

Canby City Council
Regular Meeting
March 3, 1975

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

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

Others Present: City Administrator Wyman, Attorney Bettis Sr., Police Chief Graziano, Supt. of Public Works Whiteside and several guests

The minutes of the previous meeting, held on February 18, 1975, were approved as presented.

Bob Howell, Oregonian dealer in Canby, appeared before the Council with a problem regarding newspaper deliveries. The carriers have, in the past, delivered papers by traveling on the wrong side of the street and making U-turns in the middle of a block, in order to complete the route more quickly. The paper is delivered between 3:00 and 6:00 a.m. The dealer and one carrier have received tickets recently for these actions and feel that they are being singled out and harassed. Chief of Police Graziano stated that he understands the problem (and that a letter had been sent to the Oregonian dealer, informing him of the Police Department's position in this matter) but that there can be no compromise with regard to the law. He cannot grant them an exception to the law, because he and the City would be liable in case of an accident. The solution to Mr. Howell's problem would be to get a right-hand drive vehicle to use for deliveries; however, he has not been able to find one that is available and feels that it might be quite a while before he can get one. He wanted to know what he can do in the meantime to avoid getting tickets. Councilman Gerber said that he will check several possible sources for a suitable vehicle and will be in touch with Mr. Howell. In the meantime, however, if the carriers persist in breaking a law which they know to be in effect, they will be cited for these violations. Janice Comstock, another newspaper dealer, asked if there were someone on the City staff, to whom they could talk, who could force the Police Department to leave the carriers alone. City Attorney Bettis stated that, since the law in question is an existing ordinance, no one can tell the Police Department not to enforce it. They can talk to the City Administrator to register complaints, but he cannot grant them an exception.

Mrs. Hazel Irwin asked whether or not it is against the law to turn across an on-coming lane of traffic to park in parking spaces on the opposite side of the street. Attorney Bettis stated that this is against the law. Mrs. Irwin pointed out that she has observed many people doing this and that she never sees anyone getting a ticket for it. She was told that the Police do cite people for this when they catch them, but they cannot catch everyone.

Next Monday's meeting, March 10, 1975, will be devoted to review of the New Zoning Ordinance. The Council members were asked to bring with them Ordinance #588 (Plumbing) and Ordinance #583 (Zoning). The Planning Commission would like to attend this meeting to help clarify their intent as to changes in the Zoning Ordinance; therefore, the Recorder pro tem was directed to send a letter to Planning Commission members, extending an invitation for them to attend Monday night's meeting.

Administrator Wyman read a letter from the Chamber of Commerce, requesting that the City of Canby (1) begin proceedings to acquire a 60-foot right-of-way to open N. Knott Street from N.E. 3rd to N.E. 2nd Avenues, and (2) provide permanent surfacing of N.E. 2nd Avenue from N. Ivy Street east to the city shops, both at the earliest possible date. The letter also informed the Council that the Chamber board of

directors had, on February 18, authorized appointment of a Chamber traffic committee to plan for better movement of traffic into the central business area. Two members will be Gerald Duerksen, transportation subchairman on the Mayor's Citizens' Advisory Committee, and Gary Sowles, president of the United Canby Merchants. A chairman is yet to be named. With regard to the right-of-way acquisition project, the City staff does not have complete information at this time as to how much property is involved and how many homes would be lost in the process of making this improvement. Supt. of Public Works Whiteside was directed to provide rough survey information at next Monday's meeting. Elsie Cutsforth has turned in a petition for an L.I.D. for the paving of N.E. 2nd from N. Ivy St east to the city shops. There are signatures of over 50% of the property owners on the street, and at least one more can be obtained, if necessary. Attorney Bettis advised that it would be best to have as many signatures as possible. It will then be submitted to the Council for approval.

Mr. Wyman then read a letter from Curtis E. Johnson, President of the Canby Union Bank, extending his thanks to Chief Graziano and his staff for the excellent manner in which they protected the bank during its move to its new location. Mr. Johnson went on to say that the police were very mannerly and efficient, giving the bank staff a complete feeling of security during the move, and that Chief Graziano and his staff are to be commended.

There was also a letter from the Oregon Government Ethics Commission regarding the provisions of Ballot Measure 14, which requires a statement of economic interest from all elected officials of the city, all members of planning commission, and the chief administrative officer. These statements must be submitted to the Oregon Government Ethics Commission by April 15, 1975. The letter requested a list of names and business address of all people affected by this, which the City Administrator has sent to them. All necessary forms and directions will be provided by the Ethics Commission by mid-March.

