

Canby City Council
Regular Meeting
May 3, 1976

Present: Mayor Roth, Councilmen Westcott, Rapp, Taylor, and Kariker

Others Present: Vincent Graziano, Chief of Police, Darryl Jones, C.P.D., Merrie Dinteman, Secretary of Public Works, Gary Day, C.P.D., Al Schwartz, Canby Herald, Don Schaffer, Blair & Associates, Judge Patrick Gilroy, Paul & Kathryn Duncan, David E. Burg, R.V. Colby, Curtis Johnson, Bob Woodman, Harold U. Brawner, Rowena M. & David Patterson, Lyle Read, Dale Harlan, Fred Kahut, Ron Tatone, Myra Weston and others

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

Mayor Roth called for additions or corrections to the minutes of April 19, 1976 and April 25, 1976. The minutes were approved as distributed.

The Mayor then called for guest hearings at which time David Patterson talked about a letter he had received from the Public Works Department saying he had to hook up to the city sewer. Mr. Patterson said he could not afford the rate of \$400 as he is a retired man and asked that the Council reduce the amount or work out some kind of long term agreement for him. Administrator Wyman then explained the letters that went out to citizens that were not hooked up to the city sewer, but were within the 100' of the sewer line. Discussion followed. Mayor Roth then instructed the City Administrator and City Attorney to get together with Mr. Patterson for the proper papers to be signed. Councilman Westcott moved that the City Attorney draw up a note for Mr. and Mrs. David Patterson to sign in the amount of \$400 for a period not to exceed thirty-six (36) months at the rate of 8% interest and secured by a second mortgage, seconded by Councilman Rapp. More discussion followed. The motion passed unanimously.

Attorney Bettis, Sr. then introduced Patrick Gilroy, Clackamas County Circuit Judge who is running for re-election in Clackamas County to retain his post. Judge Gilroy then spoke briefly to the Council and citizens.

Mr. Paul Duncan then asked the Council to reduce the \$400 for a sewer hook up line to his home, due to a large amount of medical bills he has acquired. Mayor Roth then stated the Council would have to come back to Mr. Duncan's problem due to the opening of the Bond Sale Bids.

At 8:00 o'clock p.m. Mayor Roth announced that this was the time for opening sealed bids received by the City Recorder pursuant to advertisement of sale of the bonds of the City.

The following bids for such bonds were received:

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<u>Name of Bidder</u>	<u>Interest Rate Offered</u>	<u>On Maturities</u>	<u>Total Cost to City If Bid Accepted</u>	<u>Effective Interest Rate Based Upon Price Offered</u>
First National Bank of Oregon	5.50% 4.50%	6/1/77 6/1/78- 6/1/79	\$11,200.00	4.666%
Canby Union Bank	5.50% 4.50%	6/1/77 6/1/78- 6/1/79	\$11,080.00 (based on premium offered of \$120)	4.6766%
Bank of Oregon	5.00% 4.50% 4.30%	6/1/77 6/1/78 6/1/79	\$10,750.00	4.6333%

The Council determined that the most favorable bid received for the bonds was that of Bank of Oregon. Accordingly, upon motion duly made, seconded and unanimously adopted, such bid was accepted. Thereupon, Councilman Ron Kariker offered and moved approval of the following Resolution, which motion was duly seconded by Councilman Leonard Taylor and unanimously adopted, to-wit:

RESOLUTION

BE IT RESOLVED that the \$120,000 in bonds of the City of Canby, Clackamas County, Oregon, sold on the ~~3rd~~ day of May, 1976, be issued to bear the date of June 1, 1976, and interest at the following rates: 5.00% per annum for bonds maturing June 1, 1977, 4.50% per annum for bonds maturing June 1, 1978, and 4.30% per annum for bonds maturing June 1, 1979.

Attorney Bettis, Sr. then returned the Cashier's Checks from Canby Union Bank and the First National Bank of Oregon. Councilman Rapp moved that the Cashier Check from the Bank of Oregon in the amount of \$2,400.00 be turned over to the County Treasurer unless the City can get the same interest at one of the Canby Banks, until the City needs the money, seconded by Councilman Taylor and passed unanimously.

Mayor Roth then stated the Council would return to Mr. Duncan's problem concerning the sewer hook up fee of \$400. Discussion followed. Councilman Taylor moved, after hearing Mr. Duncan's case that he give him the same benefit as was given to Mr. Patterson, seconded by Councilman Westcott. Discussion followed. The motion was passed unanimously.

