

Canby City Council
Regular Meeting
September 20, 1978

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

Absent: Councilman Giger and Taylor

Others Present: City Administrator Wyman, City Attorney Bettis, City Treasurer Weston, Ken Ferguson, Public Works Director, Bud Atwood, Supervisor of Public Works, Paul Bosarge, Canby Herald, Dianne Schmid, The Oregonian, Marty Clark, Rosalie Gooding, David E. Bury, Shirley Tooley, Dorothy McCormick, Jacquie Ingalls, John Falkenstein, Lewis R. Shull, Sharlene McGowne, John McCutchen, and others

The meeting was called to order at 7:31 p.m. followed by the traditional flag salute.

Mayor Rapp called for additions or corrections to the minutes of September 5 and 6, 1978 at which time the following corrections were noted:

September 6 - Page 2, paragraph 4, line 8 should read; "the plant so that any noise emission would be directed away from the residential area and "

Page 4, paragraph 1, No. 2 should read; "Perpetual open space green areas perpetually for the use and benefit of the residents of this particular project."

Councilman Swayze moved to approve the minutes of September 5 and 6, 1978 as corrected, seconded by Councilman Knight. The motion was carried.

Next on the agenda was citizens input on non-agenda items at which time Administrator Wyman read a letter from Mr. John H. McCutchen, Vice President of Potters Industries, Inc. in reference to plant noise and its impact on the neighboring community. Administrator Wyman introduced Mr. McCutchen and Mr. Archibald to the Council and stated they would be glad to answer any questions they might have. Discussion followed with Mr. McCutchen answering questions and giving a brief history of the company.

Paul Bosarge then asked the Mayor if the Canby Depot Station would be discussed with the Mayor stating it would be discussed under "Communications" on the agenda.

Ordinance No. 644; AN ORDINANCE AUTHORIZING PURCHASE OF A 15 PASSENGER VAN FOR SENIOR CITIZENS' PROGRAM; AND DECLARING AN EMERGENCY; was then read on first reading in its entirety by the City Attorney. Councilman Westcott moved that Ordinance No. 644 be posted and second reading to be held on October 18, 1978, seconded by Councilman Knight. The motion was carried.

Resolution No. 247; A RESOLUTION APPROVING ANNEXATION TO THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON (APPLICATION OF ROBERT S. OVERTON FOR CRESTVIEW SUBDIVISION); was then read in its entirety by the City Attorney. Councilman Nichols moved to adopt Resolution No. 247 as corrected, seconded by Councilman Knight. The motion carried with Mrs. Boggs being directed to mail Mark O'Donnell, Attorney and Don Carlson, Boundary Review Commission, a certified copy of Resolution No. 247.

September 20, 1978

Resolution No. 248; A RESOLUTION CALLING AND MAKING PROVISIONS FOR AN ELECTION TO ENACT A NEW CITY CHARTER FOR COUNCIL-MANAGER FORM OF GOVERNMENT; was then read in its entirety by the City Attorney. Councilman Swayze moved that Resolution No. 248, A Resolution Calling and Making Provisions for an Election to Enact a New City Charter for Council-Manager Form of Government, be adopted as read by the City Attorney, seconded by Councilman Westcott. A brief discussion followed with the motion being carried. Mrs. Boggs will take the Resolution to the Elections Department.

Resolution No. 249; A RESOLUTION VERIFYING PREREQUISITE TO RECEIVE CIGARETTE, GAS AND LIQUOR TAXES; was then read in its entirety by the City Attorney. Councilman Swayze moved that Resolution No. 249; A Resolution Verifying Prerequisite to Receive Cigarette, Gas and Liquor Taxes, be adopted as read by the City Attorney, seconded by Councilman Westcott. The motion was carried.

Next was a letter from Southern Pacific Transportation Company in reference to the removal of the Canby Depot Station which Administrator Wyman read to the Council. A lengthy discussion followed concerning the relocation of the station. Councilman Nichols moved to table the matter until the meeting of October 4, 1978. The motion was defeated. More discussion followed with Councilmen Swayze and Westcott stating they feel the station should not be moved to Waite Park. Mayor Rapp then stated this matter would be discussed at a special meeting and workshop on October 10, 1978.

Councilman Westcott moved that we change the second reading of Ordinance No. 644 to October 10, 1978, seconded by Councilman Knight. The motion was carried.

Next was a letter from Mark O'Donnell, Attorney for Martin Clark in reference to the Clark-Cibula Zone Change stating his clients will obtain approval from the Planning Commission for any industrial use that requires a substantial volume of liquid to be discharged into the municipal sewer system. Mrs. Boggs will attach this letter to the original ordinance concerning the zone change.

Next on the agenda was the Accounts Payable. Councilman Knight moved the Accounts Payable in the amount of \$9,298.99 be approved, seconded by Councilman Nichols. The motion passed by roll call vote with 4 ayes and 0 nays.

Next was the discussion of the Joint Agreement between Canby Union High School, The City, and Clackamas Community College. Councilman Westcott moved that the Joint Agreement for funding of the Canby Community School Program between Canby Union High School, City of Canby, and Clackamas Community College be funded in the current fiscal budget be signed on the City's behalf in the amount of \$16,000, seconded by Councilman Swayze. The motion carried.

Next was the agreement between the Rural Fire District and the City. A brief discussion followed with no action being necessary as the agreement was in compliance with a previous motion.

Next on the agenda was a letter from Bud Atwood in reference to service and material charges at Zion Cemetery. Councilman Westcott moved that the City Attorney be instructed to draw up a Resolution for service and material charges at Zion Cemetery, seconded by Councilman Nichols. Discussion followed concerning the rates. The motion was then carried with Councilman Swayze voting no.

Ken Fergusn then read a report on the improvement of Phase II - Maple Street Park with the estimated total of \$94,700 and recommended that bids be called for on the first four items as scheduled and that bids on the remaining four items be called for in early 1979. The items were as follows:

1. Transplant Trees
2. Grade Site
3. Drainage
4. Water and Irrigation
5. Conduit, Wiring, Junction Boxes for Ballfield Lights
6. Cushion Turf
7. Parking Lot, Play Area, and Basketball Court
8. Landscaping

The Council concurred the bids should be proceeded with.

Administrator Wyman then recommended that we table any planning efforts with the Housing and Community Development Agency until a planner is hired. The matter has been tabled previously.

Next was the setting of dates for interviews for the hiring of a Plann. Discussion followed with Councilmen Nichols, Westcott and Swayze to be on the interview board.

Next on the agenda was the discussion of the straw ballot. The Council concurred to meet with the Canby Utility Baord for a final decision on a serial levy for water improvement. The meeting was set for September 26, 1978. Mrs. Boggs will m ake arrangements with the Utility Board.

The meeting adjourned at 9:36 p.m.



Robert E. Rapp, Mayor



Nancy S. Boggs, City Recorder