

Canby City Council
Special Session
January 26, 1976

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

Others Present: Harold Wyman, Administrator, Wade Bettis, Jr., City Attorney, Everett Buttolph, Canby Fire Chief, Smith French, Canby Fire Marshal, Bud Atwood, Supervisor of Public Works, Merrie Dinteman, Secretary of Public Works, Thelma Austin, Supervisor of Business Office, Jo Emery, Bookkeeper, Vincent Graziano, Canby Police Chief, Francis T. Adair, Canby Police Department, Darryl T. Jones, Canby Police Department, Richard Andrus, Canby Police Department, Neil Butler, Canby Police Department, Barbara Clanton, Canby Police Department, Al Schwartz, Canby Herald, Lewis Shull, Charles Sandsness, Ben Sandsness, Lloyd Clark, Martin Clark, Ernie Campbell, Clyde Peacock II, Perry J. Eide, Thomas L. Holmes, Darrell Blake, Myra Weston, Karen Palmquist, Dick Palmquist, Suzi Torgeson, Nancy Vincent, John Torgeson, John Vincent, Bill Clause, R.L. Steer, and others

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

Mayor Roth then called for the Public Hearing which Ernie Campbell had requested regarding his being terminated by Administrator Wyman with a letter written on January 14, 1976. Mayor Roth asked Mr. Campbell to speak on his behalf. Mr. Campbell then asked for his job to be reinstated and that he would like to hear from the people in attendance to speak. Discussion followed. Administrator Wyman said on charge no. one he was not ready to bring the people in at this time. Administrator Wyman then proceeded charge by charge and explained them to the Council. Chief Graziano then spoke about what happened in the meeting which took place several months ago involving four other employees. Sgt. Adair then spoke about the meeting in question. Barbara Clanton then spoke saying at that time she felt Mr. Campbell needed psychiatric help and after the meeting he changed for the better. Merrie Dinteman, Mr. Campbell's Secretary told the Council Mr. Campbell would change for the better for a couple of weeks and then would turn for the worse again. Ms. Dinteman said she has worked with Mr. Campbell closer than anyone else. Attorney Bettis, Jr. then asked Ms. Dinteman questions concerning Mr. Campbell. Administrator Wyman concurred with Ms. Dinteman and her statements. Ms. Dinteman said she has worked with Mr. Campbell closer than anyone once again. Ms. Dinteman added that Mr. Campbell did get along well with the contractors. Mr. Campbell then stated that Ms. Dinteman and him did not get along and that Ms. Dinteman is more interested in the Police Department than her job. Ms. Dinteman then stated that she did not neglect her job to do work for the Police Department. Administrator Wyman stated that he had an agreement with Chief Graziano and John Whiteside when he was here for Ms. Dinteman to do part of the secretarial work for the Chief.

Mr. Campbell said Bud Atwood and himself have worked diligently together. Mr. Atwood, Supervisor of Public Works then spoke about the charges against Mr. Campbell. Mr. Atwood said Ernie Campbell's attitude towards the citizens was not great and he had to agree with Ms. Dinteman. He said he has heard his crew complain about Mr. Campbell, but not concerning his work, but his attitude.

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Mayor Roth then asked Mr. Campbell if he had any comments to make as far as the attitude of the employees. Mr. Campbell stated that Mrs. Austin's comment about his morbid personality sounded about right and that he does have a morbid sense of humor. Discussion followed.

Mr. Wyman then stated he did not say Mr. Campbell did not do what was asked of him, but that he was reluctant to do some things. Mayor Roth then asked Mr. Wyman if there were some specific things. Mr. Wyman said that when someone would call in about an inspection, Mr. Campbell would say that he was too busy to look at it and it wasn't his job. Mr. Wyman then stated that most of his information had to come from other people. All he knew, as to what happened, occurred in his office. Discussion followed concerning Mr. Campbell's swearing in the public.

