Camby City Council Regular Meeting March 4, 1974

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

Roll Call

Present: Councilmen Gerber, Giger, Wagner and Westcott Councilman Kariker arrived at 7:41 p.m., Tate at 8:54 p.m. and Mayor Roth at 8:45 p.m.

Absent: None

Others Present: Attorney Bettis Sr., Administrator Wyman, Supt. Whiteside, Police Chief Graziano, Fire Chief Buttolph, Treasurer St. Amant, Foreman Atwood and Judge Liberty

Council President Giger called for comments or additions to the minutes of the two previous meetings and there being none he declared the minutes approved as distributed.

Administrator Wyman read portions of a letter from CRAG and announced a meeting of City Councils and Planning Commissions of Molalla, Wilsonville and Canby at the Canby City Hall at 7:30 p.m. on March 6 at which time CRAG would outline their five year plan for the area.

A letter from Kendon Advertising Agency requesting permission to duplicate the Camby city seal on certain commemorative coins was discussed by the Council after which a motion was made by Councilman Gerber, seconded by Wagner and carried unanimously authorizing the use of the seal facsimile.

After reading and discussing a letter from Attorney Bettis regarding possible dates and requirements for special elections, a motion was made by Councilman Westcott, seconded by Wagner and carried unanimously that the recorder notify the County Elections Dept., Norman Bass, Supervisor, that the Council intended to have tax base and/or budget levy measures on the primary ballot in May. Attorney Bettis said this was sufficient to reserve a place on the ballot and that titles and information could be supplied at a later date.

A letter from School District 86C protesting the construction of multiple housing in the immediate area adjacent to the Grant Street School was read by the administrator, discussed by the Council and referred to the Planning Commission for close scrutiny if and when a building permit application is received. Supt. Whiteside said the only existing street access to the property in question was the dead end of N.W. 6th Ave. President Giger asked that the School District letter be acknowledged and the Superintendent be advised of the Council's referral action.

The Public Works Dept. reported that emergency repairs to the railroad parking lots would require approximately 100 yards of gravel at \$6 per yard in place. The estimated cost of scarifying and repaying the parkinglots would be \$34,000 as reported by Whiteside. The Council discussed the problem and questioned the merchant's participation in the cost of repairing said parking lots. After a period of discussion a motion was made by Councilman Gigar and seconded by Kariker that the

3-4-74.

Canby City Council Regular Meeting March 4, 1974 Page 2

Public Works Dept. be authorized to repair the parking lots at a cost not to exceed \$600. Upon call for the question, Councilman Wagner proposed an amendment to the motion on the floor by adding "if the cost thereof be underwritten by the merchanne". The amendment was seconded by Councilman Westcott and carried unanimously, then the question on the original motion as amended was called for and resulted in unanimous adoption. The mayor requested that the administrator and superintendent pursue the matter further with the Merchant's Association.

Administrator Wyman and Supt. Whiteside presented estimates of costs of street lighting which was to be financed by the special street light levy adopted in 1970 totaling \$10,809.30. After a period of discussion a motion was made by Councilman Wagner, seconded by Westcott and carried unanimously authorizing the Public Works Capt. to proceed as presented in the estimates. The estimated cost thereof is attached to end becomes a part of the file copy of these minutes.

The mayor announced the time had arrived when one position on the Canby Utility Board had terminated and that he was presenting the names of S.W. Dresen and Walter Daniels to be placed in nomination. After a period of discussion during which Councilman Giger asked for a delay so that he might contact another qualified party, Mayor Roth declared an executive session of the Council for 7:00 p.m. on March 18.

The next order of business, Mayor Roth appointed Ralph Hulbert and Andy DiTommaso to succeed themselves as members of the Canby Planning Commission. A motion was made by Councilman Giger, seconded by Wagner and carried unanimously approving the appointments. Then the mayor appointed John Edgerton and Earl Oliver to succeed themselves as members of the City Budget Committee. Thereupon a motion was made by Councilman Giger, seconded by Westcott and carried unanimously approving those appointments. The mayor and council agreed to withhold other appointments including that of a City Forester for further research.

