

Canby City Council
Regular Meeting
June 3, 1974

The meeting was called to order by the mayor at 7:31 p.m. followed by the traditional flag salute.

Roll Call

Present: Mayor Roth, Councilmen Gerber, Kariker, Tate, Wagner and Westcott

Absent: Councilman Giger

Others Present: Attorney Bettis Sr., Treasurer St. Amant, Administrator Wyman, Supt. Whiteside and Foreman Atwood

Upon the mayor's call for comments pertaining to the minutes of the May 16 and May 20 meetings, council members indicated that they had not received copies of the minutes of the special meeting of May 16 and Councilman Kariker called attention to the last paragraph on Page 1 of May 20 which was improperly stated and the council requested that the corrections be made before approval. The last paragraph on Page 1 of said minutes is hereby corrected as follows: "It appeared that some councilmen questioned the qualifications set forth in the Van Dorn application to qualify for an Area #2 as required by the CRAG Interim Development Policy. Councilman Westcott stated that in his opinion it was not in the best interest of the City of Canby to make certain areas available for residential construction due to the unique type of soil which might be reserved for certain types of agriculture. Then a motion was made by Councilman Giger, seconded by Wagner and carried 3 yes and 2 no that the revised Resolution CLXXXIII including the 35-acre tract north of Territorial Rd. be adopted." Thereupon the acceptance of the minutes was postponed to the next regular meeting.

Mayor Roth announced that the Budget Committee had met on May 30 and canvassed the ballots to their satisfaction from the tax base election on May 28 and that the tax base measure was defeated by a vote of 722 no to 477 yes. Mayor Roth stated that said action would constitute the canvassing of the election results as authorized by Chapter IV, Section 5 of the Canby City Charter.

Richard Morse, representing a committee previously appointed by the mayor to make a study of Canby's parking lot situation and to make recommendations to the council, appeared before the council and read a letter containing recommendations as a result of their study. A copy of said letter is attached to and becomes a part of the file copy of these minutes. Morse was accompanied by Lawrence Housen and Earl Oliver to explain their recommendations to the council. Upon their suggestion a motion was made by Councilman Kariker, seconded by Wagner and carried unanimously that two councilmen and the administrator be appointed to the Merchant's Committee to assist in further development of their plan. Thereupon Mayor Roth appointed Administrator Wyman and Councilmen Wagner and Westcott to the Parking Lot Committee. A motion was made by Councilman Kariker, seconded by Gerber and carried by a vote of 4 yes and 1 no concurring the mayor's appointments. The principle points brought out in the recommendations were that a new lease be negotiated with Southern Pacific Co., that business license annual fees be increased and that funds be borrowed from some source to improve the parking lots on railroad property. Councilman Kariker personally thanked the committee for their study and recommendations and recommended that the project be kept current.

Administrator Wyman read a letter from the Traffic Safety Committee and from the Chamber of Commerce regarding the "no left turn" requirement on N. Ivy St. at the intersection of N. 1st Ave. The mayor declared that this recommendation required study and set it over to the June 10 workshop meeting.

Administrator Wyman read a letter from the Transportation Committee of the Mayor's Advisory Committee regarding the proposed route of the Tri-met buses throughout the Canby area, a copy of which is attached to and becomes a part of the file copy of these minutes. After a period of discussion a motion was made by Councilman Kariker, seconded by Wagner and carried by a vote of 3 yes and 2 no to accept the proposal of the Transportation Committee with the exception of routing said buses over N.W. 3rd Ave. instead of N.W. 1st or 2nd Avenues.

A letter from the Advisory Committee on Parks, Open Space & Agriculture was read by Administrator Wyman pertaining to a 5-acre tract in N.E. Canby that might be available for park purposes and that a 7½-acre tract of land adjacent to said 5 acres might also be available. After a period of discussion Councilman Kariker moved, seconded by Tate and carried unanimously authorizing the administrator and city attorney to investigate the availability and cost of the above mentioned tracts of land. It was suggested that a workshop with the Planning Commission and the Parks, Open Space & Agriculture Committee might be advisable during this investigative procedure.

Administrator Wyman read a letter from Candlelight Homes concerning the availability of sewer service to Candlelight Homes' property at the intersection of 99E and Berg Avenue. The staff recommendations indicated a study was being made of the construction of a sewer line and lift station to serve that area. This matter was postponed to the June 10 workshop for finalization.

Copies of the accounts payable print-outs having been distributed and reviewed, a motion was made by Councilman Wagner, seconded by Westcott and carried unanimously by roll call vote that claims in the amount of \$4,371.72 be approved for payment and warrants drawn on the treasurer in payment thereof.

