

CANBY CITY COUNCIL
Regular Meeting
December 20, 1978

Present: Mayor Rapp, Councilmen Knight, Nichols, Giger, Swayze and Westcott.

Absent: Councilman Taylor

Others Present: Administrator Wyman, Recorder Boggs, City Attorney Wade Bettis, City Planner Stephan Lashbrook, Public Works Director Ken Ferguson, Fire Marshall Jack Stark, Public Works Supervisor Bud Atwood, Howard Barlow, Canby Utility Board, Paul Bosarge, Canby Herald, City Treasurer Weston, Diana Schmid, The Oregonian, Beryl Brown, CouncilMember-elect, David Bury, John R. Stewart, Ted LaVigne, Det. Brian Howarth and others.

Meeting called to order 7:30 p.m. Flag salute given.

Minutes of regular meetings November 1, 15 and December 6 and of special meeting October 25, 1978 approved on motion of Councilman Swayze, seconded by Councilman Westcott, motion passed.

Resolution #254 was read by City Attorney Bettis. Councilman Giger moved to approve the Resolution, accepting from Clackamas County a portion of S.W. 13th Avenue designated as County Road 1494. Motion seconded by Councilman Knight; voted unanimously. A certified copy of the resolution must be submitted to the County within 90 days, the attorney stating such is required by County order.

Resolution #255, relating to Clark-Overton annexation fee, was read by Attorney Bettis. On Councilman Giger's motion, seconded by Swayze, unanimous vote was cast for approval of Resolution #255.

A letter from Director Ferguson was read regarding a proposed Recreational Vehicle Sewage Dump Station, which John R. Stewart proposes to install for public use in connection with an automatic car wash at his place of business on S.W. 1st Avenue. He asks that the City maintain the dump station, with access from S.W. 4th Avenue, and permission to put his car wash's waste water into the city sanitary sewer in exchange for providing the dump station. Councilman Westcott moved to accept Stewart's proposal, pending final approval and a report with costs, maps, etc. prepared by the Public Works Department. Motion seconded by Giger; motion passed. LaVigne is to install the car wash, Stewart told the Council, adding that March-April installation is expected.

Ownership of fifteen parcels on S. Locust Street right-of-way is sought with \$5,000 budgeted for property purchase and \$1,000 needed from contingency to complete the project, Ferguson told the Council. Five of the parcels are not yet dedicated. After Administrator Wyman stated \$3,800 is in contingency, Councilman Westcott moved that the Public Works Director obtain ownership of the fifteen parcels and the estimated need of \$1,000 be taken from the contingency (general) fund. Nichols seconded. Motion carried. The City Attorney requested a copy of the title company's preliminary report of title search on the project.

A letter from Fire Marshal Jack Stark regarding a propane tank installation on a mobile home at the KWIK station, 687 S.E. 1st Avenue, was read. Stark supplemented the letter by stating that the tank was still connected at 5 p.m. December 20, and was an illegal installation with improper setback from buildings. While the owner has a temporary permit, its conditions have not been met. City Attorney Bettis advised Stark to see his office (Michael Clancy, deputy attorney) to verify a complaint before municipal court judge. Motion by Councilman Swayze, seconded by Giger, that fire marshal advise the city attorney's office of the violation and prepare to take action in city court under the uniform fire code. Motion passed.

Councilman Giger moved that accounts payable be allowed, Knight seconding; passed.

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Planner Lashbrook reported that the three-party contract of the City, LCDC and Eldon Edwards, planning consultant, does not specify that the City's comprehensive plan must meet state LCDC requirements. The Citizens Advisory Committee (CAC) is within the LCDC time frame, he reported. Councilman Westcott moved that the Mayor be authorized to sign a letter of December 15, nunc pro tunc, directed to Mr. Edwards. Councilman Giger seconded, motion passed.

Report was made that Councilmen Knight, Swayze, and Westcott, plus former Oregon City Police Chief Bob Chester, had interviewed four candidates for Police Chief. Councilman Swayze asked ratification of the Interview Board's recommendation to hire Richard Seigler of Lakeport, California, as police chief. Attorney Bettis and Administrator Wyman gave favorable reports from the district attorney and sheriff in the California county. Council members indicated approval of the board's recommendation. Councilman Swayze moved, seconded by Westcott, that an appropriate letter of employment be prepared for Mr. Seigler's appointment, and that a copy be sent to him and another placed in his personnel file. Motion carried.

Mayor Rapp proposed that Acting Chief Jerry Giger be awarded the difference in pay between his (as Lieutenant) and the chief's salary, over and above the 90 days' time. Motion by Swayze, seconded by Westcott, and passed, approved such action.

Councilman Swayze acknowledged as "outstanding history" the 20-year service on the Council of Howard Giger, and stated that the City of Canby is indebted to him. A standing ovation was given Mr. Giger, who was sitting as a Councilman at his final meeting of the term.

Fire truck bids' failure to meet specifications prompted Councilman Westcott's recommendation that both bids be rejected, the bidders were given thanks of the City, and a new bid call be issued. Westcott made the recommendation as a motion, seconded by Swayze, and passed.

Attorney Bettis asked Council members to consider the \$3 million water bond issue and five questions:

1. When to advertise for bids to sell the bonds?
2. When to open bids?
3. What date the bonds would carry?
4. Term of the bond issue (10, 15, 20 or 30-year maximum)
5. How to raise funds (\$90,000 approximately) for first interest payment.

He suggested mid-February bid opening, dating of bonds for March 1, making interest come due September 1, (when the City could get money from the county treasurer), and advising the county treasurer to invest interest earnings for the city because county investments yield a higher rate than do those of the state.

Councilman Giger moved that the City Attorney proceed to prepare the necessary papers for bid opening and sale of \$3 million general obligation water bonds during the first quarter of 1979 at a net effective interest rate not exceeding seven per cent. Motion seconded by Westcott, motion passed.

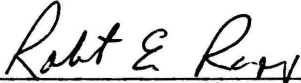
A question regarding Kent & Snow's audit regarding general fund departmental expenditures in excess of those budgeted for, was directed to the City Attorney for study.

Mayor Rapp reported three vacancies to be filled by appointment on the Planning Commission, and one on the Utility Board. He asked for suggestions.

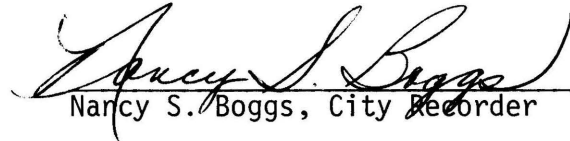
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Mayor Rapp and Attorney Bettis voiced tribute to Councilman Howard Giger for his long and valued service to the City.

Meeting adjourned.



Robert E. Rapp, Mayor



Nancy S. Boggs, City Recorder

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