CANBY CITY COUNCIL

REGULAR MEETING

APRIL 16, 1980

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

Also present: Administrator H.A. Wyman, Attorney Wade P. Bettis, City Planner Stephan Lashbrook, Public Works Director Ken Ferguson, Public Works Supervisor Bud Atwood, Treasurer Myra Weston, Secretary Marilyn Perkett, Canby Herald Editor Steve Frederick, Planning Commissioner Gary Sowles, Dorothy Knight and David Bury.

Mayor Rapp called the Regular Meeting to order at 7:34 p.m., followed by the flag salute and roll call of Council.

Councilwoman Brown moved to approve as distributed the minutes of Regular Meeting April 2 and Special Meetings April 7 and April 9, with the following corrections, April 2 meeting, paragraph 5, the second reading for Ordinance 669 should be on May 7, 1980, and on the April 9 meeting, last page, the figure for Street Improvement should read $\frac{99,000}{1000}$. Motion was seconded by Councilman Westcott and approved 6-0.

CITIZENS IN-PUT ON NON-AGENDA ITEMS: None were voiced.

ORDINANCES & RESOLUTIONS: Attorney Bettis brought up Ordinance 672 which has been pending awaiting payment of annexation fees. Since an LID is in progress in that area and to prevent the possibility of misplacing, he suggested the Ordinance be read and approved at this time. Attorney Bettis read the entire Ordinance 672. Attorney Bettis suggested that a Secion 3 be added to read: "no building or other use permits for any development of the property shall be issued until the annexation fee required by Ordinance No. (to be inserted) determined by the Council according to Resolution No. (to be inserted) which was adopted on (to be inserted) and is first paid". Councilman Swayze moved that Ordinance 672, AN ORDINANCE AMENDING THE ZONE MAP OF THE CITY OF CANBY (Application of Rufus Kraxberger; County R-20 to City R-1 zone), including the addition of Section 3, be properly posted and final reading be on May 7, 1980, after 7:30 p.m. at the Regular Meeting. Seconded by Councilman Westcott. Mr. Wyman noted that he would see that the annexation file is flaged with this Ordinance. Councilman Westcott inquired if it is possible for the City to file a lein for the annexation fees. Attorney Bettis replied it was not, however, a court action could be filed for a judgement which then would become a lien. Attorney Bettis also suggested that after the Ordinance is corrected we send a copy to the applicant and inform him of the second reading, stating this is the final demand for payment within 10 days and if not paid we will refer the matter to the City Attorney for appropriate action. Staff was also directed to draft a memo for the Policy Book on collection of annexation fees. Motion was approved 6-0.

COMMUNICATIONS: Administrator Wyman read a letter from David Bury concerning airplanes crop dusting in the City limits. Mr. Bury was in the audience and relayed his feeling to the Council of the danger and safety hazards of the low flying aircraft. Councilman Swayze noted that all aircraft over 6 inches above the ground are under the jurisdiction of the FAA. Mr. Lashbrook noted that he had spoke with Mr. Redwine, of the FAA, and he was informed that it is common for cities to pass ordinances regarding this issue. Mayor Rapp suggested that we contact the parties concerned with the crop dusting and listen to them before the Council takes any action on this matter.

Administrator Wyman read a letter from Mrs. George Carr, Canby Garden Club and Canby Historical Society, informing the Council of the two dogwood trees that have been planted at the entrance of the Baker Prairie Cemetery. A letter of thanks has already been sent to Mrs. Carr.

A letter from Thelma Hooper, County Treasurer, was read by Mr. Wyman requesting Council action on the investment of surplus funds. Administrator Wyman recommended that we advise Mrs. Hooper to invest our money in TCD's and Treasury Notes and this to be by Resolution and a Policy for the City to do likewise. Councilman Swayze moved that by Resolution and drawn by Attorney Bettis, the City authorize the Clackamas County Treasurer to invest the City of Canby funds in Timed Certificate Deposits, Treasury Bills and Money Market Certificates and that the County Treasurer be given annual notification of this action. Seconded by Councilman Westcott who also suggested the Resolution become a part of the Book of Policy. The maker of the motion agreed. Motion carried 6-0.

