

Canby City Council
Regular Meeting
January 5, 1976

Present: Mayor Roth, Councilmen Kariker, Wagner, Giger, Taylor, Tapp, and Westcott

Others Present: Harold Wyman, City Administrator, Wade Bettis, Sr., City Attorney, Everett Buttolph, Canby Fire Chief, Smith French, Canby Fire Marshal, Vincent Graziano, Canby Police Chief, Bud Atwood, Supervisor of Public Works, Merrie Dinteman, Secretary of Public Works, Gordon Ross, Chairman of the Planning Commission, Al Schwartz, Canby Herald, Dr. E.E. Davies, Gregory Ireland, Cindy Waggoner, Gregory N. Newman, John Washburn, Neal Moyer, Barbara Saylor, Barbara Clanton, and Shirley Roseland

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

Mayor Roth called for additions or corrections to the minutes of December 15, 1975. There being none the minutes were approved as distributed.

Ordinance #600; AN ORDINANCE ESTABLISHING A CONTRACT REVIEW BOARD; REQUIRING COMPETITIVE BIDS WITH EXCEPTIONS; AUTHORIZING EMERGENCY CONTRACTS; PERMITTING REJECTION OF BIDS FOR CAUSE; PERMITTING DISQUALIFICATION OF BIDDERS AND PROVIDING FOR APPEALS; AND PROVIDING AN EFFECTIVE DATE, was read on final reading by Administrator Wyman by title only. A motion was made by Councilman Giger to adopt Ordinance #600 to become part of the laws of Canby, seconded by Councilman Rapp and carried by roll call vote with Councilman Westcott, Rapp, Taylor, Giger, and Wagner voting yes.

Councilman Kariker arrived at 7:35 p.m.

Ordinance #598; AN ORDINANCE AMENDING SECTIONS 11 AND 12 OF ORDINANCE NO. 393 TO INCREASE INTEREST RATES ON ASSESSMENTS FOR PUBLIC IMPROVEMENTS, was read on final reading by City Attorney Bettis, Sr. by title only. A motion was made by Councilman Westcott to adopt Ordinance #598 to become part of the laws of Canby, seconded by Councilman Giger and carried by roll call vote with Councilmen Rapp, Taylor, Giger, Wagner, and Kariker voting yea.

Ordinance #599; AN ORDINANCE AMENDING SECTION 13 OF ZONING ORDINANCE NO. 583; AND DECLARING AN EMERGENCY, was read on first reading by City Attorney Bettis, Sr. Discussion followed. Councilman Giger moved to pass Ordinance #599 on first reading to be read February 2, 1976 on final reading, seconded by Councilman Westcott. More discussion followed. The motion passed with Councilman Rapp voting no.

Ordinance #601; AN ORDINANCE TO PROVIDE FOR THE DEFERRAL OF SPECIAL ASSESSMENTS FOR STREET, CURB AND GUTTER AND RELATED IMPROVEMENTS WHERE THE PROPERTY OWNER, IS A SENIOR CITIZEN AS DEFINED HEREIN AND OTHERWISE QUALIFIES PURSUANT TO THIS ORDINANCE; AND DECLARING AN EMERGENCY, was read on first reading by City Attorney Bettis, Sr. Discussion followed. Councilman Giger moved to pass Ordinance #601 on first reading, to be read February 2, 1976 on final reading. More discussion followed. Councilman Taylor moved to remove the previous question, seconded by Councilman Westcott. Discussion followed. The motion passed to remove the previous question with four (4) Councilmen voting yes and Councilmen Westcott and Kariker voting no. The Mayor then called for the vote on the previous motion. The motion to accept Ordinance #601 on first reading was passed with four (4) yeses and Councilmen Westcott and Kariker voting no. A brief discussion followed.

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The Mayor then called for guest hearings at which time Dr. E.E. Davies stood and told the Council that at the recent meeting of the School Board, the Board passed unanimously a request to the City Council that the Mayor appoint a committee to investigate the use of the High School Library as a combined City-High School Library. The School Board suggests that the committee will consist of (1) City Library Board Member, (1) School Board Member, and (3) citizens who would be interested, but not affiliated with either board. Discussion followed concerning the proposal Dr. Davies made. Mayor Roth, with the concurrence of the Council will appoint a committee, which will be announced at the next Regular Council Meeting, January 19, 1976.

Next on the agenda was a letter from U.S. National Bank of Oregon concerning the Collins property was explained by Administrator Wyman. Discussion followed. Councilman Giger moved to hire an appraiser to appraise the Collins Property for possible purchase of the property by the City of Canby, seconded by Councilman Wagner and carried unanimously. Councilman Taylor moved to hire Don Hatton of Oregon City to appraise the Collins Property, seconded by Councilman Giger. Discussion followed. The motion was passed unanimously.

Next on the agenda was a letter from Zarosinski-Tatone regarding the Hohensee Property. Administrator Wyman asked the Council for a workshop meeting Monday, January 12, 1976, for discussion on the matter. Mayor Roth then held the discussion over until January 12, 1976.

