

Canby City Council
Regular Meeting
May 17, 1978

Present: Mayor Rapp, Councilmen Knight, Nichols, Giger, Taylor, and Swayze

Absent: Councilman Westcott

Others Present: Administrator Wyman, City Attorney Bettis, City Treasurer Weston, Ken Ferguson, Director of Public Works, Art Goglin, Lee Riley, William P. Hinckley, Paul Roth, David Baker, W.O. Ranberg, Dorothy Ranberg, Kathryn B. Posedel, Frank C. Posedel, Howard Barlow, Darrell George, Hugh Harper, William Stevens, Richard Morse, Clyde Peacock, Roger Reif, Al Schwartz, Canby Herald, and others

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

Mayor Rapp then called for the approval of the minutes of May 3 and 8, 1978. It was noted in the minutes of May 3, page 11, paragraph IV, should read, "Canby Union High School" and the last paragraph, line VI should read, "either". Councilman Giger moved the minutes be approved as corrected, seconded by Councilman Knight. The motion was passed unanimously.

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

Resolution No. 240; A RESOLUTION DETERMINING THE ANNEXATION FEE FOR PMALGBC ORDER NO. 726 (VRIVES PROPERTY); was then read in its entirety by the City Attorney. Councilman Giger moved to pass Resolution No. 240 as read by the City Attorney, seconded by Councilman Swayze. Councilman Nichols had previously declared a conflict of interest. The motion was then passed with Councilman Nichols not voting.

Next was a letter from the Department of Environmental Quality in reference to Water Quality - City of Canby, Permit #1620-J which Administrator Wyman to the Council. No action was needed.

Next was a letter from the Department of Transportation in reference to the N. 2nd Avenue and 3rd Avenue and Juniper Street improvement project which Administrator Wyman read to the Council. Discussion followed. Councilman Nichols moved that the City Administrator be directed to pursue Alternate No. 3 on N. 2nd and 3rd Avenues and Juniper Street improvement project and make the necessary applications, seconded by Councilman Giger. More discussion followed. The motion was then passed with Councilman Swayze voting no.

Next was a letter from Linda McKenzie, Counselor at Ackerman Junior High commending Officer Bob Ek on a presentation he had made recently at their school. No action was called for.

Next was the Accounts Payable. Councilman Giger moved to approve the Accounts Payable in the amount of \$69,212.71 for pay, seconded by Councilman Taylor. The motion passed by roll call vote with 5 ayes and 0 nays.

Next on the agenda was the South Fir Street Improvement. Administrator Wyman read a letter from Ken Ferguson in reference to the improvement. Discussion followed concerning the two properties which are not scheduled for the improvement. Mr. Paul Roth, 1205 S. Fir and Mr. David Baker, 1225 S. Fir spoke and stated they are against having to pay for the improvement. More discussion followed. Councilman Nichols moved that the City

go ahead with the construction of that street while everything is there and ready to match what is in there and what will be in there and pay the bill for it and bill back the property owners and set the matter up for a hearing later on to establish liability on who should pay the costs. The motion died with no second to the motion which brought more discussion. Councilman Nichols then moved to table the matter until the next regular or special meeting to give staff a chance to check out further this development on what we're talking about, seconded by Councilman Giger. The motion passed unanimously.

Next was information concerning the annexation on NW 22nd Avenue and Maple Street. Administrator Wyman then showed the Council the Interim Plan Map which the Planning Commission and CRAG had approved on 12/12/73. After a brief discussion Councilman Giger moved that the City Attorney be authorized to prepare Council Resolution for a triple majority concurrence for annexation of the property located at NW 22nd Avenue and North Maple Street, owner of which is Betty Kent and that final approval of such Resolution be delayed pending payment to the City of the \$250 annexation application fee as required by Ordinance #579, seconded by Councilman Knight. The motion was passed unanimously.

Next was the approval of a share payment for the parking lot purchased by some of the merchants (lot behind the Graham Building). No action will be taken until the next meeting until all papers have been completed.

At the request of Councilman Swayze the Mayor called for the matter concerning no parking on N. Maple Street between 31st Place and 34th Place. Discussion followed. Councilman Swayze moved that "No Parking" signs be installed on the East side of N. Maple Street from NE 31st Place to NE 34th Place, seconded by Councilman Giger. More discussion followed with Frank Posedel, Roger Reif, and Bill Ranburn stating their opposition to the no parking on the east side of the street. Councilman Swayze, with the agreement of the second to the motion withdrew his motion. Councilman Swayze then moved that "No Parking" signs be put up on the West side of N. Maple Street from NE 31st Place to NE 34th Place, seconded by Councilman Giger. The motion was then passed unanimously.

Next on the agenda was the action on Canby Enterprises, Inc. sanitary sewer proposal. Administrator Wyman read a letter from the City Attorney concerning the matter. Discussion followed. Councilman Swayze moved that the City of Canby participate in the extension of sanitary sewer to the property described in Resolution No. 240 in an amount not to exceed \$10,000 and that this money come from the annexation fee for said property and for the reason that it benefits the City as a whole, seconded by Councilman Giger. The motion passed. Councilman Nichols did not vote due to a conflict of interest. More discussion followed. The City Attorney will draw up a legal agreement for signing by Canby Enterprises, Inc. and the City.

Ken Ferguson then spoke briefly concerning the Molalla River Dam Project. No action was taken at this time.

The meeting adjourned at 9:02 p.m.


Robert E. Rapp, Mayor


Harold A. Wyman, City Administrator