Canby City Council
Regular Meeting
April 7, 1975

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

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

Absent: Councilman Giger

Others Present: Administrator Wyman, Police Chief Graziano, Supt. Whiteside, Utility Board Chairman Newton, Utility Board Manager Cox and several guests

The mayor called for corrections or additions to the minutes of March 17 and there being none, the minutes were approved as distributed.

The mayor called for guest hearings at which time Canby Utility Board Chairman Newton asked to discuss the proposed water rate increase. The basic rate, as explained by Newton, would be $4.00 minimum charge for 400 cu. feet of water plus 40¢ per 100 cu. feet thereafter with the city to assume the obligation of the water bonds or a rate of $5.50 per month for 600 cu. feet minimum plus 40¢ per 100 cu. feet thereafter and Canby Utility Board to assume the payments for water bonds. Chairman Newton stated a new rate must be instituted as soon as possible, particularly if the council chose the ~~$3.50~~ 3.80 minimum rate so that the Utility Board could be in a position to make the next bond payment. Mayor Roth requested that there be a public hearing held prior to this increase, but Newton stated that time was not available to have the hearing now but if the council so desired, they could have after-the-fact hearings if needed. The city attorney then informed the council and board members present that a public hearing was not mandatory by law but that a hearing should be held for reasons of citizen input and public relations. Considerable discussion followed with all councilmen generally expressing concern over the fact of a public hearing not being held in advance of a rate increase. A proposed rate schedule was presented by Utility Board Manager Cox dated 4-4-75 a copy of which is attached to and becomes a part of the file copy of these minutes. After distribution of the material, Manager Cox explained the rate information presented. Further discussion followed this presentation and it was generally the opinion of the city council that the proposals made by the Canby Utility Board to the council were for council information only and that by charter authority the Utility Board had the sole responsibility for the establishment of a new water rate.

Ordinance No. 592 AN ORDINANCE RELATING TO CAMPERS, MOTOR HOMES, MOBILE HOMES AND TRAVEL TRAILERS; REQUIRING PERMITS FOR OCCUPANCY OUTSIDE OF APPROVED MOBILE HOME PARKS; REQUIRING APPLICATIONS AND SPECIFYING REQUIREMENTS FOR USE OF LAND FOR MOBILE HOME PARKS; REPEALING ORDINANCE NO. 408; PRESCRIBING PENALTIES FOR VIOLATIONS; AND DECLARING AN EFFECTIVE DATE was set for study and review by members of the council at a workshop session scheduled for April 14, 1975.

Ordinance No. 591 AN ORDINANCE TO LICENSE AND REGULATE SOCIAL GAMBLING GAMES was also brought before the council and placed on the agenda for review at the workshop session April 14.

Mayor Roth also called for the proposed zoning ordinance to be placed on the agenda for the workshop session April 14.

City Attorney Bettis read Resolution No. CLXXXVI (186) A RESOLUTION REQUIRING EVALUATION AND RECOGNITION OF FLOOD HAZARDS IN LAND USE PLANNING. Discussion followed and Councilman Gerber moved to adopt Resolution 186 as read. The motion was seconded by Councilman Wagner and carried.

Resolution CLXXXVII (187) A RESOLUTION REQUIRING REVIEW OF BUILDING PERMITS AND SUBDIVISION PROPOSALS TO MINIMIZE FLOOD DAMAGE; AND REQUIRING DESIGN OF WATER SUPPLY AND SANITARY SEWER SYSTEMS TO MINIMIZE OR ELIMINATE INFILTRATION OR DISCHARGE OF FLOOD WATERS was read by Attorney Bettis. General discussion followed in which it was explained that both Resolutions 186 & 187 were prepared for the purpose of the city making application for flood plain insurance. A motion was made by Councilman Gerber, seconded by Rapp and carried to adopt Resolution 187 as read.

