

City Council
Regular Meeting
May 6, 1974

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

Roll Call

Present: Mayor Roth, Councilmen Giger, Kariker, Wagner & Westcott

Absent: Councilmen Gerber & Tate

Others Present: Administrator Wyman, Attorney Bettis Sr.,
Treasurer St. Amant & Foreman Atwood

The mayor called for corrections or additions to the minutes of the meeting of April 15 as distributed and there being no comment, declared the minutes approved.

Administrator Wyman read a letter from O-ME-CO Inc. concerning temporary improvement of a portion of Maple St. adjacent to Country Club Estates property, 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 Westcott, seconded by Wagner and carried unanimously to contact representatives of Country Club Estates to obtain their feeling and advisement on the program suggested by O-ME-CO and that this matter be carried forward to the meeting on May 20.

Another letter from O-ME-CO Inc. was read by the administrator concerning the installation of drain tile in Country Club Estates Annex #3. A copy of this letter is attached to and becomes a part of the file copy of these minutes. After a short period of discussion concerning the city's cost involvement in the installation of a 42" storm sewer main instead of the required 15" and/or 18" tile, the mayor ordered this matter carried forward to May 20's regular meeting with the request that the Public Works Dept. have a report and an estimate of cost at that time.

The council reviewed the recommendations set forth in a letter previously received from the Traffic Safety Committee regarding fifth lane channelization on Hwy. 99E through Canby. The mayor exhibited a petition submitted by the opposition earlier in the day. Councilman Giger recommended that a special meeting be set and advertised to discuss this matter when both the opposition and proponents, including the Traffic Safety Committee, could be present. After a period of discussion the mayor declared a special meeting scheduled for 7:30 Thursday, May 16, at which time the recommended channelization of 99E might be discussed along with other matters of business that might come before the council.

Administrator Wyman read a report compiled from recommendations of the Public Works Dept. and Police Dept. that stop signs be installed on Pine St. at 9th Place, 11th Avenue and 15th Place. It was also recommended that stop signs be placed on Juniper St. at N.E. 3rd and 4th Avenues. After a period of discussion a motion was made by Councilman Giger, seconded by Wagner and carried unanimously approving the installation of said street signs subject to approval of the Traffic Safety Committee with a report back to the council at the May 20 regular meeting. A verbal agreement was reached by members of the council that all future recommendations for the installation of traffic control signs be cleared with the Traffic Safety Committee prior to council action.

Patrick McMuldren, representing the newly reorganized Canby J.C. program, appeared before the council seeking permission for that organization to assume maintenance and clean-up activities in the Canby Community Park with the prospect of the park being kept open throughout the year. The city council discussed the matter with McMuldren and commended the organization for offering its services in community spirit. Two other members of the J.C. organization, Richard T. Brinkman and David C. Pulley were present and gave their support to McMuldren's offer and included offers to accept other city-wide projects where they might be of assistance to the city council. After a period of discussion a motion was made by Councilman Wagner, seconded by Giger and carried unanimously to welcome the reorganization of the J.C. Club in Canby and to accept their offers to be of service to the city. The mayor recommended to the club members that they and as many of their members as possible be present at the Canby Grade School on May 14 for a Citizen's Advisory Committee meeting where they can offer assistance in needed surveys and other community activities. McMuldren said the J.C.'s met regularly on Tuesday evenings and would welcome representation from the council or Advisory Committee at any time.

After a review of computerprint-outs a motion was made by Councilman Giger, seconded by Westcott and carried unanimously by roll call vote that claims against the city in the amount of \$13,454.47 be approved for payment and warrants drawn on the treasurer in payment thereof.

Ordinance #580. AN ORDINANCE PROVIDING FOR THE CALLING OF A CITY TAX BASE ELECTION IN THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON, ON MAY 28, 1974, FOR THE PURPOSE OF SUBMITTING TO THE LEGAL VOTERS OF THE CITY OF CANBY, OREGON, THE QUESTION OF ESTABLISHING A NEW TAX BASE FOR THE PURPOSE OF APPLYING THE LIMITATIONS ON TAXATION SET FORTH IN SECTION IX, ARTICLE XI, OREGON CONSTITUTION, was read on final reading by title only by Attorney Bettis. Thereupon a motion was made by Councilman Giger, seconded by Kariker and carried unanimously by roll call vote that Ordinance #580 be adopted on final reading and become a part of the laws of Canby. Attorney Bettis requested that notices of election be posted in seven conspicuous places within the city and that a copy of said notice along with the recorder's affidavit of posting become a part of the file copy of these minutes.

The attorney reported that he was in the process of compiling an ordinance draft to adopt the 1971 Plumbing Code for the City of Canby but that recent receipt of 1973 Legislation made it mandatory that he revise the draft to incorporate new sections of the law and that he would have the rough draft ready for presentation at the May 20 meeting.

