

CANBY CITY COUNCIL

REGULAR MEETING

DECEMBER 17, 1986

Mayor William F. Pulver presiding. Council members present: David Anderson, Nancy Kopelk, Scott Taylor, Gary Sowles, Helen Brennan and Michael Jordan.

Also present: Administrator Bud Atwood, City Administrator Stephan Lashbrook, City Attorney John Kelley, Police Chief Jerry Giger, Swim Center Director Scott Nelson, Public Works Director Rusty Klem, Councilmen-elect Walt Daniels and Terry Prince, Mariel Ames, Steve Frederick, Betty Schroeder, Karma Edington, Roy Hester, Allan and Marilyn Hahn, Wes Nicholson, Curt Schrader, Jim McKibbin, Hank Schouten and Gene and Naomi Clift.

Mayor Pulver called the regular session to order at 7:30 p.m., followed by the flag salute and meditation.

Roll call of the Council showed a quorum present.

**Councilwoman Brennan moved to approve the minutes of regular session December 3, 1986, seconded by Councilman Jordan and approved unanimously.

CITIZEN INPUT ON NON-AGENDA ITEMS: None presented.

COMMUNICATIONS: Administrator Atwood read a letter from SOLV (Stop Oregon Litter and Vandalism) announcing that Canby had been awarded a certificate of appreciation for accomplishments during 1986. Mrs. Perket and Lt. Scharmota attended the December 10th ceremony to accept the award.

Administrator Atwood read a letter from Senator Hatfield that was in response to a letter Mayor Pulver had sent regarding Canby's opposition to the proposed BPA wholesale rate increase.

A letter from Charles Crookham, Chairman of the Governor's Commission on the Bicentennial of the United States Constitution, was read regarding the 1987 Constitution Bicentennial and urging the City's participation. Mayor Pulver requested that Council consider the request and be prepared to make a decision at the next meeting regarding participation.

ORDINANCES & RESOLUTIONS: **Councilman Sowles moved to adopt Resolution No. 397, A RESOLUTION AUTHORIZING A GARBAGE COLLECTION RATE INCREASE AND ESTABLISHING A NEW RATE SCHEDULE. Motion seconded by Councilman Taylor and approved 6-0.

Ordinance No.800, an ordinance regulating swimming pools, spas, hot tubs, fishponds and other artificial bodies of water was discussed by the Council and referred back to staff and a committee of Helen Brennan, Chairman, David Anderson and Jim McKibbin. Several Council members expressed concern regarding the ordinance as written and also the enforcement of the ordinance.

NEW BUSINESS: **Councilwoman Kopelk moved to approve payment of accounts payable in the amount of \$141,753.80, seconded by Councilman Taylor and approved 6-0, by roll call vote.

The Council next considered initiating a street vacation on S. Birch Street. Betty Schroeder, applicant for a minor land partition was granted the partition with one of the conditions being a ten foot street right-of-way on Birch Street to be vacated by the City with the condition of curbs and sidewalks to be put in by the applicant. If Council agreed with staff recommendation for the City to vacate subject property, than staff would proceed with the public hearing and legal notice process. **Councilman Anderson moved to approve request of staff to proceed with street vacation procedure on S. Birch Street as outlined in the December 10, 1986 staff memo. Motion seconded by Councilman Sowles and approved unanimously.

Mariel Ames, Solar Access Consultant, addressed the Council regarding future implementation of an ordinance regulating building in accordance with solar access. The Council viewed a slide presentation and also a model display to explain the solar access program. Mayor Pulver thanked Ms. Ames for her presentation and noted that the Council will need a great deal more information before making a decision to implement an ordinance.

The Council next considered a request from Ernie Graham, 549 N.E. 10th Avenue, for a temporary permit to place a mobile home in his back yard as a special hardship situation. Staff felt the request met the criteria set forth in Ordinance No. 740, and recommended a one year permit, renewable through administrative review. **Councilwoman Kopelk moved to approve the request of Ernie Graham, 549 N.E. 10th, for placement of a mobile home unit on his property for his mother Ivy Graham, and complies with Ordinance No. 740, 10.2.50, D, 5. with the following findings of fact: a) and b), comply because of the lot size and lack of remonstrances; c) all utilities will be connected to meet code requirements; d) placement of unit will meet setback requirements; e) hardship situation is documented by a letter from Dr. Ronald Maul. The temporary permit will be for one year with annual renewal by the Administrator. Motion seconded by Councilman Jordan and approved 6-0.

Administrator Lashbrook informed the Council that two representatives from Clackamas Community College met with him and City department heads to review the "program" budget process today and the first budget meeting is scheduled for January 22, 1987.

UNFINISHED BUSINESS: Councilman Sowles suggested the name of Tom Dillon, Canby Herald publisher, as a Budget Committee member. Mayor Pulver appointed Tom Dillon to the City Budget Committee. **Councilwoman Kopelk moved to approve the appointment by Mayor Pulver of Tom Dillon to the City Budget Committee, to complete the term of Terry Prince, expiring, March, 1988. Motion seconded by Councilman Sowles and approved unanimously.

Councilman Anderson submitted the name of Patrick Harmon, Broker's Marketing Realator, as a Planning Commission member. Mayor Pulver appointed Patrick Harmon to a three term on the Canby Planning Commission. **Councilman Sowles moved to approve the Mayor's appointment of Patrick Harmon to a three year term on the Canby Planning Commission, expiring, December, 1989. Motion seconded by Councilwoman Brennan and approved 6-0.

OTHER REPORTS OR ANNOUNCEMENTS: Mayor Pulver noted that this was Bud Atwood's last meeting as City Administrator and expressed Council's thanks to him and also reminded everyone of the Atwood Retirement Reception on December, 28th.

Administrator Atwood informed the Council that a personnel problem had occurred and Stephan Lashbrook will conduct a formal hearing on Friday, regarding the issue.


Mayor Pulver informed the Council that the City has been offered a piece of property near Maple Street Park at a very good sale price and they would discuss the issue in Executive Session and hopefully the local newspaper will cover the story and citizen input might help the Council make a decision on purchasing the subject property.

Mayor Pulver thanked the Planning Commission members for attending the meeting to view the Solar Access presentation.

**Councilman Sowles moved to go into Executive Session under ORS 192.660 (1)(e), for deliberations with persons designated by the governing body to negotiate real property transactions. Motion seconded by Councilman Jordan and approved 6-0.

Mayor Pulver recessed the regular meeting at 9:24 p.m. to go into Executive Session. The regular meeting was reconvened at 9:48 p.m. and immediately adjourned the meeting.


Marilyn K. Perket, City Recorder


William F. Pulver, Mayor