City Attorney Bettis, Jr. then asked Mr. Wyman if he had any other witnesses. Mr. Wyman said he did not know that you had to have a City Ordinance to hire and fire a person and continued that he felt things that had been occurring have been a two year annoyance to city personnel, to himself, to the City Council members at certain times, which is, that of a Building Official's job. Mr. Wyman continued to say that Mr. Campbell is not a Building Official, but that he is a Building Inspector and that Mr. Campbell kept stating that he was a building official. Mr. Wyman then asked Mr. Atwood if there was a statement made the night after hiring the new Superintendent of Public Works. Mr. Atwood could not remember the statement.

City Attorney Bettis, Jr. then asked Mr. Campbell if he encouraged the public to vote against the budget. Mr. Campbell then stated he did not remember going out on the street corner and solicit people to vote against the budget. City Attorney Bettis, Jr. then asked Mr. Campbell if he ever made such statements about the budget. Mr. Campbell said that was a year ago and he did not remember. The City Attorney then asked Mr. Campbell if he had made any derogatory remarks about the employees of the Police Department or other employees. Mr. Campbell said just over the ashtray and foot prints on his desk, but it was not in public and just here in City Hall. Ms. Dinteman then said that there were people from the public down there when it was going on. Attorney Bettis, Jr. then asked Ms. Dinteman if this was an isolated time or if there were other times. Ms. Dinteman replied there were plenty of times.

City Attorney then asked Mr. Wyman if there was anything else he would like to say. Mr. Wyman then said on Wednesday, January 14, 1976, he handed the letter to Mr. Campbell telling him there was bad news in it and once he got it he was welcome to come upstairs and discuss it. Mr. Campbell did not choose to do this and then he wrote a letter later on to the Council asking for an appeal that he was not given a chance to talk to anybody about this situation. It appeared to Mr. Wyman by taking and making copies of the letter and giving it to the newspaper, he was doing something more damaging to himself than what Mr. Wyman was doing. Mr. Wyman continued to say that at least he could have listened to him and talked some of these things out rather than having it put into the newspaper. Mr. Wyman stated there were some very bad stories going around town on that Wednesday afternoon, which he did not appreciate at all. Mr. Wyman continued to say that Mr. Campbell's work was good and that there were no allegations against his work.

City Attorney asked Mr. Campbell if there was anything he wanted to say at this time. Mr. Campbell then told that he had gotten fired twice in one day. After he received the letter Mr. Campbell said he went to talk to Dr. Neeley, Dick Morse, Mr. Bettis, Sr. and to the newspaper, giving a copy of the letter to Mr. Bettis, Sr. and the newspaper. Mr. Campbell said the next thing he knew was when he got back to the office he found another letter on his desk saying to vacate immediately and turn his keys in to the office because he had been out spreading unfounded and unjust stories or something like that. Councilman Westcott then stated he did call Mr. Wyman and the story did not come from Mr. Campbell, but he had heard stories and that was the first time he had heard about Mr. Campbell's being fired, which was the reason he called Mr. Wyman.

Marty Clark then spoke on Mr. Campbell's behalf saying he has worked with Mr. Campbell for two years and that he was a good building inspector and dedicated to his job. Mayor Roth then said that his work was not at issue. Ben Sandsness then said he would like to speak on Mr. Campbell's behalf also, saying that Mr. Campbell was doing a fine job for the City, and that he thought they were losing an awfully good inspector. Darrell Blake then spoke about Mr. Campbell saying they could always work out their differences and that Mr. Campbell was fair and more honest of an inspector than we have had so far. Bill Clause then spoke in Mr. Campbell's behalf. Mr. Clause says he gets no problems from Ernie's work and he feels Ernie is getting a raw deal. Mr. Clause went on to say that Ms. Dinteman's charges were trumped up. Darryl Jones, President of the Employees Association said he could see how the Council could sit up there and say the man's job was not at issue. Mr. Jones said there is nothing in Mr. Campbell's personnel file to indicate that he has been reprimanded orally or written in any way. Councilman Rapp then stated he wanted it clear for public record that this body has not fired Mr. Campbell and he is not to be included in that firing. Mayor Roth then said Mr. Jones was out of order after a heated discussion. Councilman Wagner then asked Mr. Campbell if he would like to have his job back after all that has happened, with Mr. Campbell replying yes, he would take his job back. Neil Butler then stated that he has had no bad times with Mr. Campbell. Chuck Sandsness then commended Mr. Campbell's job as building inspector. Mr. Sandsness then stated that if they get an inspector that did not know his job, the contractors would be on the City's back, including the Council's and added it was not a threat. Darryl Jones then asked Mr. Wyman if there is any written reprimands in Mr. Campbell's personnel file. Discussion followed. Mayor Roth then asked Mr. Campbell if there was anything else he wanted to say.

