

CANBY CITY COUNCIL

REGULAR MEETING

JANUARY 2, 1980

Mayor Robert E. Rapp presiding. Councilmembers present: Beryl Brown, Beauford Knight, Bill Pulver, Richard Nichols, Robert Swayze and Robert Westcott.

Also present: Administrator Harold Wyman, City Attorney Wade P. Bettis, City Planner Stephan Lashbrook, Public Works Director Ken Ferguson, Public Works Supervisor Bud Atwood, Treasurer Myra Weston, Secretary Marilyn Perkett, K.W.R.C. Reporter Tom Jelineo, David Bury and Dave Blair of Blair Services.

Mayor Rapp called the Regular Meeting to order at 7:30 p.m., followed by the flag salute and roll call of Council.

Councilwoman Brown moved to approve as distributed the minutes of Special Meetings, December 17, 19, and 26, 1979 and of the Regular Meeting of December 19, 1979. Seconded by Councilman Pulver and approved 6-0.

CITIZENS IN-PUT ON NON-AGENDA ITEMS: Myra Weston invited everyone to attend the Chamber of Commerce noon luncheon on Tuesday, January 8, 1980, when the Comprehensive Plan will be discussed. Anyone wishing to attend should contact Mrs. Weston on Thursday, January 3rd for reservations.

ORDINANCES & RESOLUTIONS: None were presented.

COMMUNICATIONS: Mr. Wyman read a letter from Edward Thomas, Oregon Drill Sales, requesting permission to park a trailer for temporary office facilities behind the Canby Honda Shop. Council discussed the request and noted that City Ordinance allowed for only a six month permit. Councilman Knight moved that Mr. Thomas's requested be granted to allow permission, with a six month permit, to park an office trailer on the Millar property behind Canby Honda and he comply with hook ups as indicated in his letter of December 24, 1979 and the letter be attached to the minutes of this meeting. Seconded by Councilman Westcott. Mr. Atwood inquired if the City will furnish services. Mayor Rapp said it was not in the motion and Mr. Thomas has not applied for them. Councilman Westcott noted that there was a portable toilet on the premises and could assume that is what will be used. Motion was approved 6-0.

A letter from Ed Miller, Superintendent of Elementary School District #86, was read by Mr. Wyman, appealing the sewer connection fees for the additions to the Howard Eccles and William Knight Schools. Public Works Director, Mr. Ferguson read a letter from Bob Godon, Building Inspector, explaining the methods of assessing the fee and with his recommendation of a minimum fee of \$600 for Howard Eccles School and a fee of \$7200 for William Knight School. Councilman Swayze moved that the sewer connection fee for Howard Eccles School be placed at the cities cost of materials and labor plus a \$600 fee and the edition at William Knight School be set at \$7200. Councilman Westcott felt there would be an additional load on the sewage plant and felt we should stick with the code for assessing the fees. Councilman Swayze's motion died for a lack of a second.

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Councilman Westcott moved that in regards to Mr. Miller's letter of December 17, 1979, that Howard Eccles School be allowed to connect to the sewer for a \$600 fee plus cost of city labor and materials and that William Knight School original estimate of \$8600 be maintained. Seconded by Councilwoman Brown. Attorney Bettis noted that this would be an opportune time to request the support of the School District in our Swimming Pool Program. Motion carried 5-1, with Councilman Swayze voting nay.

Administrator Wyman read a memo from Planner Lashbrook regarding a dedication of a ten foot strip of property for right-of-way purposes on N. Maple Street, of Richard Crites property. Councilman Nichols moved to instruct the City Attorney to prepare a deed for acquisition of the ten foot strip of property of Richard Crites, and authorize payment of \$50 for title insurance and also \$9.10 plus any interest due for property taxes on the property. Seconded by Councilwoman Brown and approved 6-0.

Mr. Wyman read a letter from the Metropolitan Service District inviting our participation in the regional Local Officials Advisory Committee (LOAC) and asking us to appoint a representative to the committee. Councilman Swayze moved that the City of Canby not lower themselves to send a representative to this Committee. Mayor Rapp felt this would be a good opportunity for Canby to keep advised of what is happening. Councilman Swayze's motion died for a lack of a second. Councilman Nichols moved that Canby accept and approve the appointment of someone to the LOAC. Seconded by Councilman Pulver. Mayor Rapp suggested Councilman Nichols be the Canby representative to LOAC, and he accepted. Motion was carried 6-0.

A letter from David Bury, read by Mr. Wyman, was requesting a Charter change of having the Canby Utility Board put back under City jurisdiction. Mayor Rapp felt this could better be discussed at a workshop on the Charter. Councilman Westcott noted that the original intent for the split of the Utility Board from the City was for the purpose of running like a business and being able to capitalize on their own without going to the people. He also would like to give the Utility Board one more year to utilize the availabilities they have and after one year then reconsider a charter change. Mr. Bury informed Council he would be going before the Utility Board with this same request.