Next on the agenda was a letter from the Dept. of Commerce which was read by Administrator Wyman concerning a notification to the city of the types of building and construction inspections to be performed by the city for the coming year. This determination is to be made each year by the city council prior to May 1 for the allocation of funds by the state for inspection services concerning building construction for the following year. A motion was made by Councilman Westcott, seconded by Rapp and carried to have the city do all inspections and plan checks covering all phases of residential and commercial construction with the exception of electrical installations.

Administrator Wyman read a letter from Mr. Nevil of N.E. 4th Avenue in Canby. Mr. Nevil complained of the speed bumps placed in front of Canby Builders and also was questioning why the street on which he lives was not yet improved. It was his understanding that under the previous serial levy for street improvement that if he had his curb installed the city would pave the street. The council directed Administrator Wyman to inform Nevil that the speed bumps in front of Canby Builders were on private property and that the city had no jurisdiction over that area, and also that the fact of curbs being installed did not mandate improvement of a street under the previous serial levy by the city and that there were no plans at this time for any street improvement work in his area.

A letter from Dr. E. E. Davies was read by Administrator Wyman stating that Jarrel Richardson would be out of work for medical reasons for the next 6 to 8 weeks. Discussion followed concerning Richardson's accumulated sick leave and vacation time and Wyman was directed to write Richardson a letter informing him that he is granted sick leave for the period of time stated at which time his vacation leave could then take over until June 30 at which time his previous resignation would be effective.

The council discussed the appointment of a city recorder to fill the vacancy of the position. A motion was made by Councilman Westcott, seconded by Kariker and carried to appoint Administrator Wyman as acting city recorder.

A letter was read by Administrator Wyman from the Oregon State Highway Division notifying the council that agreement forms were ready for signature for the 50% matching fund grant for park purposes now under option by the city from Mrs. Marshall and Mrs. Erland. A motion was made by Councilman Kariker and seconded by Rapp to sign agreements in behalf of the city for grant participation. The motion was carried by a vote of 3 yes, 1 abstention and 1 no vote with Councilman Westcott voting in the negative.

Next on the agenda was the question of abatement of the Canby Big Store building. The council discussed the building's condition and procedures necessary for abatement of the structure. Building Inspector Campbell read a report prepared by him concerning activities relating to the building and a proposed new building in that area. Supt. Whiteside referred the council to procedure specified in a letter regarding this issue from Attorney Bettis. Duane Weeks of Canby Realty appeared on behalf of Jerry Freeman, property owner of the Canby Big Store, and explained their position with the property at this time. Weeks requested that the council not take any action regarding abatement of the structure at this time due to a pending sale or development of said property. Further discussion followed and a motion was made by Councilman Gerber, seconded by Rapp and carried to delay action for a period of 30 days regarding the question of abatement. At that time Police Chief Graziano requested that Mr. Freeman be contacted and requested to provide additional security measures to prohibit children from climbing on the fence now encompassing the burned out structure.

The next item on the agenda was the proposed local improvement district on N.E. 2nd Avenue from N. Ivy Street easterly to the end. Administrator Wyman explained the petition received for the improvement and showed the property breakdown on a map. Attorney Bettis then explained proper procedural action for this type of improvement to the council. Following this explanation a motion was made by Councilman Wagner, seconded by Kariker and carried that it was the intention of the city council to initiate improvement of N.E. 2nd Ave. and directed the Public Works Dept. to prepare a report on the project for council consideration May 5 as per Paragraph 2, City Attorney's letter of explanation dated 3-27-75.

Councilman Westcott moved for a 5 minute recess at 9:40 p.m.

The meeting was reconvened at 9:45 p.m. at which time Administrator Wyman presented bids for the N. Oak Street sewer extension project and recommended that the low bid of A. J. Berndt Construction be accepted. A motion was made by Councilman Kariker, seconded by Gerber and carried to accept the low bid of A. J. Berndt Construction in the amount of $3,708.80.