Mayor Roth then asked Mr. Wyman if he made the statement that Mr. Campbell could not keep his mouth shut as the paper alleged. Mr. Wyman then said he would not deny it one way or another because he did not remember. Discussion followed. Mr. Wyman then said

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he was guilty of not putting any written reprimands in Mr. Campbell's file, but he had oral reprimands as the Mayor well knows as he was there on many of them. More discussion followed. Mr. Campbell then stated he would like to have a copy of the minutes of the Executive Session on January 19, 1976. Mr. Campbell was then told the Executive Session minutes are not made public. Discussion followed. Councilman Westcott then told Mr. Campbell that by and large that particular Executive Session involved only real estate and other personnel matters. Councilman Westcott continued to say that as far as Mr. Campbell's personal case went, there was nothing said other than his being fired and the reasons.

Barbara Clanton then stated she wanted to made clear what she has seen tonight listening to what has taken place here. She understood that Mr. Campbell is a good Building Inspector, but has personality problems. She went on to say that months ago they thought Mr. Campbell had a terrible problem, but she did not like him and other people saying if we can't crucify one person tonight we will crucify another and that is what it sounds like to her. The only two people being on the opposite ends, she felt, were Ms. Dinteman and Mr. Campbell and she said she was not going to have Merrie ending up being the person that is trying to fight him. This is not true, Mrs. Clanton added.

Mayor Roth then stated unless there was anything else, he would declare the hearing closed. The next step, since Mr. Campbell has appealed his being fired, will be whether to uphold the Administrator's termination of Mr. Campbell or give Mr. Campbell another change. Discussion followed. Councilman Westcott then asked the Mayor to call an Executive Session following the Special Session. Mayor Roth then stated there will be an Executive Session immediately following the other matters on the agenda.

Next on the agenda was the Hohensee Property. Administrator Wyman read a letter from Zarosinski-Tatone concerning the property. Discussion followed. Councilman Giger moved to accept the exchange of property and the proper deeds be drawn up, seconded by Councilman Taylor. The motion was carried unanimously. A map will be attached to the official minutes.

Next on the agenda was the Bi-Centennial Committee and the Budget they presented to the Council. Discussion followed. Councilman Wagner moved to underwrite the amount of \$1,100 for the Bi-Centennial Committee, seconded by Councilman Giger. More discussion followed. The motion was passed unanimously with Councilman Westcott voting no.

The next item on the agenda was the setting of a date to meet with the Rural Fire Board and review of the standards on the Police Department. Administrator Wyman then reported to the Council that he had met with the Rural Fire Board and discussed the interim Fire Chief position as he was requested by the Council to do. The Rural Fire Board has consented to Mr. Wyman's recommendation of hiring Smith French as interim Fire Chief at the salary of \$2,00 more than he is getting now. Mr. Wyman said whether or not Mr. French accepted that or not is in the Rural Fire Board's minutes. Mr. Wyman said the Rural Fire Board would like to meet with the City Council this week or next week to discuss the other problems between the City and the Board. Discussion followed. The Council concurred to meet with the Rural Fire Board at a Special Session on Monday, February 9, 1976 at 7:30 p.m. More discussion followed.

