

Canby City Council
Special Meeting
October 10, 1978

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

Others Present: Administrator Wyman, City Attorney Bettis, City Treasurer Weston, Ken Ferguson, Public Works Director, Bud Atwood, Supervisor of Public Works, David Bury, Dorothy Knight, Paul Bosarge, Canby Herald, Dianne Schmid, Oregonian, Garr Wentworth, Al Cibula, Gloria Altenhofen, Richard Morse, William Stevens, Art Goglin, Hugh Harper, Dick Danforth, and others

The meeting was called to order at 7:30 p.m. followed by the traditional flag salute.

Ordinance No. 644; AN ORDINANCE AUTHORIZING PURCHASE OF A 15 PASSENGER VAN FOR SENIOR CITIZENS' PROGRAM; AND DECLARING AN EMERGENCY; was then read by title only on second reading. Councilman Swayze moved to pass Ordinance No. 644, An Ordinance Authorizing Purchase of a 15 Passenger Van for Senior Citizens' Program; and Declaring an Emergency, seconded by Councilman Knight. The motion passed by roll call vote with 4 ayes and 0 nays.

Resolution No. 251 will be read on October 18, 1978 due to errors.

Administrator Wyman read a letter of acceptance for the position of Planner/Expeditior from Stephan Lashbrook. No action was necessary.

Next on the agenda was one liquor license renewal application for change in ownership from Tradewell Stores, Inc. and one liquor license application from Grand Central Station for beer and wine. Discussion followed. Councilman Nichols moved the renewal application for change of ownership be approved from Tradewell Stores, Inc., seconded by Councilman Knight. The motion was carried 3 to 1 with Councilman Westcott voting no. Councilman Nichols moved the application from Grand Central Station Restaurant be approved as presented, seconded by Councilman Knight. Discussion followed. Garr Wentworth, owner of Grand Central Station told the Council he felt he needs the license to round out his business and assured the Council there will be no tavern atmosphere at all. The motion was then passed by roll call vote with 3 ayes and 1 nay. Councilman Westcott voted no.

Next was discussion of additional costs for water rate/source study in the amount of \$1,000. Councilman Westcott moved that the City pick up their 50% share of the additional \$1,000 charges for the water rate source study by C & G Engineering, Inc., to be taken out of the Contingency Fund, seconded by Councilman Swayze. The motion was carried.

Administrator Wyman then discussed the opening of bids on Phase II-Maple Street Park, excavation costs. Staff recommended the only bid from John L. Jersey & Sons, Inc. in the amount of \$39,500 be rejected. Councilman Swayze moved that the bid from John L. Jersey & Sons, Inc. be rejected in the amount of \$39,500 and that the Public Works Department go out and get individual bids, seconded by Councilman Nichols. The motion was carried with Councilman Westcott requesting the letter from Ken Ferguson be attached to these minutes.

The meeting recessed at 7:50 p.m. and was reconvened at 8:02 p.m.

October 10, 1978

3

Canby City Council
Special Meeting
October 10, 1978
Page 2

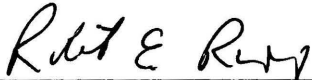
Next was the matter of bids on Canby Industrial Park Lift Station. A lengthy discussion followed with the bids as follows:

Don & Lotis Construction, Inc.	\$24,329.00
Garrett & Thomas	\$35,595.00
Pipe Tech, Inc.	\$23,245.60
Steve Smith, Construction	\$26,121.00

Councilman Westcott moved that all bids be rejected and the lift station be redesigned at a lower capacity and administered costs and that it be done post haste, seconded by Councilman Swayze. More discussion followed with the motion being carried.

The meeting was then recessed at 8:29 p.m. for a workshop concerning the Canby Depot Station.

The meeting reconvened at 9:48 p.m. and adjourned at 9:49 p.m.




Robert E. Rapp, Mayor



Nancy S. Boggs, City Recorder

October 10, 1978



DATE: October 10, 1978

TO: Honorable Mayor & City Council

FROM: Ken Ferguson, P.E.
Public Works Director

SUBJECT: Bid Opening/Maple Street Park, Phase II

Bids were opened Tuesday, October 10, 1978, for site preparation on Maple Street Park, Phase II.

Although there were seven plan holders, the city received only one bid from John L. Jersey & Sons, Inc. The bid was in the amount of \$39,500. The engineer's estimate was \$12,500.

It is recommended that the bid be rejected and firm bids be obtained individually from excavation contractors.

A handwritten signature in cursive script that reads "Ken Ferguson". The signature is written in dark ink and is positioned above the printed name.

Ken Ferguson

cc: File

Canby City Council
Regular Meeting
October 4, 1978

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

Absent: Councilman Taylor

Others Present: Administrator Wyman, City Attorney Bettis, City Treasurer Weston, Ken Ferguson, Public Works Director, Bud Atwood, Public Works Supervisor, Smith French, Fire Chief, Jerry Giger, Acting Police Chief, Jon Henrickson, Paul Bosarge, Canby Herald, Fred Stefani, Dianne Schmid, Oregonian, David Bury, and Ron Tatone

The meeting was called to order at 7:30 p.m. followed by the traditional flag salute.

