

CANBY CITY COUNCIL

REGULAR MEETING

JANUARY 16, 1980

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

Also present: Administrator Harold Wyman, City Attorney Wade P. Bettis, Public Works Director Ken Ferguson, Public Works Supervisor Bud Atwood, Treasurer Myra Weston, Secretary Marilyn Perkett, David Bury, Tom Jelino of K.W.R.C, Canby Herald Editor Jeff Durham and Fred Kahut of Canby Disposal Company.

Mayor Rapp called the Regular Meeting to order at 7:38 p.m., followed by the flag salute and roll call of Council.

Councilman Knight noted the following corrections to the minutes of Regular Meeting, January 2, 1980, page one, second paragraph, second line should read PUBLIC WORKS and also page one, last paragraph, line eight, should read ADDITION and not edition. Councilwoman Brown moved to approve the minutes as corrected of Regular Meeting January 2, 1980 and Special Meetings, January 7 and 9, 1980. Seconded by Councilman Swayze and approved 6-0.

CITIZENS IN-PUT ON NON-AGENDA ITEMS: none were presented.

ORDINANCES & RESOLUTIONS: Attorney Bettis read in title only, as is required for second reading, Ordinance No. 674. Councilman Westcott moved that ORDINANCE NO. 674, ORDINANCE AUTHORIZING PURCHASE OF REAL PROPERTY FOR MUNICIPAL BUILDING COMPLEX, be passed and approved on second and final reading. Seconded by Councilman Swayze and approved by roll call 6-0.

COMMUNICATIONS - Administrator Wyman read a letter from Fred Kahut, Canby Disposal, requesting an increase in rates for garbage pick-up. Mr. Kahut explained to the Council the increase of operating costs and went over the proposed new rate schedule, a 12% increase for all commercial and industrial; 15% increase for apartments and mobile courts using cans; and three options for residential - 1) no increase for curb service; 2) 11% increase within 50 feet from curb; and 3) 17% increase beyond 50 feet from curb. Councilman Swayze moved that due to increased costs of operations that Canby Disposal be granted the rate increases as per their letter of January 9, 1980, effective February 1, 1980, and the City Attorney be directed to draw up a Resolution. Seconded by Councilwoman Brown and approved 6-0. Mayor Rapp thanked Mr. Kahut for giving the local residents the options as in the proposed schedule.

Mr. Wyman read a letter from Fred Egger, Canby Utility Board Manager, requesting Council action for granting a raise in compensation pay for Board Members. Councilman Westcott moved that the Canby Utility Board be allowed to raise the compensation pay for board members as per their letter of January 10, 1980, a raise for the Board Chairman from \$12.50 per each meeting to \$20.00 and a raise for Board Members from \$7.50 each meeting to \$15.00, effective February 1, 1980. Seconded by Councilman Swayze and carried 6-0.

January 16, 1980

Mr. Wyman read a letter from the Canby Utility Board regarding the Montgomery Engineering Services Agreement for Water System Improvements ammendment # 2. Councilman Westcott noted he had reviewed this and felt it was in line and also noted the increase of \$4,500 to the Engineering budget. Councilman Westcott moved that the Water Systems Improvement Engineering Services Agreement Contract be amended with Amendment #2 be approved and prior to being signed by the Mayor be approved according to form by the City Attorney and the understanding be that this will increase the Engineering Budget \$4,500, an increase from \$17,800 to \$22,300. Seconded by Councilman Nichols and approved 6-0 by roll call.

NEW BUSINESS - Councilman Knight noted that Purchase Order No. 9219 was voided and asked Mr. Ferguson, Public Works Director, to explain it. Mr. Ferguson said that Mr. Traverso, Parker Northwest, asked him to hold up payment due to billing problems with the Utility Contractor, therefore the check to Parker Northwest for LID # 10, in the amount of \$12,114.30 was voided. Councilman Knight moved to approve and pay account payable in the amount of \$45,639.02. Seconded by Councilman Westcott and approved 6-0 by roll call. Councilman Knight moved to pay a bill to the Canby Utility Board in the amount of \$357 and a bill to Montgomery Engineering in the amount of \$6,012.85 and warrants be drawn from the County Treasury water bond fund for payments, since these bills had been approved by Councilman Westcott. Councilwoman Brown seconded and passed 6-0 by roll call vote.

The American Legion renewal liquor license was presented and Mr. Wyman noted that it had been signed by both the Police and Fire Departments. Councilman Swayze moved that the Class B Dispenser License from the Liquor Commission for the Canby American Legion Post # 122 be approved. Seconded by Councilman Pulver and approved 5-1, with Councilman Westcott voting nay.