Bids were presented for the purchase of a 1-ton cab chassis truck for use at the cemetery. The low bid was presented by Webster-Wolfard Ford of Oregon City in the amount of $4,182.71. Discussion followed and a motion was made by Councilman Westcott, seconded by Kariker and carried to accept low bid of Webster-Wolfard Ford in the amount of $4,182.71.

Next on the agenda was a requisition for purchase of a new communator for the sewage treatment plant. Administrator Wyman explained that this was a budgeted item in the current budget and that the staff recommended the purchase of this equipment from Water Works Supply Company in the amount of $4,660.00. A motion was made by Councilman Gerber, seconded by Westcott and carried to approve the purchase as recommended by the staff.

The council reviewed a billing from Zarosinski-Tatone Engineers which included

hire a clerk-steno and a motion was made by Councilman Westcott, seconded by Gerber and carried to grant Wyman permission to hire an additional clerk-steno to fill the position requested.

Mayor Roth notified the council that HB 2631 was before the house concerning the abolishment of the mandatory council of government. As the mayor explained this bill, it would take the mandatory power and authority away from C.R.A.G. and make the council of government operation a voluntary one. He requested the council support him in the approval of this house bill. A motion was made by Councilman Gerber, seconded by Rapp and carried to authorize Mayor Roth to attend the house hearings and support HB 2631.

The meeting was adjourned at 11:00 p.m.

Harold A Wyman
John L. Whiteside, Recorder Pro-tem

Paul N. Roth
Paul N. Roth, Mayor

4-14-75

PETITION TO CHANGE LEFT TURN ON 1st STREET:

We, the following merchants on north 1st street, do hereby petition the City of Canby to change the no left turn from Ivy street onto N.W. 1st street.

	Name of Business & Address	Owner
1	The Gingham Hen 264 N.W. 1st	Michael W. Benson
2	Estelle's Yardage	Alice Thomas
3	Heirlooms Antique Shop	J. Heirlooms
4	V.D. Anderson	Canby Mdse Parts
5	Darlene G. Franklin	Berta Auto. Dev.
6	Dave Stanley	Dave's Brake & Align
7	Canby Hdw	Bob Hal
8	Wayne Oliver Ins.	E. Wayne Oliver
9	Robert C. Cole	Western Hot O
10	Jerry Greenman	Candy Big Store
11	James N. Amundson	Amundson Auto B. ta
12	John Stacy	The Paper Shop
13	Pizzetti, Mantz & Ikeda	Greg G. Pizzetti
14	Florence Hansen	Hansen Photography
15	Donald D. Chase O.D.	Donald D. Chase
16	Gutsforths Lockers	Edsie Gutsforth
17	The Fashion Room	Gloria Allen
18	Genert's	Gene Newton
19	Cottage Cafe	[illegible]
20	Reno-Bow & Ins	[illegible]
21		
22		
23		
24		
25		

P.O. Box 666,
Canby, OR. 97013

April 13, 1975

Oregon State Government Ethics Comm.,
2nd Floor, Public Service Bldg,
Salem, OR. 97310

Dear Sirs:

I hereby resign my position as a member of the Canby, Oregon City Council, rather than file EC Form No 5, "Statement of Economic Interest".

I consider this requirement a bad law.

Sincerely,

Anthony E. Gerber

Anthony E. Gerber

cc: Mayor Roth, Canby, OR.

March 31, 1975

March Billing

Canby Complan 410

Accomplishments

During March we met with the M.C.A.C. and developed revisions for the proposed Comprehensive Plans. Specifically we revised the Implementation section of the Growth Plan, reviewed and incorporated the previous revisions as shown in committee minutes and my notes.

The Transportation Plan was submitted to the Committee for review.

The Housing and Neighborhood Plan was continued initiating a housing condition survey.

Eldon Edwards	15 hrs. @ $15.00 =	$225.00
Joe Walsh	37 hrs. @ $10.00 =	$370.00
Carolyn Krupicka	17 hrs. @ $ 6.00 =	$106.00
		$701.00