

Canby City Council  
Regular Meeting  
February 19, 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, Giger, Kariker, Tate and Wagner

Absent: Councilman Westcott

Others Present: Administrator Wyman, Supt. Whiteside, Attorney Bett's Sr.,  
Treasurer St. Amant, Police Chief Graziano, Foreman Atwood  
and Planning Commissioner Edgerton

The mayor called for comments regarding corrections or additions to the minutes of the previous meeting, and there being none the mayor declared them approved as distributed.

Howard Lewis appeared before the Council to report on a meeting he had recently with the railroad officials of the Public Utility Commission. He reported that the fairgrounds crossing was considered as first priority in Canby and twenty-seventh in the state for signalization and that it was possible to receive up to 100% of the cost of installation from federal grants. He further reported that the state had counted three thousand cars per day using that crossing. Administrator Wyman concurred in the report and stated that the railroad company would probably pay 1/2 of the cost and that no formal application to date had been made for that crossing. After a period of discussion a motion was made by Councilman Gerber, seconded by Giger and carried unanimously authorizing an application for a federal grant for signalization of the fairgrounds crossing and the possibility of relocating the crossing by approximately 100' to the north.

A letter from the Canby postmaster was read by Administrator Wyman in which was cited a specific case where the City police were alert to an unusual situation at the post office building and also contained a statement of thanks from the postmaster to the Canby Police Department. Mayor Roth voiced appreciation for the postmaster's letter and ordered it filed.

A letter from the Canby Planning Commission was read by Administrator Wyman recommending that building permits for builders James Payton and Gordon Ross in the south portion of Canby be approved by the City Council in consideration of street widths existing or promised. After a period of discussion a motion was made by Councilman Gerber, seconded by Wagner and carried by a vote of 4 yes, 1 no that the building permit applications of Payton and Ross be approved.

A letter from Globe Union was read in which the company offered to pay 50% of the cost of improving street access to their property. Gerald Duerksen of Globe Union appeared before the Council in support of the letter. Supt. Whiteside displayed maps and alternatives of street alignment and/or advisable routes for this said plant access stating an approximate cost of improvement at \$18,700.00. After a period of discussion by the Council a motion was made by Councilman Wagner, seconded by Kariker and carried by a vote of 4 yes, 1 no to postpone final approval until the March 4 Council meeting.

A clearinghouse letter from CRAG was read and discussed concerning the City's interest in the construction of a transit mall on 5th and 6th Avenues in Portland. A motion was made by Councilman Giger, seconded by Kariker and carried unanimously that the City respond to CRAG that the program had no significant effect on the City of Canby and that we have "no comment".

Administrator Wyman presented the conditions prescribed for a contract with Canby Telephone Assoc. for a PABX system in City Hall at a cost of approximately \$130.00 per month. Attorney Bettis advised that the system and its efficiency be investigated thoroughly before acceptance. After a period of discussion a motion was made by Councilman Giger, seconded by Wagner and carried by a vote of 4 yes and 1 abstention authorizing the contract with the Canby Telephone Assoc.. for a PABX system.

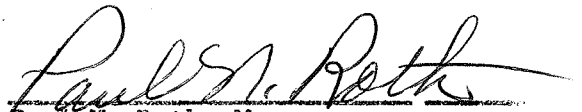
The members of the City Council reviewed the computer print-outs pertaining to claims against the City in the amount of \$32,269.95. The question arose as to where the \$9,900.00 check to the Wait Park Improvement Fund was to go and how it was to be recorded. Upon Administrator Wyman's advice that no line item was provided in the present budget, a motion was made by Councilman Giger, seconded by Gerber and carried unanimously by roll call vote that all claims except the \$9,900.00 Wait Park Improvement claim be approved for payment and warrants drawn on the treasurer in payment thereof.

