

CANBY CITY COUNCIL

REGULAR MEETING

DECEMBER 19, 1979

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

Also present: Administrator H.A. Wyman, City Attorney Wade P. Bettis, City Planner Stephan Lashbrook, Public Works Director Ken Ferguson, Public Works Supervisor Bud Atwood, Treasurer Myra Weston, Secretary Marilyn Perkett, Ray Wellman, Charles Tooley, Canby Herald Editor Jeff Durham, David Bury, K.W.R.C. Reporter Tom Jelineo, Brenda Lashbrook, Richard Garvey and Duane Lee of Lee Engineering.

The Regular Meeting was called to order at 7:42 p.m. by Mayor Rapp, followed by the flag salute and roll call of Council.

Councilwoman Brown moved to approve as distributed the minutes of Regular Meeting December 5, 1979, and of Special Meetings December 10, 1979, and December 11, 1979. Seconded by Councilman Westcott and approved unanimously.

CITIZENS IN-PUT ON NON-AGENDA ITEMS - David Bury, CAC Member, invited everyone to attend the open house meeting on the proposed Comprehensive Plan at 10:00 A.M. on Saturday, December 29th, in the Council Chambers.

ORDINANCES & RESOLUTIONS - Attorney Bettis read Ordinance No. 674 for the first reading. Councilman Westcott moved to approve Ordinance No. 674 AN ORDINANCE AUTHORIZING PURCHASE OF REAL PROPERTY FOR MUNICIPAL BUILDING COMPLEX and to be posted and second and final reading to be after 7:30 p.m. on January 16, 1980. Seconded by Councilman Pulver. Mr. Wyman added that in Section 3, first sentence, it should read, line item number 05088000 Federal Revenue Sharing Fund. In the second sentence the word item will be changed to items and number to be deleted and the line item will be added later. Mr. Bettis added that he had got a copy of the preliminary title report from Pioneer Title Company and the lot description should have added the following wording: "as cut off by a line drawn parallel with the line of lot 5". All corrections were approved by the maker and second of the motion. Motion carried 5-0.

COMMUNICATIONS - Administrator Wyman read a letter from Ray Wellman, Everhart & Kent Funeral Home Director, regarding removal of two headstones and resetting of another including the two removed. This is in addition to the burial of ashes in the two grave site areas. Mr. Wellman was told this was cleared with the City and went ahead with the request only to find the City felt this was a subdivision of the plot and didn't approve. Council and staff felt there had been a misunderstanding along the way on this matter and Councilman Knight strongly recommended we approve the request to allow this. Councilman Knight moved that we approve the request of Lester Hess to grant the setting of a third headstone in the existing plot where his wife and son are buried and the Council is determined this is not a violation of a City Ordinance or is not a subdivision of the lot. Seconded by Councilwoman Brown and approved 5-0. Mr. Wellman was requested to get together with staff and work up a policy for the future on such matters and also at that time to address the issue of burying two deep. Mr. Wellman agreed to this request of the Mayor.

December 19, 1979

Mr. Wyman read a letter from Dick Morse regarding his paying the fee for installation of several sewer laterals on the LID. No. 10. Ken Ferguson, Public Works Director, noted that in the last 30 subdivisions in Canby the developers have paid for this and he felt perhaps the existing Ordinance should be amended. Attorney Bettis noted that when the Ordinance was drawn up, the cost was less at that time and also this would encourage people to connect to our sewer and this is why the City paid the cost. Council discussed several ways to restructure this with the main idea of not making street cuts or charging for the repair of street cuts. Mayor Rapp asked Councilman Westcott if he'd be willing to work with staff on this issue. Councilman Westcott agreed and Mr. Ferguson will notify Mr. Morse of Council action.

Administrator Wyman read a letter from Blair Services INC. offering the City two options for this years negotiation contract. Councilman Westcott disapproved of one option which would involve the Council or close member of staff to act as spokesman, this was the main reason for acquiring negotiation services. Councilman Westcott moved to accept Option "A" with Blair Services Inc. for our 1980-81 year of negotiations, as per the letter of December 11, 1979, in the amount of approximately \$2055. Seconded by Councilman Knight and approved 5-0. Mayor Rapp asked staff to notify Mr. Blair of this decision.

A letter from Fred Egger, Canby Utility Board Manager, was read by Mr. Wyman concerning reduction of street lights for energy saving purposes. Mr. Wyman suggested we take a survey with help of the Police Department and staff to see what lights can be turned off. Mayor Rapp requested the staff survey and also some releases to be made through the press regarding our intentions.

