

CANBY CITY COUNCIL

REGULAR MEETING

SEPTEMBER 19, 1979

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

Also present: Administrator H.A. Wyman, City Attorney Wade P. Bettis, Public Works Director Ken Ferguson, Public Works Supervisor Bud Atwood, Treasurer Myra Weston, Secretary Marilyn Perkett, Freda Taylor, Former Councilman Lenoard Taylor, Oregonian Reporter Jan Nehls, Canby Herald Editor Jeff Durham, Utility Board Manager Fred Egger, Utility Board Accounting Manager Stephen Hill, Utility Board Members Howard Barlow and Dennis Nolder, David Bury, F. Duane Lee of Lee Engineering, Robert Overton, Richard and Carol Lee Morse, Charles Driggers and Attorney Mark O'Donnell.

The meeting was called to order at 7:30 p.m., by Mayor Rapp, followed by flag salute and roll call.

Minutes of Regular Meeting, September 5, 1979, were approved as distributed by motion of Councilman Nichols and seconded by Councilwoman Brown. Motion was approved 5-0.

Citizens In-Put on Non-Agenda Items: David Bury inquired of Council why the empty chair for Councilmember had not been filled yet, especially with future work loads of the Comprehensive Plan and Budget? Several Councilmembers responded by saying they had approached several citizens but were either laughed at or turned down flat. A couple citizens did approach Councilmembers seeking the position but for one reason or another Council felt they were not qualified. Mayor Rapp noted that they would fill the position as quickly as possible and hopefully in a couple meetings.

Ordinances and Resolutions: Attorney Bettis read Ordinance No. 662 for second and final reading. Administrator Wyman presented the affidavit of posting. Councilman Swayze moved to approve Ordinance No. 662, AN ORDINANCE AUTHORIZING CONTRACT FOR CONSTRUCTION OF RESIDENTIAL STREETS, SIDEWALKS, STORM SEWER SYSTEM AND SANITARY SERVICE IN LID #10., and to become part of the laws of Canby. Seconded by Councilman Westcott and approved by roll call vote 5-0.

Ordinance No. 661 was read by Attorney Bettis. Councilman Westcott moved to approve on first reading Ordinance No. 661, AN ORDINANCE PERTAINING TO THE CONSTRUCTION, OCCUPANCY, ALTERATION, REPAIR AND MOVING OF BUILDINGS WITHIN THE CITY OF CANBY, OREGON; PROVIDING FOR PERMITS AND FEES THEREFOR; PROVIDING FOR PENALTIES FOR VIOLATIONS THEREOF; REPEALING ORDINANCE NO. 634 AND ORDINANCE NO. 576; AND DECLARING AN EMERGENCY, and to have the proper postings and come up for second and final reading on October 17, 1979, after 7:30 p.m. Seconded by Councilman Swayze. Councilman Nichols inquired whether the city was kept up to date on all amends to the building codes. He was assured they were and if new codes came out that is when we adopt new ordinances. Motion passed 5-0.

September 19, 1979

Administrator Wyman read a staff memo from Planner Lashbrook recommending the hiring of Dennis Petregan of STRAMM Engineering firm as a consultant to help him on the Comprehensive Plan. Attorney Bettis read for the first reading Ordinance No. 664. Councilman Swayze moved to approve on first reading Ordinance No. 664, AN ORDINANCE AUTHORIZING AN EMPLOYMENT CONTRACT WITH STRAAM ENGINEERS, INC. TO PROVIDE PROFESSIONAL SERVICES TO COMPLETE THREE ELEMENTS OF THE CITY'S COMPREHENSIVE PLAN, and to provide proper posting with second and final reading to be October 17, 1979, after 7:30 p.m. Seconded by Councilman Westcott and approved 5-0.

First reading of Ordinance No. 666 was read by Attorney Bettis. Councilman Knight inquired as to the fee in regards to the ordinance. Attorney Bettis explained that the fee not to exceed \$14,000.00 was in the 19 page contract. Councilman Swayze moved to approve on first reading Ordinance No. 666, AN ORDINANCE AUTHORIZING AN EMPLOYMENT CONTRACT WITH LEE ENGINEERING, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES TO UPGRADE THE CITY'S SEWERAGE SYSTEM, and for final and second reading to be October 17, 1979 after 7:30 p.m., also to provide proper postings. Seconded by Councilman Nichols and approved 5-0.

At this point in the meeting Mayor Rapp varied from the agenda and allowed Attorney Mark O'Donnell to take the floor. Mr. O'Donnell presented a plat for subdivision for Half-Street Estates on behalf of his client, Leonard Taylor. This presentation was in honoring Mr. Taylor on his retirement from the City Council. Administrator Wyman read a letter of appreciation and Mayor Rapp presented Mr. Taylor with an engraved plaque from the City.