The Council and Public Works Dept. further discussed the offer of Globe Union Battery Co. to share the cost in resurfacing N.W. 3rd Ave. as it constitutes an access to their property. After a thorough review of the subject, the Council recommended that the City staff, the Canby Industrial Park representatives, Globe Union representatives and Canby Grade School representatives argange for a meeting to discuss and negotiate and that Administrator Wyman be prepared to report back to the Council. The mayor insisted that the matter be kept active until solved.

Upon presentation of the computer print-outs of Accounts Payable totaling \$5,925.23 a motion was made by Councilman Giger, seconded by Westcott and carried unanimously by roll call vote that the claims against the City be approved for payment and warrants be drawn on the treasurer in payment thereof. Administrator Wyman advised the Council that the \$9,900 accumulated resources from the Van De Mortle estate had been deposited in the Wait Park Savings account and recorded on budget line item 01-0-11129. Canby City Council Regular Meeting March 4, 1974 Page 3

ORDINANCE #566, AN ORDINANCE DECLARING THE INTENTION OF THE CITY OF CANBY, ORECOM TO OPERATE AND MAINTAIN A SEWAGE COLLECTION AND TREATMENT SYSTEM; ESTABLISHING AND IMPOSING JUST AND EQUITABLE CHARGES; PROVIDING FOR THE MANNER OF PAYMENT, COLLECTION. ENPORCEMENT AND DISBURSEMENT OF SUCH CHARGES; REPEALING ORDINANCE 394 ENACTED SEPTEMBER 4, 1956, ORDINANCE 397 ENACTED JANUARY 7, 1957, ORDINANCE 407 ENACTED MARCH 3. 1953, ORDINANCE 502 ENACTED APRIL 1, 1967, ORDINANCE 538 ENACTED MAY 17, 1971 AND DECLARING AN EFFECTIVE DATE was read by Attorney Bettis on final reading by title only. Mayor Roth at that time described a policy that he preferred that lengthy discussion and technical corrections from the Council be made at workshop sessions and not at the time of final reading of ordinances. Discussion followed and Attorney Bettis ruled that final reading of an ordinance is not necessarily a public hearing and if there is no comment from the floor that he would support Mayor Roth's policy on the final reading of ordinances. Thereupon a motion was made by Councilman Giger seconded by Tate and carried unanimously by roll call vote that Ordinance 566 be adopted on final reading and become a part of the laws of Canby.

ORDINANCE # 578, AN ORDINANCE AMENDING SECTIONS 15 AND 18 OF SUBDIVISION ORDINANCE #443, TO PROVIDE FOR SUBDIVISION DEVELOPMENT PRES was read on final reading by title only by Attorney Bettis. Thereupon a motion was made by Councilman Giger, seconded by Gerber and carried unanimously by roll call vote that Ordinance #578 be adopted and become part of the laws of Canby.

Upon the administrator's advise that the staff was working on an overall street, water and sewer improvement program and after a period of discussion, the mayor required that the staff and Canby Utility Board prepare progress reports and that the matter be placed on the agenda for March 18.

Judge Liberty approached the Council requesting that the judge's salary be increased to \$500 per month beginning March 1. Liberty stated that increased time and effort on his part and that of his secretary had made it mandatory that his salary be increased immediately. After a period of discussion a motion was made by Councilman Westcott, seconded by Gerber and carried unanimously that the administrator research the budgetary possibilities and approving the \$500 salary for the judge beginning March 1 if such funds were available.