The Public Works staff submitted a list of sidewalks and curbs that were in need of repair. After a period of discussion the council indicated that Ordinance #437 be adhered to and that letters be sent to the property owners where said conditions exist.

The matter of providing storm sewer construction at the northerly portion of Country Club Estates was further discussed and Supt. Whiteside described two alternatives to either construct an 18" sewer line as adequate for the time being or to construct a 42" line principally under the logging road to adequately handle future requirements. Whiteside said that the difference in cost between the two lines would be approximately \$3,150 to construct approximately 100' of line including that under the logging road. Earl Oliver and others protested procedures followed by the City that consistently cost the City more than is necessary. After a period of discussion a motion was made by Councilman Tate, and seconded by Gerber to accept the alternate plan and location and to construct the 42" line under the logging road and to make the improvement within the time limit designated by the owners of the logging road. Upon call for the vote on said motion the result was defeat of the motion by a vote of 4 no and 1 yes. It was reported that no federal funds were available for storm sewers. Then a motion was made by Councilman Tate, seconded by Kariker and carried unanimously to have the staff

and engineer with the assistance of the city attorney to pursue the finalization of an easement for the storm sewer line as proposed by Payton and Anderson.

Administrator Wyman requested permission to employ Don Weston as director of summer recreation. After a period of discussion a motion was made by Councilman Kariker, seconded by Wagner and carried by a vote of 4 yes and 1 no to employ Weston at a salary of \$700 per month.

Administrator Wyman requested permission to hire a student from Portland State University for counseling work during the summer and during which time the University would pay 80% of his salary. It was explained that he was a pastor of the Elliot Prairie church and wanted other employment in this area during the summer so that he might continue in said pastoral position. It was further explained that the school would pay approximately \$920 for 1½ months and the cost to the City would be approximately \$600. After a period of discussion a motion was made by Councilman Wagner, seconded by Westcott and carried to table the matter.


Administrator Wyman read a letter from the Canby Lions Club requesting permission to construct a 10' x 20' building on skids to serve as a storage shed for a paper drive project. A discussion followed during which Supt. Whiteside said that the building would have to meet building code and fire zone requirements. A motion was made by Councilman Wagner and seconded by Gerber to approve the construction of the paper storage building by the Canby Lions Club if specifications and code requirements were met and it did not constitute a nuisance or fire hazard. After a period of further discussion during which it was brought out that certain fire and building requirements were set by ordinance and that the staff was governed thereby, Councilman Wagner withdrew his motion on the advice of the city attorney.

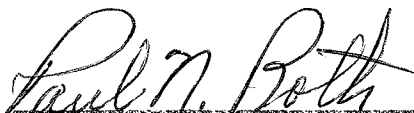
Bob Maxwell, representing the Canby JC's approached the council in regard to the necessity for additional ball diamonds in the City of Canby to meet the summer requirements. He said that the JC's have the man power but need funds to carry out satisfactory projects. Councilman Kariker supported Maxwell's plans by stating that 24 baseball teams plus the girls' and soft pitch programs were being programmed without adequate ball fields. At that point Mayor Roth asked Councilman Kariker to work with the JC's in finalizing their recommendations. Maxwell said it would cost approximately \$500 to prepare the school's available property for baseball diamonds. Administrator Wyman reported that the City had considerable cyclone fencing on hand that could be made available for ball diamonds. Maxwell said the JC's meet at 7:30 each Tuesday morning and would invite attendance by any councilman who was interested.

Gary Sowles approached the council for permission to close designated streets in the downtown area from 7:00-11:00 p.m. on June 7 for a merchant supervised street dance. After a period of discussion a motion was made by Councilman Gerber, seconded by Wagner and carried unanimously to approve such street closures.

Mrs. Hazel Irwin approached the council in regard to the traffic situation on N. Ivy St. in the area of the railroad crossing. Mayor Roth told her that this matter was on the agenda for discussion at the June 10 workshop.

The meeting was adjourned at 10:58 p.m.


J.R. Richardson, City Recorder


Paul N. Roth, Mayor

Mr. Mayor, Councilmen, & Guests;

Mayor Roth appointed a railroad parking-lot committee composed of myself, Earl Oliver, Larry Housen, and Gordon Roth, to study the feasibility and make recommendations to the council for the improvement and paving of the leased railroad property. This committee has been meeting every Tuesday morning for the last five (5) months, gathering the following information:

- 1.) A satisfactory rent-lease arrangement
- 2.) Means to finance the parking area
- 3.) Actual construction costs

1a.) Lease arrangement:

We have applied and are presently awaiting the return of a new lease with the following agreement: 5 years at \$200.00 per month with an option of 5 years at \$300.00 per month. With the finance procedures, this seems to give us sufficient long term security.

