

CANBY CITY COUNCIL

REGULAR MEETING

JULY 15, 1981

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

Also present: Administrator Harold Wyman, City Planner Stephan Lashbrook, Public Works Supervisor Bud Atwood, City Attorney Wade Bettis, Secretary Marilyn Perkett, David Bury, Duane Lee, Steve Frederick, Sharon Henry and Bob Westcott.

**Councilwoman Brown moved to approve as distributed the minutes of regular meeting July 1, and special meeting July 7, 1981, with the following correction: regular meeting, page two, seventh sentence from the top, the word should read, WRITTEN and not wrote. Motion seconded by Councilman Gabrion and carried 6-0.

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

ORDINANCES & RESOLUTIONS: Attorney Bettis read Ordinance No. 705 in full for first reading. **Councilwoman Funrue moved that Ordinance No. 705, AN ORDINANCE PROHIBITING THE USE OR POSSESSION OF ALCOHOLIC BEVERAGES IN TWO OF THE CITY'S PARKS, be properly posted and come up for final reading after 7:30 p.m. on August 5, 1981, motion seconded by Councilman Gabrion and approved 6-0.

Attorney Bettis read Resolution No. 303 in full for the required reading. **Councilman Pulver moved that Resolution No. 303, A RESOLUTION PLACING A LIEN UPON REAL PROPERTY FROM WHICH A NUISANCE WAS REMOVED OR ABATED (WHIPPLE PROPERTY), be approved and become part of the laws of the City of Canby. Seconded by Councilwoman Funrue and approved unanimously. Attorney Bettis explained that he would instruct City staff regarding the procedure of placing the lien in the City Lien Docket and then record it in the Clackamas County Records Division. Mr. Bettis will also advise Mr. Whipple of the proceedings and let him know that the City can, if necessary, place the property for sell at a public auction to satisfy the lien.

COMMUNICATIONS: Administrator Wyman read a request from Vern Hess, President of the Canby Youth Soccer Association, asking for use of Maple Street Park and City assistance with goal posts, field lining, lighting, etc., from September 7 to November 22, 1981. Due to the failure of "B" Ballot funds are not available for some of the requested assistance. **Councilwoman Funrue moved that the Council grant permission for the use of the Maple Street Park field to the Canby Youth Soccer Association from September 7, 1981 to November 22, 1981, motion was seconded by Councilwoman Brown and carried 6-0.

A letter from Sharon Henry, Committee Chairperson from Pack 505, was read by Mr. Wyman requesting permission to use either Wait Park or the Southern Pacific Parking Lot between Ivy and Grant to hold a Scoutcapades on September 12th. Mrs. Henry was in the audience to answer questions and was requested to inform the merchants on Third Avenue of the intended event, since Wait Park would be the best place to hold such a project. **Councilwoman Brown moved to grant permission to the Scout Troop 258, and various youth groups, to hold a Scoutcapades on Saturday, September 12, 1981, between 7:00 a.m. and 5:00 p.m. at Wait Park, including Third

and Fourth Avenues. Motion seconded by Councilman Pulver and approved unanimously. Mayor Swayze directed an official letter of approval be mailed.

Instead of reading the letter from Metro Boundary Commission that was enclosed in the packet, Mr. Wyman read another letter recently received from the Commission. The letter was in regards to the passage of HB 2754, effective June 30, 1981, with the following changes: local government participation in appointment of boundary commission members, and requesting candidates from the city; expanded size and powers of advisory committee, again requesting candidates for the positions; commission authorized to levy assessments against cities, counties and districts for funding sources, at \$.10 per capita, our share is approximately \$800.00; and expedited annexation and main extension procedures. Mayor Swayze expressed his total disapproval stating, "it's a State mandated bureaucracy which the City is again paying for." However, the City has no choice but to follow the new procedures which the Oregon Legislature just recently passed into law.

