

CANBY CITY COUNCIL

REGULAR MEETING

APRIL 2, 1980

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

Also present: Administrator H.A. Wyman, Attorney Wade P. Bettis, City Planner Stephan Lashbrook, Public Works Director Ken Ferguson, Public Works Supervisor Bud Atwood, Treasurer Myra Weston, Secretary Marilyn Perkett, Canby Herald Editor Steve Frederick, K.W.R.C. Reporter Tom Jelineo, Duane Lee of Lee Engineering, Dick Morse, Marv Dack, Gary Kirsch, Brenda Lashbrook, Carolee Morse, David Bury and David Blair of Blair Services.

Mayor Rapp called the Regular Meeting to order at 7:35 p.m. followed by the flag salute and roll call of Council.

Councilwoman Brown moved to approve as distributed the minutes of Regular Meeting March 9, and Special Meeting March 26. Seconded by Councilman Knight and carried 6-0. Councilman Westcott noted that on last page of March 26, minutes, paragraph 6, the first and second sentences should be reversed to read properly.

CITIZENS IN-PUT ON NON-AGENDA ITEMS: None were voiced.

ORDINANCES & RESOLUTIONS : Attorney Bettis read in full Ordinance No. 669 for the first reading. Councilman Swayze moved to approve ORDINANCE NO. 669, AN ORDINANCE AMENDING ORDINANCE NO. 443, AS AMENDED, PROVIDING A PROCEDURE FOR THE REVIEW OF CONDOMINIUM PROPOSALS, AMENDING THE REQUIREMENTS FOR PLANNED UNIT DEVELOPMENTS, MODIFYING THE ACCESS REQUIREMENTS, ESTABLISHING A FEE SCHEDULE FOR VARIOUS APPLICATIONS AND DECLARING AN EMERGENCY, and the proper postings be made and second and final reading to be at the Regular Meeting, May 7, 1980, after 7:30 p.m. Seconded by Councilman Pulver. Councilman Westcott was concerned about page 5, number 12, and wondered if the Planning Commission would consider the vacancy ratio inadequate if they were short perhaps only one unit on the ratio exchange. Mr. Lashbrook indicated there would be no way to be that exact. Councilman Westcott felt a project should not be denied over one vacancy difference, the rest of the Council agreed to this intent. Mr. Lashbrook noted that a state law in existence required that we have to provide standards and criteria for Planning Commission decisions and this is an intent to do this requirement. The motion was carried 5-1, by roll call vote with Councilman Nichols voting nay.

COMMUNICATIONS: Administrator Wyman read a letter dated March 21, from Mr. Cole of Canby Telephone Association (CTA), requesting the Council for permission to proceed with a formal proposal for cable television franchise. Mr. Wyman also read a letter of March 26, from Warner Anex Cable Communications, Inc., asking to keep them advised of any action on this issue. We also had a communication from Linda Brentano of A-95, Metropolitan Service District concerning cable television. Attorney Bettis reminded the Council that CTA has the "right of first refusal" in compliance with City Ordinance. The Council decided to not move hastily on accepting proposals and will notify the CTA that the staff will draft some "ground rules"

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for the acceptance of proposals.

NEW BUSINESS: Councilman Knight moved to pay accounts payable in the amount of \$109,538.13. Seconded by Councilwoman Brown and approved 6-0 by roll call vote. Councilman Knight moved to approve payment of \$4,203.29 for Montgomery Engineering, to be paid on a warrant from the Clackamas County Treasury water bonds. Seconded by Councilman Westcott and carried 6-0 in approval by roll call.

Mr. Wyman informed the Council that we have the abstract of votes from the County Elections Department on the City Budget Election of March 26.

Measure 51 - Ballot A

406 - YES

343 - NO

Measure 52 - Ballot B

287 - YES

394 - NO

Councilman Westcott moved to accept from the Clackamas County Clerks Office the abstract of the City Budget Election for 1980-81, Measure 51 - YES, 406 and NO, 343 and Measure 52 - YES, 287 and NO, 394 and a copy of the abstract be attached to the minutes of this meeting. Seconded by Councilman Swayze and approved 6-0. Attorney Bettis noted that we should prepare a Proclamation and post the results of the canvass.

Administrator Wyman expressed his thanks to the budget committee, staff, Canby Herald and Baseball Association children for their efforts in helping to pass our Ballot A measure. Councilman Knight moved that a letter of thanks be sent to the boys and girls of the Baseball Association for their efforts. Seconded by Councilwoman Brown and approved unanimously.

Duane Lee of Lee Engineering, reported briefly on the Sewage Treatment Plant Expansion Study, explaining that they weren't final and in two weeks he'd give a more detailed report. Chapter six outlines the detailed analysis of alternatives: 1) no action; 2) flow and waste reduction; and 3) best practicable waste treatment technology. Chapter seven covered the cost summary for selected alternatives: 1) RBC system; 2) tertiary filtration; and 3) anaerobic digestion. Mr. Lee said we were looking at about a \$5,000,000 in capital expense to be funded by one of various means. Mr. Lee pointed out that he intended to get together with staff and discuss funding.