2a.) Financing:

Most means of financing have been explored by the committee, including: Direct rental to interested parties, Lease arrangement to property owners, L.I.D.'s and personal loans from the local banks guaranteed by the merchants. None of these seemed to answer the need. It is with thorough investigation that we developed the following plan based upon an increase of business license fees. From outward appearance this means of financing is acceptable by the merchants.

Resume of Estimated Income:

INCOME

124 Commercial within city	@ \$75.00 per year	\$9,300.00
71 Non-commercial within city (contractors, apartments, etc.)	@ \$35.00 per year	\$2,485.00
165 Interant (1973 record)	@ \$50.00 per year	\$8,250.00
50 Special parking fees	@ \$60.00 per year	\$3,000.00
10% Increase the next few years		<u>\$2,200.00</u>
Total		\$ 25,335.00

EXPENSE

12 months rent	@ \$200.00 per month	\$2,400.00
Interest the first year on \$40,000 @ 7%		\$2,800.00
1/3 to the city for collecting the funds and dispersing them, and the police department for the purpose of checking commercial doors and property to include an actual visual inspection and door shaking		<u>\$8,445.00</u>
Total		\$ 13,645.00

This would leave a net amount of approximately \$11,690.00 to be paid on the loan. Upon completion of the payment of this loan, these monies would be kept for use by the commercial accounts for future improvements in the C-1 or C-2 areas.

Loan: There are several sources of loan possibility---1) Bank
2) Individual 3) Canby Cemetary Sinking Fund. Of these, the sinking fund would make the most sense. Here is money held by the city that could be loaned to the city for an expansion of and benefit for itself guaranteed by the merchants business license.

Construction: We have estimates of approximately \$40,000.00 to put in storm sewer, build barrier required by the railroad, and grade and pave the parking area. These costs are fluctuating and will require further bidding when a construction date is determined. The City Engineer could oversee the entire construction.

That sums up our proposal with the exception of a request from the council to appoint 1 or 2 Councilmen to this committee for the final wrap-up.

Dick Morse



Chamber of Commerce

P.O. Box 35
Canby, Oregon 97013

PHONE 266-4600

May 23, 1974

Honorable Paul N. Roth, Mayor,
and Members of the City Council
Canby, Oregon 97013

Gentlemen:

Canby Chamber of Commerce favors and strongly urges the removal of the No Left Turn sign on N.W. 1st Avenue and N. Ivy Street. This was the unanimous consensus at today's board meeting.

The board wishes to cite the reduction in pedestrian and vehicular traffic on N.W. 1st Avenue since the No Left Turn sign compelled traffic to travel N. Ivy Street to N.W. 2nd Avenue in order to turn left.

Two businesses in the 200 block (Vivian's Beauty Shop and the 88 Discount Center) have elected to go out of business, and another (Gary's Rexall Drug) has relocated. Two retail stores (The Fashion Room and Estelle's Yardage) have gone to new owner-ships.

More traffic can be handled on that thoroughfare and will improve the business climate for merchants there.

Insofar as board members know, no serious accident occurred at the N.W. 1st and Ivy intersection in the many years that left turns into N.W. 1st were permitted.

A Stop sign for southbound traffic on N. Ivy Street should be retained.

It is the board's belief that Canby will benefit from removal of the No Left Turn sign, and that the public will appreciate such action.

For the Chamber Board of Directors,

Walter R. Daniels

WALTER R. DANIELS, President

4352.77
18.95
4371.72

May 17, 1974

City of Canby
Post Office Box D
Canby, Ore. 97013

To : Canby City Council

As a result of the Transportation Sub-Committee and other contacts, Trimet plans an additional bus to be added in June, leaving Canby in mid-morning and returning in mid-afternoon. In addition, they have indicated a willingness to change bus routing if officially requested to do so by the City of Canby. The route change we are recommending is: Hwy. 99E to Territorial Rd, right on Territorial Rd. to Holly St., left on Holly St. to 2nd St., left on 2nd St. to N. Ivy, across Hwy. 99E and out S. Ivy toward Molalla (formerly Hwy. 99E to S. Ivy).

Response to a recent newspaper article on additional bus service and a new routing indicate interest and support for more and better bus service to Canby. Therefore, we ask that the Council give its support to a bus route change in the form of a letter to Leonard B. Smith, 4314 Southeast 17th Ave., Portland, Oregon, 97202.

