

CANBY CITY COUNCIL
REGULAR MEETING
JULY 20, 1983

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

Also present: City Administrator Doug Zenor, City Attorney Wade Bettis, Public Works Director Bud Atwood, Deputy Recorder Marilyn Perkett, Court Clerk Dorothy Patterson, Miriam Bettis, Cheryl Anderson, Bud Dressen, Ralph Netter, Librarian Beth Saul and Linda McCarthy.

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 Taylor moved to approve as recorded the minutes of regular session, July 6, 1983. Motion seconded by Councilwoman Kopelk and carried unanimously.

CITIZEN INPUT ON NON-AGENDA ITEMS: None was voiced.

Mayor Gabrion recessed the regular session at 7:32 p.m. to go into Public Hearing on the Annexation of the Melvin Smith Estate.

STAFF: Bud Atwood, Public Works Director, briefly reviewed the application of Sharion Fazzio, representing the estate of Melvin Smith, a parcel of 1.14 acres located at the southeast corner of N.E. Territorial and N. Pine Street. Mr. Atwood noted that the Planning Commission had approved the annexation with the ten findings of fact. Mr. Zenor noted that this type of "peninsula" annexation was a hardship on the Police Department and would be something to consider in future annexations of this type.

APPLICANT: Ralph Netter, representing the applicant, explained that the closest neighbors, the Dawes', had no objections to the annexation.

PROPOSERS: None was voiced.

OPPOSERS: None was voiced.

Mayor Gabrion closed the Public Hearing at 7:10 p.m. and immediately reconvened the regular session.

**Councilman Anderson moved to approve the recommendation of the Planning Commission with regards to annexation of the Melvin Smith estate, represented by Sharion Fazzio, located on the southeast corner of N.E. Territorial Rd and N. Pine Street, and the findings and determinations of the Planning Commission be accepted in total by the City Council. Motion seconded by Councilman Clift and approved by roll call vote 6-0.

July 20, 1983

Attorney Bettis noted that he would prepare the appropriate Resolution to be sent to the Portland Metropolitan Boundary Commission.

COMMUNICATIONS: None were presented.

ORDINANCE & RESOLUTIONS: Ordinance No. 734 was read by title only by Attorney Bettis on final reading and the affidavit of posting displayed by the Deputy Recorder. **Councilman Sowles moved that Ordinance No. 734, AN ORDINANCE PERTAINING TO THE CONSTRUCTION, ALTERATION, REPAIR AND MOVING OF BUILDINGS WITHIN THE CITY OF CANBY, OREGON; ADOPTING POLICIES OF FIRE SAFETY STANDARDS AND STANDARDS OF BUILDING CONSTRUCTION; PROVIDING PENALTIES FOR VIOLATIONS; REPEALING ORDINANCE NO. 713; AND DECLARING AN EMERGENCY be approved and become part of the laws of the City of Canby. Seconded by Councilman Taylor and approved by roll call vote, 6-0.

Attorney Bettis read, by title only, Ordinance No. 735, pointing out some minor changes in the title. **Councilman Anderson moved that Ordinance No. 735, AN ORDINANCE REGULATING THE PLANTING AND MAINTENANCE OF STREET TREES; ESTABLISHING THE OFFICE OF CITY FORESTER AND PRESCRIBING THEIR AUTHORITY; REGULATING PRESERVATION AND REMOVAL IN PUBLIC PLACES, PROHIBITING THE PLANTING OF NOXIOUS SPECIES; PLACING DUTIES ON OWNERS OF PRIVATE PROPERTY IN ORDER TO PROTECT GROWTH IN PUBLIC PLACES; PROVIDING FOR ABATEMENT OF HAZARDOUS CONDITIONS BY THE CITY; AND PRESCRIBING PENALTIES FOR VIOLATION OF ITS PROVISION OF THIS ORDINANCE be properly posted and come up for final action at the regular meeting of August 3, 1983. Motion seconded by Councilman Taylor. Council briefly discussed pre-existing trees and the public right-of-way issue. Staff noted that pre-existing would no doubt have "grandfather rights" and also explained that the ordinance of this nature would be very difficult to enforce. Motion carried 6-0, by roll call ballot.

NEW BUSINESS: **Councilman Taylor moved to approve accounts payable from June 30, 1983, final close out for the fiscal year, in the amount of \$6,490.12, seconded by Councilman Pulver and approved 6-0 by roll call.

**Councilman Sowles moved to approve July 15, 1983 accounts payable in the amount of \$17,189.12, seconded by Councilman Clift and carried by roll call vote, 6-0.

The next order of business was an appointment to the Library Board. Beth Saul, Secretary of the Library Board, submitted the recommendation of reappointing Anne Braun to the position, who had served as President the past two years. **Councilwoman Kopelk moved to accept the recommendation of the Library Board and reappoint Anne Braun to a four year term on the City of Canby Library Board. Motion seconded by Councilman Sowles and approved unanimously.

UNFINISHED BUSINESS: None was presented.

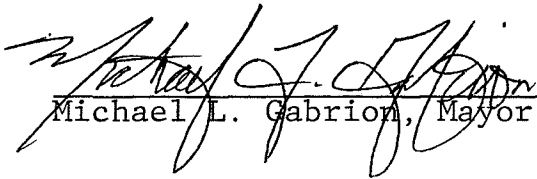
OTHER REPORTS AS REQUIRED OR NEEDED: Mayor Gabrion reminded Council of the Supplemental Budget Public Hearing at 7:00 p.m., Wednesday, August 3, 1983, preceded the regular Council session.

July 20, 1983

Mayor Gabrion wished Cheryl Anderson "Good Wishes" on her pending surgery and long recovery.

Mayor Gabrion recessed the regular session at 8:05 p.m. to go into workshop session on selection procedures for a new City Attorney.

Mayor Gabrion reconvened the regular meeting at 8:44 p.m. and immediately adjourned the meeting.



Michael L. Gabrion, Mayor

Marilyn K. Perkett, Deputy Recorder

July 20, 1983