

CANBY CITY COUNCIL
REGULAR MEETING
APRIL 4, 1984

Mayor Michael L. Gabrion presiding. Councilmembers present David Anderson, Nancy Kopelk, Gary Sowles, Bill Pulver, Gene Clift and Scott Taylor.

Also present Bud Atwood Public Works Superintendent, Marilyn Perrett Deputy Recorder, John Kelley City Attorney, Chief of Police Jerry Giger, Myra Weston, Linda McCarthy, Cheryl Anderson, Scott Wiesehan, Marty and Judy Bates, Beth Saul Librarian, Wade P. Bettis Attorney, Jim Kriegshouser, Steve Frederick, Betsy Ross, Leta Belleque, John Falkenstein, Ken Daniels, Dorothy Knight, Hazel Adams, Rodney Blethen and Earl Oliver.

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

Roll call of Council showed a quorum present.

**Councilman Sowles moved to approve as distributed the minutes of regular session May 21, 1984, seconded by Councilman Taylor and approved unanimously.

Mayor Gabrion announced his participation in the "Rain Festival" in Oregon City on Saturday, noting that he came in last place in the "out-house race".

CITIZEN INPUT ON NON-AGENDA ITEMS: Beth Saul, Librarian, presented each of the Councilmembers with a VIP Library Card in honor of National Library Week, Marty Bates, President of the Friends of the Library, presented Mayor Gabrion with a special t-shirt in honor of the same.

At this time in the meeting, Mayor Gabrion read a Proclamation in honor of National Library Week, April 8 - 14, 1984.

COMMUNICATIONS: None was presented.

ORDINANCES & RESOLUTIONS: **Councilman Pulver moved to approve on final reading Ordinance No. 745, AN ORDINANCE ADOPTING THE 1983 FLOOD INSURANCE STUDY, AND FLOOD INSURANCE MAPS FOR THE CITY OF CANBY; ESTABLISHING RULES AND GUIDELINES AND PROVIDING FOR ENFORCEMENT, and that it become part of the laws of the City of Canby. Motion seconded by Councilman Sowles and carried 6-0 by roll call vote.

**Councilman Sowles moved that Ordinance No. 746, AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUE FOR 1984-85 FISCAL YEAR be properly posted and come up for final action on April 21, 1984, seconded by Councilman Pulver and approved 6-0.

April 4, 1984

NEW BUSINESS: **Councilwoman Kopelk moved to approve the accounts payable of March 31, 1984, in the amount of \$12,298.40, seconded by Councilman Taylor and approved 6-0 by roll call vote.

A special event liquor license, applicant Canby Bowl, was presented for Council consideration. This is an annual tournament event. **Councilman Pulver moved to approve the Canby Bowl special event liquor license for the following dates: April 21,22,28,29, May 5,6,12,13,19,20 and June 2,3,9,10, 1984. Motion seconded by Councilwoman Kopelk and approved unanimously.

A new restaurant liquor license application was presented for Council approval. **Councilman Anderson moved to approve the application of the Gold Garden Restaurant for a liquor license, noting that the business license will not be issued until all final building inspections are approved. Motion seconded by Councilman Sowles and approved 6-0.

The next order of business was a new petition form for City Office seekers, which is a new criteria set forth in the new City Charter. **Councilman Clift moved to approve the petition form for City of Canby Office petitioners and to approve the Canby Herald type-setting the form for a fee of \$10.00. Seconded by Councilwoman Kopelk and approved unanimously.

Bud Atwood, Public Works Director, addressed the Council regarding an application for a zone change on S. Ivy Street with two tax lots being involved. The request was for a zone change from R-2 to C-R, applicants Edward and Frances Lemons and Freda Milbradt. Mr. Atwood noted that the Planning Commission had held a public hearing and adopted the findings of facts and recommended the requested zone change. **Councilman Anderson moved to approve the zone change application of Lemons and Milbradt of S. Ivy Street, Tax Lots 7600 and 5900, from R-2 to C-R, and that staff be instructed to prepare the proper ordinance for Council approval. Motion seconded by Councilman Sowles, motion carried 6-0.

