

Canby City Council
Regular Meeting
November 3, 1975

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

Others Present: City Administrator Wyman, City Attorney Bettis, Police Chief Graziano, Fire Chief Buttolph, Darryl Jones, C.P.D., Neil Butler, C.P.D., Bud Atwood, Supervisor of Public Works, Lucille Pepper, Canby Public Library, Grant McMahon, Duane Weeks, Ace Wehus, Mrs. C.L. Eid, Cathren Eversole, Mrs. Ira Brown, Vern C. Jolley, Richard C. Rial, Dell Phelps, Elaine Wiley, Don J. Wiley, Ruth Stinson, Evelyn Triplett, Nancy Kopelk, Adeline E. Dawson, David Fisher, and others.

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

The Mayor called for additions or corrections to the minutes of October 20, 1975. The minutes were approved as distributed.

The Mayor then opened the public hearing on L.I.D. #6 and the bid acceptance or rejection. Mayor Roth asked if there were any remonstrances at which time Administrator Wyman said he had received no written remonstrances.

Ruth Stinson, 605 S. Douglas then asked if each property owner pays the assessable footage of \$8.73 @ lineal foot. Discussion followed.

Mayor Roth then asked for proponents to speak. Nancy Kopelk, 690 S. Douglas asked what the overall engineering cost would be. Mr. Ron Tatone of Zarosinski-Tatone Engineering then explained his Company's estimate for LID #6. The engineering cost is \$3,600.00 including the \$8.73 @ lineal foot. Discussion followed. Ms. Kopelk then asked Mr. Tatone what the city hook-up charge is. Mr. Tatone said \$400.00 is the standard charge. Discussion followed.

Larry Housen, 608 SW 4th, proponent, asked if he is being assessed full frontage of his property. Mr. Tatone said it would include 100' of Mr. Housen's property. Discussion followed. Mr. Housen then asked what assurance the Council could give him that he will not be assessed again in the years to come. Discussion followed with City Attorney Bettis telling Mr. Housen he would not be assessed again unless it would be of benefit to his property.

Nancy Kopelk then asked how big the sewer line is. Discussion followed.

Grant McMahon, 655 S. Douglas, asked how long would they have before having to hook up to the sewer. Attorney Bettis then told Mr. McMahon that when the City sends him a letter to notify him and that he would have 90 days to hook up. Mr. Mahon then asked how long will it be after the sewer is put in will the street be paved. Discussion followed. Nancy Kopelk asked the Council if tax dollars would pay for the paving of streets. Discussion followed.

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Mr. Dave Fisher, 610 S. Douglas asked if the street would be in as good of shape when the construction is through. Discussion followed. Nancy Kopelk then asked the Council when they are going to start the work. Discussion followed. Nancy Kopelk asked if they connect with the sewer and have problems what would happen. Discussion followed.

Mayor Roth then asked for LID #6 opponents and there being none, Councilman Wagner moved for the hearing to be closed, seconded by Councilman Giger and carried unanimously.

Mayor Roth asked for the bid acceptance or rejection. Councilman Giger moved that the low bidder, American Underground in the amount of \$17,465.00 and an appropriate Ordinance be accepted, seconded by Councilman Wagner and carried unanimously. The Ordinance will be read on first reading at a special meeting, November 10, 1975 at 7:30 p.m.

Mayor Roth announced the appointment of Richard Rial as the new City Treasurer and asked Attorney Bettis to swear Mr. Rial in for the remaining term of office.

Mayor Roth then called for guest hearings. There being none, Mayor Roth asked Mr. Weeks of Canby Realty for comments regarding a letter from his office appealing the Council to come up with an adequate and expedient way of permitting the sale of The Canby Big Store property. Discussion followed.

Ordinance #596; AN ORDINANCE ESTABLISHING A PUBLIC CITY LIBRARY; APPOINTING A LIBRARY BOARD; DETERMINING THE RESPONSIBILITIES OF THE LIBRARY BOARD AND ITS AUTHORITY; AND PRESCRIBING A PENALTY FOR UNAUTHORIZED DETENTION OF LIBRARY MATERIAL was read on first reading by the City Attorney. Councilman Giger moved to pass Ordinance #596 on first reading and that it be brought up for final reading on December 1, 1975 seconded by Councilman Wagner. Discussion followed. The motion was carried unanimously.

