

Canby City Council
Regular Meeting
October 4, 1976

Present: Mayor Roth, Councilmen Giger, Knight, Westcott, Rapp

Others Present: City Administrator Wyman, City Attorney Bettis, Ken Ferguson, Superintendent of Public Works, Bud Atwood, Supervisor of Public Works, Al Schwartz, Canby Herald, David Bury, William Stevens, Tris Stevens, Dee Walluck, Duane Weeks, Myra Weston, Earl Oliver, Howard Perkin, Darryl T. Jones, Tilda Jones, John Vigus, George C. Douglass, Marv Dack, Charles Andrews, Dennis Ettestad, and others.

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 September 20, 1976, at which time on page two, paragraph three, the name of W. Beauford Knight will be inserted as the new committee member. The minutes were then approved as corrected.

Ordinance No. 608; AN ORDINANCE ADOPTING AN INTERIM GENERAL PLAN AND INTERIM GENERAL PLAN MAP FOR THE CITY OF CANBY; was read on first reading by City Attorney Bettis. Discussion followed. Councilman Westcott moved to accept Ordinance No. 608 on first reading, with the final reading to be on November 1, 1976, seconded by Councilman Rapp. The motion passed unanimously.

Ordinance No. 609; AN ORDINANCE ASSESSING VARIOUS LOTS, PARCELS AND TRACTS OF PROPERTY FOR SANITARY SEWER IMPROVEMENTS MADE ON SOUTH DOUGLAS STREET IN LID #6 (SANITARY IMPROVEMENT DISTRICT); DIRECTING THE ENTRY OF ASSESSMENTS IN THE DOCKET OF CITY LIENS; PROVIDING FOR NOTICE THEREOF; AND DECLARING AN EMERGENCY; was read on final reading by title only by City Attorney Bettis. Councilman Giger moved that Ordinance No. 609 be passed on final reading to become part of the laws of Canby, seconded by Councilman Westcott. The motion passed with Councilmen Giger, Knight, Westcott, and Rapp voting aye.

The Council then discussed the "AND DECLARING AN EMERGENCY", at the end of the title of Ordinances. Councilman Westcott moved that measures on Ordinances will contain an effective date wherever possible and in cases of actual emergency will be declared an emergency, seconded by Councilman Rapp. This motion will be put in the Book of Policies. The motion was then passed unanimously. Not to have the emergency clause in an Ordinance unless it is an actual emergency.

Resolution No. 211; A RESOLUTION INITIATING AMENDMENT OF THE ZONING MAP OF THE CITY OF CANBY; was then read by City Attorney Bettis. Discussion followed. Councilman Westcott moved that Resolution No. 211 be adopted and be made part of the laws of Canby by the City Council of Canby on October 4, 1976, seconded by Councilman Giger and passed unanimously.

Mayor Roth then called for guest hearings at which time there were none.

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Next on the agenda was a letter to Bettis & Rief from the Canby Utility Board in reference to conveyance of Canby Utility Board property to the City of Canby. Administrator Wyman then read a letter to himself from Bettis & Rief in reference to the same property. Discussion followed. Councilman Westcott moved to offer the Canby Utility Board \$900.00 for the said parcel, tax lot #3000 for extension of N.W. Baker. More discussion followed. Councilman Giger seconded the motion. The motion was then passed unanimously. Attorney Bettis will write a letter to the Canby Utility Board telling them of the City's offer.

The next item was the approval of the Accounts Payable. Councilman Giger moved that the Accounts Payable in the amount of \$38,933.00 be passed, seconded by Councilman Rapp. Discussion followed. The motion passed by roll call vote with Councilmen Knight, Westcott, Rapp, and Giger voting aye.

The Eldon Edwards invoice will be held over until October 18, 1976.

George Douglass then discussed with the Council his proposal for a new accounting system for the City. Councilman Rapp moved to remove from the table the motion to hold the proposal over until October 4, 1976, seconded by Councilman Westcott and passed unanimously. Discussion followed. The City attorney, with the concurrence of the Council decided to have a second year, for a salary not to exceed \$750.00 per month without justification before the Council to be effective no sooner than the second fiscal year. More discussion followed. The City Attorney will prepare a Resolution in reference to the new Accounting System and have it ready for the Council Meeting, October 18, 1976.

