

Canby City Council
Regular Meeting
January 6, 1975

The meeting was called to order at 7:31 p.m. by the mayor followed by the traditional flag salute. Then the mayor called on Attorney Bettis Sr. to swear in the newly elected officials of the City of Canby, all of which had signed oaths of office and qualified for the positions prior to the meeting. Then, upon the mayor's request for roll call, the following answered present.

Present: Mayor Roth, Councilmen Gerber, Giger, Kariker, Rapp, Wagner & Westcott

Absent: None

Others Present: Administrator Wyman, Attorney Bettis Sr., Treasurer St. Amant, Supt. Whiteside, Police Chief Graziano, Fire Chief Battoliph, Canby Utility Board Members Barlow, Drossen & Newton, Retiring Councilman Tate, Foreman Atwood and several guests.

Upon the mayor's call for comments regarding the minutes of the meeting of December 16 and there being none, the mayor declared the minutes approved as distributed.

The next order of business was the selection of president of the council. Councilman Gerber nominated Councilman Giger for president, seconded by Wagner and there being no further nominations, Councilman Gerber moved, seconded by Wagner and carried unanimously designating Giger as president of the council.

A motion was made by Councilman Giger, seconded by Wagner and carried unanimously that the city recorder write a letter to retiring Councilman Tate extending the City's appreciation for his service as a member of the council.

Ordinance #588: AN ORDINANCE REGULATING STREET EXCAVATIONS; REQUIRING A PERMIT; IMPOSING REQUIREMENTS FOR THE PROTECTION OF THE PUBLIC; REGULATING THE BACK FILLING AND RESURFACING; PROVIDING PENALTIES FOR VIOLATIONS; REGULATING THE USE OF STREETS AND ALLEYS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREAFTER was read on first reading by Attorney Bettis. At that point Utility Board Chairman Newton presented a letter pertaining to the requirements and limitations of Ordinance #588 and discussed with the council the problems which might arise, times when the Public Works Department would not be available to issue permits. After lengthy discussion the council agreed to eliminate the Canby Utility Board from the requirement of posting bond in the minimum amount of \$250.00 or securing a permit prior to excavation in emergency cases and that the Utility Board notify the city of any such excavations as soon as possible. Then the council agreed to pass said Ordinance #588 on first reading if the city attorney would alter the official ordinance copy removing the Canby Utility Board's posting of bond and to eliminate deposit requirements for excavations of greater than 3' and other minor changes. Thereupon a motion was made by Councilman Westcott, seconded by Giger and carried to pass Ordinance #588 on first reading, to order posted in compliance with provisions of the Canby City Charter and to come up for final action on February 4.

Ordinance #587; AN ORDINANCE RELATING TO THE IMPROVEMENT OF PARKING LOT ON SOUTHERN PACIFIC COMPANY PROPERTY; ACCEPTING BID FOR PAVING; DIRECTING EXECUTION OF A CONTRACT WITH PARKER-NORTHWEST PAVING COMPANY; AND PROVIDING AN EFFECTIVE DATE was read by title only by the city attorney. It was revealed that Ordinance #587 had been passed on first reading on Dec. 2, and had been scheduled for final action at a special meeting on Dec. 23 but that a quorum of the council was not present and thereby the decision was rendered by Attorney Bettis that passage be rescheduled. Thereupon a motion was made by Councilman Giger, seconded by Wagner and carried that Ordinance #587 be rewritten regarding passage dates and that it be reposted in compliance with the city charter and to come up for final action at a regular meeting on February 4.

Mayor Roth called the council's attention to a letter from Tri-Met acknowledging receipt of the council's resolution in objection to Tri-Met's proposal to secure funds from further taxation. The council was told that this letter was for information purposes only.

Administrator Wyman called the council's attention to a letter from Guardian Properties requesting refund of a deposit in the amount of \$250.00 for the process of annexation. The administrator advised that \$37.40 had been expended for legal publications involving Guardian Properties and thereupon a motion was made by Councilman Wagner, seconded by Giger and carried to refund \$212.60 to Guardian Properties.

Mayor Roth brought the council's attention to a letter from the Canby Rural Fire District establishing a selling price on a certain International fire truck at \$1,000. Administrator Wyman said that the city needed a street flusher truck and thought this obsolete fire truck would serve the purpose. However, after a short period of discussion the mayor declared that this matter be held over for further research and report to the council.

Mayor Roth called the council's attention to an information letter from C.R.A.G. in which it was announced that Rod Sandoz was a representative of C.R.A.G. to contact and work with local governmental groups within the area but that the name of Dick Smith as representative had been designated as the appointee instead of Sandoz.