The next item on the agenda was the Bedwell property. Administrator Wyman read a letter from Mr. Bedwell regarding the annexation fee of \$5,574.24 on the 3.4 acres adjoining Timber Terrace on the South side. Discussion followed. The Council instructed the Clerk to make copies of the letter to be distributed to the Council. More discussion followed.

Mayor Roth then said the next item was the recommendation of the Planning Commission designates that all street widths of 80' be reduced to 60' and draw up an amendment to the Zoning Ordinance. Discussion followed. The MCAC will take this matter up at their meeting on January 27, 1976 and report back to the Council.

Administrator Wyman then made the recommendation to reject the four bids that were opened on January 15, 1976 for two police cars and that the cars should be purchased from Carr Chevrolet in Beaverton in the amount of \$4,289.15 @ car. Discussion followed. Councilman Kariker then moved to reject the four bids by Chevytown, Herschberger Motors, Hubbard Chevrolet, and Jack Livingston Dodge, seconded by Councilman Wagner and carried unanimously. Councilman Taylor moved that the City Administrator be directed to accept the bid of \$4,289.15 @ car, seconded by Councilman Kariker and carried unanimously.

Administrator Wyman asked the Council to discuss the appraisal of the Collins property. Discussion followed. Councilman Giger made motion to purchase the Collins Property in the amount of \$60,000 and the money be taken from the Reserve Funds, seconded by Councilman Taylor and carried unanimously.

Administrator Wyman then told the Council of the State Fire Marshal's inspection of City Hall in which we have thirty (30) days to do something about. Discussion followed. Mayor Roth then instructed the Clerk to write a letter to the Budget Committee and invite them to the City Council Meeting on Monday, February 2, 1976 to discuss the remodeling of City Hall.

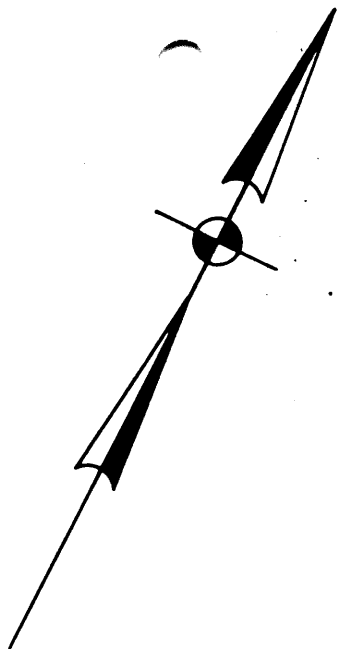
The meeting was then called back to order by Mayor Roth after having an Executive Session.

Councilman Kariker moved that Mr. Ernest Campbell's dismissal by Mr. Wyman be sustained, and further direct the letters of dismissal be removed from Mr. Campbell's personnel file and that the record show dismissal on January 14, 1976 with pay through January 31, 1976, plus accumulated vacation pay and a letter be written to Mr. Campbell showing the reason for dismissal to be his inability to work with other City Employees, seconded by Councilman Giger. The motion was carried unanimously.

The meeting was adjourned at 10:27 p.m.

Harold A. Wyman

Paul G. Roth



BAKER DRIVE

N. W. 6TH AV

S.63°00'00"W. 150.00'

S.63°00'00"W. 127.94'

S.63°00'00"W. 157.76'

N.63°00'00"E. 38.25'

S.63°00'00"W. 71.24'



N.27°38'00"W. 23.14'

N.62°25'00"E. 163.73'

FUTURE
RIGHT OF WAY

CITY STREET
DV. 381-136

LEGEND

-  CITY OF CANBY TO HOHENSEE
-  HOHENSEE TO CITY OF CANBY

SCALE - 1" = 50'-0"

CURVE DATA

NO.	RADIUS	ANGLE	LENGTH	TAN.	CHORD	B
1	50.00'	90°38'00"	79.09'	50.56'	71.10'	N.
2	30.00'	24°20'18"	12.74'	6.50'	12.65'	N.
3	30.00'	56°04'03"	29.36'	15.97'	28.20'	N.
4	30.00'	80°24'21"	42.10'	25.35'	38.73'	N.

