

CANBY CITY COUNCIL

REGULAR MEETING

JANUARY 2, 1985

Mayor Michael L. Gabrion opening the session and Mayor William Pulver presiding. Councilmembers present: David Anderson, Gary Sowles, Nancy Kopelk, Scott Taylor, Gene Clift, newly installed Helen Brennan and Michael Jordan.

Also present: Administrator Bud Atwood, City Attorney John Kelley, City Recorder Marilyn Perkett, Chief of Police Jerry Giger, Cinda Gabrion, Chip Phelps, Dorothy McCormick, Betsy Ross, Scott & Terri Tremer, Mr. Hannson, Jan Harry, Steve Starkovich, Kathy & Phil Edmunds, W. Halvorson, Michael & Ja'nice McCallister, Donald Brennan, Ray VanLieu, Holly Jordan, Maria Jordan, Linda & Dale Smith, Ann, Rudi & Kurtis Sommer, Cheryl Anderson, Laura Atwood, David Bury, Darrell Blake, Ed Buschow, Bob Westcott, Dick Mosier, Earl Oliver, Larry Housen, Linda McCarthy, Hazel Adams, Dorothy Knight, Eldene, Lhoree & Wendy Pulver, Delen Christensen, Diane Sowles, Ed Kopelk, Linda Johnson, Judy Johnson, Dorothy Patterson and others.

Mayor Michael Gabrion opened the regular session at 7:32 p.m., followed by the flag salute and meditation.

Roll call of Council showed a quorum present.

**Councilman Taylor moved to approve as distributed the minutes of regular session, December 19, 1984, seconded by Councilman Pulver and approved 6-0.

At this time, Mayor Gabrion expressed his appreciation to the audience and advice to Council on his past experience in the City Government. Mr. Gabrion also commented on each individual Councilmember and some staff, as to his appreciation of that particular person.

The Honorable Judge Jon Henricksen at this time administered the oath of office to the three newly elected Councilmembers, Michael Jordan, Helen Brennan and Nancy Kopelk. William Pulver was then sworn in as the newly elected Mayor by Judge Henricksen.

Mayor Pulver, upon accepting the gavel, welcomed the audience and invited them to return to other Council meetings.

CITIZEN INPUT ON NON-AGENDA ITEMS- Betsy Ross addressed the Council informing them that the Adult Center Campaign Committee had achieved their goal of \$60,000 to allow the alternates in the

construction in allowing for an addition of a pool room, lounge and stage for the proposed Adult Center.

At this time, Mayor Pulver accepted nominations for President of the Council. Councilman Anderson nominated Councilman Gary Sowles as President of the Canby City Council, seconded by Councilwoman Kopelk and approved unanimously.

COMMUNICATIONS: None presented.

ORDINANCES & RESOLUTIONS: Attorney Kelley briefly reviewed for second and final reading the following ordinances: ORDINANCE NO. 760, AN ORDINANCE RELATING TO ABANDONED VEHICLES; DECLARING A NUISANCE; PROVIDING FOR NOTICE AND REMOVAL AND IMPOUNDMENT BY THE CITY; PROVIDING PENALTIES; REPEALING ORDINANCE NO'S 410 AND 475; AND DECLARING AN EMERGENCY; ORDINANCE NO. 761, AN ORDINANCE ADOPTING A UNIFORM FIRE CODE TO PRESCRIBE REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION; ESTABLISHING A BUREAU OF PREVENTION AND DEFINING THE POWERS AND DUTIES OF ITS OFFICERS; REPEALING ORDINANCE NO. 688; AND DECLARING AN EMERGENCY; ORDINANCE NO. 762, AN ORDINANCE CONTAINING DEFINITIONS AND RULES OF CONSTRUCTION APPLICABLE TO ORDINANCES OF THE CITY OF CANBY, COUNTY OF CLACKAMAS, OREGON; AND DECLARING AN EMERGENCY; ORDINANCE NO. 763, AN ORDINANCE PROSCRIBING GENERAL OFFENSES AGAINST THE PUBLIC PEACE, SAFETY, MORALS AND GENERAL WELFARE; ADOPTING A CRIMINAL PROCEDURE CODE; REPEALING ORDINANCE NO. 719; AND DECLARING AN EMERGENCY; and ORDINANCE NO. 764, AN ORDINANCE ADOPTING POLICIES FOR TRAFFIC REGULATIONS; PROVIDING FOR LOCAL TRAFFIC REGULATIONS, THE REGULATIONS OF PARKING, AND THE PLACING AND MAINTENANCE OF TRAFFIC SIGNS AND MARKERS; PROVIDING PENALTIES FOR VIOLATIONS; REPEALING ORDINANCE NO. 720; AND DECLARING AN EMERGENCY. **Councilman Sowles moved to approve on final reading, and to become the laws of the City of Canby, Ordinances No.'s 760, 761, 762, 763 and 764 as read, by title, by the City Attorney. Motion seconded by Councilman Jordan and approved 6-0 by roll call.

