

CANBY CITY COUNCIL

REGULAR MEETING

DECEMBER 17, 1980

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

Also present: Administrator Harold A. Wyman, City Attorney Wade P. Bettis, City Planner Stephen Lashbrook, Public Works Director Ken Ferguson, Public Works Supervisor Bud Atwood, Treasurer Myra Weston, Secretary Marilyn Perkett, Councilwoman-elect Lee Funrue, Ellen Burbridge, Oregonian Reporter Pat Jeffries, Canby Herald Editor Steve Fredrick, David Bury, Hank Fairbrother, Nikki Ray and Edith Farrar.

Mayor Rapp called the Regular Meeting to order at 7:31 p.m., followed by the flag salute and roll call of Council.

**Councilwoman Brown moved to approve as distributed the minutes of Regular Meeting December 3, and Special Meeting December 8. Seconded by Councilman Knight and approved unanimously.

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

ORDINANCES & RESOLUTIONS: Attorney Bettis read in full, for first reading, Ordinance No. 691. **Councilman Swayze moved that Ordinance No. 691, AN ORDINANCE ADOPTING STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTIONS, REPEALING ORDINANCE NOS. 461, 544, AND OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY be posted for second and final reading at a Regular Meeting on January 7, 1981, after 7:30 p.m. Seconded by Councilman Pulver and approved 6-0. Public Works Director, Ken Ferguson, noted that the standard specifications as prepared by the Oregon Chapter of the American Public Works Department is an exceptionally good edition and they should be commended for their efforts.

COMMUNICATIONS: A letter from Arlene Kraft, United Way loaned executive from Dammasch State Hospital, was read by Administrator Wyman and commended Stephen Lashbrook, who chaired the City of Canby's local campaign. Mayor Rapp directed staff to put a copy of the letter in Mr. Lashbrook's personnel file.

At this point in the meeting a group of young people from the Leo Club came into the Council Chamber to sing Christmas Carols. Mayor Rapp directed staff to send a thank you letter to the group.

Mr. Wyman read a letter from Mr. George Pickett, 1355 N. Oak Street, regarding a drainage problem in his area resulting after Maple Street Park was created. Bud Atwood, Public Works Director, explained that a drywell, like the one in Field No. 2, was needed in the area in question. However, this would be a project for next Spring. Mayor Rapp directed a letter be sent to Mr. Pickett explaining the action taken by the Council.

Administrator Wyman read a letter from Fred Egger, Canby Utility Board Manager, regarding site grading of proposed City/CUB shop site and request to call for bids. Councilman Nichols questioned the need for drywells for storm water. Mr. Ferguson said either on site drywells or a pipe through the property to an existing ditch will be proposed. It was also noted that CUB will probably call for bids from specs drawn by the City Public Works Department and the bids would be subject

to City approval. **Councilman Westcott moved that we respond to Mr. Egger's letter, stating our intent to share on a 50 - 50 basis on the grading excavation at the proposed Canby/CUB shop site as outlined in his letter of December 17, 1980, as City funds become available. Seconded by Councilman Swayze and carried 6-0. It was noted that CUB would call for bids and subject to City approval.

NEW BUSINESS: **Councilman Knight moved to approve payment of accounts payable in the amount of \$25,211.82. Seconded by Councilman Nichols and approved 6-0 by roll call vote. **Councilman Knight moved to pay thirteen various bills in reference to the water system in the amount of \$77,010.77 and to be paid on warrants issued from the Clackamas County Treasury against 1979 water bonds, noting that Councilman Westcott, liaison with the Utility Board, has signed the various bills. Seconded by Councilman Westcott, he also pointed out that payments to American Fidelity/Dale Sand and Gravel are payments to the firms bonding company due to liens, motion carried 6-0 by roll call vote.

Mr. Hank Fairbrother, representative from the Neighborhood Advisory Committee of South Canby, addressed the Council. He explained the boundaries of the subject area: bordered on the north by highway 99E; on the west by Elm street; and south to 6th Avenue and down Township Road to Locust Street. He noted that the committee resulted from the Federal Housing and Urban Development Committee in Clackamas County and has been operating for about 8 months. They have seven active members. Their immediate project is Locust Street, with future plans for a park in their area. Mr. Fairbrother passed out copies of things their group has so far accomplished. He noted that they look forward to working with the Council and asked for their support. Mayor Rapp expressed Council's appreciation for their efforts and thanked them for coming to the Council.

Mr. Wyman noted that on S. Locust Street we still have one property owner that has not dedicated right-of-way for the development of that street. Mr. Lashbrook reported that call for bids on the engineering is just about ready and he also noted that he has not entirely given up on dealing with Mr. Ball on a personal level for his property dedication. Mr. Ferguson said there was 5 feet of right-of-way which they don't have and within that area we need 6 inches for curb.

A status report and update on the sewage treatment plant expansion was in the packet Mr. Ferguson pointed out this was mainly for the benefit of the new Council members to acquaint them with the project.

