

CANBY CITY COUNCIL

REGULAR MEETING

APRIL 15, 1981

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

Also present: Administrator Harold Wyman, City Planner Stephan Lashbrook, Public Works Director Ken Ferguson, City Attorney Wade P. Bettis, Deputy Attorney Roger Reif, Secretary Marilyn Perkett, James Renner, Mr. & Mrs. Larry Whitman, Mr. & Mrs. Lloyd Walch, Wayne Austin, Lester Bernstetter, Louis Nelson, Wanda Jones, Betty Schrader, Canby Herald Editor Steve Frederick, Duane Lee of Lee Engineering and Mr. Pursley.

Mayor Swayze called the regular meeting to order at 7:30 p.m. followed by the flag salute, silent meditation and roll call of Council.

At this point, Mayor Swayze again requested that the tape of the first reading of Ordinance No. 690, the Land Use and Development Ordinance which implements the proposed Comprehensive Plan be continued.

**Councilwoman Brown moved to approve as distributed the minutes of regular meeting April 1, 1981, with the following correction: page 3, line 8, the word should be WRITTEN and not wrote. Seconded by Councilman Gabrion and approved 6-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: Larry Whitman of Whitman's Tow Service addressed the Council regarding the fact that Bud's Towing of Oregon City is doing business in Canby for police calls when they do not have a local storage lot. Administrator Wyman read a staff memo from Chief Seigler explaining they will rotate the calls between Mr. Whitman and Bud's Towing. Mr. Whitman noted he did not discourage the competition of business, however, he pointed out the following facts: increase cost to citizens to have a vehicle towed to Oregon City; increase cost to insurance companies for out of town towing; due to extra tow charges and the fact the vehicle is out of town the local body shops would lose business and he also noted he had checked with other communities in the area and all tow businesses were required to have a storage lot in the community. Lloyd Walch and Wayne Austin, both body shop businessmen of the City, backed Mr. Whitman's statements. Betty Schrader, a citizen who had a car towed to Oregon City by City Police request, voiced her dissatisfaction with out of town towing. Mayor Swayze requested Mr. Whitman and anyone else who wished, to put their statistics and facts in written form and present them to the Council for a decision on this issue, asking that the paperwork be into City Hall by Friday, April 24th.

Wanda Jones, 1016 N. Elm Court, addressed the Council regarding a complaint that she was not allowed to use the Municipal Swim Pool while using a face mask and snorkel. Ms. Jones stated she showed the pool manager a letter from her Doctor stating that she needed to swim for therapy and must use this equipment and the pool manager requested a second letter from another Doctor. Administrator Wyman reported that his directive to the pool manager was to obtain a copy of the Doctor's statement for our file. Mayor Swayze explained that after receipt of a copy of the Doctor's letter the exception should have been made and he apologized for the misunderstanding. Ms. Jones was informed that as soon as the City had a copy of the Doctor's letter for our file, and Mr. DeRego will be notified of this, she would be allowed to use the face mask and snorkel to swim for required therapy.

April 15, 1981

ORDINANCES & RESOLUTIONS: Attorney Bettis read by title only for second reading, Ordinance No. 696. **Councilman Pulver moved to approve Ordinance No. 696, AN ORDINANCE RELATING TO THE SALE OF IMPROVEMENT BONDS UNDER THE BANCROFT BONDING ACT; PROVIDING FOR THE FORM OF BOND; PROVIDING FOR A CALL FOR BIDS; AND DECLARING AN EMERGENCY and it become part of the laws of the City of Canby. Seconded by Councilwoman Funrue and approved 6-0 by roll call vote.

Attorney Bettis read Ordinance No. 700 in its entirety for first reading. **Councilman Sowles moved that Ordinance No. 700, AN ORDINANCE AUTHORIZING CONTRACT FOR PURCHASE OF TWO (2) POLICE CARS FROM DEE THOMASON FORD: AND DECLARING AN EMERGENCY be properly posted and second and final reading by May 6, 1981, after 7:30 p.m. Seconded by Councilman Pulver and approved 6-0.

Attorney Bettis read Ordinance No. 701 in its entirety for first reading. Councilman Pulver moved that Ordinance No. 701, AN ORDINANCE AMENDING THE ZONING DESIGNATIONS OF CERTAIN PROPERTY IN CONFORMANCE WITH THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT AND PLANNING ORDINANCE OF THE CITY OF CANBY be properly posted for final reading on May 6, 1981, after 7:30 p.m. Seconded by Councilwoman Funrue and carried 6-0. Attorney Bettis complimented Mr. Lashbrook on the statistical information which Mr. Lashbrook supplied for the Ordinance.