Next on the agenda was the discussion of the Left-turn channelization and signalization on 99E and Ivy Street. Discussion followed. Several of the property owners presented their comments concerning the 500' No-parking. Councilman Westcott moved that we accept the State Highway Department proposal for 500' no-parking, with no second to the motion being made. More discussion followed. The Council then set a hearing to be held October 18, 1976, concerning the no-parking. The City Staff will write the State to ask for someone representing the State to be at the hearing.

The meeting adjourned at 9:08 p.m.

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Present: Mayor Roth, Councilmen Giger, Nichols, Knight, Westcott, Rapp and Taylor

Others Present: Administrator Wyman, City Attorney Bettis, Sr., Police Chief Cromwell, Fire Chief French, Bud Atwood, Public Works Supervisor, Ken Ferguson, Public Works Superintendent, David Bury, George Douglass, Myra Weston, Dorothy Knight, C.C. Sheppard, Howard Perkins, O. H. Echtenkamp, William Stevens, Tris Stevens, Phil Stearns, Rick Kehn, Mike Hine, Al Schwartz, Canby Herald, Bob Swayze, and others.

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

The Mayor then called for additions or corrections to the minutes of October 4, 1976, at which time there were none. The minutes were approved as distributed.

Resolution No. 213; A RESOLUTION INITIATING ANNEXATION TO THE CITY OF CANBY RE: COLLINS - CITY PROPERTY AND SEWAGE TREATMENT PLANT PROPERTY; was read by Attorney Bettis in its entirety. Councilman Giger moved to adopt Resolution No. 213, seconded by Councilman Taylor. The motion passed unanimously.

Ordinance No. 610; AN ORDINANCE RELATING TO NUISANCES CAUSED BY ANIMALS OF FOWL: PROVIDING FOR THE ABATEMENT OF SUCH NUISANCES: PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE: REPEALING ORDINANCE NO. 89: AND DECLARING AN EMERGENCY; was read on first reading by attorney Bettis in its entirety. Discussion followed. Councilman Taylor moved to pass Ordinance No. 610 on first reading, to be read on final reading on November 15, 1976, seconded by Councilman Giger. More discussion followed. The motion passed unanimously.

The Mayor then called for guest hearings at which time Don Peterson spoke in behalf of the Chamber of Commerce requesting to continue the program at Wait Park in reference to the flower beds. Councilman Westcott moved that the Chamber of Commerce be allowed to continue the program with the flower beds in Wait Park, seconded by Councilman Taylor. A brief discussion followed. The motion was passed unanimously.

David Bury then asked when the benches would be put in front of the Council Chamber. Supervisor of Public Works, Bud Atwood replied that his department were waiting for the rest of the material.

Mike Hine then asked about animal prohibition concerning the zoning limits of animals. Discussion followed. Councilman Nichols moved that a committee be formed to study and help draft an Ordinance regulating animals held in captivity within the City Limits of Canby, seconded by Councilman Giger and passed unanimously. The Mayor then appointed Dave Bury, Mike Hine, and Richard Nichols as the committee to work on this study.

Next on the agenda was the letter from HUD in reference to Popp's Addition which Administrator Wyman read to the Council. A brief discussion followed with no action being called for.

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Next on the agenda was a letter from Goodwill Industries in reference to the Girl Scouts collecting bags of unwanted material from homes on November 6, 1976. Councilman Giger moved to proclaim that Saturday, November 6, 1976 be Good Turn Day for Goodwill, seconded by Councilman Rapp. A brief discussion followed. The motion passed unanimously.

The next item was a letter from League of Oregon Cities in reference to State Revenue Sharing. Councilman Westcott moved that this item be tabled until the next Regular Council Meeting, November 1, 1976, seconded by Councilman Taylor and passed unanimously.