Administrator Wyman read a brief request from Tom Dillon requesting permission on behalf of the Merchants Association to hold the annual Sidewalk Sale August 6, 7 and 8, 1981. **Councilwoman Funrue moved to grant permission to the Merchants Association of the Chamber of Commerce to hold their annual Sidewalk Sale on August 6, 7 and 8, 1981. Seconded by Councilman Gabrion and approved 6-0.

NEW BUSINESS: **Councilwoman Funrue moved to approve accounts payable in the amount of \$9,057.80 to close out the fiscal year. Seconded by Councilman Sowles and carried 6-0 by roll call vote.

**Councilwoman Funrue moved to approve accounts payable for the period ending July 15, 1981, in the amount of \$20,450.89 and seconded by Councilwoman Brown. Motion carried 6-0 by roll call vote.

Administrator Wyman read the official abstract of votes from the County for the June 30, 1981, election on the "B" Ballot. Results as follows: Yes, 286 and No, 292, for a total of votes cast 581. **Councilman Pulver moved to accept the abstract of votes from the June 30, 1981, City Election for "B" Ballot as presented by the County and seconded by Councilwoman Funrue. Motion carried 6-0.

City Planner Lashbrook read a memo regarding the terms and appointments of the Planning Commission which were modified by the recently adopted Ordinance No. 690. In compliance with the new Ordinance, Mr. Lashbrook recommended modifying the terms as follows: to expire December 31, 1981, Craig Shinn and Kurt Schrader; to expire December 31, 1982, Elsie Cutsforth and Charles MacKenzie; and to expire December 31, 1983, Catherine Davis, Bob Baller and Fred Kahut. **Councilman Pulver moved to accept the recommendation of the City Planner and hereby confirm the terms of the Planning Commission as follows: Craig Shinn and Kurt Schrader to expire December 31, 1981; Elsie Cutsforth and Charles MacKenzie to expire December 31, 1982; and Catherine Davis, Bob Baller and Fred Kahut to expire December 31, 1983, to be in compliance with Ordinance 690 and hereafter terms at three years each. Seconded by Councilman Anderson and approved unanimously.

City Planner Lashbrook read a memo regarding relocation of power poles for street widening projects, specifically the S. Locust Street project, and also to consider a policy for future relocations. In contacting several other communities, Mr. Lashbrook discovered that the affected utility usually would bear the cost, however, we have no established ordinance or policy to clarify this matter. In the case of the S. Locust Street project, the estimated cost would be less than \$7,000.

**Councilman Pulver moved that Mayor Swayze be directed to draft a letter to the chairman of the Canby Utility Board and Canby Telephone Association requesting they assume the cost of relocating the poles on S. Locust Street for street widening purposes and to continue to do so as a future policy. Seconded by Councilwoman Funrue. Attorney Bettis suggested that we request the relocation of the poles for the S. Locust Street Project only, and to schedule a workshop session to set up future policies regarding the issue. Both the maker of the motion and the second agreed to Attorney Bettis' suggestion and the motion carried 6-0.

City Planner Lashbrook read a staff memo regarding the relocation and rehabilitation of the Railroad Depot. Noting we are many thousands of dollars short of the estimated \$95,000, based upon contractors costs and Davis-Bacon Wage requirements. Mr. Lashbrook recommended a letter be sent to the County Commissioners formally notifying them of our intent to abandon the project and return the small parcel of property near the fairgrounds back to the County. Attorney Bettis suggested serious thought on this, "once it's gone, it's gone forever." Mr. Lashbrook reported a total in donations of \$5,900, an estate settlement in the fall will bring in \$5,000, the mover has indicated perhaps a donation of \$3,000 and if we reach a total of \$14,000, Mr. Markee will donated an additional \$1,000. Bob Westcott suggested that the City release the grant money back to the County, use the donated \$14,000, retain the property and lease it to the Historical Society, for perhaps \$1.00 and making them totally liable, and make it a community project. This would perhaps generate donated labor for the project. Mr. Lashbrook noted that if we didn't use federal funds and it was done as a private project, he felt the same mover could move it and reasonably set up for less than \$10,000. Mayor Swayze suggested we send a letter to the County releasing the funds and let the Historical Society know of the suggestion made at the Council meeting tonight, including retaining the property and leasing it to them, and using their solicited funds they could proceed on their own with the project. **Councilman Pulver moved that Mayor Swayze be directed to write a letter to the County Commissioners officially informing them of the City Council's decision to release the grant monies and retaining the property as the City is revising its plans on development for possible future relocation of the Railroad Depot. Seconded by Councilwoman Brown. Councilman Anderson suggested letting Southern Pacific know of the City intentions. Motion carried 6-0.