Sincerely yours,



Gerald Duerksen
Chairman, Transportation
Sub-Committee
Mayor's Advisory Committee

GD/ja

May 15, 1974

Mr. C. Ronald Kariker
City Councilman
Chairman, Mayor's Citizens' Advisory Committee
Canby, Oregon 97013

Dear Councilman:

The parks and open space subcommittee is recommending immediate action in order to obtain a parcel of approximately five acres in the northeastern sector of Canby. The owner is giving the city first opportunity to acquire this parcel, in which builders presently are interested.

Is it possible to put a small amount of earnest money on the property to firm the city's offer, and ask the Planning Commission for park designation in the presently R-1 sector?

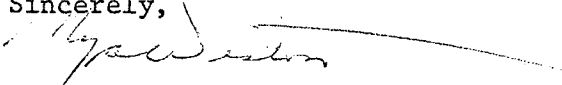
The parcel, whose owner's name we wish to withhold from the public until the transaction is complete, is in a rapidly developing area and now without recreational opportunity. It is on the corner of N. Maple street and N.E. 13th avenue, the latter lying north of it.

Dick Hemmerling, chairman of the parks and open space subcommittee, is urging immediate attention to this matter, indicating that the property likely will not be available much longer. The owner has advised me that one buyer is particularly interested, and desirous of constructing houses on the N. Maple street side at an early date.

Properties of this size for playground area development are not too plentiful in Canby, and particularly in an area which has numerous single and multi-family structures already occupied.

Your immediate help with this recommendation will be much appreciated by the parks subcommittee.

Sincerely,


Myra Weston, Chairman
Parks , Open Space, Agriculture

6-3-74

May 23, 1974

Mr. Harold A. Wyman
City Administrator
City of Canby
P. O. Box D
Canby, Oregon 97013

Re: Candlelight Mall

Dear Mr. Wyman:

This letter is to confirm that Candlelight Homes hereby agrees to convey an easement to the City of Canby to construct and/or maintain a sanitary sewer across the property of Candlelight Homes, Inc., the northwest corner of which is at the intersection of Highway 99E and Berg Avenue, in the City of Canby. It is understood that the actual location of the easement is not now known, but that the said location will be agreed upon by the City and the property owner at the time of the conveyance.

This letter will also serve to confirm that Candlelight Homes, Inc. agrees to accept, improve and maintain that portion of a 20-foot strip of land known as S. W. Fifth Avenue, which runs parallel and contiguous to the northerly boundary line of the Candlelight Homes, Inc. property for a distance of 340 feet, more or less, upon vacation thereof by the City of Canby.

In connection with the installation of sewer line and any required lift station on the development to be known as Candlelight Mall, it is our understanding that the City of Canby will bear that portion of the actual cost of the sewer line and lift station, as installed, which is in excess of the cost of an installation sufficient to meet the requirements of Candlelight Mall. Please advise if this is not correct.

Very truly yours,

CANDLELIGHT HOMES, INC.

By: Leo Elario
Leo Elario, President

/nc
cc: Mr. John L. Whiteside
Superintendent of Public Works
City of Canby
P. O. Box D
Canby, Oregon 97013

WITH DRAWING
AFTER DISC

D.

May 31, 1974

TO: Harold Wyman
City Administrator

FROM: John Whiteside
Superintendent of Public Works

SUBJECT: Sidewalk areas that need repair

<u>BROKEN CURBS</u>	<u>LOCATION</u>	<u>LENGTH</u>
Beulah F. Pine	466 N. W. 3rd Avenue	25'
*Dale & Sylvia Devore		
Canby Union High School	721 S. W. 4th Avenue	160'
Cutsforth's Meat	266 N. W. 1st Avenue	20'
Estelle's Yardage(P. Kraft)	248 N. W. 1st Avenue	10'
Canby 88¢ Discount Center	288 N. W. 1st Avenue	3'

<u>BROKEN SIDEWALK</u>		
Pauline C. Andrus	491 N. W. 2nd Avenue	160'
(P.O. Box 26, Canby)		
City of Canby	412 N. W. 3rd Avenue	10'
Ronald & Virginia Camp	465 S. W. 3rd Avenue	50'
*Dean & Helen Dobak		

<u>RAISED SIDEWALK</u>		
Canby Methodist Church	522 N. W. 2nd Avenue	
Roy L. Mangus	489 N. Holly Street	
(P. O. Box 779, Canby)		
Rose's Tavern	404 N. W. 1st Avenue	
*E.A. Krueger		
(290 S. W. 3rd, Canby)		