

Canby City Council
Regular Meeting
March 1, 1978

Present: Mayor Rapp, Councilmen Westcott, Swayze, Nichols, and Knight

Others Present: Administrator Wyman, City Attorney Reif, Ken Ferguson, Director of Public Works, Bud Atwood, Supervisor of Public Works, Myra Weston, City Treasurer, Smith French, Fire Chief, John Faulkenstein, David Bury, Lela Wanner, Tom Wanner, Dianne Schmid, Oregonia, and Al Schwartz, Canby Herald

The meeting was called to order at 7:30 p.m. followed by the traditional flag salute.

Mayor Rapp called for additions or corrections to the minutes of February 15, 1978. Councilman Nichols moved that the minutes be approved as presented, seconded by Councilman Knight. The motion passed unanimously.

Mayor then called for citizens input on non-agenda items at which time there were none.

Ordinance No. 637; AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY (Application of Blue Mountain Eagle, Inc., dba The Canby Herald), will be held over until a majority of the Council is present. Due to Councilman Nichols declaring a conflict of interest at an earlier date, there was not a majority to vote on the Ordinance.

Ordinance No. 638; AN ORDINANCE AUTHORIZING PURCHASE OF FOUR (4) POLICE CARS AND ONE (1) STAFF CAR; AND DECLARING AN EMERGENCY; was read in its entirety by the City Attorney. Councilman Swayze moved that Ordinance No. 638, an Ordinance Authorizing Purchase of Four (4) Police Cars and One (1) Staff Car, and Declaring an Emergency be passed as corrected on first reading and to be read on second reading March 22, 1978 at the hour of 8:00 o'clock, seconded by Councilman Westcott. The motion passed unanimously.

Next was a letter from the State Parks and Recreation in reference to BOR Project Amendment, Maple Street Park, Phase II, raising our allocation from \$59,732 to \$72,732. No action was necessary.

Next on the agenda was a letter from Don Broadsword, Clackamas County Liaison Officer, in reference to 1978 BOR Allocation. Administrator Wyman read the letter to the Council with discussion following. Councilman Nichols moved that the allotted BOR money of 1978 for Canby remain in the Clackamas County BOR Fund for some other city in Clackamas County to use, seconded by Councilman Knight. The motion passed unanimously.

Next was a letter from Mary Kabacy, Chairwoman of the Canby Swim Team Parents Club in reference to continued sponsorship and support from the City. Discussion followed. Councilman Swayze moved that the Canby Swim Team be allowed to retain the dues they collect, that they be allowed free swim time for practicing as approved by the manager, that this become permanent in the future and become part of the Book of Policy, seconded by Councilman Westcott. The motion passed unanimously. Administrator Wyman then stated the \$1,849.75 still had not been budgeted for the swim pool. Discussion followed with the consensus of the Council that the money will be taken care of at the end of this fiscal year.

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Next on the agenda was a letter from the Port of Portland in reference to our letter expressing the views of the City Council concerning the parking at Portland International Airport for public officials. No action was needed.

Next was the Accounts Payable. Councilman Knight moved that the Accounts Payable in the amount of \$15,811.97 be paid, seconded by Councilman Nichols. The motion was passed by roll call vote with 4 ayes and 0 nays.

Next was an invoice from Eldon E. Edwards in the amount of \$520. Councilman Knight moved that the City Administrator be authorized to add the statement of Eldon E. Edwards in the amount of \$520 to the next list of Accounts Payable, seconded by Councilman Nichols. The motion was passed unanimously. It was the consensus of the Council that the matter of all billings from Eldon E. Edwards be discussed when a full Council is present.

Next was the approval of liquor license renewals from 7-11 Store, Giuseppe's Pizza, American Legion, Soni's, and El Gazebo. Councilman Swayze moved that the three (3) liquor license applications be approved for 7-11 Store, Giuseppe's Pizza, and the American Legion and the liquor license application for transfer of name from Soni's to El Gazebo be approved, seconded by Councilman Nichols. A brief discussion followed concerning the application transferring the name of Soni's to El Gazebo. The motion was then passed with Councilman Westcott voting no.

Next on the agenda was the Community School Agreement. After a lengthy discussion with John Faulkenstein, representative of the High School Board, Councilman Swayze moved that the Council enter into this agreement and change the "No Notice", to a period of "60-day Notice", seconded by Councilman Westcott. The motion passed unanimously.

Next was the discussion concerning the BYB Automotive operation. The City Attorney read a letter from their office in reference to this matter. A lengthy discussion followed. Councilman Nichols moved that the owner of BYB Automotive be notified and asked to appear at our next meeting, voluntarily, with a letter agreeing to request time as you stated. If not present or a representative present, or a letter on file at the time, which will be our next meeting, March 15, 1978, then the City Attorney be instructed to take appropriate action in carrying out the injunction, to be sent certified mail or hand delivered. There was no second to the motion. More discussion followed. Councilman Swayze moved that the owners of BYB Automotive be given fourteen (14) days to show proof to the City Attorney of Earnst Money Agreement on property to which they intend to move and proof adequate to the City Attorney's office that procedure has begun to obtain an applicable permit from the County for building on said property, or the City Attorney will be instructed to start immediate legal procedures for injunction and that this notice be mailed to BYB's attorneys with the answer being signed by the owners of BYB, seconded by Councilman Westcott. After more discussion the motion was passed unanimously.

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Next was the setting of meetings and workshops for the month of March, 1978 as follows:

3/06/78	Executive Session Lt. Jerry Giger	6:00
3/06/78	Special Meeting Workshop	7:30
3/07/78	Budget Meeting	7:30
3/13/78	Executive Session Administrator Wyman	6:00
3/14/78	Budget Meeting	7:30
3/15/78	Regular Council Meeting	7:30
3/20/78	Special Meeting Workshop (MacKenzie Committee)	7:30
3/21/78	Budget Meeting	7:30
3/22/78	Special Meeting Workshop (Charter Revision)	7:30
3/27/78	Special Meeting Workshop	7:30
3/28/78	Budget Meeting	7:30

Mayor Rapp then stated he had a call on February 16, 1978 from the Enterprise-Courier in reference to the Willamette Falls Hospital Development Plan. Mayor wanted the Council to know he did not speak in their behalf and that he did say he felt the Council did not have enough information to discuss the plan at the Council Meeting, February 15, 1978. Myra Weston then spoke concerning the matter and stated it was not too late for the Council to act. Discussion followed with no action being taken.

Councilman Westcott then asked about the Southern Pacific locomotive parking by Lovell Truck Company which runs all night. Administrator Wyman will call Southern Pacific tomorrow.

Ken Ferguson then stated Mac Gaunt had called and will have information to him on the traffic signal next week.

The meeting adjourned at 9:40 p.m.


Robert E. Rapp, Mayor


Harold A. Wyman, City Administrator