NEW BUSINESS - Councilman Knight moved to pay accounts payable in the amount \$42,079.34. Seconded by Councilman Nichols. Councilman Knight inquired about the bills for Unified Sewage Agency. Mr. Ferguson said these were for samples and he noted that two companies are in violation of their discharge permit and the City will be attempting to collect the money and keep the Council informed. Motion was carried 6-0 by roll call vote.

UNFINISHED BUSINESS - Mr. Wyman noted that we will be meeting with Mr. Wellman on the cemetery and also be meeting on the Sewer costs.

Mayor Rapp recessed at 8:36 p.m. and reconvened the Regular Meeting at 8:47 p.m.

Councilman Westcott brought up the fact that we have post poned action on the Mary Dack Zone Change. Mayor Rapp said when staff has it ready for the agenda we will then take action. Planner Lashbrook recommended that we give Mr. Dack a time period to conclude negotiations. Councilman Westcott moved that Jon

Henricksen be contacted by letter in response to his letter of December 11, 1979, informing him that the Council would like to see a negotiation process, (informal design review, engineering items) be concluded with staff by the first Regular Meeting of March 1980, and if those negotiations are not completed at that time, the Council will again consider the matter of a Planned Unit Development to that particular Zone Change Ordinance. Seconded by Councilman Swayze. Councilman Knight asked if a time limit hadn't already been set. He was told they had been given until December 1980, to file for permits to start construction. Motion carried 5-0, with Councilman Pulver abstaining (he was not on the Council when this first became an issue).

Mr. Lashbrook informed the Council that Mr. Dack had complied with all improvements on his apartments according to the court order. Attorney Bettis asked Mr. Lashbrook to send him a memo regarding this matter.

Mr. Ferguson informed Council that they have heard from DEQ and we are in compliance with regulations and Council will continue to be informed.

Mr. Wyman asked Council to review the three booklets they received regarding new budget laws.

OTHER REPORTS AS REQUIRED OR NEEDED: Mayor Rapp noted that five Planning Commissioner terms were expired: 1 year - Catherine Davis; 2 year - Norris Hart; 2 year - Elsie Cutsforth; 4 year - Gordon Ross; 4 year - John Edgerton. Mayor Rapp opened the floor for nominations. Councilman Swayze nominated Norris Hart for the one year term; Elsie Cutsforth for the two year term; Ken Daniels for the two year term; Catherine Davis for a four year term; and Bob Baller for a four year term. Councilwoman Brown nominated Charles MacKenzie for a two year term. Councilman Nichols nominated Gordon Ross for a four year term and Bob Baller for a one year term. Councilman Swayze moved that nominations be closed. Seconded by Councilman Pulver and carried 6-0. Voting was done by a raise of hands with the following results:

ONE YEAR TERM — Norris Hart, 3 votes
Bob Baller, 2 votes

TWO YEAR TERM - Ken Daniels, 1 vote
Charles MacKenzie, 3 votes
Elsie Cutsforth, 6 votes

FOUR YEAR TERM - Catherine Davis, 5 votes
Gordon Ross, 2 votes
Bob Baller, 5 votes

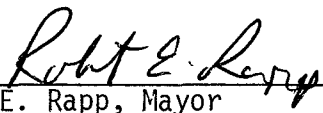
The following people were duly elected to serve on the Canby Planning Commission: one year term - Norris Hart; two year term - Charles MacKenzie and Elsie Cutsforth; four year term - Catherine Davis and Bob Baller. Councilman Swayze moved to send a note of thanks to Mr. Ross and Mr. Edgerton for their years of service to the City on the Planning Commission and also that plaques be purchased for them. Seconded by Councilman Westcott and approved unanimously.

Councilman Swayze moved to go into Executive Session in accordance with ORS 192.610, on labor negotiations with Dave Blair. Seconded by Councilman Westcott and carried 5-1 by roll call, with Councilman Nichols voting nay.

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Mayor RApp recessed the Regular Meeting at 9:20 to go into Executive Session with Mr. Blair of Blair Services.

Regular Meeting was reconvened at 10:10 p.m. and immediately adjourned.


Robert E. Rapp, Mayor


Harold A. Wyman, Administrator/Recorder

CORRECTIONS: Page one, second paragraph, second line should read PUBLIC WORKS
Last paragraph, line eight, should read ADDITION and not edition.

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25820 S. LINDA ROAD • CANBY, ORE. 97013 • 503-266-4880

December 24, 1979

Mayor & City Councilmen:

Gentlemen:

I would like to request permission to park an Office Trailer with in the town of Canby. It would be parked on the property owned by the Millur Brothers, specifically on the lot in back of the Canby Honda Shop.

John Millur

This will be of a temporary nature only. If so approved I guarantee the trailer and other necessary hook-ups will comply with all city, county, and state regulations

Sincerely yours,

Edward Thomas

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