Administrator Wyman reported that Mayor Roth, Supt. Whiteside and himself had inspected a 1959 GNC Suburban auto that Attorney Bettis had reported as a portion of the Scramlin estate left to the Canby Library. The administrator said the vehicle was in excellent condition for its age and had been appraised by three agencies at \$700 and that the auto would suffice as a dog control vehicle. After a period of discussion a motion was made by Councilman Giger, seconded by Westcott and carried unanimously that the 1959 GMC Suburban vehicle be purchased from the Scramlin estate and the money made available to the Library. Attorney Bettis asked that the Council authorize Administrator Wyman to sign a certificate of custodial receipt for the vehicle until the estate is settled and thereby making the vehicle accessible to the City without delay. A motion was made by Councilman Giger, seconded by Westcott and carried unanimously authorizing Administrator Wyman to sign the custodial receipt. Canby City Council Regular Meeting March 4, 1974 Page 4

The recorder presented liquor license application renewals from Willamette Valley Country Club, Rose's Tavern and Bill's Discount Foods and reported that both the Police Dept. and Fire Dept. had recommended approval. After a short period of discussion a motion was made by Councilman Giger, seconded by Wagner and carried unanimously that the three above renewal applications be recommended for approval to the State Liquor Control.

Administrator Wyman reported on the damages resulting from the wind storm on Friday, March 1, and the orderly and successful procedure followed by the City employees and the Camby Utility Board in restoring City facilities to normal. Wyman said he would take the opportunity to officially commend the Police, Fire, Utility and Public Works Dept. for their fine service. Mayor Roth extended his appreciation and also recommended that the Oregon City Fire Dept. be officially thanked for their participation at the recent Grade School fire.

Supt. Whiteside announced a meeting of representatives of the building trades in the Council room Tuesday, March 12, at 7:30 p.m. He said the purpose of the meeting was to correlate the new state legislation into the City Building Dept. and to assure the tradesmen that the City would enforce the Building Code as it now exists.

The meeting was adjourned at 9:45 p.m.

J. R. Richardson, City Recorder

Roth, Mayor

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kendon advertising

SYLVAN BUILDING 📼 2035 S.W. 58TH AVE. 🖾 PORTLAND OREGON 97221 📼 503/292-8871

February 26, 1974

Mr. Harold Wyman City Administrator City Hall Canby, OR 97013

Dear Mr. Wyman:

As you may know, during the spring of this year, Willamette Savings and Loan Association will be opening a branch in your city. As we are the Association's advertising and public relations agency, we are currently planning their grand opening, scheduled for late spring or early summer.

During this event we wish to offer free to Canby area residents a Canby Commemorative Coin which we will produce exclusively for the Association's Canby Branch. The Commemorative Coin will be about the size of a silver dollar, cast using zimack metal, and plated with brass, copper or gold. A "sleeve" will encircle the coin with a small eye to enable its holder to use the coin as a key ring.

Our reason for writing you on this matter is the wording and design we would like to use on the coin. One side (see illustration) of the coin will read: Canby, Oregon, 81 Years 1893 - 1974, a representation of the Wait Park sign, Aaron E. Wait, 1813 - 1898, Willamette Savings and Loan, 1960 - 1974. On the other side of the coin, we wish to use a facsimile, in all or in part, of Canby's City Seal. We may not be able to reproduce it completely accurately as the edge of the seal is serrated and the edge of the coin will be smooth.

The question is, Mr. Wyman, to give the Commemorative Coin the desired "local flavor" may we use a representation of the Canby City Seal? I have checked with the City Attorney's office and they referred me to you and the City Council.



February 26, 1974

We ask that you submit this request to the City Council for their decision and advise me as soon as possible on the outcome. Once I receive word from you, we will immediately proceed with producing the 4,000 coins needed.

Your attention to this matter is very much appreciated. Thank you.