Mayor Rapp called for additions or corrections to the minutes of September 20, 1978 and September 26, 1978 at which time the following corrections were noted:

September 20 - Page 3, paragraph 5, should read, "Next was the setting of dates for interviews for the hiring of a Planner. Discussion followed with Councilman Knight, Westcott, and Swayze to be on the interview board."

Councilman Swayze moved that the minutes of September 20 and 26, 1978 be approved as corrected, seconded by Councilman Westcott. The motion was carried.

Next was citizens input on non-agenda items at which time there were none.

Ordinance No. 643; AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY (Application of Martin L. Clark and Alvin M. Cibula - River View Industrial Park); was then read by title only by the City Attorney for second reading. Councilman Giger moved that Ordinance No. 643 be passed on second reading by title only, seconded by Councilman Knight. The motion passed by roll call vote with 4 ayes and 0 nays. Councilman Westcott abstained due to declaring a conflict of interest at an earlier date.

Ordinance No. 645; AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY (Application of Marvin L. Dack for zone change from R-1 to R-2 for 15.34); was read in its entirety by the City Attorney on first reading after the Council read a letter to Attorney Bettis from Jon Henrickson, Attorney for Mr. Dack in reference to the Ordinance. Councilman Giger moved that Ordinance No. 645 be passed on first reading as read by the City Attorney and come up for second reading November 1, 1978, seconded by Councilman Westcott. Discussion followed with Councilman Westcott amending the motion to substitute Jon Henrickson's Item No. 2 - Section 2 - Application to build proposed project must be filed with all required documents to the Planning Department of the City of Canby within two (2) years from the effective date of this Ordinance or the zone classification for the whole of said property shall automatically and immediately revert to R-1 single family zone, with the maker of the motion agreeing. More discussion followed. The motion was then carried.

October 4, 1978

Mayor Rapp recessed the meeting at 8:06 p.m.

PUBLIC HEARING - Rufus Kraxberger Zone Change

Mayor Rapp opened the public hearing at 8:07 p.m. asking for a staff report at which time Eldon E. Edwards read the report to the Council.

Mayor then asked the hearing body if they had any questions concerning the staff report and there were none.

Mayor called for testimony from the applicant at which time Fred Stefani spoke on behalf of Mr. Kraxberger. Again, the Mayor asked if the hearing body had questions and there were none.

Mayor Rapp then called for opponents and there being none called for proponents. There were none. Mayor asked if anyone would like to speak either for or against the zone change and there was none.

Mayor closed the public hearing at 8:11 p.m.

A brief discussion followed by the hearing body concerning the zone change. Councilman Giger then moved that the Planning Commission's decision to all a zone change from R-20, County Zoning to R-1, Single Family Residential, Tax Lot 1601, Section 28DD, T3S, R1E, NE Territorial Road, for Rufus Kraxberger be allowed and adopt the findings of fact, seconded by Councilman Westcott. The motion was carried.

Resolution No. 250; A RESOLUTION PROVIDING FOR A SPECIAL ELECTION TO BE HELD IN THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON, ON THE 27th DAY OF OCTOBER, 1978, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED LEGAL VOTERS OF SAID CITY THE QUESTION OF A GENERAL OBLIGATION BOND ISSUE FOR WATER PURPOSES; was then read by the City Attorney in its entirety. Councilman Swayze moved that Resolution No. 250, A Resolution Providing for a Special Election to be Held in the City of Canby, Clackamas County, Oregon, on the 27th Day of October, 1978, for the Purpose of Submitting to the Qualified Legal Voters of Said City the Question of a General Obligation Bond Issue for Water Purposes be adopted, seconded by Councilman Westcott. Discussion followed. The motion was carried. Attorney Bettis then gave Mrs. Boggs the Notices of Election and instructions.

Next was a letter from Wade Bettis in reference to the City's Comprehensive Plan and a letter from Eldon E. Edwards in reference to the progress of the Canby Comprehensive Plan. Discussion followed with Mr. Edwards stating we have until June of 1979 for completion of the Comprehensive Plan.

Administrator Wyman then read a letter from Attorney Bettis in reference to the G.O. Water Bond Issue for \$3,000,000. Discussion followed concerning interest rates and costs. Councilman Westcott moved that the Mayor be authorized to initial this letter of Mr. Bettis's dated October 2, 1978 in regards to the G.O. Bond Issue of \$3,000,000, seconded by Councilman Giger. The motion was carried. Administrator Wyman then recommended to the Council that all costs come from the Canby Utility Board if the Bond Issue does not pass. Discussion followed with no further action being taken.