Mayor Rapp called for a short recess at 8:37 p.m. The Regular Meeting was reconvened at 8:50 p.m.

NEW BUSINESS - Councilman Knight moved to pay the accounts payable in the amount of \$105,392.32. Seconded by Councilwoman Brown and approved 5-0 by roll call vote. Councilman Knight moved to pay a bill to Canby Utility Board in the amount of \$75.50 and a bill of \$3,596.92 to James Montgomery Engineering to be paid from the Water Bond Fund on warrant issued from the Clackamas County Treasury, Seconded by Councilman Westcott and approved 5-0 by roll call.

Mr. Wyman read a letter from Dennis Nolder, Board Chairman of the Canby Utility Board, informing Council of the expiration of Howard Barlow's term on the Board and recommending his reappointment. Nominations were open for Canby Utility Board Member by Mayor Rapp. Councilman Westcott nominated Richard Garvey for the Board position. Councilman Knight nominated Howard Barlow for reappointment to the Board. Councilman Nichols moved that nominations be closed. Seconded by Councilwoman Brown and approved 5-0. Vote was by show of hands as follows: Richard Garvey - 4 votes and Howard Barlow - 1 vote. Mr. Richard Garvey was duly elected to serve on the Canby Utility Board effective January, 1980. Councilman Westcott introduced Mr. Garvey to the Council at this time. Mayor Rapp instructed staff to write Mr. Barlow a letter of "thanks" for his years of service to the community.

UNFINISHED BUSINESS - Attorney Bettis inquired as to how much title insurance the City wished for the dedication on N.W. Baker Drive, dedications for street purposes. After Council discussion it was decided to aquire title insurance in the amount of \$30,000.

Administrator Wyman read a letter from the Canby Chamber of Commerce asking the City to do a formal census count in view of the latest figures that Portland State had gave the City denoting a decrease in population. Mr. Wyman also noted at this time that we have informed the County that our contribution to the Coalition of Social Services will be designated to go to our local Loaves and Fishes. Mr. Ferguson complimented Planner Lashbrook on his many hours of work he's done in this matter and Mr. Wyman read the letter that Stephan wrote and sent to the Portland State Census Department. At this time Mr. Lashbrook does not recommend any action be taken by the City to do a census count at City expense.

OTHER REPORTS AS REQUIRED OR NEEDED - Mr. Wyman read a letter from Bud Atwood, Public Works Supervisor, with Mr. Atwood's recommendation to purchase a H-31 A.R. Metler Balance Scale for the Sewage Treatment Plant. Mr. Lee, Lee Engineering, highly recommended this scale which he said will be quite adequate when the plant expands. Councilman Nichols moved to instruct the City Administrator to observe the emergency that exists and take from the Contingency Fund the amount of \$2,313.79 to purchase a H-31 A.R. Metler Balance Scale which is to be done immediately and a copy of the letter from Bud Atwood, December 18, 1979, be attached to the minutes of this meeting. Seconded by Councilman Pulver and approved unanimously.

Mayor Rapp reminded Council that there will be five Planning Commission Members with terms expiring in this month and at the meeting of January 2, 1980, he'd like the Council to be ready with some names for nominations.

David Bury wished everyone a Merry Christmas.

Meeting was adjourned at 9:20 p.m.

  
Robert E. Rapp, Mayor

  
Harold A. Wyman, Administrator/Recorder

CANBY CITY COUNCIL

SPECIAL MEETING

DECEMBER 19, 1979

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

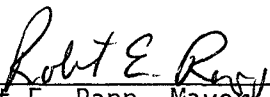
Also present: City Attorney Wade P. Bettis and Canby Herald Editor Jeff Durham.


Mayor Rapp opened the Special Meeting at 7:15 p.m., followed by the flag salute and roll call of Council.

Councilman Westcott moved to go into Executive Session in accordance with ORS 192.610, Section 9, on Personnel Matters and to consider any disciplinary actions if necessary. Seconded by Councilman Knight and approved unanimously.

Mayor Rapp recessed the Special Meeting at 7:17 p.m. to go into Executive Session.

The Special Meeting was reconvened at 7:30 p.m. and immediately adjourned.

  
Robert E. Rapp, Mayor

  
Harold A. Wyma, Administrator/Recorder

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