Ordinance 579; AN ORDINANCE RELATING TO THE PAYMENT OF COSTS FOR PROPOSED ANNEXATION AND BOUNDARY CHANGES; FIXING AND REQUIRING THE PAYMENT OF ANNEXATION FEES; AND REPEALING ORDINANCE 541 was read on final reading by title only by the City Attorney. Clarence Van Dorn, David Anderson, Ernest Bedwell, Harold Jones, Thomas Tye and Jim Mega representing the Home Owners and Builders Assoc. all spoke in opposition to final adoption of said Ordinance 579. Arden Sheets and Richard Weiss approached the Council with questions regarding the restrictions posed by the ordinance if adopted. After a period of discussion by the Council a motion was made by Councilman Giger and seconded by Tate to adopt Ordinance 579 on final reading. After further discussion a motion was made by Councilman Wagner and seconded by Kariker to defer the ordinance to the Citizens Land Use Committee for further study. A vote on the second motion failed to carry by a tie vote of the Council. The mayor declared the original motion in question. A roll call vote on the motion to adopt Ordinance 579 carried by 4 yes and 1 no.

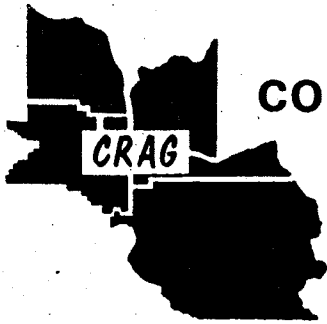
The mayor declared the meeting adjourned at 10:48 p.m. and announced a special session to be scheduled for 7:30 p.m. Monday, February 25.



J. R. Richardson, City Recorder



Paul M. Roth, Mayor



# COLUMBIA REGION ASSOCIATION of GOVERNMENTS

6400 S.W. CANYON COURT  
PORTLAND, OREGON 97221

(503) 297-3726

TO: All cities in the CRAG Region

FROM: Clearinghouse

SUBJECT: A-95 Review and Comment of FIFTH-SIXTH AVE. TRANSIT MALL

DATE: February 5, 1974

DATE RETURNED: February 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 3/1/74, and by the CRAG Executive Board on 3/15/74. 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:

- ( ) 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.

### CLACKAMAS COUNTY

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

### CLARK COUNTY

Camas  
Vancouver  
Washougal

### COLUMBIA 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

UNITED STATES POST OFFICE

IN REPLY REFER TO

CANBY, OREGON 97013

February 11, 1974

Hon. Paul N. Roth, Mayor  
City of Canby  
Canby, Oregon 97013

Dear Mr. Roth:

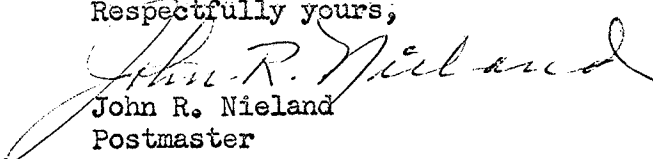
On Saturday night, February 9th, about 11:00 PM I had occasion to go to my office to check on one of my transportation trips. As I approached the post office I noted two cars and three officers about the building and parking lot. Among them was Chief Graziano. I was a bit apprehensive, and wondered what on earth was wrong.

It so happened that earlier that evening I had occasion to do some work in my office after hours. In so doing I had lowered the venetian blinds, and on leaving neglected to raise them. Chief Graziano informed me that this was unusual and was the reason for their concern.

I must bring to your attention the fact that I do appreciate the attention and concern for this office, and should also like to point out that there has not really been an incident at this building since we have been here. All toooften we accept these services in a matter of fact manner, and fail to properly recognize how essential they are.

I should like to take this opportunity to recognize and thank the City of Canby and Chief Graziano for the very efficient and capable law enforcement body that it is our good fortune to have. Please convey my thoughts and feelings to the city council.

