

CANBY CITY COUNCIL

REGULAR MEETING

AUGUST 3, 1983

Council President William Pulver presiding. Councilmembers present: David Anderson, Nancy Kopelk, Scott Taylor, Eugene Clift and Gary Sowles. Absent: Mayor Michael Gabrion.

Also present: Acting City Administrator Bud Atwood (Public Works Director) City Attorney Wade Bettis, Deputy Recorder Marilyn Perkett, Deputy Treasurer Virginia Graham, Lawrence D. Wendt, Cheryl Anderson, Miriam Bettis, Mary Safarick, Edna Nelson, Wayne & Rovena Hovenden, Martin & Judith Bates, Dick Crites, Al Moore, Jim Renner, Jane Carlson, Larry Ross, Vernald Holsten, Arther & Katherine Ellickson, Gary Johnson, David Bury, Sam Schwarzin, Carl & Wilma Soles, Russ & Trish Wallbaum, Mark Johnson, Donna & Laverne Jarvis, Marguerite Marlow, Kathy Hostetler, Marv Dack, Rod Beck and Paula Mackinley.

Council President Bill Pulver called the regular meeting to order at 7:30 p.m., followed by the flag salute and meditation. Roll call showed a quorum present.

**Councilman Sowles moved to approve as distributed the minutes of regular meeting, July 20, 1983. Seconded by Councilman Clift and approved 6-0.

CITIZEN INPUT ON NON-AGENDA ITMES: Al Moore, addressed the Council, expressing thanks to the Council for their support on behalf of the "Save the Depot Committee". Mr. Moore also invited the Council to be present for the moving process of the depot on Thursday morning, at 9:00 a.m., and also encouraged volunteers to help work at the new depot site. Council President Pulver commended the committee for their "Bull Dog" attitude in getting their project accomplished.

COMMUNICATIONS: Mr. Atwood read a letter from Dick Land, representing the Evergreen Way and Evergreen Estates, requesting Council to waive fees for conditional use and sub-development on a revised proposal to be submitted to the Planning Commission on the recent denial of their project of a mobile home development on the south side of S.W. 13th Avenue. **Councilman Taylor moved to approve the request of Dick Land, and allow the waiver of fees for the resubmittal of a revised proposal on the Evergreen Way/Evergreen Estates project. Seconded by Councilman Anderson. During discussion, several members of the audience addressed the Council on the issue, specifically, Sam Schwarzin, Larry Ross, Marv Dack and Rod Beck. They requested Council to deny waiver of fees. Council President Pulver informed those addressing the Council that due to a possibility of an appeal to the Council on the issue, that the Council was not justified in hearing any type of testimony on the project. Mr. Atwood noted that usually the Planning Commission does allow a continuance on such matters rather than a denial. **Councilwoman Kopelk moved to call for the question on the previous motion. Vote was unanimous in favor, 6-0. Roll call vote on the original motion was 6 yea and 0 nay.

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ORDINANCES & RESOLUTIONS: Attorney Bettis read by title only for second reading, Ordinance No. 735, the affidavit of posting was presented by the Deputy Recorder. **Councilman Sowles 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 VIOLATIONS OF ITS PROVISIONS OF THIS ORDINANCE, be approved and become part of the laws of the City of Canby. Motion seconded by Councilman Clift and approved 6-0 by roll call vote.

Attorney Bettis read Resolution No. 348 for Council consideration. **Councilman Anderson moved to adopt Resolution No. 348, A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET, seconded by Councilwoman Kopelk and approved 6-0 by roll call vote.

Attorney Bettis read by title only, Resolution No. 349. **Councilman Anderson moved to adopt Resolution No. 349, A RESOLUTION APPROVING ANNEXATION TO CITY OF CANBY, CLACKAMAS COUNTY, OREGON (APPLICATION OF SHARON FAZZIO REPRESENTING THE MELVIN SMITH ESTATE FOR TAX LOT 2100, SECTION T3S, R1E) OF 1.14 ACRES. Motion seconded by Councilman Taylor and approved by roll call ballot 6-0.

NEW BUSINESS: **Councilwoman Kopelk moved to approve payment of accounts payable as presented on the print out in the amount of \$35,737.29. Motion seconded by Councilman Taylor and carried 6-0 by roll call vote.

Council reviewed the annual agreement between the City and the Canby Rural Fire District, noting the only change being an addition to the equipment list. **Councilman Taylor moved to approve and authorize the appropriate signatures for the annual agreement between the City of Canby and the Canby Rural Fire District, seconded by Councilman Clift and approved unanimously.

Mr. Atwood informed the Council that Paul Doty had been into the business office on Tuesday, August 2, 1983, to request use of the Canby Community Park on Saturday, August 6th, from 2:00 to 5:00 p.m. to hold their annual Gospel Music event, using loud speaker, the Canby Police Department has approved the event. **Councilman Sowles moved that the request of Paul Doty for use of the river park, Canby Community Park, on August 6, 1983, as related to the Council by staff be approved. Seconded by Councilman Clift and carried 6-0.

Mr. Atwood informed the Council that the mural painting on the restroom building at Wait Park was almost complete and suggested that a letter of thanks be directed to Gail Johnson who organized the project. Council concurred and President Pulver directed staff to send a letter.


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UNFINISHED BUSINESS: None presented.

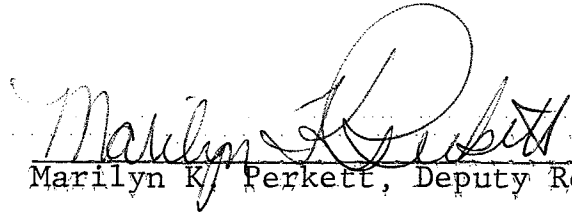
OTHER REPORTS AS REQUIRED OR NEEDED: Mr. Atwood informed the Council of a meeting to be held at the Canby Utility Board on Thursday, August 5, 1983, regarding the Clean Water Act, specifically about cross connections of water, sewers and primarily contaminated water.

Council President Pulver announced that to date, two applications had been received for the position of City Attorney, Mark O'Donnell and Mark Pilliod.

Council President Pulver adjourned the regular session at 8:24 p.m.



William F. Pulver Council President



Marilyn K. Perkett, Deputy Recorder

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