

CANBY CITY COUNCIL

REGULAR MEETING

SEPTEMBER 16, 1981

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

Also present: Administrator Harold Wyman, City Attorney Wade Bettis, Deputy Attorney Roger Reif, City Treasurer Myra Weston, City Planner Stephan Lashbrook, Public Works Supervisor Bud Atwood, Secretary Marilyn Perkett, Dorothy McCormick, Betty Weiss, Walter Dohrman, Hugh Harper, Bill Stevens, Howard Barlow, V. Nolder, Gordon Andrus, Gene Newton, Bud Dresen, John Stefani, David Bury, Hank Fairbrother, Craig Shinn, Edith Farrar, Margaret Brand, Jim Renner, Lee Hedden, Steve Frederick, Julie Duin and Brenda Lashbrook.

Mayor Swayze called the regular meeting to order at 7:32 p.m., followed by the flag salute, meditation and roll call of Council which showed a quorum present.

\*\*Councilwoman Brown moved to approve the minutes as distributed from the special meeting, August 26, and regular meeting September 2, 1981, as per the following corrections: August 26, page 2, paragraph 3, end of second sentence, the word reconsider should be CONSIDER and same paragraph, line five, between the words Council and however, the words FOR CAUSE, should be added. September 2, minutes on page one, paragraph 4, first sentence, the date should read AUGUST 19, not September. Motion was seconded by Councilman Gabrion and approved 5-0.

Mayor Swayze first informed the Council of Mrs. Bettis' hospital confinement, and noted she is recovering after surgery and sending the Council's best wishes for a speedy recovery. He also welcomed City Treasurer, Myra Weston, back to the meetings after her past illness.

Mayor Swayze read and signed a proclamation, proclaiming September 17 through 23, 1981, as Constitution Week and urged citizens to honor our country and our constitution during this special week.

CITIZEN INPUT ON NON-AGENDA ITEMS: Mayor Swayze reviewed the earlier decision of the Council regarding the Block Grant Funding, with the first priority being the Senior Citizen Center for a funding of \$450,000 and the remaining money of approximately \$150,000 for a Tot-Park in the strategy area. At this time, members of the Neighborhood Advisory Group wished to again address the Council and better explain their position for requesting the Block Grant Funds, to be followed by representatives of the proposed Senior Center.

HANK FAIRBROTHER, 315 Township Road and Neighborhood Advisory Committee Member - In addressing the Council, Mr. Fairbrother reminded the Council that the Advisory Committee was appointed by the Council and he felt the Council showed lack of support, interest and responsibility in supporting the South Neighborhood Improvement Plan. Mr. Fairbrother reviewed the Federal Block Grant Funding process sponsored through the County level. He also commented, that the County Community Development Division had informed the advisory committee that, if in fact, the City Council continued to support the seniors for a Senior Center at the swimming pool site, the City would lose the Neighborhood Strategy Area designation and the automatic \$200,000 per year. He explained that the only option, in order to save the strategy area designation and the funding, is to approve the proposals developed

by the committee. Mr. Fairbrother explained how the advisory group reached their conclusion of the final eleven priority projects to be funded by the grant money. He pointed out that in his opinion, if their proposals were approved and projects completed, that citizens of that particular 121 acre strategy area would feel better about their environment, stronger turn-out of voters at the Fire Hall where ballots fail and future ballots would pass. He explained that they are not a "special interest group" and urged support of the Council on behalf of the people of the community, "which this City needs."

CRAIG SHINN, 402 S. Locust St., Advisory Committee Member- In addressing the Council, Mr. Shinn used charts to further explain the Block Grant program, funding process, neighborhood advisory committee and the process they went through to reach their decisions. He stressed the fact that the strategy area must have a majority of low and moderate income population and a need for improvements, particularly housing, livability and economic opportunity.

