

CANBY CITY COUNCIL

REGULAR MEETING

JUNE 18, 1986

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

Also present: Administrator Bud Atwood, City Attorney John Kelley, Public Works Director Rusty Klem, Aquatics Director Scott Nelson, Police Chief Jerry Giger, City Recorder Marilyn Perkett, Bob Godon, Bob Root, Al Moore Stephan Lashbrook, Steve Frederick, Ben Sandsness, Bob Westcott, Darrell Ferschweiler, Hank Scoutin and Rufus Kraxberger.

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 all members present for a quorum.

**Councilwoman Kopelk moved to approve as distributed the minutes of regular session, June 4, 1986, seconded by Councilman Sowles and approved unanimously.

CITIZEN INPUT ON NON-AGENDA ITEMS: None voiced.

COMMUNICATIONS: Administrator Atwood read a letter from the Canby Arts Association requesting use of Wait Park for the annual General Canby Day on July 4, 1986, and requesting Mayor Pulver to participate in the events. Mayor Pulver expressed his regrets, due to the fact he will be out of town he will be unable to participate and he requested other Council representation. The general consensus of the Council was to approve the Canby Arts Association request, including street closures around Wait Park. Mr. Atwood informed the Council that the organization had to pay a premium of \$100 for liability insurance coverage on the City park property.

ORDINANCES & RESOLUTIONS: **Councilman Sowles moved to approve on final reading and to become part of the laws of the City of Canby, Ordinance No. 790, AN ORDINANCE ADOPTING THE 1985 STATE BUILDING CODE, PROVIDING FOR LOCAL ADMINISTRATION OF THE CODE, ADOPTING OF CERTAIN OTHER CODES, PRESCRIBING PENALTIES AND REMEDIES, REPEALER AND DECLARING AN EMERGENCY. Motion seconded by Councilwoman Kopelk and approved 6-0, by roll call vote.

**Councilman Jordan moved to adopt on final reading, to become part of the laws of the City of Canby, Ordinance No. 791, AN ORDINANCE AMENDING THE FIRE PREVENTION CODE AND DECLARING AN EMERGENCY. Motion seconded by Councilwoman Brennan and carried by roll call vote, 6-0.

****Councilman Sowles moved to adopt on final reading and to become part of the laws of the City of Canby, Ordinance No. 792, AN ORDINANCE PROVIDING FOR THE ABATEMENT OF BUILDING NUISANCES, PROVIDING NOTICE, HEARING AND ASSESSMENT PROCEDURES, PROVIDING FOR SUMMARY ABATEMENT, PRESCRIBING PENALTIES AND DECLARING AN EMERGENCY. Motion seconded by Councilman Taylor and approved 6-0, by roll call vote.**

****Councilman Taylor moved to approve on final reading and to become a law of the City of Canby, Ordinance No. 793, AN ORDINANCE GRANTING TO CANBY DISPOSAL COMPANY AN EXCLUSIVE RIGHT, PRIVILEGE AND FRANCHISE, SUBJECT TO CERTAIN EXCEPTIONS, FOR A PERIOD OF FIVE YEARS TO ESTABLISH, OPERATE AND MAINTAIN A BUSINESS OF GATHERING, COLLECTING AND DISPOSING OF ALL SOLID WASTE, WASTE, AND RECYCLABLE MATERIAL AND REPEALING ORDINANCE NO. 401 AND ALL OTHER ORDINANCES AND AGREEMENTS IN CONFLICT HERewith, AND DECLARING AN EMERGENCY. Motion seconded by Councilman Sowles and carried by roll call vote, 6-0.**

Ordinance No. 794, was scheduled to be read after the New Business item regarding the zone change by applicant, Walter Dethlefs.

The Council next considered Resolution No. 387, which was to renew the three year agreement with the Utility Board for operation of the City's water department. ****Councilman Sowles moved to adopt Resolution No. 387, A RESOLUTION OF INTENT WITH REGARD TO THE OPERATION OF THE CITY'S WATER DEPARTMENT, seconded by Councilman Jordan and approved 6-0. Councilman Sowles commended CUB Manager Lashbrook and the board members for the excellent job they have done in operating the water and electric departments.**

NEW BUSINESS: **Councilwoman Kopelk moved to approve payment of accounts payable in the amount of \$121,531.31, seconded by Councilman Taylor and approved by roll call vote, 6-0.