Mr. & Mrs. Dick Brenneke approached the council regarding new requirements of CRAG in connection with the proposed city annexation and zoning of a parcel of land known as Guardian Properties. After a period of discussion a motion was made by Councilman Westcott, seconded by Wagner that copies of maps, letters and council minutes pertaining to the matter be provided to facilitate the matter. Councilman Giger moved that they amend the motion to include that copies of said documents be forwarded to CRAG with copies going to Brenneke. The amended motion was seconded by Westcott and both motions carried unanimously. Brenneke reported that the CRAG office informed him that a copy of a letter pertaining to this matter had been mislaid or was lost.

Copies of the 1972-73 Audit, furnished to the members of the council previously, was discussed. Administrator Wyman called the council's attention to departmental balances for the year and that the net cash carry-overs are as follows for the different departments.

General Fund-\$5,178.00, Sewer Dept.-\$33,891.00, Cemetery-\$1,117.00,
Street Dept.-\$36,871.00

A motion was made by Councilman Wagner, seconded by Westcott and carried unanimously that said audit be accepted and filed.

Mayor Roth read a letter from the Land Conservation & Development Program announcing a meeting on May 15 pertaining to Senate Bill 100. Attorney Bettis explained the purpose of the meeting and lead an informal discussion on the matter. Mayor Roth announced a scheduled meeting for 5:00 p.m. on May 15 at the Keg & Platter in Salem and later the same evening at the state fairgrounds for senior citizen involvement in the Senate Bill 100 matter. The mayor advised that any councilman and planning commission members who could, should attend.

The council discussed the contents of a recent letter from the city attorney regarding abstention in voting on official council matters. Attorney Bettis explained his theories and advised that the officials were elected to run the city and should take particular interest in informing themselves on matters before the council, making decisions to vote as they see fit. Councilman Westcott added that this procedure might be questioned where conflict of interest is involved or on matters of religious or personal convictions such as voting on the approval of liquor licenses, etc. Bettis agreed with the councilman and said that in other cases it was the councilman's duty to inform himself and be ready to vote.

Attorney Bettis informed the council on the latest correspondence with Package Containers Corp. pertaining to the questioned sewer connection fee due to the city. Bettis said that he would continue the case until it could be settled. Mayor Roth requested further report be prepared for the May 20 meeting.

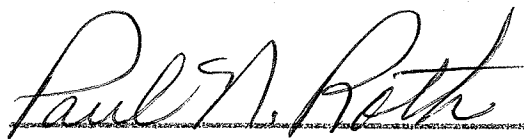
A claim presented previously by Eldon Edwards in the amount of \$1,522 for planning services had been held up pending Planning Commission approval and that approval having been received; a motion was made by Councilman Giger, seconded by Kariker and carried unanimously by roll call vote that the claim in the amount of \$1,522 be approved for payment.

Administrator Wyman discussed with the council the city's position at the present time regarding curb installation by property owners where permanent street grades have not been established. Wyman said at least fourteen property owners had indicated an intention of installing curb and his recommendation was that these applications be held up until more permanent grades are established. The council discussed the matter but no action was taken.

Councilman Westcott reported that he had attended a League of Oregon Cities meeting at VIP's Cafe recently where street noise control and abatement was discussed in detail. He said that noise control was becoming a principle feature in the successful application for federal funds for street and highway improvements.

The meeting was adjourned at 9:52 p.m.


J. A. Richardson, City Recorder


Paul N. Roth, Mayor

MEMORANDUM

TO: Mr. Harold Wyman
City Administrator

FROM: John L. Whiteside
Superintendent of Public Works

SUBJECT: Installation of Stop Signs

Due to a recent accident and the substantially increased traffic volume on N. E. 3rd Avenue and subject to recent discussions with the Chief of Police, this department hereby recommends the installation of stop signs on N. Juniper which intersects with N. E. 3rd and on Juniper at N. E. 4th Avenue.

John L. Whiteside

~~5/15~~ ~~SALON~~ SB100 5pm KCC + PLANNER
~~SALON SENIOR CITIZEN SB100~~
~~ADV COMM + PL C~~

Wyman ~~EDWARDS~~ (NO APPR 1522 PL C)
~~MO GROSS 2nd RUN~~

WYMAN CURBS - NOT INSTALL UNTIL STR GRADE ESTABLISHED
MAPLE & 13 OTHERS DISCUSS
NO CURB TILL GRADE ESTAB

BOB + 2 TO LEAGUE MEETING - NOISE CONTROL ON STREETS

April 29, 1974

O-ME-CO, Inc.
641 Baker Drive
Canby, Oregon 97013

City Council
Canby, Oregon


Gentlemen:

This letter is in reference to the 117 feet just south of the beginning of County Club Estates Annex #2 on Maple Street. This road needs improvement. We are not owners of the adjoining property, but feel it is to our benefit to improve the entrance to our subdivision.

