

Canby City Council
Regular Meeting
December 16, 1974

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

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

Absent: None

Others Present: Administrator Wyman, Councilman-elect Rapp, Canby Utility Board Chairman Newton, Supt. Whiteside, Fire Chief Buttolph and Attorney Bettis Sr.

Upon call for comments regarding the minutes of the meeting of December 2, 1974, Councilman Tate called attention to the 3rd paragraph of page 1 as distributed that the letter from the Public Utility Commission should have been referred to the Southern Pacific Transportation Company. Upon the recorder's statement that the correction would be made on the file copy of the minutes and there being no other corrections or additions, Mayor Roth declared the minutes approved as corrected.

Resolution CLXXXIV; A RESOLUTION IN PROTEST OF REVENUE MEASURES ENACTED BY TRI-MET BOARD OF DIRECTORS was read by Administrator Wyman. After one correction on line 6 "percent" being changed to "cent", a motion was made by Councilman Giger, seconded by Gerber and carried unanimously to adopt Resolution CLXXXIV and distribute copies to those interested or affected.

Resolution CLXXXV; A RESOLUTION APPOINTING THE CANBY UTILITY BOARD AS AGENT OF THE CITY OF CANBY FOR COLLECTION OF SEWER SERVICE CHARGES was read as drafted by Attorney Bettis. The members of the council protested the granting of authority to the Canby Utility Board beyond the collection of sewer receipts except for monthly sewer rental charges. After a period of discussion and upon the understanding that Attorney Bettis would have Resolution CLXXXV re-written authorizing the Canby Utility Board authority over billing and collecting of monthly receipts only, a motion was made by Councilman Giger, seconded by Gerber and carried approving Resolution CLXXXV.

The council was reminded that Ordinance #587 had been passed on first reading and has been posted in compliance with the City Charter and will come up for final action at a special meeting on December 23.

The question arose of whether or not a special meeting would be required to swear in the newly elected officials but Attorney Bettis stated that the recorder could swear in the newly elected members anytime before the first business day of January and that they would then be officially installed at the regular meeting on January 6.

Letters from the Public Utility Commission and Clackamas County Commission were read by Administrator Wyman and declared by the mayor to be for information purposes only at this time.

Administrator Wyman presented a petition with map attached requesting street improvement on N.E. 2nd Avenue between Ivy Street and the deadend. The administrator stated that the names on the petition constituted 53% of the property owners in the petitioned area. It was brought up that Curtis Johnson had signed the petition but had not designated what property he controlled adjacent to the street and whether or not it was private or Canby Union Bank property. The council discussed the manner in which the request might be financed and the mayor declared the matter to be placed on the agenda of the first regular meeting in January.

Administrator Wyman read a letter from Read-Bentz Insurance pertaining to volunteer firemen working on private cars on city property when off duty. A copy of Read's letter is hereby attached to and becomes a part of the file copy of these minutes.

The mayor declared the time had arrived to make appointments of membership for the Canby Planning Commission as required by a newly adopted Planning Commission Ordinance. The appointments were as follows: One year appointment - David C. Merrill; Two year appointment - Elsie Cutsforth and Robert Shaw; Three year appointment - Ralph Hulbert and Curtis Johnson; Four year appointment - Gordon L. Ross and John Edgerton. After a brief period of discussion a motion was made by Councilman Giger, seconded by Kariker and carried that the above appointments be accepted by the council.

Upon the mayor's declaration that a new alternate representative to the CRAG General Assembly be appointed to replace Councilman Tate who is retiring from the council, the council declared that Mayor Roth re-appoint himself as official delegate to CRAG and that Councilman Gerber be appointed as alternate representative. After a short period of discussion a motion was made by Councilman Wagner, seconded by Giger and carried unanimously regarding the re-appointment of Mayor Roth as representative. Then a motion was made by Councilman Giger, seconded by Wagner and carried that Councilman Gerber's appointment as alternate be confirmed by the council. The mayor then announced CRAG Open House on December 17.

The council reviewed the accounts payable listing in the amount of \$21,879.35. A motion was made by Councilman Giger, seconded by Gerber and carried by roll call vote approving the claims for payment. Administrator Wyman presented a billing from Zarosinski-Tatone Engineers in the amount of \$1,271.50 for engineering services. After a brief discussion a motion was made by Councilman Giger, seconded by Westcott and carried approving payment of said claims. Then a billing from Eldon Edward's was presented to the council. After a short period of discussion the council suggested that payment of the Edward's bill be withheld pending the receipt of a recent progress report and correlation with the school district planning.

Administrator Wyman advised the council of receipt of a letter from Leo Elario of Candlelight Homes requesting that the payment of building permit fees of \$870.50 be refunded to him due to conditions under which he did not construct any part of the building as contained in the building permit.

Councilman Tate asked the mayor to excuse him at 8:15 p.m. for a short period of time. Upon indication that the council was about ready to vote on the Elario matter and Councilman Tate having not returned, Councilman Westcott requested and the mayor called a short recess at 8:23 p.m. The meeting was reconvened at 8:28 p.m. At that time a motion was made by Councilman Giger, seconded by Gerber and carried that the request for refund of building permit fees be denied.

Councilman Wagner inquired as to the efficiency of the municipal court and the comparison of costs to receipts therefrom. Administrator Wyman stated that reports were being compiled.

Administrator Wyman requested permission to employ Darryl Jones as police patrolman. After a brief period of discussion a motion was made by Councilman Westcott, seconded by Kariker and carried authorizing Jones' employment.

Mayor Roth appointed Councilmen Westcott and Wagner to a recently formed committee composed of rural fire board members, Utility Board members and councilmen to meet and correlate plans affecting two or more of the organizations represented.

Administrator Wyman and Supt. Whiteside requested the council's decision regarding traffic control on N. Cedar Street between 3rd Avenue and 6th Avenue as Cedar Street paving had been completed that day. After a detailed discussion and certain recommendations made, the council left the final decision in the hands of the city administrator who was recently authorized by resolution in that respect. Thereupon Mayor Roth advised the administrator to use his own judgement regarding speed control by sign installation and to report back to the council on its effectiveness.

Councilman Westcott requested an executive meeting of the council in the near future. Councilman Giger suggested that the executive session be postponed until sometime in January.

The council discussed the contents of the Canby Utility Board minutes of November 21, 1974 and questioned the accuracy thereof. Mayor Roth reminded the members of the council of a Charter Revision Committee meeting Tuesday noon at which the Utility Board would be discussed.

There being no further business to come before the council at this time the mayor declared the meeting adjourned at 9:54 p.m.