

CANBY CITY COUNCIL

REGULAR MEETING

OCTOBER 15, 1980

Mayor Robert E. Rapp presiding. Councilmembers present: Beryl Brown, Beauford Knight, Richard Nichols, Bill Pulver, Robert Swayze and Robert Westcott.

Also present: City Recorder Pro Tem Stephan A. Lashbrook, City Attorney Wade P. Bettis, Attorney Roger Reif, Public Works Superintendent Bud Atwood, Secretary Marilyn Perkett, Mike Gabrion, Lois Lee Funrue, David Bury and several students from North Marion High School.

Mayor Rapp called the Regular Meeting to order at 7:30 p.m., followed by the flag salute and roll call of Councilmembers.

Mayor Rapp suggested for the first order of business that the Council elect a City Recorder Pro Tem in Mr. Wyman's absence. **Councilman Swayze moved that they appoint Stephan Lashbrook as City Recorder Pro Tem until the return of Mr. Wyman. Seconded by Councilman Pulver and approved unanimously.

**Councilwoman Brown moved to approve the minutes of Regular Meeting October 1, 1980, as distributed with the correction on page 2, paragraph 8, line 11, the word should read SOUGHT, not seeked. Seconded by Councilman Nichols and carried 6-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: None were voiced. Mayor Rapp welcomed the students from North Marion that were visiting and invited them to attend anytime.

ORDINANCES & RESOLUTIONS: Attorney Bettis read in full for first reading Ordinance No. 685. **Councilman Swayze moved that Ordinance No. 685, AN ORDINANCE ASSESSING VARIOUS LOTS, PARCELS, AND TRACTS OF PROPERTY FOR STREET, STORM SEWER, AND SANITARY SEWER IMPROVEMENTS MADE OR BEING MADE TO NORTHEAST TERRITORIAL ROAD, NORTH JUNIPER STREET AND NORTH LOCUST STREET IN LOCAL IMPROVEMENT DISTRICT NO. 10; SPREADING THE ASSESSMENTS AND DIRECTING THE ENTRY OF ASSESSMENTS IN THE DOCKET OF CITY LIENS; PROVIDING FOR NOTICE THEREOF; AND DECLARING AN EMERGENCY be posted and second and final reading be set for November 5, 1980, at or about the hour of 7:30 p.m. Seconded by Councilman Westcott and approved 6-0.

Ordinance No. 686, was read in full for first reading by City Attorney Wade Bettis. **Councilman Westcott moved that Ordinance No. 686, AN ORDINANCE AUTHORIZING PURCHASE OF WHEEL TRACTOR BACKHOE-LOADER be posted for action at the next Regular Meeting of November 5, 1980, at or near the hour of 7:30 p.m. Seconded by Councilman Pulver and approved 6-0.

Attorney Bettis read Resolution No. 288. Mayor Rapp noted that some cities in Clackamas County were not passing Resolutions to support the defeat of Measure 6, however, he felt their reasons were "not very good." Attorney Reif informed the Council of his findings regarding this issue. In talking with the Attorney from Milwaukie, one of their Councilmen objected to the support because it was on city paper and felt this might be in violation for the city to campaign for the defeat of the measure. Attorney Reif pointed out that their firm is on a retainer and there

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should be no problem. Councilman Nichols questioned whether we were within the right to take a stand for Measure 6 one way or the other as representatives of the people. Council consensus was that we can stand for and make decisions for the people who elected them. Mayor Rapp also expressed that, "we as elected officials have a far better knowledge of what it takes to run the city than the average citizen and we are prepared to make decisions that will protect the health, safety and welfare of the citizens of this community, and if we were to do anything else but endorse this Resolution, we would be endangering the health, safety and welfare of the citizens of this community." **Councilman Nichols moved that we approve RESOLUTION NO. 288, A RESOLUTION ENDORSING THE DEFEAT OF BALLOT MEASURE NO. 6, COMMONLY REFERRED TO AS THE "1% PROPERTY TAX LIMITATION". Seconded by Councilwoman Brown. Councilman Westcott also pointed out that the city could "no way operate" with the 76.7% cut, this would not even meet the budget of the Police Department alone. Motion carried unanimously.

COMMUNICATIONS: Pro Tem Recorder read a letter from Larry Cole, C.T.A., requesting the Council to set a discussion for their request for a Cable T.V. Franchise. Mr. Lashbrook also read a staff memo, from himself, recommending that the Council decide who they wish to conduct the preliminary screenings and to set a workshop to develop a plan of action. The Council consensus was, they wished to do the screening themselves and not select another sub-committee. Mayor Rapp suggested that Administrator Wyman set up the guidelines for RFP (request for proposals). It was strongly recommended that no ex-parte contact with the Council members be made. Attorney Bettis also pointed out that other interested companies should be notified that the CTA has right of first refusal according to City Ordinance. Mr. Cole requested that the Council keep the following three items in mind: business office should be maintained in Canby; underground cable; and area outside of the city be served. Mayor Rapp set Monday, November 3, 7:30 p.m. as the workshop for the Cable T.V.

NEW BUSINESS: **Councilman Knight moved that accounts payable be paid in the amount of \$14,818.70. Seconded by Councilman Nichols and approved 6-0 by roll call vote. **Councilman Knight moved that three bills to James Montgomery Engineers in total amount of \$6,891.81 be paid from a warrant from the Clackamas County Treasury on 1979 water bonds. Seconded by Councilman Westcott and approved by roll call 6-0.

UNFINISHED BUSINESS: None was voiced.

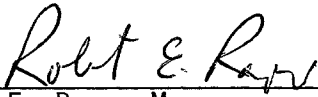
Mayor Rapp called for a short recess at 8:25 p.m. The Regular Meeting was reconvened at 8:39 p.m.

OTHER REPORTS AS REQUIRED OR NEEDED: Pro Tem Recorder, Stephan Lashbrook, read a letter from Fred Egger, October 10, 1980, regarding cost estimates for clearing the property for the site of the city/CUB shop. Mr. Atwood, Public Works Supervisor, reported that they had exhausted all possibilities as what to do with the brush. At this point, the only solution was to pile it into a huge pile for storage. The Council discussed several approaches to the problem, however, no solution was determined. Mr. Atwood asked if the public could be allowed to come in to take whatever they would like to carry away. Mayor Rapp saw no problem with this as long as someone was there with authority to supervise.

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Mr. Lashbrook noted that we had received a memo from the Metropolitan Boundary Commission informing the Council of the October 16, 1980, hearings to determine fees.

Mayor Rapp adjourned the Regular Meeting at 9:10 p.m.



Robert E. Rapp, Mayor



Stephan A. Lashbrook, Pro Tem City Recorder

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