Respectfully yours,

  
John R. Nieland  
Postmaster

cc: Chief Graziano

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

February 14, 1974

Honorable Mayor  
and City Councilmen

The Canby Planning Commission at its regular meeting of February 13, 1974 held for the consideration of Mr. James Payton a request for a building permit for the construction of 56 dwelling units on S. Locust St. In conjunction with Mr. Payton's request was a letter from John Whiteside to the commission, stipulating the needed footage to be dedicated for right-of-way. Attached to the letter was a print also submitted by Mr. Whiteside, denoting said street location. Motion was made by Commissioner Shaw that the Planning Commission recommend to the City Council the issuance of the building permit, assuming all conditions are met as shown on said submitted print (which was marked exhibit A and made part of the commissions minutes) including curbing and oil mat from existing paving to said curbing. Seconded by Cutsforth, motion carried unanimously.

An application for a building permit from Mr. Floyd Herigstad to build a single family residence on the corner of N. Maple St. and N.E. 14th Ave., lot 1, blk. 1 of Amrine Addition. The planning commission finds that the existing N. Maple St. is 40 ft. At the time of the subdivision plotting, there was an additional 10 ft. dedicated for right-of-way. We do have 30 ft. from center line on N.E. 14th Ave. The planning commission recommends to the City Council the building permit be issued.

A letter presented to the city councilmen and commissioners from Gordon Ross was discussed by Chairman Pro-tem Ralph Hulbert and the commissioners. Mr. Ross expressed his concern on the moratorium of building permits on all streets less than 60 ft. and the effect it would have on Ross Addition. After discussion, motion was made by Commissioner Edgerton to recommend to the City Council that we of the Planning Commission do not feel the S.E. 3rd ave. in the Ross Addition is a collector street, therefor, a 50 ft. right-of-way would be acceptable. Seconded by Cutsforth, motioned carried unanimously.

I am enclosing a copy of said letter.

Sincerely,

Gordon L. Ross, Chairman  
Canby Planning Commission

By: Thelma Austin  
Thelma Austin, Secretary

cc: H. Wyman

TO: City Of Canby;  
Councilmen &  
Commisioners.

Gentlemen:

Concerning the new moratorium on building permits on all streets less than 60 ft. The Ross addition to the City Of Canby which was accepted by the city planning commission according to ordinance 443., under section 26, paragraph 2 on page 13 of said ordinance. Which states ('' Where conditions, particularly the size and shape of land parcels, make it impractical to provide minimum lot sizes if the standard street widths are used, right-of-way of not less than 50 ft. may be accepted for minor streets which do not have continuous alignment exceeding 1,800 ft. and for cul-de-sacs.)

1. The NEW creation of S.E. 3rd st. has a 50 ft. right of way, and is only approx. 637 ft. in length beginning and ending with-in said ownership, running from S. Ivy to S. Knott where new apartment construction terminates any futher projection of S.E. 3rd st.
2. S.W. 3rd has only 30 ft. of paving where S.E. 3rd has 40 ft., and it has not been established to my satisfaction if there is any futher right of way.for or available for S.W. 3rd.

over



I believe the planning commission acted justly and in fact cautiously as the plat was in fact the presentation of their own Planning commission chairman, ~~presentation~~. The only available ground which was 40 ft abutting S. Ivy, for street purposes was fully utilized with paving placing the serving utilities with in the road then expanding to and with-in the easments once inside the development.

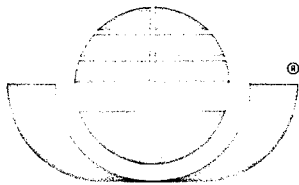
With this input for study I would request written approval of planning commission action taken on The Ross Addition to the City Of Canby; if you have any futher questions I am at your disposal.

Thank you



Gordon L. Ross





GLOBE-UNION INC.

February 8, 1974

Mr. John L. Whiteside  
Acting Superintendent  
of Public Works  
The City of Canby  
P. O. Box D  
Canby, Oregon 97013

Dear John:

SUBJECT: REPAIRS TO 3RD STREET

Globe-Union will pay up to 50% of the cost of repairing 3rd Street from the point where our paved roadway joins it, up to and including the intersection of 3rd with Cedar Street.

