

CANBY CITY COUNCIL

REGULAR MEETING

JULY 1, 1981

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

Also present: Administrator Harold Wyman, City Attorney Wade Bettis, Public Works Supervisor Bud Atwood, City Planner Stephan Lashbrook, Secretary Marilyn Perkett, James Renner, David Bury, Bob Westcott and Chief Richard Seigler.

In the absence of Mayor Swayze, Council President, William Pulver served as Pro Tem Mayor and called the regular meeting to order at 7:30 p.m., followed by the flag salute, silent meditation and roll call of Council.

**Councilwoman Brown moved to approve as distributed the minutes of regular meeting June 17, 1981, and seconded by Councilman Sowles. Approved unanimously.

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

ORDINANCES & RESOLUTIONS: Attorney Bettis read, by title only for second reading, Ordinance No. 702 and the affidavit of posting was presented by the Administrator. No one present requested the ordinance to be read in full and therefore, **Councilwoman Brown moved to approve on final reading Ordinance No. 702, AN ORDINANCE RELATING TO USE OR POSSESSION OF ALCOHOLIC BEVERAGES IN CITY PARKS. Seconded by Councilman Anderson. The Council discussed the fact that one application has already been requested for use of alcoholic beverages at Maple Street Park and others were anticipated. Roll call vote was five nays and one yea by Councilwoman Brown, therefore defeating the Ordinance, 5-1.

Ordinance No. 703 was read by title only on second reading by City Attorney Bettis and the affidavit of posting displayed by Administrator Wyman. **Councilwoman Funrue moved to approve on final reading Ordinance No. 703, AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES FOR 1981-82 FISCAL YEAR. Motion was seconded by Councilman Gabrion and approved 6-0 by roll call vote.

Attorney Bettis read Ordinance No. 704 in its entirety on first reading. **Councilman Sowles moved that Ordinance No. 704, AN ORDINANCE AMENDING NUISANCE ORDINANCE NO. 465, be properly posted and come up for final reading on August 5, 1981, after 7:30 p.m. Seconded by Councilwoman Funrue and approved unanimously.

COMMUNICATIONS: The Council discussed a letter from Mr. Bettis, City Attorney, which reviewed the existing ordinances regarding interest rates chargeable by the City on certain accounts. Of the five ordinances listed by Mr. Bettis, the Council decided to review Ordinances 616 and 601 and discuss possible changes at the next regular Council meeting.

Administrator Wyman read a letter from Environmental Services of the County, regarding the fact they will be overlaying Territorial Road and not South Ivy Street at this time. Mr. Atwood noted that he had spoke with the County and they will put S. Ivy Street in priority position for next year. James Renner, local citizen, addressed the Council stating he had spoke with Commissioner

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Groener about S. Ivy Street and Mr. Groener indicated that he did not know that S. Ivy was as bad as it is and had not seen any traffic survey. Mr. Atwood said that a traffic survey was made and available and Mr. Kurth and reviewed it. Mr. Renner reported that he had scheduled a meeting with Mr. Groener next week and invited Pro Tem Mayor Pulver to go with him and perhaps other concerned citizens to again review the S. Ivy Street project with the Commissioner. Councilman Anderson suggested that letters be ~~wrote~~ ^{written} to the County Commissioners and County Engineer, signed by the Mayor, regarding the concern of the public for the overlay of S. Ivy Street, Council concurred with the suggestion and so directed staff to send the letters. Mr. Atwood reported that the Utility Board is prepared to go ahead and repair their cuts on S. Ivy Street.

NEW BUSINESS: **Councilwoman Funrue moved to approve payment of accounts payable in the amount of \$24,863.64, seconded by Councilman Gabrion and approved 6-0 by roll call vote.

**Councilwoman Funrue moved to approve payment of bills regarding the water treatment plant expansion in the amount of \$17,033.34, to be paid from warrants drawn from the County Treasury on the 1979 Water Bonds. Seconded by Councilman Sowles and approved 6-0 by roll call ballot.

Administrator Wyman reviewed the memo from Bud Atwood regarding the purchase of a used 10 ton roller from Benton County. Mr. Atwood explained that the present roller is in need of repairs which would possibly be in excess of the purchase price of the used roller from Benton County. **Councilwoman Brown moved to approve purchase of a 10-ton, 3-wheel Buffalo Springfield roller from Benton County in the amount of \$4,000 out of the 81-82 budget, providing it checks out upon inspection by Mr. Atwood, seconded by Councilman Anderson and approved 6-0.

At this point in the meeting, Councilman Sowles brought up the discussion of revising Ordinance No. 702 which was defeated earlier in the meeting. Attorney Bettis requested the Council to give a consensus of exactly what they wanted in the revised Ordinance regarding the use and possession of alcoholic beverages in City Parks. Councilman Sowles suggested that the revised Ordinance not mention the Canby Community Park at all and the revision should make no provisions for permits for use of alcoholic beverages at Maple Street or Wait Parks, in other words, total exclusion of alcoholic beverages in the two parks and also the posting of several signs in the parks. Upon polling the Council, they all agreed to the suggestion as a directive for a new ordinance.

UNFINISHED BUSINESS: City Planner Lashbrook brought to the attention of the Council the need of a two foot easement on the east side of Pioneer Baker Prairie Cemetery. **Councilwoman Brown moved to accept for recording an easement to the City of Canby, when tendered, for a two foot easement of property from Gertrude Herdt of Knights Bridge Road. Seconded by Councilwoman Funrue. During discussion, Mr. Wyman noted that the City had previously purchased fencing and sprinklers for the Cemetery and were now getting ready to install the fence. Motion carried 6-0.

OTHER REPORTS AS REQUIRED OR NEEDED: Administrator Wyman reviewed a memo from Bud Atwood regarding industrial waste investigations in which Mr. Atwood recommended that the City staff take over the industrial waste and sewer contamination monitoring and only use Lee Engineering upon request of the Public Works office. Council consensus was to accept this recommendation.

Administrator Wyman requested permission of the Council to call for bids to roof the City owned Koehler Building, noting the money was budgeted for in the 81-82 budget. No motion was required and the Council gave permission to call for bids.

Due to the fact the City "B" Ballot again failed on the Tuesday, June 30th election, Pro Tem Mayor Pulver set a Special Meeting for Tuesday, July 7th, at 7:00 p.m. with a Budget Committee Meeting to follow at 8:00 p.m.

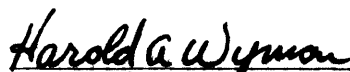
The Public Works and Office Employees Contract was tabled until the Special Meeting on Tuesday, July 7th.

At this point in the meeting, **Councilwoman Brown moved to go into Executive Session under ORS 192.660, Subsection 1-b, labor negotiations. Motion seconded by Councilwoman Funrue and approved 6-0 by roll call vote.

Pro Tem Mayor Pulver recessed the regular meeting at 8:35 p.m. to go into Executive Session. The regular meeting was reconvened at 9:03 p.m. and immediately adjourned.



William F. Pulver, Pro Tem Mayor
Council President



Harold A. Wyman, Administrator/Recorder

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