

Canby City Council  
Regular Meeting  
August 2, 1976

Present: Mayor Roth, Councilmen Giger, Nichols, Rapp, Taylor and Knight

Others Present: City Administrator Wyman, City Attorney Bettis, Sr., Morris Binteman, Public Works Secretary, A. D. Yoder, Public Works, Smith French, Fire Chief, Acting Police Chief Neal Butler, Bud Atwood, Supervisor of Public Works, Al Schwartz, Canby Herald, Matt Knoblauch, Becky Davies, Pam Lack, Norma Smith, Tom Smith, David Flagg, David Bury, Doug Maxwell, Shirley Roseland, Tilda Jones, Jan Rapp, Blaudine Yoder, Miriam Bettis, Carol McKenney, Robert McKenney, Chris Knoblauch, Alice Thomas, Alice Booth, Larry Whitman, Bob West, Miles Green, Vincent Gale, Shirley Boatman, Marjorie Hanson, Helen Richmond, Cliff Conrad, John Nieland, Myra Weston, Lyn Bair, Harolddene Graham, R. A. Swayze, D. W. Brindley and many others.

The meeting was called to order at 7:32 p.m. followed by the traditional flag salute.

The Mayor then called for additions or corrections to the minutes of July 26, 1976. Councilman Giger moved that the minutes be approved as distributed, seconded by Councilman Rapp and passed unanimously.

Mayor Roth then stated that due to the vacancy on the Council he would like to name Beauford Knight as a possibility for the vacancy. Councilman Taylor moved that we accept Mr. Knight as a Councilman to fill the term until January 1, 1977, seconded by Councilman Giger. The motion passed by roll call vote with Councilmen Nichols, Rapp, Taylor, and Giger voting aye. Mayor Roth then called Mr. Knight so that he could be sworn in this evening.

Mayor Roth then stated that the Resolution adopting Budget Requirements would be held over until the next meeting.

Ordinance #607; AN ORDINANCE ASSESSING VARIOUS LOTS, PARCELS AND TRACTS OF PROPERTY FOR STREET IMPROVEMENTS MADE OR BEING MADE TO NORTHEAST SECOND AVENUE IN LID NO.5; DIRECTING THE ENTRY OF ASSESSMENTS IN THE DOCKET OF CITY LIENS; PROVIDING FOR NOTICE THEREOF; AND DECLARING AN EMERGENCY, was then read by title only, by the City Attorney. Councilman Giger moved to accept Ordinance No. 607 to be made part of the laws of Canby, seconded by Councilman Rapp and passed by roll call vote with Councilmen Rapp, Taylor, Giger and Nichols voting aye. The City Attorney then asked for a certified copy of tonight's minutes.

Resolution No. 205; A RESOLUTION APPROVING AN AGREEMENT AND THE PAYMENT OF \$5,000 FOR COMPROMISE SETTLEMENT OF PENDING CLAIMS AGAINST THE CITY BY A FORMER POLICE OFFICER ARISING OUT OF HIS EMPLOYMENT was read by the City Attorney. Councilman Rapp moved that Resolution No. 205 be adopted and be made part of the records of Canby, seconded by Councilman Giger. The motion passed with Councilman Taylor voting nay.

Resolution No. 204; A RESOLUTION AUTHORIZING A MUTUAL AID AGREEMENT BETWEEN CANBY RURAL FIRE DISTRICT NO. 62 AND THE CITY OF CANBY, was read by the City Attorney in its entirety. Discussion followed. Councilman Rapp moved that Resolution No. 204 be adopted and be made part of the records of the City, seconded by Councilman Nichols and passed with Councilman Giger voting nay.

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Mayor Roth then asked the City Attorney to swear in W. Beauford Knight as a Councilman for the City.

The next item on the agenda was guest hearings at which time Marjorie Hansen asked the City Administrator how much difference there was in pay between the County Officers and the Canby Police Department. The County had not billed the City at this time, so no answer could be given.

Mrs. Hansen then asked about the County Officers going around the City telling citizens not to water their lawns. Discussion followed.

Next on the agenda was a letter from U. S. National Bank offering the City a parcel of land located north of Canby and owned by the Collins Estate. Discussion followed. Action on this matter was tabled until the Council Meeting on August 19, 1976 for a report from the City Staff.

Next on the agenda was a letter to the Employee Relations Board from Blair Services in reference to the agreement between the Canby Fire Department and the City of Canby. A brief discussion followed.

Administrator Wyman then brought up a letter which had been tabled previously concerning the Clackamas County Action Agency which was then read to the Council and public. Discussion followed. The Mayor suggested that the staff write a letter to Larry Whitman and get his response and enclose a copy of the letter and form.

Next on the agenda was the Accounts Payable in the amount of \$17,513.99. Councilman Taylor moved to accept the Accounts Payable in the amount of \$17,513.99 to be paid, seconded by Councilmen Giger, Nichols, Rapp, Taylor and Knight voting aye.

Mayor Roth then asked the Council to think about the building of a library.

Next on the agenda was the Red Barn Enterprises application for Liquor License. A brief discussion followed. Mr. Ferguson, Superintendent of Public Works stated the letter he has sent inquiring about the piece of property would be put on the County Planning Commission's next meeting for discussion. Mr. Ferguson also stated the County does seem in favor to give the City the piece of property. More discussion followed with the Mayor stating further action would not be taken until we hear from the County. More discussion followed.

Attorney Bettis then stated that he needed to know what to do on a now pending law suit after the hearing today concerning the injunction of the recall. Discussion followed. Councilman Nichols moved to have the Council take no further action to block or prevent recall action and to let the recall run its course, seconded by Councilman Rapp. Councilman Nichols amended the motion to read; to have the Council take no further action to block or prevent the recall and to let the recall run its course, seconded by Councilman Rapp. The motion passed unanimously on the amendment. The motion to take no further action was carried unanimously. More discussion followed.

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Administrator Wyman then discussed with the Council more costs on the lavatories in the City Park. Council man Rapp moved that we accept the log Cabin design for the lavatories at the City Park, seconded by Councilman Giger and passed unanimously.

Mayor Roth asked about the temporary Police Chief position. Administrator Wyman then read his recommendations to the Council. Discussion followed. Councilman Giger moved to advertise for a Chief of Police for two weeks, with application being in no later than August 16, 1976 for review, seconded by Council man Rapp. A brief discussion followed. The motion passed unanimously. Bob Swayze then asked the Council if two weeks would be long enough. More discussion followed.

Bob Swayze then asked for a run down as to how the City Attorney is paid and how the figure was arrived at. Discussion followed. Mr. Swayze then asked if there was money involved in the Court action this morning with the City Attorney answering no. More discussion followed with Vincent Gale, Alice Booth and Helen Richmond voicing their opinions.

The meeting adjourned at 9:24 p.m.