The council reviewed the accounts payable print-outs and a motion was made by Councilman Giger and seconded by Councilman Wagner to approve payments of claims in the amount of \$5,850.37. The motion carried unanimously.

Administrator Wyman asked for permission for the staff to advertise for bids for a chassis for a one-ton dump to be used in the cemetery. The hoist has already been purchased and the city crew will build the dump. A motion was made by Councilman Giger, seconded by Gerber and carried to allow the staff to advertise for bids for a chassis for a dump truck for the cemetery.

As was suggested at the workshop meeting of February 24, Administrator Wyman checked into the possibility of renting the store space which has been used by the 88¢ Store for use as a library for the City. Mr. Wyman spoke with Mr. Teuscher, whose lease on the building is up for sale. The City is second in line to take over the lease. It would \$400 per month plus oil heating and electricity, on a two-year lease. Mr. Wyman will follow up on this and report to the Council.

Administrator Wyman met with the representative from Tri-Met to discuss use of parking space in Canby for 10 minute loading periods, starting March 31. When the Southern Pacific property parking lot is developed, the bus will stop there and will put up a shelter for use by bus patrons. If the parking lot is not completed by the time the bus run starts, they will use area next to the train depot building until the parking lot is ready.

Mayor Roth has talked to the women whose names were recommended to him, after the February 24 meeting, for appointment to the Budget Committee. However, none of them wishes to serve at this time, due to family commitments. In view of this, and because Mrs. Sue Cox has served previously and is familiar with the work of the Budget Committee, Mayor Roth recommended Sue Cox for reappointment for a three-year term on the Budget Committee. Councilman Westcott moved to approve the mayor's recommendation of Sue Cox for a three-year term on the Budget Committee. Councilman Wagner seconded the motion, which was passed unanimously.

Councilman Westcott expressed concern about a statement made in the minutes of the Utility Board meeting of February 25. On the second page, the last paragraph states that the Board hopes to be able to use new higher rates as of the March 15, 1975 meter reading. This leaves very little lead time before it takes effect. Even though the Utility Board is a business, people think of it as a part of the City of Canby government. The Board members were appointed by the Council to do the job. If the Council is dissatisfied with Utility Board policy, then new Board members should be appointed, but the Council cannot set Utility Board policy. The Council felt that there had not been enough public input allowed in forming this decision for a substantial increase and that the Utility Board should be asked to present its reasons to the Council. Councilman Giger moved to direct the City Administrator to write a letter to the Utility Board expressing Council concern at the part of the minutes concerning the 100% increase and stating that, from the information which we have received, there is no justification for it. The letter is to state further that the Council requests a meeting with the Utility Board at the City Hall, at a mutually agreeable time before the rate goes into effect, at which the Utility Board will furnish evidence of the necessity of the proposed rate increase. Councilman Kariker seconded the motion, which passed unanimously.

A brief discussion followed regarding progress being made by the Charter Change Committee. Concerning the Utility Board, the consensus is to continue the Utility Board and to increase it to five members.

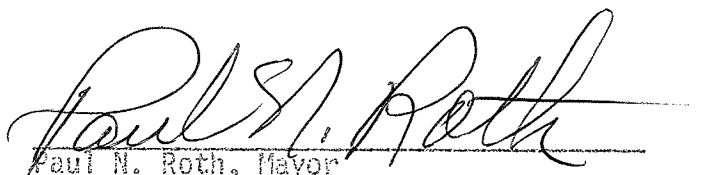
Mr. Wyman reminded the Council that there is \$10,000 in park monies in reserve, for purchasing playground equipment. (This is dedicated money) We can also get \$10,000 in grant money to add to this, but it would be some time before this would be available. Councilman Kariker moved that the Parks and Recreation Subcommittee of the Mayors Citizens Advisory Committee be given the task of coming up with recommendations for purchase of playground equipment for Wait Park. The motion was seconded by Giger and passed, five yes and one no.

In accordance with provision of the City Charter, Mayor Roth notified the Council that he will be out of town the last part of March, returning after April 1. Councilman Giger will be here to chair the Council meetings during the mayor's absence.

The meeting adjourned at 8:59 p.m.



Merrie Dinteman, Recorder Pro Tem


Paul M. Roth, Mayor