Very truly yours,

G. E. Stoughton, Manager  
Corporate Facilities

GES:dj

CC: M. C. Zilis  
J. V. Stuppia  
L. F. Paul

(A)



CANBY TELEPHONE ASSOCIATION  
144 S. Ivy Street  
Canby, Oregon

CITY OF CANBY COMMUNICATIONS AGREEMENT  
(PABX)

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RESPONSIBILITIES OF CANBY TELEPHONE ASSOCIATION

1. Furnish type 40 PABX and all associated equipment and telephone instruments as agreed upon.
2. All PABX equipment will be installed by Canby Telephone Association trained personnel.
3. Maintain System: As with all Canby Telephone Association equipment, system maintenance is provided at no additional cost. Our repairmen check the equipment regularly on a preventive maintenance schedule. Should a failure occur, maintenance personnel is available in the area and on call twenty-four (24) hours a day.
4. Instruct Your Attendant: Canby Telephone Association's service advisors will instruct your attendant and employees to insure that maximum benefits are being realized, instruction will take place on the premises as required.

RESPONSIBILITIES OF CITY OF CANBY

1. Provide a separate room in which to house the telephone equipment, said room to be equipped as follows:
  - A. Commercial power outlet located near equipment as required.
  - B. Room to be well ventilated and as dust-free as possible, with temperature range of not less than 60 degrees nor more than 80 degrees.
  - C. Adequate room light for working.
  - D. Equipment room to be kept locked at all times with only authorized telephone company and City of Canby personnel having key for access.

NOTE: All the aforementioned requirements are for the safe guarding of your total communications system.

CANBY TELEPHONE ASSOCIATION  
 5. Ivy Street  
 Canby, Oregon

CITY OF CANBY TELEPHONE ASSOCIATION TERMINATION AGREEMENT

TERMINATION AGREEMENT

In the event the equipment not retained in service by the City of Canby for a period of five (5) years, the City of Canby will, upon discontinuance of equipment, pay the Canby Telephone Association, the amount of the applicable termination charge, less the amount of that charge for each full month the equipment was in service at the customer location.

PABX TERMINATION CHARGE \$800.00

THE CITY OF

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1893

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Robert D. Westcott

## CANBY PLANNING COMMISSION

PRELIMINARY

☒ APPROVED as presented  
February 13, 1974

☐ DENIED

Date 2 / 13 / 74

By Gordon Ross

Chairman

City of Canby  
Canby Planning Commission

Dear Commissioners:

The City Council, by motion, placed a moratorium on all building permits located on streets with less than a 60' right of way. All building permit applications must be reviewed by the Planning Commission and City Council with regards to setbacks and right of way acquisition.

Specifically Mr. James Payton has applied to construct 56 dwelling units on South Locust Street. The lot is described as tax lot 1200 on map 31E33DD and has 3.78 acres or 164,656.8 sq. ft., which would accommodate under current zoning density 64.86 dwelling, but according to the measurement on building plot plan the lot area is only 145,943.62 or 57 dwellings.

I discussed the inadequate right of way problem with Mr. Payton today and he stated that he would be willing to dedicate 20 feet to the City of Canby on said proposed building lot and possibly 10 feet from property owned by him across Locust Street to provide a 60' right of way on South Locust Street in his area of concern.

I have shown in pink the area which Mr. Payton stated he would be willing to dedicate to the city for street purposes. I have further shown in yellow what the right of way would look like when projected down the street.

It appears to me that the right of way as proposed would be an adequate solution for this street; understanding that any approach used will substantially reduce yard areas on properties abutting South Locust.

It should be understood that as stated in section 26 of our subdivision the standard roadway improvement for a 60' right of way is 40', so following this standard you will note that even though the actual proposed R/W line shows to be on the building line on several buildings

February 13, 1974

the actual improvement would be 10 feet from those structures shown on R/W line.