Councilman Anderson questioned Mr. Fairbrother, asking if Clackamas County had said we would lose the Block Grant money if we continued to support the Senior Center. Mr. Fairbrother replied, the County has seven strategy areas which has 40% of the money reserved for these areas and it is a matter of filling out the proposals each year for the 40%, \$150,000 to \$200,000. If a strategy area does not exist, you could still apply for the remaining 60% funding, which is more competitive for the communities. However, if the Council continues to support the Senior Center at the pool site, then the strategy area designation will be removed and the automatic \$200,000 removed. Mayor Swayze objected to Mr. Fairbrother's last statement, "there is no guarantee of an automatic \$200,000."

David Bury addressed the Council, noting that the neighborhood group had worked for 1½ years, not as a special interest group, and felt the Council did not cooperate nor did they attend any of the neighborhood group meetings. He also expressed that the proposed Tot-Playground would never materialize in the three years due to the fact the owner of the proposed property would not hold the property for that time period at the proposed price. Mr. Bury also expressed that in his opinion, public hearings should have been held for the decision process and not workshops.

DOROTHY MC CORMICK, Loaves and Fishes Center Manager - Mrs. McCormick expressed a different philosophy of the two groups, the seniors "are a group of people with a need looking for funding", and the neighborhood group, "a County body with funds looking for a group of people to help them spend their funds." She noted that at the County meeting of the CDBG she asked if their endeavor was hopeless and was told they had just as much right as anyone else as long as they showed they were meeting needs within the strategy area and no land was available, which they have exhausted all prospects, and if they located in a close proximity.

Mayor Swayze pointed out that the Senior Center meets the criteria for low and moderate income needs and at this time is of top priority. He also pointed out that when he spoke of a "Community Center", in essence it was really a "Senior Center". The Mayor asked the Council to either confirm their previous decision or make an alternate decision. The first decision being to support the seniors for a Senior Center in the amount of \$450,000 as first priority and other funds available to the City from the CDBG be funnelled into the strategy area with the first priority being a Tot-Park.

Mayor Swazye called for a short recess to allow the Council time to consider a decision. Recessing at 8:10 p.m., the meeting was reconvened at 8:17 p.m.

Mr. James Renner questioned why a Community Center, for both seniors and others, couldn't be developed. Mrs. McCormick replied that she was under the impression that they, the neighborhood group, could not find a location for such a center in their area. Mr. Fairbrother noted that all funding for the next three years would have to go to a Community Center and they felt they couldn't afford that and overlook the other proposed projects.

Councilman Anderson questioned if the \$600,000 was a definite figure of money. Mr. Fairbrother said they were told it would be approximately and tentatively \$200,000 per year for the next three years.

Councilman Sowles felt the Council was under the impression that both projects, the Senior Center and Tot Park, would be eligible for funding and perhaps more information was needed, therefore, \*\*I moved to delay any change in the Council's previous decision until we have a chance to talk to national block grant people for clarification of funding. Motion was seconded by Councilman Gabrion and approved 5-0. Mayor Swayze noted that they would contact the proper authorities and have their questions answered in the next few days for early Council decision on the issue.

Mayor Swayze called for other citizen input and specifically asked Mr. Hugh Harper if he wished to address the Council, and he replied that his letter to the Mayor was self explanatory on the issue. Mayor Swayze explained that he was requested to arrange a meeting with the Canby Utility Board, Fred Egger, interested citizens and the Council. The Mayor felt this was a decision to be made by the entire Council. However, he expressed disappointment in some papers and items appearing on the street which were totally unfactual regarding the issue of the resignation of the Utility Board Manager and staff members. Councilman Anderson expressed that "airing the laundry" in a public meeting would be totally disastrous to the subject at hand, and at this time the Council is powerless over the situation. Mr. Anderson noted that citizens interested should be in contact with the Charter Review Committee regarding the unfortunate situation if they wished to see changes.

