

Canby City Council  
Regular Meeting  
June 15, 1977

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

Others Present: Administrator Wyman, City Attorney Reif, City Treasurer Weston, Ken Ferguson, Superintendent of Public Works, Bud Atwood, Supervisor of Public Works, Bob Shaw, Planning Commissioner, Eldon Edwards, Planning Consultant, Al Schwartz, Canby Herald, David Bury, Dave Anderson, Frank Galey, J.W. Harpster, Glen Newton, Bob Cavanaugh, Glen Grand, Tony Tamerius, and others.

Absent: Councilman Taylor

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

The Mayor called for additions or corrections to the minutes of June 1, and June 6, 1977. There being none, Councilman Giger moved to approve the minutes of June 1, and June 6, 1977 as distributed, seconded by Councilman Swayze and passed unanimously.

Mayor Rapp then called for citizens input on non-agenda items at which time Bob Cavanaugh, representing the the Canby Pitchpipers, requested the use of Wait Park on June 26, 1977 for the purpose of a strawberry shortcake social to raise funds for the Pitchpipers to go to Philadelphia, Pennsylvania for competition nationally. After a brief discussion Councilman Nichols moved that we approve the request as requested by Mr. Cavanaugh on June 26, 1977, seconded by Councilman Giger. The motion was passed unanimously.

Glen Grand representing Globe-Union Inc then stood and requested the Council to declare that the City of Canby wants Globe-Union Ince. here and approves of future expansion in a letter to be written to the County Board of Commissioners. A lengthy discussion followed. Councilman Swayze moved that the Council request the Mayor and/or City Administrator to send a letter to the Clackamas County Commissioners stating that we are in favor of them being eligible for the money from the State, seconded by Councilman Giger. The motion was passed unanimously.

The meeting was then recessed at 7:54 P.M. until the Public Hearing at 8:00 P.M.

Mayor Rapp called the Public Hearing to order concerning the Anderson-Ritter Zone Change at 8:02 P.M. and called upon Eldon Edwards, Planning Consultant, to give a summary on the Zone Change from R-1 to C-2. A brief discussion followed his summary. Mayor Rapp then asked for testimony from the applicant, Dave Anderson. Following Mr. Anderson's testimony, the Mayor called for proponents at which time Dr. J.W. Harpster to of his interest in the Zone Change. Frank Galey then stood and talked about the Zone Change and how it concerns his property. There bein no other proponents, the Mayor called for opponents. There were none. Mayor Rapp asked if there was anyone in the audience who would like to speak as neither a proponent or opponent at which time Bob Shaw, Planning Commissioner, stood and told the Council of the Planning Commission's denial of the Zone Change. The Mayor then asked Mr. Anderson if he would like to speak in rebuttal. After a very brief rebuttal from Mr. Anderson, Dr. Harpster once again spoke concerning the 40' right-of-way. There being no further rebuttals, the Mayor called for the Public Hearing on the Zone Change closed. A lengthy discussion followed with the hearing body discussion the Zone Change. Councilman Westcott moved that the City Council uphold the Planning Commission's decision on the Anderson-Ritter Zone Change Appeal, seconded by Councilman Knight. The motion failed by roll call vote with 2 ayes and 3 nays. Councilman Giger moved to table the decision on this Zone Change until

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the first meeting in July which will be July 6, 1977. There was no second to the motion. Councilman Swayze then moved that the Zone Change be granted on the two (2) pieces of property with the stipulation that equal property on the 5th Avenue side be granted as right-of-way equivalent to the part that is already dedicated and that the Council would find that the proposed changes in conformance with the Comprehensive Plan; that there's a public need for the type of change proposed; that this need is best served by changing the classification of the particular property as compared with other available property; and that the proposed change furthers the general welfare of the community, seconded by Councilman Nichols. More discussion followed. Councilman Swayze withdrew his motion and moved to table the decision only until July 6, 1977, seconded by Councilman Giger. More discussion followed. The motion was passed unanimously.

The Mayor then called a short recess which was called back to order at 9:46 P.M.

Councilman Giger was excused from the remaining portion of the meeting.

Next on the agenda was Ordinances and Resolutions at which time the City Attorney explained the error which was made concerning Ordinance No. 525 which had been repealed. The City Attorney then read Resolution No. 227; A RESOLUTION RESCINDING COUNCIL ACTION BY RESOLUTION NO. CCXXVI (226) RELATING TO THE USES OF WATER STOCKED WITH FISH WITHIN THE BOUNDARIES OF ANY CANBY CITY PARK; in its entirety. Councilman Swayze moved to accept Resolution No. 227, seconded by Councilman Westcott and passed unanimously.

Ordinance No. 627; AN ORDINANCE AMENDING ORDINANCE NO. 418; was then read by the City Attorney in its entirety on first reading. Councilman Nichols moved to pass Ordinance No. 627, amending Ordinance No. 418 on first reading and adding to the 4th line, No. 1, page 1: "propane and butane camp stoves", with second reading to be on July 6, 1977, seconded by Councilman Knight and passed unanimously.

Next on the agenda was a letter from Roger Reif in reference to annexation procedures. Discussion followed after Administrator Wyman read the letter. No action was needed.

Next was a letter from the office of James W. O'Leary, Clackamas County District Attorney, thanking the City for the \$1,000 donation. No action was needed.

Next was a letter from Wade Bettis in reference to the new Canby Park on North Maple Street. Councilman Westcott moved that this letter be referred to the Parks and Recreation Agricultural and Open Space Committee for consideration, seconded by Councilman Nichols. The motion passed unanimously.

Next was the Accounts Payable. Councilman Swayze moved to accept the Accounts Payable in the amount of \$15,862.53, seconded by Councilman Knight and carried by roll call vote with 4 ayes and 0 nays.

Next on the agenda was the billing of Robert Perron in the amount of \$4,171.01. Councilman Swayze moved for the City to pay the bill in the amount of \$4,171.01 to Robert Perron, seconded by Councilman Knight. The motion was passed unanimously.

The bids on Maple Street Park will be held over until June 20, 1977 at a Special Meeting.

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Next was the Rural Fire Board Agreement. Councilman Westcott moved that until the Council can take action, the old agreement will be continued until such time there is a full Council present, seconded by Councilman Swayze. The motion was passed unanimously after a brief discussion.

Next was the Anderson-Ritter Zone Change on 99E which was not approved because of the buffer strip situation in the mobile home court. No action will be taken until Mr. Anderson presents a letter of agreement from the property owners.

Ken Ferguson then introduced Tony Tamerius who was hired as a draftsman in the Engineering Department of the City.

Ken Ferguson then brought up the EDA monies which had been granted. Mr. Ferguson stated he would have more information for the Council on June 20, 1977.

Eldon Edwards then read a letter he has written to LCDC in reference to monies no granted by the government and our awareness of the matter for Council approval. Councilman Swayze moved for the Mayor to sign the letter as read by Mr. Edwards and a copy of the letter be attached to the minutes of this meeting, seconded by Councilman Westcott. The motion was passed unanimously.

There will be a Special Meeting of the Council June 20, 1977, followed by a workshop.

The meeting was then adjourned at 10:34 P.M.

  
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Robert E. Rapp, Mayor

  
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Harold A. Wyman, City Administrator