT CONTRACTS WITH LEE ENGINEERING, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES TO UPGRADE THE CITY'S SEWER SYSTEM AND TO REVIEW THE CITY'S SEWER RATE CHARGES; AND DECLARING AN EMERGENCY be properly posted and second reading be after 7:30 p.m. on May 6, 1981. Seconded by Councilwoman Funrue and approved 6-0.

COMMUNICATIONS: Administrator Wyman read a letter from Mary Kabacy, Canby Swim Club Parent, expressing their thanks to the City for the recent contribution and help during the recent CBSL Championship Meet.

Administrator Wyman read a letter from Mr. Clifford O. Lane, 1203 N. Maple Street, in reference to their home not being connected to the city sewer system. Mr. Lane requested a waiver of the \$600 connection fee explaining this to be a financial burden and the mitigating circumstances as to why they had not connected before this time. Mayor Swayze suggested a lien could be placed on the home until it was sold, he did sympathize with the Lane's due to the circumstances, however, felt the City should not set a precedent for such matters. Mr. Lane was present and expressed his willingness to pay on a time payment basis. Mayor Swayze requested that Mr. Lane draw up a proposal of time payments and return to City staff and at that time City Attorney Bettis will prepare a contract on the matter. Mr. Ferguson noted that he is looking into the issue of residents that have adequate septic tank system not being required to hook up to the sewer system until the septic system needs replacing, he intends to return to the Council at a later date regarding this matter. The Council did not set a specific date for Mr. Lane to contact staff on the issue, but a reasonable time, a month or two.

A letter from Cheryl Stark, Canby Baseball Commission Fund Raising Committee, was read by Administrator Wyman, requesting permission to block off the surrounding streets of Wait Park to hold a Jog-a-Thon on Saturday, April 4. Mayor Swayze noted that the Canby Reserve Police Officers have offered to assist in the event.

\*\*Councilwoman Brown moved to grant permission to the Canby Baseball Association to block off the surrounding streets around Wait Park on Saturday, April 4, 1981, from 10:00 to 11:00 a.m. for a Jog-a-Thon to benefit the summer ball program. Seconded by Councilman Sowles and approved unanimously. Mayor Swayze directed staff to send a letter of approval to Mrs. Stark.

Administrator Wyman read a letter from Fred Egger, Canby Utility Board Manager, expressing thanks to City staff, Stephan Lashbrook in particular, for help in preparing the water line extension request between S.W. Township and S.E. 13th Avenue.

Mayor Swayze called for a short recess at 8:24 p.m. The regular meeting was reconvened at 8:34 p.m.

NEW BUSINESS: \*\*Councilwoman Funrue moved to pay accounts payable in the amount of \$29,039.70. Seconded by Councilman Sowles and approved 6-0 by roll call vote.

\*\*Councilwoman Funrue moved to approve payment of ten various bills in the amount of \$47,419.36 on a warrant from the Clackamas County Treasury drawn on the 1979 Water Bonds. Seconded by Councilman Gabrion and carried 6-0 by roll call vote.

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Administrator Wyman read a staff memo from Bud Atwood, Public Works Supervisor, regarding the bid opening for two police patrol sedans. Staff recommended purchase from Dee Thomason Ford, Lake Oswego, at a cost of \$13,908.18. The exceptions to bid specifications will not affect the performance of the cars, explained Mr. Atwood. Councilman Pulver suggested that the interior of the sedans be something other than black due to the heat in the summer. Steve Frederick questioned the exceptions on the bid call. Mayor Swayze noted that all bids submitted also had exceptions and the bid call was wrote in such a manner that exceptions were expected and created no problems. \*Councilman Pulver moved to accept the low bid from Dee Thomason Ford, Lake Oswego, for two (2) 1981 Fairmont 4-door sedans in the amount of \$14,588.18 with a bottom figure after the rebate of \$13,908.18 and the City Attorney be directed to prepare the proper Ordinance for monies from the Motor Pool Reserve Fund. Seconded by Councilwoman Funrue and approved by roll call vote 6-0.

Attorney Bettis brought up the matter of a minor land partition brought before the Planning Commission in October, 1980. The subject property owned by Gladys Satter and the partition was to divide a 2 acre lot was approved for three smaller parcels on several conditions. The owner was to dedicate a 20 foot strip of property on Territorial Road for future road expansion; prepare a waiver of remonstrance against any future improvements to N. Grant Street and N.W. Territorial Road; and a dedication of 60 feet for future expansion of N. Grant Street. Attorney Bettis had received the proper documents for the above mentioned conditions and requested approval for recording. \*\*Councilman Pulver moved to accept for recording the following instruments from Gladys Satter, 407 N.W. Territorial Road, pursuant to requirements of the City Planning Commission: 1) a warranty deed for a 20 foot strip of land for street widening purposes; 2) an offer of dedication of a 60 foot strip of real property for a future street extension of N. Grant Street; and 3) a consent for local improvements and a waiver of remonstrance in the vicinity of Mrs. Satter's property. Also Mrs. Satter will provide the Title Insurance and the City will pay the minimal recording fees. Seconded by Councilman Gabrion and approved 6-0.

UNFINISHED BUSINESS: Administrator Wyman read a memo from City Planner Lashbrook regarding a proposed water line extension outside the city limits connecting S.E. 2nd Avenue, S. Pine Street and S.E. 13th Avenue. Mr. Lashbrook had prepared a letter to the Boundary Commission and recommended the authorization of the Mayor's signature on behalf of the City. Councilwoman Brown moved to authorize Mayor Swayze's signature on the letter to the Boundary Commission. Seconded by Councilman Pulver and approved unanimously.

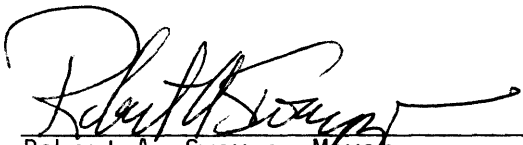
OTHER REPORTS AS REQUIRED OR NEEDED: Administrator Wyman read a memo from Police Chief Seigler requesting permission to purchase portable radios for replacement of the Wilson radios which are deteriorating. Councilman Pulver questioned if this purchase was budgeted for in the new budget. Mr. Wyman noted that it was and this amount of approximately \$3,000 could be removed. \*\*Councilman Pulver moved to approve purchase of 3 portable radios, 3 chargers and 3 carrying cases for the City Police Department in the amount of approximately \$3,000 to be taken from the Contingency Fund and the Chief to obtain firm quotes from at least two companies, preferably G.E. and Motorola and the City Attorney to prepare the proper Ordinances. Seconded by Councilwoman Brown and carried 6-0.

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Mayor Swayze reported that former Councilman Dick Nichols is home and slowly improving and City Treasurer Myra Weston has been confined to bed rest and suggested that if possible to stop by and briefly visit with them.

Administrator Wyman commented on the financial graph the Council had received with the print-out and noted that he estimated we will receive 94% of our estimated receipts which should carry us through the fiscal year, he will keep the Council advised as we progress toward the year end.

Mayor Swayze moved to adjourn the regular meeting at 9:04 p.m.

  
Robert A. Swayze, Mayor

  
Harold A. Wyman, Administrator/Recorder

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