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Mr. Harold Brawner then spoke on the behalf of citizens who cannot afford to pay the sewer hook up fee, although his property was not involved. Discussion followed.

Administrator Wyman then read all the letters to and from Lyle Read concerning the sewer hook up on his property. Mr. Read then spoke in his own behalf concerning his property. A lengthy discussion followed. With the concurrence of the Council Mr. Read will take the matter up with the Superintendent of Public Works.

Next on the agenda was a letter from Dale Harlan, Attorney for Canby Disposal Co. requesting a rate increase for the Disposal Co. Discussion followed. Councilman Taylor moved to accept the proposed rates and that a Resolution authorizing a garbage collection rate increase and establish a new rate schedule with Canby Disposal Co. be approved on the rate schedule and Schedule A be submitted on this day which will become effective June 1, 1976, Seconded by Councilman Kariker. The motion was passed with 4 ayes and 0 nays with Councilmen Kariker, Westcott, Rapp, and Taylor voting yes.

Administrator Wyman then read a letter from Zarosinski-Tatone Engineers, Inc. in reference to N.E. Third Avenue, Off System Road Project, asking the Council to confirm project limits. Discussion followed. Administrator Wyman said the next step would be for Zarosinski-Tatone prepare plans and specifications for the project. Councilman Kariker moved that the OS.0311 project be authorized, bids to be called for and the public hearing be set, seconded by Councilman Westcott, and passed unanimously.

Administrator Wyman then read a letter from W.A. Newton requesting an Unknown Soldier marker at Mt. Zion Cemetery. Discussion followed. With the concurrence of the Council, Councilman Taylor suggested that a committee involving the American Legion and Veterans of Foreign War so they may become involved also.

Ordinance #605; AN ORDINANCE AMENDING SECTION 13 OF ZONING ORDINANCE NO. 583, was read on final reading by Attorney Bettis, Sr. by title only. Councilman Taylor moved to adopt Ordinance No. 605 to become part of the laws of Canby, seconded by Councilman Westcott and passed unanimously by roll call vote with Councilmen Westcott, Rapp, Taylor and Kariker voting yes.

Ordinance #606; AN ORDINANCE AMENDING SECTION 26 OF THE SUBDIVISION ORDINANCE NO. 443 was read on first reading by Attorney Bettis, Sr. in its entirety. Councilman Westcott moved to pass Ordinance #606 on first reading, to be read on final reading on June 7, 1976, seconded by Councilman Rapp and passed unanimously.

Next on the agenda was the approval of the Accounts Payable. Councilman Taylor moved to approve the Accounts Payable in the amount of \$17,760.17, seconded by Councilman Rapp and passed by roll call vote with Councilmen Rapp, Taylor, Kariker, and Westcott voting yes.

Administrator Wyman then discussed with the Council the General Revenue Sharing Planned Use Report. A brief discussion followed.

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City Attorney Bettis, Sr. then reported to the Council he had received the Deeds to the Collins Estate and explained them to the Council. Councilman Kariker moved to accept the deeds of the Collins Estate and authorize the City Administrator to pay the \$60,018.00 from the Reserve Fund Account, seconded by Councilman Taylor and passed unanimously.

Councilman Westcott moved that the incidents involving two city employees, and which was the subject of discussion at an executive session of the Council after the last meeting, justify some affirmative action of the Council and that private letters of reprimand be sent to each of them and a copy placed in their personnel files, seconded by Councilman Taylor and passed unanimously.

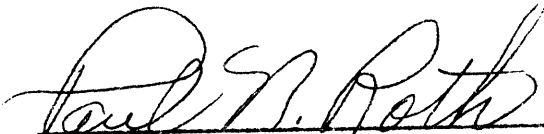
Mayor Roth then discussed with the Council the appointment of a Councilman to replace Joe Wagner. Discussion followed. The Council concurred that they would like to wait for more names to be considered for the appointment.


Mayor Roth then reminded the Council of the judging of the Bi-Centennial Princess. A brief discussion followed.

A Special Meeting of the Council was called for Monday, May 10, 1976 for the revision of the Business License Ordinance only.

Lyle Read, the liability insurance carrier for the City of Canby talked with the Council about rate increases for the new year. Discussion followed.

The meeting adjourned at 10:04 p.m. with an Executive Session following.


Paul N. Roth
Mayor


Harold A. Wyman
City Administrator

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