Sincerely,

Chambers Craig Kendon Advertising



COLUMBIA REGION ASSOCIATION of GOVERNMENTS

6400 S.W. CANYON COURT

(503) 297-3726

PORTLAND, OREGON 97221

ATTACHMENT "A"

QUESTIONS TO LOCAL JURISDICTIONS CONCERNING

PLANNING IN THE CRAG REGION: THE SECOND STEP

CLACKAMAS COUNTY

46

Canby Gladstone Happy Valley Lake Oswego Milwaukie Oregon City West Linn

CLARK COUNTY

Camas Vancouver Washougal

COLUMBIA COUNTY

Clatskanie Columbia City Prescott Rainier Scappoose St. Helens Veronia

MULTNOMAH COUNTY

Fairview Gresham Portland Troutdale Wood Village

WASHINGTON COUNTY

Beaverton Cornelius Durham Forest Grove Hillsboro North Plains Sherwood Tigard Tualatin

- Do you agree with the concept of a design population limit of two million people and the subsequent population allocations and densities established for counties, communities and cities in the CRAG region?
- 2. Based on your knowledge and feeling for the region and its problems, do you prefer the Concentration, Dispersion or Combination land use concept for use as a guide for future development?
- 3. Can you identify any particular negative impacts or implications of any of the three concepts?
- 4. Do you generally agree with the exploratory proposals in the Six-Point Program, such as regional zones, regional revolving fund, revision of the property tax system, and regional revenue-sharing?
- 5. Do you have any further suggestions with respect to the overall direction of the program or any specific aspects?

OLUMBIA	REGION	ASSOCIATION	of GOVERNN	IENTS
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6400 S.W. CANYON COURT

PORTLAND, OREGON 97221

(503) 297-3726

Cities of Canby, Wilsonville, Molalla

This letter is to confirm the time and place of a meeting of CRAG staff with the members of your city council and planning commission, together with officials from nearby jurisdictions.

> DATE: <u>March 6th</u> TIME: <u>7:30</u>

> > PLACE: <u>Canby City Hall</u>

We understand that you will notify each of your councilmen and planning commissioners of the meeting.

The meeting agenda will consist of a presentation by , CRAG staff of what has been done to date toward the completion of a comprehensive plan for the region as described in the new report, PLANNING IN THE CRAG REGION: THE SECOND STEP. Following the presentation, we will ask for discussion and comments on the policies and proposals covered. In particular, responses to the five questions outlined in Attachment "A" will be requested.

Copies of a news release and one or two additional copies of THE SECOND STEP report are enclosed for circulation to the Mayor, Planning Commission Chairman and other officials. Copies have already been given to your representatives of CRAG boards and advisory committees.

If we can provide any additional information, please call me or Lyle Balderson, Area Development Director.

Very truly yours,

A. McKay Rich Acting Executive Director

cc: Jurisdictions invited to this meeting

PS

CLACKAMAS COUNTY Canby Gladstone

Gladstone Happy Valley Lake Oswego Milwaukie Oregon City West Linn

CLARK COUNTY

Camas Vancouver Washougal

COLUMBIA COUNTY

Clatskanie Columbia City Prescott Rainier Scappoose St. Helens Veronia

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 160 N.W. THIRD AVENUE CANBY, OREGON 97013

Telephones 266-1113 655-1674 Area Code 503

February 27, 1974

Honorable Paul N. Roth, Mayor City of Canby P. O. Box D Canby, Oregon 97013

Re: Increasing the City's Tax Base

Dear Mayor Roth:

House Bill 2037, Chapter 796 of 1973 Oregon Laws, establishes six election days during the calendar year for all elections, and they are to be conducted by the County Election Department. This same new law requires that thirty-five (35) days' advance notice of a required election be given to the Election Department. Times for the elections as now established by this House Bill 2037 are as follows:

Third Tuesday in February Fourth Tuesday in March First Tuesday in May Second Tuesday in June Fourth Tuesday in September First Tuesday after the first Monday in November

Section 11, Subsection 5 of Article XI of the Oregon Constitution requires that the question of a new tax base be submitted at a regular Statewide general or primary election. Therefore, the next possible date for a vote on a new City tax base would be the primary election on Tuesday, May 7, 1974, and notice thirtyfive days in advance of that date must be given to the Clackamas County Election Department of the required election and the purpose.