Attorney Kelley presented four more ordinances in reference to the codification process and reviewed each briefly. Ordinance No. 765, implemented to prescribe penalties for violations of Municipal Ordinances. Ordinance No. 766, a dog control ordinance, with changes in Section 1, (C) and Section 6, to include "attacks" in regards to people. Ordinance No. 767, is an amending ordinance by suggestion of Book Publishing Company. Ordinance No. 768, is a repealing ordinance by suggestion of Book Publishing Company. **Councilman Sowles moved that the following ordinances be properly posted and come up for final action on January 16, 1985: ORDINANCE NO. 765, AN ORDINANCE PRESCRIBING PENALTIES FOR VIOLATIONS OF MUNICIPAL ORDINANCES; AND DECLARING AN EMERGENCY; ORDINANCE NO. 766, AN ORDINANCE RELATING TO DOG CONTROL; AUTHORIZING THE SEIZURE OF CERTAIN VICIOUS DOGS; PROVIDING FOR HEARING; ESTABLISHING PENALTIES; REPEALING

ORDINANCE NO.S 567 AND 733; AND DECLARING AN EMERGENCY; ORDINANCE NO. 767, AN ORDINANCE AMENDING ORDINANCES NO.'S 306, 380, 393, 401, 418, 465 AND 620 OF THE CITY OF CANBY, AND DECLARING AN EMERGENCY; and ORDINANCE NO. 768, AN ORDINANCE REPEALING ORDINANCE NO.'S 362 AND 512; AND REPEALING THE FOLLOWING SECTIONS OF CERTAIN ORDINANCES, SECTION 14 OF ORDINANCE NO. 465 AND SECTIONS 4 AND 5 OF ORDINANCE NO. 572 OF THE CITY OF CANBY, AND DECLARING AN EMERGENCY. Motion seconded by Councilman Jordan and approved by roll call vote, 6-0.

The Council next considered Ordinance NO. 769, regarding a zone change requested by the City of Canby from R-1, Low Density Residential to R-2, Medium Density Residential of approximately 2.33 acres described as Tax Lot 1290, Map No. 3-1E-34C.

**Councilman Anderson moved that Ordinance No. 769, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY, OREGON, APPLICANT OF MIRIAM LARSEN, be properly posted and come up for final action on January 16, 1985. Motion seconded by Councilman Sowles and approved unanimously.

The Council considered Resolution No. 365, approving the annexation of applicant Miriam Larsen. **Councilman Taylor moved to approve Resolution No. 365, A RESOLUTION APPROVING ANNEXATION TO THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON (APPLICATION OF MIRIAM LARSEN FOR TAX LOT 1200, SECTION 34C, T3S, R1E) OF 3.86 ACRES, motion seconded by Councilwoman Kopelk and approved 6-0.

At this time, Mayor Pulver admitted his first vital mistake as Mayor, and introduced his wife, "the first lady of Canby", Eldene Pulver and his two daughters, Lohree and Wendy.

Mayor Pulver called for a short recess at 8:22 p.m., and reconvened the regular session at 8:30 p.m.

NEW BUSINESS: **Councilwoman Kopelk moved to approve accounts payable in the amount of \$ 16,078.97, seconded by Councilman Taylor and approved by roll call vote, 6-0.

The Council next reviewed a request from Administrator Atwood regarding purchase of possibly three IBM computers and printers for the City with surplus money from the current budget that is available from Administrative Salary and Administrator Transportation line items. The three suggested computers would be utilized in Public Works Department, Police Department and one for the Finance Department. Council questioned purchasing the IBM P.C. vs. purchasing a computer terminal with satellite stations. Staff noted that in researching, they felt the needs and also economically, the City would best be served by IBM P.C.'s. **Councilman Anderson moved to approve the request of Administrator Atwood, as outlined in his memo of December 26, 1984 (and attached to the minutes of this meeting) to purchase three IBM P.C. computers and printers. Seconded by Councilman

Sowles and approved 6-0. It was the consensus of the Council that staff first research whether it would be economically better to purchase three computers at one time or if it is not a savings, then to purchase one at a time.

Council next considered a request for a Special Event Liquor License from the Molalla Buckeroo Association for January 26, 1985, at the Fairgrounds pavillion. **Councilman Sowles moved to approve the Special Event Liquor License for the Molalla Buckeroo Coronation Dance on January 26, 1985, 7:30 p.m. to 1:00 a.m. at the County Fairgrounds pavillion. Motion seconded by Councilman Taylor and approved unanimously.


UNFINISHED BUSINESS: Mayor Pulver postponed the appointment of two Planning Commission members until January 8, 1985, at which time there will be a Special Meeting preceding the Budget Meeting.

Tom Hensley, Qudex owner, was scheduled to address the Council at this time, however, Mayor Pulver reminded Mr. Hensley that he would be allotted only 15 minutes, as Mr. Hensley requested at the last meeting, and noted that Mr. Hensley had other occasions to address the issue and had failed to do so, and at this time, since the matter was pending litigation, the City Council would not be able to discuss the merits of the matter. Mr. Hensley addressed the Council, handing out several pieces of information and using posters. Mr. Hensley cited quotes from 1803, Blackstone Commentaries; described several forms of government, including tyranny, communism, democracy and republic; and pointed out several constitutional facts, including handing out copies of the Constitution. At the end of 15 minutes, Mayor Pulver informed Mr. Hensley that his presentation would have to cease, which it did, and once again Mr. Hensley was reminded that the Council could not reiterate on the issue due to the pending litigation.

OTHER REPORTS: Administrator Atwood reminded Councilmembers of a workshop on February 2nd for newly elected officials, and to let the business office know if they planned to attend.

Mayor Pulver adjourned the regular session at 9:10 p.m.


William F. Pulver, Mayor


Marilyn K. Perkett, City Recorder