Supt. Whiteside and Administrator Wyman reported to the council that a Marquette M-200 engine analyzer was available for \$1,195.00 that would assist the city mechanic in appraising the condition of city vehicles and pin-pointing needed repairs. The council discussed the matter of purchasing this equipment which was objected to by Councilman Westcott who stated that much cheaper equipment was available which would serve similar purpose. Thereupon a motion was made by Councilman Giger, seconded by Gerber and carried by a roll call vote of 4 yes and 2 no authorizing the administrator and superintendent to purchase said M-200 analyzer if it was still considered desirable.

The council reviewed the computer print-outs of accounts payable and a motion was made by Councilman Ciger, seconded by Mayor and carried unanimously by roll call vote approving bills in the amount of \$13,470.20 for payment.

Administrator Wyman and Supt. Whiteside presented to the council certain traffic control requirements that had been discussed at staff meetings and with members of the Traffic Safety Committee particularly pertaining to newly paved N. Cedar Street and N. Ivy Street where excessive vehicular traffic was a result of the opening of the grocery store on N.E. 2nd Ave. and the ultimate opening of a new Canby Union Bank building in the near future. The council discussed the matter and acknowledged that adequate traffic control was the responsibility of the administrator.

Administrator Wyman told the council of work being done to upgrade the city's insurance program for employees and requested that the results be held over for a workshop in the near future.

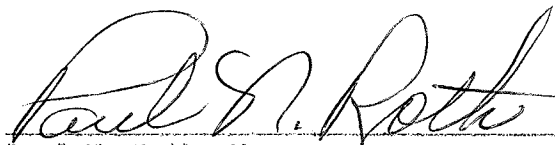
Administrator Wyman distributed copies of the recently codified city ordinances to each member of the council.

Mayor Roth and Administrator Wyman announced that the time had arrived to appoint a member to the Canby Utility Board and that present member S.W. Drosen had agreed to serve in that capacity for the present.

There being no other business of emergency nature to come before the council at this time and upon the mayor's announcement of an executive meeting between the council members, municipal judge, city attorney and chief of police had been previously scheduled to follow this council meeting and thereby declared the meeting adjourned at 9:49 p.m. to be followed by said executive session.



J. R. Richardson, City Recorder



Paul N. Roth, Mayor

TRI-COUNTY
METROPOLITAN
TRANSPORTATION
DISTRICT
OF OREGON

TRI-MET



PACIFIC BUILDING
520 S.W. YAMHILL STREET
PORTLAND, OREGON 97204
(503) 233-8373

December 24, 1974

Honorable Paul Roth
Mayor
City of Canby
Canby, Oregon 97013

Dear Mayor Roth:

Thank you very much for sending us your resolution opposing Tri-Met's tax. By the time you get this letter the Tri-Met Board will have acted to respond to your concerns and the concerns of other people throughout the tri-county area.

I hope we can all work together in the legislature for better revenue devices for Tri-Met so that we can serve the tri-county area with good transit.

Yours truly,

Stephen R. McCarthy
Asst. General Manager

SRM:dd

GUARDIAN PROPERTIES



December 30, 1974

In care of Mr. Harry Wyman, City Manager
Canby City Council
Canby City Hall
Canby, Oregon 97013

Gentlemen:

It appears that no annexation will occur in response to the request of Guardian Properties on 6+ acres at the East edge of town. I wish to thank the people who supported this project and the citizens of Canby for their backing including the City Council.

At the time of our formal request for annexation a deposit of \$250 was requested to cover costs to be incurred in annexation. Would you kindly authorize return of these funds.

Very truly yours,

R. W. Brenneke
President

RWB:jjd

Canby Rural Fire Protection District No. 62

230 S. GRANT ST.

CANBY, OREGON 97013

PHONE (503) 266-1195

EVERETT L. BUTTOLPH
Fire Chief

BOARD OF DIRECTORS
1973-1974

W.C. HARMS, President
FRED O. JOHNSON, Secretary
ROLLIN MADDOCK, Director
WILLIAM DOMINIAK, Director
CHARLES F. DIETZ, Director

BOARD OF DIRECTORS
1974-1975

WILLIAM DOMINIAK, President
WILLIAM MEYER, Vice-President
R. D. BIRKEMEIER, Secretary
FRED O. JOHNSON, Director
ROLLIN MADDOCK, Director

Dec. 19, 1974

Mr. Paul N. Roth, Mayor
City Council
Canby, Oregon

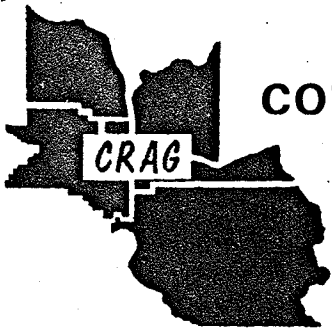
Dear Mayor Roth:

The Canby Rural Fire District has selected Bill Dominiak and Rollin Maddock as its representatives on the joint committee to study consolidation of the City and Rural Fire Districts and the forming of a Water District.

