

Canby City Council

Regular Meeting

January 21, 1974

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

Roll Call

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

Absent: Councilmen Kariker and Tate

Others Present: Administrator Wyman, Attorney Bettis Sr.,  
Utility Board Chairman Newton, Utility Manager Cox  
and Planning Commission Chairman Ross

The Mayor called for comments on the minutes of the previous session and there being none, he declared the minutes approved as distributed.

Administrator Wyman read a letter from the Canby Utility Board a copy of which is attached hereto and becomes a part of these minutes. The contents of the letter revealed that the Utility Board were in no position nor were any funds available to meet the bond requirement due February 1, 1974. After a period of discussion and upon recommendation of Attorney Bettis, a motion was made by Councilman Wagner, seconded by Gerber and carried unanimously that Resolution 170 authorizing the borrowing of funds by the City from the Cemetery Sinking Fund for the purpose of paying the City's general obligation water bond indebtedness due February 1, 1974, be adopted. It was agreed that the funds to reimburse the sinking fund should be budgeted along with the 1974-75 bond requirements and that the loan should carry a 5% interest rate.

Administrator Wyman presented a CRAG clearinghouse notice pertaining to the runway extension at the Hillsboro airport. After a period of discussion a motion was made by Councilman Giger, seconded by Gerber and carried unanimously that the clearinghouse letter be returned and marked of no significant effect and we have "no comment".

The Administrator presented a notice of a proposed hearing before the Public Utility Commission regarding railroad grade crossing blocking by trains. After a period of discussion a motion was made by Councilman Westcott, seconded by Giger and carried unanimously that the Public Utility Commission Order 74011 be amended for the City of Canby as follows; that Section I, subsection A read "in excess of five continuous minutes during the hours of 6:00 a.m. and 10:00 p.m." and that subsection B read "in excess of ten continuous minutes during the hours of 10:00 p.m. to 6:00 a.m. The Council agreed that these short time blocking intervals be considered for the City of Canby in that emergency vehicles should not be held up longer.

A letter from the City Attorney advising the officials of the impact of House Bill 3106 was presented to the Council for their information only.

A letter from the Planning Consultant containing an explanation of the Planning Commission's recommendations in classifying proposed annexations to the City was read and discussed. A motion was made by Councilman Giger, seconded by Wagner and carried unanimously to approve and support the Planning Commission's recommendation to CRAG regarding the proposed annexation classification.

+ 1-21-74

The Council reviewed the Accounts Payable print-outs and after a period of discussion and comment a motion was made by Councilman Giger, seconded by Wagner and carried unanimously by roll call vote to approve claims in the amount of \$43,438.30 and warrants be drawn on the treasurer in payment thereof.

The Administrator read two letters from the Southern Pacific Company regarding switching of trains at night and the parking lot lease renewal. The railroad officials agreed to concentrate night switching at the extreme south end of the railroad yard in an attempt to make that operation less annoying to residents. The Council discussed the parking lot lease and requested that the Administrator discuss this with the Chamber of Commerce.

The Administrator presented an agreement between the State Highway Division and the City of Canby for improvement of Elm and Grant Streets between 99E and Northwest 1st Avenue. The agreement contained assurance that the City was prepared to assume the cost in excess of \$25,000.00. After a period of discussion a motion was made by Councilman Giger, seconded by Gerber and carried unanimously authorizing the Mayor and Recorder to sign and submit the agreement.

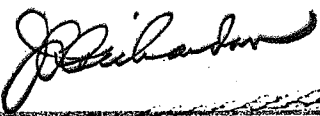
ORDINANCE #579. AN ORDINANCE RELATING TO THE PAYMENT OF COST FOR PROPOSED ANNEXATIONS AND BOUNDARY CHANGES; FIXING AND REQUIRING PAYMENT OF ANNEXATION FEES; AND REPEALING ORDINANCE #541 was read on first reading by Attorney Bettis. After a period of discussion and some opposition to the fees prescribed, a motion was made by Councilman Giger, seconded by Westcott and carried by a vote of three "yes" and one "no" to pass Ordinance #579 on first reading, to be posted in compliance with the City Charter and to come up for final action on February 19, 1974.

