

Canby City Council
Regular Meeting
December 6, 1976

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

Others Present: Administrator Wyman, City Attorney Bettis, Sr., Ken Ferguson, Superintendent of Public Works, Bud Atwood, Supervisor of Public Works, Smith French, Canby Fire Chief, Bob Swayze, John Edgerton, Planning Commission Member, Myra Weston, Duane Redfield, Mrs. Dorothy Hockett, Marcia Gille, Canby Herald, Pete Kelley, Lloyd Clark, Earl Oliver, Doug Maxwell, Matt Knoblauch, Martin L. Clark, David Bury, Doug Warren, Planning Consultant, David Anderson, Ron Tatone, Donald Kelley, John Nieland, 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 November 22, 1976. There being none, the minutes were approved as distributed.

Mayor Roth then called for Guest Hearings at which time there were none.

Resolution No. 215; A RESOLUTION CREATING A SPECIAL SWIMMING POOL ADVISORY COMMITTEE; was then read in its entirety by the City Attorney. Councilman Westcott moved that Resolution No. 215 be adopted, seconded by Councilman Rapp. Discussion followed. The motion was passed unanimously. Mayor Roth instructed Mrs. Boggs to write a letter of thanks to the Pool Board, along with a copy of Resolution No. 215.

Next on the agenda was a Mailgram from the office of Revenue Sharing, in reference to the Antirecession Funds. Discussion followed. The Council will return to this item after the City Attorney looks into it a little further.

Ordinance No. 610; AN ORDINANCE RELATING TO NUISANCES CAUSED BY ANIMALS OR 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 then read, by title only, by the City Attorney on final reading. Councilman Rapp moved that Ordinance No. 610 be passed and made part of the laws of the City of Canby, seconded by Councilman Taylor and passed by roll call vote with 5 ayes and 0 nays.

The next item on the agenda was a letter of request from Police Chief Cromwell for a Hand Held Radar Unit in the amount of approximately \$1,300. Discussion followed. Councilman Taylor moved that the request of Chief Cromwell to purchase the Hand Held Radar Unit in the approximate amount of \$1,300 be granted, seconded by Councilman Rapp and passed unanimously.

Next on the agenda was a letter from the Oregon Library Association in reference to a Resolution to support State Aid for Libraries. Administrator Wyman read the Resolution to the Council. Discussion followed. Councilman Westcott moved that a copy of this Resolution for proposed legislation be sent to the Library Board for their response, seconded by Councilman Nichols. More discussion followed. The motion was then passed unanimously. Mrs. Boggs will see that the Library Board gets a copy of the Resolution, along with a copy of the letter.

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Administrator Wyman then read a letter from Mrs. Lucile Pepper thanking the City for the \$200 they had sent her for retirement.

The Council then returned to the matter of the Antirecession Funds. Discussion followed. Councilman Westcott moved that the Mayor be directed to sign the Assurance Form of the Public Works Employment Act II, seconded by Councilman Rapp with the motion passing unanimously.

Next on the agenda was the Accounts Payable. Discussion followed. Councilman Taylor moved that the Accounts Payable in the amount of \$22,697.82 be approved, seconded by Councilman Rapp and passed by roll call vote with 5 ayes and 0 nays.

Next on the agenda was the appointment of a Planning Commission member to fill the vacant seat of Curtis Johnson who recently resigned. Mayor Roth then recommended the appointment of Al Cibula. Councilman Westcott moved to confirm the Mayor's recommendation to appoint Al Cibula to the Planning Commission, seconded by Councilman Taylor. After a brief discussion the motion was passed unanimously.

The next item was a discussion to change the Council Meeting Nights. Discussion followed. Councilman Rapp moved that the City Attorney be instructed to draw up an Ordinance to meet on the first and third Wednesday of each month, seconded by Councilman Taylor. The Motion passed with Councilman Westcott abstaining. More discussion followed.

Next on the agenda was an appeal of a Minor Land Partition which had been denied by the Planning Commission on November 10, 1976, concerning the Fred and Dorothy Hockett property. Mayor Roth then asked the Planning Commission the reasons for denial. Doug Warren, Planning Consultant with Eldon Edwards spoke on behalf of the Planning Commission. Mr. Warren then stated the reasons for the denial as being: (1) does not abutt on a public street; (2) the substandard nature of the lot, and; (3) the uncertainty that goes with this area as to how this parcel will be used in the future. David Anderson of Anderson-Ritter Realty then spoke on behalf of Fred and Dorothy Hockett. Discussion followed. Councilman Taylor moved that the Minor Sub-division Application of Fred and Dorothy Hockett which was turned down by the Planning Commission at its meeting on November 10, 1976, be approved by the City Council on an Appeal Hearing this date on condition that the applicants dedicate to the City for public street purposes 20' of land adjacent to and immediately South of S.W. 5th Avenue, also known as the Zeek Heirs Property; and that the application be approved for the reasons that: (1) the existing buildings had been there since 1963; (2) that with the deed of the Zeek Heirs a public right-of-way will exist for access to the property; (3) that the party will still meet the requirements of the 7,000 square feet minimum for a lot size of a R-1 Zone; (4) that the subject property is adequately sewered and that other necessary utilities are provided, seconded by Councilman Westcott. More discussion followed. The motion was then passed by roll call vote with Councilmen Taylor, Rapp, and Westcott voting aye and Councilmen Nichols and Knight voting nay.

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Next on the agenda was the setting of a date for the Supplemental Budget on the Swimming Pool. Discussion followed. Administrator Wyman and the City Attorney will get together and discuss the matter. Councilman Westcott moved that the Supplemental Budget Hearing date be set for January 3, 1977 at 8:00 P.M. if required, seconded by Councilman Rapp. The motion was passed unanimously.

Next on the agenda was the Clark-Oliver Sub-division. Councilman Rapp moved that we accept the petition presented by Martin L. and Lloyd M. Clark for an LID for sewer and water improvements on N. Ash Street and that the Superintendent of Public Works submit a feasibility study and report to the Council as required in Ordinance No. 393 for the Council's next meeting on December 20, 1976, seconded by Councilman Nichols. Discussion followed. The motion passed unanimously by roll call vote with 5 ayes and 0 nays.

Administrator Wyman announced the plans for a City Auction to be held on Saturday, December 18, 1976 at 10:00 A.M. at the Sewer Treatment Plant.

Administrator Wyman then stated the Police Department's Open House was a success with 100 to 200 people attending.

There will be a workshop on Monday, December 13, 1976, in the Council Chamber to discuss Ordinance No. 611.

Councilman Westcott stated that a committee should be appointed for LID's pertaining to the Book of Policy.

The meeting adjourned at 9:47 P.M.

Harold A. Wyman
City Administrator

Paul N. Roth
Mayor