I have been authorized by the board to sell the 1945 International Fire Tank Truck at a price of \$1000.00.



R. D. Birkemeier
Sec. Treas.



COLUMBIA REGION ASSOCIATION of GOVERNMENTS

527 S. W. HALL STREET
PORTLAND, OREGON 97201

(503) 221-1646

December 12, 1974

LARRY RICE, EXECUTIVE DIRECTOR

REGULAR MEMBERS

CLACKAMAS COUNTY

Barlow
Canby
Estacada
Gladstone
Happy Valley
Johnson City
Lake Oswego
Milwaukie
Molalla
Oregon City
Rivergrove
Sandy
West Linn
Wilsonville

MULTNOMAH COUNTY

Fairview
Gresham
Maywood Park
Portland
Troutdale
Wood Village

WASHINGTON COUNTY

Banks
Beaverton
Cornelius
Durham
Forest Grove
Gaston
Hillsboro
King City
North Plains
Sherwood
Tigard
Tualatin

ASSOCIATE MEMBERS

CLARK COUNTY

Vancouver
Washougal

Columbia City
Scappoose
St. Helens
The Port of Portland
Tri-Met
The State of Oregon

Harry Wyman
City Administration
P.O. Box D
Canby, Oregon 97013

Dear Mr. Wyman:

The CRAG Board and staff have been developing programs, activities and procedures to increase communication between the Board and all member cities and counties, thus increasing effective involvement in our decision making process. Examples of this effort include: (1) restructuring the way the Board conducts its business, and (2) completely revising the Board's committees on Transportation and Community Development to become technical in membership and mission, product oriented, and composed primarily of city-county staff professionals.

To supplement the above efforts, we desire to increase the contact our staff has with your jurisdiction. As Director, my recruitment process has focused upon the retention of planners with local government experience. To date, we have employed two professionals from small cities and two from county government. Additionally, our internal management policies are oriented toward reinforcing the ability of our members to collectively make regional decisions. We intend to listen hard to what our members have to say and place emphasis upon serving their needs.

Therefore, to achieve better communication and increase our ability to understand local needs, I am assigning, through the Division of Community Development, Rod Sandoz to serve as liaison to your agency.

His duties in this liaison role include:

- Aiding your jurisdiction in the review and hearing process for the Columbia-Willamette Comprehensive Plan
- Providing information on other CRAG programs

- Obtaining feedback to bring to committees and staff on CRAG programs or issues
- Providing limited technical assistance or provide access to more appropriate CRAG staff on matters of concern to your jurisdiction
- Attending city-council and planning commission meetings periodically or as required.

You will be contacted soon to discuss this in greater detail by Mr. Sandoz.

Please feel free to call either myself, A. McKay Rich, or Lyle Balderson on any land use matter or regional concern where we may be of assistance. However, I would hope most of your concerns will be met by your contact with Mr. Sandoz.

Sincerely,



Larry Rice
Executive Director

LR/rb

ALTERNATIVES	POLICE	FIRE	NON-UNIFORM	DEPT. HEADS	MONTHLY	YEARLY
OPTION I	\$10,000 Occupational Injury \$1.10/month		\$5,000 Occupational Insurance \$2.50/month	\$5,000 Occupational Injury \$2.50/mo.	\$ 63.50	\$ 762.00
OPTION II Salary Basis for -Uniform	\$10,000 24 Life Insurance \$3.00/month		Under 13,000 \$5,000 \$2.50/month	Over 13,000 \$5.00/month	\$ 97.50	\$1,170.00
OPTION III	Same as Option I \$1.10/month		\$5,000 2.50/mo. + .05 per thousand for A.D. & D = 2.75/mo.	\$5,000 \$2.75/month	\$ 68.75	\$ 825.00
OPTION IV	Present \$3.00 coverage 24 hour		Go to Option II Add .05/m. for A.D. & D. \$2.75/month	\$5.50/month	\$104.25	\$1,251.00
OPTION V	\$10,000 coverage 24 hour 4.50/mo.		\$10,000 \$4.50/month	\$4.50/month	\$139.50	\$1,674.00
OPTION VI	Same as Option V only add .05/m for A.D. & D. 5.00/mo		\$5.00/month	\$5.00/month	\$155.00	\$1,860.00

11/2/75
Option A

THE CITY OF

INCORPORATED
1893*Canby*

GARDEN SPOT OF THE WILLAMETTE VALLEY

POSTOFFICE BOX D

CANBY, OREGON 97013

Paul N. Roth, Mayor
 Harold A. Wyman, City Administrator
 Jarrel R. Richardson, Recorder
 John F. St. Amant, Treasurer
 John L. Whiteside, Supt. Public Works Actg.
 Wade P. Bettis, City Attorney
 Vincent Graziano, Chief of Police
 Everett L. Buttolph, Fire Chief
 Gordon L. Ross, Chairman Planning Com.
 Dale D. Liberty Sr., Municipal Judge
 Norman Christiansen, Fire Marshal