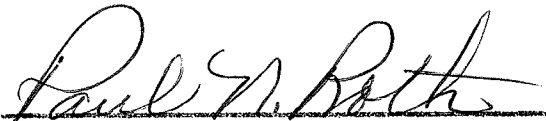
Per the Administrator's request a motion was made by Councilman Giger, seconded by Wagner and carried unanimously authorizing a call for bids for a lawnmower for the cemetery.

Administrator Wyman advised the Council that the Union Bargaining Unit had authorized a vote of eight employees of the Public Works Dept. for a date in February, to be announced.

The Council agreed that the contents of fee schedules contained in Ordinance #578 be considered and reviewed at the next Council Workshop prior to the scheduled final action of Ordinance #578 on February 4, 1974.

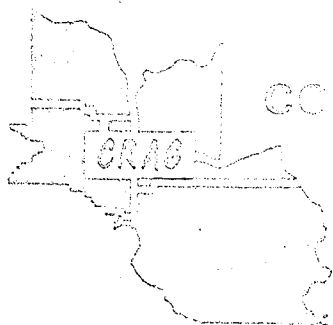
The meeting was adjourned at 9:33 p.m.

  
J. R. Richardson, City Recorder

  
Paul N. Roth, Mayor

COMMUNITY DEVELOPMENT

COMMUNITY DEVELOPMENT



6400 S.W. CANYON COURT

PORTLAND, OREGON 97221

(503) 297-3726

TO: All Cities and Counties in the CRAG region

FROM: Clearinghouse

SUBJECT: A-95 Review and Comment of A-1 Runway Extension 12/30 Hillsboro, Oregon

DATE: January 7, 1974

DATE RETURNED: January 18, 1974

The attached proposal is for your review and comment. Please notify us immediately if you will not be able to respond by the indicated date. It is most important since this proposal will be heard by our General Advisory Board on 2/1/74, and by the CRAG Executive Board on 2/15/74. We need your response by that date so that the board members can be notified and appropriate action can be taken.

Please do not hesitate to ask if you require further assistance or information.

ACTION NECESSARY

- (x ) Program review and comment  
( ) Environmental review and comment  
( ) Other

YOUR RESPONSE:

We have reviewed the subject proposal for its relationship to existing or proposed plans or programs of this agency and comment as follows:

- (X ) It has no significant effect and we have no comment.  
( ) It has no adverse effect and we approve.  
( ) It has adverse effects and we disapprove.  
( ) We are interested but require more information.  
( ) Additional comments for project improvement.

EXPLANATION AND COMMENTS (For additional space, please use the back of this page)

Agency \_\_\_\_\_ By \_\_\_\_\_

PLEASE RETURN TO CRAG AT THE ABOVE ADDRESS..

LACKAMAS COUNTY

Canby  
Gladstone  
Happy Valley  
Lake Oswego  
Milwaukie  
Oregon City  
Sandy  
West Linn  
Wilsonville

LARK COUNTY

Camas  
Vancouver  
Washougal

OLUMBIA COUNTY

Clatskanie  
Columbia City  
Prescott  
Rainier  
Scappoose  
St. Helens  
Vernonia

MULTNOMAH COUNTY

Fairview  
Gresham  
Portland  
Troutdale  
Wood Village

WASHINGTON COUNTY

Beaverton  
Cornelius  
Durham  
Forest Grove  
Hillsboro  
North Plains  
Sherwood  
Tigard  
Tualatin

WADE P. BETTIS  
RAYMOND R. REIF  
WADE P. BETTIS, JR.

BETTIS & REIF  
ATTORNEYS AT LAW  
180 N.W. THIRD AVENUE  
CANBY, OREGON 97013

TELEPHONES  
286-1113  
655-1674  
AREA CODE 503

January 8, 1974

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

Re: House Bill 3106, Chapter 664, 1973 Session Laws  
(Prohibitions on Extension of Water or Sewer Lines  
Extraterritorially)

Dear Harry:

House Bill 3106, Chapter 664 of the 1973 Oregon Session Laws, which became effective October 5, 1973, provides in Section 2 (3) that:

"Without the approval of a boundary commission, a district or city with territory in the jurisdiction of the commission may not extend a water or sewer line extraterritorially to an extent not affected on the effective date of this 1973 act."

This means that the City Council cannot extend its sewer lines extraterritorially and neither can the Canby Utility Board extend water lines extraterritorially without prior approval of the Portland Area Metropolitan Boundary Commission. If there are any plans by either body to do so, either now or at any time in the future, it should be discussed first with me, and I will outline the procedures to be followed.