Next on the agenda was the appeal from Zarosinski-Tatone concerning the denial made by the Planning Commission concerning Canby Heights. Administrator Wyman asked Gordon Ross, Planning Commission Chairman, to discuss the matter with the Council. Discussion followed. Councilman Westcott moved to set the appeal for Public Hearing Monday, January 19, 1976 at 8:00 p.m. at Canby City Hall and that the City Recorder give proper notice, seconded by Councilman Kariker. Discussion followed. The motion was carried unanimously.

Next on the agenda was a letter from Zarosinski-Tatone concerning Trunk Sewer "F". Discussion followed. Councilman Taylor moved to set the hearing date of February 2, 1976 at 8:00 p.m. at Canby City Hall, seconded by Councilman Rapp and passed unanimously.

The next item was a letter from the Oregon State Highway Division which was read by Administrator Wyman in reference to Senate Bill 448. Discussion followed. Councilman Kariker made motion that we notify the State Highway Division that we are interested in the program, seconded by Councilman Giger. Discussion followed. The motion was carried with Councilman Wagner voting no.

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Next on the agenda was a letter from Bettis & Reif in reference to Bonding for the purchase of Canby Community Pool. Discussion followed.

Next on the agenda was a letter from Bettis & Reif in reference to the Agreement with Blair Services, Inc. for approval by the the Council. Discussion followed. Councilman Giger moved to pass the agreement and have Administrator Wyman and Mayor Roth sign the Agreement, seconded by Councilman Taylor. More discussion followed. The motion was passed unanimously. Administrator Wyman will write a letter to the Employees Association and the Union concerning the agreement.

Next on the agenda was the resignation of Everett Buttolph. Discussion followed. Councilman Westcott made motion to accept the resignation of the Fire Chief with regret as of January 30, 1976, seconded by Councilman Wagner and carried unanimously. More discussion followed. Administrator Wyman will make a recommendation at the next regular meeting for a temporary Fire Chief.

Next on the agenda was the petition from property owners from Green Tree Manor Sub-Division, concerning the street drainage within the sub-division. Discussion followed. John Washburn, 1185 N.E. 11th Avenue the stood and discussed the drainage between N.E. 11th and N.E. 13th Place. More discussion followed. Greg Newman, 1165 N.E. 11th Avenue, then asked if the street had been annexed into the City. Discussion followed. The City Attorney suggested to the Mayor that Ernest Campbell, Building Inspector be instructed to look into the matter and see if there is any Ordinance violation. Dave DeForest, 1140 N.E. 11th Avenue, then asked the City Attorney who owns the street. Discussion followed. The City Attorney told Mr. DeForest that 11th Avenue is a Public Street and not a City Street. Discussion followed. Mayor Roth suggested that Administrator Wyman follow through with the Building Inspector in looking into this matter. Barbara Clanton, 1295 N.E. 11th Avenue, said she would like to make it known that in front of her property there is always a big puddle of water which never goes away. Neil Moyer asked if there is a City Ordinance on how much drainage there should be per foot. Discussion followed. Mr. Moyer then asked if there is a way the property owners could get copies of the original plan. Discussion followed.

Next on the agenda was the approval of the Accounts Payable. Councilman Giger moved to pass the Accounts Payable in the amount of \$5,848.25, seconded by Councilman Taylor and passed by roll call vote with Councilmen Taylor, Giger, Wagner, Kariker, Westcott, and Rapp voting yes.

Next on the agenda was the approval of the Eldon Edwards invoice. Councilman Giger moved to pass the bill in the amount of \$560.00, seconded by Councilman Taylor and passed unanimously.

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Next was the information on CRAG's goals and objectives and the public hearings that they will be holding. Discussion followed. Councilman Kariker moved to have Administrator Wyman write a letter to CRAG requesting CRAG to hold a hearing in Canby on their goals and objectives, seconded by Councilman Giger and carried.

Next was the appointment of a Canby Utility Board Member. Gene Newton and Al Tate were suggested for the appointment. Discussion followed. Councilman Westcott moved to vote by ballot, seconded by Councilman Kariker. The motion was carried unanimously. Gene Newton was re-appointed to the Canby Utility Board and will be notified by letter from Administrator Wyman and also a letter be sent to Al Tate thanking him for allowing his name to be put in for the vote.

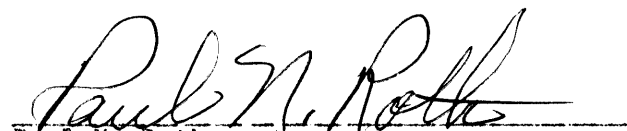
Next on the agenda was the investment pool. Discussion followed. Administrator Wyman will talk to the banks in Canby about interest on checking accounts. More discussion followed.

Administrator Wyman then talked about the census of 4% increase. Discussion followed. Administrator Wyman will look into the matter more extensively and bring a report back to the Council on January 12, 1976, at a Special Meeting. More discussion followed.

Administrator Wyman then asked the Council to make a concentrated effort to have someone color in the areas of the new blueprint of the N.E. Playground. A brief discussion followed.

The meeting adjourned at 10:12 p.m.


Harold A. Wyman
City Administrator/Recorder


Paul N. Roth
Mayor

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