

CANBY CITY COUNCIL

SPECIAL MEETING

MARCH 16, 1981

Mayor Robert A. Swayze presiding. Councilmembers present: Beryl Brown, Lee Funrue, Michael Gabrion, William Pulver and Gary Sowles. Absent: David Anderson.

Also present: Administrator Harold Wyman, Public Works Director Ken Ferguson, Public Works Supervisor Bud Atwood, Duane Lee and Walt Mintkeski of Lee Engineering, John Tatone, Mr. and Mrs. John Pursley and David Blair of Blair Services.

Mayor Swayze opened the Special Meeting at 7:30 p.m., followed by the flag salute followed by silent meditation. Administrator Wyman called the roll of Councilmembers.

Mayor Swayze reminded the Council that appointments to the Budget Committee and the Canby Utility Board should be made at the Regular Meeting on Wednesday, March 18, 1981.

Mayor Swayze recessed the Special Meeting at 7:35 p.m. to go into a workshop on the Sewage Treatment Plant and possible street improvements.

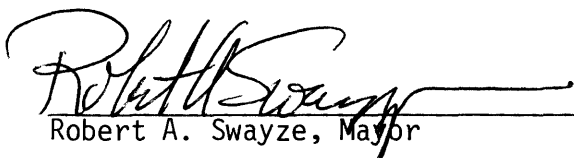
Mayor Swayze reconvened the Special Meeting at 9:00 p.m.

**Councilman Pulver moved that the City enter into an agreement with Lee Engineering Firm for a rate study not to exceed \$16,000 and the engineering design of the sewage treatment plant for a sum not to exceed \$80,000. Seconded by Councilwoman Brown and approved 5-0. Councilman Pulver questioned if there was any more information regarding the recent toxic conditions at the plant. Mr. Ferguson noted they they were taking steps to monitor certain areas of the city.

The Council discussed LID # 7, N.E. Third Avenue, N. Juniper Street and N. Knott Street, which was first initiated in 1975 and eventually remonstrated against and the project was terminated. Mr. Ferguson noted that the City has until September, 30, 1983, before final action on this project is necessary and his commendation was to wait until that time before action is taken.

**Councilman Pulver moved to go into Executive Session under ORS 192.660, Subsection 1-D, to conduct deliberations with persons designated by the governing body to carry on labor negotiations and the news media to be invited to attend. Seconded by Councilwoman Funrue and approved 5-0 by roll call vote.

Mayor Swayze recessed the Special Meeting at 9:12 p.m. to go into Executive Session. The Special Meeting was reconvened at 10:25 p.m. by Mayor Swayze and immediately adjourned.


Robert A. Swayze, Mayor


Harold A. Wyman, Administrator/Recorder

March 16, 1981

Joint Meeting
Canby City Council
Canby Planning Commission
March 9, 1981

MEMBERS PRESENT: Mayor Robert A. Swayze, Councilwoman Beryl Brown, Councilman Gary Sowles, Councilwoman Lee Funrue, Councilman William Pulver, Planning Commission Chairman Fred Kahut, Commissioners Catherine Davis, Craig Shinn, Kurt Schrader, Elsie Cutsforth, Robert Baller, and Charles MacKenzie.

OTHERS PRESENT: City Attorney Wade Bettis, Deputy City Attorney R. Roger Reif, City Planner Stephan Lashbrook, Secretary Virginia Shirley, City Administrator Harold A. Wyman, Fred Stefani, Robert Westcott, Jerry and Bonnie Patterson, George Forsman, Richard and Carol Lee Morse, Dorothy Knight, Bob Schaffer, Marv Dack, Gordon Ross, Charles Tucker, Robert Rapp, Earl Oliver, Dave Bury, Dennis Petrequin, Erin Petrequin, and others

Mayor Swayze opened the meeting with the traditional flag salute and a moment of silent meditation.

Attorney Bettis read Resolution No. 293 for Council approval. Councilman Sowles moved that Resolution No. 293, A RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN BUDGET FOR EMERGENCY PURCHASE OF SUPPLIES FOR THE SWIM POOL be approved. The motion was seconded by Councilman Pulver and carried 4-0.

At this time, the Mayor opened the public hearing on the Comprehensive Plan and Land Development and Planning Ordinance. The Mayor requested each of the Council people and Planning Commissioners and Staff to introduce themselves. He in turn introduced the City Planner Stephan Lashbrook and asked that he proceed with the public hearing.

City Planner Lashbrook proceeded to explain the Urban Growth Boundary which had been determined by the City Council in 1980. He brought to the attention of the Council and Commission the two letters within their packets. The first from Mr. and Mrs. Jerry Patterson and Mr. and Mrs. D. Boyer and the second from Dr. Lynn Kadwell, requesting a change in the urban growth boundary.

George Forsman - President of C.A.N.D.O. a Canby neighborhood organization which was organized by Clackamas County. Stated they had not been informed of meetings in Canby, had not received information regarding the proposed Urban Growth Boundary. Expressed the feeling that the City had not proceeded properly in not informing them of the meetings which were being held. Mayor Swayze asked him if he had had any contact with the City. Mr. Forsman stated he had spoke to the City Planner about one year ago - not since that time. Stated further that although he received the Canby Herald he had seen nothing of the planned Urban Growth Boundary in the paper. Mr. Forsman recommended a deferred taxation plan on extended city limits and asked that nothing be finalized without meeting with his organization.