Communications: Administrator Wyman read a letter from Al Schwartz stating his resignation from the Planning Commission. Councilman Westcott moved to accept Mr. Schwartz's letter of resignation and that a letter of appreciation for his services to sent. Seconded by Nichols and approved unanimously.

A letter from Vern Goucher, 484 S.E. Township Road, was read by Administrator Wyman regarding large hole in the roadway near his home that had been there a long period of time. Public Works Department had investigated this and felt it would cost a large sum of money and felt Council should make the decision. Mayor Rapp instructed Public Works staff to have a detailed report for the Council for the next meeting regarding the matter and to inform Mr. Goucher of our intent.

Administrator Wyman read a letter from Richard Morse requesting a spot on the agenda in regards to LID # 10. Richard Morse, a participant in LID # 10, addressed the Council on some of his concerns: What the exact width of the street should be; What the 15% Engineering and Administration fee covers; Why the vast difference between the estimate and bid of the sewer line; Why no water lines were included; Why he has to pay for approximately 700 feet of an unparticipating member; Why they must pay to have the sewer line extended deeper than normal. Mr. Morse inquired if his annexation fee would off-set some of his extra costs. Mr. Ferguson responded: The street widths are controlled by ordinance; He did not know why the sewer bid was so high; Applicants did not request water lines; Upon request of the Council Mr. Ferguson will prepare a staff report on the figures of cost of the deep sewer line from Mr. Morse's property to the end of the project and also, the improvements from Maple St. to his property and to report back to the Council at the next meeting and also, keep Mr. Morse advised.

New Business: Councilman Knight moved to approve payment for accounts payable in the amount of \$18,039.42. Seconded by Councilwoman Brown, and approved 5-0 by roll call. Councilman Knight moved to approve payment of \$6,524.42, with a warrant

drawn from the Clackamas County Treasurer from the water bond fund. Seconded by Councilman Westcott and approved by roll call 5-0.

Members from the Canby Utility Board were present for a rate increase discussion. Fred Egger used a graph in his presentation. CUB is expecting approximately a 90% increase from BPA in December and intend to increase residents in Canby by 25% on October 1, 1979. Considerable Council discussion followed with one prior concern as to why industry millage did not raise. Mr. Egger explained this was to entice industry to the community. A Public Hearing at the Utility Board on the rate change will be held September 26th in their building. Mayor Rapp expressed his appreciation to the members for coming to the Council for this discussion, as it was a first.

Public Works Director, Ken Ferguson, gave a staff report on the bids for LID # 9. Councilman Westcott was excused from the Council due to a conflict of interest. Councilman Nichols moved to accept the engineer's recommendation of the low bid of Parker Northwest in the amount of \$214,162.25 for construction of improvements of LID # 9 and that an appropriate ordinance be prepared to authorize the contract. Councilman Knight seconded. Attorney Bettis inquired whether all dedications had been received due to the fact of ownership changes. According to Mr. Ferguson, N.W. 3rd needs no more dedication. Motion was approved 4-0.

Unfinished Business: Administrator Wyman requested permission to purchase 8 steel bleachers for Maple Street Park at \$3,992.00. Councilman Swayze moved to authorize the City Administrator to purchase 8 steel bleachers from Miracle Playground in the amount of \$3,992.00. Seconded by Councilman Nichols and approved 5-0.

Administrator Wyman requested permission to purchase \$3,200.00 in playground equipment for Phase III of Maple Street Park that is similar to Wait Park and Maple Street Park Phase I equipment. Councilman Swayze moved to authorize the City Administrator to purchase the playground equipment for Maple Street Park Phase III in the amount of \$4,200.00. Seconded by Councilman Nichols and unanimously approved.

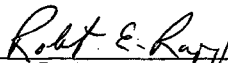
Administrator Wyman requested permission to purchase materials in the amount of \$8,800.00 to oil street, N. Pine from N.E. 4th to N.E. 14th and N. Juniper between N.E. 3rd and N.E. 4th and N.E. 10th on Maple to Territorial Rd. Councilman Swayze moved to authorize the City Administrator to purchase the materials for the oiling of the named streets in the amount of \$8,800.00. Seconded by Councilman Nichols and approved 5-0.

Councilman Knight gave a short synopsis of the meeting he attended with the CUB regarding their water project study. Mayor Rapp set up Special Meeting for any business that may come before the Council and also, a workshop with CUB on the water project study.

Council gave Mr. Ferguson a verbal O.K. for Mr. Lee, Lee Engineering, to go ahead and start work.

Council gave Mr. Lashbrook a verbal permission for Mr. Petrequin, STRAMM Engineers, to start work.

Meeting was adjourned at 9:56 p.m.

  
Robert E. Rapp, Mayor

  
Harold A. Wyman, Administrator/Recorder

September 19, 1979

CORRECTION - Third paragraph, from the bottom, figure should read,  
\$3,200 NOT \$4,200.