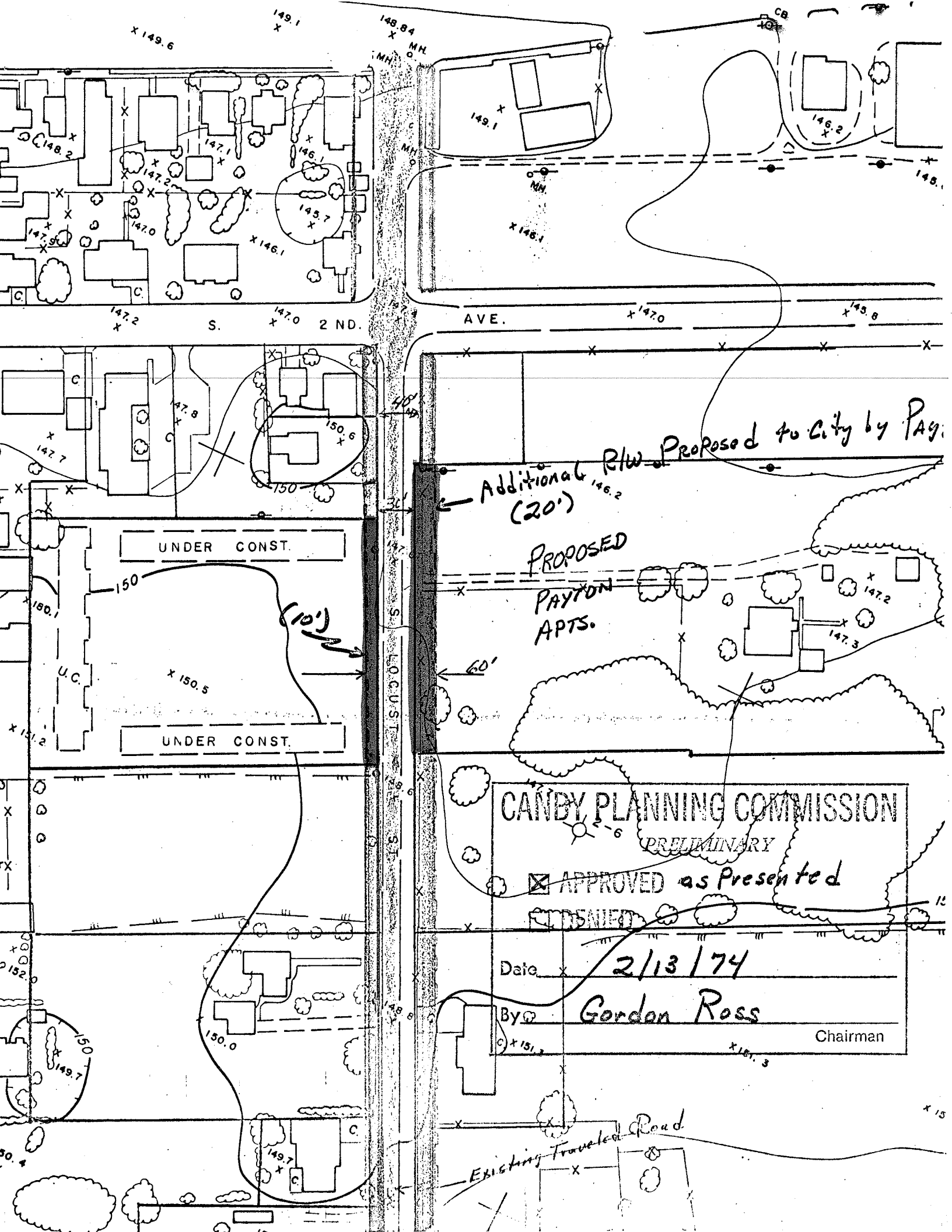
The planning upon establishing requirements and feasibility of said project should transmit said recommendation to the Canby City Council for their action, scheduled for their regular meeting February 19, 1974.

Respectfully submitted,

A handwritten signature in cursive script that reads "John L. Whiteside". The signature is written in dark ink and is positioned above the printed name and title.