UNFINISHED BUSINESS: The next item on the agenda was the consideration of revising Ordinances 616 and 601. Attorney Bettis noted that in view of the letter read tonight from the Metropolitan Boundary Commission a complete revision will be necessary regarding Ordinance No. 616.

Ordinance 601, regarding Senior Citizen interest rates on improvements and allowable income for qualifying, was briefly discussed by the Council and the consensus was to not change the interest rate at this time.

OTHER REPORTS AS REQUIRED OR NEEDED: Administrator Wyman reminded the Council to thoroughly review the letter in their packets from the County Commissioners regarding a "threat" on library funding from the County. If the City reduced the library budget, the County would in-turn reduce County Special Levy funding.

Duane Lee, Lee Engineering, was present and noted that in August his firm would be "getting in high gear" in getting information to the Council, working with staff and making decisions regarding the sewage treatment plant expansion.

At this time **Councilman Pulver moved to go into Executive Session under ORS 192.660, Subsection 1-b, labor negotiations. Seconded by Councilwoman Funrue and approved 6-0 by roll call vote.

Mayor Swayze recessed the regular meeting at 8:50 p.m. to go into Executive Session. The regular meeting was reconvened at 10:22 p.m. Mayor Swayze called for any further business to be brought before the Council.

Administrator Wyman read a "thank you" note from Lee Stevens, former Librarian, for the baby gifts from the Council and staff.

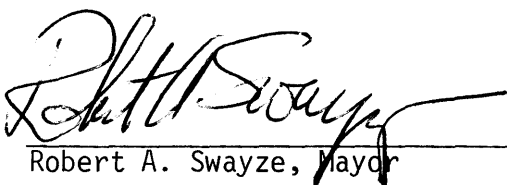
Mr. Wyman also reminded the Council of the Public Hearing on Wednesday, July 22 nd, that the Utility Board would have on rate increases and passed out information regarding the lighting system of the City.

Administrator Wyman also brought to the attention of the Council their "stand" on making policy in reference to conference luncheon meetings, league meetings, meetings both in and out of state, local meetings and comp time. Mayor Swayze requested information regarding this for the next agenda.

At this time **Councilman Pulver moved that the City Council increase Mr. Wyman's salary by a sum of \$1,500 per year and this increase be recognized as a merit increase for his past performance, effective July 1, 1981. Seconded by Councilwoman Brown and approved unanimously.

**Councilwoman Funrue moved that the City Council increase the salaries and city benefits in column 11 of the worksheet presented at the regular meeting of July 15, 1981, by 11.5% and the figures from columns 2, 4, 5, 6, 7, 8 and 9 and their appropriate increases be subtracted as a city paid benefit package and the remaining sum to be treated as salary. The worksheet referred to in this motion, signed by Mayor Swayze, is to become a part of the minutes of this meeting. Motion was seconded by Councilman Sowles and approved 6-0 by roll call vote.

There being no further business to come before the Council, Mayor Swayze adjourned the regular meeting at 10:50 p.m.



Robert A. Swayze, Mayor



Harold A. Wyman, Administrator/Recorder

July 15, 1981