\*\*Councilman Gabrion responded, that after careful consideration, I move that the following four statements become the Canby City Councils full and complete statement involving recent events at the Canby Utility Board: 1) the Council is aware and recognizes the concern voiced by citizens within the community about the recent events at the Canby Utility Board; 2) the Council recognizes and affirms the Canby Utility Board Directors were acting within the framework of the City Charter when it accepted the resignation of its manager; 3) the Council recognizes and appreciates the dedication of Canby Utility Board Interm Manager, Stephan Lashbrook, and the loyal employees who stayed with the Canby Utility Board under less than ideal conditions; and 4) the Council can see no reason or justification, nor does it have any intention, now or in the foreseeable future to interfere with the day to day operations of the Canby Utility Board or its actions that have been under discussion. Motion seconded by Councilman Sowles and passed 5-0 by roll call vote.

David Bury voiced his concern over charter changes to bring the Canby Utility Board back under City authority. Mayor Swayze called for further input on non-agenda items, hearing none he moved on with the agenda.

ORDINANCES & RESOLUTIONS: Attorney Bettis read in full for first reading Ordinance No. 708. \*\*Councilwoman Funrue moved that Ordinance No. 708, AN ORDINANCE AUTHORIZING CONTRACT WITH PARKER NORTHWEST PAVING, CO. FOR STREET REPAIRS AND IMPROVEMENTS TO KNIGHTS BRIDGE ROAD; AND DECLARING AN EMERGENCY be properly posted and come up for final reading after 7:30 p.m. on October 7, 1981. Seconded by Councilwoman Brown and approved unanimously.

Resolution No. 305 was read in full by Attorney Bettis. \*\*Councilwoman Funrue moved that Resolution No. 305, A RESOLUTION DETERMINING THE ANNEXATION FEE FOR PMALGBC ANNEXATION ORDER NO. 1744 (ESTATE EIGHT DEVELOPMENT CO. PROPERTY) be approved. Seconded by Councilwoman Brown and carried 5-0.

COMMUNICATIONS: Administrator Wyman read a letter from Bud Atwood explaining his intention to sell a MC 110 Crane and 1/2 yard clam bucket for \$3,000 which he has been renting to the City. Mr. Wyman recommended approving the purchase. \*\*Councilwoman Brown moved that the City purchase a MC 110 Crane and 1/2 yard clam bucket from Mr. Bud Atwood for \$3,000 from Motor Pool Fund. Seconded by Councilwoman Funrue and approved 5-0.

Administrator Wyman read a letter from Kendall Evans requesting permission on behalf of Boy Scout Troups 400 and 266 and an L.D.S. Youth Group to paint the inside of the restrooms in Wait Park as a civic project with the paint to be furnished by the City. The Council felt this was a needed and worthwhile project and therefore, \*\*Councilwoman Funrue moved that the City furnish the paint for the Boy Scout Troups 400 and 266 and the L.D.S. Youth Group to paint the inside of the restrooms at Wait Park under the supervision of Mr. Atwood, Public Works Supervisor. Seconded by Councilman Gabrion and approved unanimously.

Mayor Swayze recessed the regular meeting at 9:00 p.m., reconvening at 9:10 p.m.

NEW BUSINESS: \*\*Councilwoman Funrue moved to pay accounts payable in the amount of \$29,644.71 from the appropriate line items. Seconded by Councilman Gabrion and approved 5-0 by roll call vote.

\*\*Councilwoman Funrue moved to pay various bills pertaining to the water treatment expansion in the amount of \$166,813.29, paid from Clackamas County Treasury warrants from the 1979 Water Bond. Motion seconded by Councilman Gabrion and approved 5-0 by roll call ballot.