Mr. Wyman explained to the Council that we did not have any money appropriated to pay for the traffic study by Compass Engineering, however, it will be reimbursed through the Oregon Traffic Commission. Attorney Bettis suggested to methods for payment: 1) check with the local banks for short term loans at low interest; and 2) by Resolution authorize transfer from invested funds. Councilman Westcott moved that the City Administrator and City Attorney research and prepare the proper Resolution to proceed with payment to Compass Engineering for the traffic study. Councilman Swayze seconded and motion carried 6-0.

UNFINISHED BUSINESS - Attorney Bettis explained to the Council the problem with the Booth Property under LID # 5. Mrs. Alice Booth's assesments was levied at \$1,115.52 and Bancroft Bonds were sold. Some installments were paid and some missed and before action could be taken it must be delinquent for a year. During that period Mrs. Booth sold the property and due to an error the lein search was signed. Pioneer Title Insurance Company contacted Mr. Bettis and the following was concluded: Pioneer Title will pay 1/3 and Mrs. Booth will pay 1/3, totalling \$754.38 and The City of Canby to pay a third, \$377.19. Attorney Bettis suggested we accept payment and credit it paid in full. Councilman Westcott moved that the proposal of Pioneer National Title Insurance Company by letter of the associate position Council, Greg M. Chisholm, addressed to the City Attorney Bettis and dated January 11, 1980, be approved; that the Title Company's check of \$754.38 be accepted and that the release to Pioneer National Title Insurance Company as requested and submitted be approved and signed by the City Attorney and also by the Mayor; and the unpaid balance on the assement lein of the Alice Booth property in LID # 5 be marked as fully paid; and the balance to be charged to budget line item LID # 5. Seconded by Councilman Swayze and approved 6-0.

Attorney Bettis also presented a Quit Claim deed from Potters Industries for land for widening N.W.Third Avenue for street purposes. Councilman Nichols moved that the Council accept for recording the Quit Claim Deed from Potters Industries for N.W. Third Avenue for widening the street. Seconded by Councilman Swayze and carried 6-0.

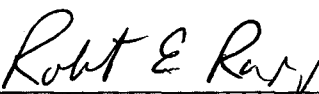
OTHER REPORTS AS REQUIRED OR NEEDED - Mr. Wyman noted that the Council needed to set a date for the Budget Public Hearing and also a Budget Meeting date. Mayor Rapp set January 30, 1980, 7:30 p.m. for a Budget Meeting with a Special Meeting the same night at 7:00 p.m. Monday, February 11, 1980, was set for the Public Hearing for the proposed 1980-81 Budget and notices will be made.

Councilman Westcott informed the Council of a new large shipment of cassett tapes and felt we needed to set a Policy as to how long they should be kept after recording. Councilman Westcott moved that it be put into the Book of Policy that all public meetings recorded, the tape to be kept for 10 years. Seconded by Councilman Swayze and approved 6-0.

Mayor Rapp also suggested due to a request from David Bury that we put into the Book of Policy procedure for roll call votes. Attorney Bettis read from the new Legislative Laws passed in 1979, that if a decision is not unanimous then a roll call vote is necessary. Councilman Swayze moved that due to the request of David Bury and also the recent change in the Legislative Laws the Canby Council will require by Policy on any matter not a unanimous decision and also for Executive Sessions a roll call vote of the Council. Seconded by Councilman Nichols and passed 6-0 by roll call vote.

Attorney Bettis informed Council of the request made today by former Judge, Roger Warren, to be permitted a copy of Executive Session minutes. According to law we do not have to disclose these minutes, they are not a public meeting.

Mayor Rapp adjourned the Regular Meeting at 8:50 p.m.



Mayor Robert E. Rapp



Harold A. Wyman, Administrator/Recorder

CANBY CITY COUNCIL

SPECIAL MEETING

JANUARY 16, 1980

Mayor Robert E. Rapp presiding. Councilman present: Beryl Brown, Beauford Knight, Bill Pulver, Robert Westcott, Robert Swayze and Richard Nichols. (NOTE: Councilman Nichols arrived about 7:20 p.m.)

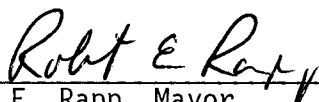
Others present: Secretary Marilyn Perkett, David Bury and Fire Chief Smith French.

Mayor Rapp called the Special Meeting to order at 7:05 p.m., followed by the flag salute and roll call.

Councilman Westcott moved to go into Executive Session under ORS. 192.610, Subsection I, regarding personnel matters. Seconded by Councilman Swayze and approved 5-0 by roll call.

Mayor Rapp recessed the Special Meeting at 7:08p.m. to go into Executive Session.

The Special Meeting was reconvened at 7:24 p.m. and immediately adjourned.


Robert E. Rapp, Mayor


Harold A. Wyman, Administrator/Recorder

January 16, 1980