Administrator Wyman read a letter from the Chamber of Commerce requesting the twohour parking restriction be eliminated on the N.W. 1st Avenue parking lot and also enclosed was a petition with 28 signatures. Mr. Wyman recalled that 5 years ago the merchants had asked for the two-hour parking restriction. Councilman Westcott felt the car-poolers and Tri-Met riders were the primary users of the extended parking. The Council felt they needed more time to review this issue and therefore, Councilman Nihcols moved to postpone action on this issue until the next Reular Meeting. Seconded by Councilwoman Brown and approved 6-0.

Mayor Rapp called for a recess at 8:29 p.m. The REgular Meeting was reconvened at 8:42 p.m.

NEW BUSINESS: Councilman Knight moved to pay accounts payable in the amount of \$26,012.98. Seconded by Councilwoman Brwon and approved 6-0 by roll call vote. Councilman Knight moved to pay a bill to Canby Utility Board in the amount of \$6,890.88 and a bill to James Montgomery Engineering in the amount of \$8,556.46 to be drawn from warrants from the Clackamas Treasury water bonds of 1979. Seconded by Councilwoman Brown and carried 6-0 by roll call.

Mayor Rapp read a proclamation from the American Cancer Socity and proclaiming April 1 through April 30, as Cancer Control Month and urging the support of the Cancer Crusade. A copy of the proclamation will be attached to the minutes.

UNFINISHED BUSINESS: Councilman Westcott reminded the Council of the meeting at the Utility Board on Thursday, April 17, at 7:00 p.m. to review the water rate increases.

Mayor Rapp reminded the Council of the two workshops on Monday, April 21 and Wednesday, April 23, at 7:00 p.m. on the Comprehensive Plan and also to do a couple of staff evaluations.

On April 28, Wednesday, Duane Lee of Lee Engineering will be here to discuss the Sewer Expansion Study at 7:00 p.m. and also a department head evaluation will be held.

Mayor Rapp informed the Council he was contacted by a representative from Clackamas County College in reference to the Community Development Committee program, a program for interested citizens to point out and recommend solutions for any community problems. Several cities in the area are becoming involved in this program. Councilman Swayze and Councilman Pulver volunteered to go to the April 24th meeting at the college to bring back more information on this

Mrs.Weston informed the Council of a meeting on April 30, Wednesday, at 7:30 p.m. in the Old Town Hall when 20 County Office candidates will be present.

Mr. Wyman reminded the Council that we have only one month before we go to the polls on the proposed new tax base and should be setting some strategies. Mayor Rapp set a Special Meeting for May 5, Monday, 7:30 p.m., tomeet with the Budget Committee and work on the tax base election.

Ken Ferguson, Public Works Director, brought up the fact that there are still two vacancies on the Traffic Safety Committee. Mayor Rapp informed Mr. Ferguson that he has set this to be on the next meeting agenda. Mr. Ferguson also noted that the "Signal Ahead" sign for the S.W. Berg Parkway traffic signal will be moved south near the Port Hole Restaurant.

Mayor Rapp adjourned the Regular Meeting at 9:00 p.m.

Harold A. Wymah, Administrator/Recorder

MAYOR'S PROCLAMATION OF CANCER CONTROL MONTH

WHEREAS, the disease of cancer is expected to strike 3,400 citizens of Oregon during 1980, and

WHEREAS, it is anticipated that during this same period cancer will bring an untimely end to the lives of 4,300 men, women and children in this state, and

WHEREAS, the American Cancer Society says that the lives of approximately one-third of all cancer patients already are being saved, and that this figure could be increased by as much as 50 percent by earlier detection and treatment, and

WHEREAS, in addition, still more lives can be saved from cancer through acts of prevention, such as the personal avoidance by each citizen of known cancer risks, and

WHEREAS, the principal purpose of the American Cancer Society's annual educational and fund raising Cancer Crusade is to make the community aware of such health-preserving opportunities,

NOW, THEREFORE, I, Robert Rapp, Mayor of Canby, do hereby proclaim the period of April 1 to 30, 1980, as CANCER CONTROL MONTH IN CANBY, and in so doing urge all citizens to heed the life-saving messages of the American Cancer Society and to provide generous support for its 1980 Cancer Crusade.

In WITNESS WHEREOF,

Robet E. Ray