Administrator Wyman then read a letter from Gentry Cutsforth, owner of Floraland, requesting a permit to operate a retail Christmas tree business on the vacant strip of land between N.E. 1st and 2nd Streets and between the parking lot of Cutsforth's Thriftway and the fenced lumber storage lot of Canby Builders Supply Co. Discussion followed. Councilman Giger moved to let Gentry Cutsforth have a temporary permit for a Christmas Tree Lot on the vacant strip of land between N.E. 1st and 2nd Streets and between the parking lot of Cutsforth Thriftway and the fenced lumber storage lot of Canby Builders Supply Co., seconded by Councilman Westcott and carried unanimously.

Ordinance #595; AN ORDINANCE AUTHORIZING A CONTRACT FOR PURCHASE OF A MOTOR GRADER was read on final reading by Attorney Bettis by title only. A motion was made by Councilman Giger to adopt Ordinance #595 to become part of the laws of Canby, effective November 4, 1975, seconded by Councilman Taylor and carried by roll call vote with Councilmen Giger, Wagner, Westcott, and Taylor voting yes.

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Next on the agenda was an application for a liquor license for American Legion Post #122. Discussion followed. Councilman Giger moved to send a favorable letter to the State Liquor Commission, seconded by Councilman Taylor and carried unanimously.

Next on the agenda was the approval of the Accounts Payable. Discussion followed. Councilman Giger moved to approve the Accounts Payable in the amount of \$66,593.72, seconded by Councilman Taylor and carried by roll call vote with Councilmen Giger, Wagner, Westcott, and Taylor voting yes.

The next item was the approval of the Eldon E. Edwards invoice in the amount of \$255.00. Councilman Westcott moved to approve the Eldon E. Edwards in the amount of \$255.00, seconded by Councilman Giger and carried with Councilman Wagner voting No.

Next on the agenda was the approval of the Engineering Fee for Douglas Street Sewer, \$3,130.75. Councilman Giger moved to approve the Engineering Fee for Douglas Street Sewer in the amount of \$3,130.75, seconded by Councilman Westcott. Discussion followed. The motion was carried by roll call vote with Councilmen Giger, Wagner, Westcott, and Taylor voting Yes.

Next item on the agenda was the recommendation to purchase 10 Sections of 2½" fire hose @ \$1.87/ft. or \$935.00 for the Fire Department. Discussion followed. Councilman Giger moved to go ahead and purchase the sections of fire hose for the Fire Department in the amount of \$935.00, seconded by Councilman Westcott and carried unanimously.

Administrator Wyman gave the highlights of a letter from Fire Chief Buttolph requesting \$525.00 from Revenue Sharing Funds for miscellaneous items. Discussion followed. The Council told Chief Buttolph the \$525.00 could not come out of the Revenue Sharing Funds.

Administrator Wyman then read a letter from the City Attorney in reference to the suit brought against Rick Andrus by Daniel Orsen Freeman for false arrest. Discussion followed. Councilman Giger moved to offer our City Attorney without cost, to represent Mr. Andrus, seconded by Councilman Wagner. The motion was carried unanimously.

The discussion on facility development and bonding for the City was held over until the Special Meeting on November 10, 1975. Mayor Roth then asked that the Clerk notify the Canby Utility Board of the Special Meeting on November 10, 1975.

Next on the agenda was the Mercury Development, Inc. discussion. Mr. Gaunt asked the approval of the option of access to the shopping center. Discussion followed. Councilman Taylor moved to approve the option of access to the shopping center,

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seconded by Councilman Wagner. Discussion Followed. The motion was carried unanimously.

Mayor Roth then announced the meeting with the Land Use and Development at Clackamas Community College on November 13, 1975 at 7:30 p.m. Mayor said he would like to have at least one Councilman attend the meeting since he will not be able to attend. Discussion followed.

The discussion on sludge removal is to be set over until November 10, 1975 at the Special Council Meeting.

Discussion then turned to the Gale property concerning the impoundment of cattle. Discussion followed. Councilman Taylor made motion that the \$50.00 impoundment fee be paid to Mr. John Gale's granddaughter, seconded by Councilman Wagner and carried unanimously.

Next on the agenda was the Alley on Elm and Douglas Streets. Discussion followed. Councilman Westcott moved that the alley between Elm and Douglas Streets and 4th and 5th Streets be improved so it can be used by service trucks, seconded by Councilman Giger and carried unanimously.

The meeting was adjourned at 9:26 p.m.

Harold A. Wyman

Paul N. Roth