

Canby City Council  
Regular Meeting  
February 2, 1976

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

Others Present: Harold A. Wyman, City Administrator, Wade Bettis, Sr., City Attorney, Bud Atwood, Supervisor of Public Works, Merrie Dinteman, Secretary of Public Works, Vincent Graziano, Chief of Police, Darryl T. Jones, Canby Police Department, Smith French, Canby Fire Department, R. Herman, Canby Fire Department, M. Goughnour, Canby Fire Department, Al Schwartz, Canby Herald, Pat Blair, Don Shaffer, LR. Lough, Rebecca Goughnour, Marjorie Hansen, Earl Oliver, Ray Wellman, Myra Weston, Ronald G. Tatone, Mel Peel and others.

The meeting was called to order at 7:32 p.m. followed by the traditional flag salute. Mayor Roth dispensed the approval of the minutes until the next Regular Meeting, Tuesday, February 17, 1976.

Ordinance No. 602; AN ORDINANCE AUTHORIZING AN EMERGENCY PURCHASE OF TWO (2) POLICE CARS WITHOUT FURTHER COMPETITIVE BIDDING; AND DECLARING AN EMERGENCY, was read on first reading by Administrator Wyman. Discussion followed. On Page 2 of Ordinance #602, Section 1; the figure of \$4,289.15 is to be deleted and \$4,347.65 to be inserted and the figure of \$8,578.30 is to be deleted and the figure of \$8,695.30 is to be inserted. Councilman Giger moved to pass Ordinance #602 on first reading to be read February 16, 1976 on final reading, seconded by Councilman Wagner. More discussion followed. The motion was passed unanimously.

Ordinance No. 599; AN ORDINANCE AMENDING SECTION 13 OF ZONING ORDINANCE NO. 583; AND DECLARING AN EMERGENCY, was read on final reading by Attorney Bettis, Sr. by title. A motion was made by Councilman Giger to adopt Ordinance #599 to become part of the laws of Canby, seconded by Councilman Taylor. Discussion followed. The motion was passed by roll call vote with Councilmen Westcott, Rapp, Taylor, Giger, and Wagner voting yes and Councilman Kariker voting no.

Councilman No. 601; AN ORDINANCE TO PROVIDED FOR THE DEFERRAL OF SPECIAL ASSESSMENTS FOR ATREET, 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 final reading by Attorney Bettis, Sr. by title only. Councilman Taylor moved to adopt Ordinance #601 to become part of the laws of Canby, seconded by Councilman Giger. Discussion followed. The motion was passed by roll call vote with Councilmen Taylor, Giger, Wagner, Rapp voting yes and Councilmen Kariker and Westcott voting no.

Mayor Roth then called for guest hearings at which time Ray Wellman of Everhart & Kent Funeral Home stated he had received a letter from Bud Atwood concerning the burial of no more Welfare recipients. Mr. Wellman feels there will be a number of complaints

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if the cemetery would not accept Welfare burials. Discussion followed. Mayor Roth, with the concurrence of the Council appointed Councilmen Wagner, Taylor and Westcott to meet and have figures ready for the Special Council Meeting, Monday, February 23, 1976 to discuss the matter further.

Mayor Roth then called for the Public Hearing concerning the Sewer Trunk "F" and Main E-1 to be opened. Mayor Roth asked if there were any proponents of the Sewer Trunk "F" and Main E-1 Line. With no proponents, Mayor Roth asked Mr. Ronald Tatone of Zarosinski-Tatone Engineers, Inc. to explain the reason for the Sewer Trunk "F" and Main E-1 Line. Mayor Roth then called for opponents. There being none, the Mayor declared the Hearing closed.

The Mayor then called, once again, for guest hearings, at which time there were none.

Next on the agenda was the letter from the Planning Commission concerning street widths. Discussion followed. The Council will wait for the Transportation Committee's report on March 1, 1976 to discuss the matter further.

Administrator Wyman then stated he had received a letter from Martin Goughnour concerning the request for the Canby Volunteer Fireman's Association to acquire the 1935 Ford Fire Engine. Discussion followed. Councilman Giger moved for the City to donate the 1935 Ford Fire Engine to the Canby Volunteer Fireman's Association, seconded by Councilman Kariker and passed unanimously.