I have already advised different ones in our City government orally of this new Statute, and I was of the opinion that I had previously sent an advice letter on this matter, but I cannot find a file copy and may have overlooked doing so. You will note that I am sending copies of this letter to all of those indicated hereunder so that all will be advised of this new requirement in our State laws.

Sincerely,

BETTIS & REIF

Waide P. Bettis

WPB:EN

cc: Hon. Paul N. Roth, Mayor  
City Recorder Richardson  
Acting Supt. of Public Works Martindale  
All Councilmen  
Manager CUB Lee Cox and Members of Board  
Gordon L. Ross, Chairman, Planning Commission

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  
David Halstead, City Forester  
Norman Christiansen, Fire Marshal

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

January 10, 1974

City of Canby  
Honorable Mayor  
and Councilmen

This is in response to the Council's request that the Planning Commission amplify their reasoning for including some properties in the area #2 designation. The Bedwell property, the Brenneke Shopping Center Property, and the Van Dorn property do not have the requirements outlined under priority area #2 in item #3 (October 31, 1973) of the CRAG guidelines for establishing priority area boundaries.

However, the Commission felt initially and ratify that action on December 11, 1973, that since these properties have filed for annexation and have been considered over a long period of time, they should be in area #2.

It was felt that by including them in area #2, the city then has the option of annexation, and we are not bound by CRAG'S system.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Eldon E. Edwards  
Planning Commission Consultant

By: Thelma Austin  
Thelma Austin  
Planning Commission Secretary

cc: Planning Commission  
Harry Wyman, Administrator

WADE P. BETTIS  
RAYMOND R. REIF  
WADE P. BETTIS, JR.

BETTIS & REIF  
ATTORNEYS AT LAW  
160 N.W. THIRD AVENUE  
CANBY, OREGON 97013

TELEPHONES  
266-1113  
655-1674  
AREA CODE 503

January 14, 1974

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

Re: Resolution No. CLXIX - Designating Representative  
of City to Receive Disclosure Statements required  
by H.B. 2007 (Chapter 421) of 1973 Legislature

Dear Harry:

At the Council's last regular meeting I was directed to prepare a Resolution designating the Superintendent of Public Works as the City's agent for receiving and filing draft copies of Disclosure Statements by developers under Chapter 421 which is the Oregon Consumer Protection Act. You will recall that Planning Commission Chairman and Realtor Gordon Ross appeared before the Council and discussed this matter prior to the Council's action in directing the preparation of a Resolution. Accordingly, I am enclosing herewith Resolution No. CLXIX for Council action at its next regular meeting on January 21. You may care to reproduce sufficient copies to include in the Councilmen's agenda packet and copies for others as you see fit. Call me if you have any questions concerning the matter.

Sincerely,

BETTIS & REIF

Wade P. Bettis

WPB:EN  
Encl.

cc: Honorable Paul N. Roth, Mayor  
Mr. J. R. Richardson, Recorder

The City of Canby, Oregon.

Council Roll Calls for 19 73

Date or Motion	Mayor	Roth	Councilman	Gerber	Giger	Kariker	Tate	Wagner	Westcott
REGULAR 10-19-73	P		P	P	P	P	P	P	P
ORD 572			Y	Y	Y	Y	N	N	Y
REGULAR 11/5/73	P		P	P	P	P			P
CLAIMS			Y	Y	Y	Y			Y
573			Y	Y	Y	Y			Y
575			Y	Y	Y	Y			Y
576			Y	Y	Y	Y			Y
11/19 REGULAR	P		P	P	P	P	P		P
BECCS			Y	Y	Y	Y	Y		Y
REGULAR 12-3-73	P		P	P	P		P	P	P
250 CC CEN REFUND			Y	N	Y		N	N	Y
CLAIMS			Y	Y	Y		Y	Y	Y
ORD 574			Y	Y	Y		Y	Y	Y
REGULAR 12-17-73	P		P	P	P	P	P	P	P
CLAIMS			Y	Y	Y	Y	Y	Y	Y
SPECIAL 12-20-73	P		P	P	P	P	P		P
REGULAR 1-7-74			P	P	P	P	P	P	P
CLAIMS			Y	Y	Y	Y	Y	Y	Y

ARRIVED  
7:37 7:37