John L. Whiteside  
Acting Supt. of Public Works

JLW:cb



x 149.6

149.1

148.84

149.1

146.2

148.1

x 146.1

147.2

S.

147.0

2 ND.

AVE.

x 147.0

x 145.8

147.8

150.6

UNDER CONST.

150

(10')

x 150.5

UNDER CONST.

Additional R/W Proposed to City by Payton (20')

PROPOSED  
PAYTON  
APTS.

CANBY PLANNING COMMISSION

PRELIMINARY

☒ APPROVED as Presented

☐ DENIED

Date

2/13/74

By

Gordon Ross

Chairman

Existing Traveled Road

ESTIMATING COST FACTORS FOR STREET IMPROVEMENT *MATERIAL ONLY*

(40' Street minimum width)  
(40' x 1' = 1.48 sq. yd)

Cost Data

Excavation = \$2.25/cu. yd.  
Curbs = 2.80/ lineal foot of St. 1.40 per side  
Base Rock = 4.65/ton or 6.00/cu. yd.  
A. C. Pavement = 14.00/ton or 4.73/sq. yd. - 2" deep  
or 7.00/ lin. ft. 40' wide  
Oil mat @ 80¢/sq. yd - 2 shots = 1.18/lin. ft.

Type 1 - Permanent Surface

\$19.00/lin ft.

Excavation, base rock, 2" AC Pavement

Type 2 - Temporary Surface (2 shot oil mat)

\$13.18/lin ft.

Excavation, base rock, oil mat

Type 3 - Gravel Base Only

\$12.00/lin ft.

Type Excavation and Gravel

Type 4 - Oil Mat - 2" base rock, no grade establishment

\$ 4.04/lin ft.

(existing surface overlay) ( 2 shot min)

Preparation = \$1.00/ft.  
Rock = 1.86/ft.  
Oil Mat = 1.18/ft.  
\$4.04/ft.

Berg Parkway

S.W. 5<sup>th</sup>

S.W. 4<sup>th</sup>

S Birch

S Douglas

S Elm

S Fir

S Ivy

S Juniper

S Knot

S Locust

SE Township

SW 13<sup>th</sup>

SW 2<sup>nd</sup>

NW 1<sup>st</sup>

NW 2<sup>nd</sup>

N Cedar

NW 3<sup>rd</sup>

Baker Drive

N Douglas

NW 6<sup>th</sup>

NW 7<sup>th</sup>

N Birch

Territorial Rd.

N Holly

N Ivy

N Juniper

N Locust

N Maple

Lee Lake

N Oak

N Pine

NE 1<sup>st</sup>

NE 2<sup>nd</sup>

NE 3<sup>rd</sup>

NE 4<sup>th</sup>

NE 9<sup>th</sup>

NE 10<sup>th</sup>

NE 11<sup>th</sup>

NE 12<sup>th</sup>

1450 ft

750

2300

950

800

2750

2700

3950

200

200

1700

2150

3900

700

700

300

2100

2000

1700

350

550

300

2375

6400

850

3150

2475

1850

4950

450

300

4150

900

900

1900

3550

1550

2350

650

700

91500 ft.

13.8 miles

~~123000~~

# STREETS Needing Immediate Attention.

S Fir from 6<sup>th</sup> to 7<sup>th</sup> — 470 ft.  
Gravel

S. Douglas ————— 795 ft.  
AC + oil shot

N. 6<sup>th</sup> west from Grant — 540 ft.  
Dust oil

N Ivy from 10<sup>th</sup> to 12<sup>th</sup> — 530 ft.  
Dust oil

N Juniper from 10<sup>th</sup> to 13<sup>th</sup> — 680 ft.  
oil shot

Juniper Place ————— 390 ft.  
Dust oil

N 4<sup>th</sup> - Locust to Knott — 260  
ss Juniper — 620  
ss Ivy — 1000  
oil shot

N Ivy - new curbs (side) — 875 ft

N Cedar - 2<sup>nd</sup> to 5<sup>th</sup> — 995  
Gravel