Administrator Wyman read a memo from Mr. Atwood regarding bid calls for overlay of approximately 263,500 square feet of curbed city streets. One bid was received from Parker Northwest Paving for \$.2306 per square foot for \$60,763.10 and 20 manhole risers at \$150 each for \$3,000 for a total of \$63,763.10. The following streets will be overlayed: N. Holly Street from N.E. 2nd to Knights Bridge Road; S.W. 6th Avenue from S. Fir to S. Elm St.; S.W. 3rd Avenue from S. Ivy to S. Elm St.; N. Cedar Street from N.W. 6th to Knights Bridge Rd.; S. Knott Street from S.E. 2nd Avenue to Township Rd.; and S.W. 4th Avenue from S. Elm to S. Birch St. \*\*Councilman Anderson moved to accept the low bid from Parker Northwest Paving for 1½ inch asphalt overlay for the afore mentioned streets at .2306¢ per square foot for \$60,763.10 and 20 manhole risers at \$150 each for \$3,000, for a total of \$63,763.10 to be funded from Federal and State Revenue Funds. Motion seconded by Councilwoman Brown. Mr. Wyman explained that the manhole risers for both the Knights Bridge Road overlay and the above six mentioned streets would be funded from State Revenues in the total amount of \$12,851.60. Motion carried 5-0. Council gave verbal consensus to proceed right away with the work while the weather is favorable.

Attorney Bettis questioned the fact of changing the ordinance on annexation fees. Mayor Swayze noted that this would be a fall workshop item.

UNFINISHED BUSINESS: In regards to the requested A-95 Review from Metro Boundary on Marv Dack's Christina Acres, Attorney Reif had responded to Metro and as long as Mr. Dack is in compliance with the Planning Commission on his proposed project the City has no objections to the project in question.

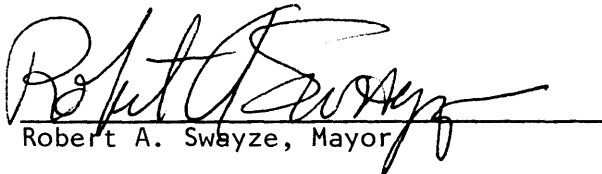
Mayor Swayze called for names for appointment to the City Charter Revision Committee with the following names submitted: James Renner by Mayor Swayze; Chip Phelps by Councilman Gabrion; Earl Oliver by Councilman Sowles; and Fred Stefani by Councilman Anderson. \*\*Councilwoman Funrue moved that James Renner, Chip Phelps, Earl Oliver and Fred Stefani be appointed as citizens at large to the Charter Revision Committee, motion seconded by Councilman Anderson and approved unanimously. Others appointed to the Charter Committee were three non-voting members, Mayor Swayze, Administrator Wyman and City Planner Lashbrook, also a member of the Canby Utility Board of their own selection, and Attorney Bettis who will be the temporary Chairman. Mayor Swayze reviewed the procedure of the committee duties, which will basically bring recommendations to the Council for final decision before going to the voting public. Councilwoman Funrue will be the Council representative on the Charter Committee. Mr. Bettis suggested that a recording secretary will be needed and also compensation for her time, he will return to the Council with a recommendation. Attorney Bettis also suggested luncheon meetings be held at the expense of the City.

Councilwoman Funrue commended Bud Atwood and Ginny Shirley for their work in making several contacts to be sure no street cuts would be made on the new overlay of Knights Bridge Road in the near future.

OTHER REPORTS AS REQUIRED OR NEEDED: Administrator Wyman informed the Council that he had received notice from the League of Oregon Cities regarding 17 meetings to be held from September 28 through October 2, in various locations regarding reviewing of the bills passed by the recent Legislature. If anyone is interested in attending a meeting, Mr. Wyman has the necessary information.

City Planner Lashbrook requested Council to authorize the Mayor's signature on the Intergovernmental Agreement with Clackamas County on the Community Development Block Grant Program, which is an annual agreement. \*\*Councilwoman Funrue moved that the City authorize the County to include in its block grant population count the population of the City of Canby and the Mayor be authorized to sign the formal agreement submitted by the County. Motion seconded by Councilman Sowles and approved 5-0.

Mayor Swayze adjourned the regular meeting at 9:45 p.m.

  
Robert A. Swayze, Mayor

  
Harold A. Wyman, Administrator/Recorder