The establishment of a new tax base will not in itself impose a tax, but it will provide the Council with an important and necessary tool for planning the City's growth and budgeting for its fiscal requirements, and eliminate the costly necessity of budget elections if future budgets are kept within the new tax base limitation. I don't think that it is possible to accurately predict the City's budget requirements for any future year, but an adequate tax base will enable the budget committee and City Council to properly prepare each future budget and not have to submit the budgets to election. Hearings on the budgets as now required by the Oregon Honorable Paul N. Roth, Mayor City of Canby 2/27/74 Page 2

Budget Laws provide opportunity for the taxpayers to appear, participate and be heard and acquaint themselves with the City's budget requirements.

If a budget election is required this year and the budget defeated at the May 7th election, a notice would have to be given the same day to the County Election Department for another budget election on the second Tuesday in June, and this wouldn't provide adequate time for any budget paring study of the budget as defeated in the May election. In fact, there isn't thirtyfive days between the May 7th election and the next possible election on June 11, and I am not even sure whether a notice to the Election Department on the morning of May 8 following the election would meet the statutory notice requirement. The next possible election date would be the fourth Tuesday in September, and that of course is too late to certify a budget as approved to the Assessor's office. For these reasons and because of these problems is another good argument for an increased tax base for the City.

A suggestion to solve the problem of a defeat at the May election on a City budget would be for the Budget Committee and Council to determine that the budget to be submitted first will be resubmitted again without change whatsoever if defeated on the first attempt and for a second election at the June 11th election, and the notice of this fact can be given in the initial notice of the first election requirement.

I am acquainted with the procedures for establishing a new tax base but the Council must determine the dollar amount for a new tax base and sufficiently in advance of a primary or general election date so that I can prepare the required notices, ballot title and other related matters. If you have further questions concerning this matter, please let me know, and I will endeavor to assist wherever possible.

Sincerely,

BETTIS & REIF 1 al Calar D. Batta

WPB:EN

Wade P. Bettis cc: Mr. Harold A. Wyman, Administrator Mr. J. R. Richardson, Recorder

Canby School District No. 86

451 N. GRANT ST. ☆ CANBY, OREGON 97013

Administration Bldg., 451 N. Grant St. Phone 266-2743

H. Eccles Bldg., 562 N.W. 5th Ave. Phone 266-2744

Cenby Middle School, 350 S.E. 13th Ave. Phone 266-2751

Grant Street School, 501 N. Grant St. Phone 266-2741

DOARD OF DIRECTORS

MATTHEW KNOBLAUCH, Chairman EARL STOLLER, Vice-Chairman DAVID S. NEELEY ARTHUR GOGLIN RONALD ANDERSON MRS. RUTH HOSTETLER, Deputy Clerk

PAUL ACKERMAN, Supt.-Clerk JEAN BOMBER, Principal H. Eccles School GARY EMPEY, Principal Middle School RONALD CAMP, Principal Grant Street School

Mayer Paul Roth City of Canby Canby, Oregon,

2-28-74

The Board of Directors of School District 860 wish to register their concern and apprehension about a proposed apartment development at the end of N.W. 6th Avenue, and adjacent to the playgrounds of the Howard Eccles and Grant street schools.

Previously District 86 C has deeded to the City sufficient property of the district to enable the residents of that street to have a street of adequate width. This was done on two different occassions and as a favor to those residents and property owners living on the street.

Building a highly concentrated apartment complex to be serviced by this street would certainly violate the intent and reason for donating the District's property for widening the street.

We are therefore strenuously opposed to this development. We feel it would be a detriment to our school complex and a considerably hazard to the children because of the increase in traffic on the street.

Please notify us if there is to be a hearing on this matter. We wish to appear in person to voice our opposition.

Yours truly,

Paul Ackerman, Superintendent Canby Elementary School District 86C Canby, Oregon

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