We propose to go just south of the existing high shoulder that banks Maple into the country club, start the cut, and gently slope the existing high bed down to where the black top starts in Annex #2. We will then put a bed in and oil mat the surface so the completed job will be equal to or better than the existing Maple Street.

Upon council approval we will commence work immediately.

Sincerely yours,


O-ME-CO, Inc. Secretary

GA

April 29, 1974

O-ME-CO, Inc.
641 Baker Drive
Canby, Oregon 97013

City Council
City of Canby
Canby, Oregon

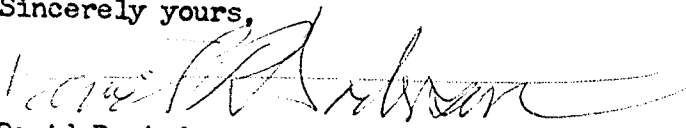
Gentlemen:

Last month the City of Canby Planning Commission gave us preliminary approval to Country Club Estates, Annex #3. This approval was subject to the city participating in a 42" drain storm drain tile that is called for on the over-all master storm sewer drainage plan for the entire city.

Our engineering plans call for 15 and 18" lines which we intend to put in the area this summer. We would like to know if the city is in a position to participate and have the larger 42" line installed instead.

We would appreciate knowing the city's position as we would like proceed on the project this spring.

6B
Sincerely yours,


David R. Anderson, secretary
O-ME-CO, Inc.

AFFIDAVIT OF POSTING

STATE OF OREGON)

COUNTY OF CLACKAMAS)

SS.

I, *J. Richardson*, being first duly sworn depose and say that I am the Recorder for the City of Canby, Clackamas County, Oregon, a City duly incorporated under and by virtue of the laws of the State of Oregon; That the Common Council for the said City of Canby held a regular Council meeting on the 6TH day of May 19 74, at which said meeting Ordinance Number 586 or

^{SECOND}
was read for the first time and passed by the vote of the Council, and ~~was then and there~~
^{NOTICE OF ELECTION} ^{SEVEN}
ordered posted in at least three (3) public and conspicuous places in said City for a period of two (2) full calendar weeks prior to the second reading and final vote on said Ordinance, and as is provided in Section 3 of Chapter V of the charter for the City of Canby, and

Thereafter, and on the 7TH day of May, 19 74, I, *J. Richardson*, the undersigned, personally posted said Ordinance in the following three (3) places, which are public and conspicuous, all within the said City of Canby, to-wit:

- ^{CANBY GRADE SCHOOL}
1. Canby City Hall
- ^{CANBY FIRE DEPARTMENT}
2. Canby Post Office
- ^{FIRST CONSERVATIVE BAPTIST CHURCH}
3. Canby Union Bank
- ^{CANBY UNION HIGH SCHOOL}

That since said posting on the date aforesaid, the said Ordinance has remained posted in the said three (3) public and conspicuous places continuously for a period of the two (2) full calendar weeks and until the very 28TH day of May, 19 74.

J. Richardson
City Recorder for the City of Canby, Oregon

NOTICE OF ELECTION TO ESTABLISH NEW CITY TAX BASE

On Tuesday, May 28, 1974, in the City of Canby, Clackamas County, Oregon, from 8:00 a.m. until 8:00 p.m. a City Tax Base Election will be held at which the following proposition will be submitted to the legal voters of the City of Canby for their approval or rejection:

ESTABLISHING NEW CITY TAX BASE.

Shall the City of Canby, Clackamas County, Oregon, increase its tax base from \$70,000 to \$500,000?

The voter shall place an (X) or a (✓) in the box to indicate his choice. Vote YES or NO.

100 ☐ YES

101 ☐ NO

This proposition if adopted will establish a new tax base for the City of Canby, Oregon, for the purpose of applying the limitation on taxation set forth in Section 11, Article XI, Oregon Constitution. The present tax base is \$70,000, the new tax base if adopted will be \$500,000, and the new tax base if adopted shall first apply to the fiscal year next following this election.

The polling places in the City for the City Tax Base Election will be at the same places as provided by Clackamas County for the Statewide Primary Election to be held on the same day, Tuesday, May 28, 1974, and to such places as the Election Boards may legally adjourn.

The City Council by Ordinance has appointed the identical officers appointed by the Clackamas County Election Department for the Statewide Primary Election as the election officers of the City Tax Base Election to serve in each of the polling places in the respective precincts to which they are appointed by the Clackamas County Election Department.

WITNESS my hand and seal of the City of Canby, this 7th day of May, 1974.



City Recorder

NOTICE OF ELECTION TO ESTABLISH NEW CITY TAX BASE