Resolution No. 294 was read by Attorney Bettis. **Councilwoman Funrue moved to approve Resolution No. 294, A RESOLUTION CALLING A BUDGET AND TAX LEVY ELECTION ON TUESDAY, MAY 19, 1981, FOR FISCAL YEAR 1981-82. Seconded by Councilwoman Brown. Administrator Wyman pointed out the difference in the figures for "A" and "B" ballot due to an increase of 20 in the population figure recently added to the City, this however, does not change the total combined tax levy. Motion carried 6-0 by roll call vote.

At this point in the meeting, Mr. Lashbrook informed the Council that Ordinance No. 690, after three meetings, had completed the first reading. **Councilwoman Funrue moved that Ordinance No. 690, AN ORDINANCE TO PROVIDE REGULATIONS GOVERNING LAND USE PLANNING AND DEVELOPMENT ACTIVITIES WITHIN THE CITY OF CANBY AND INCLUDING: DEFINITIONS; RULES AFFECTING THE PLANNING COMMISSION; ZONING REGULATIONS; LAND DIVISION AND LOT LINE ADJUSTMENT REGULATIONS; CONDOMINIUM AND PLANNED UNIT DEVELOPMENT REGULATIONS; ANNEXATION REGULATIONS; REGULATIONS AFFECTING PROPOSED STREET ALIGNMENTS; ESTABLISHING GENERAL STANDARDS AND PROCEDURES; ADOPTING THE GOALS, POLICIES, AND IMPLEMENTATION MEASURES OF THE COMPREHENSIVE PLAN; AND REPEALING THE FOLLOWING ORDINANCES; NO.'S 443; 516; 517; 555; 556; 558; 577; 578; 583; 592; 599; 605; 606; 608; 659; 663; and 669, be properly posted for second and final reading on May 6, 1981, after 7:30 p.m. Seconded by Councilman Sowles and approved 6-0.

COMMUNICATIONS: Administrator Wyman read a letter from Richard T. Mosier, thanking the Council for his appointment to the Canby Utility Board and requesting the continued support of the Council.

Mayor Swayze called for a short recess at 8:15 p.m. The regular meeting was reconvened at 8:33 p.m.

NEW BUSINESS: **Councilwoman Funrue moved to pay accounts payable in the amount of \$25,920.56. Seconded by Councilman Pulver and carried 6-0 by roll call vote.

**Councilwoman Funrue moved to pay various bills in the amount of \$17,771.97 from warrants drawn from the Clackamas County Treasury on 1979 Water Bonds. Seconded by Councilman Sowles and approved by roll call vote 6-0.

Administrator Wyman presented a request for a Special Event Liquor License for the St. Patrick's Men's Club for an auction to be held on April 25, 1981, **Councilwoman Funrue moved to grant permission to the St. Patrick's Men's Club for a Special Event Liquor License for April 25, 1981, 5:30 to 10:00 p.m. Seconded by Councilman Pulver and approved unanimously.

The abstract of votes from the March 31, 1981, budget election for a City tax levy was presented by Mr. Wyman as follows: "A" ballot, Yes - 419 and No - 427; and "B" ballot, Yes - 338 and No - 463. **Councilman Pulver moved to accept from the Clackamas County Clerk's office the official abstract of votes as the City of Canby's canvass for the March 31, 1981, City Budget Tax Levy Election. Seconded by Councilwoman Funrue and approved 6-0.

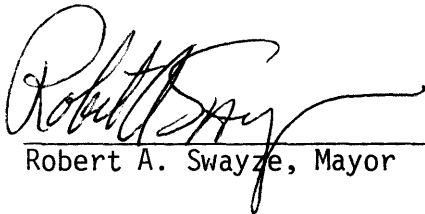
Administrator Wyman informed the Council that the Canby Utility Board is interested in jointly seeking an auditor for the coming year and suggested this be discussed in a workshop session. Mayor Swayze requested the Council to consider the following days for perhaps a couple workshops, May 13, 27 and June 11.

UNFINISHED BUSINESS: None was presented.

OTHER REPORTS AS REQUIRED OR NEEDED: Steve Frederick, Canby Herald Editor, complimented the Council on the fact of being able to hold the Council meetings to a short time period.

Mayor Swayze reminded the Council that he will be setting workshops for the month of May on Cable TV, Auditor (with CUB) and other issues concerning the Utility Board, and Policy Book procedures for complaints.

Mayor Swayze adjourned the regular meeting at 8:45 p.m.


Robert A. Swayze, Mayor


Harold A. Wyman, Administrator/Recorder