October 4, 1978

14

Canby City Council
Regular Meeting
October 4, 1978
Page 3

Next on the agenda was the Accounts Payable. Councilman Swayze moved that the Accounts Payable in the amount of \$18,287.55 be approved, seconded by Councilman Giger. The motion was passed by roll call vote with 5 ayes and 0 nays.

Next was a report from Zarosinski-Tatone on providing sanitary sewer service to the proposed development of Willamette Green No. 2. Ken Ferguson explained the request to the Council. A lengthy discussion followed. Councilman Swayze moved that a letter be drawn up to Mr. Tatone stating we are not interested in sewer lines running through the City's property, seconded by Councilman Giger. The motion was carried.

Next was the permission to call for bids for a fire truck. A brief discussion followed concerning the bid request. Councilman Giger moved that the permission be granted to call for bids on the fire truck, seconded by Councilman Knight. The motion was carried.

Next on the agenda was the Proclamation for Jogging Day which was requested by Governor Straub to be on held on October 14, 1978 which the Mayor read. Mayor Rapp will sign the Proclamation by consensus of the Council.

Mayor Rapp then stated Mrs. Boggs would like notification from those who plan to attend the League of Oregon Cities Convention.

Administrator Wyman then spoke about the Oregon Tax Relief Program requesting financial support and ideas and asked if the Council could get involved in something of this nature. Discussion followed with no action being taken until the Mayor receives more information.

Ken Ferguson then stated that Ron Tatone was here and would like to speak to the Council concerning the sanitary sewer service on Willamette Green No. 2. After more discussion, Councilman Giger suggested we stay with the original motion and with the consensus of the Council no further action was taken.

Next was the discussion of the serial levys with no action being taken.

Administrator Wyman stated our new assessed valuation for the City of Canby is now \$92,118,260.

City Treasurer Weston then stated she was please to see the Mayor's picture now hanging in the Council Chamber.

Discussion then returned to the serial levys. A lengthy discussion followed with the consensus being we wait and see what the outcome of Measure No. 6 and No. 11, and that Administrator Wyman, Myra Weston, and the City Attorney will get together for insight on both of the Measures.

Councilman Giger left at 9:59 p.m.

October 4, 1978

15

Canby City Council
Regular Meeting
October 4, 1978
Page 4

The meeting adjourned at 10:23 p.m. after more discussion concerning serial levys and Measure No. 6 and Measure No. 11.

Robert E. Rapp
Robert E. Rapp, Mayor

Nancy S. Boggs
Nancy S. Boggs, City Recorder

October 4, 1978

NOTICE OF SPECIAL CITY BOND ELECTION

On Friday, October 27, 1978, between the hours of 8:00 o'clock a.m. and 8:00 o'clock p.m., Oregon Daylight Savings time, a Special City Election will be held at the Canby City Hall in and for the City of Canby, Clackamas County, Oregon for the purpose of submitting to the qualified legal voters of the City of Canby the question of contracting a general obligation bonded indebtedness in the name of the City in the sum of \$3,000,000 for a term not exceeding twenty (20) years for the purpose of providing funds with which to make additions, extensions and improvements to the water supply and distribution systems; construct, equip and develop another source of water and water supply facilities; and acquire necessary land and rights-of-way therefor, in and for the City of Canby. The ballot title and form in which the proposed bond issue shall be printed and submitted on the official ballot is as follows:

BOND ISSUE PROPOSED BY COMMON COUNCIL

Shall the City of Canby contract a general obligation bonded indebtedness in the sum of \$3,000,000 for a term not exceeding twenty (20) years for the purpose of providing funds with which to make additions, extensions and improvements to the water supply and distribution systems; construct equip and develop another source of water and water supply facilities; and acquire necessary land and rights-of-way therefor, in and for the City of Canby?

The voter shall place a cross (X) or a check (✓) in the box between the number and answer voted for or punch the appropriate answer if a punch-card ballot is used, to signify the choice. VOTE YES OR NO.

100	BOND ISSUE	<input type="checkbox"/>	YES
101	BOND ISSUE	<input type="checkbox"/>	NO

The election will be conducted by the Clackamas County Elections Department at the Canby City Hall which is the only polling place for this election and the polls for the reception of the ballots cast for or against the contraction of said indebtedness will on said day and date be opened at the hour of 8:00 o'clock a.m. and remain open until the hour of 8:00 o'clock p.m. on the same day, at which hour the same shall be closed.

By order of RESOLUTION NO. CCL (250) of the Canby City Council adopted the 4th day of October, 1978.

DATED, posted and first published October 11, 1978. Last publication, October 25, 1978.

Nancy S. Boggs
Nancy S. Boggs, City Recorder
City of Canby, Clackamas County,
Oregon.

took to paper 10-6-78 for publication on 10-11-78, 10-18-78, and 10-25-78. They will send a proof copy. nsh

*Posted 10/11/78
Public Bulletin Bd
Inside City Hall
Council Chamber
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nsh*