COUNCILMEN
 Anthony E. Gerber
 Howard J. Giger
 C. Ron Kariker
 Albert D. Tate
 Joe M. Wagner
 Robert D. Westcott

December 31, 1974

The Honorable Mayor
 and City Council

Gentlemen:

The following is a summary of actual costs for material used for street oiling by City crews in 1974. The original estimate, dated July 15, 1974, was based on an estimated cost of \$1.10/foot for a two-shot 24-foot wide oil mat. The following shows those original streets, estimated costs and actual costs.

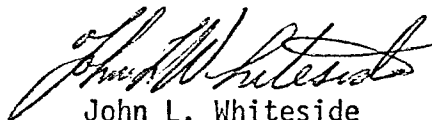
<u>Street</u>	<u>Length</u>	<u>7/15/74 Estimate</u>	<u>Actual Cost</u>
N. Ivy St. - 10th to 12th	520 ft.	\$ 572.00	\$ 486.67
N. Cedar St. - 2nd to 5th	1,000 ft.	1,100.00	\$1,168.07
N.W. 3rd - Cedar to Globe Union (* 3-shot mat)	350 ft.	525.00	807.34
S. Fir - 6th to 7th	350 ft.	385.00	369.44
S. Locust - 2nd S. 525'	525 ft.	577.50	519.41
N. Maple - 10th to Territorial	2,100 ft.	1,710.00	1,617.67
S. Elm St. - 4th to 6th	575 ft.	632.50	770.48
N. Juniper - 10th to 12th	575 ft.	572.00	573.00
Juniper Place	396 ft.	435.60	415.31
S. Douglas St.	800 ft.	880.00	775.29
S. Birch - 4th to Hwy.	500 ft.	722.42	557.02
N. Locust - 4th to 10th	<u>1,340 ft.</u>	<u>1,474.00</u>	<u>1,193.87</u>
TOTAL	9,031 ft.	\$9,586.02	\$9,253.57

The Honorable Mayor
and City Council
December 31, 1974
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In short we accomplished the improvement of 9,031 lineal feet of street with an average cost of \$1.02/lineal foot, or \$9,253.57. The actual difference between the estimate cost, \$9,586.02, and the actual cost, \$9,253.57, was \$332.45 for the season.

One additional project done but not shown on the original estimate was the widening and alignment of S. Elm St. between 4th and 6th at a total cost of \$327.51.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "John L. Whiteside", is written over the typed name.

John L. Whiteside
Supt. of Public Works

JLW/mjd

CANBY UTILITY BOARD

P.O. BOX 470 - 465 S.E. 1st AVE.

CANBY, OREGON 97013

PHONE 266-1156



BOARD MEMBERS

GENE NEWTON	CHAIRMAN
S.W. DRESEN	MEMBER
HOWARD BARLOW	MEMBER
LEE COX	MANAGER
SHIRLEY SARTY	SECRETARY
JUDITH HOFMANN	BOOKKEEPER

January 6, 1975

The Honorable Paul N. Roth, Mayor
Canby City Council and City Attorney
182 N. Holly Street
Canby, Oregon 97013

Dear Sirs:

Subject: Ordinance #588

It has been brought to the attention of the Canby Utility Board that the Canby City Council will enact the above mentioned ordinance for the protection of City property and the Citizens' safety. It is the stand of the Canby Utility Board that this is right and reasonable to a point but not entirely completed to the satisfaction of everyone that shall be involved.

Section One designates who shall apply for a permit. The terminology is broad and does not definitely state whether the Canby Utility Board is included as one who shall obtain a permit for every street excavation. Incidentally, there may be several in one day. Nor does it state whether the Public Works Department is included or exempt from its storm and sewer drain excavations. I believe the Canby Utility Board and the Public Works Department work for and are owned by the Citizens of Canby.

Section Four deals with the time (indefinite) that the deposit can be held for performance. This could work a hardship on the Canby Utility Board if they are included in the ordinance. The term of "Cash Deposit or Cashier's Check" for each permit is used. A performance bond or weekly, monthly, or annual permit is not mentioned. This is an area that should be included or discussed.

Section Fifteen is entirely unreasonable as it pertains to the Canby Utility Board's operations in maintaining and repairing water mains.

It is the opinion of the Canby Utility Board that Ordinance #588 be revised to exempt the Canby Utility Board from the intent of the ordinance as presented.

This communication is not intended to be argumentative but to bring to light the Canby Utility Board's position in the matter.

Yours very truly,

CANBY UTILITY BOARD

Gene L. Newton
Chairman

GLN:sss