UNFINISHED BUSINESS: Mr. Wyman noted that at a recent City Manager's meeting he attended they discussed sewer and water bonds. Bancroft bonds are now selling for 9.5% to 9.2% on bids and presently we have two LID's worth about \$5000,000 to \$400,000, and we could go as high as 10% if we sell bonds now. His concern was how to finance our LID's and get the funds back into the sewer reserve money. Mr. Bettis suggested taking applications for Bancroft Bonding on the agreement that they will pay not in excess of 10% and after the bonds are sold, and assessment spread on the Lein Dockets, and the total costs are determined we would then credit the Lein Dockets for the overcharge. I.E., you charge property owners on their assessment applications 10% and if the bonds are sold for less than 10% you would credit the property owners. Mr. Bettis noted that 10% is the maximum we could charge. Mr. Wyman felt it would benefit the City to consider warrants in the future.

Administrator Wyman noted as far as he knew, we were the only city in the state that passed the A Ballot in March. He also noted that the City of Astoria is working on a new tax base very similar to what we propose to do, as far as a five year budget plan. Astoria's budget committee is handling it exclusively with assistance from their staff, however, the budget committee does all the talking, so to speak. Mr. Wyman intends to correspond with Astoria and exchange ideas on this issue.

Mayor Rapp recessed the meeting at 8:47 p.m. The Regular Meeting was reconvened at 9:18 p.m.

David Bury brought up the fact that he was not on city sewer and had signed a waiver, but questioned what he'd be required to pay to connect at a future date. Councilman Westcott told Mr. Bury he might check the possibility of purchasing a sewer permit now for future use, however, if he does not buy a permit he would then pay the fee that is current at the time of connection. Also, the waiver he signed only removed him from the monthly sewer charge.

Councilman Westcott moved under ORS. 192.610 to go into executive session with Blair Services on labor negotiations for the Canby Police Association and Public Works Association. Seconded by Councilman Swayze and approved 6-0 by roll call vote.

Mayor Rapp recessed the Regular Meeting at 9:21 p.m. and reconvened the meeting at 11:12 p.m.


Mayor Rapp informed the Council he would set some Special Meetings for department heads to come in for discussions to be done in executive session.

Administrator Wyman read in part from Ordinance No. 600 on Contract Review Board, regarding bids, specifically about the recent bid the Council accepted from Beck Electric for the ballfield lighting at Maple Street Park. However, we accepted bids on a cost plus basis, time and materials and no specifications were required and we also accepted three bids. Mr. Wyman said he would check with the City Attorney since we are funded by another agency and bids are under \$10,000, "We may be O.K."

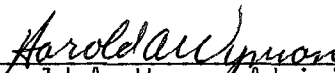
Mayor Rapp called for a Special Meeting, Monday, April 7, 7:30 p.m. requesting Chief Seigler and Lt. Giger to be present.

Mr. Wyman told the Council that the Block Grant Agency representatives from the County would be here on April 15, Tuesday, 7:30 p.m. for a meeting and further information on this would be forthcoming to the Council.

Mayor Rapp adjourned the Regular Meeting at 11:17 p.m.



Robert E. Rapp, Mayor



Harold A. Wyman, Administrator/Recorder

April 2, 1980

Office recorded on this sheet
CITY OF CANBY
County
CLACKAMAS
Election
MARCH 25, 1980

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Name or No. of Precinct
Ballot Number

YES NO YES NO

Measure 51 Measure 52

Canby City Hall

88 68 63 77

122

Canby Fire Hall

93 99 70 105

123, 125

Knights Grade School

225 176 154 212

121, 124

406 343 287 394

STATE OF OREGON }
COUNTY OF CLACKAMAS } ss.

I, GEORGE D. POPPEN, County Clerk and ex-officio Recorder of Conveyances of the State of Oregon for the County of Clackamas, do hereby certify that the foregoing copy of Official Abstract City

of Canby election 3-25-80 has been by me compared with the original, and that it is a correct transcript therefrom, and the whole of such original, as the name appears on file and of record in my office and in my care and custody.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my official seal this 31st day of March, 1980.

GEORGE D. POPPEN, Clerk

By D. Kenney
Deputy

TOTAL

406 343 287 394

I certify that the votes recorded on this abstract correctly summarize the tally of votes cast at the election indicated.

Signature of County Clerk:

George D. Poppen

Date of Abstract

3-31-80

ABSTRACT OF VOTES AT GENERAL AND SPECIAL ELECTIONS:

Votes cast for Governor must be on separate page or pages.

For additional instructions see ORS 250.810.

ABSTRACT OF VOTES AT PRIMARY ELECTIONS:

Separate sheets for Democratic, Republican, Nonpartisan, and other candidates.

Separate sheets for candidates for City, County (including precinct) and State office.

For additional instructions, see ORS 249.410.

STATE OF OREGON
ABSTRACT OF VOTES

Separate Sheets for
1. President
Vice-President

2. National Committeeman
3. Delegates at Large
4. Delegates - Districts

5. U.S. Senator and Congressman
6. State Offices
7. Judicial Offices

8. State Senators
9. State Representatives
10. Others

SED Form
No. 155
Aug. 1960

CITY OF CANBY