Administrator Wyman then read a letter from residents on SW. 6th Avenue asking the City to have the Birch Trees topped and trimmed. Discussion followed. Mayor Roth directed Administrator Wyman to take this up with Lee Cox at the Utility Board concerning the topping and trimming of the trees.

Mayor Roth then stated the letter from Mr. Bedwell will be taken up at the next Regular Council Meeting, Tuesday, February 17, 1976.

Administrator Wyman then brought up a liquor renewal from Rose's Tavern and an application from David Saalfeld wanting to apply for a liquor license for the same tavern if he buys the property. Discussion followed. Councilman Giger moved to accept the application for renewal of Rose's Tavern liquor license, seconded by Councilman Taylor and passed with Councilman Westcott voting no. Councilman Taylor then moved for the transfer of the liquor license be allowed, seconded by Councilman Giger and passed with Councilman Westcott voting no.

Councilman Wagner then brought up the Bedwell letter again and asked that it be put on record that the City is stopping this man from making his livelihood.

Next on the agenda was the discussion of the improvements to City Hall and the demands from the State Fire Marshal's Office. Administrator Wyman discussed the plans that have been made for the improvements of City Hall. Discussion followed. Mayor Roth asked Earl Oliver, Budget Committee Member if he had any comments. Mr. Oliver said he didn't feel the City should revamp the old fire hall and Council Chambers. Discussion followed. Mr. Leonard Lough and Marjorie Hanson then offered comments of the improvements. More discussion followed.

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Mayor Roth called a recess at 9:53 p.m. so the plans could be looked over on the bulletin board.

Attorney Bettis then advised the Council that if they intended to call a Bond Election in March, 1976, for Canby Community Pool Facilities and to acquisition the City Costs for the purchase of the Erland and Marshall Properties for Park purposes, it would be necessary to adopt a Resolution for a Bond Election as soon as possible. Discussion followed concerning the term of a bond issue which was generally agreed to be for \$120,000 and for a term of three (3) years. Councilman Giger then offered and moved for the adoption of Resolution CXC VII (197) which is entitled, "A RESOLUTION PROVIDING FOR SPECIAL ELECTION TO BE HELD IN THE CITY OF CANBY, CLACKAMAS COUNTY, STATE OF OREGON, ON THE 17th DAY OF MARCH, 1976 FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED LEGAL VOTERS OF SAID CITY THE QUESTION OF A GENERAL OBLIGATION BOND ELECTION FOR THE SWIMMING POOL AND PARK PURPOSE." The motion was seconded by Councilman Rapp and after further discussion was unanimously adopted by roll call vote with Councilmen Rapp, Westcott, Taylor, Giger, Wagner and Kariker voting yes. A copy of said Resolution, as adopted, is attached to these minutes.

Mel Peel then spoke to the Council concerning a meeting Thursday, February 5, 1976, at 2:00 p.m. in the Farwest Federal Savings Community Room in the Oregon City Shopping Center to meet Mormer Paulus for input from County and City levels in order to assist with whatever problems the County or City may have and what can be done in solving the problems. A brief discussion followed.

Mayor Roth then asked the Council if they wanted to accept the recommendation of the Staff concerning the improvements of City Hall. Discussion followed. Councilman Giger moved to go ahead with the plans to remodel City Hall, seconded by Councilman Taylor. More discussion followed. The motion was passed with Councilmen Giger, Kariker, Westcott, Rapp, Taylor voting yes and Councilman Wagner abstaining.

The next item on the agenda was the approval of the Accounts Payable. Councilman Giger moved to pass the Accounts Payable in the amount of \$28,574.60, seconded by Councilman Taylor. More discussion followed. The motion was passed by roll call vote with Councilmen Wagner, Kariker, Westcott, Rapp, Taylor, and Giger voting yes.

Mayor Roth then announced the Special Session Meeting with the Rural Fire Board, Monday, February 9, 1976.

The meeting then convened for an Executive Session at 9:31 p.m.

The Regular Council Meeting reconvened at 10:16 p.m.

Councilman Westcott moved that Blair Services be instructed to negotiate, if possible, a settlement of the Barbara Clanton Claim, as discussed in Executive Session, seconded by Councilman Taylor and passed unanimously.

The meeting adjourned at 10:24 p.m.

*Harold A. Wyman*

*Paul M. Roth*

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