The Council next considered an application for a zone change by Walter J. Dethlefs, for .52 acres located at 860 S. Ivy Street. Administrator Atwood briefly reviewed the application and informed the Council that Wilco Farmers intended to purchase the subject property and use it for storage. The Planning Commission and staff recommended approval of the application. Councilman Anderson noted that he had reviewed the application and property and found everything to be in compliance and therefore, **** moved to approve on first reading Ordinance No. 794, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY, COUNTY OF CLACKAMAS, OREGON, and adopt the Planning Commission's findings of fact and that the proper posting be made and final reading be on July 2, 1986. Motion seconded by Councilwoman Kopelk and approved unanimously.**

The abstract of votes as submitted by the Clackamas County Elections Department for the May 20, 1986 elections.

****Councilman Sowles moved to accept the abstract of votes as submitted by the Clackamas County Elections Department for the two measures the City had on the May 20, 1986 ballot. Motion**

seconded by Councilwoman Brennan and approved 6-0. Mayor Pulver encouraged the television audience to be sure and send in their mail-in ballot for the June 24, 1986, City Budget election.

The Council next considered the offer of the Canby Telephone Association to sell the City a 45 K.W. gas engine driven electric generator for \$9,000, with part of the purchase price being returned to the City as a gift. Administrator Atwood informed the Council that investigations were still being conducted to see how efficient the unit would be in case of an emergency. Mr. Atwood noted that another City was interested in purchasing the unit, and related that the purchase would be similar to purchasing "insurance" for an emergency situation. Chief Giger noted that the unit would be valuable to their communications in the event of even a one minute power surge. Councilman Sowles expressed concern over spending that amount of money on the unit. **Councilman Taylor moved to authorize the City Administrator to further investigate the capacity of the generator and if the value to the City was valid, to allow the Administrator to purchase the generator from CTA for \$9,000 from the Motor Pool Reserve Fund. Motion seconded by Councilman Jordan and approved 5-1, with Councilman Sowles voting nay.

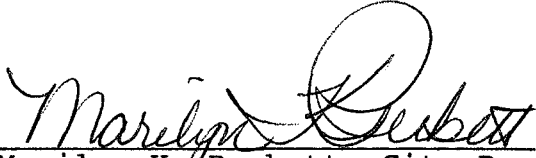
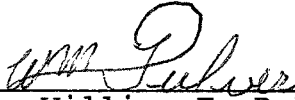
The Council next addressed concerns regarding the building department effectiveness and public relations. Staff submitted three options for Council consideration, to hire a second full time employee; to retain a consultant or firm on a part time basis; or to entirely use the Clackamas County Building Department services. Council also was made aware of the financial considerations and the fact that City staff that is not certified make inspections in the absence of the City Building Official and this could be a liability hazard. The following people who spoke addressed the Council in favor of keeping the City building department, Rufus Kraxberger, Ben Sandsness, Al Moore, Bob Westcott and Stephan Lashbrook, who also pointed out that Building Inspectors are notorious for "no one liking them" due to their job capacity. Bob Godon, Canby Building Official, addressed the Council and stated that \$36,000 in revenue had been brought in this year and that he spent 2/3 of his time in the building department capacity and pointed out that he does various other work such as drafting, and has something to do with almost "everyone that walks through the Public Works doors". Councilmen Anderson and Jordan spoke in favor of providing the City service. **Councilman Anderson moved to maintain the current City Building Department and instruct staff to find an outside entity to conduct inspections in the absence of the City official. Councilwoman Brennan indicated that she was not ready to make a decision on the issue, however, Mayor Pulver noted that a motion was on the floor. Motion seconded by Councilman Jordan and approved 4-2, with Councilwomen Kopelk and Brennan voting nay.

UNFINISHED BUSINESS: Mayor Pulver reappointed Doug Poppen to a three year term on the City Budget Committee, with his term expiring in March, 1989.

OTHER REPORTS OR ANNOUNCEMENTS: Councilman Jordan informed the Council that at the Wednesday, June 11th, meeting of the Rural Fire Board they had voted to drop the topic of annexation on an indefinite basis. Mayor Pulver indicated that he wished to continue to pursue City annexation to the Rural Fire Board and thanked Councilman Jordan for his time and effort on the project and urged him to continue.

Administrator Atwood reminded the Council of the D.E.Q. meeting to be held at the Canby Adult Center on the evening of June 30, 1986 regarding potential landfill sites in the area.

Mayor Pulver adjourned the regular session at 8:48 p.m.

	
<hr/> Marilyn K. Perkett, City Recorder	<hr/> William F. Pulver, Mayor