Richard Morse, stated that as a friend of the W. E. Stransky's who own property on the west side of N. Maple Street, it was their desire to be within the urban growth boundary of the City. Since the Stransky's own ten acres, the boundary being only two hundred feet west of Maple excludes a large share of their property.

Robert Westcott - As a former Councilman, he related to the Council and Commission that he definitely recalled the two hundred feet west of Maple being a compromise at the earlier public hearings.

The Council and Commission held a short discussion of the proposed boundary and also the requested changes in the boundary as proposed.

Fred Stefani - Stated that he also knew the Stransky's and wished to let the hearing body know that it was their desire to be included in Urban Growth Boundary.

Mayor Swayze called for a five minute recess.

Mayor Swayze reconvened the meeting at 8:10 p.m.

- *Councilman Pulver moved to accept the Urban Growth Boundary as presented by the City Planner and deny the changes requested by the Boyers/Pattersons and Dr. Kadwell. Motion seconded by Councilwoman Brown and carried 4-0.

**Councilwoman Brown moved to accept the Urban Growth Boundary for the City of Canby as presented. Motion seconded by Councilwoman Funrue and carried 4-0.

City Planner Lashbrook presented the Land Use Element and other elements of the Comprehensive Plan to the Council and Commission. He read a letter from Reeves and McCall requesting a change in the proposed land use designation for their property. Mayor Swayze opened the public hearing to testimony from the audience.

Dave Bury - Citizen Advisory Committee member. He stated he had worked on the plan but was not happy about the multiple family designation given to property south of S. E. Township Road. Further stated that Township Road is an entrance into the City and very heavily traveled. He didn't feel it was good to have additional traffic on that particular street.

Richard Morse - Asked for additional information on the medium density zone, which had been designated for his property in the southeast corner of N. Locust Street and N. E. Territorial Road. Mr. Lashbrook explained the density allowed in this zone and how the density bonus provisions were intended to work.

Gordon Ross - Stated that he had been a member of the Planning Commission when the property owned by Reeves and McCall was annexed into the City and it was understood that it would be zoned single family residential. Because of the location a heavier density could cause congestion on both Locust and Territorial and conflict with agricultural uses. He would like to see it remain single family residential.

*Councilman Sowles moved the designation of Tax Lot 900 as shown on the Land Use Map be changed from LDR (Low Density Residential) to MDR (Medium Density Residential). The motion was seconded by Councilman Pulver and carried 4-0.

*Councilwoman Brown moved to accept the Land Use Map as amended. The motion was seconded by Councilwoman Funrue and carried 4-0.

*Councilman Pulver moved to accept the Comprehensive Plan with the addendums presented. The motion was seconded by Councilwoman Brown and carried 4-0.

City Planner Lashbrook gave a description of each parcel involved and explained the legislative zone changes which are needed.

Charles Tucker - Owns a residence on N. E. Third Avenue and asked if he would still be able to get insurance on his residence and if there was a fire if he could replace his residence. City Planner Lashbrook stated that the City ordinance has been written in such a way that the Planning Commission may grant permission to reconstruct such buildings and he should still be able to get fire insurance.

Dorothy Knight - Questioned the legislative zone change to M-1/PUD on the property located to the north of the Globe Union factory. Stated this property was to have been a buffer between single family residential and industrial uses.

Bob Schaffer - Stated that as a sound barrier that strip of property is an utter failure - motorcycles use it constantly and they make for a poor "buffer."

Marv Dack - Concerned about the flood hazard zone as it affects his property. Doesn't like the idea of requiring an engineer's report as he doesn't feel it is necessary, just an added expense.

Gordon Ross - Expressed the feeling that flood plain property should not be included in the density projections in the future.

City Council and Planning Commission held a discussion on the input from the public.

*Chairman Kahut moved to recommend approval of the previously discussed legislative zone changes. The motion was seconded by Commissioner MacKenzie and passed with 6 ayes and 1 nay (Baller).

*Councilman Pulver moved to accept the recommendation of the Planning Commission to approve the six legislative zone changes. The motion was seconded by Councilwoman Brown and passed 4-0.

City Planner Lashbrook explained the Land Development/Planning Ordinance and the addenda and changes to be made.

Richard Morse - Questioned the density of the MDR (Medium Density Residential) zone.

Bob Schaffer - complimented the Planning Commission and City Council for their fine work on this document.

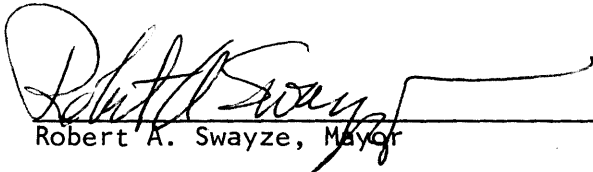
*Planning Commission Chairman Kahut moved to recommend adoption of the Land Development and Planning Control Ordinance with the addenda. The motion was

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seconded by Commissioner Cutsforth and passed unanimously.

Mayor Swayze reconvened the special meeting of the City Council. Deputy City Attorney R. Roger Reif read Resolution No. 292 - A RESOLUTION ADOPTING THE COMPREHENSIVE PLAN OF THE CITY OF CANBY - in full to the City Council.
*Councilwoman Funrue moved to approve Resolution No. 292. The motion was seconded by Councilman Pulver and carried 4-0.

Mayor Swayze adjourned the special meeting at 10:30 p.m.


Robert A. Swayze, Mayor


Harold A. Wyman, Administrator/Recorder