Administrator Wyman then read a letter from O.H. Echtenkamp in reference to the improvement of a lot which he owns on the corner of Knight's Bridge Road at 815 N. Birch Street. Mayor Roth then asked for a staff report at which time Ken Ferguson, Superintendent of Public Works talked about his visit with the Echtenkamp's. Discussion followed. Councilman Nichols moved that a license be granted to Mr. and Mrs. O.H. Echtenkamp of 815 N. Birch, Canby, Oregon, their heirs, and assign to construct a 16" high retaining wall within 10' South of the Northerly Bouncary of Knight's Bridge Road and install a filler for their lawn improvement project on the condition that such improvement be upon notification of the City of its need for use of that street area and be removed at his expense at any time the City so says, seconded by Councilman Giger. More discussion followed. The motion passed unanimously. A copy of these minutes will be sent to Mr. and Mrs. Echtenkamp.

Next on the agenda was the Accounts Payable. Discussion followed. Councilman Giger moved to accept the Accounts Payable in the amount of \$27, 334.07, seconded by Taylor. The motion passed with Councilmen Nichols, Knight, Westcott, Rapp, Taylor, and Giger voting aye.

Next on the agenda to be approved was an invoice from Eldon Edwards. Councilman Giger moved to approve the Eldon Edwards bill in the amount of \$612.50, seconded by Councilman Westcott and passed unanimously.

Administrator Wyman then asked the Council for permission to call for bids on two (2) new police cars and 1 (one) mower for Public Works. Councilman Giger moved to call for the bids of the two police cars and mower, seconded by Councilman Taylor. The motion passed unanimously.

The next item was the discussion of the League of Oregon Cities Meeting to be held in Portland on November 14, 15, and 16. Councilman Taylor moved to amend his motion in reference to Ordinance No. 610 and have it read on final reading at the Regular Meeting on November 22, 1976 at the hour of 8:00 P.M., seconded by Councilman Giger and passed unanimously. Councilman Giger moved that the second Regular Meeting of the Council be held on November 22, 1976, seconded by Councilman Taylor and passed unanimously. Councilman Westcott amended the motion to read that the second Regular Meeting be held as a Special Meeting on November 22, 1976, seconded by Councilman Taylor and passed unanimously.

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Next on the agenda was the appointment of a Planning Commission Member. The Mayor then reappointed Fred Kahut if the Council concurred, to a full term on the Planning Commission. Councilman Taylor moved that the reappointment of Fred Kahut be accepted, seconded by Councilman Giger and passed unanimously.

The meeting adjourned for a seven minute recess.

The meeting was called back to order at 9:13 P.M. by Mayor Roth.

The next item on the agenda was the Ivy Street & 99E Signalization and Channelization. Superintendent of Public Works, Ken Ferguson introduced Rick Kuehn and Phil Stearns of the State Highway Division to the Council and citizens and turned this portion of the meeting over to them. Discussion followed. Councilman Westcott then brought the Council up to date as to what has happened since January, 1976. A lengthy discussion followed. Councilman Taylor moved that we request the State Speed Control Board to lower the speed to 30 miles per hour from City Limits to City Limits, seconded by Councilman Rapp. More discussion followed. The motion passed with Councilmen Westcott and Knight voting nay. Councilman Westcott moved that a Resolution be prepared to prohibit parking 400' from the center line in both directions and be ready for the next Council Meeting on November 1, 1976, seconded by Councilman Rapp. More discussion followed. The motion passed unanimously.

Councilman Taylor moved that the Warranty Deed from E & Z Development Company be approved, seconded by Councilman Giger and passed unanimously.

Administrator Wyman then read a letter from Ken Ferguson in reference to Mercury Development for a Variance Set-back Fee of \$50.00. Councilman Westcott moved that the Mercury Development Variance Set-back Fee of \$50.00 be waived, seconded by Councilman Taylor and passed unanimously.

Administrator Wyman read a letter from Ken Ferguson in reference to the Public Works Employment Act, Title 1. The Council then discussed the two (2) Engineering Firms proposals. Councilman Westcott moved that this matter be held over until November 1, 1976 for a decision to be made at that time, seconded by Councilman Taylor. The motion passed by roll call vote with 6 ayes and 0 nays.

City Attorney Bettis then stated to the Council he has to make the Writ of Review Answer on October 28, 1976.

There being no further business the Council adjourned at 10:40 P.M.

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