At this point in the meeting, Councilman Westcott questioned where we stand on the three LID's, #8, 9 and 10, as far as bond sales. If the present market holds, and we have the 10% limitation, where does the Sewer Reserve money stand in regards to obtaining back the money we have on loan? Mr. Bettis explained it would have to be budgeted by the Council in tax dollars. Mr. Bettis also explained that interest is up and down and depends upon the rating of the municipality, Canby has an "A". He felt we needn't be concerned at this time about this. Mr. Bettis has requested the unpaid balances of each LID, after the first of the year, and at that time he will compute the unpaid balances and come to the City with a Resolution to advertise for sale of Bancroft Bonds, this will be done about the first of March. Council discussed the fact that we are losing a considerable amount of interest and there are a couple ways of regaining this, one method of borrowing from the bank and charging back the interest or to make the assessments prior to the construction, which is already allowed for under our present ordinance.

Attorney Bettis requested Council approval for Owners Title Insurance Policy on a piece of property on N. Juniper Court owned by C.A. Clemenson for dedication for street purposes. **Councilman Nichols moved to proceed action to acquire, at City expense, a \$50,000 Owners Title Insurance Policy to acquire dedication on N. Juniper Court of the C.A. Clemenson property for right-of-way, also to attach a copy of the letter dated November 18, 1980 and the map to be attached to the minutes of this meeting. Seconded by Councilwoman Brown and approved unanimously.

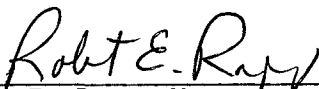
David Bury expressed his thanks to the "Lame Duck" members of the Council for their past performance on the Council.

UNFINISHED BUSINESS: Mr. Wyman explained to the Council the need for baseboard heating to be installed in the Police Department. The heating system in the basement is inadequate and they have been using portable heaters. Staff considered the issue and felt the baseboard heating would be most practical at this time. Canby Plumbing has gave a bid for \$1,047. and there is a need to transfer money from Revenue Sharing to proceed with the installation. **Councilman Nichols moved that the City Administrator be directed to proceed with the project of installing baseboard heating with individual thermostats in the Police Department (basement) and not to exceed \$1,200 with Canby Plumbing to do the work, also to prepare the proper Resolution for the transfer of monies. Seconded by Councilwoman Brown and carried 6-0.

Mayor Rapp thanked Mr. Bettis for the Christmas "goodies" that Mrs. Bettis sent for the evening and wished everyone a Merry Christmas and Happy New Year.

Administrator Wyman briefly told the Council that the Cable TV Committee is meeting every Thursday and has recently prepared questionnaires which will be mailed out to the public at the end of the month.

Mayor Rapp adjourned the Regular Meeting at 8:35 p.m.

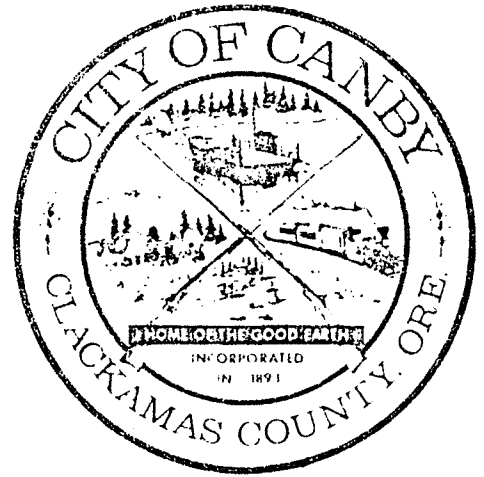


Robert E. Rapp, Mayor



Harold A. Wyman, Administrator/Recorder

November 18, 1980



Mr. C. A. Clemenson
573 N. Juniper Street
Canby, Oregon 97013

Dear Mr. Clemenson:

It has come to the attention of the City that the street adjacent to your residence known as N. Juniper Court is not a formally dedicated street and that you are paying property taxes on .52 acres of land.

This .52 acres of land encompasses a twenty (20) foot strip of property along the south side of your residence and a forty (40) foot strip of land (which is the actual street) behind your residence.

The City would like to clarify this situation and respectfully request that you dedicate this area to the public for street purposes. Such a dedication would in no way cause you an inconvenience and you would of course retain your full lot on which your house is now located. Also, this will decrease your property taxes proportionately.

I realize this matter could be somewhat confusing and I would request that you stop in at the Public Works Office to discuss this matter and ask any questions you might have.

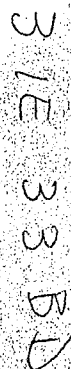
I am enclosing a small map to indicate the property in question (outlined in red) and the property that would remain after the street dedication (outlined in blue).

Sincerely,

Ken Ferguson, P.E.
Public Works Director

cc: Honorable Robert E. Rapp, Mayor
Harold A. Wyman, City Administrator
Wade Bettis, City Attorney

KF:vs
Enclosure



KNOTT 50705th STREET