Councilman Pulver explained to the Council the concept for the proposed Concessions Agreement between the City of Canby and the Canby Kids, Inc., noting that Mr. Zenor, Mr. Atwood, Bob Rapp and himself and met several times to negotiate the agreement for the protection of the City. During discussion of the proposed agreement it was noted that the Canby Kids Inc. controls the use of the ballfields and the agreement for the concession stand that the organization built was primarily a protection agreement and no major changes would be made from what has currently been the procedure. Council pointed out one major change in the proposed agreement on page 4, section 9, the last two words were to be changed from City Administrator to CITY COUNCIL. Mr. Atwood informed the Council that he would be purchasing a 1968 Ford pick-up for the price of \$1,250 dollars. He pointed out that \$2,500 had been previously approved for the purchase of the unit. **Councilman Clift moved to approve the Concession Agreement with the noted change on page four and authorize signatures, seconded by Councilman Taylor and approved 6-0.

UNFINISHED BUSINESS: Leta Belleque of the Canby Arts Squad briefly addressed the Council regarding the request for placement of a gazebo in Wait Park, noting that funding, plan approval, community support were approved and now they needed the Council support. Councilman Pulver commended the group for their project and felt it would be a great asset for the City park.

**Councilman Pulver moved to approve the Arts Squad gazebo project and for the City to accept maintenance of the gazebo, seconded by Councilman Clift and approved unanimously. Betsy Ross also addressed the Council, inviting them to a benefit for the gazebo project on April 14, 1984, 8:00 p.m. at the High School, a musical concert by Mary Agee.

Council next considered the annual lease agreement between the City and the Southern Pacific Land Company for our parking lots adjacent to the railroad tracks. **Councilman Sowles moved to approve the Second Supplement Agreement Lease between the City of Canby and the Southern Pacific Land Company in the amount of \$385 to be effective April, 1985, and to authorize staff to begin filling of the hole left by the depot moving project and prepare the additional parking lot space. Motion seconded by Councilman Sowles and approved 6-0.

OTHER REPORTS AND ANNOUNCEMENTS: John Falkenstein, Community School Director, briefly addressed the Council review the fall quarter at the Community School.

Councilman Clift also offered to assist the Arts Squad in some of the material needed in their gazebo project.

Mayor Gabrion announced that the Council would soon be receiving a large document regarding the Comprehensive Plan and noting that the public hearing on the state level would be held April 26, 1984.

Mayor Gabrion requested a thank you letter be sent to John Walrod for his participation on the budget committee since he could not serve another term and asked Council to be prepared to appoint three new budget committee members at the next regular meeting.

The next City luncheon will be April 19th and Councilman Sowles will be present along with staff members.

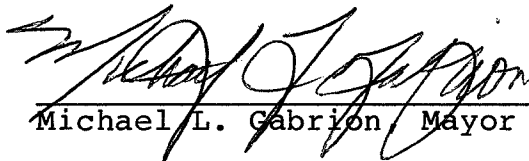
**Councilman Taylor moved to go into Executive Session under ORS 192.660, subsection one, subsection h, to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. Motion seconded by Councilman Pulver and approved by roll call ballot 6-0.

Mayor Gabrion recessed the regular session at 8:35 p.m. to go into Executive Session.

Mayor Gabrion called the regular session back to order at 9:20 p.m.

The Mayor announced that he would not be present at the next regular meeting on April 18, 1984, he was planning to attend a function at the Canby High School and Council President Bill Pulver would take over the meeting.

Mayor Gabrion adjourned the regular meeting at 9:21 p.m.



Michael L. Gabrion Mayor



Marilyn K. Perkett Deputy Recorder