

Canby City Council
Regular Meeting
November 1, 1978

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

Others Present: City Administrator Wyman, City Attorney Bettis, City Treasurer Weston, Ken Ferguson, Director of Public Works, Bud Atwood, Supervisor of Public Works, Paul Bosarge, Canby Herald, Jon Henrickson, and David Bury

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 October 10, 1978 and October 18, 1978. Councilman Giger moved that the minutes of October 10 and 18, 1978 be approved as distributed, seconded by Councilman Swayze. The motion was carried.

Mayor then called for citizens input on non-agenda items at which time Myra Weston stood and apologized to Councilman Knight and other members of the Council concerning the trees which had been planted years ago on Main Street which is now NW 1st Avenue and those planted at Baker Prairie Cemetery.

Ordinance No. 645; AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY (Application of Marvin L. Dack for zone change from R-1 to R-2 for 15.34 acres in Section 4B and 4C in T4S R1E of the WM); was then read by title only on second reading by the City Attorney. Councilman Swayze moved that Ordinance No. 645; An Ordinance Amending the Zoning Map of the City of Canby (Application of Marvin L. Dack for zone change from R-1 to R-2 for 15.34 acres in Section 4B & 4C in T4S R1E of the WM); be approved on second and final reading, seconded by Councilman Giger. Discussion followed with Councilman Knight asking about the letter to be written by Mr. Jon Henrickson, Attorney for Mr. Dack and to be attached to this Ordinance. Discussion followed concerning the letter which the City will receive by 5:00 p.m. Friday and which Mr. Henrickson read to the Council. More discussion followed with Councilman Knight saying he would like for Mr. Henrickson to include in his letter to the Mayor saying they will also be specific in their clarification and improve on SW 13th Avenue to South Elm, to be put in the Ordinance, as that is not in the letter read by Mr. Henrickson. Mr. Henrickson stated he would modify the letter and the clarification would be included. More discussion followed. The City Attorney then suggested a modified motion to be; I move that Ordinance No. 645 be passed on second reading and become effective immediately subject to the applicant's signed letter of commitment joined in by their Attorney and which was previously discussed and reviewed tonight be filed with the City Recorder for attachment to the original Ordinance prior to 5:00 p.m. on Friday, November 3, 1978. The maker of the motion agreed to change the original motion with the second agreeing also. More discussion followed. The motion was passed by roll call vote with 6 ayes and 0 nays. More discussion followed with no further action being required.

The meeting recessed at 7:45 p.m. and reconvened at 7:53 p.m.

Ordinance No. 648; AN ORDINANCE AUTHORIZING CONSTRUCTION CONTRACT FOR PINE STREET SEWAGE PUMP STATION; AND DECLARING AN EMERGENCY; was then read on first reading in its entirety by the City Attorney. Discussion followed concerning the type of pump for the sewage pump station. Councilman Taylor moved that Ordinance No. 648 be passed on first reading and be posted to come up on November 29, 1978 for second reading at a Special Meeting, seconded by Councilman Swayze. Councilman Westcott amended the motion to read that the reading of Ordinance No. 648, the first paragraph be amended such that the last sentence of paragraph one would read; "Work project consists of engineering and insulation of a submersible pump and pressure line."; and delete the rest of that sentence. Discussion followed with the amended motion being seconded by Councilman Swayze and more discussion following. The amended motion failed with 4 nays and 2 ayes by roll call vote.

The meeting recessed at 8:07 p.m. for an Executive Session to discuss personnel matters and reconvened at 8:29 p.m.

Councilman Westcott then moved for reconsideration of his amendment to the Ordinance No. 648, seconded by Councilman Swayze. The motion was carried. Councilman Westcott then stated the amendment restated is on page 1 of Ordinance No. 648, the last sentence of paragraph 1 will read; "The work project will consist of engineering and installation of a submersible pump and pressure line."; With the deletion of; "And the installation also of Peabody Barnes Model 3HSE153, Package Lift Station, pressure line; and," seconded by Councilman Swayze. Discussion followed. The motion was then carried.

Ordinance No. 649; AN ORDINANCE AUTHORIZING CONTRACT FOR SITE GRADING OF MAPLE STREET PARK; PHASE II; AND DECLARING AN EMERGENCY; was then read in its entirety by the City Attorney on first reading. Councilman Giger moved that Ordinance No. 649, An Ordinance Authorizing Contract for Site Grading of Maple Street Park; Phase II; and Declaring an Emergency; be passed on first reading and ordered posted to come up for second reading on November 29, 1978, seconded by Councilman Taylor. The motion was carried.

Ordinance No. 647; AN ORDINANCE ASSESSING VARIOUS LOTS, PARCELS AND TRACTS OF PROPERTY FOR STREET IMPROVEMENTS MADE TO NORTH OAK STREET IN LID NO. 8; DIRECTING THE ENTRY OF ASSESSMENTS IN THE DOCKET OF CITY LIENS; PROVIDING FOR NOTICE THEREOF; AND DECLARING EMERGENCY; was then read on first reading by the City Attorney in its entirety. Councilman Giger moved that Ordinance No. 647 be passed on first reading and ordered posted to come up for second reading December 6, 1978, seconded by Councilman Taylor. The motion was carried.

Next was a report on bids for Maple Street Park Irrigation which Ken Ferguson read to the Council. Councilman Taylor moved that Recommendation No. 2 in the amount of \$13,905 be accepted as presented by the Public Works Staff and the City Attorney draw up the proper Ordinance, seconded by Councilman Giger. The motion passed unanimously.

Next was the Accounts Payable. Councilman Giger moved to approve the Accounts Payable in the amount of \$57,920.45, seconded by Councilman Taylor. The motion passed by roll call vote with 6 ayes and 0 nays.

Next was the public hearing date for supplemental budgets in Planning Funds, State Park Funds, and BOR Funds. Councilman Giger moved that the public hearing be set for December 6, 1978 at 8:00 p.m., seconded by Councilman Taylor. The motion was carried.

Next was the results for the water development election held on October 27, 1978 which Administrator Wyman read to the Council as follows:

195 - YES
192 - NO
387 - TOTAL

and signed by George Poppen, County Clerk. Councilman Giger moved the Abstract from the County Clerks' Office for the G.O. Water Bond Election held on October 27, 1978 be approved and accepted as the Council's canvass of the election results, seconded by Councilman Knight. The motion was carried.

Next on the agenda was a letter from Loaves and Fishes apologizing to Councilmen Westcott and Swayze for the misunderstanding during the meeting concerning the straw ballot.

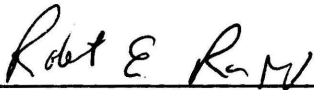
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Councilmen Westcott and Swayze accepted the apology and Staff will write a memo to Loave and Fishes accepting the apology for the Councilmen.

Next was a letter from Wade Bettis in reference to the G.O. Water Bond Issue which Administrator Wyman read to the Council. Staff will contact the Canby Utility Board and invite them to attend the Council Meeting on November 15, 1978.

Next was the report on the Graham Building Parking Lot which Ken Ferguson read to the Council. Discussion followed concerning the request for permanent parking spaces. Councilman Westcott moved that we meet with the purchasers of the parking lot on November 29, 1978, seconded by Councilman Giger. The motion was carried.

The meeting adjourned at 9:21 p.m.



Robert E. Rapp, Mayor



Nancy S. Boggs, City Recorder